2005 ASSEMBLY BILL 1061

February 27, 2006 – Introduced by Representative ALBERS. Referred to Committee on Property Rights and Land Management.

1   AN ACT *to create* 66.1001 (7) of the statutes; **relating to:** exempting certain

2   cities and villages from the comprehensive planning statute known as Smart

3   Growth.

Analysis by the Legislative Reference Bureau

Under the current law popularly known as the "Smart Growth" statute, if a local governmental unit (city, village, town, county, or regional planning commission) creates a comprehensive plan (a development plan or a master plan) or amends an existing comprehensive plan, the plan must contain certain planning elements. The required planning elements include the following: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; and land use.

Beginning on January 1, 2010, under Smart Growth, certain actions of a local governmental unit that affect land use must be consistent with that local governmental unit's comprehensive plan. The actions to which this requirement applies are official mapping, local subdivision regulation, and zoning ordinances, including zoning of shorelands or wetlands in shorelands. Also beginning on January 1, 2010, under Smart Growth, if a local governmental unit engages in any program or action that affects land use, the comprehensive plan must contain at least all of the required planning elements.

This bill exempts from the Smart Growth statute any city or village that does not border a town.

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. 66.1001 (7) of the statutes is created to read:

2   66.1001 **(7)** INAPPLICABILITY TO CERTAIN LOCAL GOVERNMENTAL UNITS. This section

3   does not apply to any city or village that does not border a town at any point.

4   **(END)**