

2005 DRAFTING REQUEST

Bill

Received: **08/17/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **Carole**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - zoning**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lazich@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt Village of Greendale from Smart Growth

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 08/17/2005	kfollett 09/14/2005		_____			S&L
/1			rschluet 09/14/2005	_____	sbasford 09/14/2005		S&L
/2	mshovers 11/29/2005	kfollett 11/29/2005	rschluet 11/29/2005	_____	sbasford 11/29/2005	sbasford 02/13/2006	

FE Sent For: **11/10/2005.**

<END>

2005 DRAFTING REQUEST

Bill

Received: **08/17/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **Carole**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - zoning**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lazich@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt Village of Greendale from Smart Growth

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 08/17/2005	kfollett 09/14/2005		_____			S&L
/1			rschluet 09/14/2005	_____	sbasford 09/14/2005		S&L
/2	mshovers 11/29/2005	kfollett 11/29/2005	rschluet 11/29/2005	_____	sbasford 11/29/2005		

FE Sent For: **11/10/2005.**

<END>

2005 DRAFTING REQUEST

Bill

Received: 08/17/2005

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Mary Lazich (608) 266-5400

By/Representing: Carole

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Local Gov't - zoning

Extra Copies:

Submit via email: YES

Requester's email: Sen.Lazich@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt Village of Greendale from Smart Growth

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 08/17/2005	kfollett 09/14/2005		_____			S&L
/1		12 klf 11/29	rschlue 09/14/2005	_____	sbasford 09/14/2005		

FE Sent For:

"/1" 11/10/05
(200)

Handwritten signature and date 11/20/05

<END>

2005 DRAFTING REQUEST

Bill

Received: **08/17/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **Carole**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - zoning**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Lazich@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempt Village of Greendale from Smart Growth

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/? mshovers

11 MES 8/17/05

11/16/05
9/14/05

9/14/05

FE Sent For:

<END>

Shovers, Marc

From: Schaeffer, Carole
Sent: Thursday, August 04, 2005 1:54 PM
To: Shovers, Marc
Subject: FW: X-IMail-SPAM-HTML-Features RE: Governor's Veto for Smart Growth

Marc,

Here is the email I was referring to. The Senator would like to have legislation drafted that would exempt the village of Greendale from the Smart Growth law. Please call with any questions.

Thanks!

Carole

Carole J. Schaeffer
Office of Senator Mary Lazich
State Capitol, Room 18 S
Madison, WI 53707
608-266-5400
carole.schaeffer@legis.state.wi.us

From: Joe Murray [<mailto:jmurray@greendale.org>]
Sent: Tuesday, August 02, 2005 6:03 PM
To: Sen.Lazich
Cc: Curt Witynski; 'Stephanie Mares'; 'Allan Sikorski'; 'James Birmingham'; 'James Birmingham'; 'James Strange'; 'John Hermes'; Sally Chadwick; 'Sally Chadwick'; 'Scott Leonard'
Subject: RE: X-IMail-SPAM-HTML-Features RE: Governor's Veto for Smart Growth

Senator Lazich:

Thank you for your thoughtful reply to my e-mail opposing Smart Growth. The Village appreciates your and the Legislature's efforts to eliminate this unfunded mandate. The Village would appreciate your continued efforts to eliminate this and all other State mandates.

As I noted in my original e-mail message, the Village would also appreciate any special efforts you could make to remove the Village specifically from the Smart Growth requirements. Greendale was, is and will always be a planned community. The Village has held true to the original Greendale plan created in 1935 when it was conceived by the Federal Government as a one of three Greenbelt Communities. Greendale is the "poster child" for effective planning and has been noted specifically by State agencies promoting the benefits of Smart Growth and Planning. Since we have followed our planning and our being a "built-out" community, any requirement to develop a new or different Comprehensive Plan would be redundant. If nothing else, please sponsor

special legislation to exempt the Village of Greendale from the Smart Growth requirements.

Thank you for your support.

