

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-3121/3	Introduction Number AB-760
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Description
 Changes to the comprehensive planning statutes and authorizing towns to withdraw from county zoning

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs	5. Types of Local Government Units Affected	
<input checked="" type="checkbox"/> Indeterminate	1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input checked="" type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DOA/ Mary Massey (608) 267-2099	Authorized Signature Martha Kerner (608) 266-1359	Date 10/18/2005
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Fiscal Estimate Narratives

DOA 10/19/2005

LRB Number	05-3121/3	Introduction Number	AB-760	Estimate Type	Original
Description Changes to the comprehensive planning statutes and authorizing towns to withdraw from county zoning					

Assumptions Used in Arriving at Fiscal Estimate

This proposal makes several changes to Wisconsin's comprehensive planning and zoning laws. It directs that a single county committee act on matters pertaining to county planning and zoning. It also prescribes that the makeup of that committee must include a majority of county board supervisors who represent rural or unincorporated areas. This bill changes the Comprehensive Planning Law by directing its applicability to only communities with populations of greater than 1,500. It describes the solicitation of landowner and neighboring community input into the planning process. It requires that local governments issue findings on how land use decisions are consistent with their plan and describes the course of action for validating a plan through court action. It further directs that only landowners within the impacted jurisdiction have the standing to contest a local government's action on grounds of its consistency with that community's comprehensive plan.

The bill authorizes the creation of a joint planning body to review zoning actions in areas subject to joint county/town zoning or within cooperative boundary agreements. It specifies that the planning body have six members of which three are appointed by the county and three by the town board. An affirmative decision by the joint planning body constitutes final approval by the county and the town. In this bill, the requirement of county board approval of town zoning ordinances and amendments is removed. It also empowers a town to remove itself from a county plan and zoning ordinances (except shore-land) once certain requirements are met. County board approval is not required. In addition, a town may publish an official map at any time.

Finally the bill addresses the procedures for exercising extraterritorial jurisdiction and plat review.

Local Fiscal Impact:

Local impacts are ultimately inconclusive at this time. This legislation proposes many changes to Wisconsin's comprehensive planning and zoning laws that will have indeterminate impacts on local government costs. Some of the provisions will likely reduce local government costs, in particular the provision that will exempt communities with fewer than 1,500 citizens from the state's comprehensive planning law.

However, several of the other provisions could increase costs for local governments. In particular these provisions place additional requirements on local governments including:

- Issuance of written "findings of consistency" with their comprehensive plan.
- Procedures and requirements for notifying landowners when developing comprehensive plans.
- Requirements during the planning process for notification of neighboring municipalities.
- Authorization of a joint planning body that must be appointed at the request of a zoning applicant to approve or reject requests for a zoning permit or other zoning approvals in areas that are subject to both town and county zoning ordinances and not subject to a cooperative boundary agreement.
- Requirement that at least one member of a county board of adjustment attend each meeting of a town plan commission.

Long-Range Fiscal Implications

Unknown