



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 74
[2013 Senate Bill 314]

**Local Regulation of Land
Development Projects**

In essence, 2013 Wisconsin Act 74 freezes local regulation relating to land development, as applied to a specific project, at the time that the person proposing the project first applies for a local approval for the project.

The Act specifies that, if a person has submitted an application for an approval, the political subdivision (city, village, town, or county) must approve or deny the application solely on the basis of its regulations, ordinances, and rules in effect at the time that the person submits the application, unless the applicant and the political subdivision agree otherwise. The Act defines “approval” as “a permit or authorization for building, zoning, driveway, stormwater, or other activity related to land development.”

If a project requires more than one approval, or approvals from more than one political subdivision, the regulations that will apply to all approvals are those in effect in all of the jurisdictions at the time the first application is filed, unless the applicant and the political subdivision agree otherwise. For example, if a person files an application for an approval with the town in which the project will be located and later files an application for an approval with the county for the same project, the county approval will be approved or denied based on the county regulations in effect at the time the person filed the application with the town. This provision applies only if the applicant identifies the full scope of the project at the time it files the first application.

Under the Act, an application for an approval expires not less than 60 days after filing if all of the following apply:

- The application does not comply with form and content requirements.
- The political subdivision has, not more than 10 working days after the filing, provided the applicant a written notice of noncompliance. The notice must specify the defects in the application and notify the applicant of the date on which the application will expire if the defects are not remedied.
- The applicant fails to remedy the defects by the specified date.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

Effective date: December 14, 2013. The Act first applies to an application for an approval filed on that date.

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