



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Assembly Bill 663

**Assembly
Amendments 1 and 2**

Memo Published: February 17, 2014

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CURRENT LAW

In general, a subdivision is a division of land for the purpose of sale or building development that results in five or more parcels of 1.5 acres or less each, within five years or less. If a division of land results in a subdivision, a plat of the proposed subdivision must be prepared.

Numerous procedural and substantive requirements apply to plats and each plat must be submitted to the Department of Administration (DOA) for approval. Under certain circumstances, approval of the Department of Transportation (DOT) and the Department of Safety and Professional Services are also required.

Other boundary changes may generally be made by the preparation and recording of a certified survey map (CSM) which is not subject to the requirements that apply to subdivision plats.

THE BILL

The bill allows division of land into more than four parcels by CSM, instead of subdivision plat, if all of the following are true:

- The city, village, town, or county (municipality) in which the land is located has established a planning agency.
- The municipality adopts an ordinance or resolution allowing it to do so.
- The municipality receives the recommendation of the municipal planning agency and holds a public hearing before adopting the ordinance or resolution.

- The ordinance or resolution specifies the maximum number of parcels into which land may be divided by CSM.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 (AA 1) specifies that the provisions of the bill apply only to land zoned for commercial, industrial, or mixed-use development, not to land zoned residential uses.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 (AA 2) provides that if land is divided into four or more parcels under CSM procedures as authorized by the bill, the following requirements that apply to subdivision plats apply to the CSM:

- The requirement that a survey be conducted that meets certain specified standards.
- The requirements for final dimensions and contents of the map.
- The requirements that a surveyors' certificate and owners' certificate be conveyed with the map.
- The requirements of the DOT rules regarding highway safety.

AA 2 requires a CSM to be submitted to DOA and DOT for a review of compliance with the requirements described above.

AA 2 also specifies that the requirements described above do not apply in any of the following situations:

- The CSM is only changing the boundaries of lots and outlots in a recorded plat, recorded assessor's plat, or recorded CSM.
- The CSM is dividing land that is wholly situated in the City of Milwaukee.
- The CSM is dividing unincorporated land in Milwaukee County.

BILL HISTORY

Representative Hutton offered AA 1 on January 31, 2014. He offered AA 2 on February 10, 2014.

On February 12, 2014, the Assembly Committee on Housing and Real Estate voted to recommend adoption of AA 1 and AA 2, and passage of the bill, as amended, on successive votes of Ayes, 9; Noes, 0.

MM:ty