

ORDINANCE NO. 347

**AN ORDINANCE TO AMEND THE LAND USE PLAN OF THE VILLAGE OF DOUSMAN PERTAINING TO LANDS LYING SOUTH OF COUNTY TRUNK HIGHWAY D**

**WHEREAS**, the Village of Dousman Village Planner and Village Attorney have recommended the Village consider an amendment to the Land Use Plan of the Village of Dousman, also known as the Comprehensive Plan, in conjunction with a zoning district boundary change that will allow the return to agricultural uses on approximately 190 acres of land lying south of County Trunk Highway D, west of the intersection of Mill Pond Road and County Trunk Highway D, and

**WHEREAS**, the Village of Dousman Plan Commission has recommended the Village of Dousman Land Use Plan be amended to provide consistency between the Land Use Plan and application of the Zoning Code, as required by the State of Wisconsin Comprehensive Planning Law (Statute Section 66.1001), considering the change in conditions of the approximately 190 acres and surrounding area in that there are identified floodplain and wetlands on the site and the difficulty in extending Village sanitary sewer service to the site to provide for land development as anticipated under the approved Land Use Plan; and

**WHEREAS**, after providing all due notice as required by Wisconsin Statutes Section 66.1001(4)(d), and also to the extent applicable, if at all, Wisconsin Statutes Section 66.1001(4)(e) and (f), on Monday, March 16, 2015, a public hearing was held by the Village of Dousman Village Board to take public testimony regarding said amendment; and

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**WHEREAS**, the written description of the land use designation of "Large-Lot Single Family/Agricultural" appearing on page 22 of the Land Use Plan was previously amended to read as follows:

Large-Lot Single Family/Agriculture is mainly located in the areas recently attached to the Village of Dousman from the Town of Ottawa and areas in the Village of Summit that will be attached to the Village of Dousman when divided or developed per agreement with the Village of Summit. These areas promote continuation of existing large-lot single family residential development or allow agricultural use of the properties as a transitional land use until the properties are developed for large-lot single family residential, or until which time public sanitary sewer and water facilities can be economically extended to allow an amendment of the land use designation allowing residential at a greater density per acre.

**WHEREAS**, upon due consideration of all the information received in this matter, and the recommendation of the Village of Dousman Plan Commission, the Village of Dousman Village Board finds that the changes to the Village of Dousman Land Use Plan will not be contrary to the public health, safety or welfare, and will promote the public health, safety and welfare of the Village of Dousman, will not be hazardous, harmful, noxious, offensive or nuisance by reason of noise, dust, smoke, traffic congestion, odor or other similar factors; and will not for any other reason cause substantial adverse effect on the property values and the general desirability of the affected properties.

**NOW, THEREFORE**, the Village Board of the Village of Dousman, Waukesha County, DOES HEARBY ORDAIN AS FOLLOWS:

**SECTION 1:** The Comprehensive Plan for the Village of Dousman entitled "Land Use Plan, Village of Dousman, Waukesha County, Wisconsin, adopted by the Village Board of the Village of Dousman on April 5, 2006, is hereby amended as follows:

A. Map 5, "Proposed Land Uses, Village of Dousman", page 21, shall be amended by changing the land use designation for the area highlighted on Exhibit A, to "Large-Lot Single Family/Agricultural" from "Mixed-Use Residential." All other maps within the Land Use Plan providing the land use designation of the area highlighted on Exhibit A shall also be amended to "Large-Lot Single Family/Agricultural."

B. Map 5, "Proposed Land Uses, Village of Dousman", page 21, shall be amended by adding the environmental features as shown on Exhibit B.

C. This amendment shall take precedence to any conflict that may arise between other Land Use Plan policies and references to the Large-Lot Single Family/Agriculture designation, and presentation of projected number of dwelling units and population within the Land Use Plan calculated based on the prior land use designation of the area subject to this amendment pursuant to Exhibit A.

