

## RESOLUTION 2016-004

### PUBLIC PARTICIPATION PLAN TO UPDATE COMPREHENSIVE PLAN 2035 FOR THE VILLAGE OF MUKWONAGO, WISCONSIN

**WHEREAS**, this Comprehensive Plan 2035 Public Participation Plan has been reviewed and recommended by the Village Plan Commission.

**NOW, THEREFORE, BE IT RESOLVED** the Village Board of the Village of Mukwonago hereby approves the Comprehensive Plan 2035 Public Participation Plan as follows:

#### **Stated Intent to Update Comprehensive Plan 2035**

The Comprehensive Planning Law of the State of Wisconsin as adopted in State Statutes Section 66.1001 requires every municipality that enforces land use regulations through zoning, subdivision regulations or an official map, to maintain a comprehensive plan to guide decisions of land use regulations. The Village of Mukwonago, with a process that began in 2005, adopted Comprehensive Plan 2035 in October 2009 in accordance with Section 66.1001. Now in 2016, more than ten years after the preparation commencement of Comprehensive Plan 2035 (hereinafter called "the plan"), it has been determined certain aspects, assumptions and recommendations of the plan must be reconsidered and potentially updated to address changing demographic, social, public infrastructure and economic needs of the community.

The intent to update the plan is to:

- Revisit the goals and objectives of the plan pertaining to land use and economic development.
- Update data and information of the plan elements regarding issues and opportunities, housing, natural and cultural resources, transportation, utilities, community facilities and economic development.
- Focus on placement of mixed-use business/residential, multi-family residential and other adjacent land uses at key locations throughout the Village along with policies to guide new development or redevelopment of land uses at key locations.

#### **Purpose of Public Participation Plan**

This public participation plan has a double purpose. First, it is good public policy to provide a document outlining the process so all stakeholders can understand and have access to the various vehicles utilized to foster wide reaching public participation. Secondly, under Procedures for Adopting Comprehensive Plans, State Statute Section 66.1001 (4) (a) states as follows:

- (a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative, or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The written procedures shall describe the methods the governing body of a local governmental unit will use to distribute proposed, alternative, or amended elements of a comprehensive plan to owners of property, or to persons who have a leasehold interest in property pursuant to which the

persons may extract nonmetallic mineral resources in or on property, in which the allowable use or intensity of use of the property is changed by the comprehensive plan.

## **Public Participation Process**

Effective participation techniques afford citizens the opportunity to identify critical community issues, share ideas, and define values and concerns that are integral to the community. This process will develop consensus for community organization and development using a range of community involvement techniques involving public officials, local residents, financial and business leaders and neighborhood groups.

The following represents the approach the Village of Mukwonago will take to inform the public regarding the update to the plan.

1. The Mukwonago Plan Commission will be responsible for guiding the process and providing a recommendation to the Village Board in consideration of adopting an amendment to the plan.
2. To assist the Plan Commission, the Village President will appoint with confirmation by the Village Board a Comprehensive Plan Update Steering Committee (hereinafter called "the committee"). The 11 member committee will consist of the following:
  - a. Five citizen members with the goal of getting representation from each of the following geographical areas of the Village: (1) downtown area; (2) north/northwest area; (3) northeast area; (4) southwest area; and (5) southeast area. The Village President will make his best effort to appoint a member from each of the five identified geographic areas; however, this is not a mandate. If there is an insufficient pool of candidates from one or more of the five identified geographic areas, the Village President will appoint a member(s) from one of the other areas.
  - b. One member representing a small business in the Village.
  - c. One member representing a large business in the Village.
  - d. One member representing the Mukwonago Area Chamber of Commerce, as recommended by the Chamber of Commerce (Suggested to be a Village resident).
  - e. One member representing the Mukwonago Area School District, as recommended by the School District (Suggested to be a Village resident).
  - f. One citizen member of the Plan Commission.
  - g. The Village President.
3. Representatives of Village staff shall be ex-officio members of the committee, with full status to speak and present information and ideas at the meeting, but not have voting privileges.
4. The Village President shall chair the first organizational meeting of the committee. At the end of the first meeting, the committee shall elect a chair, a vice-chair and a secretary.
5. The committee shall meet not less than twice a month until its work is complete. At the first meeting, the committee shall set a meeting schedule and may set time limits for meetings.
6. After the initial meeting of the committee, Village staff shall prepare a press release describing the work of the committee and the schedule of meetings. The press release

shall be posted on the Village website and shall be sent to owners of properties within key locations expected to be topics of land use discussion by the committee.

