

2003 DRAFTING REQUEST

Bill

Received: **02/14/2003**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Rep. Albers**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Counties - zoning
Munis - zoning**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring notice to persons affected by zoning actions

Instructions:

Redraft 1999 AB 739 (LRB -1524), with attached changes

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>
/?	mshovers 02/21/2003	kfollett 03/20/2003 kfollett 03/21/2003		_____			S&L
/1			chaskett 03/24/2003	_____	sbasford 03/24/2003	amentkow 03/27/2003	S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	mshovers 03/31/2003	wjackson 03/31/2003	rschluet 03/31/2003	_____	sbasford 03/31/2003	sbasford 03/31/2003	

FE Sent For:

<END>

03-31-2003
("1/2")
Requested
By Ryan

2003 DRAFTING REQUEST

Bill

Received: 02/14/2003

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Rep. Albers

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Counties - zoning
Munis - zoning

Extra Copies:

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring notice to persons affected by zoning actions

Instructions:

Redraft 1999 AB 739 (LRB -1524), with attached changes

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>
/?	mshovers 02/21/2003	kfollett 03/20/2003 kfollett 03/21/2003					S&L
/1		12 Wlj 3/31	chaskett 03/24/2003		sbasford 03/24/2003	amentkow 03/27/2003	

12 MES 3/31

Handwritten signatures and dates: 3/31/03

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 02/14/2003

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Rep. Albers

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Counties - zoning
Munis - zoning

Extra Copies:

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring notice to persons affected by zoning actions

Instructions:

Redraft 1999 AB 739 (LRB -1524), with attached changes

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>
/?	mshovers 02/21/2003	kfollett 03/20/2003 kfollett 03/21/2003					S&L
/1			chaskett 03/24/2003		shasford 03/24/2003		

Jacketed (circled)
 ↓
 Per phone call from Office

Vers. Drafted Reviewed Typed Proofed Submitted Jacketcd Required

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 02/14/2003

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Rep. Albers

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Counties - zoning
Munis - zoning

Extra Copies:

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring notice to persons affected by zoning actions

Instructions:

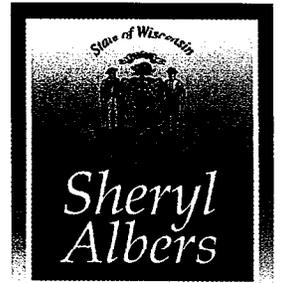
Redraft 1999 AB 739 (LRB -1524), with attached changes

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?	mshovers	11 Kif 3/21	1 cph 3/21	55/ cph 3/24			
1/1 MES 2/21/03							

FE Sent For:

<END>



To: LRB – Drafting
From: Representative Sheryl K. Albers

Date: February 6, 2003
Subject: Notice for Proposed Zoning Changes

Please draft a 2003 bill that will mirror the language of 1999 Assembly Bill 739, with the following changes:

- 1) Page 3, line 11: change “person’s property” to “property owned by the person”
- 2) Page 5, line 3: change “person’s property” to “property owned by the person”
- 3) Exempt first class cities from the requirements of this legislation.
- 4) Specify that an ordinance or and amendment to an ordinance is not invalid if the notice provided for in the bill is not provided to the requesting landowner.

I am enclosing a copy of 1999 AB 739 for your reference. Thank you.

2003-2004

FRI 3/28

1999/2000 LEGISLATURE

LRB 1524/3

MES: [unclear]

-2060/1

RMR

2003 1999 ASSEMBLY BILL 739

note

PWF

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.

reger

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

x

an ordinance or amendment may take effect even if the political subdivision ^{does not} ~~doesn't~~ comply with 1999 - 2000 Legislature the bill's ⁻²⁻ notice requirements ^{LRB-1524/3} ^{MES:jlg:ijs}

ASSEMBLY BILL 739 ^{the bill does not apply to class cities (presently only milwaukee)} ^{IN general}

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. ^{Under the bill,}

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:

1 SECTION 1. 59.69 [✓](5) (a) of the statutes is amended to read:

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

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

13 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
14 hearing on the petition. Notice of the time and place of the hearing shall be given
15 by publication in the county of a class 2 notice, under ch. 985. If an amendment to
16 an ordinance, as described in the petition, has the effect of changing the allowable
17 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 3. 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 that affects the allowable use of the ~~person's~~ ^{owned by the person} 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., the agency shall send a notice, which contains
14 a copy of the proposed ordinance or petition, to each person on the list. The notice
15 shall be by 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 a fee for the notice that does
17 not exceed the approximate cost of providing the notice to the person.

18 SECTION 4. 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. 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

An ordinance or amendment that is subject to this paragraph may take effect even if the agency fails to send the notice that is required by this paragraph.

