

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/24/2001

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Addl. Drafters: gibsom

Subject: **Munis - zoning**
Counties - zoning
Nat. Res. - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM94,

Topic:

Notice requirements to persons affected by municipal or county zoning actions

Instructions:

See Attached. Same as 99 AB 739, LRB 99-1524/3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 06/24/2001						
/1	gibsom 06/24/2001	hhagen 06/25/2001	rschluet 06/25/2001		gretskl 06/25/2001		
/2	shoveme 06/27/2001	hhagen 06/28/2001	rschluet 06/28/2001		lrb_docadmin 06/28/2001		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/24/2001

Received By: **shoveme**

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: **Tessmer**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Addl. Drafters: **gibsom**

Subject: **Munis - zoning
Counties - zoning
Nat. Res. - miscellaneous**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM94,

Topic:

Notice requirements to persons affected by municipal or county zoning actions

Instructions:

See Attached. Same as 99 AB 739, LRB 99-1524/3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 06/24/2001			_____			
/1	gibsom 06/24/2001	hhagen 06/25/2001	rschluct 06/25/2001	_____	gretskl 06/25/2001		

FE Sent For:

12 MES 6/27/01
12 hnh 6/28/01

RS
6-28-01
END

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/24/2001

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Addl. Drafters:

Subject: Munis - zoning
Counties - zoning

Extra Copies: MGG

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM94,

Topic:

Notice requirements to persons affected by municipal or county zoning actions

Instructions:

See Attached. Same as 99 AB 739, LRB 99-1524/3

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	shoveme	11 hmk 6/25/01		==			
11 MES 6/24/01							
FE Sent For:							
6-25-1							
<END>							

consistent with the local comprehensive plan of the community where the property or development rights to be purchased are located.

Finally, prohibit the DNR from entering into any agreement to purchase development rights or conservation easements using Stewardship dollars if that agreement is for more than 30 years.

Affected agency: DNR

Fiscal Impact: \$0

Location/Status: New motion (Kedzie, Powers, Albers)

C. Stewardship Earmarked Projects

Delete Stewardship earmark of \$135,000 for conservation easements along the Plover River in Marathon and Portage Counties.

Affected agency: DNR

Fiscal Impact: Cut \$135,000 BR

Location/Status: [Comparative summary of Governor and Joint Finance Committee Budget Recommendations, Natural Resources—Departmentwide, page 515, item b]

4. Growth and Planning for Wisconsin's Future

A. Shoreland Zoning

Allow cities and villages to adopt their own shoreland zoning ordinance for annexed land. In addition, allow local governments to utilize a 75-foot setback or the average of abutting property setbacks.

Agency affected: DNR

Fiscal Impact: \$0

Location/Status: New motion (Albers)

ARC: Tessmer AM 94

B. Notice Requirements to Affected Persons by Zoning Actions

*99 AB 739
99-1524/3*

Require a city, village, town or county or a sub-unit of a political subdivision to provide to people who request, a notice of a proposed new or an amendment to an existing zoning ordinance, land division ordinances, or comprehensive plans.

The notice shall at a minimum include a map of affected properties, a description of the affect, or information regarding how to obtain a specific information from the political subdivision or sub-unit of the political subdivision. This would extend to actions taken by appointed committees appointed for the purposes of developing comprehensive plans or portions of comprehensive plans and supporting ordinances.

MES

The notice may be electronic (such as via electronic mail with a site link to additional information) or in writing at the discretion of the municipality. The political subdivision may charge an annual fee that may not exceed the approximate cost of providing the notice or \$12.00 per year.

In addition, require that for any purchase of land or restrictions or easements, the Department of Natural Resources notify in writing, notify the city, village, town or county of such proposed purchase, at least 60 days in advance of completing the transaction.

Affected agency: DNR

Fiscal Impact: Unknown

Location/Status: [REDACTED] changed to emphasis electronic format for information and to loosen approximate costs and updated to match comprehensive planning laws. (Albers)

C. Variances

Amend 59.694 (7) [c] to read: "To authorize upon appeal in specific cases variances from the terms of the ordinance that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done. A property owner may establish "unnecessary hardship", as that term is used in this paragraph, by demonstrating that strict compliance with an area zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome."

Make an identical amendment to ss. 62.23(7)(e)(7), which relates to the powers of the board of appeals.

Fiscal impact: \$0

D. Non-Conforming Uses

Prohibit communities from placing limits on the repairs or improvements of existing structures built within the shoreline setback area if the repairs or improvements do not alter the footprint of the building or are built within the otherwise permissible building area of the lot.

Affected agency: DNR

Fiscal Impact: \$0

Location/Status: New motion (Kedzie)

E. Non-Conforming Uses of Historical Structures

Prohibit the Department of Natural Resources from placing limits on the repairs or improvements of existing structures that have an historic or cultural value, as determined by a state or local historical society, built within the shoreline setback area if the repairs



State of Wisconsin
2001 - 2002 LEGISLATURE

AM66
LRBB 1724
MES...
RMNR

ARC:.....Tessmer - AM94, Notice requirements to persons affected by
municipal or county zoning actions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

substitute
amendment

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

2

AM



1999 ASSEMBLY BILL 739

February 10, 2000 - Introduced by Representatives ALBERS, MUSSER, OWENS, AINSWORTH and SKINDRUD, cosponsored by Senators WELCH, SCHULTZ and ROESSLER. Referred to Committee on Conservation and Land Use.

1 **AN ACT to amend** 59.69 (5) (a), 59.69 (5) (e) 2., 60.61 (4) (b), 60.61 (4) (c) 1., 62.23
2 (7) (d) 1. a., 62.23 (7) (d) 1. b. and 62.23 (7) (d) 2.; and **to create** 59.69 (5) (f), 60.61
3 (4) (e) and 62.23 (7) (d) 4. of the statutes; **relating to:** requiring notice to
4 persons affected by zoning actions that change the allowable use of their
5 property.

Analysis by the Legislative Reference Bureau

Generally, under current law, if a city, village, town or county (political subdivision) or a subunit of a political subdivision wants to propose a new zoning ordinance or if a political subdivision or a subunit of a political subdivision wants to amend an existing ordinance, the political subdivision or the subunit must first hold a public hearing on the proposed ordinance or amendment and provide notice that the hearing will be held.

This bill specifies that a town zoning committee must hold a public hearing and give notice of the hearing on a preliminary report on recommended zoning district boundaries and zoning regulations for such districts and that a town board give notice of a public hearing on a proposed zoning ordinance.

