



State of Wisconsin
1999 - 2000 LEGISLATURE

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MS/JTK/PK/PN/ML:kg:jjm

Today

FMP

LFB:.....Olin - Comprehensive planning, planning grants, model ordinance development, plat approval

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

D-note

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 121, line 1: before that line insert:
- 3 "SECTION 1b. 1.13 of the statutes is created to read:
- 4 1.13 Land use planning activities. (1) In this section:
- 5 (a) "Local governmental unit" has the meaning given in s. 1.12 (1) (a).
- 6 (b) "State agency" has the meaning given in s. 1.12 (1) (b).
- 7 (2) Each state agency shall ensure that, consistently with other laws, the
- 8 actions of the agency are designed to further the following goals:
- 9 (a) Promotion of the redevelopment of lands with existing infrastructure and
- 10 public services and the maintenance and rehabilitation of existing residential,
- 11 commercial and industrial structures.

- 1 (b) Encouragement of neighborhood designs that support a range of
2 transportation choices.
- 3 (c) Protection of natural areas, including wetlands, wildlife habitats, lakes,
4 woodlands, open spaces and groundwater resources.
- 5 (d) Protection of economically productive areas, including farmland and
6 forests.
- 7 (e) Encouragement of land uses, densities and regulations that promote
8 efficient development patterns and relatively low municipal, state governmental
9 and utility costs.
- 10 (f) Preservation of cultural, historic and archaeological sites.
- 11 (g) Encouragement of coordination and cooperation among nearby units of
12 government.
- 13 (h) Building of community identity by maintaining physical separation
14 between urban areas, revitalizing main streets and enforcing design standards.
- 15 (i) Providing an adequate supply of affordable housing for individuals of all
16 income levels throughout each community.
- 17 (j) Providing adequate infrastructure and public services and an adequate
18 supply of developable land to meet existing and future market demand for
19 residential, commercial and industrial uses.
- 20 (k) Promoting the expansion or stabilization of the current economic base and
21 the creation of a range of employment opportunities.
- 22 (L) Balancing individual property rights with community interests and goals.
- 23 (m) Planning and development of land uses that create or preserve varied and
24 unique urban and rural communities.

1 **(3)** Each state agency shall ensure that, consistently with other laws, whenever
2 it administers a law under which a local governmental unit prepares a plan, the
3 actions of the local governmental unit under the plan are designed to further the
4 goals specified in sub. (2), to the extent applicable.”

5 **2.** Page 121, line 1: delete “**SECTION 1**” and substitute “**SECTION 1w**”.

6 **3.** Page 125, line 1: after that line insert:

7 “**SECTION 12m.** 15.01 (4) of the statutes is amended to read:

8 15.01 (4) “Council” means a part-time body appointed to function on a
9 continuing basis for the study, and recommendation of solutions and policy
10 alternatives, of the problems arising in a specified functional area of state
11 government, except the Wisconsin land council has the powers specified in s. 16.965
12 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river
13 revitalization council has the powers and duties specified in s. 23.18, the council on
14 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
15 state council on alcohol and other drug abuse has the powers and duties specified in
16 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
17 the powers and duties specified in s. 146.36.

18 **SECTION 12n.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act
19 (this act), is amended to read:

20 15.01 (4) “Council” means a part-time body appointed to function on a
21 continuing basis for the study, and recommendation of solutions and policy
22 alternatives, of the problems arising in a specified functional area of state
23 government, except the ~~Wisconsin land council has the powers specified in s. 16.965~~
24 ~~(3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river~~

1 revitalization council has the powers and duties specified in s. 23.18, the council on
2 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
3 state council on alcohol and other drug abuse has the powers and duties specified in
4 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
5 the powers and duties specified in s. 146.36.”

6 ✓ 4. Page 155, line 3: delete lines 3 to 18 and substitute:
7 ✓ #. Page 156, line 8: after that line insert:

“SECTION 110m. 16.965 (title), (1) and (2) of the statutes are created to read:

8 **16.965 (title) Planning grants to local governmental units.** (1) In this
9 section:

10 (a) “Local governmental unit” means a county, city, village, town or regional
11 planning commission.

12 (b) “Smart growth area” means an area that will enable the development and
13 redevelopment of lands with existing infrastructure and municipal, state and utility
14 services, where practicable, and that will encourage efficient development patterns
15 that are both contiguous to existing development and at densities which have
16 relatively low municipal, state governmental and utility costs.

17 (c) “Supporting agency” means the department of administration, the
18 department of agriculture, trade and consumer protection, the department of
19 commerce, the department of natural resources, the department of revenue and the
20 board of regents of the University of Wisconsin System.

21 (2) From the appropriation under s. 20.505 (1) (kh), the department may
22 provide grants to local governmental units to be used to finance the cost of planning
23 activities, including contracting for planning consultant services, public planning
24 sessions and other planning outreach and educational activities, or for the purchase

1 of computerized planning data, planning software or the hardware required to
2 utilize that data or software. The department may require any local governmental
3 unit that receives a grant under this section to finance not more than 25% of the cost
4 of the product or service to be funded by the grant from the resources of the local
5 governmental unit. A local governmental unit that desires to receive a grant under
6 this subsection shall file an application with the department. The application shall
7 contain a complete statement of the expenditures proposed to be made for the
8 purposes of the grant. No local governmental unit is eligible to receive a grant under
9 this subsection unless the local governmental unit agrees to utilize the grant to
10 finance planning for all of the purposes specified in s. 66.0295.

11 **SECTION 110n.** 16.965 (title), (1) and (2) of the statutes, as created by 1999
12 Wisconsin Act ... (this act), are repealed.

13 **SECTION 110no.** 16.965 (3) of the statutes is created to read:

14 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
15 (2), the department shall forward a statement of the expenditures proposed to be
16 made under the grant to the Wisconsin land council for its written approval. The
17 council may approve or disapprove any proposed grant.

18 **SECTION 110p.** 16.965 (3) of the statutes, as created by 1999 Wisconsin Act ...
19 (this act), is repealed.

20 **SECTION 110q.** 16.965 (4) of the statutes is created to read:

21 16.965 (4) In determining whether to approve a proposed grant, greater
22 precedence shall be accorded to applications of local governmental units that contain
23 one or more of the following elements:

24 (a) Planning efforts that address the interests of overlapping or neighboring
25 jurisdictions.

1 (b) Planning efforts that contain a specific description of the means by which
2 one or more of the following goals will be achieved:

3 1. Promotion of the redevelopment of lands with existing infrastructure and
4 public services and the maintenance and rehabilitation of existing residential,
5 commercial and industrial structures.

6 2. Encouragement of neighborhood designs that support a range of
7 transportation choices.

8 3. Protection of natural areas, including wetlands, wildlife habitats, lakes,
9 woodlands, open spaces and groundwater resources.

10 4. Protection of economically productive areas, including farmland and forests.

11 5. Encouragement of land uses, densities and regulations that promote
12 efficient development patterns and relatively low municipal, state governmental
13 and utility costs.

14 6. Preservation of cultural, historic and archaeological sites.

15 7. Encouragement of coordination and cooperation among nearby units of
16 government.

17 8. Building of community identity by maintaining physical separation between
18 urban areas, revitalizing main streets and enforcing design standards.

19 9. Providing an adequate supply of affordable housing for individuals of all
20 income levels throughout each community.

21 10. Providing adequate infrastructure and public services and an adequate
22 supply of developable land to meet existing and future market demand for
23 residential, commercial and industrial uses.

24 11. Promoting the expansion or stabilization of the current economic base and
25 the creation of a range of employment opportunities.

1 12. Balancing individual property rights with community interests and goals.

2 13. Planning and development of land uses that create or preserve varied and
3 unique urban and rural communities.

4 (c) Planning efforts that identify smart growth areas.

5 (d) Planning efforts, including subsequent updates and amendments, that
6 include development of implementing ordinances, including ordinances pertaining
7 to zoning, subdivisions and land division.

8 (e) Planning efforts for which completion is contemplated within 30 months of
9 the date on which a grant would be awarded.

10 (f) Planning efforts that provide opportunities for public participation.

11 **SECTION 110r.** 16.965 (4) of the statutes, as created by 1999 Wisconsin Act
12 (this act), is repealed.

13 **SECTION 110s.** 16.965 (5) of the statutes is created to read:

14 16.965 (5) The Wisconsin land council may promulgate rules specifying the
15 methodology whereby precedence will be accorded to applications in awarding
16 grants under sub. (2).

17 **SECTION 110t.** 16.965 (5) of the statutes, as created by 1999 Wisconsin Act
18 (this act), is repealed.

19 **SECTION 110u.** 16.965 (6) of the statutes is created to read:

20 16.965 (6) The department shall assess each supporting agency \$250,000 per
21 year to support planning assistance provided to local governmental units. Each
22 supporting agency shall charge the cost of its assessment to the agency's
23 appropriations for general program operations from general purpose revenue in the
24 amounts specified by the secretary.

1 **SECTION 110v.** 16.965 (6) of the statutes, as created by 1999 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 110w.** 16.9651 of the statutes is created to read:

4 **16.9651 Transportation planning grants to local governmental units.**

5 (1) In this section, "local governmental unit" means a county, city, village, town or
6 regional planning commission.