ASSEMBLY BILL 739

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. 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 6. 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~~ ^{owned by the person} property. If the town zoning committee NO SCORE
 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 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 that does not exceed the approximate cost of providing the
 11 notice to the person. *An ordinance or amendment that is subject to this*
paragraph may take effect even if the town board
fails to send the notice that is required by this
paragraph.

SECTION 7. 62.23 (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 8. 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 9. 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~~ ^{amendments} 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~~ ^{have} 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. [✓] 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. or proposed amendments that are
 20 submitted under subd. [✓] 2. and the city council is prepared to vote on the tentative
 21 recommendations, proposed changes to a proposed district plan and regulations or
 22 proposed amendments, 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 amendments, to each person on the list. The notice shall be
 25 by 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)

An ordinance or amendment that is subject to this subdivision may take effect even if the city council fails to send the notice that is required by this subdivision.

O-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2060/2dn
MES:kj:f

Date

Representative Albers:

You have asked that this bill, a modified version of 1999 AB-739, not apply to the ~~1st~~ class cities (currently only the City of Milwaukee). As drafted, the bill does ~~not~~ not apply to first class cities. The provisions of this bill that relate to cities are contained in s. 62.23 (7) (d) 1. a. and b., 2., and (created) 4., none of which apply to ~~1st~~ class cities, although a ~~1st~~ class city could choose to be covered by these provisions. See s. 62.03 (1) and (2), as follows:

62.03

62.03 First class cities excepted.

62.03(1)

(1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j) and (k), 62.175, 62.23 (7) (em) and (he) and 62.237, does not apply to 1st class cities under special charter.

62.03(2)

(2) Any such city may adopt by ordinance this subchapter or any section or sections thereof, which when so adopted shall De apply to such city.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2060/1dn
MES:kjf:cph

March 21, 2003

Representative Albers:

You have asked that this bill, a modified version of 1999 AB-739, not apply to the first class cities (currently only the City of Milwaukee). As drafted, the bill does not apply to first class cities. The provisions of this bill that relate to cities are contained in s. 62.23 (7) (d) 1. a. and b., 2. and (created) 4., none of which apply to first class cities, although a first class city could choose to be covered by these provisions. See s. 62.03 (1) and (2), as follows:

62.03

62.03 First class cities excepted.

62.03(1)

(1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j) and (k), 62.175, 62.23 (7) (em) and (he) and 62.237, does not apply to 1st class cities under special charter.

62.03(2)

(2) Any such city may adopt by ordinance this subchapter or any section or sections thereof, which when so adopted shall apply to such city.

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



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2060/2
MES:kjf:cph

RNLJ
RMR

2003 BILL

GOOD
TODAY please
IN 3/31

reger

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

whose property may be affected and

BILL

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. Under the bill, an ordinance or amendment may take effect even if the political subdivision does not comply with the bill's notice requirements. In general, the bill does not apply to first class cities (presently only Milwaukee).

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:

1 **SECTION 1.** 59.69 (5) (a) of the statutes is amended to read:

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

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

13 59.69 (5) (e) 2. Upon receipt of the petition by the agency it shall call a public
14 hearing on the petition. Notice of the time and place of the hearing shall be given
15 by publication in the county of a class 2 notice, under ch. 985. If an amendment to

BILL

1 an ordinance, as described in the petition, has the effect of changing the allowable
 2 use of any property, the notice shall include either a map showing the property
 3 affected by the amendment or a description of the property affected by the
 4 amendment and a statement that a map may be obtained from the zoning agency.

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

10 **SECTION 3.** 59.69 (5) (f) of the statutes is created to read:

11 59.69 (5) (f) The county zoning agency shall maintain a list of persons who
 12 submit a written request to receive notice of any proposed ordinance or amendment
 13 that affects the allowable use of the property owned by the person. If the county
 14 zoning agency completes a draft of a proposed zoning ordinance under par. (a) or if
 15 the agency receives a petition under par. (e) 2., the agency shall send a notice, which
 16 contains a copy of the proposed ordinance or petition, to each person on the list ^{whose property may be affected by the} The ^{proposed}
 17 notice shall be by mail or in any reasonable form that is agreed to by the person and ^{ordinance or} amendment
 18 the agency. The agency may charge each person on the list ^{who receives a notice} a fee ^{for the notice} that
 19 does not exceed the approximate cost of providing the notice to the person. An
 20 ordinance or amendment that is subject to this paragraph may take effect even if the
 21 agency fails to send the notice that is required by this paragraph.

22 **SECTION 4.** 60.61 (4) (b) of the statutes is amended to read:

23 60.61 (4) (b) Before the town board may adopt an ordinance under sub. (2), the
 24 town zoning committee shall recommend zoning district boundaries and appropriate
 25 regulations and restrictions for the districts. In carrying out its duties, the town

BILL

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

15 **SECTION 5.** 60.61 (4) (c) 1. of the statutes is amended to read:

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

BILL

1 any change in an airport affected area, as defined in s. 62.23 (6) (am) 1. b., the board
2 shall mail a copy of such notice to the owner or operator of the airport bordered by
3 the airport affected area.

