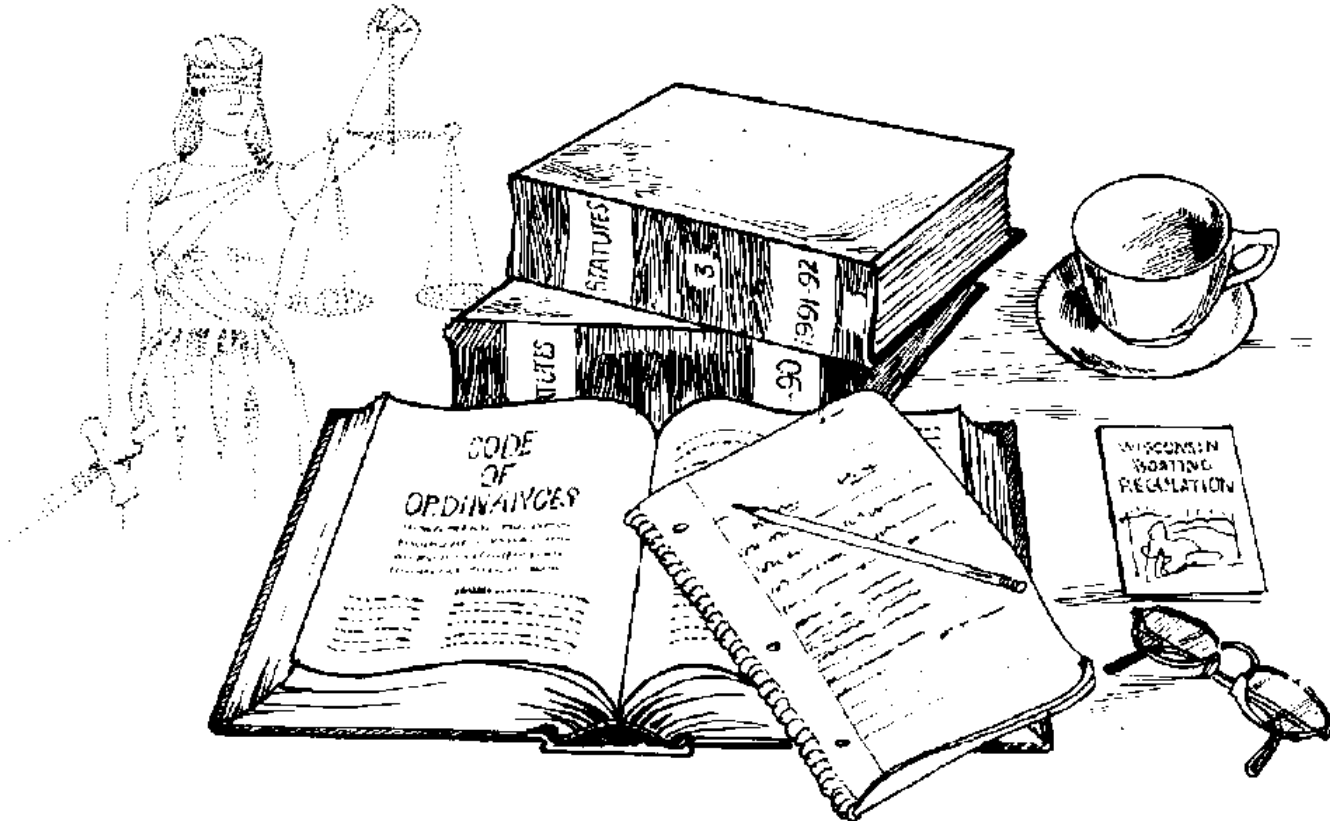


Plan Commission Workshop



Rebecca Roberts
Center for Land Use Education
rroberts@uwsp.edu



Center for Land Use Education
College of Natural Resources
University of Wisconsin-Stevens Point



Extension
UNIVERSITY OF WISCONSIN-MADISON



What is your role? Unit of government?

- Elected Official
- Plan Commission / Zoning Committee
- Zoning Board of Adjustment / Appeals
- Planning and Zoning Staff
- Clerk, Administrator, Other



Key Takeaways

- Three primary tools – comprehensive plan, zoning ordinance, subdivision ordinance
- Standards for rezones, conditional uses, plats
- Roles and responsibilities

Three Most Common Land Use Tools



Comprehensive Plan describes the future vision of the community and how to achieve that vision.



Subdivision Ordinance regulates the division of land, street and lot layout, and public improvements.