7 (2) From the appropriation under s. 20.505 (1)(z), the department may provide
8 grants to local governmental units to be used to finance the cost of planning activities
9 related to the transportation element, as described in s. 66.0295 (2) (c), of a
10 comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for
11 planning consultant services, public planning sessions and other planning outreach
12 and educational activities, or for the purchase of computerized planning data,
13 planning software or the hardware required to utilize that data or software. The
14 department may require any local governmental unit that receives a grant under
15 this section to finance not more than 25% of the cost of the product or service to be
16 funded by the grant from the resources of the local governmental unit. Prior to
17 awarding a grant under this section, the department shall forward a detailed
18 statement of the proposed expenditures to be made under the grant to the secretary
19 of transportation and obtain his or her written approval of the proposed
20 expenditures."

21 **5.** Page 400, line 5: after that line insert:

22 "SECTION 294m. 20.285 (1) (ks) of the statutes is created to read:

23 20.285 (1) (ks) *Extension local planning program.* The amounts in the schedule
24 for the University of Wisconsin—Extension local planning program under s. 36.11

1 (37) and for development of a model ordinance for traditional neighborhood
2 development under s. 66.034. All moneys transferred from s. 20.505 (1) (kh) shall
3 be credited to this appropriation account.”.

4 **6.** Page 453, line 11: after that line insert:

5 “**SECTION 523m.** 20.505 (1) (kh) of the statutes is created to read:

6 20.505 (1) (kh) *Comprehensive planning grants; state agency support.* The
7 amounts in the schedule to provide comprehensive planning grants to local
8 governmental units under s. 16.965 (2) and to transfer to the appropriation accounts
9 under par. (ki) and s. 20.285 (1) (ks) the amounts in the schedule under those
10 paragraphs. All moneys received from assessments paid by supporting agencies
11 under s. 16.965 (4) shall be credited to this appropriation account.

12 **SECTION 523n.** 20.505 (1) (kh) of the statutes, as created by 1999 Wisconsin Act
13 (this act), is repealed.

14 **SECTION 523no.** 20.505 (1) (ki) of the statutes is created to read:

15 20.505 (1) (ki) *Comprehensive planning; administrative support.* The amounts
16 in the schedule for administrative support of comprehensive planning assistance
17 under s. 16.965. All moneys transferred from the appropriation account under par.
18 (kh) shall be credited to this appropriation account.

19 **SECTION 523p.** 20.505 (1) (ki) of the statutes, as created by 1999 Wisconsin Act
20 (this act), is repealed.”.

21 **7.** Page 454, line 6: delete “*Planning*” and substitute “*Transportation*
22 *planning*”.

23 **8.** Page 454, line 7: after “provide” insert “transportation”.

24 **9.** Page 454, line 8: delete “16.952” and substitute “16.9651”.

1 **10.** Page 544, line 7: after that line insert:

2 “**SECTION 887m.** 36.11 (37) of the statutes is created to read:

3 36.11 (37) EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local
4 planning program through the extension to educate local policymakers about local
5 planning and the grant program under s. 16.965.”.

6 **11.** Page 794, line 10: after that line insert:

7 “**SECTION 1582s.** 60.62 (4) (a) of the statutes is amended to read:

8 60.62 (4) (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a
9 population of less than 2,500 that acts under this section may create a “Town Plan
10 Commission” under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town~~
11 ~~chairperson, who shall be its presiding officer, the town engineer, the president of the~~
12 ~~park board, another member of the town board and one citizen. If the town plan~~
13 ~~commission has only 5 members and the town has no engineer or park board, an~~
14 ~~additional citizen member shall be appointed so that the commission has at all times~~
15 5 members all of whom shall be appointed by the town board chairperson, who shall
16 also select the presiding officer. The town board chairperson may appoint himself
17 or herself to the commission and may appoint other town elected or appointed
18 officials to the commission, except that the commission shall always have at least one
19 citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23
20 shall apply to a town plan commission that has 5 members. (J)

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21 **12.** Page 796, line 2: after that line insert:

22 “**SECTION 1589s.** 62.23 (1) (a) of the statutes is amended to read:

23 62.23 (1) (a) The council of any city may by ordinance create a “City Plan
24 Commission,” to consist of ~~the mayor, who shall be its presiding officer, the city~~

1 engineer, the president of the park board, an alderperson, and 3 citizens. In case the
 2 city has no engineer or no park board, an additional citizen member shall be
 3 appointed so that the board has at all times 7 members. All members of the
 4 commission shall be appointed by the mayor, who shall also choose the presiding
 5 officer. The mayor may appoint himself or herself to the commission and may
 6 appoint other city elected or appointed officials, except that the commission shall
 7 always have at least ³ one citizen member ³ who is not ^{are} a city official ³. Citizen members
 8 shall be persons of recognized experience and qualifications. The council may by
 9 ordinance provide that the membership of the commission shall be as provided
 10 thereunder.

11 **SECTION 1589t.** 62.23 (1) (b) of the statutes is repealed.

12 **SECTION 1589u.** 62.23 (1) (c) of the statutes is repealed.

13 **SECTION 1589v.** 62.23 (1) (d) of the statutes is amended to read:

14 62.23 (1) (d) The additional citizen members, if any, of the commission shall be
 15 first appointed to hold office for a period ending one year from the succeeding May
 16 first, and thereafter annually of 3 years. Appointments shall be made by the mayor
 17 during the month of April. Whenever a park board is created, or a city engineer
 18 appointed, the president of such board or such engineer shall succeed to a place on
 19 the commission when the term of an additional citizen member expires for terms that
 20 expire in April or at any other time if a vacancy occurs during the middle of a term.”.

21 **13.** Page 803, line 13: delete the material beginning with that line and ending
 22 with page 807, line 19, and substitute:

23 “(a) *Issues and opportunities element.* Background information on the local
 24 governmental unit and a statement of overall objectives, policies, goals and programs

1 of the local governmental unit to guide the future development of the local
2 governmental unit over a 20-year planning period. Background information shall
3 include population, household and employment forecasts that the local
4 governmental unit uses in developing its comprehensive plan, and demographic
5 trends, age distribution, educational levels, income levels and employment
6 characteristics that exist within the local governmental unit.

7 (b) *Housing element*. A ^{compilation} ~~statement~~ of objectives, policies, goals, maps and
8 programs of the local governmental unit to provide an adequate housing supply that
9 meets existing and forecasted housing demand in the local governmental unit. The
10 ~~statement~~ ^{element} shall assess the age, structural, value and occupancy characteristics of the
11 local governmental unit's housing stock. The ~~statement~~ shall also identify specific
12 policies and programs that promote the development of housing for residents of the
13 local governmental unit with all income levels and with various needs, policies and
14 programs that promote the availability of land for the development or redevelopment
15 of low-income and moderate-income housing, and policies and programs to
16 maintain or rehabilitate the local governmental unit's existing housing stock.

17 (c) *Transportation element*. A ^{compilation} ~~statement~~ of objectives, policies, goals, maps and
18 programs to guide the future development of the various modes of transportation,
19 including highways, transportation systems for persons with disabilities, bicycles,
20 walking, railroads, air transportation, trucking and water transportation. The
21 ~~statement~~ shall compare the local governmental unit's objectives, policies, goals and
22 programs to state and regional transportation plans. The ~~statement~~ shall also
23 identify highways within the local governmental unit by function and incorporate
24 other applicable transportation plans, including transportation corridor plans,
25 county highway functional and jurisdictional studies, urban area and rural area

1 transportation plans, airport master plans and rail plans that apply in the local
2 governmental unit.

3 (d) *Utilities and community facilities element.* A [✓]~~statement~~^{compilation} of objectives,
4 policies, goals, maps and programs to guide the future development of utilities and
5 community facilities in the local governmental unit such as sanitary sewer service,
6 storm water management, water supply, solid waste disposal, on-site wastewater
7 treatment technologies, recycling facilities, parks, telecommunications facilities,
8 power-generating plants and transmission lines, cemeteries, health care facilities,
9 child care facilities and other public facilities, such as police, fire and rescue facilities,
10 libraries, schools and other governmental facilities. The ~~statement~~[✓] shall describe the ^{element}
11 location, use and capacity of existing public utilities and community facilities that
12 serve the local governmental unit, shall include an approximate timetable that
13 forecasts the need in the local governmental unit to expand or rehabilitate existing
14 utilities and facilities or to create new utilities and facilities and shall assess future
15 needs for government services in the local governmental unit that are related to such
16 utilities and facilities.

17 (e) *Agricultural, natural and cultural resources element.* A [✓]~~statement~~^{compilation} of
18 objectives, policies, goals, maps and programs for the conservation, and promotion
19 of the effective management, of natural resources such as groundwater, forests,
20 productive agricultural areas, environmentally sensitive areas, threatened and
21 endangered species, stream corridors, surface water, floodplains, wetlands, wildlife
22 habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical
23 and cultural resources, ~~recreational resources~~^{community design}, recreational resources and other natural
24 resources.

element
element

1 (f) *Economic development element.* A ~~statement~~^{compilation} of objectives, policies, goals,
 2 maps and programs to promote the stabilization, retention or expansion, of the
 3 economic base and quality employment opportunities in the local governmental unit,
 4 including an analysis of the labor force and economic base of the local governmental
 5 unit. The ~~statement~~ shall assess categories or particular types of new businesses and
 6 industries that are desired by the local governmental unit. The ~~statement~~ shall
 7 assess the local governmental unit's strengths and weaknesses with respect to
 8 attracting and retaining businesses and industries, and shall designate an adequate
 9 number of sites for such businesses and industries. The ~~statement~~ shall also
 10 evaluate and promote the use of environmentally contaminated sites for commercial
 11 or industrial uses. The ~~statement~~ shall also identify county, regional and state
 12 economic development programs that apply to the local governmental unit.

