

ORDINANCE NO. 2011-205³

AN ORDINANCE TO AMEND THE UNIFIED
DEVELOPMENT ORDINANCE TEXT §15-7.0107
PERTAINING TO MINOR SITE PLAN AMENDMENTS
(CITY OF FRANKLIN, APPLICANT)

WHEREAS, §15-7.0107 of the Unified Development Ordinance sets forth the terms upon which the Planning Manager may grant an application for a minor amendment to a Site Plan without Plan Commission review or Common Council review where such Site Plan was part of a Common Council approval; and

WHEREAS, the Mayoral Ad Hoc Development Process Review Committee, the Plan Commission and the Common Council having considered the terms of the existing Unified Development Ordinance requiring only equal or better changes to a Site Plan in order to allow an administrative approval of applied for changes to a Site Plan and having determined it appropriate that the Planning Manager be granted further discretion to approve changes upon appropriate terms, with the understanding that should any concerns or questions arise about a proposed minor site plan amendment, input and guidance should be obtained from the pertinent public officials and City staff; and

WHEREAS, the Plan Commission having held a public hearing on the proposal on the 21st day of July, 2011 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendations of the Mayoral Ad Hoc Development Process Review Committee and the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §15-7.0107 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, be and the same is hereby repealed and recreated to read as follows:

Minor Site Plan Amendment. Notwithstanding anything to the contrary set forth in this Division 15-7.0100, any minor amendment (as set forth herein) to an approved Site Plan may be submitted to the Planning Manager for administrative approval. A minor amendment is an amendment(s) which is supported by an application request due to a reasonable and bona fide change in circumstances occurring since the

prior approval, and which does not: i) significantly alter the character, functionality, safety or appearance of the development; ii) result in a significant decrease in the amount or quality of the approved amenities; iii) result in significant changes in architectural styles, colors or building materials that are inconsistent with the approved Site Plan; iv) result in changes to such items as a phasing plan or developer control, that substantially impact the development or development in the area; or v) result in any amendment that would modify any aspect or portion of an adopted Site Plan for which a specific condition was retained or added from input at a public hearing or other public input of record by the Plan Commission and/or the Common Council.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

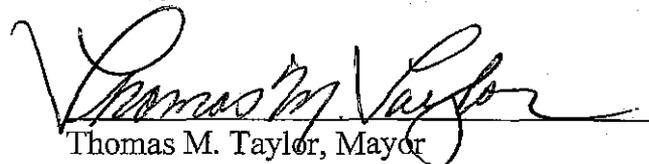
SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of August, 2011, by Alderman Wilhelm.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of August, 2011.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0