**SECTION 2:** SEVERABILITY

The several sections 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 decisions shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, section 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 3: EFFECTIVE DATE**

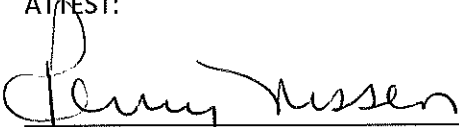
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 16<sup>th</sup> day of March, 2015

VILLAGE OF DOUSMAN

  
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Jack Nissen, Village President

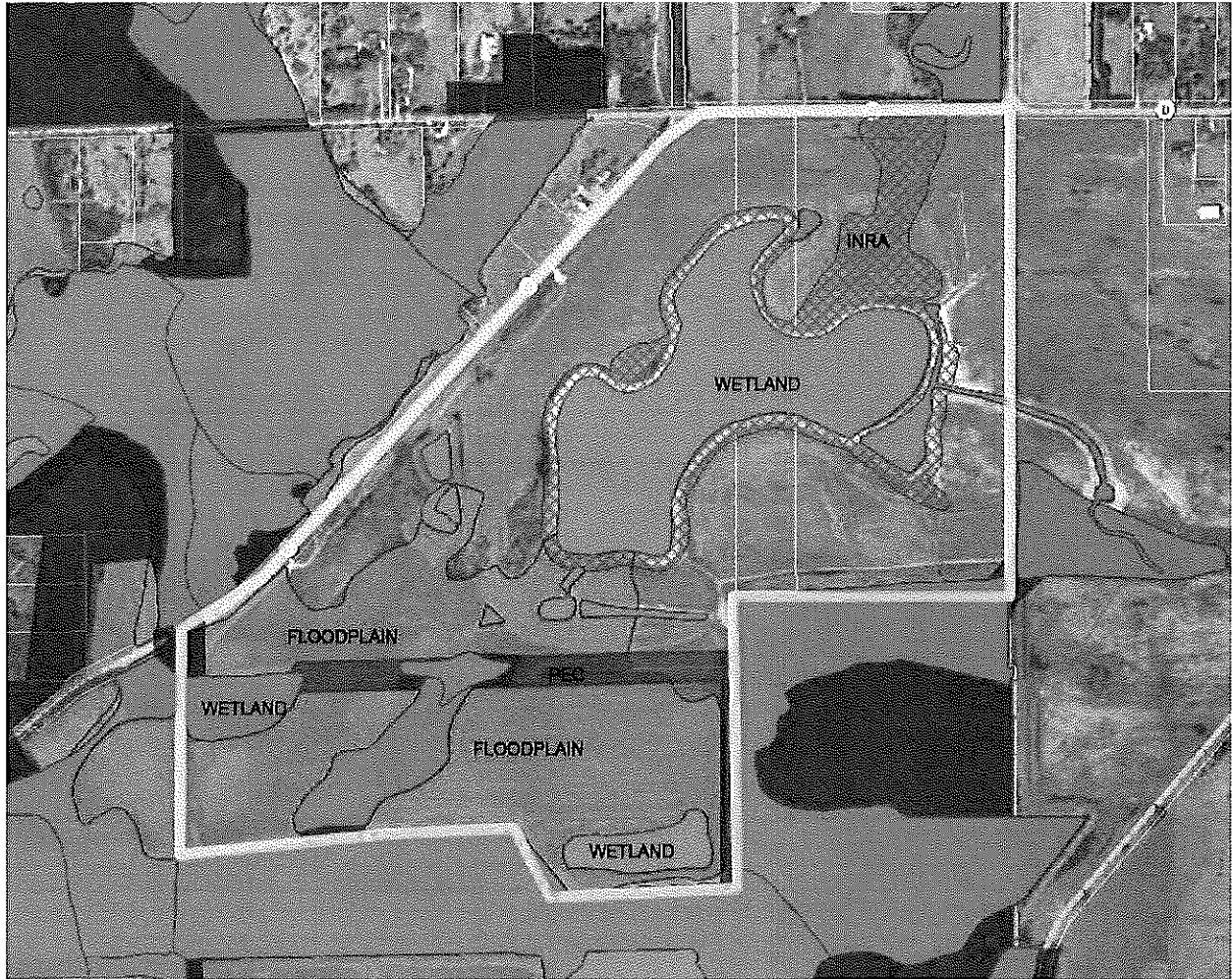
ATTEST:

  
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Penny Nissen, Village Clerk/Treasurer

VILLAGE OF DOUSMAN  
ORDINANCE NO. 347  
EXHIBIT A



Village of Dousman  
Ordinance No. 347  
Exhibit B



PEC = Primary Environmental Corridor  
INRA = Isolated Natural Resource Area