13 (g) *Intergovernmental cooperation element.* A ~~statement~~^{compilation} of objectives, policies,
 14 goals, maps and programs for joint planning and decision making with other
 15 jurisdictions, including school districts and adjacent local governmental units, for
 16 siting and building public facilities and sharing public services. The ~~statement~~ shall
 17 analyze the relationship of the local governmental unit to school districts and
 18 adjacent local governmental units, and to the region, the state and other
 19 governmental units. The ~~statement~~ shall incorporate any plans or agreements to
 20 which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The
 21 ~~statement~~ shall identify existing or potential conflicts between the local
 22 governmental unit and other governmental units that are specified in this
 23 paragraph and describe processes to resolve such conflicts.

24 (h) *Land-use element.* A ~~statement~~^{compilation} of objectives, policies, goals, maps and
 25 programs to guide the future development and redevelopment of public and private

element

1 property. The ~~statement~~ shall contain a listing of the amount, type, intensity and net
2 density of existing uses of land in the local governmental unit, such as agricultural,
3 residential, commercial, industrial and other public and private uses. The ~~statement~~
4 shall analyze trends in the supply, demand and price of land, opportunities for
5 redevelopment and existing and potential land-use conflicts. The ~~statement~~ shall
6 contain projections, based on the background information specified in par. (a), for 20
7 years with detailed maps, in 5-year increments, of future residential, agricultural,
8 commercial and industrial land uses including the assumptions of net densities or
9 other spatial assumptions upon which the projections are based. The ~~statement~~
10 shall also include a series of maps that shows current land uses and future land uses
11 that indicate productive agricultural soils, natural limitations for building site
12 development, floodplains, wetlands and other environmentally sensitive lands, the
13 boundaries of areas to which services of public utilities and community facilities, as
14 those terms are used in par. (d), will be provided in the future, consistent with the
15 timetable described in par. (d), and the general location of future land uses by net
16 density or other classifications.

17 (i) *Implementation element.* A ^{*Compilation*} ~~statement~~ of programs and specific actions to
18 be completed in a stated sequence, including proposed changes to any applicable
19 zoning ordinances, official maps, sign regulations, erosion and storm water control
20 ordinances, historic preservation ordinances, site plan regulations, design review
21 ordinances, building codes, mechanical codes, housing codes, sanitary codes or
22 subdivision ordinances, to implement the objectives, policies, plans and programs
23 contained in pars. (a) to (h). The ~~statement~~ shall describe how each of the elements
24 of the comprehensive plan will be integrated and made consistent with the other
25 elements of the comprehensive plan, and shall include a mechanism to measure the

1 local governmental unit's progress toward achieving all aspects of the
2 comprehensive plan. The ^{statement}~~statement~~ shall include a process for updating the
3 comprehensive plan. A comprehensive plan under this subsection shall be updated
4 no less than once every 10 years.

5 (3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.

6 Beginning on January 1, 2010, any action of a local governmental unit that affects
7 land use shall be consistent with that local governmental unit's comprehensive plan,
8 including all of the following:

- 9 (a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.
10 (b) Annexation procedures under s. 66.021, 66.024 or 66.025.
11 (c) Cooperative boundary agreements entered into under s. 66.023.
12 (d) Consolidation of territory under s. 66.02.
13 (e) Detachment of territory under s. 66.022.
14 (f) Municipal boundary agreements fixed by judgment under s. 66.027.
15 (g) Official mapping established or amended under s. 62.23 (6).
16 (h) Local subdivision regulation under s. 236.45 or 236.46.
17 (i) Extraterritorial plat review within a city's or village's extraterritorial plat
18 approval jurisdiction, as is defined in s. 236.02 (5).
19 (j) County zoning ordinances enacted or amended under s. 59.69.
20 (k) City or village zoning ordinances enacted or amended under s. 62.23 (7).
21 (L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
22 (m) An improvement of a transportation facility that is undertaken under s.
23 84.185.
24 (n) Agricultural preservation plans that are prepared or revised under subch.
25 IV of ch. 91.

1 (o) Impact fee ordinances that are enacted or amended under s. 66.55.

2 (p) Land acquisition for recreational lands and parks under s. 23.09 (20).

3 (q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or
4 62.231.

5 (r) Construction site erosion control and storm water management zoning
6 under s. 59.693, 61.354 or 62.234.

7 (4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit
8 shall comply with all of the following before its comprehensive plan may take effect:

9 (a) The governing body of a local governmental unit shall adopt written
10 procedures that are designed to foster public participation, including public
11 meetings for which advance notice has been provided, in every stage of the
12 preparation of a comprehensive plan. The written procedures shall provide for wide
13 distribution of proposed, alternative or amended elements of a comprehensive plan
14 and shall provide an opportunity for written comments on the plan to be submitted
15 by members of the public to the governing body and for the governing body to respond
16 to such written comments.

17 (b) The planning commission or other body of a local governmental unit that
18 is authorized to prepare or amend a comprehensive plan may recommend the
19 adoption or amendment of a comprehensive plan only by adopting a resolution by
20 majority vote. The vote shall be recorded in the official minutes of the planning
21 commission or other body. The resolution shall refer to maps and other descriptive
22 materials that relate to one or more elements of a comprehensive plan. One copy of
23 an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to
24 all of the following:

1 1. Every governmental body that is located in whole or in part within the
2 boundaries of the local governmental unit.

3 2. Every local governmental unit that is adjacent to the local governmental unit
4 which is the subject of the plan that is adopted or amended as described in par. (b)
5 (intro.).

6 3. The Wisconsin land council.

7 4. After September 1, 2003, the department of administration.

8 (c) No recommended comprehensive plan that is adopted or amended under
9 par. (b) may take effect until the plan or amendment is enacted as an ordinance by
10 the local governmental unit. The local governmental unit may not enact an
11 ordinance under this paragraph unless the comprehensive plan contains all of the
12 elements specified in sub. (2). An ordinance may be enacted under this paragraph
13 only by a majority vote of the members-elect^{as defined in 1.59.001(2m)} of the governing body^{as that term is}
14 ~~defined in s. 59.001(2m)~~. An ordinance that is enacted under this paragraph shall
15 be filed with at least all of the following:

16 1. The public library and the regional planning commission that serves the area
17 in which the local governmental unit is located.

18 2. The clerk of any adjacent local governmental unit.

19 (d) No local governmental unit may enact an ordinance under par. (c) unless
20 the local governmental unit holds at least one public hearing at which the proposed
21 ordinance is discussed. That hearing must be preceded by a class 1 notice under ch.
22 985 that is published at least 30 days before the hearing is held. The local
23 governmental unit may also provide notice of the hearing by any other means it
24 considers appropriate. The class 1 notice shall contain at least the following
25 information:

- 1 1. The date, time and place of the hearing.
- 2 2. A summary, which may include a map, of the proposed comprehensive plan
- 3 or amendment to such a plan.
- 4 3. The name of an individual employed by the local governmental unit who may
- 5 provide additional information regarding the proposed ordinance.
- 6 4. Information relating to where and when the proposed comprehensive plan
- 7 or amendment to such a plan may be inspected before the hearing, and how a copy
- 8 of the plan or amendment may be obtained.

9 SECTION 1606m. 66.034 of the statutes is created to read:

10 **66.034 Traditional neighborhood developments. (1) DEFINITIONS.** In this
11 section:

12 (a) "Extension" has the meaning given in s. 36.05 (7).

13 (b) "Traditional neighborhood development" means a compact, mixed-use
14 neighborhood where residential, commercial and civic buildings are within close
15 proximity to each other and are equally accessible to pedestrian, bicycle, automobile
16 and mass transit linkages.

17 (2) MODEL ORDINANCE. ~~Not~~ Not later than January 1, 2001, the extension, in
18 consultation with any other University of Wisconsin System institution ^(or)
19 ~~department with which it would like to consult~~ or with a landscape architect, as that
20 term is used in s. 443.02 (5), ^{or with independent planners or any other consultant with} shall develop a model ordinance for a traditional
21 neighborhood development and shall distribute the model ordinance to all city and
22 village clerks, to all town clerks whose town has a population of at least 5,000 and
23 to any other interested person.

24 (b) The model ordinance shall contain at least all of the following elements:

*expertise in traditional neighborhood
planning and development,*

1 ~~1. A general description of the characteristics of a traditional neighborhood~~
2 ~~development, including the principle that such a development shall contain a~~
3 ~~mixture of single-family homes, apartments, shops and offices that are set upon~~
4 ~~modest lots with shallow building setbacks that are accessible to pedestrians by~~
5 ~~sidewalks and short blocks and to automobiles by narrow streets; alleys and~~
6 ~~on-street parking.~~

7 ~~2. The building, zoning and subdivision codes that apply to a traditional~~
8 ~~neighborhood developments.~~

9 (3) CITY, VILLAGE AND TOWN REQUIREMENTS. (a) Not later than January 1, 2002,
10 every city and village, and every town with a population of at least 5,000 shall enact
11 an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance
12 that is developed under sub. (2), although the ordinance is not required to be mapped.

