

## ORDINANCE NO. 322

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 17.60 OF THE  
VILLAGE OF OCONOMOWOC LAKE ZONING CODE RELATED TO  
MEMBERSHIP ON THE VILLAGE'S ARCHITECTURAL BOARD

**WHEREAS**, the Village of Oconomowoc Lake regulates zoning pursuant to the authority granted to it by Sections 61.35 and 62.23(7) of the Wisconsin Statutes; and

**WHEREAS**, pursuant to Section 17.62(2) of the Village of Oconomowoc Lake Zoning Code, the Village Board for the Village of Oconomowoc Lake initiated this amendment to the Village's Zoning Code; and

**WHEREAS**, the Village Board referred the matter to the Village Plan Commission for review and recommendation regarding the proposed changes pursuant to Section 17.62(4)(a) of the Village Zoning Code, and the Plan Commission made its recommendation in writing to the Village Board; and

**WHEREAS**, pursuant to Section 17.62(5) of the Village Code, the Village Board held a duly noticed public hearing on February 20, 2023, and all persons present were given an opportunity to be heard; and

**WHEREAS**, the Village Board finds that this Zoning Code amendment will benefit the health, safety and welfare of the Village of Oconomowoc Lake by updating the requirements for Architectural Board membership; and

**WHEREAS**, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

**WHEREAS**, further the Village Board of the Village of Oconomowoc Lake having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such amendment on the health, safety and welfare of the community, hereby determine that the amendment will not violate the spirit or intent of the Zoning Code for the Village of Oconomowoc Lake, will not be contrary to the public health, safety or general welfare of the Village of Oconomowoc Lake, and the amendment is consistent with the Village of Oconomowoc Lake Comprehensive Plan.

**NOW, THEREFORE**, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1:** Chapter 17 of the Village of Oconomowoc Lake Book of Ordinances entitled "Zoning Code," Section 17.60 entitled "Architectural Control," Subsection (2) entitled "Architectural Board," Subsection (b) entitled "Membership," Subsection 1 is hereby repealed and re-created as follows:

1. The Architectural Control Board shall consist of seven (7) residents of the Village appointed by the Village President subject to confirmation by the Village Board of Trustees. At least one (1) citizen plan commissioner shall be appointed to such Architectural Control Board.

**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 decision 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, 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 3: EFFECTIVE DATE.**

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

Dated this 20<sup>th</sup> day of February, 2023.

VILLAGE OF OCONOMOWOC LAKE



Michael Bickler, Village President

ATTEST:



Theresa Sayles, Village Clerk