This bill also requires that, if a proposed zoning ordinance, amendment to a zoning ordinance or zoning district plan or regulation has the effect of changing the allowable use of any property within the boundaries of the political subdivision, the political subdivision or subunit of the political subdivision must send a notice, which contains a copy of the proposed ordinance or amendment, to each person who has

ASSEMBLY BILL 739

previously notified the political subdivision in writing, of his or her desire to be placed on a list to receive such a notice. The notice shall also include either a map showing the property affected by the ordinance or amendment, or a description of the property affected and a statement that a map may be obtained from the political subdivision or subunit of the political subdivision. The political subdivision or subunit of the political subdivision may charge a fee for providing the notice. The fee may not exceed the approximate cost of providing the notice.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

INSERT
2-0

INS
2-1

#. Page = 668, line 13 after that line insert:
SECTION 59.69 (5) (a) of the statutes is amended to read:
2002 wa

59.69 (5) (a) When the county zoning agency has completed a draft of a proposed zoning ordinance, it shall hold a public hearing thereon, following publication in the county of a class 2 notice, under ch. 985. If the proposed ordinance has the effect of changing the allowable use of any property, the notice shall include either a map showing the property affected by the ordinance or a description of the property affected by the ordinance and a statement that a map may be obtained from the zoning agency. After such hearing the agency may make such revisions in the draft as it considers necessary, or it may submit the draft without revision to the board with recommendations for adoption. Proof of publication of the notice of the public hearing held by such agency shall be attached to its report to the board.

SECTION 59.69 (5) (e) 2. of the statutes is amended to read:

59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public hearing on the petition. Notice of the time and place of the hearing shall be given by publication in the county of a class 2 notice, under ch. 985. If an amendment to an ordinance, as described in the petition, has the effect of changing the allowable use of any property, the notice shall include either a map showing the property

ASSEMBLY BILL 739

1 affected by the amendment or a description of the property affected by the
2 amendment and a statement that a map may be obtained from the zoning agency.

3 A copy of the notice shall be mailed by registered mail to the town clerk of each town
4 affected by the proposed amendment at least 10 days prior to the date of such
5 hearing. If the petition is for any change in an airport affected area, as defined in
6 s. 62.23 (6) (am) 1. b., the agency shall mail a copy of the notice to the owner or
7 operator of the airport bordered by the airport affected area.

8 SECTION ^{2002 w1} 59.69 (5) (f) of the statutes is created to read:

9 59.69 (5) (f) The county zoning agency shall maintain a list of persons who
10 submit a written request to receive notice of any proposed ordinance or amendment
11 ^{or any amendment of a development plan under sub. (3)}
~~that~~ ^{amendment} affects the allowable use of the person's property. If the county zoning agency
12 completes a draft of a proposed zoning ordinance under par. (a) ~~or~~ if the agency
13 receives a petition under par. (e) 2., ^{or if the agency acts under sub. (3)} the agency shall send a notice, which contains
14 a copy of the proposed ordinance ^{or plan} or petition, to each person on the list. The notice
15 shall be by mail ^{or electronic mail,} or in any reasonable form that is agreed to by the person and the
16 agency. The agency may charge each person on the list ^{of \$12,000 each year or an annual fee} a fee for the notice that does
17 not exceed the approximate cost of providing the notice to the person. "

18 #. Page 669, line 17 after that one insert: x
SECTION ^{2003 tc} 60.61 (4) (b) of the statutes is amended to read:

19 60.61 (4) (b) Before the town board may adopt an ordinance under sub. (2), the
20 town zoning committee shall recommend zoning district boundaries and appropriate
21 regulations and restrictions for the districts. In carrying out its duties, the town
22 zoning committee shall develop a preliminary report and hold a public hearing on the
23 report before submitting a final report to the town board. ^{check space} The town zoning committee
24 shall give notice of the public hearing on the preliminary report and of the time and
25 place of the public hearing on the report by a class 2 notice under ch. 985. If the town

ASSEMBLY BILL 739

SECTION 4

1 zoning committee makes a substantial change in its report following the public
 2 hearing, it shall hold another public hearing on the report. After the final report of
 3 the town zoning committee is submitted to the town board, the board may adopt an
 4 ordinance under sub. (2) following a public hearing held by the board on the proposed
 5 ordinance. The town board shall give notice of the public hearing on the proposed
 6 ordinance and of the time and place of the public hearing on the ordinance by a class
 7 2 notice under ch. 985. If the proposed ordinance has the effect of changing the
 8 allowable use of any property, the notice shall include either a map showing the
 9 property affected by the ordinance or a description of the property affected by the
 10 ordinance and a statement that a map may be obtained from the town board.

11 SECTION ~~5~~ ^{2003 td X} 60.61 (4) (c) 1. of the statutes is amended to read:

12 60.61 (4) (c) 1. After the town board has adopted a town zoning ordinance, the
 13 board may alter, supplement ^{or} change the boundaries or regulations established in
 14 the ordinance if a public hearing is held on the revisions. The board shall give notice
 15 of any proposed revisions in the zoning ordinance and of the time and place of the
 16 public hearing on them by a class 2 notice under ch. 985. If the proposed amendment
 17 would have the effect of changing the allowable use of any property, the notice shall
 18 include either a map showing the property affected by the amendment or a
 19 description of the property affected by the amendment and a statement that a map
 20 may be obtained from the town board. The board shall allow any interested person
 21 to testify at the hearing. If any proposed revision under this subdivision would make
 22 any change in an airport affected area, as defined in s. 62.23 (6) (am) 1. b., the board
 23 shall mail a copy of such notice to the owner or operator of the airport bordered by
 24 the airport affected area.

25 SECTION ~~4~~ ^{2003 te V} 60.61 (4) (e) of the statutes is created to read:

ASSEMBLY BILL 739

1 60.61 (4) (e) The town board shall maintain a list of persons who submit a
2 written request to receive notice of any proposed ordinance or amendment that
3 affects the allowable use of the person's property. If the town zoning committee
4 completes a final report on a proposed zoning ordinance and the town board is
5 prepared to vote on the proposed ordinance under par. (b) or if the town board is
6 prepared to vote on a proposed amendment under par. (c) 1., the town board shall
7 send a notice, which contains a copy of the proposed ordinance or amendment, to each
8 person on the list. The notice shall be by mail ^{or electronic mail,} or in any reasonable form that is agreed
9 to by the person and the town board. The town board may charge each person on the
10 list a fee for the notice ^{of \$12.00 each year or an annual fee} that does not exceed the approximate cost of providing the
11 notice to the person.

12 SECTION ~~62.23~~ ^{2003 re} (7) (d) 1. a. of the statutes is amended to read:

13 62.23 (7) (d) 1. a. Upon the request of the city council, the city plan commission,
14 the board of public land commissioners, or if the city has neither, the city plan
15 committee of the city council shall prepare and recommend a district plan and
16 regulations for the city. Following the formulation of tentative recommendations a
17 public hearing shall be held by, at the council's option, the council, the plan
18 commission, the board of public land commissioners, or the plan committee. At least
19 10 days' prior written notice of any such hearings shall be given to the clerk of any
20 municipality whose boundaries are within 1,000 feet of any lands included in the
21 proposed plan and regulations but failure to give such notice shall not invalidate
22 such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the
23 tentative recommendations and hearings thereon must be made once during each of
24 the 2 weeks prior to such hearing. If the proposed district plan and regulations have
25 the effect of changing the allowable use of any property within the city, the notice

ASSEMBLY BILL 739

1 shall include either a map showing the property affected by the plan and regulations
2 or a description of the property affected by the plan and regulations and a statement
3 that a map may be obtained from the city council.