13 (b) A city or village that comes into existence, or town whose population reaches
14 at least 5,000, after January 1, 2002, shall enact an ordinance under s. 62.23 (7) that
15 is substantially similar to the model ordinance that is developed under sub. (2) not
16 later than the first day of the 12th month beginning after the city or village comes
17 into existence or after the town's population reaches at least 5,000, although the
18 ordinance is not required to be mapped.”.

19 **14.** Page 1102, line 15: after that line insert:

20 “SECTION 2353m. 227.01 (1) of the statutes is amended to read:

21 227.01 (1) “Agency” means the Wisconsin land council or a board, commission,
22 committee, department or officer in the state government, except the governor, a
23 district attorney or a military or judicial officer.

1 **SECTION 2353n.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is amended to read:

3 227.01 (1) “Agency” means ~~the Wisconsin land council or~~ a board, commission,
4 committee, department or officer in the state government, except the governor, a
5 district attorney or a military or judicial officer.”.

6 **15.** Page 1102, line 22: after that line insert:

7 “**SECTION 2355m.** 227.113 of the statutes is created to read:

8 **227.113 Incorporation of state land use planning goals.** Each agency
9 shall ensure that, consistently with the laws that it administers, the rules
10 promulgated by the agency are designed to further the goals specified in s. 1.13 (2).”.

11 **16.** Page 1117, line 1: after that line insert:

12 “**SECTION 2398c.** 236.11 (1) (a) of the statutes is amended to read:

13 236.11 (1) (a) Before submitting a final plat for approval, the subdivider may
14 submit, or the approving authority may require that the subdivider submit, a
15 preliminary plat. It shall be clearly marked “preliminary plat” and shall be in
16 sufficient detail to determine whether the final plat will meet layout requirements.
17 ~~Within~~ Subject to s. 236.13 (4m), within 90 days the approving authority, or its agent
18 authorized to approve preliminary plats, shall take action to approve, approve
19 conditionally, or reject the preliminary plat and shall state in writing any conditions
20 of approval or reasons for rejection, unless the time is extended by agreement with
21 the subdivider. Failure of the approving authority or its agent to act within the 90
22 days, or extension thereof, constitutes an approval of the preliminary plat.

23 **SECTION 2398d.** 236.11 (1) (b) of the statutes is amended to read:

1 236.11 (1) (b) If the final plat conforms substantially to the preliminary plat
 2 as approved, including any conditions of that approval, and to local plans and
 3 ordinances adopted as authorized by law, it is entitled to approval. If
 4 Notwithstanding s. 236.13 (4m), if the final plat is not submitted within 24 months
 5 after the last required approval of the preliminary plat, any approving authority may
 6 refuse to approve the final plat. The final plat may, if permitted by the approving
 7 authority, constitute only that portion of the approved preliminary plat which the
 8 subdivider proposes to record at that time.

9 **SECTION 2398g.** 236.13 (1) (c) of the statutes is repealed and recreated to read:
 10 236.13 (1) (c) A comprehensive plan under s. 66.0295 or, if the municipality,
 11 town or county does not have a comprehensive plan, either of the following:

- 12 1. With respect to a municipality or town, a master plan under s. 62.23.
- 13 2. With respect to a county, a development plan under s. 59.69.

14 **SECTION 2398j.** 236.13 (3) of the statutes is repealed.

15 **SECTION 2398m.** 236.13 (4m) of the statutes is created to read:

16 236.13 (4m) If a preliminary or final plat meets the requirements specified in
 17 this section and any requirements imposed under this section, an approving
 18 authority shall approve the plat, and an agency with the power to approve or object
 19 to plats shall approve the plat or certify that it has no objection to the plat, within
 20 the time limits specified in ss. 236.11 and 236.12.”.

21 **17.** Page 1398, line 24: after that line insert:

22 “(18zo) SMART GROWTH DIVIDEND AID PROGRAM.

23

(a) The secretary of administration shall propose, jointly with ~~that~~ the
 24 secretary of revenue, a smart growth dividend aid program in his or her budget

under section 16.42 of the statutes

1 request for fiscal biennium 2001–03, with the first grants to be distributed in fiscal
2 ~~biennium~~ ^{year} 2005–06. The proposal shall prescribe a method of distributing aid to
3 cities, villages, towns and counties that meet all of the following requirements:

4 1. To be eligible to receive aid, a city, village, town or county must have in effect
5 a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, that the
6 department of administration and the land council determine meets the provisions
7 specified in section 16.965 (4) of the statutes.

8 2. The population density within the city, village, town or county boundaries
9 must have increased.

10 (b) The proposal shall include a provision requiring the land council to approve
11 or disapprove grant applications within 60 days of submission.”.

12 **18.** Page 1438, line 8: after that line insert:

13 “(8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

14 (a) An alderperson, village board member or town board member who is elected
15 by his or her colleagues in April 1999 to serve on a city, village or town planning
16 commission under section 62.23 (1) (b), 1997 stats., may serve on the planning
17 commission until April 2000.

18 (b) A citizen member of a city, village or town planning commission who is
19 appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning
20 commission until the expiration of the term to which he or she was appointed.”.

21 **19.** Page 1466, line 22: after that line insert:

22 “(5zu) APPROVAL OF PLATS. The treatment of sections 236.11 (1) (a) and (b) and
23 236.13 (3) and (4m) of the statutes first applies to all of the following:

24 (a) A preliminary plat submitted on the effective date of this paragraph.

INS. 10-20, p. 1 of 2 ✓

1582t

Section # 60.62 (4) (b) of the statutes is amended to read:

60.62 (4) (b) If a town plan commission consists of 7 members and the town board enacts an ordinance or adopts a resolution reducing the size of the commission to 5 members, the commission shall continue to operate with 6 or 7 members until the expiration of the terms of the 2 citizen members, who were appointed under s. 62.23 (1) ~~(c)~~^(a), whose terms expire soonest after the effective date of the ordinance or resolution that reduces the size of the commission.

History: 1983 a. 532; 1995 a. 201; 1997 a. 27.



1582u
Section # 60.62 (4) (c) of the statutes is amended to read:

ins 10-20,
p 2 of 2

60.62 (4) (c) If a town plan commission consists of 5 members and the town board enacts an ordinance or adopts a resolution increasing the size of the commission to 7 members, the town board chairperson shall appoint the 2 new members under s. 62.23 (1) (e).

History: 1983 a. 532; 1995 a. 201; 1997 a. 27.

(a)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0519/3dn
MS/JTK/PK:kg/AM

June 13, 1999

Please review this amendment very carefully. A number of the instructions in motion # 1110 were unclear and in some cases I had to guess at the intent of Joint Finance. Other instructions were so unclear that I could not draft them because I do not understand what is wanted. Please note the following:

Instruction item 13 b., the housing element, states that the "element shall . . . provide a range of housing choices . . ." I don't think that an *element* can provide a range of choices. Please review s. 66.0295 (2) (b); I think it accurately reflects the intent of the motion.

Instruction 13 c., the transportation element refers to "streets, roads and highways"; because of the definition of "highways" in ch. 990, I did not include streets and roads.

~~Instruction 13 e., the agricultural, natural and cultural resources element includes the phrase "community design". I did not include this because I have no idea what it means.~~

In item 12 of the instructions, the DOA/DOR "smart growth dividend aid program" proposal is to include a provision that "would distribute aid to towns, villages, cities and counties that meet the following requirements: . . . (ii) the local government has implemented the plan in accordance with paragraph 14." I don't understand what this provision means, or how to draft it. The substance of "paragraph 14" of the motion appears in s. 66.0294 (3), and it requires that beginning on January 1, 2010, certain specified actions of a political subdivision that affect land use be consistent with a political subdivision's comprehensive plan. It seems circular to require that to get "smart growth dividend aid", beginning in 2005-2006, a local governmental unit must implement a comprehensive plan in accordance with certain land use actions that must, beginning on January 1, 2010, be consistent with the same land use plan.

Item (iii) in instruction item 12 requires that, to get "smart growth dividend aid", "the population density within the local government's boundaries" must have increased. This is very vague. As drafted according to the instructions in the motion, if the population density increased between 1870 and 2005, but diminished between 1995 and 2005, a unit of government would meet this standard. Is this what was intended?

I have a number of questions regarding instruction 14, *Certain Programs and Actions to Be Consistent with Comprehensive Plans.* I'm not sure what item 14 e.,

“subdivision plat review and/or land division processes” refers to; please see s. 66.0294 (3) (h). I’m not sure what item 14 f. refers to; please s. 66.0294 (3) (i). I added “detachment”, “consolidation” and “boundary agreement by court order” in s. 66.0294 (3) (d), (e) and (f); are these OK? Instruction 14 k. refers to “farmland preservation planning, which does not appear in the statutes. Do you mean agricultural preservation plans under subch. IV of ch. 91? See s. 66.0294 (3) (n).

