

ORDINANCE NO. 567

Ordinance To Amend the Village of River Hills Comprehensive Plan and Change the Future Land Use Map to Include a Planned Unit Development Residential Overlay District on Certified Survey Map No. 9392, Approximately 53.4 acres located at 1600, 1620, 1700, 1820 and 1980 West Brown Deer Road in the Village of River Hills

WHEREAS, the Village Board of the Village of River Hills adopted the Village of River Hills Comprehensive Plan by Ordinance No. 510 on November 18, 2009 (the “Comprehensive Plan”);

WHEREAS, pursuant to Wis. Stat. §§ 61.35, 62.23(2) and (3) and 66.1001(4), the Village of River Hills is authorized to prepare, adopt and amend a comprehensive plan as defined in Wis.Stat. §§ 66.1001(1)(a) and 66.1001(2);

WHEREAS, pursuant to Wis. Stat. § 66.1001(3), any zoning ordinances adopted or amended under § 62.23(7) must be consistent with the Comprehensive Plan;

WHEREAS, the Village Board desires to amend the Zoning Code, Chapter Seven (7) of the General Ordinances of the Village of River Hills, to add to the Zoning Code a Planned Unit Development Residential Overlay District to permit detached single – family residential dwellings in accordance with a specific plan of development approved by the Village Board and further desires to amend the Village of River Hills Comprehensive Plan to be consistent with such amendment;

WHEREAS, the Plan Commission of the Village of River Hill, by a majority vote of the entire Commission at its meeting on October 31, 2022, adopted a resolution recommending to the Village Board the adoption of this Ordinance to Amend the Village of River Hills Comprehensive Plan and to Change the Future Land Use Map for CSM No. 9392, approximately 53.4 acres located at 1600, 1620, 1700, 1820 and 1980 West Brown Deer Road;

WHEREAS, the Village Board held a public hearing upon this proposed ordinance on November 21, 2022 in compliance with the requirements of Wis. Stat. §§ 66.1001(4)(d) and the requirements set forth in the Village of River Hills Comprehensive Plan.

NOW, THEREFORE, the Village Board of the Village of River Hills, Milwaukee County, Wisconsin, does ordain as follows:

Section I

Housing and Neighborhood Development. Policy 1 under Objective 1, Chapter 2 of the Village of River Hills Comprehensive Plan is hereby amended as follows:

“Policy 1: Maintain the village’s existing low density single-family use residential zoning regulations and standards and historic housing mix.”

Utilities and Community Facilities. Chapter 4 of the Village of River Hills Comprehensive Plan is hereby amended as follows:

Add the following at the end of the section labeled “Water Supply”

“In 2020 the Village created a Tax Incremental District (TID) encompassing 53.4 acres on Brown Deer Road that the Village acquired as the result of settling a lawsuit. As part of the TID project plan the Village proposed providing public water to the TID through purchase from a neighboring community’s water utility. The provision of public water to the TID property would provide access to public water to properties along the route of the water supply lines or in the near vicinity of such lines. It is also possible once the water supply lines are planned or have been installed that additional properties could have supply lines extended for water service depending upon demand and the agreement of the Water Utility providing the water.”

Land Use. Chapter 7 of the Village of River Hills Comprehensive Plan is hereby amended as follows:

Add the following at the end of the section labeled “Land for Housing”

“In 2020 the Village acquired 53.4 acres of mostly vacant land on Brown Deer Road as the result of settlement of a lawsuit with the former owner. The Village created a TID as a financing tool to assist with development of the property for single-family residential use. The TID property was zoned with minimum lot size requirements of 2 acres and 5 acres. The Village Board determined that development of the property would only be accomplished with a proposal that allows up to 51 single-family residences to be constructed under a Residential Planned Unit Development ordinance that would overlay the minimum lot size requirements and allow development of the property and preservation of open space without strict compliance with the minimum lot size requirements. See the amended Future Land Use Map.”

Future Land Use Map 8. The Future Land Use Map 8 of the Village of River Hills Comprehensive Plan is hereby amended to add the Planned Unit Development Residential Overlay District and its location. A copy of the amended Future Land Use Map is attached to this ordinance.

Section II That if any subsection, section or portions of this article or the section of this ordinance as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

Section III That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are to such extent repealed.

Section IV That this ordinance shall be in full force and effect upon its passage and

publication according to law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 21st day of November, 2022.

Christopher B. Noyes
Village President

Countersigned:

Tammy LaBorde
Village Clerk