4 SECTION 62.23 (7) (d) 1. b. of the statutes is amended to read:

5 62.23 (7) (d) 1. b. The council may make changes in the tentative
6 recommendations after first submitting the proposed changes to the plan
7 commission, board of public land commissioners or plan committee for
8 recommendation and report and after publishing a class 2 notice, under ch. 985, of
9 the proposed changes and hearings thereon as well as the notice to the clerk of any
10 contiguous municipality as required in subd. 1. a. Hearings on the proposed changes
11 may be held by, at the council's option, the council, the plan commission, the board
12 of public land commissioners, or the plan committee. If the proposed changes to the
13 proposed district plan and regulations have the effect of changing the allowable use
14 of any property within the city, the notice shall include either a map showing the
15 property affected by the changes or a description of the property affected by the
16 changes and a statement that a map may be obtained from the city council.

17 SECTION 62.23 (7) (d) 2. of the statutes is amended to read:

18 62.23 (7) (d) 2. The council may adopt amendments to an existing zoning
19 ordinance after first submitting the proposed amendments to the city plan
20 commission, board of public land commissioners or plan committee for
21 recommendation and report and after providing the notices as required in subd. 1.
22 b. of the proposed amendments and hearings thereon. In any city which is not located
23 in whole or in part in a county with a population of 500,000 or more, if the proposed
24 amendment would make any change in an airport affected area, as defined in sub.
25 (6) (am) 1. b., the council shall mail a copy of such notice to the owner or operator of

ASSEMBLY BILL 739

1 the airport bordered by the airport affected area. A hearing shall be held on the
 2 proposed amendments by, at the council's option, the council, the plan commission,
 3 the board of public land commissioners, or the plan committee. If the proposed
 4 amendment has the effect of changing the allowable use of any property within the
 5 city, the notice shall include either a map showing the property affected by the
 6 amendments or a description of the property affected by the amendments and a
 7 statement that a map may be obtained from the city council. If the council does not
 8 receive recommendations and a report from the plan commission, board of public
 9 land commissioners, or plan committee within 60 days of submitting the proposed
 10 amendments, the council may hold hearings without first receiving the
 11 recommendations and report.

12 SECTION ~~10~~ 62.23 (7) (d) 4. of the statutes is created to read:

13 62.23 (7) (d) 4. The city council shall maintain a list of persons who submit a
 14 written request to receive notice of any proposed zoning action that may be taken
 15 under subd. 1. a. or b. or 2. ^{or any treatment of a master plan under subd. (3)} that affects the allowable use of the person's property.
 16 If the plan commission, the board of public land commissioners, or city plan
 17 committee of the city council completes action on any tentative recommendations
 18 that are noticed under subd. 1. a., proposed changes to a proposed district plan and
 19 regulations that are submitted under subd. 1. b., ^(b) proposed amendments that are
 20 submitted under subd. 2. ^{or proposed treatment of a master plan under subd. (3)} and the city council is prepared to vote on the tentative ^{subd. (3)}
 21 recommendations, proposed changes to a proposed district plan and regulations, ^{or}
 22 proposed amendments, ^{or proposed changes to a master plan,} the city council shall send a notice, which contains a copy of
 23 the tentative recommendations, proposed changes to a proposed district plan and
 24 regulations, ^{or proposed changes to a master plan,} or proposed amendments, to each person on the list. The notice shall be
 25 by mail ^{, electronic mail,} or in any reasonable form that is agreed to by the person and the city council.

ASSEMBLY BILL 739

1 The city council may charge each person on the list a fee for the notice that does not
2 exceed the approximate cost of providing the notice to the person. //

3 (END)

of \$12,000 each year or an annual fee

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1724/?ins
MES.....

~~AMMUNIBERT 2003~~

INS2-1

1 1. Page ~~19~~ line ~~19~~ after that line insert:

2 SECTION ~~19~~ 59.69 (3) (c) of the statutes is amended to read:

3 59.69 (3) (c) The development plan may be in the form of descriptive material,
4 reports, charts, diagrams, or maps, and shall indicate any effect it will have on
5 changing the allowable use of any property. Each element of the development plan
6 shall describe its relationship to other elements of the plan and to statements of
7 goals, objectives, principles, policies or standards.

History: 1971 c. 40 s. 93; 1971 c. 86, 224; 1973 c. 274; 1977 c. 205; 1979 c. 233 ss. 2 to 5, 7 and 8; 1979 c. 323; 1981 c. 341, 354, 374; 1983 a. 192 s. 303 (1); 1983 a. 410; 1983 a. 532 s. 36; 1985 a. 29, 136, 196, 281, 316; 1987 a. 161, 395; 1989 a. 80, 201; 1991 a. 255, 269, 316; 1993 a. 16, 27, 246, 327, 400, 446, 491; 1995 a. 27 ss. 9130 (4), 9126 (19); 1995 a. 201 s. 475; Stats. 1995 s. 59.69; 1995 a. 225 s. 174; 1995 a. 227; 1997 a. 3, 35; 1999 a. 9, 148, 185.

8 ~~2. Page ~~19~~ line ~~19~~ after that line insert:~~

9 SECTION ~~19~~ 62.23 (3) (b) of the statutes is amended to read:

10 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
11 resolution, or, as the work of making the whole master plan progresses, may from
12 time to time by resolution adopt a part or parts of a master plan. Any treatment of
13 the master plan shall indicate, in the form of descriptive material, reports, charts,
14 diagrams, or maps, any effect the treatment will have on changing the allowable use
15 of any property. Beginning on January 1, 2010, if the city engages in any program
16 or action described in ~~s. 66.0295 (3)~~ ~~(s. 66.1001)~~, the master plan shall contain at
17 least all of the elements specified in s. ~~66.0295 (2)~~ ~~(s. 66.1001 (2))~~. The adoption of
18 the plan or any part, amendment or addition, shall be by resolution carried by the
19 affirmative votes of not less than a majority of all the members of the city plan
20 commission. The resolution shall refer expressly to the elements under s. ~~66.0295~~

21 ~~(s. 66.1001)~~ and other matters intended by the commission to form the whole or any
22 part of the plan, and the action taken shall be recorded on the adopted plan or part

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1724?ins MG
MEL MEDS.....

INSERT 2-0

1. Page 449, line 6: after that line insert:

“SECTION 1038p. 23.14 (1m) of the statutes is created to read:

23.14 (1m) Prior to the acquisition of any land, or interest in land, by the department, the department shall notify in writing each city, village, or town, and each county, in which the land or interest in land is located at least 60 days before the department completes the acquisition.”.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb17247
MES&MGG:hmh:rs
AND *Stays*
RMT

ARC:.....Tessmer - AM94, Notice requirements to persons affected by
municipal or county zoning actions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

Only changes:
PP. 5 & 9

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 449, line 6: after that line insert:

3 "SECTION 1038p. 23.14 (1m) of the statutes is created to read:

4 23.14 (1m) Prior to the acquisition of any land, or interest in land, by the
5 department, the department shall notify in writing each city, village, or town, and
6 each county, in which the land or interest in land is located at least 60 days before
7 the department completes the acquisition."

8 2. Page 667, line 19: after that line insert:

9 "SECTION 2002ts. 59.69 (3) (c) of the statutes is amended to read:

1 59.69 (3) (c) The development plan may be in the form of descriptive material,
2 reports, charts, diagrams, or maps, and shall indicate any effect it will have on
3 changing the allowable use of any property. Each element of the development plan
4 shall describe its relationship to other elements of the plan and to statements of
5 goals, objectives, principles, policies, or standards.”.