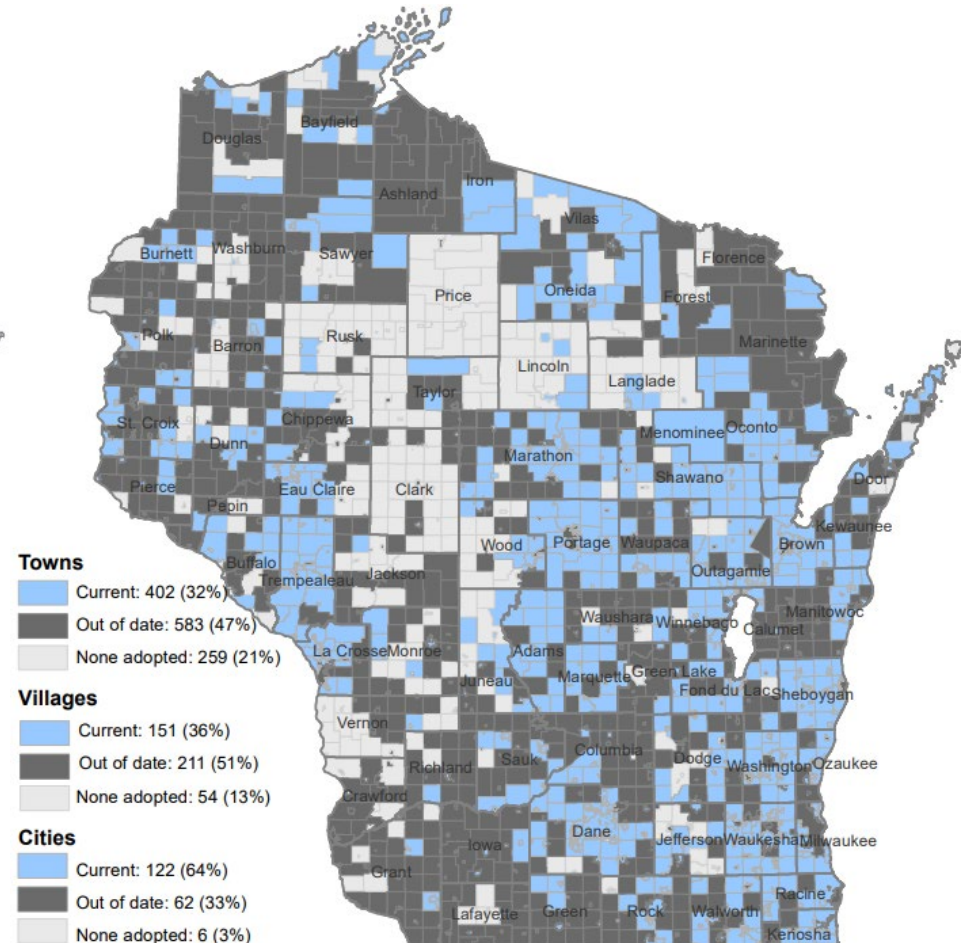
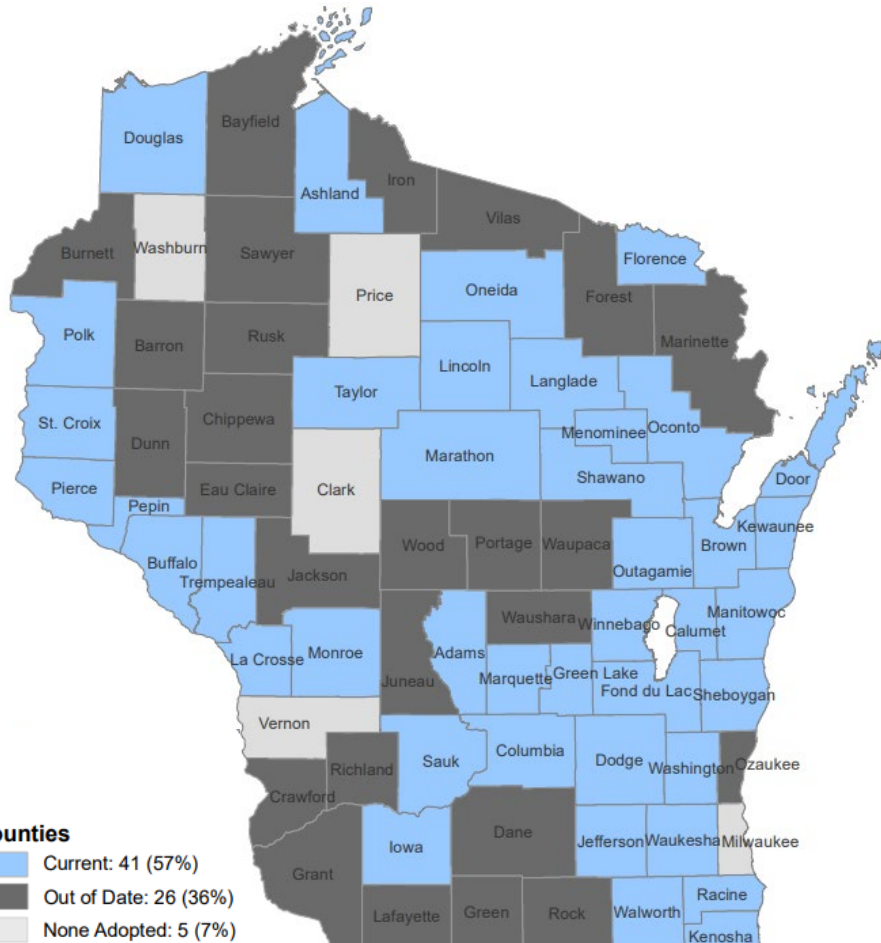
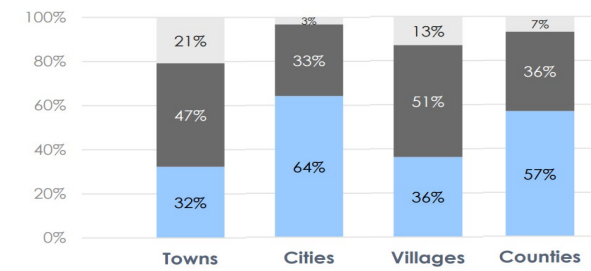
Zoning Ordinance regulates land use, density, and dimensions of lots and structures.

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Comprehensive Plan

Comprehensive Plan Currency

■ Current ■ Out of date ■ No comprehensive plan





When we plan, we're deciding how we want our community to look, function, and feel. We create a comprehensive plan, but this is not just the title of a document, it's the description of a process, too.

– Village of Little Chute

Comprehensive Plan (Wis Stat. 66.1001)

- Statement of community's long-term vision
- Guide to physical, social, and economic development
- Includes goals, objectives, policies, data and maps
- Programs and actions to implement plan



Nine Required Elements



Issues & Opportunities



Housing



Transportation



Utilities & Community Facilities



Agricultural, Natural & Cultural Resources



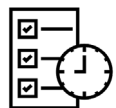
Economic Development



Intergovernmental Cooperation



Land Use



Implementation

Add Elements

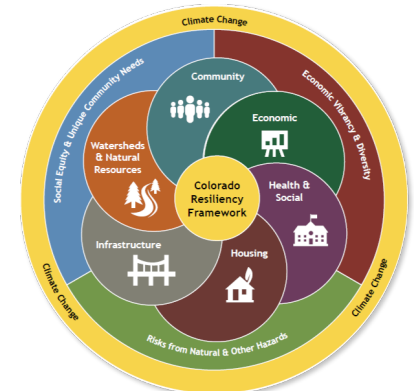
Health Element



Rename / Reframe



Overarching Themes



Wisconsin's Comprehensive Planning Law provides structure for the plan and process:



- Written public participation procedures
- Distribute for review and comment
- Class 1 notice 30 days prior to public hearing
- Plan commission recommends plan by resolution
- Governing body adopts plan by ordinance
- File with DOA, RPC, local governments, library
- Update at least once every 10 years

Consistency Requirement

- New or amended zoning, land division, and official mapping ordinances must be consistent with an adopted comprehensive plan
- Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan”



CHANGES
COMING!

2025 Wis Act 173

(Wis Stat. 66.1001)

Guiding Document



Comprehensive Plan

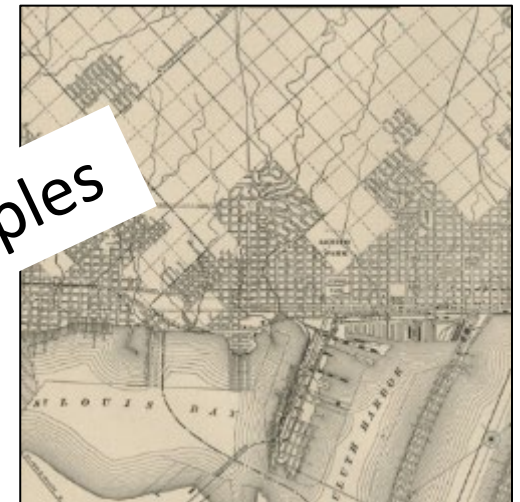
Regulatory Tools to Implement the Plan



Zoning Ordinance

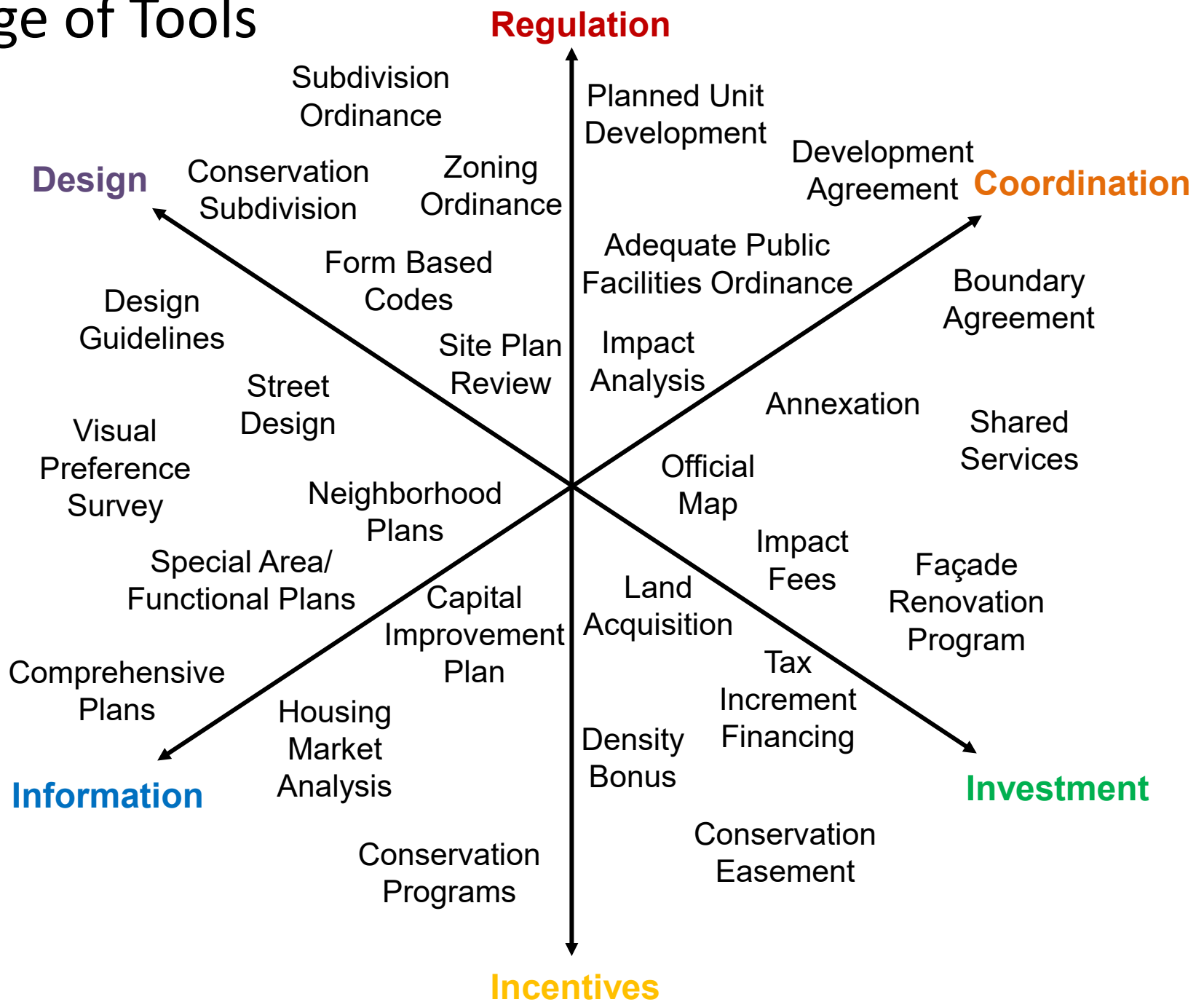


Subdivision Ordinance



Official Map

Range of Tools



New requirements for comprehensive plans

See 2025 Wis Act 173 – effective January 1, 2028

Content - residential net density

New for cities and villages

- Identify areas projected for residential development over next 20 years in 5-year increments
- Include minimum and maximum net density of residences authorized for each area and increment in plan and ordinances (units/acre)

SECTION 5. 66.1001 (2) (h) 4. of the statutes is created to read:

66.1001 (2) (h) 4. For 20 years, in 5-year increments, identify the areas in which residential land use is projected and, for each of these areas and increments, specify the minimum and maximum net density of residences, expressed in residential units per acre, that will be authorized. This subdivision does not apply to a town or county.

2025 Wis Act 173 – effective January 1, 2028

Update Triggers

New for cities and villages

- Local government must ensure comprehensive plan and ordinances contain residential net density required under [Wis Stat 66.1001\(2\)\(h\)4](#) when these occur:
 - Updates to zoning, shoreland zoning, subdivision, or official mapping ordinances
 - Add land by annexation or consolidation for residential use

Update Triggers

New for cities and villages

- Local government must update comprehensive plan to include residential net density within 180 days of receiving application for residential housing development
 - Applies to **zoning changes** and other **administrative approvals**
 - Procedures for adopting plans do not apply
 - Wis Stat 66.1001(4) requires written public participation procedures, class 1 notice, public hearing, plan commission resolution, governing body ordinance

Consistency – updated

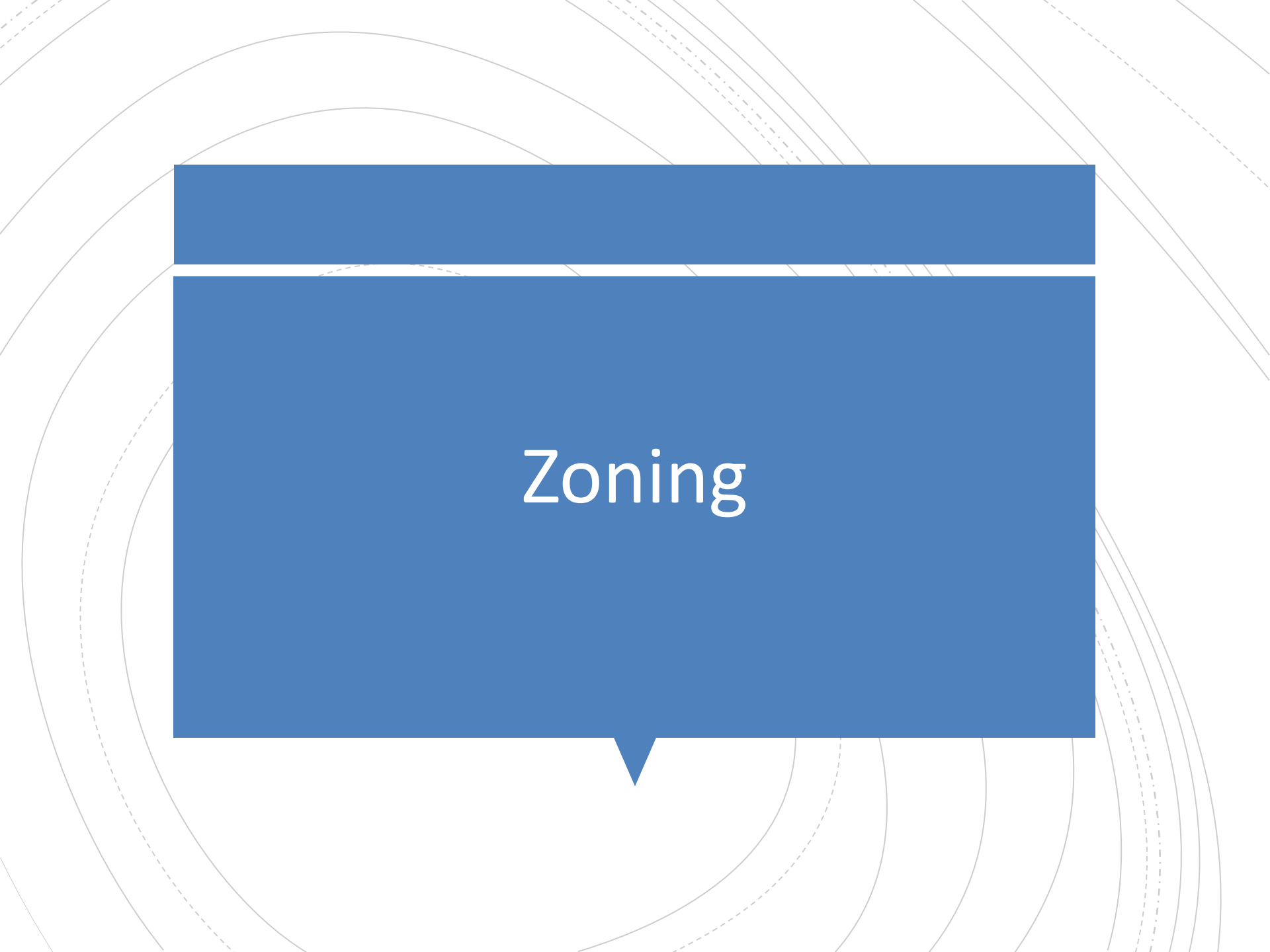
Updated for cities and villages

- In determining consistency, only the future land use map and corresponding land use category descriptions may be used
- Ordinances are consistent if the land use is expressly identified on the future land use map in the comprehensive plan
- Ordinances may also permit additional land uses beyond those identified in the plan

Takeaways

For cities and villages

- Review future land use map and corresponding land use category descriptions – this is the basis for consistency
- Update plan to include residential projections, future areas for residential growth, and min/max density allowed in each area
- Most requests for residential development will be granted if consistent with plan

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Zoning

Why do we have zoning?



Zoning is one tool to achieve community goals such as:

- Public health, safety, and welfare
- Natural resource protection
- Community character and aesthetics
- Protection of public and private investments

General Zoning by Municipality

Counties

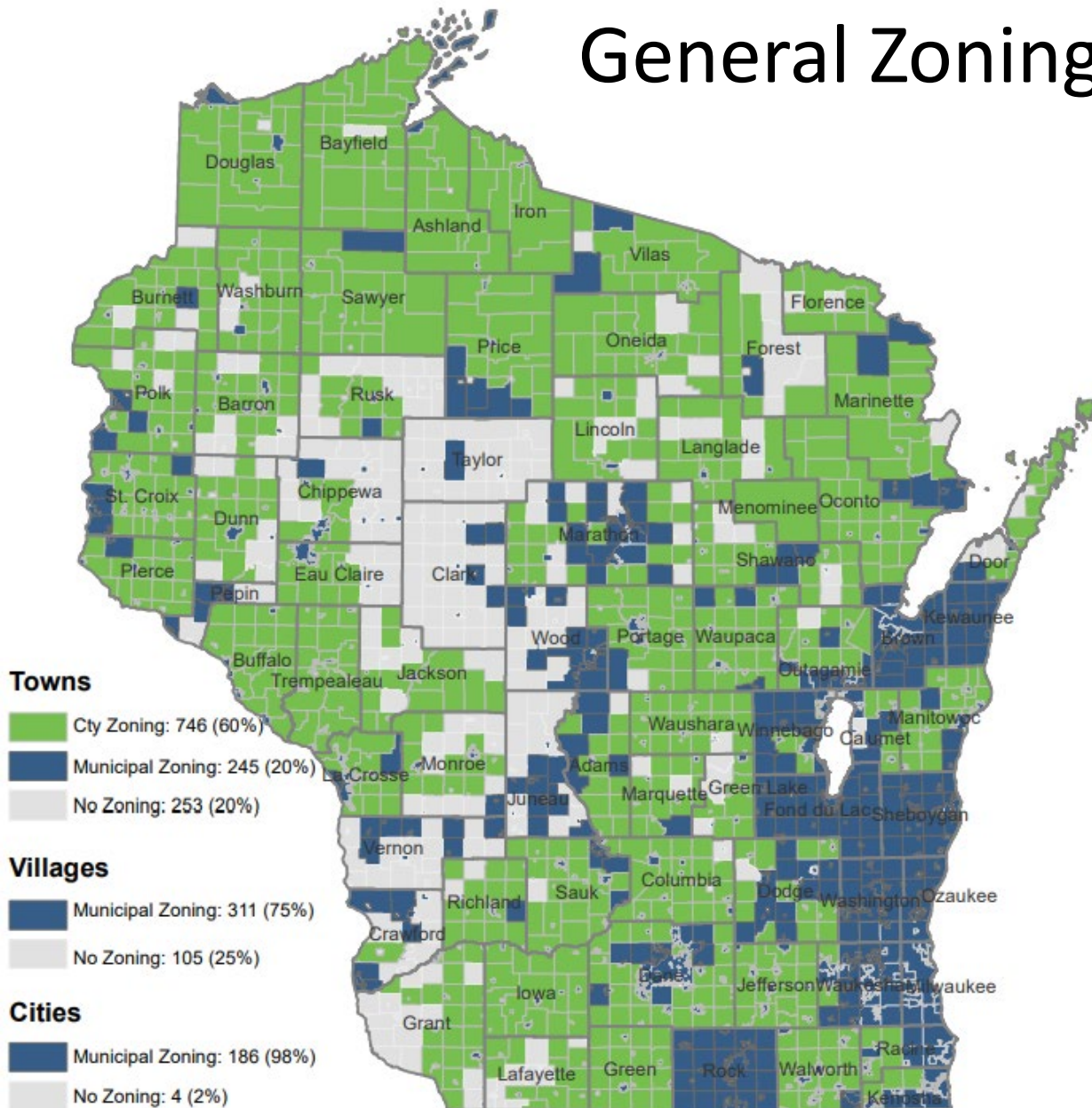
- May adopt general zoning in unincorporated areas with town approval
- Required to administer shoreland, wetland and floodplain zoning

Towns

- May adopt general zoning if no county zoning, or with county approval following adoption of village powers

Cities and Villages

- May adopt general zoning
- May adopt extra-territorial zoning up to 1½-3 miles
- May have shoreland or floodplain zoning (required in some circumstances)



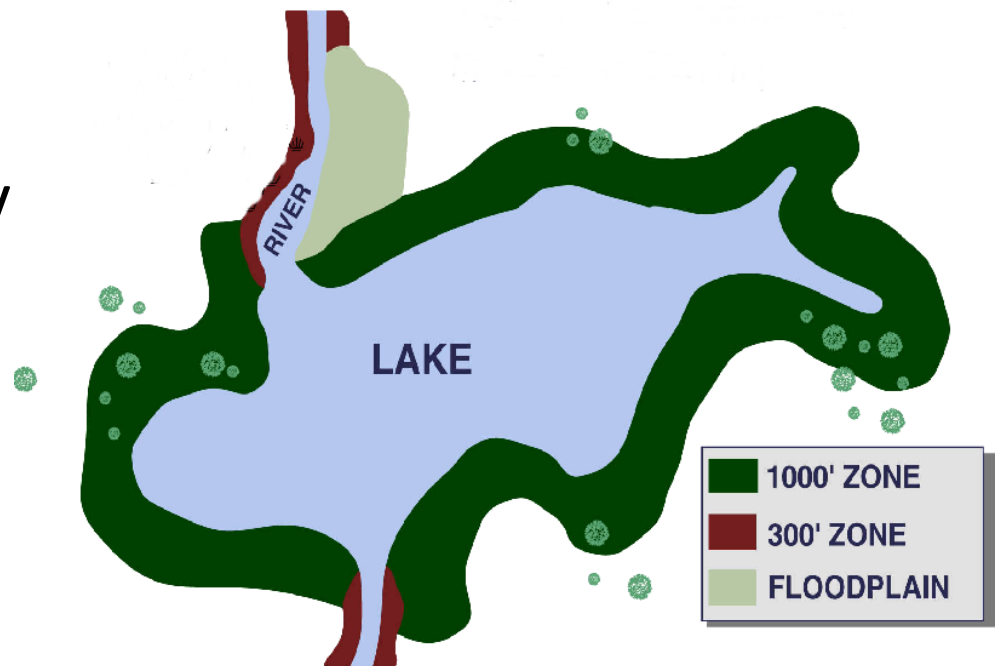
Cities, villages, and towns adopt general zoning ordinances under s. 62.23(7), 60.61 or 60.62. Counties and towns adopt county general zoning under s. 59.69. Those seeking the most current data may consult the [Comp Plan and Land Regs Inventory](#) spreadsheet, which continues to be updated. They may also visit the local government website or contact the clerk for information on its comp plan and land regulations. Please email comp.planning@wisconsin.gov with any corrections.

Special Types of Zoning

- Shoreland zoning
- Floodplain zoning
- Wellhead protection
- Bluff or steep slopes
- Farmland preservation
- Historic district overlay
- Airport protection
- Extraterritorial zoning

Standards may be created to protect specific resources. Rules from a “base” zoning district often apply together with rules from an “overlay” district.

Ex. Shoreland, Wetland, Floodplain Zoning



Ex. Extraterritorial Zoning

Extraterritorial Zoning:

Joint exercise of zoning between municipality and participating towns

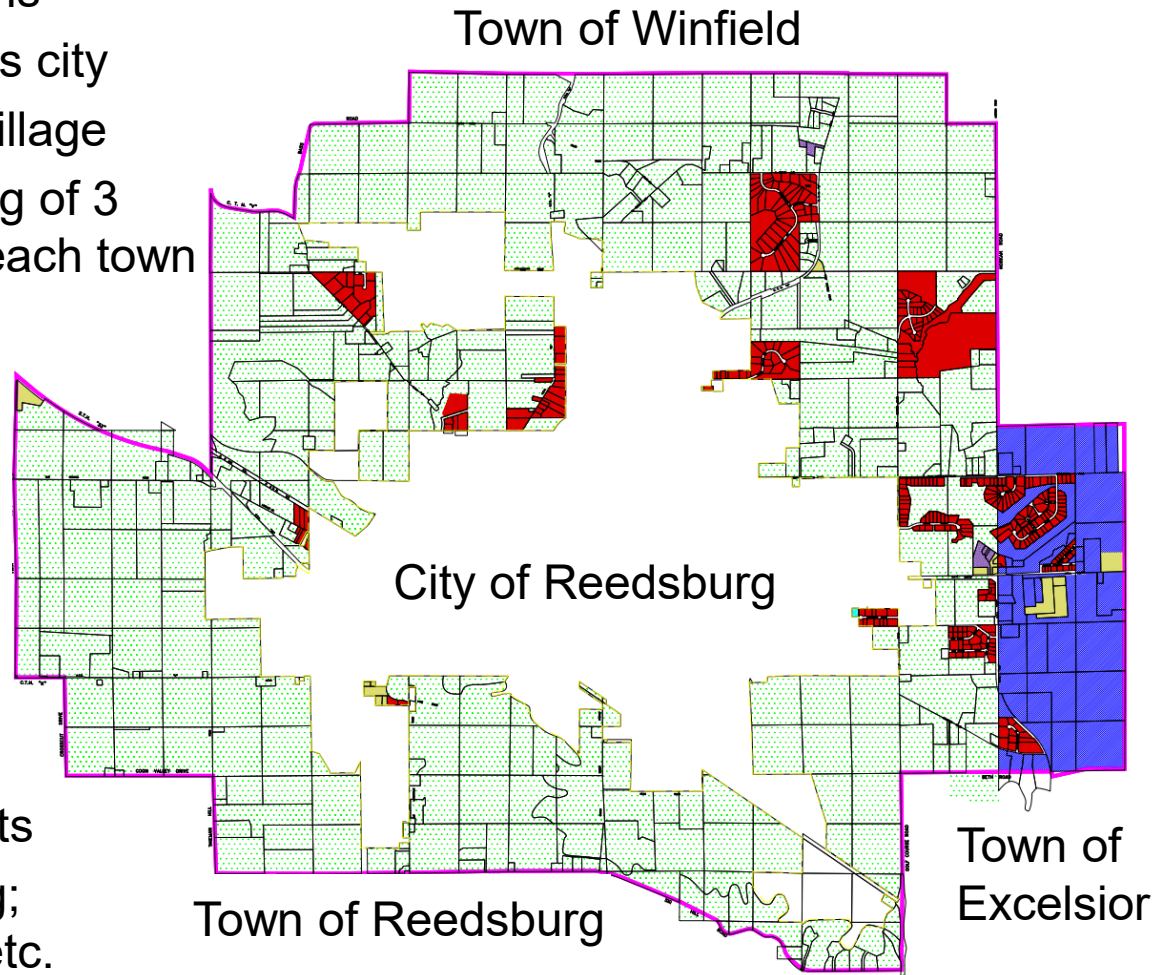
- 3 miles from 1st, 2nd, 3rd class city
- 1.5 miles from 4th class city, village
- Joint ETZ committee consisting of 3 municipal members + 3 from each town

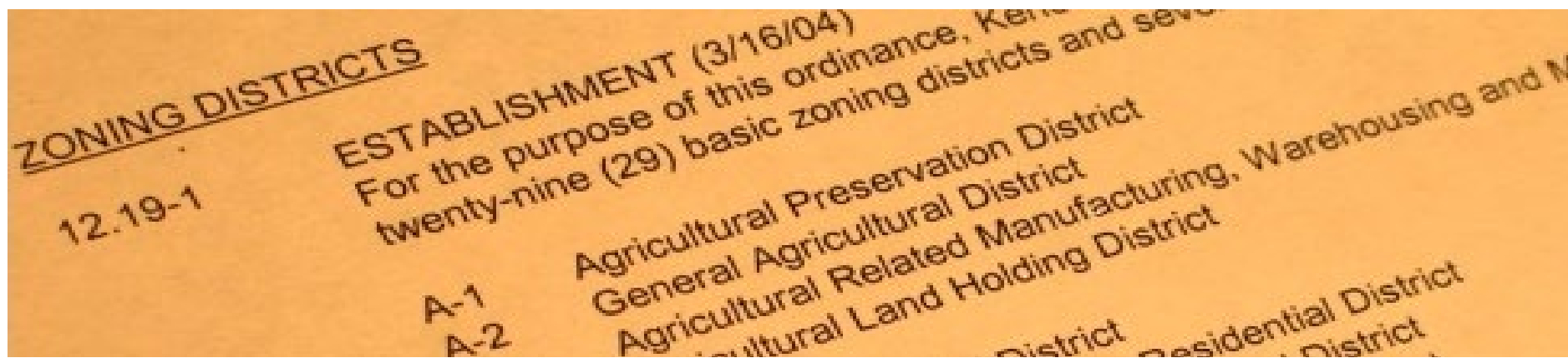
Permitting in ETJ:

City of Reedsburg – Zoning

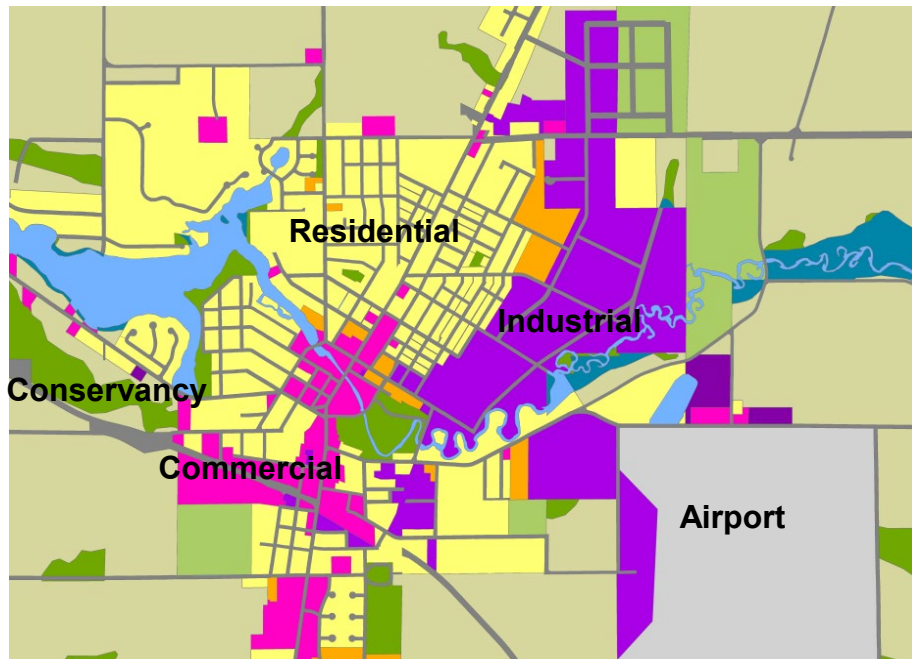
Individual Towns – Building Permits

Sauk County – Septic; Addressing;
Shoreland, Wetland, Floodplain, etc.