Assuming instruction 14 l., “development impact fees” refers to ordinances enacted under s. 66.55, I don’t understand the connection between impact fees under s. 66.55 and comprehensive planning. They deal with different issues that seem unrelated. You may want to consider removing s. 66.0294 (3) (o) from the amendment. I’m not sure what instructions 14 o. and p., “wetland regulations” and “stormwater management plans and regulations” refer to; please see s. 66.0294 (3) (q) and (r).

I have a number of questions regarding instruction 15, which deals with *Procedures for Adopting Comprehensive Plans and Related Regulations*. Instruction 15 a. seems unclear and is confusing. For example, it requires a local governmental unit to develop written procedures to provide public participation relating to “any regulation relating to the implementation of such plan.” The plan already has an implementation element in s. 66.0294 (2) (i), so I’m not sure what this instruction means. Please review s. 66.0294 (4) (a) carefully.

Instruction 15 b. requires that the planning commission take action only by a majority vote. See s. 66.0294 (4) (b). Why must the statutes specify such a thing? Is there a concern that in the absence of such a provision, a planning commission may adopt a comprehensive plan on a 2 to 5 vote? You may wish to consider deleting this provision from the statutes.

Similarly, instruction 15 c. seems to be unnecessarily specific. For example, the instruction requires a local governmental unit to make a comprehensive plan, which must be enacted as an *ordinance* to be effective, to be made “available for purchase to the public at the actual cost . . . or at a lesser amount” and requires the plan to be filed with the local clerk. It is unnecessary for the statutes to specify the content of these instructions. The open records law under s. 19.35 applies to comprehensive plans, and municipal and county clerks are already required to keep a full record of the proceedings of local governmental units and record ordinances in a book. For example, see ss. 59.14, 59.23 (2) (a) and (b), 60.33 (1), (2), (6) and (7), 61.25 (3), 62.09 (11) and 62.11 (4).

te

Instruction item 17, regarding *Plan Commission Memberships* is very vague. Please review ss. 60.62 (4) (a) and 62.23 (1), and nonstatutory bill **SECTION 9158** (7m).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

Under current state law, permanent advisory bodies are called councils and part-time policy-making bodies are called boards. Because councils have no powers, they have no rule-making powers. When the Wisconsin land council was created, we called it a "council" rather than a board because currently, it has no powers. Because this draft, in proposed s. 16.965 (3) and (5), vests the council with powers, it becomes a board under current law. Notwithstanding, this draft does not change the name of the council, but rather amends the definition of "council" and the administrative procedure act to transform this particular council into a board. A preferable procedure would be to rename the group to conform to the nomenclature used generally for statutory bodies.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Rick Olin:

Notice the initial applicability provisions that apply to plat approvals. I drafted them in this manner because of s. 236.13 (1) (b). Any final plat submitted within 24 months after the last required approval of a preliminary plat is entitled to approval. A preliminary plat could be approved before the effective date and a final plat that conforms to it could be submitted after the effective date but within 24 months after the approval of the preliminary plat. That final plat would be entitled to approval even if it would not otherwise be approved under the amended statutes. The initial applicability could be changed to require all final plats submitted on or after the effective date to be subject to the new provisions, notwithstanding s. 236.13 (1) (b).

Pamela J. Kahler
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0519/2dn
MS/JTK/PK:kg:km

June 14, 1999

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0519/2
MS/JTK/PK/PN/ML:kg:WA

3
FMR

LFB:.....Olin - Comprehensive planning, planning grants, model ordinance development, plat approval

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

Today

1 At the locations indicated, amend the bill as follows:

2 1. Page 121, line 1: before that line insert:

3 "SECTION 1b. 1.13 of the statutes is created to read:

4 **1.13 Land use planning activities.** (1) In this section:

5 (a) "Local governmental unit" has the meaning given in s. 1.12 (1) (a).

6 (b) "State agency" has the meaning given in s. 1.12 (1) (b).

7 (2) Each state agency shall ensure that, consistently with other laws, the
8 actions of the agency are designed to further the following goals:

9 (a) Promotion of the redevelopment of lands with existing infrastructure and
10 public services and the maintenance and rehabilitation of existing residential,
11 commercial and industrial structures.

1 (b) Encouragement of neighborhood designs that support a range of
2 transportation choices.

3 (c) Protection of natural areas, including wetlands, wildlife habitats, lakes,
4 woodlands, open spaces and groundwater resources.

5 (d) Protection of economically productive areas, including farmland and
6 forests.

7 (e) Encouragement of land uses, densities and regulations that promote
8 efficient development patterns and relatively low municipal, state governmental
9 and utility costs.

10 (f) Preservation of cultural, historic and archaeological sites.

11 (g) Encouragement of coordination and cooperation among nearby units of
12 government.

13 (h) Building of community identity by maintaining physical separation
14 between urban areas, revitalizing main streets and enforcing design standards.

15 (i) Providing an adequate supply of affordable housing for individuals of all
16 income levels throughout each community.

17 (j) Providing adequate infrastructure and public services and an adequate
18 supply of developable land to meet existing and future market demand for
19 residential, commercial and industrial uses.

20 (k) Promoting the expansion or stabilization of the current economic base and
21 the creation of a range of employment opportunities.

22 (L) Balancing individual property rights with community interests and goals.

23 (m) Planning and development of land uses that create or preserve varied and
24 unique urban and rural communities.

1 (3) Each state agency shall ensure that, consistently with other laws, whenever
2 it administers a law under which a local governmental unit prepares a plan, the
3 actions of the local governmental unit under the plan are designed to further the
4 goals specified in sub. (2), to the extent applicable.”.

5 **2.** Page 121, line 1: delete “SECTION 1” and substitute “SECTION 1w”.

6 **3.** Page 125, line 1: after that line insert:

7 “SECTION 12m. 15.01 (4) of the statutes is amended to read:

8 15.01 (4) “Council” means a part-time body appointed to function on a
9 continuing basis for the study, and recommendation of solutions and policy
10 alternatives, of the problems arising in a specified functional area of state
11 government, except the Wisconsin land council has the powers specified in s. 16.965
12 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river
13 revitalization council has the powers and duties specified in s. 23.18, the council on
14 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
15 state council on alcohol and other drug abuse has the powers and duties specified in
16 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
17 the powers and duties specified in s. 146.36.

18 **SECTION 12n.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act
19 (this act), is amended to read:

20 15.01 (4) “Council” means a part-time body appointed to function on a
21 continuing basis for the study, and recommendation of solutions and policy
22 alternatives, of the problems arising in a specified functional area of state
23 government, except the ~~Wisconsin land council has the powers specified in s. 16.965~~
24 ~~(3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river~~

1 revitalization council has the powers and duties specified in s. 23.18, the council on
2 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
3 state council on alcohol and other drug abuse has the powers and duties specified in
4 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
5 the powers and duties specified in s. 146.36.”.

6 **4.** Page 155, line 3: delete lines 3 to 18.

7 **5.** Page 156, line 8: after that line insert:

8 “**SECTION 110m.** 16.965 (title), (1) and (2) of the statutes are created to read:
9 **16.965 (title) Planning grants to local governmental units.** (1) In this
10 section:

11 (a) “Local governmental unit” means a county, city, village, town or regional
12 planning commission.

13 (b) “Smart growth area” means an area that will enable the development and
14 redevelopment of lands with existing infrastructure and municipal, state and utility
15 services, where practicable, and that will encourage efficient development patterns
16 that are both contiguous to existing development and at densities which have
17 relatively low municipal, state governmental and utility costs.

18 (c) “Supporting agency” means the department of administration, the
19 department of agriculture, trade and consumer protection, the department of
20 commerce, the department of natural resources, the department of revenue and the
21 board of regents of the University of Wisconsin System.

22 (2) From the appropriation under s. 20.505 (1) (kh), the department may
23 provide grants to local governmental units to be used to finance the cost of planning
24 activities, including contracting for planning consultant services, public planning

1 sessions and other planning outreach and educational activities, or for the purchase
2 of computerized planning data, planning software or the hardware required to
3 utilize that data or software. The department may require any local governmental
4 unit that receives a grant under this section to finance not more than 25% of the cost
5 of the product or service to be funded by the grant from the resources of the local
6 governmental unit. A local governmental unit that desires to receive a grant under
7 this subsection shall file an application with the department. The application shall
8 contain a complete statement of the expenditures proposed to be made for the
9 purposes of the grant. No local governmental unit is eligible to receive a grant under
10 this subsection unless the local governmental unit agrees to utilize the grant to
11 finance planning for all of the purposes specified in s. 66.0295. (2)

12 **SECTION 110n.** 16.965 (title), (1) and (2) of the statutes, as created by 1999
13 Wisconsin Act (this act), are repealed.

14 **SECTION 110no.** 16.965 (3) of the statutes is created to read:

15 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
16 (2), the department shall forward a statement of the expenditures proposed to be
17 made under the grant to the Wisconsin land council for its written approval. The
18 council may approve or disapprove any proposed grant.

19 **SECTION 110p.** 16.965 (3) of the statutes, as created by 1999 Wisconsin Act
20 (this act), is repealed.

21 **SECTION 110q.** 16.965 (4) of the statutes is created to read:

22 16.965 (4) In determining whether to approve a proposed grant, greater
23 precedence shall be accorded to applications of local governmental units that contain
24 one or more of the following elements:

1 (a) Planning efforts that address the interests of overlapping or neighboring
2 jurisdictions.

