



AN ORDINANCE: By City Plan Commission
Re: Amending Sections 25-70, 25-71 & 25-72 of the
Neenah Subdivisions and Other Land Divisions
Ordinance (Chapter 25), Certified Survey Map.

ORDINANCE NO. 2016-1
Introduced: March 2, 2016
Committee/Commission Action:
RECOMMENDED FOR PASSAGE
WITH SUBSTITUTE AMENDMENTS BY ALD. BATES

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Section 25-70 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 25-70. - Staff consultation.

~~Before presentation to the Plan Commission~~ Prior to submitting a certified survey map for approval, the subdivider shall consult with staff of the Department of Community Development & Assessment and other pertinent departments to obtain technical assistance and to insure compatibility of the proposed division with City codes, design standards, comprehensive plans and zoning requirements. The subdivider shall submit a sample sketch plan showing the proposed lots and other features in relation to existing conditions. Certified survey maps which only propose to consolidate multiple lots or are used to adjust a property line between adjoining lots, shall be reviewed and approved, conditionally approved, or rejected within 40 days of receipt by the department, without further review or approval by the plan commission or common council.

Section 2. Section 25-71 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 25-71. - Action by plan commission.

Upon completion of the staff consultation, and if not subject to final approval by the department, the subdivider shall submit the certified survey map and copies thereof as shall be required to the Director of Community Development and Assessment. The Director shall forward the certified survey map to the Plan Commission who shall within 40 days ~~recommend to the~~

~~Common Council approval~~approve, conditionally ~~approval~~approve, or ~~rejection of~~reject the certified survey map. Certified survey maps which include dedications of public streets, other public land dedications, or grant easement interests for the public shall be forwarded to the Plan Commission who shall within 40 days recommend to the Common Council approval, conditional approval, or rejection of the certified survey map. Plan Commission approval shall be final for certified survey maps not involving dedications.

Section 3. Section 25-72 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 25-72. - Action by Common Council.

For certified survey maps that include dedications of public streets, other public land dedications, or grant easement interests for the public, ~~The~~the Common Council shall within 40 days of the recommendation by the Plan Commission, approve, approve conditionally, or reject the certified survey map. In addition, any party aggrieved by the decision of either the department or plan commission that otherwise would not be reviewed by the Common Council, may appeal the determination of the department or commission to the Common Council by filing a written appeal with the City Clerk within five (5) business day after the decision or either the department or plan commission.

Section 4. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 5. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Stevenson/Kunz

Adopted: March 2, 2016

Approved: March 2, 2016

Published: March 7, 2016

Approved:



Dean R. Kaufert, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:

City Attorney James G. Godlewski

211 Walnut Street

Neenah, WI 54956

State Bar No. 1005210