



## Legislation Details (With Text)

**File #:** 161041 **Version:** 0  
**Type:** Ordinance **Status:** Passed  
**File created:** 11/22/2016 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 2/7/2017  
**Effective date:**

**Title:** An ordinance relating to common council reconsideration of applications for amendments to the zoning map that have been denied.

**Sponsors:** ALD. BOHL

**Indexes:** ZONING

**Attachments:** 1. Zoning Code Technical Committee Letter, 2. Hearing Notice List, 3. City Plan Commission Letter.pdf, 4. Notice Published 1-6-17 and 1-13-17, 5. Notice Published on 2-23-17

Date	Ver.	Action By	Action	Result	Tally
11/22/2016	0	COMMON COUNCIL	ASSIGNED TO		
11/28/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/28/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/30/2016	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
11/30/2016	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
1/6/2017	0	CITY CLERK	PUBLISHED		
1/23/2017	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
1/24/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/24/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/24/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/24/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/31/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/7/2017	0	COMMON COUNCIL	PASSED	Pass	15:0
2/23/2017	0	CITY CLERK	PUBLISHED		
3/10/2017	0	MAYOR	SIGNED		

161041  
ORIGINAL

ALD. BOHL

An ordinance relating to common council reconsideration of applications for amendments to the

zoning map that have been denied.

295-307-8-0 am

295-307-8-a am

This ordinance clarifies the circumstances under which the common council may reconsider, within one year of denial, an application for an amendment to the zoning map that has been denied. Specifically, the council may initiate reconsideration only once during the 12-month period following the date of denial of the zoning map, and shall provide a notice of its intent to reconsider the matter at least 24 hours prior to the time of the common council meeting at which reconsideration is to occur. In addition, if a protest against the map amendment is submitted by the owners of 20% or more of the land to be rezoned or immediately adjacent to that land, reconsideration shall not be granted except by a favorable vote of at least three-fourths of the members of the common council voting on the proposed change.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-307-8-0 and a of the code is amended to read:

**295-307. Amendments to the Zoning Text or Map.**

8. ~~[[RESUBMISSION]]~~ >>RECONSIDERATION<< 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 >>once during the 12-month period following the date on which the common council voted to deny the zoning map amendment, provided a notice of intent to reconsider the matter has been filed with the city clerk at least 24 hours prior to the time of the common council meeting at which reconsideration is to occur<< . >>If a protest against the map amendment submitted under sub. 5 is found to be both in form and sufficient, reconsideration shall not be granted except by a favorable vote of at least three-fourths of the members of the common council voting on the proposed change.<<

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB167027-1  
Jeff Osterman  
11/15/2016