3 (b) Planning efforts that contain a specific description of the means by which
4 one or more of the following goals will be achieved:

5 1. Promotion of the redevelopment of lands with existing infrastructure and
6 public services and the maintenance and rehabilitation of existing residential,
7 commercial and industrial structures.

8 2. Encouragement of neighborhood designs that support a range of
9 transportation choices.

10 3. Protection of natural areas, including wetlands, wildlife habitats, lakes,
11 woodlands, open spaces and groundwater resources.

12 4. Protection of economically productive areas, including farmland and forests.

13 5. Encouragement of land uses, densities and regulations that promote
14 efficient development patterns and relatively low municipal, state governmental
15 and utility costs.

16 6. Preservation of cultural, historic and archaeological sites.

17 7. Encouragement of coordination and cooperation among nearby units of
18 government.

19 8. Building of community identity by maintaining physical separation between
20 urban areas, revitalizing main streets and enforcing design standards.

21 9. Providing an adequate supply of affordable housing for individuals of all
22 income levels throughout each community.

23 10. Providing adequate infrastructure and public services and an adequate
24 supply of developable land to meet existing and future market demand for
25 residential, commercial and industrial uses.

1 11. Promoting the expansion or stabilization of the current economic base and
2 the creation of a range of employment opportunities.

3 12. Balancing individual property rights with community interests and goals.

4 13. Planning and development of land uses that create or preserve varied and
5 unique urban and rural communities.

6 (c) Planning efforts that identify smart growth areas.

7 (d) Planning efforts, including subsequent updates and amendments, that
8 include development of implementing ordinances, including ordinances pertaining
9 to zoning, subdivisions and land division.

10 (e) Planning efforts for which completion is contemplated within 30 months of
11 the date on which a grant would be awarded.

12 (f) Planning efforts that provide opportunities for public participation.

13 **SECTION 110r.** 16.965 (4) of the statutes, as created by 1999 Wisconsin Act
14 (this act), is repealed.

15 **SECTION 110s.** 16.965 (5) of the statutes is created to read:

16 16.965 (5) The Wisconsin land council may promulgate rules specifying the
17 methodology whereby precedence will be accorded to applications in awarding
18 grants under sub. (2).

19 **SECTION 110t.** 16.965 (5) of the statutes, as created by 1999 Wisconsin Act
20 (this act), is repealed.

21 **SECTION 110u.** 16.965 (6) of the statutes is created to read:

22 16.965 (6) The department shall assess each supporting agency \$250,000 per
23 year to support planning assistance provided to local governmental units. Each
24 supporting agency shall charge the cost of its assessment to the agency's

1 appropriations for general program operations from general purpose revenue in the
2 amounts specified by the secretary.

3 **SECTION 110v.** 16.965 (6) of the statutes, as created by 1999 Wisconsin Act
4 (this act), is repealed.

5 **SECTION 110w.** 16.9651 of the statutes is created to read:

6 **16.9651 Transportation planning grants to local governmental units.**

7 (1) In this section, "local governmental unit" means a county, city, village, town or
8 regional planning commission.

9 (2) From the appropriation under s. 20.505 (1) (z), the department may provide
10 grants to local governmental units to be used to finance the cost of planning activities
11 related to the transportation element, as described in s. 66.0295 (2) (c), of a
12 comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for
13 planning consultant services, public planning sessions and other planning outreach
14 and educational activities, or for the purchase of computerized planning data,
15 planning software or the hardware required to utilize that data or software. The
16 department may require any local governmental unit that receives a grant under
17 this section to finance not more than 25% of the cost of the product or service to be
18 funded by the grant from the resources of the local governmental unit. Prior to
19 awarding a grant under this section, the department shall forward a detailed
20 statement of the proposed expenditures to be made under the grant to the secretary
21 of transportation and obtain his or her written approval of the proposed
22 expenditures.".

23 **6.** Page 400, line 5: after that line insert:

24 **"SECTION 294m.** 20.285 (1) (ks) of the statutes is created to read:

1 20.285 (1) (ks) *Extension local planning program*. The amounts in the schedule
2 for the University of Wisconsin–Extension local planning program under s. 36.11
3 (37) and for development of a model ordinance for traditional neighborhood
4 development under s. 66.034. All moneys transferred from s. 20.505 (1) (kh) shall
5 be credited to this appropriation account.”.

6 **7.** Page 453, line 11: after that line insert:

7 “**SECTION 523m.** 20.505 (1) (kh) of the statutes is created to read:

8 20.505 (1) (kh) *Comprehensive planning grants; state agency support*. The
9 amounts in the schedule to provide comprehensive planning grants to local
10 governmental units under s. 16.965 (2) and to transfer to the appropriation accounts
11 under par. (ki) and s. 20.285 (1) (ks) the amounts in the schedule under those
12 paragraphs. All moneys received from assessments paid by supporting agencies
13 under s. 16.965 (4) shall be credited to this appropriation account.

14 **SECTION 523n.** 20.505 (1) (kh) of the statutes, as created by 1999 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 523no.** 20.505 (1) (ki) of the statutes is created to read:

17 20.505 (1) (ki) *Comprehensive planning; administrative support*. The amounts
18 in the schedule for administrative support of comprehensive planning assistance
19 under s. 16.965. All moneys transferred from the appropriation account under par.
20 (kh) shall be credited to this appropriation account.

21 **SECTION 523p.** 20.505 (1) (ki) of the statutes, as created by 1999 Wisconsin Act
22 (this act), is repealed.”.

23 **8.** Page 454, line 6: delete “*Planning*” and substitute “*Transportation*
24 *planning*”.

1 **9.** Page 454, line 7: after “provide” insert “transportation”.

2 **10.** Page 454, line 8: delete “16.952” and substitute “16.9651”.

3 **11.** Page 544, line 7: after that line insert:

4 “**SECTION 887m.** 36.11 (37) of the statutes is created to read:

5 36.11 (37) EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local
6 planning program through the extension to educate local policymakers about local
7 planning and the grant program under s. 16.965.”.

8 **12.** Page 794, line 10: after that line insert:

9 “**SECTION 1582s.** 60.62 (4) (a) of the statutes is amended to read:

10 60.62 (4) (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a
11 population of less than 2,500 that acts under this section may create a “Town Plan
12 Commission” under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town~~
13 ~~chairperson, who shall be its presiding officer, the town engineer, the president of the~~
14 ~~park board, another member of the town board and one citizen.~~ If the town plan
15 ~~commission has only 5 members and the town has no engineer or park board, an~~
16 ~~additional citizen member shall be appointed so that the commission has at all times~~
17 5 members all of whom shall be appointed by the town board chairperson, who shall
18 also select the presiding officer. The town board chairperson may appoint himself
19 or herself to the commission and may appoint other town elected or appointed
20 officials to the commission, except that the commission shall always have at least one
21 citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23
22 shall apply to a town plan commission that has 5 members.

23 **SECTION 1582t.** 60.62 (4) (b) of the statutes is amended to read:

1 60.62 (4) (b) If a town plan commission consists of 7 members and the town
2 board enacts an ordinance or adopts a resolution reducing the size of the commission
3 to 5 members, the commission shall continue to operate with 6 or 7 members until
4 the expiration of the terms of the 2 citizen members, who were appointed under s.
5 62.23 (1) (e) (a), whose terms expire soonest after the effective date of the ordinance
6 or resolution that reduces the size of the commission.

7 **SECTION 1582u.** 60.62 (4) (c) of the statutes is amended to read:

8 60.62 (4) (c) If a town plan commission consists of 5 members and the town
9 board enacts an ordinance or adopts a resolution increasing the size of the
10 commission to 7 members, the town board chairperson shall appoint the 2 new
11 members under s. 62.23 (1) (e) (a).”

12 **13.** Page 796, line 2: after that line insert:

13 **“SECTION 1589s.** 62.23 (1) (a) of the statutes is amended to read:

14 62.23 (1) (a) The council of any city may by ordinance create a “City Plan
15 Commission,” to consist of ~~the mayor, who shall be its presiding officer, the city~~
16 ~~engineer, the president of the park board, an alderperson, and 3 citizens. In case the~~
17 ~~city has no engineer or no park board, an additional citizen member shall be~~
18 ~~appointed so that the board has at all times 7 members. All members of the~~
19 ~~commission shall be appointed by the mayor, who shall also choose the presiding~~
20 ~~officer. The mayor may appoint himself or herself to the commission and may~~
21 ~~appoint other city elected or appointed officials, except that the commission shall~~
22 ~~always have at least 3 citizen members who are not city officials.~~ Citizen members
23 shall be persons of recognized experience and qualifications. The council may by

1 ordinance provide that the membership of the commission shall be as provided
2 thereunder.

3 **SECTION 1589t.** 62.23 (1) (b) of the statutes is repealed.

4 **SECTION 1589u.** 62.23 (1) (c) of the statutes is repealed.

5 **SECTION 1589v.** 62.23 (1) (d) of the statutes is amended to read:

6 62.23 (1) (d) ~~The additional citizen members, if any, of the commission shall be~~
7 ~~first appointed to hold office for a period ending one year from the succeeding May~~
8 ~~first, and thereafter annually of 3 years. Appointments shall be made by the mayor~~
9 ~~during the month of April. Whenever a park board is created, or a city engineer~~
10 ~~appointed, the president of such board or such engineer shall succeed to a place on~~
11 ~~the commission when the term of an additional citizen member expires~~ for terms that
12 expire in April or at any other time if a vacancy occurs during the middle of a term.”.

