

Fiscal Estimate Narratives

DOR 11/25/2013

LRB Number	13-1900/2	Introduction Number	SB-390	Estimate Type	Original
Description Expanding the requirement of county board approval of a town amendment of its zoning ordinances					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a town board that has been granted the authority to exercise village powers may adopt zoning ordinances under the same statutes that apply to cities and villages, subject to certain limitations. Under one of these limitations, if the county in which the town is located has enacted a county zoning ordinance, the adoption or amendment of a town zoning ordinance may, in general, not take effect until the adoption or amendment is approved by the county board. However, due to the complexity in the zoning statutes, there is some question on whether this limitation on towns applies in all cases.

Under this bill, any adoption of a town zoning ordinance or any amendment of a town zoning ordinance would require the approval of the county board if the following conditions are met: (1) the county had a county zoning ordinance in effect on January 1, 2013, (2) the county has a population in excess of 380,000, and (3) the county is adjacent to a county with a population in excess of 800,000. The only county that meets all three conditions is Waukesha County.

To the extent that the bill clarifies current zoning law for towns in Waukesha County, legal costs related to zoning matters could decrease as a result of the bill. The Department of Revenue does not have information which would permit it to estimate the potential change in legal costs this bill could engender.

Long-Range Fiscal Implications