6 **3.** Page 668, line 13: after that line insert:

7 “SECTION 2002we. 59.69 (5) (a) of the statutes is amended to read:

8 59.69 (5) (a) When the county zoning agency has completed a draft of a
9 proposed zoning ordinance, it shall hold a public hearing thereon, following
10 publication in the county of a class 2 notice, under ch. 985. If the proposed ordinance
11 has the effect of changing the allowable use of any property, the notice shall include
12 either a map showing the property affected by the ordinance or a description of the
13 property affected by the ordinance and a statement that a map may be obtained from
14 the zoning agency. After such hearing the agency may make such revisions in the
15 draft as it considers necessary, or it may submit the draft without revision to the
16 board with recommendations for adoption. Proof of publication of the notice of the
17 public hearing held by such agency shall be attached to its report to the board.

18 SECTION 2002wh. 59.69 (5) (e) 2. of the statutes is amended to read:

19 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
20 hearing on the petition. Notice of the time and place of the hearing shall be given
21 by publication in the county of a class 2 notice, under ch. 985. If an amendment to
22 an ordinance, as described in the petition, has the effect of changing the allowable
23 use of any property, the notice shall include either a map showing the property
24 affected by the amendment or a description of the property affected by the

1 amendment and a statement that a map may be obtained from the zoning agency.

2 A copy of the notice shall be mailed by registered mail to the town clerk of each town
3 affected by the proposed amendment at least 10 days prior to the date of such
4 hearing. If the petition is for any change in an airport affected area, as defined in
5 s. 62.23 (6) (am) 1. b., the agency shall mail a copy of the notice to the owner or
6 operator of the airport bordered by the airport affected area.

7 **SECTION 2002wi.** 59.69 (5) (f) of the statutes is created to read:

8 59.69 (5) (f) The county zoning agency shall maintain a list of persons who
9 submit a written request to receive notice of any proposed ordinance or amendment,
10 or any amendment of a development plan under sub. (3), that affects the allowable
11 use of the person's property. If the county zoning agency completes a draft of a
12 proposed zoning ordinance under par. (a), if the agency receives a petition under par.
13 (e) 2., or if the agency acts under sub. (3), the agency shall send a notice, which
14 contains a copy of the proposed ordinance, petition, or plan to each person on the list.
15 The notice shall be by mail, electronic mail or in any reasonable form that is agreed
16 to by the person and the agency. The agency may charge each person on the list a
17 fee for the notice of \$12 each year or an annual fee that does not exceed the
18 approximate cost of providing the notice to the person.”.

19 **4.** Page 669, line 17: after that line insert:

20 **“SECTION 2003tc.** 60.61 (4) (b) of the statutes is amended to read:

21 60.61 (4) (b) Before the town board may adopt an ordinance under sub. (2), the
22 town zoning committee shall recommend zoning district boundaries and appropriate
23 regulations and restrictions for the districts. In carrying out its duties, the town
24 zoning committee shall develop a preliminary report and hold a public hearing on the

1 report before submitting a final report to the town board. The town zoning committee
2 shall give notice of the public hearing on the preliminary report and of the time and
3 place of the public hearing on the report by a class 2 notice under ch. 985. If the town
4 zoning committee makes a substantial change in its report following the public
5 hearing, it shall hold another public hearing on the report. After the final report of
6 the town zoning committee is submitted to the town board, the board may adopt an
7 ordinance under sub. (2) following a public hearing held by the board on the proposed
8 ordinance. The town board shall give notice of the public hearing on the proposed
9 ordinance and of the time and place of the public hearing on the ordinance by a class
10 2 notice under ch. 985. If the proposed ordinance has the effect of changing the
11 allowable use of any property, the notice shall include either a map showing the
12 property affected by the ordinance or a description of the property affected by the
13 ordinance and a statement that a map may be obtained from the town board.

14 **SECTION 2003td.** 60.61 (4) (c) 1. of the statutes is amended to read:

15 60.61 (4) (c) 1. After the town board has adopted a town zoning ordinance, the
16 board may alter, supplement, or change the boundaries or regulations established
17 in the ordinance if a public hearing is held on the revisions. The board shall give
18 notice of any proposed revisions in the zoning ordinance and of the time and place
19 of the public hearing on them by a class 2 notice under ch. 985. If the proposed
20 amendment would have the effect of changing the allowable use of any property, the
21 notice shall include either a map showing the property affected by the amendment
22 or a description of the property affected by the amendment and a statement that a
23 map may be obtained from the town board. The board shall allow any interested
24 person to testify at the hearing. If any proposed revision under this subdivision
25 would make any change in an airport affected area, as defined in s. 62.23 (6) (am) 1.

NR 5219

1 b., the board shall mail a copy of such notice to the owner or operator of the airport
2 bordered by the airport affected area.

3 **SECTION 2003te.** 60.61 (4) (e) of the statutes is created to read:

4 60.61 (4) (e) The town board shall maintain a list of persons who submit a
5 written request to receive notice of any proposed ordinance or amendment that
6 affects the allowable use of the person's property. If the town zoning committee
7 completes a final report on a proposed zoning ordinance and the town board is
8 prepared to vote on the proposed ordinance under par. (b) or if the town board is
9 prepared to vote on a proposed amendment under par. (c) 1., the town board shall
10 send a notice, which contains a copy of the proposed ordinance or amendment, to each
11 person on the list. The notice shall be by mail, electronic mail, or in any reasonable
12 form that is agreed to by the person and the town board. The town board may charge
13 each person on the list a fee for the notice of \$12 each year ^{or} an annual fee that does
14 not exceed the approximate cost of providing the notice to the person.

15 **SECTION 2003x.** 62.23 (3) (b) of the statutes is amended to read:

16 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
17 resolution, or, as the work of making the whole master plan progresses, may from
18 time to time by resolution adopt a part or parts of a master plan. Any treatment of
19 the master plan shall indicate, in the form of descriptive material, reports, charts,
20 diagrams, or maps, any effect the treatment will have on changing the allowable use
21 of any property. Beginning on January 1, 2010, if the city engages in any program
22 or action described in s. ~~66.0295~~ 66.1001 (3), the master plan shall contain at least
23 all of the elements specified in s. ~~66.0295~~ 66.1001 (2). The adoption of the plan or any
24 part, amendment or addition, shall be by resolution carried by the affirmative votes
25 of not less than a majority of all the members of the city plan commission. The

1 resolution shall refer expressly to the elements under s. ~~66.0295~~ 66.1001 and other
2 matters intended by the commission to form the whole or any part of the plan, and
3 the action taken shall be recorded on the adopted plan or part thereof by the
4 identifying signature of the secretary of the commission, and a copy of the plan or
5 part thereof shall be certified to the common council. The purpose and effect of the
6 adoption and certifying of the master plan or part thereof shall be solely to aid the
7 city plan commission and the council in the performance of their duties.