13 **14.** Page 803, line 13: delete the material beginning with that line and ending
14 with page 807, line 19, and substitute:

15 “(a) *Issues and opportunities element.* Background information on the local
16 governmental unit and a statement of overall objectives, policies, goals and programs
17 of the local governmental unit to guide the future development ^{and redevelopment} of the local
18 governmental unit over a 20-year planning period. Background information shall
19 include population, household and employment forecasts that the local
20 governmental unit uses in developing its comprehensive plan, and demographic
21 trends, age distribution, educational levels, income levels and employment
22 characteristics that exist within the local governmental unit.

23 (b) *Housing element.* A compilation of objectives, policies, goals, maps and
24 programs of the local governmental unit to provide an adequate housing supply that

1 meets existing and forecasted housing demand in the local governmental unit. The
2 element shall assess the age, structural, value and occupancy characteristics of the
3 local governmental unit's housing stock. The element shall also identify specific
4 policies and programs that promote the development of housing for residents of the
5 local governmental unit with all income levels and with various needs, policies and
6 programs that promote the availability of land for the development or redevelopment
7 of low-income and moderate-income housing, and policies and programs to
8 maintain or rehabilitate the local governmental unit's existing housing stock.

9 (c) *Transportation element.* A compilation of objectives, policies, goals, maps
10 and programs to guide the future development of the various modes of
11 transportation, including highways, ^{transit ✓} transportation systems for persons with
12 disabilities, bicycles, walking, railroads, air transportation, trucking and water
13 transportation. The element shall compare the local governmental unit's objectives,
14 policies, goals and programs to state and regional transportation plans. The element
15 shall also identify highways within the local governmental unit by function and
16 incorporate other applicable transportation plans, including transportation corridor
17 plans, county highway functional and jurisdictional studies, urban area and rural
18 area transportation plans, airport master plans and rail plans that apply in the local
19 governmental unit.

20 (d) *Utilities and community facilities element.* A compilation of objectives,
21 policies, goals, maps and programs to guide the future development of utilities and
22 community facilities in the local governmental unit such as sanitary sewer service,
23 storm water management, water supply, solid waste disposal, on-site wastewater
24 treatment technologies, recycling facilities, parks, telecommunications facilities,
25 power-generating plants and transmission lines, cemeteries, health care facilities,

1 child care facilities and other public facilities, such as police, fire and rescue facilities,
2 libraries, schools and other governmental facilities. The element shall describe the
3 location, use and capacity of existing public utilities and community facilities that
4 serve the local governmental unit, shall include an approximate timetable that
5 forecasts the need in the local governmental unit to expand or rehabilitate existing
6 utilities and facilities or to create new utilities and facilities and shall assess future
7 needs for government services in the local governmental unit that are related to such
8 utilities and facilities.

9 (e) *Agricultural, natural and cultural resources element.* A compilation of
10 objectives, policies, goals, maps and programs for the conservation, and promotion
11 of the effective management, of natural resources such as groundwater, forests,
12 productive agricultural areas, environmentally sensitive areas, threatened and
13 endangered species, stream corridors, surface water, floodplains, wetlands, wildlife
14 habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical
15 and cultural resources, community design, recreational resources and other natural
16 resources.

17 (f) *Economic development element.* A compilation of objectives, policies, goals,
18 maps and programs to promote the stabilization, retention or expansion, of the
19 economic base and quality employment opportunities in the local governmental unit,
20 including an analysis of the labor force and economic base of the local governmental
21 unit. The element shall assess categories or particular types of new businesses and
22 industries that are desired by the local governmental unit. The element shall assess
23 the local governmental unit's strengths and weaknesses with respect to attracting
24 and retaining businesses and industries, and shall designate an adequate number
25 of sites for such businesses and industries. The element shall also evaluate and

1 promote the use of environmentally contaminated sites for commercial or industrial
2 uses. The element shall also identify county, regional and state economic
3 development programs that apply to the local governmental unit.

4 (g) *Intergovernmental cooperation element.* A compilation of objectives,
5 policies, goals, maps and programs for joint planning and decision making with other
6 jurisdictions, including school districts and adjacent local governmental units, for
7 siting and building public facilities and sharing public services. The element shall
8 analyze the relationship of the local governmental unit to school districts and
9 adjacent local governmental units, and to the region, the state and other
10 governmental units. The element shall incorporate any plans or agreements to
11 which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The
12 element shall identify existing or potential conflicts between the local governmental
13 unit and other governmental units that are specified in this paragraph and describe
14 processes to resolve such conflicts.

15 (h) *Land-use element.* A compilation of objectives, policies, goals, maps and
16 programs to guide the future development and redevelopment of public and private
17 property. The element shall contain a listing of the amount, type, intensity and net
18 density of existing uses of land in the local governmental unit, such as agricultural,
19 residential, commercial, industrial and other public and private uses. The element
20 shall analyze trends in the supply, demand and price of land, opportunities for
21 redevelopment and existing and potential land-use conflicts. The element shall
22 contain projections, based on the background information specified in par. (a), for 20
23 years with detailed maps, in 5-year increments, of future residential, agricultural,
24 commercial and industrial land uses including the assumptions of net densities or
25 other spatial assumptions upon which the projections are based. The element shall

1 also include a series of maps that shows current land uses and future land uses that
2 indicate productive agricultural soils, natural limitations for building site
3 development, floodplains, wetlands and other environmentally sensitive lands, the
4 boundaries of areas to which services of public utilities and community facilities, as
5 those terms are used in par. (d), will be provided in the future, consistent with the
6 timetable described in par. (d), and the general location of future land uses by net
7 density or other classifications.

8 (i) *Implementation element.* A compilation of programs and specific actions to
9 be completed in a stated sequence, including proposed changes to any applicable
10 zoning ordinances, official maps, sign regulations, erosion and storm water control
11 ordinances, historic preservation ordinances, site plan regulations, design review
12 ordinances, building codes, mechanical codes, housing codes, sanitary codes or
13 subdivision ordinances, to implement the objectives, policies, plans and programs
14 contained in pars. (a) to (h). The element shall describe how each of the elements of
15 the comprehensive plan will be integrated and made consistent with the other
16 elements of the comprehensive plan, and shall include a mechanism to measure the
17 local governmental unit's progress toward achieving all aspects of the
18 comprehensive plan. The element shall include a process for updating the
19 comprehensive plan. A comprehensive plan under this subsection shall be updated
20 no less than once every 10 years.

21 (3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.
22 Beginning on January 1, 2010, any action of a local governmental unit that affects
23 land use shall be consistent with that local governmental unit's comprehensive plan,
24 including all of the following:

25 (a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.

- 1 (b) Annexation procedures under s. 66.021, 66.024 or 66.025.
- 2 (c) Cooperative boundary agreements entered into under s. 66.023.
- 3 (d) Consolidation of territory under s. 66.02.
- 4 (e) Detachment of territory under s. 66.022.
- 5 (f) Municipal boundary agreements fixed by judgment under s. 66.027.
- 6 (g) Official mapping established or amended under s. 62.23 (6).
- 7 (h) Local subdivision regulation under s. 236.45 or 236.46.
- 8 (i) Extraterritorial plat review within a city's or village's extraterritorial plat
9 approval jurisdiction, as is defined in s. 236.02 (5).
- 10 (j) County zoning ordinances enacted or amended under s. 59.69.
- 11 (k) City or village zoning ordinances enacted or amended under s. 62.23 (7).
- 12 (L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
- 13 (m) An improvement of a transportation facility that is undertaken under s.
14 84.185.
- 15 (n) Agricultural preservation plans that are prepared or revised under subch.
16 IV of ch. 91.
- 17 (o) Impact fee ordinances that are enacted or amended under s. 66.55.
- 18 (p) Land acquisition for recreational lands and parks under s. 23.09 (20).
- 19 (q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or
20 62.231.
- 21 (r) Construction site erosion control and storm water management zoning
22 under s. 59.693, 61.354 or 62.234.
- 23 (4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit
24 shall comply with all of the following before its comprehensive plan may take effect:

1 (a) The governing body of a local governmental unit shall adopt written
2 procedures that are designed to foster public participation, including ^{open discussion, communication programs, information services and} public
3 meetings for which advance notice has been provided, in every stage of the
4 preparation of a comprehensive plan. The written procedures shall provide for wide
5 distribution of proposed, alternative or amended elements of a comprehensive plan
6 and shall provide an opportunity for written comments on the plan to be submitted
7 by members of the public to the governing body and for the governing body to respond
8 to such written comments.

9 (b) The planning commission or other body of a local governmental unit that
10 is authorized to prepare or amend a comprehensive plan may recommend the
11 adoption or amendment of a comprehensive plan only by adopting a resolution by
12 majority vote. The vote shall be recorded in the official minutes of the planning
13 commission or other body. The resolution shall refer to maps and other descriptive
14 materials that relate to one or more elements of a comprehensive plan. One copy of
15 an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to
16 all of the following:

17 1. Every governmental body that is located in whole or in part within the
18 boundaries of the local governmental unit.

19 2. Every local governmental unit that is adjacent to the local governmental unit
20 which is the subject of the plan that is adopted or amended as described in par. (b)
21 (intro.).

