

ORDINANCE NO. 323

AN ORDINANCE TO REPEAL AND RE-CREATE PORTIONS OF THE VILLAGE
ZONING CODE RELATED TO THE ZONING MAP FOR THE VILLAGE OF
OCONOMOWOC LAKE

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 Plan Commission 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 amendment 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, pursuant to Section 17.35(2)(C) of the Village Code, the amendments to the Zoning map shall not be effective until entered and attested by the Village President and Village Clerk on the certified copy; and

WHEREAS, the intent of this ordinance is to clarify the district boundaries on the zoning map of the Village of Oconomowoc Lake, some that have been rezoned over the last several years and some that are being rezoned by this ordinance and to the extent any revisions are made, those revisions are final as they appear on the zoning map; and

WHEREAS, the Village Board finds that this amendment will benefit the health, safety and welfare of the Village of Oconomowoc Lake to reflect the recent changes made to the Village zoning districts; 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 Village Code entitled "Zoning Code," Section 15.35 entitled "Establishment," Subsection (2) entitled "Zoning Map and Boundaries," Subsection (a) is hereby repealed and re-created as follows:

Boundaries of the district are hereby established as shown on the official zoning map attached hereto and incorporated herein by reference as Exhibit A to the Village's Zoning Code. Such boundaries shall be constructed to follow: corporate limits, U.S. Public Lane Survey lines; lot or property lines; center lines of streets, highways, easements, and railroad right-of-way or such lines extended; unless otherwise noted on the Zoning Map.

SECTION 2: The official Zoning Map of the Village of Oconomowoc Lake established pursuant to Section 17.35(2) of the Village of Oconomowoc Lake Zoning Code shall be repealed and re-created as depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 4: 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 5: EFFECTIVE DATE.

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

Dated this 20th day of February, 2023.

VILLAGE OF OCONOMOWOC LAKE



Michael Bickler, Village President

ATTEST:



Theresa Sayles, Village Clerk/Deputy Treasurer

