

CHAPTER XXXI
ZONING ORDINANCE
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

ARTICLE 13.00 CHANGES & AMENDMENTS

13.01 AUTHORITY

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Village Board may, by ordinance, change the district boundaries or amend, change, or supplement the regulations established by this ordinance or amendments thereto. Such change or amendment shall be subject to the review and recommendation of the Village Plan Commission.

13.02 INITIATION

A change or amendment may be initiated by the Village Board, Plan Commission, or by a petition of one or more of the owners of property within the area proposed to be changed.

13.03 PETITIONS

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk, describe the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

- A. Plot plan drawn to a scale of one (1") inch equals one hundred (100') feet, showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all structures within two hundred (200') feet of the area proposed to be rezoned.
- B. Additional information required by the Village Plan Commission or Village Board.

13.04 RECOMMENDATIONS

The Village Plan Commission shall review all proposed changes and amendments within the Village limits and shall recommend that the petition be granted as requested, modified, or denied. The recommendation shall be made at a meeting subsequent to the meeting at which the petition is first submitted and shall be made in writing to the Village Board.

13.05 HEARINGS

The Village Plan Commission shall hold a Public Hearing upon each recommendation, and shall give notice as specified in Section 14.00 of this ordinance.

13.06 VILLAGE BOARD'S ACTION

Following such hearing and after careful consideration of the Village Plan Commission's recommendations, the Village Board shall vote on the passage of the proposed change or amendment.

13.07 F-1 FLOODPLAIN DISTRICT BOUNDARY CHANGES LIMITED

The Village Board shall not permit changes to the floodland district boundaries that are inconsistent with the purpose and intent of this ordinance; or in conflict with the applicable rules and regulations of the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA).

- A. Changes in the F-1 Floodland District Boundaries shall not be permitted where the change will increase the flood stage elevation in excess of 1.0 feet. Flood stage increases exceeding 0.1 foot in height shall not be permitted unless the petitioner has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase. Petitions for floodland district changes shall show the effects of the change utilizing both the equal degree of hydraulic encroachment principle, and the equal degree of hydrologic encroachment principle, and shall provide adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations. It shall be the policy of the Village of Slinger that any area removed from the floodland district shall be contiguous to lands lying outside the floodlands, and where floodlands are removed, an equivalent area and volume of floodland shall be added in the vicinity of the removal.
- B. Removal of land from the F-1 Floodland District shall not be permitted unless the land has been filled to an elevation at least two (2') feet above the elevation of the 100-year recurrence interval flood.
- C. Amendment of unnumbered A Zones shall not be permitted unless the petitioner provides the Village with engineering data showing the flood profile, necessary river cross-sections, flood elevations, and any effect the establishment of a floodway/flood fringe will have on flood stages. The effects shall be limited as set forth in Section 13.07(A) of this ordinance to no more than 0.1 foot increase in flood stage unless appropriate legal arrangements have been made. If the unnumbered A Zone is less than five (5) acres in area and where the cost of the proposed development is less than \$75,000, the Wisconsin Department of Natural Resources (DNR) will assist the petitioner in determining the required flood elevations.
- D. No river or stream shall be altered or relocated until a floodland zoning change has been applied for and granted in accordance with the requirements of this Section, and until all adjacent communities have been requested to review and comment on the proposed alteration or relocations. The flood carrying capacity within the altered or relocated watercourse shall be maintained.

- E. A copy of all notices for amendments or rezoning in the floodland district shall be transmitted to the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA). No amendments to the floodland district boundaries or regulations shall be effective until approved by the DNR and the FEMA. In the case of floodland district boundary changes, an official letter of map amendment from FEMA shall also be required.

13.08 PROTEST

In the event of a protest against such district change or amendment to the regulations of this ordinance, duly signed and acknowledged by the owners of twenty (20) percent or more either of the areas of the land included in such proposed change or by the owners of twenty (20) percent or more of the land immediately adjacent extending one-hundred (100) feet therefrom, or by the owners of twenty (20) percent or more of the land directly opposite thereto extending one-hundred (100) feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three-fourths ($\frac{3}{4}$) of the full Village Board.