



Town of Troy

Walworth County, Wisconsin

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CHAPTER 12 ORDINANCE 2018-2

ORDINANCE TO ADOPT COMPREHENSIVE PLAN AMENDMENTS, TAX PARCEL# L T 3300002A

WHEREAS, the Town of Troy, Walworth County, Wisconsin, pursuant to Sections 60.10(2)(c), 61.35 and 62.23(1), (2) and (3) of the Wisconsin Statutes, has established a Planning Commission; and

WHEREAS, on September 29, 2009, the Town Board adopted the multi-jurisdictional plan for Walworth County as it pertains to the Town of Troy as the Town's comprehensive plan under Section 66.1001 of the Wisconsin Statutes, and subsequently adopted Ordinance 2009-4, An Ordinance to Adopt the Comprehensive Plan For The Town of Troy; and

WHEREAS, Section 62.23(2) and (3), and 66.1001(4)(b) of the Wisconsin Statutes provide that it is the duty of the Planning Commission to adopt amendments to a master plan and recommend comprehensive plan amendments for the physical development of the Town; and

WHEREAS, Section 66.1001(4)(a) of the Wisconsin Statutes requires that future amendments to the comprehensive plan be carried out in accordance with a public participation plan, adopted by the Town Board, designed to foster public participation in the amendment process; and

WHEREAS, the Town of Troy Town Board adopted the public participation plan for amending the Town's comprehensive plan in Resolution 2015-3 and this proposed plan amendment is being considered pursuant to the approved public participation plan; and

WHEREAS, the plan map amendment applicants identified as the respective owners of the above referenced tax parcel number(s) have filed an application and paid his and/or her application fee; and

WHEREAS, the Town Planning Commission has reviewed and considered the request for a plan map amendment from Prime Agricultural (Minimum Parcel Size: 35 acres) and Other Agricultural, Rural Residential and other Open Land (5 to 19 acres per dwelling) to Other Agricultural, Rural Residential, and other Open Land (5 to 19 acres per dwelling) of the above referenced properties, and found that it is not contrary to the intended goals of the 2035 Town Land Use Plan; and

WHEREAS, on or about June 27, 2018, the Town Board held a public hearing to consider public comments regarding adoption of the Comprehensive Plan amendment, following due notice being provided in compliance with the requirements of Wisconsin Statutes Sections 66.1001(4)(b), 66.1001(4)(c), 66.1001(4)(d), 66.1001(4)(e) and 66.1001(4)(f); and

WHEREAS, pursuant to the public participation plan adopted by the Town Board, the Town Board has allowed public comments to be submitted in writing prior to the public hearing; and

WHEREAS, the Town Board for the Town of Troy, having carefully reviewed the recommendation of the Town Plan Commission, having considered all public comments received, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, including consideration of the plan components related to issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural and cultural resources, economic development, intergovernmental cooperation, land use, and implementation, has determined that the comprehensive plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Troy which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Town Board of the Town of Troy, by a majority vote of the members-elect of the Town Board, do hereby ordain as follows:

Section 1. That the land use classification of Tax Parcel No. L T 3300002A is hereby changed from Prime Agriculture (Minimum Parcel Size: 35 acres) and Other Agricultural, Rural Residential and other Open Land (5-19 acres per dwelling) to Other Agricultural, Rural Residential and other Open Land (5-19 acres per dwelling) for the stated purpose of the property owner and/or future property owner, provided there's an additional deed restriction on there, which would not be further developed.

Section 2. Filing. The Town Clerk is directed to provide a copy of this ordinance and a copy of the Town of Troy Comprehensive Plan that is hereby adopted to the persons and entities described in Wisconsin Statutes Section 66.1001(4)(b), as required by Wisconsin Statutes Section 66.1001(4)(c).

Section 3. Severability. The several sections and portions of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

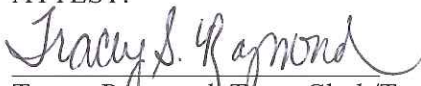
Section 5. Effective date. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

ADOPTED THIS 12th day of July, 2018.

BY THE TOWN BOARD, TOWN OF TROY


John Kendall, Town Chairman

ATTEST:


Tracey Raymond, Town Clerk/Treasurer

Published and/or posted this 12th day of July, 2018