



1997 ASSEMBLY BILL 809

February 19, 1998 - Introduced by Representatives ALBERS, GRONEMUS, JENSEN, SYKORA, SERATTI, MUSSER, WARD, SPILLNER, GOETSCH, BRANDEMUEHL, JOHNSRUD, SCHAFFER, GROTHMAN, HAHN, GUNDERSON, OTTE, FREESE and SKINDRUD, cosponsored by Senators WELCH, DRZEWIECKI and SCHULTZ. Referred to Committee on Rural Affairs.

- 1 **AN ACT to amend** 236.11 (1) (b), 236.13 (1) (c) and 236.16 (2) of the statutes;
2 **relating to:** eliminating compliance with local plans as a requirement for plat
3 approval.

Analysis by the Legislative Reference Bureau

Under current law, a division of land that results in a subdivision of 5 or more parcels or building sites of 1 1/2 acres each or less must be surveyed. In addition, a plat (map) of the subdivision must be approved by the appropriate approving authorities and recorded in the office of the register of deeds.

In general, the approval of a preliminary or final plat is conditioned upon the plat's compliance with the state statutes related to platting land, local ordinances, any local master plan or official map, rules of the department of administration relating to lot size and elevation if the subdivision is not served by a public sewer and rules of the department of transportation related to entrance and departure from abutting or connecting highways. This bill eliminates compliance with any local master plan as a requirement for plat approval.

Streets in a subdivision must be of the width specified on the master plan or official map or of a width at least as great as that of existing streets if there is no master plan or official map. The bill requires that streets be of the width specified by local ordinance or, if no local ordinance specifies the width of the street, as

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specified on the official map, if any. In no case, however, may a full street be less than 60 feet wide. This minimum width also applies under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 236.11 (1) (b) of the statutes is amended to read:

2 236.11 (1) (b) If the final plat conforms substantially to the preliminary plat
3 as approved, including any conditions of that approval, and to local plans and
4 ordinances adopted as authorized by law, it is entitled to approval. If the final plat
5 is not submitted within 6 months of the last required approval of the preliminary
6 plat, any approving authority may refuse to approve the final plat. The final plat
7 may, if permitted by the approving authority, constitute only that portion of the
8 approved preliminary plat which the subdivider proposes to record at that time.

9 **SECTION 2.** 236.13 (1) (c) of the statutes is amended to read:

10 236.13 (1) (c) Any local master plan which is consistent with any plan adopted
11 under s. 236.46 or official map adopted under s. 62.23;

12 **SECTION 3.** 236.16 (2) of the statutes is amended to read:

13 236.16 (2) MINIMUM STREET WIDTH. All streets shall be of the width specified on
14 the master plan or official map or of a width at least as great as that of the existing
15 streets if there is no master plan or official map by local ordinance or, if no local
16 ordinance specifies the street width, as specified on the official map, if any, but no full
17 street shall be less than 60 feet wide unless otherwise permitted by local ordinance.
18 Widths of town roads platted after January 1, 1966, shall, however, comply with
19 minimum standards for town roads prescribed by s. 86.26. Streets or frontage roads
20 auxiliary to and located on the side of a full street for service to the abutting property
21 may not after January 1, 1966, be less than 49.5 feet wide.