7. The committee shall operate under all requirements of the Wisconsin open meetings law. All meeting agendas shall be duly noticed. A quorum of 6 members present at each meeting shall be required to conduct business. Village staff shall maintain meeting minutes as prepared by the committee secretary. If votes are needed to decide policy direction or to make a recommendation to the Plan Commission, a simple majority of committee members present at the meeting is needed to pass a motion.
8. Alternating meeting agendas of the committee shall include time at the beginning of the agenda for citizen comment. The committee chair or vice-chair may set time limits for citizen comment to allow the business of the committee to proceed.
9. Other members of the Village Board, Plan Commission and other Village boards and commissions may be allowed to speak during meetings of the committee, but not have voting privileges.
10. When the committee reviews and discusses land use alternatives for a specific property, the property owner or representatives of the property owner may address the committee outside of the time allotted for public comment. Likewise, a representative of neighboring property owners may address the committee outside of the time allotted for public comment. If it is known a specific property will be the subject of a committee agenda, staff will notify the listed property owner and neighboring property owners within 300 feet of the subject property by letter or email.
11. Background materials to be presented to the committee shall be provided to committee members no less than 72 hours before each meeting. The same background materials shall be posted with the committee agenda and packet on the Village web site no less than 72 hours before the meeting. The Village web site shall have a dedicated page for the "Comprehensive Plan Update" accessible from the home page.
12. Emails and written comments from the public containing comment about the plan received 28 hours or more before the committee meeting shall be forwarded to the committee. Emails and written comments received within 28 hours of the committee meeting may be forwarded to the committee if time permits. Emailed and written comments may not be necessarily noted during the committee meeting. Nonetheless, Village staff shall maintain all received emails pertaining to the plan as public record and they will be available to committee members or the public, upon request.
13. Village staff shall maintain an email list of contacts.
14. During each monthly Plan Commission meeting, Village staff shall report on the status of the work of the committee. The Plan Commission may provide feedback, direction and guidance that will be reported back to the committee. Committee members will be encouraged to attend the Plan Commission meeting to supplement the Village staff report.

15. After the committee determines the preliminary direction of the plan, but within two months after the initial meeting of the committee, Village staff shall schedule and conduct a Public Informational Meeting (PIM). The PIM shall be announced by a public notice, press release and information posted on the Village website. Village staff shall send notification of the PIM to property owners of lands proposed for changes to land use designations from the planned land use map of the current plan. Meeting notification will also be forwarded to surrounding town clerks, the Southeastern Wisconsin Regional Planning Commission, the Wisconsin Department of Administration, the southeast district offices of the Wisconsin Departments of Transportation and Natural Resources, Mukwonago Area School District, Mukwonago Public Library, active homeowner associations within the Village that are on file with the Village Clerk, and any other local or regional stakeholder groups or organizations identified as stakeholders as the process unfolds. Maps and plan information shall be available for review and comment at the PIM. Committee members will be encouraged to attend the PIM. Village staff will report comments resulting from the PIM to the committee.
16. An additional PIM may be scheduled as the work of the committee proceeds, with meeting notification adhering to the outline of #15 above.
17. Before providing a draft updated plan document and recommendation to the Plan Commission, a final PIM shall be held with meeting notification adhering to the outline of #15 above.
18. After the final PIM, the committee shall forward a recommendation with a complete draft of text and maps of the proposed plan update to the Plan Commission.
19. The Plan Commission shall consider the recommendations of the committee, and may accept or return any aspect to the committee for further review and recommendation. If referred to the committee, the committee shall respond as directed to the next regularly scheduled or special Plan Commission meeting. If needed, the committee and Plan Commission may hold a joint meeting.
20. The Plan Commission shall consider a final draft of the text and maps of the plan update. After the plan text and maps are in a format acceptable to the Commission, the Commission shall adopt a preliminary resolution adopting the update and work with Village staff to schedule a joint public hearing with the Village Board. Please see the section below about the public hearing.
21. At any time during the process and during deliberations to recommend approval or to approve the plan update, the committee, the Plan Commission or the Village Board may proceed with the following:
  - a. Request Village staff to provide additional information or studies to assist deliberations.
  - b. Request Village staff to schedule and hold a meeting or series of meetings with a focus group or groups to provide listening sessions about certain aspects of the plan

update or the overall plan update. The committee may form a subcommittee (four members or less) to attend the focus group meetings to obtain information, but not actively participate.

- c. Request Village staff to schedule and hold a meeting or series of meetings with a neighborhood groups or organizations about certain aspects of the plan update or the overall plan update. The committee may form a subcommittee (four members or less) to attend the meetings to obtain information.
- d. Request Village staff to schedule and hold a meeting or series of meetings with property owners or groups of property owners (and/or their representatives) about certain aspects of the plan update or the overall plan update. The committee may form a subcommittee (four members or less) to attend the meetings to obtain information.

### **Joint Public Hearing**

Pursuant to State Statutes Section 66.1001 (4) (d), the political subdivision (in this case the Village of Mukwonago) may not enact an ordinance adopting a comprehensive plan unless at least one public hearing is held at which the proposed ordinance is discussed. The final draft plan update and accompanying ordinance will be presented for approval at a joint public hearing of the Plan Commission and Village Board. The public hearing must be preceded by a class I notice under State Statutes Chapter 985 that is published at least 30 days before the hearing is held. In addition, notices of the public hearing will be forwarded to the same contact list as identified in #15 under the Public Participation Process. The final draft plan update and ordinance will be made available for review on the Village web site, at Village Hall and at the Mukwonago Public Library.