8 **SECTION 2003xe.** 62.23 (7) (d) 1. a. of the statutes is amended to read:

9 62.23 (7) (d) 1. a. Upon the request of the city council, the city plan commission,
10 the board of public land commissioners, or if the city has neither, the city plan
11 committee of the city council shall prepare and recommend a district plan and
12 regulations for the city. Following the formulation of tentative recommendations a
13 public hearing shall be held by, at the council's option, the council, the plan
14 commission, the board of public land commissioners, or the plan committee. At least
15 10 days' prior written notice of any such hearings shall be given to the clerk of any
16 municipality whose boundaries are within 1,000 feet of any lands included in the
17 proposed plan and regulations but failure to give such notice shall not invalidate
18 such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the
19 tentative recommendations and hearings thereon must be made once during each of
20 the 2 weeks prior to such hearing. If the proposed district plan and regulations have
21 the effect of changing the allowable use of any property within the city, the notice
22 shall include either a map showing the property affected by the plan and regulations
23 or a description of the property affected by the plan and regulations and a statement
24 that a map may be obtained from the city council.

25 **SECTION 2003xf.** 62.23 (7) (d) 1. b. of the statutes is amended to read:

1 62.23 (7) (d) 1. b. The council may make changes in the tentative
2 recommendations after first submitting the proposed changes to the plan
3 commission, board of public land commissioners or plan committee for
4 recommendation and report and after publishing a class 2 notice, under ch. 985, of
5 the proposed changes and hearings thereon as well as the notice to the clerk of any
6 contiguous municipality as required in subd. 1. a. Hearings on the proposed changes
7 may be held by, at the council's option, the council, the plan commission, the board
8 of public land commissioners, or the plan committee. If the proposed changes to the
9 proposed district plan and regulations have the effect of changing the allowable use
10 of any property within the city, the notice shall include either a map showing the
11 property affected by the changes or a description of the property affected by the
12 changes and a statement that a map may be obtained from the city council.

13 **SECTION 2003xg.** 62.23 (7) (d) 2. of the statutes is amended to read:

14 62.23 (7) (d) 2. The council may adopt amendments to an existing zoning
15 ordinance after first submitting the proposed amendments to the city plan
16 commission, board of public land commissioners or plan committee for
17 recommendation and report and after providing the notices as required in subd. 1.
18 b. of the proposed amendments and hearings thereon. In any city which is not located
19 in whole or in part in a county with a population of 500,000 or more, if the proposed
20 amendment would make any change in an airport affected area, as defined in sub.
21 (6) (am) 1. b., the council shall mail a copy of such notice to the owner or operator of
22 the airport bordered by the airport affected area. A hearing shall be held on the
23 proposed amendments by, at the council's option, the council, the plan commission,
24 the board of public land commissioners, or the plan committee. If the proposed
25 amendment has the effect of changing the allowable use of any property within the

1 city, the notice shall include either a map showing the property affected by the
2 amendments or a description of the property affected by the amendments and a
3 statement that a map may be obtained from the city council. If the council does not
4 receive recommendations and a report from the plan commission, board of public
5 land commissioners, or plan committee within 60 days of submitting the proposed
6 amendments, the council may hold hearings without first receiving the
7 recommendations and report.

8 **SECTION 2003xh.** 62.23 (7) (d) 4. of the statutes is created to read:

9 62.23 (7) (d) 4. The city council shall maintain a list of persons who submit a
10 written request to receive notice of any proposed zoning action that may be taken
11 under subd. 1. a. or b. or 2. or to any treatment of a master plan under sub. (3) that
12 affects the allowable use of the person's property. If the plan commission, the board
13 of public land commissioners, or city plan committee of the city council completes
14 action on any tentative recommendations that are noticed under subd. 1. a., proposed
15 changes to a proposed district plan and regulations that are submitted under subd.
16 1. b., proposed amendments that are submitted under subd. 2., or to any treatment
17 of a master plan under sub. (3) and the city council is prepared to vote on the tentative
18 recommendations, proposed changes to a proposed district plan and regulations,
19 proposed amendments, or proposed changes to a master plan, the city council shall
20 send a notice, which contains a copy of the tentative recommendations, proposed
21 changes to a proposed district plan and regulations, proposed amendments, or
22 proposed changes to a master plan, to each person on the list. The notice shall be by
23 mail, electronic mail or in any reasonable form that is agreed to by the person and
24 the city council. The city council may charge each person on the list a fee for the notice

1 of \$12 each year ~~of~~^{or} an annual fee that does not exceed the approximate cost of
2 providing the notice to the person.”.

3 (END)



ARC:.....Tessmer – AM94, Notice requirements to persons affected by
municipal or county zoning actions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 449, line 6: after that line insert:

3 “**SECTION 1038p.** 23.14 (1m) of the statutes is created to read:

4 23.14 (1m) Prior to the acquisition of any land, or interest in land, by the
5 department, the department shall notify in writing each city, village, or town, and
6 each county, in which the land or interest in land is located at least 60 days before
7 the department completes the acquisition.”

8 **2.** Page 667, line 19: after that line insert:

9 “**SECTION 2002ts.** 59.69 (3) (c) of the statutes is amended to read:

1 59.69 (3) (c) The development plan may be in the form of descriptive material,
2 reports, charts, diagrams, or maps, and shall indicate any effect it will have on
3 changing the allowable use of any property. Each element of the development plan
4 shall describe its relationship to other elements of the plan and to statements of
5 goals, objectives, principles, policies, or standards.”

6 **3.** Page 668, line 13: after that line insert:

7 “**SECTION 2002we.** 59.69 (5) (a) of the statutes is amended to read:

8 59.69 (5) (a) When the county zoning agency has completed a draft of a
9 proposed zoning ordinance, it shall hold a public hearing thereon, following
10 publication in the county of a class 2 notice, under ch. 985. If the proposed ordinance
11 has the effect of changing the allowable use of any property, the notice shall include
12 either a map showing the property affected by the ordinance or a description of the
13 property affected by the ordinance and a statement that a map may be obtained from
14 the zoning agency. After such hearing the agency may make such revisions in the
15 draft as it considers necessary, or it may submit the draft without revision to the
16 board with recommendations for adoption. Proof of publication of the notice of the
17 public hearing held by such agency shall be attached to its report to the board.

18 **SECTION 2002wh.** 59.69 (5) (e) 2. of the statutes is amended to read:

19 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
20 hearing on the petition. Notice of the time and place of the hearing shall be given
21 by publication in the county of a class 2 notice, under ch. 985. If an amendment to
22 an ordinance, as described in the petition, has the effect of changing the allowable
23 use of any property, the notice shall include either a map showing the property
24 affected by the amendment or a description of the property affected by the

1 amendment and a statement that a map may be obtained from the zoning agency.

2 A copy of the notice shall be mailed by registered mail to the town clerk of each town
3 affected by the proposed amendment at least 10 days prior to the date of such
4 hearing. If the petition is for any change in an airport affected area, as defined in
5 s. 62.23 (6) (am) 1. b., the agency shall mail a copy of the notice to the owner or
6 operator of the airport bordered by the airport affected area.

