

SEC. 14-1-32 PRELIMINARY PLAT REVIEW AND APPROVAL.

- (a) **Plan Commission Recommendation.**
- (1) After review of the Preliminary Plat and negotiations with the subdivider on changes and the kind and extent of public improvements which will be required, the Plan Commission shall recommend to the Common Council disapproval, approval or conditional approval of the Preliminary Plat within forty (40) days of the filing date. [Note: Sec. 236.11(1)(a), Wis. Stats., states that extensions of time or a decision to hold a matter in abeyance may only be made by agreement of the subdivider and Common Council, not the Plan Commission.]
 - (2) The City Clerk-Treasurer shall give notice of the Plan Commission's review of the Preliminary Plat by listing it as an agenda item in the Commission's meeting notice published in the official City newspaper. The notice shall include the name of the applicant, the address of the property in question and the requested action.
- (b) **Board Review; Public Hearing.** The City Clerk-Treasurer shall schedule a public hearing on the Preliminary Plat before the Common Council. The City Clerk-Treasurer shall give notice of the Common Council's review and public hearing on the Preliminary Plat by listing it as an agenda item in the Council's meeting notice published in the official City newspaper. The notice shall include the name of the applicant, the address of the property in question and the requested action. Property owners within two hundred (200) feet of the proposed land division shall receive written notice of the public hearing.
- (c) **Board Action.** After receipt of the Plan Commission's recommendation, the Common Council shall, within ninety (90) days of the date the plat was filed with the City Clerk-Treasurer, approve, approve conditionally or reject such plat and shall state, in writing, any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the Common Council to act within ninety (90) days or extension thereof shall constitute an approval of the Preliminary Plat, unless other authorized agencies object to the plat. The City Clerk-Treasurer shall communicate to the subdivider the action of the Common Council. If the Preliminary Plat is approved, the City Clerk-Treasurer shall endorse it for the Common Council.
- (d) **Effect of Preliminary Plat Approval.** Approval or conditional approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six (6) months of Preliminary Plat approval and conforms substantially to the Preliminary Plat layout, the Final Plat shall be entitled to approval with respect to such layout. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat, which will be subject to further consideration by the Plan Commission and Common Council at the time of its submission.
- (e) **Preliminary Plat Amendment.** Should the subdivider desire to amend the Preliminary Plat as approved, he may resubmit the amended plat which shall follow the same procedure, except for the fee, unless the amendment is, in the opinion of the Common Council, of such scope as to constitute a new plat, in which such case it shall be refiled.