The public hearing will be open to the public and written and oral testimony will be taken. Minutes will be kept and filed as usual, with the Village Clerk's office.

### **Plan Adoption**

Following the conclusion of the Joint Public Hearing or at a time set thereafter, the Plan Commission may recommend adoption of the plan update with a final resolution. A simple majority vote is needed to adopt the resolution.

Either following Plan Commission recommendation or at a time set thereafter, the Village Board may vote on one of the following actions:

- Adopt an ordinance approving the plan update text and maps as recommended by the Plan Commission.
- Adopt an ordinance approving the plan update text and maps with changes to the recommendation of the Plan Commission.
- Refer the entire plan update text and maps, or a section hereof, to the Plan Commission for further review and recommendation with a date to return to the Village Board for consideration.
- Deny the plan update.

A majority vote of the Village Board is needed to proceed with any of the above actions. The plan update is not effective until the Village Board adopts the ordinance referencing the plan update text and maps.

If the plan update is denied, the entirety of the Comprehensive Plan 2035 adopted in October 2009 remains as the guiding document for land use decisions, except for other amendments approved by the Village Board after request by individual property owners.

### **Village Web Site**

Village staff will maintain all current information regarding the plan progress within a separate section of the Village web site. The will include, but not be limited to, the following:

- The Public Participation Plan
- All meeting agendas pertaining to the plan update;
- All meeting minutes pertaining to the plan update;
- Press releases and public notices;
- Plan documents, information, maps and reports (including progress drafts and final draft)
- A separate email address to forward comments and the address to forward written comments.
- A separate link to view all received written and emailed comments (but not a blog or chat room so that open meeting laws are adhered to).
- A listing of contact information of the committee, Village Board, Plan Commission and Village staff.

### **Timeframe for Plan Update Completion**

All involved with the plan must fully comprehend that time is of the essence to complete the process to consider adoption. The motivation to update the plan has been created through pending development and redevelopment proposals that may or may not be totally consistent with the current adopted comprehensive plan, but would help support a prior Village Board endorsed economic development strategy.

Applicants of several of the pending proposals have volunteered to delay action on their proposal until the Village works through the process of the plan update, and potential subsequent adjustments to Village codes to implement the update. However, everyone involved with the plan update process must understand that individual property owners have the right to request an amendment to the Comprehensive Plan 2035 and request zoning changes or relief, with or without the plan update.

Therefore, the following timeframes shall apply to keep the process on task:

- Within 2 weeks of appointment of the committee by the Village Board, the committee shall hold its initial meeting.
- A minimum of two committee meetings shall be held per month.
- Prior to five months after appointment of the committee, the committee shall forward a final recommendation to the Plan Commission within five months (example: if appointed on February 16, 2016, the committee shall forward a recommendation prior to the end of June).
- The Plan Commission and Village Board are encouraged to schedule special meetings so that final consideration of the plan update can occur prior to the end of August 2016, at the latest.

### **Subsequent Minor Amendments**

From time to time, individual property owners may request amendments to certain aspects of Comprehensive Plan 2035 or the plan update. In those cases, the Plan Commission may consider and adopt the amendment by resolution, and the Village Board shall hold the public hearing to consider the amendment with 30 day notice as required by state law. After the hearing, the amendment will become effective if adopted by the Village Board via an ordinance.

At any time during the review of a requested minor amendment, the Plan Commission and/or the Village Board may proceed with additional public participation tasks as outlined in this public participation plan or adopt a new public participation plan to guide the amendment process.

### **Public Participation Plan Approval**

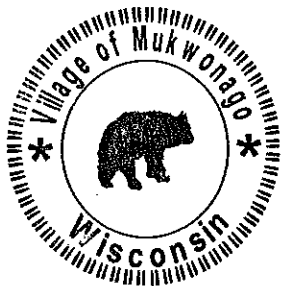
This public participation plan is intended to comply with Wisconsin State Statute Section 66.1001. However, there may be non-material discrepancies between the process used and this plan; those discrepancies shall not adversely impact the overall validity of the public participation process.

This public participation plan was recommended by a majority vote of the Plan Commission to the Village Board for approval at a regularly scheduled meeting on January 12, 2016.

This public participation plan was adopted by a majority vote of the Village Board at a regularly scheduled meeting on January 19, 2016.

Passed and dated this 19<sup>th</sup> day of January 2016.

VILLAGE OF MUKWONAGO



By:

Fred Winchowky  
Fred Winchowky, Village President

Attest:

Steven A. Braatz, Jr.  
Steven A. Braatz, Jr., Village Clerk