7 **SECTION 2002wi.** 59.69 (5) (f) of the statutes is created to read:

8 59.69 (5) (f) The county zoning agency shall maintain a list of persons who
9 submit a written request to receive notice of any proposed ordinance or amendment,
10 or any amendment of a development plan under sub. (3), that affects the allowable
11 use of the person's property. If the county zoning agency completes a draft of a
12 proposed zoning ordinance under par. (a), if the agency receives a petition under par.
13 (e) 2., or if the agency acts under sub. (3), the agency shall send a notice, which
14 contains a copy of the proposed ordinance, petition, or plan to each person on the list.
15 The notice shall be by mail, electronic mail or in any reasonable form that is agreed
16 to by the person and the agency. The agency may charge each person on the list a
17 fee for the notice of \$12 each year or an annual fee that does not exceed the
18 approximate cost of providing the notice to the person.”.

19 **4.** Page 669, line 17: after that line insert:

20 **“SECTION 2003tc.** 60.61 (4) (b) of the statutes is amended to read:

21 60.61 (4) (b) Before the town board may adopt an ordinance under sub. (2), the
22 town zoning committee shall recommend zoning district boundaries and appropriate
23 regulations and restrictions for the districts. In carrying out its duties, the town
24 zoning committee shall develop a preliminary report and hold a public hearing on the

1 report before submitting a final report to the town board. The town zoning committee
2 shall give notice of the public hearing on the preliminary report and of the time and
3 place of the public hearing on the report by a class 2 notice under ch. 985. If the town
4 zoning committee makes a substantial change in its report following the public
5 hearing, it shall hold another public hearing on the report. After the final report of
6 the town zoning committee is submitted to the town board, the board may adopt an
7 ordinance under sub. (2) following a public hearing held by the board on the proposed
8 ordinance. The town board shall give notice of the public hearing on the proposed
9 ordinance and of the time and place of the public hearing on the ordinance by a class
10 2 notice under ch. 985. If the proposed ordinance has the effect of changing the
11 allowable use of any property, the notice shall include either a map showing the
12 property affected by the ordinance or a description of the property affected by the
13 ordinance and a statement that a map may be obtained from the town board.

14 **SECTION 2003td.** 60.61 (4) (c) 1. of the statutes is amended to read:

15 60.61 (4) (c) 1. After the town board has adopted a town zoning ordinance, the
16 board may alter, supplement, or change the boundaries or regulations established
17 in the ordinance if a public hearing is held on the revisions. The board shall give
18 notice of any proposed revisions in the zoning ordinance and of the time and place
19 of the public hearing on them by a class 2 notice under ch. 985. If the proposed
20 amendment would have the effect of changing the allowable use of any property, the
21 notice shall include either a map showing the property affected by the amendment
22 or a description of the property affected by the amendment and a statement that a
23 map may be obtained from the town board. The board shall allow any interested
24 person to testify at the hearing. If any proposed revision under this subdivision
25 would make any change in an airport affected area, as defined in s. 62.23 (6) (am) 1.

1 b., the board shall mail a copy of such notice to the owner or operator of the airport
2 bordered by the airport affected area.

3 **SECTION 2003te.** 60.61 (4) (e) of the statutes is created to read:

4 60.61 (4) (e) The town board shall maintain a list of persons who submit a
5 written request to receive notice of any proposed ordinance or amendment that
6 affects the allowable use of the person's property. If the town zoning committee
7 completes a final report on a proposed zoning ordinance and the town board is
8 prepared to vote on the proposed ordinance under par. (b) or if the town board is
9 prepared to vote on a proposed amendment under par. (c) 1., the town board shall
10 send a notice, which contains a copy of the proposed ordinance or amendment, to each
11 person on the list. The notice shall be by mail, electronic mail, or in any reasonable
12 form that is agreed to by the person and the town board. The town board may charge
13 each person on the list a fee for the notice of \$12 each year on an annual fee that does
14 not exceed the approximate cost of providing the notice to the person.

15 **SECTION 2003x.** 62.23 (3) (b) of the statutes is amended to read:

16 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
17 resolution, or, as the work of making the whole master plan progresses, may from
18 time to time by resolution adopt a part or parts of a master plan. Any treatment of
19 the master plan shall indicate, in the form of descriptive material, reports, charts,
20 diagrams, or maps, any effect the treatment will have on changing the allowable use
21 of any property. Beginning on January 1, 2010, if the city engages in any program
22 or action described in s. ~~66.0295~~ 66.1001 (3), the master plan shall contain at least
23 all of the elements specified in s. ~~66.0295~~ 66.1001 (2). The adoption of the plan or any
24 part, amendment or addition, shall be by resolution carried by the affirmative votes
25 of not less than a majority of all the members of the city plan commission. The

1 resolution shall refer expressly to the elements under s. ~~66.0295~~ 66.1001 and other
2 matters intended by the commission to form the whole or any part of the plan, and
3 the action taken shall be recorded on the adopted plan or part thereof by the
4 identifying signature of the secretary of the commission, and a copy of the plan or
5 part thereof shall be certified to the common council. The purpose and effect of the
6 adoption and certifying of the master plan or part thereof shall be solely to aid the
7 city plan commission and the council in the performance of their duties.

8 **SECTION 2003xe.** 62.23 (7) (d) 1. a. of the statutes is amended to read:

9 62.23 (7) (d) 1. a. Upon the request of the city council, the city plan commission,
10 the board of public land commissioners, or if the city has neither, the city plan
11 committee of the city council shall prepare and recommend a district plan and
12 regulations for the city. Following the formulation of tentative recommendations a
13 public hearing shall be held by, at the council's option, the council, the plan
14 commission, the board of public land commissioners, or the plan committee. At least
15 10 days' prior written notice of any such hearings shall be given to the clerk of any
16 municipality whose boundaries are within 1,000 feet of any lands included in the
17 proposed plan and regulations but failure to give such notice shall not invalidate
18 such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the
19 tentative recommendations and hearings thereon must be made once during each of
20 the 2 weeks prior to such hearing. If the proposed district plan and regulations have
21 the effect of changing the allowable use of any property within the city, the notice
22 shall include either a map showing the property affected by the plan and regulations
23 or a description of the property affected by the plan and regulations and a statement
24 that a map may be obtained from the city council.

25 **SECTION 2003xf.** 62.23 (7) (d) 1. b. of the statutes is amended to read:

1 62.23 (7) (d) 1. b. The council may make changes in the tentative
2 recommendations after first submitting the proposed changes to the plan
3 commission, board of public land commissioners or plan committee for
4 recommendation and report and after publishing a class 2 notice, under ch. 985, of
5 the proposed changes and hearings thereon as well as the notice to the clerk of any
6 contiguous municipality as required in subd. 1. a. Hearings on the proposed changes
7 may be held by, at the council's option, the council, the plan commission, the board
8 of public land commissioners, or the plan committee. If the proposed changes to the
9 proposed district plan and regulations have the effect of changing the allowable use
10 of any property within the city, the notice shall include either a map showing the
11 property affected by the changes or a description of the property affected by the
12 changes and a statement that a map may be obtained from the city council.

