


- 
- a. Achieve the general purposes of this code and the specific purposes of the zoning district in which the temporary use will be located.
 - b. Protect the public health, safety and general welfare.
 - c. Ensure operation and maintenance of the temporary use in a manner compatible with existing uses on adjoining properties.

295-307. Amendments To The Zoning Text Or Map. 1. **PURPOSE.** The provisions of this section are intended to prescribe procedures by which amendments may be made to this chapter, including changes to the text and the boundaries of districts as shown on the zoning map.

2. **INITIATION OF MAP AMENDMENTS.** An amendment to the base zoning map or the establishment of, or amendment to, an overlay district may be initiated by any one of the following:

a. **By Application.** A person with an ownership, possessory or contractual interest in the land subject to the application may apply for a map amendment.

b. **By Common Council.** The common council may initiate a map amendment by its own motion.

c. **By Petition.** The owners of 50% or more of the area of land included in a proposed amendment may present a petition duly signed and acknowledged to the common council.

3. **PROCEDURE FOR MAP AMENDMENT.** Consideration of a proposed map amendment shall be in accordance with the following procedure:

a. **Introduction of Map Amendment.** Upon receipt of a valid application and the required fee, a valid petition and the required fee or a motion of common council, the department shall prepare an ordinance and map representing the requested amendment.

b. **Referral to City Plan Commission.** Upon introduction, the ordinance to make the zoning map amendment shall be referred to the city plan commission pursuant to s. 62.23, Wis. Stats.

c. **Staff Actions.** The department shall establish a time and date for a public hearing, notify affected property owners at least 10 days in advance of the hearing and prepare a staff report on the map amendment.

d. **City Plan Commission.** The commission shall hold at least one public hearing on any proposed map amendment. Notice of the public hearing shall be provided according to the commission's by-laws. Upon completion of its public hearing, the commission shall prepare a

report of its findings and recommendations on the proposed map amendment and file a copy of the report with the common council.

e. Zoning, Neighborhoods and Development Committee. Following notice, review and report by the city plan commission, the common council's zoning, neighborhoods and development committee shall hold a class 2 public hearing after notifying the applicant, petitioners, owners of property under consideration and owners of property immediately surrounding and within at least 200 feet thereof, including streets and alleys. Upon conclusion of the public hearing, the committee shall prepare a recommendation for submittal to the common council.

f. Common Council. Upon receipt of the recommendation of zoning, neighborhoods and development committee, the council shall either approve or disapprove the map amendment or refer the amendment back to the zoning, neighborhoods and development committee for additional consideration.

4. STANDARDS. A proposed amendment to the zoning map may be approved if the common council finds:

a. The proposed amendment is consistent with other provisions of this chapter and with the comprehensive plan.

b. The adoption of the proposed amendment will not adversely affect the public health, safety and general welfare of residents of the city.

5. PROTEST OF MAP AMENDMENT. In case of a protest against a map amendment, duly signed and acknowledged by the owners of 20% or more of the areas of the land included in the proposed change, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of the opposite land, the amendment shall not become effective except by the favorable vote of at least three-fourths of the members of the common council voting on the proposed change. A protest against a proposed change, or any modification to a protest, shall be submitted no later than 48 hours prior to the date of common council action on the proposed change.

6. INITIATION OF TEXT AMENDMENTS. An amendment to the zoning text shall be initiated as an ordinance introduced to the common council.

7. PROCEDURE FOR TEXT AMENDMENT. Consideration of a proposed text amendment shall be in accordance with the following procedure:

a. Referral of Text Amendment. Upon introduction of an ordinance to amend zoning code text to the common council, the ordinance shall be referred to the zoning code technical committee and to the city plan commission. The zoning code technical committee shall be composed of

one representative each of the city attorney's office, the department of neighborhood services, the department of city development and the legislative reference bureau, designated by the respective agency heads, who shall review the proposal for legality and enforceability, administrative efficiency and consistency with the format of this chapter. The committee shall report any recommended changes to the zoning, neighborhoods and development committee and the city plan commission within 30 days. The city plan commission shall hold a class 2 public hearing and, after receiving the report of the zoning code technical committee and a report from the department, shall submit its report and recommendation to the zoning, neighborhoods and development committee.

b. Zoning, Neighborhoods and Development Committee. Following receipt of reports from the city plan commission and the zoning code technical committee, the zoning, neighborhoods and development committee shall prepare a recommendation for the common council.

c. Common Council. Upon receipt of the report of the zoning, neighborhoods and development committee, the council shall either approve or disapprove the text amendment or refer the amendment back to the zoning, neighborhoods and development committee for additional consideration.

8. RESUBMISSION OF APPLICATION. Whenever an application for an amendment to the zoning map is denied, the application for the amendment shall not be eligible for reconsideration for one year following the denial, except in the following cases:

a. The common council may initiate reconsideration.

b. An applicant may submit an application for reconsideration if the application was originally denied because the proposed zoning would not conform to the comprehensive plan and the comprehensive plan was subsequently amended such that the proposed zoning amendment would conform to the comprehensive plan. In such a case, at least 30 days must pass between approval of the comprehensive plan amendment and approval of the zoning amendment.

295-309. Enforcement. 1. COMMISSIONER OF NEIGHBORHOOD SERVICES. The commissioner of neighborhood services shall be authorized to enforce the provisions of this chapter. The commissioner of neighborhood services shall, on his or her own initiative or on complaint or referral, proceed to the remedy of violations.

2. PERMIT REVOCATION. Any permit issued by the commissioner of city development under the terms of this chapter may be revoked by the commissioner of neighborhood services whenever any of the conditions under which the permit was issued are not complied with.