



## 2003 ASSEMBLY BILL 750

January 14, 2004 – Introduced by Representatives ALBERS, MUSSER, AINSWORTH and J. WOOD, cosponsored by Senators SCHULTZ and A. LASEE. Referred to Committee on Property Rights and Land Management.

1     **AN ACT** *to amend* 66.1001 (3) (intro.); and *to create* 66.1001 (5) of the statutes;  
2             **relating to:** exempting from the Smart Growth law town disapproval of certain  
3             county zoning actions.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a county board may engage in zoning and land use planning by creating a county planning agency or by designating a previously constituted county committee or commission as the county planning agency. If a county board creates or designates such an agency, the agency is required to direct the preparation of a county development plan for the physical development of the towns within the county and for the cities and villages within the county whose governing bodies agree to have their areas included in the county plan.

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, any program or action of a local governmental unit that affects land use must be consistent with that local governmental unit’s comprehensive plan. The actions to which this requirement applies include zoning ordinances, municipal incorporation procedures, annexation