13 **SECTION 2003xg.** 62.23 (7) (d) 2. of the statutes is amended to read:

14 62.23 (7) (d) 2. The council may adopt amendments to an existing zoning
15 ordinance after first submitting the proposed amendments to the city plan
16 commission, board of public land commissioners or plan committee for
17 recommendation and report and after providing the notices as required in subd. 1.
18 b. of the proposed amendments and hearings thereon. In any city which is not located
19 in whole or in part in a county with a population of 500,000 or more, if the proposed
20 amendment would make any change in an airport affected area, as defined in sub.
21 (6) (am) 1. b., the council shall mail a copy of such notice to the owner or operator of
22 the airport bordered by the airport affected area. A hearing shall be held on the
23 proposed amendments by, at the council's option, the council, the plan commission,
24 the board of public land commissioners, or the plan committee. If the proposed
25 amendment has the effect of changing the allowable use of any property within the

1 city, the notice shall include either a map showing the property affected by the
2 amendments or a description of the property affected by the amendments and a
3 statement that a map may be obtained from the city council. If the council does not
4 receive recommendations and a report from the plan commission, board of public
5 land commissioners, or plan committee within 60 days of submitting the proposed
6 amendments, the council may hold hearings without first receiving the
7 recommendations and report.

8 **SECTION 2003xh.** 62.23 (7) (d) 4. of the statutes is created to read:

9 62.23 (7) (d) 4. The city council shall maintain a list of persons who submit a
10 written request to receive notice of any proposed zoning action that may be taken
11 under subd. 1. a. or b. or 2. or to any treatment of a master plan under sub. (3) that
12 affects the allowable use of the person's property. If the plan commission, the board
13 of public land commissioners, or city plan committee of the city council completes
14 action on any tentative recommendations that are noticed under subd. 1. a., proposed
15 changes to a proposed district plan and regulations that are submitted under subd.
16 1. b., proposed amendments that are submitted under subd. 2., or to any treatment
17 of a master plan under sub. (3) and the city council is prepared to vote on the tentative
18 recommendations, proposed changes to a proposed district plan and regulations,
19 proposed amendments, or proposed changes to a master plan, the city council shall
20 send a notice, which contains a copy of the tentative recommendations, proposed
21 changes to a proposed district plan and regulations, proposed amendments, or
22 proposed changes to a master plan, to each person on the list. The notice shall be by
23 mail, electronic mail or in any reasonable form that is agreed to by the person and
24 the city council. The city council may charge each person on the list a fee for the notice

1 of \$12 each year on an annual fee that does not exceed the approximate cost of
2 providing the notice to the person.”

3 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1724/2
MES&MGG:hmh:rs

ARC:.....Tessmer – AM94, Notice requirements to persons affected by
municipal or county zoning actions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 449, line 6: after that line insert:

3 “SECTION 1038p. 23.14 (1m) of the statutes is created to read:

4 23.14 (1m) Prior to the acquisition of any land, or interest in land, by the
5 department, the department shall notify in writing each city, village, or town, and
6 each county, in which the land or interest in land is located at least 60 days before
7 the department completes the acquisition.”

8 **2.** Page 667, line 19: after that line insert:

9 “SECTION 2002ts. 59.69 (3) (c) of the statutes is amended to read:

1 59.69 (3) (c) The development plan may be in the form of descriptive material,
2 reports, charts, diagrams, or maps, and shall indicate any effect it will have on
3 changing the allowable use of any property. Each element of the development plan
4 shall describe its relationship to other elements of the plan and to statements of
5 goals, objectives, principles, policies, or standards.”.

6 **3.** Page 668, line 13: after that line insert:

7 “**SECTION 2002we.** 59.69 (5) (a) of the statutes is amended to read:

8 59.69 (5) (a) When the county zoning agency has completed a draft of a
9 proposed zoning ordinance, it shall hold a public hearing thereon, following
10 publication in the county of a class 2 notice, under ch. 985. If the proposed ordinance
11 has the effect of changing the allowable use of any property, the notice shall include
12 either a map showing the property affected by the ordinance or a description of the
13 property affected by the ordinance and a statement that a map may be obtained from
14 the zoning agency. After such hearing the agency may make such revisions in the
15 draft as it considers necessary, or it may submit the draft without revision to the
16 board with recommendations for adoption. Proof of publication of the notice of the
17 public hearing held by such agency shall be attached to its report to the board.

18 **SECTION 2002wh.** 59.69 (5) (e) 2. of the statutes is amended to read:

19 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
20 hearing on the petition. Notice of the time and place of the hearing shall be given
21 by publication in the county of a class 2 notice, under ch. 985. If an amendment to
22 an ordinance, as described in the petition, has the effect of changing the allowable
23 use of any property, the notice shall include either a map showing the property
24 affected by the amendment or a description of the property affected by the

1 amendment and a statement that a map may be obtained from the zoning agency.

2 A copy of the notice shall be mailed by registered mail to the town clerk of each town
3 affected by the proposed amendment at least 10 days prior to the date of such
4 hearing. If the petition is for any change in an airport affected area, as defined in
5 s. 62.23 (6) (am) 1. b., the agency shall mail a copy of the notice to the owner or
6 operator of the airport bordered by the airport affected area.

7 **SECTION 2002wi.** 59.69 (5) (f) of the statutes is created to read:

8 59.69 (5) (f) The county zoning agency shall maintain a list of persons who
9 submit a written request to receive notice of any proposed ordinance or amendment,
10 or any amendment of a development plan under sub. (3), that affects the allowable
11 use of the person's property. If the county zoning agency completes a draft of a
12 proposed zoning ordinance under par. (a), if the agency receives a petition under par.
13 (e) 2., or if the agency acts under sub. (3), the agency shall send a notice, which
14 contains a copy of the proposed ordinance, petition, or plan to each person on the list.
15 The notice shall be by mail, electronic mail or in any reasonable form that is agreed
16 to by the person and the agency. The agency may charge each person on the list a
17 fee for the notice of \$12 each year or an annual fee that does not exceed the
18 approximate cost of providing the notice to the person.”

19 **4.** Page 669, line 17: after that line insert:

20 **“SECTION 2003tc.** 60.61 (4) (b) of the statutes is amended to read:

21 60.61 (4) (b) Before the town board may adopt an ordinance under sub. (2), the
22 town zoning committee shall recommend zoning district boundaries and appropriate
23 regulations and restrictions for the districts. In carrying out its duties, the town
24 zoning committee shall develop a preliminary report and hold a public hearing on the

1 report before submitting a final report to the town board. The town zoning committee
2 shall give notice of the public hearing on the preliminary report and of the time and
3 place of the public hearing on the report by a class 2 notice under ch. 985. If the town
4 zoning committee makes a substantial change in its report following the public
5 hearing, it shall hold another public hearing on the report. After the final report of
6 the town zoning committee is submitted to the town board, the board may adopt an
7 ordinance under sub. (2) following a public hearing held by the board on the proposed
8 ordinance. The town board shall give notice of the public hearing on the proposed
9 ordinance and of the time and place of the public hearing on the ordinance by a class
10 2 notice under ch. 985. If the proposed ordinance has the effect of changing the
11 allowable use of any property, the notice shall include either a map showing the
12 property affected by the ordinance or a description of the property affected by the
13 ordinance and a statement that a map may be obtained from the town board.

