

State of Wisconsin



2013 Senate Bill 314

Date of enactment: **December 12, 2013**
Date of publication*: **December 13, 2013**

2013 WISCONSIN ACT 74

AN ACT *to create* 66.10015 of the statutes; **relating to:** the effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations.

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

SECTION 1. 66.10015 of the statutes is created to read:
66.10015 Limitation on development regulation authority. (1) **DEFINITIONS.** In this section:

(a) "Approval" means a permit or authorization for building, zoning, driveway, stormwater, or other activity related to land development.

(b) "Existing requirements" means regulations, ordinances, rules, or other properly adopted requirements of a political subdivision that are in effect at the time the application for an approval is submitted to the political subdivision.

(c) "Political subdivision" means a city, village, town, or county.

(d) "Project" means a specific and identifiable land development that occurs on defined and adjacent parcels of land, which includes lands separated by roads, waterways, and easements.

(2) **USE OF EXISTING REQUIREMENTS.** (a) Except as provided under par. (b) or s. 66.0401, if a person has submitted an application for an approval, the political subdivision shall approve, deny, or conditionally approve the application solely based on existing requirements, unless the applicant and the political subdivision agree other-

wise. An application is filed under this section on the date that the political subdivision receives the application.

(b) If a project requires more than one approval or approvals from more than one political subdivision and the applicant identifies the full scope of the project at the time of filing the application for the first approval required for the project, the existing requirements applicable in each political subdivision at the time of filing the application for the first approval required for the project shall be applicable to all subsequent approvals required for the project, unless the applicant and the political subdivision agree otherwise.

(c) An application for an approval shall expire not less than 60 days after filing if all of the following apply:

1. The application does not comply with form and content requirements.

2. Not more than 10 working days after filing, the political subdivision provides the applicant with written notice of the noncompliance. The notice shall specify the nature of the noncompliance and the date on which the application will expire if the noncompliance is not remedied.

3. The applicant fails to remedy the noncompliance before the date provided in the notice.

(d) This section does not prohibit a political subdivision from establishing an expiration date on an approval.

SECTION 2. Initial applicability.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(1) This act first applies to an application for an approval that is filed on the effective date of this subsection.