22 3. The Wisconsin land council.

23 4. After September 1, 2003, the department of administration.

24 (c) No recommended comprehensive plan that is adopted or amended under
25 par. (b) may take effect until the plan or amendment is enacted as an ordinance by

1 the local governmental unit. The local governmental unit may not enact an
2 ordinance under this paragraph unless the comprehensive plan contains all of the
3 elements specified in sub. (2). An ordinance may be enacted under this paragraph
4 only by a majority vote of the members–elect, as defined in s. 59.001 (2m), of the
5 governing body. An ordinance that is enacted under this paragraph shall be filed
6 with at least all of the following:

7 1. The public library and the regional planning commission that serves the area
8 in which the local governmental unit is located.

9 2. The clerk of any adjacent local governmental unit.

10 (d) No local governmental unit may enact an ordinance under par. (c) unless
11 the local governmental unit holds at least one public hearing at which the proposed
12 ordinance is discussed. That hearing must be preceded by a class 1 notice under ch.
13 985 that is published at least 30 days before the hearing is held. The local
14 governmental unit may also provide notice of the hearing by any other means it
15 considers appropriate. The class 1 notice shall contain at least the following
16 information:

17 1. The date, time and place of the hearing.

18 2. A summary, which may include a map, of the proposed comprehensive plan
19 or amendment to such a plan.

20 3. The name of an individual employed by the local governmental unit who may
21 provide additional information regarding the proposed ordinance.

22 4. Information relating to where and when the proposed comprehensive plan
23 or amendment to such a plan may be inspected before the hearing, and how a copy
24 of the plan or amendment may be obtained.

25 **SECTION 1606m.** 66.034 of the statutes is created to read:

1 **66.034 Traditional neighborhood developments. (1) DEFINITIONS.** In this
2 section:

3 (a) "Extension" has the meaning given in s. 36.05 (7).

4 (b) "Traditional neighborhood development" means a compact, mixed-use
5 neighborhood where residential, commercial and civic buildings are within close
6 proximity to each other.

7 **(2) MODEL ORDINANCE.** Not later than January 1, 2001, the extension, in
8 consultation with any other University of Wisconsin System institution or with a
9 landscape architect, as that term is used in s. 443.02 (5), or with independent
10 planners or any other consultant with expertise in traditional neighborhood
11 planning and development, shall develop a model ordinance for a traditional
12 neighborhood development.

13 **(3) CITY, VILLAGE AND TOWN REQUIREMENTS. (a)** Not later than January 1, 2002,
14 every city and village, and every town with a population of at least 5,000 shall enact
15 an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance
16 that is developed under sub. (2), although the ordinance is not required to be mapped.

17 (b) A city or village that comes into existence, or town whose population reaches
18 at least 5,000, after January 1, 2002, shall enact an ordinance under s. 62.23 (7) that
19 is substantially similar to the model ordinance that is developed under sub. (2) not
20 later than the first day of the 12th month beginning after the city or village comes
21 into existence or after the town's population reaches at least 5,000, although the
22 ordinance is not required to be mapped."

23 **15.** Page 1102, line 15: after that line insert:

24 **"SECTION 2353m.** 227.01 (1) of the statutes is amended to read:

1 227.01 (1) "Agency" means the Wisconsin land council or a board, commission,
2 committee, department or officer in the state government, except the governor, a
3 district attorney or a military or judicial officer.

4 **SECTION 2353n.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act
5 (this act), is amended to read:

6 227.01 (1) "Agency" means ~~the Wisconsin land council~~ or a board, commission,
7 committee, department or officer in the state government, except the governor, a
8 district attorney or a military or judicial officer."

9 **16.** Page 1102, line 22: after that line insert:

10 "SECTION 2355m. 227.113 of the statutes is created to read:

11 **227.113 Incorporation of state land use planning goals.** Each agency
12 shall ensure that, consistently with the laws that it administers, the rules
13 promulgated by the agency are designed to further the goals specified in s. 1.13 (2)."

14 **17.** Page 1117, line 1: after that line insert:

15 "SECTION 2398c. 236.11 (1) (a) of the statutes is amended to read:

16 236.11 (1) (a) Before submitting a final plat for approval, the subdivider may
17 submit, or the approving authority may require that the subdivider submit, a
18 preliminary plat. It shall be clearly marked "preliminary plat" and shall be in
19 sufficient detail to determine whether the final plat will meet layout requirements.
20 ~~Within~~ Subject to s. 236.13 (4m), within 90 days the approving authority, or its agent
21 authorized to approve preliminary plats, shall take action to approve, approve
22 conditionally, or reject the preliminary plat and shall state in writing any conditions
23 of approval or reasons for rejection, unless the time is extended by agreement with

1 the subdivider. Failure of the approving authority or its agent to act within the 90
2 days, or extension thereof, constitutes an approval of the preliminary plat.

3 **SECTION 2398d.** 236.11 (1) (b) of the statutes is amended to read:

4 236.11 (1) (b) If the final plat conforms substantially to the preliminary plat
5 as approved, including any conditions of that approval, and to local plans and
6 ordinances adopted as authorized by law, it is entitled to approval. If
7 Notwithstanding s. 236.13 (4m), if the final plat is not submitted within 24 months
8 after the last required approval of the preliminary plat, any approving authority may
9 refuse to approve the final plat. The final plat may, if permitted by the approving
10 authority, constitute only that portion of the approved preliminary plat which the
11 subdivider proposes to record at that time.

12 **SECTION 2398g.** 236.13 (1) (c) of the statutes is repealed and recreated to read:

13 236.13 (1) (c) A comprehensive plan under s. 66.0295 or, if the municipality,
14 town or county does not have a comprehensive plan, either of the following:

- 15 1. With respect to a municipality or town, a master plan under s. 62.23.
- 16 2. With respect to a county, a development plan under s. 59.69.

17 **SECTION 2398j.** 236.13 (3) of the statutes is repealed.

18 **SECTION 2398m.** 236.13 (4m) of the statutes is created to read:

19 236.13 (4m) If a preliminary or final plat meets the requirements specified in
20 this section and any requirements imposed under this section, an approving
21 authority shall approve the plat, and an agency with the power to approve or object
22 to plats shall approve the plat or certify that it has no objection to the plat, within
23 the time limits specified in ss. 236.11 and 236.12.”.

24 **18.** Page 1398, line 24: after that line insert:

1 “(18zo) SMART GROWTH DIVIDEND AID PROGRAM.

2 (a) The secretary of administration shall propose under section 16.42 of the
3 statutes, jointly with the secretary of revenue, a smart growth dividend aid program
4 in his or her budget request for fiscal biennium 2001–03, with the first grants to be
5 distributed in fiscal year 2005–06. The proposal shall prescribe a method of
6 distributing aid to cities, villages, towns and counties that meet all of the following
7 requirements:

8 1. To be eligible to receive aid, a city, village, town or county must have in effect
9 a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, that the
10 department of administration and the land council determine meets the provisions
11 specified in section 16.965 (4) of the statutes. *and the city, village, town or*
county must have taken steps
to implement the plan

12 2. The population density within the city, village, town or county boundaries
13 must have increased.

14 (b) The proposal shall include a provision requiring the land council to approve
15 or disapprove grant applications within 60 days of submission.”.

16 **19.** Page 1438, line 8: after that line insert:

17 “(8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

18 (a) An alderperson, village board member or town board member who is elected
19 by his or her colleagues in April 1999 to serve on a city, village or town planning
20 commission under section 62.23 (1) (b), 1997 stats., may serve on the planning
21 commission until April 2000.

22 (b) A citizen member of a city, village or town planning commission who is
23 appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning
24 commission until the expiration of the term to which he or she was appointed.”.

1 **20.** Page 1466, line 22: after that line insert:

2 “(5zu) APPROVAL OF PLATS. The treatment of sections 236.11 (1) (a) and (b) and
3 236.13 (3) and (4m) of the statutes first applies to all of the following:

4 (a) A preliminary plat submitted on the effective date of this paragraph.

5 (b) A final plat submitted on the effective date of this paragraph if no
6 preliminary plat was submitted, a preliminary plat was submitted but not approved
7 or the final plat was submitted more than 24 months after the last required approval
8 of any preliminary plat submitted and approved.

9 (5zv) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section
10 236.13 (1) (c) of the statutes first applies to all of the following:

11 (a) A preliminary plat submitted on the effective date of this paragraph.

12 (b) A final plat submitted on the effective date of this paragraph if no
13 preliminary plat was submitted, a preliminary plat was submitted but not approved
14 or the final plat was submitted more than 24 months after the last required approval
15 of any preliminary plat submitted and approved.”.

16 **21.** Page 1467, line 13: after that line insert:

17 “(6zu) LAND USE PLANNING GRANTS. The repeal of sections 16.965 (title), (1), (2),
18 (4) and (6) and 20.505 (1) (kh) and (ki) of the statutes takes effect on July 1, 2010.

19 (6zv) WISCONSIN LAND COUNCIL. The treatment of sections 15.01 (4) (by SECTION
20 12n) and 227.01 (1) (by SECTION 2353n) of the statutes and the repeal of section
21 16.965 (3) and (5) of the statutes take effect on September 1, 2003.”.

22 **22.** Page 1479, line 13: after that line insert:

