

Senate Bill 19

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CHAPTER 77, LAWS OF 1967

AN ACT to repeal 59.97 (2) (a); to renumber 59.97 (1), (2) (b) to (e) and (3) (a) to (h), and (4) to (12); and to create 59.97 (1), (2) and (3) of the statutes, relating to county planning and zoning powers.

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

SECTION 1. 59.97 (1), (2) (b) to (e) and (3) (a) to (h), and (4) to (12) of the statutes are renumbered 59.97 (4), (5) (a) to (L), and (6) to (14), respectively.

SECTION 2. 59.97 (1), (2) and (3) of the statutes are created to read:

59.97 PLANNING AND ZONING AUTHORITY. (1) PURPOSE. It is the purpose of this section to promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base; to permit the careful planning and efficient maintenance of highway systems; to insure adequate highway, utility, health, educational and recreational facilities; to recognize the needs of agriculture, forestry, industry and business in future growth; to encourage uses of land and other natural resources which are in accordance with their character and adaptability; to preserve wetlands; to conserve soil, water and forest resources; to protect the beauty and amenities of landscape and man-made developments; to provide healthy surroundings for family life; and to promote the efficient and economical use of public funds. To accomplish this purpose the county board of any county, except such counties that are included in a regional planning area under a regional planning program adopted pursuant to s. 66.945, may plan for the physical development and zoning of territory within the county as set forth in this section and shall incorporate therein the master plan adopted pursuant to s. 62.23 (2) or (3) and the official map adopted pursuant to s. 62.23 (6) of any city or village therein.

(2) PLANNING AND ZONING COMMITTEE. (a) The county board of any county, except counties, or parts thereof, included in a regional planning program organized pursuant to s. 66.945, may create a planning and zoning committee or designate any previously established committee to act in all matters pertaining to county planning and zoning. If a special committee is created it shall consist of the county highway commissioner; the county park commissioner, if any; 3 members selected by the county board from its membership; and 2 citizen members, who shall reside and own real property in the county, selected by the county board. The members of the committee shall be appointed for terms of 2 years. The county board may add, by ordinance, no more than 2 citizen members to such committee. Unless otherwise provided by ordinance, county zoning agencies in existence at the time this section become effective (1967) shall be designated the planning and zoning committee of the county with all the powers and duties herein specified.

(b) From its members, the committee shall elect a chairman whose term shall be for 2 years, and the committee may create and fill such other offices as it determines.

(c) Subject to change by the county board the committee may adopt such rules and regulations governing its procedure as it considers necessary or advisable. The committee shall keep a record of its planning and zoning studies, its resolutions, transactions, findings and determinations.

(d) The county may accept, review and expend funds, grants and services and may contract with respect thereto and may provide such information and reports as may be necessary to secure such financial aid and services, and within such funds as may be made available, the committee may employ, or contract for the services of, such professional planning technicians and staff as are deemed necessary for the discharge of the duties and responsibilities of the committee.

(e) Wherever a public hearing is specified under this section, the hearing shall be conducted by the committee in the county courthouse or in such other appropriate place as may be selected by the committee. The committee shall give notice of such public hearing by publication in the county as a class 3 notice, under ch. 985.

(f) Whenever a county development plan, part thereof or amendment thereto, or a zoning ordinance or amendment thereto is adopted by the county board, a duplicate copy shall be certified by the county clerk and sent to the clerks of the cities, towns or villages affected thereby.

(3) THE COUNTY DEVELOPMENT PLAN. (a) The committee shall direct the preparation of a county development plan or parts thereof for the physical development of the unincorporated territory within the county and areas within incorporated jurisdictions whose governing bodies by resolution agree to having their areas included in the county's development plan. Such plan may be adopted in whole or in part and may be amended by the county board and indorsed by the governing bodies of any incorporated jurisdictions included in the plan. The county development plan, in whole or in part, in its original form or as amended, is hereafter referred to as the development plan.

(b) The development plan may include without limitation because of enumeration:

1. Comprehensive surveys, studies and analyses of the history, existing land use, population and population density, economy, soil characteristics, forest cover, wetland and flood plain conditions and other human and natural features of the county and shall include the master plan, if any, of any city or village, which was adopted pursuant to s. 62.23 (2) or (3) and the official map, if any, of such city or village which was adopted pursuant to s. 62.23 (6) in such county, without change.

2. Based on such comprehensive surveys, studies and analyses, the plan may identify goals and objectives for the future physical development of the county with respect to: public and private use of land and other natural resources; highways including bridges, viaducts, parkways and other public ways; parks, playground, hunting and fishing grounds, forests and other facilities of a recreational nature; public buildings and institutions including schools; sanitary and storm sewers, drainage and measures for disposal of refuse and waste; reducing and preventing stream and lake pollution; flood control; public and private utilities including water, light, heat, transportation, pipelines and other services; industrial and commercial sites; and other factors which will improve the physical and economic situation of the county.

(c) The development plan may be in the form of descriptive material, reports, charts, diagrams or maps. Each element of the development

plan shall describe its relationship to other elements and to statements of goals, objectives, principles, policies or standards.

(d) The committee shall hold a public hearing on the development plan before approving it. After approval of the plan the committee shall submit the plan to the county board for its approval and adoption. The plan shall be adopted by resolution and when adopted it shall be certified as provided in sub. (2) (f). The development plan shall serve as a guide for public and private actions and decisions to assure the development of public and private property in appropriate relationships.

(e) A master plan adopted under s. 62.23 (2) and (3) and an official map established under s. 62.23 (6) shall control in unincorporated territory in a county affected thereby, whether or not such action occurs prior to the adoption of a development plan.

SECTION 3. 59.97 (2) (a) of the statutes is repealed.

SECTION 4. Whenever the references in column "B" appear in the sections in column "A", substitute the references in column "C". The sections in column "A" are as renumbered by SECTION 1 of this act.

"A" Section	"B" Old reference	"C" New reference
59.97 (5) (d)	"pars. (a), (b), (c) and (d)"	"this section"
59.97 (5) (L)	"s. 59.97 (4a)"	"sub. (6a)"
59.97 (5) (L)	"pars. (b) to (g)"	"pars. (f) to (k)"
59.97 (6)	"subs. 2 (b) and 3 (d)"	"subs. 5 (a) and (h)"
59.97 (8)	"subsections (2) and (3)"	"sub. (5)"
66.021 (7) (a)	"59.97 (4a)"	"59.97 (6a)"
75.69 (2)	"59.97 (5)"	"59.97 (7)"
114.135	"59.97 (1)"	"59.97 (4)"

Approved July 17, 1967.