4 **SECTION 6.** 60.61 (4) (e) of the statutes is created to read:

5 60.61 (4) (c) The town board shall maintain a list of persons who submit a
6 written request to receive notice of any proposed ordinance or amendment that
7 affects the allowable use of the property owned by the person. If the town zoning
8 committee completes a final report on a proposed zoning ordinance and the town
9 board is prepared to vote on the proposed ordinance under par. (b) or if the town board
10 is prepared to vote on a proposed amendment under par. (c) 1., the town board shall
11 send a notice, which contains a copy of the proposed ordinance or amendment, to each
12 person on the list ^{whose property may be affected by the proposed ordinance or} The notice shall be by mail or in any reasonable form that is agreed ^{amendment}
13 to by the person and the town board. The town board may charge each person on the
14 list ^{who receives a notice} a fee ~~for the notice~~ that does not exceed the approximate cost of providing the
15 notice to the person. An ordinance or amendment that is subject to this paragraph
16 may take effect even if the town board fails to send the notice that is required by this
17 paragraph.

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

19 62.23 (7) (d) 1. a. Upon the request of the city council, the city plan commission,
20 the board of public land commissioners, or if the city has neither, the city plan
21 committee of the city council shall prepare and recommend a district plan and
22 regulations for the city. Following the formulation of tentative recommendations a
23 public hearing shall be held by, at the council's option, the council, the plan
24 commission, the board of public land commissioners or the plan committee. At least
25 10 days' prior written notice of any such hearings shall be given to the clerk of any

BILL

1 municipality whose boundaries are within 1,000 feet of any lands included in the
2 proposed plan and regulations but failure to give such notice shall not invalidate
3 such district plan or regulations. Publication of a class 2 notice, under ch. 985, of the
4 tentative recommendations and hearings thereon must be made once during each of
5 the 2 weeks prior to such hearing. If the proposed district plan and regulations have
6 the effect of changing the allowable use of any property within the city, the notice
7 shall include either a map showing the property affected by the plan and regulations
8 or a description of the property affected by the plan and regulations and a statement
9 that a map may be obtained from the city council.

10 **SECTION 8.** 62.23 (7) (d) 1. b. of the statutes is amended to read:

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

23 **SECTION 9.** 62.23 (7) (d) 2. of the statutes is amended to read:

24 62.23 (7) (d) 2. The council may adopt amendments to an existing zoning
25 ordinance after first submitting the proposed amendments to the city plan

BILL

1 commission, board of public land commissioners or plan committee for
2 recommendation and report and after providing the notices as required in subd. 1.
3 b. of the proposed amendments and hearings thereon. In any city which is not located
4 in whole or in part in a county with a population of 500,000 or more, if the proposed
5 amendment amendments would make any change in an airport affected area, as
6 defined in sub. (6) (am) 1. b., the council shall mail a copy of such notice to the owner
7 or operator of the airport bordered by the airport affected area. A hearing shall be
8 held on the proposed amendments by, at the council's option, the council, the plan
9 commission, the board of public land commissioners or the plan committee. If the
10 proposed amendments have the effect of changing the allowable use of any property
11 within the city, the notice shall include either a map showing the property affected
12 by the amendments or a description of the property affected by the amendments and
13 a statement that a map may be obtained from the city council. If the council does not
14 receive recommendations and a report from the plan commission, board of public
15 land commissioners or plan committee within 60 days of submitting the proposed
16 amendments, the council may hold hearings without first receiving the
17 recommendations and report.

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

19 62.23 (7) (d) 4. The city council shall maintain a list of persons who submit a
20 written request to receive notice of any proposed zoning action that may be taken
21 under subd. 1. a. or b. or 2. that affects the allowable use of the person's property.
22 If the plan commission, the board of public land commissioners or city plan
23 committee of the city council completes action on any tentative recommendations
24 that are noticed under subd. 1. a., proposed changes to a proposed district plan and
25 regulations that are submitted under subd. 1. b. or proposed amendments that are

BILL

1 submitted under subd. 2. and the city council is prepared to vote on the tentative
 2 recommendations, proposed changes to a proposed district plan and regulations or
 3 proposed amendments, the city council shall send a notice, which contains a copy of
 4 the tentative recommendations, proposed changes to a proposed district plan and
 5 regulations or proposed amendments, to each person on the list. The notice shall be
 6 by mail or in any reasonable form that is agreed to by the person and the city council.
 7 The city council may charge each person on the list ^{who receives a notice} a fee ~~for the notice~~ that does not
 8 exceed the approximate cost of providing the notice to the person. An ordinance or
 9 amendment that is subject to this subdivision may take effect even if the city council
 10 fails to send the notice that is required by this subdivision.

(END)

*whose property may be affected by the tentative
 recommendations or proposed changes or amendments*