

Resolution

No. 01-2011 ()

BAYFIELD COUNTY PLANNING AND ZONING DEPARTMENT

A Resolution Amending Sections 7:118 and 12:189 and the Addendum of the Bayfield County, Wisconsin Comprehensive Plan and Regarding the Bayfield County Future Land Use Map and the Amendment of the Comprehensive Plan

WHEREAS, Wisconsin Statutes §66.1001(4)(b) authorizes the Bayfield County Planning and Zoning Department to recommend an amendment to the Bayfield County Comprehensive Plan by adopting a resolution; and

WHEREAS, Wisconsin Statutes §66.1001(4) sets forth the procedure for amending the comprehensive plan; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to amend Section 12:189 of the Bayfield County Comprehensive Plan to include the mandatory statutory amendment procedure; and

WHEREAS, Wisconsin Statutes §66.1001 also authorizes towns to create, enact, and amend a comprehensive plan; and

WHEREAS, the Bayfield County Comprehensive Plan is designed to serve as an umbrella covering all 25 townships within Bayfield County; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to amend Section 12:189 of the Bayfield County Comprehensive Plan to clarify the relationship between town Comprehensive Plans and the Bayfield County Comprehensive Plan and to require towns within the County of Bayfield to provide the County with any revisions to a town's Comprehensive Plan; and

WHEREAS, Wisconsin Statutes §66.1001(2)(h) requires a Comprehensive Plan to have a land-use element that includes a future land use map; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to amend Section 7:118 and the Addendum of the Bayfield County Comprehensive Plan to include the Bayfield County Future Land Use Map; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield that the Bayfield County Comprehensive Plan be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED by the Bayfield County Planning and Zoning Department that the Department recommends that the Bayfield County Comprehensive Plan be amended as follows:

Section 1. Page 189 [Plan Amendments and Updates] of Section 12 [Implementation] of the Bayfield County Comprehensive Plan is hereby amended to read as follows, with additions highlighted by the double underline feature (additions) and deletions highlighted by the strike out feature (~~deletions~~):

Plan Amendments and Updates

Evaluating the Comprehensive Plan is an ongoing process and will, at some time, lead to the realization that the Plan requires updating and amendments. The time that elapses between the completion of the Plan and the need to amend the Plan depend greatly on evolving issues, trends, and land use conditions. Periodic updates will allow for updates to statistical data, and ~~to~~to ensure the Plan's goals, objectives, and actions reflect the current conditions, needs, and concerns.

A tremendous amount of change can occur in a community over just a couple of years and the County of Bayfield will be prepared to address changing conditions with timely plan updates. Amendments to the Plan will follow the requirements of state law and will be evaluated for consistency with the existing plan, including all elements.

To ensure residents are involved in plan amendments, the following process and protocol should be followed to allow public involvement and comment. Bayfield County staff and elected officials must undertake a review of the Plan and consider necessary amendment(s) to the Plan resulting from property owner requests and changes to social and economic conditions. After this review, recommended changes to the Plan shall be forwarded to the County Board. Bayfield County shall call a public hearing to afford property owners time to review and comment on recommended plan changes. A public hearing shall be advertised in accordance with the County's public meeting notice procedures. Based on public input, plan commission recommendations, and other facts, the County Board will then formally act on the recommended amendment(s).

When amending the Plan, the following statutory procedure shall be followed to ensure the effectiveness of any amendments to the Plan:

1. Bayfield County Planning and Zoning Department recommends the proposed amendment by adopting a resolution by a majority vote, which must be recorded in the Department's official minutes.
2. The Bayfield County Board of Supervisors shall call for a public hearing at which the amendment will be discussed. The Bayfield County Clerk shall publish a Class 1 notice of the hearing at least once and at least 30 days before the hearing. The Bayfield County Clerk may also provide notice of the hearing by any other means it deems appropriate. The published notice shall include at least the following information:
 - a. The date, time, and place of the hearing.
 - b. A summary, which may include a map, of the proposed amendment.
 - c. The name of an individual employed by Bayfield County who may provide additional information regarding the proposed ordinance.

- d. Information regarding where and when the proposed amendment may be inspected before the hearing and how a copy of the amendment may be obtained.
3. At least 30 days before the public hearing, the Bayfield County Clerk shall provide written notice of the hearing to:
 - a. An operator who has obtained or applied for a nonmetallic mining reclamation permit.
 - b. A person who has registered a marketable nonmetallic mineral deposit.
 - c. Any person who has an ownership or leasehold interest in property on which the person may extract nonmetallic mineral resources if that person requests in writing that Bayfield County provide such notice.
4. At least 30 days before the public hearing, the Bayfield County Clerk shall provide written notice of the hearing to individuals who have submitted a written request to receive notice of any proposed ordinance that affects the allowable use of their property.
5. The Bayfield County Board of Supervisors shall hold a public hearing where the proposed amendment is discussed.
6. The Bayfield County Board of Supervisors may enact an ordinance adopting the amendment by a majority vote.
7. If the Bayfield County Board of Supervisors enacts the ordinance, the Bayfield County Planning and Zoning Department shall send a copy of the amendment to the following entities:
 - a. Every governmental body located within Bayfield County.
 - b. The clerk of every local governmental unit adjacent to Bayfield County that is the subject of the amendment.
 - c. The Wisconsin Land Council.
 - d. The Department of Administration.
 - e. The regional planning commission in which Bayfield County is located.
 - f. The public library that serves Bayfield County.
 - g. The municipal clerks of municipalities affected by the amendment.

Concerning towns who have adopted their own Comprehensive Plans, those plans may be amended by the town by following the same process set forth above, but with the action being taken on the town level rather than on the County level. Since these town Comprehensive Plans are separate and distinct from the Bayfield County Comprehensive Plan, Bayfield County has no involvement in approving or implementing changes to a town's Comprehensive Plan. Since the Bayfield County Comprehensive Plan, by design, serves as an umbrella covering all 25 townships within the County, any revisions to a town's Comprehensive Plan shall be forwarded

to the County so that the County has a record, not only of its Comprehensive Plan, but of all township Comprehensive Plans, including any amendments thereto.

Section 2. The Section entitled “Future Land Use Map” on Page 118 of Section 7 [Land Use] of the Bayfield County Comprehensive Plan is hereby amended to read as follows, with additions highlighted by the double underline feature (additions) and deletions highlighted by the strike out feature (~~deletions~~):

Future Land Use Map

A map depicting future land use has been developed based on existing and future land use assumptions, a review of demographic and background data, trends in land use over the past several years, and the community’s desires for future development. This future land use map is intended to serve as a guide to the County Board in matters concerning land use activities. As a decision-making tool it is important that it be regarded as general in nature and should not be used for site-specific decisions. It is for this reason that only general locations for various land uses are shown on the map. The Bayfield County Future Land Use Map is located in the Addendum to this Comprehensive Plan.

Section 3. The Addendum Section of the Bayfield County Comprehensive Plan is hereby amended to include the map entitled “Bayfield County Future Land Use Map,” which is attached hereto, marked as Exhibit A, and incorporated herein.

Section 4. **EFFECTIVE DATE.** This resolution shall take effect and be in full force from and after its passage.

Adopted by the Bayfield County Planning and Zoning Committee on the 20th day of January, 2011.

*By: _____
Chairman of Bayfield County Planning and Zoning Committee*

*Attest: _____
Director of Planning and Zoning Department*