



## 2007 ASSEMBLY BILL 718

January 23, 2008 – Introduced by Representatives M. WILLIAMS, GRONEMUS, SUDER, BALLWEG, MUSSER, TOWNSEND, NERISON and ALBERS, cosponsored by Senator GROTHMAN. Referred to Committee on Property Rights.

1     **AN ACT to amend** 59.69 (3) (a), 62.23 (3) (b) and 66.1001 (3) (intro.) of the  
2             statutes; **relating to:** delaying the implementation date of the comprehensive  
3             planning statute.

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### *Analysis by the Legislative Reference Bureau*

Under the current law commonly known as the “Smart Growth” statute, if a city, village, town, county, or regional planning commission (local governmental unit) creates a development plan or master plan (comprehensive 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; land use; and intergovernmental cooperation.

Under current law, beginning on January 1, 2010, 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 under current law, beginning on January 1, 2010, if a local governmental unit engages in any of these specified actions, the comprehensive plan must contain at least all of the required planning elements.

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This bill delays the implementation date in current law from January 1, 2010, until January 1, 2015.

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

1           **SECTION 1.** 59.69 (3) (a) of the statutes is amended to read:

2           59.69 (3) (a) The county zoning agency may direct the preparation of a county  
3 development plan or parts of the plan for the physical development of the  
4 unincorporated territory within the county and areas within incorporated  
5 jurisdictions whose governing bodies by resolution agree to having their areas  
6 included in the county's development plan. The plan may be adopted in whole or in  
7 part and may be amended by the board and endorsed by the governing bodies of  
8 incorporated jurisdictions included in the plan. The county development plan, in  
9 whole or in part, in its original form or as amended, is hereafter referred to as the  
10 development plan. Beginning on January 1, ~~2010~~ 2015, if the county engages in any  
11 program or action described in s. 66.1001 (3), the development plan shall contain at  
12 least all of the elements specified in s. 66.1001 (2).

13           **SECTION 2.** 62.23 (3) (b) of the statutes is amended to read:

14           62.23 (3) (b) The commission may adopt the master plan as a whole by a single  
15 resolution, or, as the work of making the whole master plan progresses, may from  
16 time to time by resolution adopt a part or parts of a master plan. Beginning on  
17 January 1, ~~2010~~ 2015, if the city engages in any program or action described in s.  
18 66.1001 (3), the master plan shall contain at least all of the elements specified in s.  
19 66.1001 (2). The adoption of the plan or any part, amendment, or addition, shall be  
20 by resolution carried by the affirmative votes of not less than a majority of all the  
21 members of the city plan commission. The resolution shall refer expressly to the

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1 elements under s. 66.1001 and other matters intended by the commission to form the  
2 whole or any part of the plan, and the action taken shall be recorded on the adopted  
3 plan or part of the plan by the identifying signature of the secretary of the  
4 commission, and a copy of the plan or part of the plan shall be certified to the common  
5 council, and also to the commanding officer, or the officer's designee, of any military  
6 base or installation, with at least 200 assigned military personnel or that contains  
7 at least 2,000 acres, that is located in or near the city. The purpose and effect of the  
8 adoption and certifying of the master plan or part of the plan shall be solely to aid  
9 the city plan commission and the council in the performance of their duties.

10 **SECTION 3.** 66.1001 (3) (intro.) of the statutes is amended to read:

11 66.1001 (3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE  
12 PLANS. (intro.) Beginning on January 1, ~~2010~~ 2015, if a local governmental unit  
13 engages in any of the following actions, those actions shall be consistent with that  
14 local governmental unit's comprehensive plan:

15 (END)