Joseph M. Murray, Village Manager

Joseph M. Murray
Village Manager
Village of Greendale
6500 Northway
Greendale, Wisconsin 53129
(414) 423-2100
(414) 423-2107 (Fax)
jmurray@greendale.org

-----Original Message-----

From: Sen.Lazich [mailto:Sen.Lazich@legis.state.wi.us]

Sent: Tuesday, August 02, 2005 4:39 PM

To: Joe Murray

Subject: X-IMail-SPAM-HTML-Features RE: Governor's Veto for Smart Growth

Dear Joe,

Thank you for your email about Wisconsin's Smart Growth law as it relates the Village of Greendale. I agree that Smart Growth has a purpose, but is also a mandate from Madison. As a local official, I served on a Plan Commission and participated in a master plan process. I have a great amount of respect for communities that participate in a planning process. As you may know, the Comprehensive Planning Law, or Smart Growth Initiative, was enacted in the 1999-2001 state budget bill as an effort by state officials to encourage sound land use planning by local communities. This law requires that communities have a development plan in place by 2010.

The Joint Committee on Finance voted to eliminate this provision in the budget. The Governor vetoed the deletion, thereby restoring the program. However, because the Governor cannot write in funding, the \$4 million in competitive grant funding is not restored. The program is partially funded by depositing deed recording fee revenue received by the state into a continuing appropriation that allows the Department of Administration to allot available revenues to fund grants under the restored comprehensive planning grant program.

Whereas Smart Growth is a good idea in principal, one of the complaints that I receive is frustration with unfunded mandates. Smart Growth provided some grants, but often the costs to develop and implement a comprehensive land plan based on state requirements exceed the available funds. Communities are at varying stages of development. Forcing one plan fits

all is another under-funded, mandate forced upon local governments. I agree that forcing a community to spend money to develop a document for statutes sake alone is not really smart growth, but simply another mandate.

Additionally, Smart Growth contains ambiguities and the potential to force unwanted zoning laws from the top down, removing land-use planning choices from local governments. Smart Growth also allows townships and other small towns to have appointed boards, rather than elected boards, oversee local planning thus eliminating the voice of the people affected by the decision. Communities may continue to plan responsibly and involve members of the community in land use planning at the local level with decisions based on the needs and desires of the community.

Again, thank you for your email. I hope this information is helpful. If you have any questions, comments, concerns or advice for me, please contact me.

Sincerely,

Mary Lazich
State Senator
Senate District 28

MAL/cjs

From: Joe Murray [mailto:jmurray@greendale.org]

Sent: Monday, July 18, 2005 4:53 PM

To: Rep.Stone; Sen.Lazich

Cc: W. Scott Satula; Curt Witynski; 'Stephanie Mares'; 'Allan Sikorski'; 'James Birmingham'; 'James Birmingham'; 'James Strange'; 'John Hermes'; Sally Chadwick; 'Sally Chadwick'; 'Scott Leonard'

Subject: Governor's Veto for Smart Growth

July 18, 2005

Senator Lazich and Representative Stone:

Today, Governor Doyle announced his veto of the budget provisions to repeal Smart Growth. Unlike some of the other areas of the Legislature's Budget, this is one provision that the Village of Greendale supported. The Smart Growth program does serve a purpose, however, it is penal to the Village of Greendale and to other "built-out" communities.

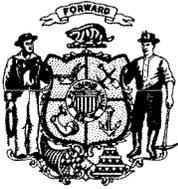
You are both very familiar with the Village of Greendale's history as a PLANNED Greenbelt community. The Village was founded with a plan, it was developed with a plan and the plan was adhered to essentially up until the 1980's when the Village completed its housing and development. The Village demonstrates the value and purpose of having good planning. This very fact has been noted by proponents for Smart Growth, including naming the Village specifically.

However, since the Village is essentially "built-out" with only a few un-developed properties and those properties only being "in-fill" properties surrounded by other developments a requiring the Village to undertake a new master/comprehensive planning process is meaningless. And contrary to the Governor's statement that "Smart Growth is not a mandate from Madison" - the Village of Greendale must strongly disagree. If the Village is required to expend local tax dollars to hire a planning consultant to produce essentially a "worthless" document that will only sit on a shelf to gather dust ONLY because we're required to by Statute - I believe that would be a textbook definition of "mandate."

As I noted above, Smart Growth does serve a purpose, particularly in fringe or developing communities to help stop sprawl, but in a PLANNED and built-out community such as Greendale, it is only a waste of time, money and effort. If Smart Growth must remain, please make every effort to at least have it not apply to the Village of Greendale.

Thank you for your support.

Joseph M. Murray
Village Manager
6500 Northway
Greendale, Wisconsin 53129
(414) 423-2100
(414) 423-2107
jmurray@greendale.org



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3502/

MES...