14 **SECTION 2003td.** 60.61 (4) (c) 1. of the statutes is amended to read:

15 60.61 (4) (c) 1. After the town board has adopted a town zoning ordinance, the
16 board may alter, supplement, or change the boundaries or regulations established
17 in the ordinance if a public hearing is held on the revisions. The board shall give
18 notice of any proposed revisions in the zoning ordinance and of the time and place
19 of the public hearing on them by a class 2 notice under ch. 985. If the proposed
20 amendment would have the effect of changing the allowable use of any property, the
21 notice shall include either a map showing the property affected by the amendment
22 or a description of the property affected by the amendment and a statement that a
23 map may be obtained from the town board. The board shall allow any interested
24 person to testify at the hearing. If any proposed revision under this subdivision
25 would make any change in an airport affected area, as defined in s. 62.23 (6) (am) 1.

1 b., the board shall mail a copy of such notice to the owner or operator of the airport
2 bordered by the airport affected area.

3 **SECTION 2003te.** 60.61 (4) (e) of the statutes is created to read:

4 60.61 (4) (e) The town board shall maintain a list of persons who submit a
5 written request to receive notice of any proposed ordinance or amendment that
6 affects the allowable use of the person's property. If the town zoning committee
7 completes a final report on a proposed zoning ordinance and the town board is
8 prepared to vote on the proposed ordinance under par. (b) or if the town board is
9 prepared to vote on a proposed amendment under par. (c) 1., the town board shall
10 send a notice, which contains a copy of the proposed ordinance or amendment, to each
11 person on the list. The notice shall be by mail, electronic mail, or in any reasonable
12 form that is agreed to by the person and the town board. The town board may charge
13 each person on the list a fee for the notice of \$12 each year or an annual fee that does
14 not exceed the approximate cost of providing the notice to the person.

15 **SECTION 2003x.** 62.23 (3) (b) of the statutes is amended to read:

16 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
17 resolution, or, as the work of making the whole master plan progresses, may from
18 time to time by resolution adopt a part or parts of a master plan. Any treatment of
19 the master plan shall indicate, in the form of descriptive material, reports, charts,
20 diagrams, or maps, any effect the treatment will have on changing the allowable use
21 of any property. Beginning on January 1, 2010, if the city engages in any program
22 or action described in s. ~~66.0295~~ 66.1001 (3), the master plan shall contain at least
23 all of the elements specified in s. ~~66.0295~~ 66.1001 (2). The adoption of the plan or any
24 part, amendment or addition, shall be by resolution carried by the affirmative votes
25 of not less than a majority of all the members of the city plan commission. The

1 resolution shall refer expressly to the elements under s. ~~66.0295~~ 66.1001 and other
2 matters intended by the commission to form the whole or any part of the plan, and
3 the action taken shall be recorded on the adopted plan or part thereof by the
4 identifying signature of the secretary of the commission, and a copy of the plan or
5 part thereof shall be certified to the common council. The purpose and effect of the
6 adoption and certifying of the master plan or part thereof shall be solely to aid the
7 city plan commission and the council in the performance of their duties.

8 **SECTION 2003xe.** 62.23 (7) (d) 1. a. of the statutes is amended to read:

9 62.23 (7) (d) 1. a. Upon the request of the city council, the city plan commission,
10 the board of public land commissioners, or if the city has neither, the city plan
11 committee of the city council shall prepare and recommend a district plan and
12 regulations for the city. Following the formulation of tentative recommendations a
13 public hearing shall be held by, at the council's option, the council, the plan
14 commission, the board of public land commissioners, or the plan committee. At least
15 10 days' prior written notice of any such hearings shall be given to the clerk of any
16 municipality whose boundaries are within 1,000 feet of any lands included in the
17 proposed plan and regulations but failure to give such notice shall not invalidate
18 such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the
19 tentative recommendations and hearings thereon must be made once during each of
20 the 2 weeks prior to such hearing. If the proposed district plan and regulations have
21 the effect of changing the allowable use of any property within the city, the notice
22 shall include either a map showing the property affected by the plan and regulations
23 or a description of the property affected by the plan and regulations and a statement
24 that a map may be obtained from the city council.

25 **SECTION 2003xf.** 62.23 (7) (d) 1. b. of the statutes is amended to read:

1 62.23 (7) (d) 1. b. The council may make changes in the tentative
2 recommendations after first submitting the proposed changes to the plan
3 commission, board of public land commissioners or plan committee for
4 recommendation and report and after publishing a class 2 notice, under ch. 985, of
5 the proposed changes and hearings thereon as well as the notice to the clerk of any
6 contiguous municipality as required in subd. 1. a. Hearings on the proposed changes
7 may be held by, at the council's option, the council, the plan commission, the board
8 of public land commissioners, or the plan committee. If the proposed changes to the
9 proposed district plan and regulations have the effect of changing the allowable use
10 of any property within the city, the notice shall include either a map showing the
11 property affected by the changes or a description of the property affected by the
12 changes and a statement that a map may be obtained from the city council.

13 **SECTION 2003xg.** 62.23 (7) (d) 2. of the statutes is amended to read:

14 62.23 (7) (d) 2. The council may adopt amendments to an existing zoning
15 ordinance after first submitting the proposed amendments to the city plan
16 commission, board of public land commissioners or plan committee for
17 recommendation and report and after providing the notices as required in subd. 1.
18 b. of the proposed amendments and hearings thereon. In any city which is not located
19 in whole or in part in a county with a population of 500,000 or more, if the proposed
20 amendment would make any change in an airport affected area, as defined in sub.
21 (6) (am) 1. b., the council shall mail a copy of such notice to the owner or operator of
22 the airport bordered by the airport affected area. A hearing shall be held on the
23 proposed amendments by, at the council's option, the council, the plan commission,
24 the board of public land commissioners, or the plan committee. If the proposed
25 amendment has the effect of changing the allowable use of any property within the

1 city, the notice shall include either a map showing the property affected by the
2 amendments or a description of the property affected by the amendments and a
3 statement that a map may be obtained from the city council. If the council does not
4 receive recommendations and a report from the plan commission, board of public
5 land commissioners, or plan committee within 60 days of submitting the proposed
6 amendments, the council may hold hearings without first receiving the
7 recommendations and report.

8 **SECTION 2003xh.** 62.23 (7) (d) 4. of the statutes is created to read:

9 62.23 (7) (d) 4. The city council shall maintain a list of persons who submit a
10 written request to receive notice of any proposed zoning action that may be taken
11 under subd. 1. a. or b. or 2. or to any treatment of a master plan under sub. (3) that
12 affects the allowable use of the person's property. If the plan commission, the board
13 of public land commissioners, or city plan committee of the city council completes
14 action on any tentative recommendations that are noticed under subd. 1. a., proposed
15 changes to a proposed district plan and regulations that are submitted under subd.
16 1. b., proposed amendments that are submitted under subd. 2., or to any treatment
17 of a master plan under sub. (3) and the city council is prepared to vote on the tentative
18 recommendations, proposed changes to a proposed district plan and regulations,
19 proposed amendments, or proposed changes to a master plan, the city council shall
20 send a notice, which contains a copy of the tentative recommendations, proposed
21 changes to a proposed district plan and regulations, proposed amendments, or
22 proposed changes to a master plan, to each person on the list. The notice shall be by
23 mail, electronic mail or in any reasonable form that is agreed to by the person and
24 the city council. The city council may charge each person on the list a fee for the notice

1 of \$12 each year or an annual fee that does not exceed the approximate cost of
2 providing the notice to the person.”.

3 (END)