9/16

Handwritten initials and a circled signature.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Circled handwritten signature.

1 AN ACT ...; relating to: exempting the Village of Greendale from the
2 comprehensive planning statute known as Smart Growth.

Analysis by the Legislative Reference Bureau

Under the current law popularly known as the "Smart Growth" statute, if a local governmental unit (city, village, town, county, or regional planning commission) creates a comprehensive plan (a development plan or a master plan) or amends an existing comprehensive plan, the plan must contain certain planning elements. The required planning elements include the following: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; and land use.

Beginning on January 1, 2010, under Smart Growth, certain actions of a local governmental unit that affect land use must be consistent with that local governmental unit's comprehensive plan. The actions to which this requirement applies are official mapping, local subdivision regulation, and zoning ordinances, including zoning of shorelands or wetlands in shorelands. Also beginning on January 1, 2010, under Smart Growth, if a local governmental unit engages in any program or action that affects land use, the comprehensive plan must contain at least all of the required planning elements.

This bill exempts the Village of Greendale from the Smart Growth statute.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

X



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3502/1

MES:kjf:rs

RMR

2005 BILL

Regen

certain cities and villages

1 AN ACT to create 66.1001 (7) of the statutes; relating to: exempting the Village
2 of Greendale from the comprehensive planning statute known as Smart
3 Growth.

Analysis by the Legislative Reference Bureau

Under the current law, ^{commonly} popularly known as the "Smart Growth" statute, if a local governmental unit (city, village, town, county, or regional planning commission) creates a comprehensive plan (a development plan or a master plan) or amends an existing comprehensive plan, the plan must contain certain planning elements. The required planning elements include the following: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; and land use.

Beginning on January 1, 2010, under Smart Growth, certain actions of a local governmental unit that affect land use must be consistent with that local governmental unit's comprehensive plan. The actions to which this requirement applies are official mapping, local subdivision regulation, and zoning ordinances, including zoning of shorelands or wetlands in shorelands. Also beginning on January 1, 2010, under Smart Growth, if a local governmental unit engages in any program or action that affects land use, the comprehensive plan must contain at least all of the required planning elements.

This bill exempts the village of Greendale from the Smart Growth statute.

any ~~land~~ ^{city} and city or village that does not border a town



Memo

To: Senator Representative Lazich

(The Draft's Requester)

Per your request: ... the attached fiscal estimate was prepared for your unIntroduced 2005 draft.

LRB Number: LRB -3502

Version: "/ 1"

Fiscal Estimate Prepared By: (agency abbr.) DOA

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 11 / 17 / 2005

* * * * *

To: LRB - Legal Section PA's

Subject: *Fiscal Estimate Received For An Unintroduced Draft*

> **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.

> **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

> **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2005 _____

Emery, Lynn

From: Emery, Lynn
Sent: Thursday, November 17, 2005 1:47 PM
To: Sen.Lazich
Subject: LRB 05-3502/1 (FE by DOA - attached - for your review)

Attachments: 05-3502feDOA.PDF



05-3502feDOA.PDF
(700 KB)

Lynn Emery
Program Assistant
Legislative Reference Bureau
(608) 266-3561

Fiscal Estimate Narratives

DOA 11/17/2005

LRB Number 05-3502/1	Introduction Number	Estimate Type Original
Description Exempting the Village of Greendale from the comprehensive planning statute known as Smart Growth		

Assumptions Used in Arriving at Fiscal Estimate

If enacted, this bill would exempt the village of Greendale from the Smart Growth statute.

State:

This bill has no direct state fiscal impact. However, the cost of some services such as transportation infrastructure may rise with inadequate local comprehensive plans.

Local:

The fiscal impact on local government is indeterminate. In the short term, the village of Greendale may save some one-time costs to develop a plan. Alternatively they may choose to continue some or all aspects of the planning process. Long term, some local government costs may rise with inadequate plans in place to help guide future development and community growth.

Long-Range Fiscal Implications

Unknown

Basford, Sarah

From: Sieg, Tricia
Sent: Monday, February 13, 2006 2:17 PM
To: LRB.Legal
Subject: Draft review: LRB 05-3502/2 Topic: Exempt Village of Greendale from Smart Growth

It has been requested by <Sieg, Tricia> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-3502/2 Topic: Exempt Village of Greendale from Smart Growth