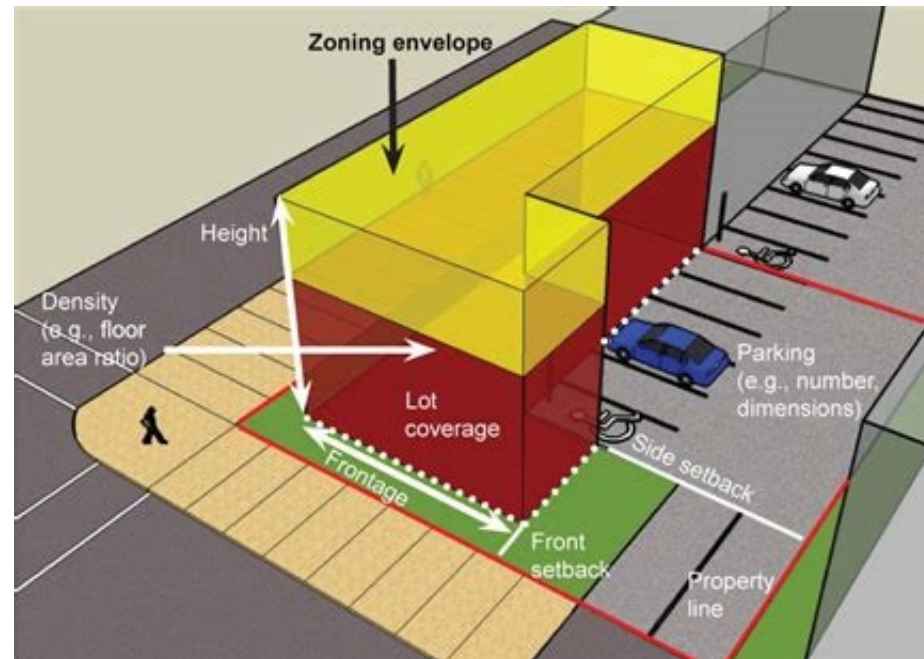




Map – Divides the community into zoning districts

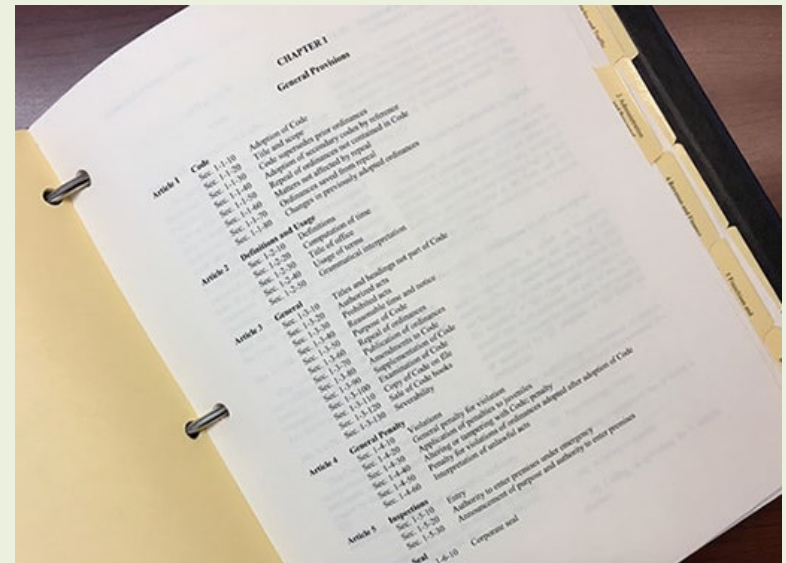


Text – Describes regulations that apply community wide or within each district



Basic Elements of Zoning

- Purpose statements
- Zoning districts
- Allowed uses
- Dimensional standards
- Development standards
- Administrative procedures



Section 1.1 Section Heading

A. Subsection Heading

1. Paragraph heading.

a. Subparagraph heading.

(1) Clause.



Purpose Statements

- Purpose statements provide justification for regulations
- Help elected and appointed officials, zoning staff, and courts interpret and apply regulations
- Statements may be found in several locations throughout ordinance

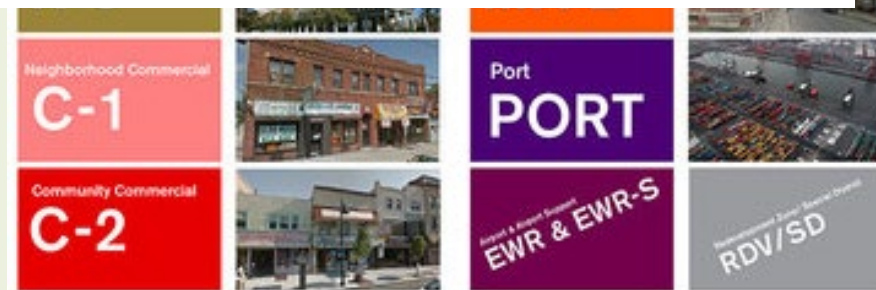
LEGAL BASIS:
PROTECT HEALTH, SAFETY,
WELFARE OF CITIZENS



Zoning Districts



A standard set of general zoning districts does not exist. Communities may use similar nomenclature but set their own uses and standards.



Residential

R-1	One Family
R-2	1-2 Family
R-3	1-3 Family/Townhouse
R-4	Multifamily Low-Rise
R-5	Multifamily Mid-Rise
R-6	Multifamily High-Rise

Commercial

C-1	Neighborhood
C-2	Community
C-3	Regional

Industrial

I-1	Light
I-2	Medium
I-3	Heavy

Mixed-Use

MX-1	Low-Density RES/COMM
MX-2	Med-Density Res/Comm/Ind
MX-3	High-Density Res/Comm/Ind

Other

INST	Institution
PARK	Parks/Open Space
CEM	Cemetery
EWR/-S	Aiport/Airport Support
PORT	Port Industrial
RDV	Redevelopment Zone



Allowed Uses

Many communities moving from prescriptive list of uses to use-based classification system

Town Center, Permitted Uses

- adult day-care homes
- bakery
- barber shop or salon
- bed and breakfast inn
- bicycle shop
- bookstore
- candy, pastry, ice cream, or snack shop
- child day-care homes
- copy center
- delicatessen
- financial institution
- florist
- fruit and vegetable market
- general office
- gift shop
- hardware/garden supply store
- health and fitness facility
- hotel/motel
- instructional services
- laundry and dry cleaning
- medical clinic
- neighborhood retail establishments
- multi-family dwelling units
- pharmacy
- place of worship
- plant nurseries, sales & greenhouses
- police, fire or rescue station
- post office
- printing and publishing
- restaurants
- retail sales
- single-family, attached dwelling unit
- single-family, detached dwelling unit
- theaters
- video rental store

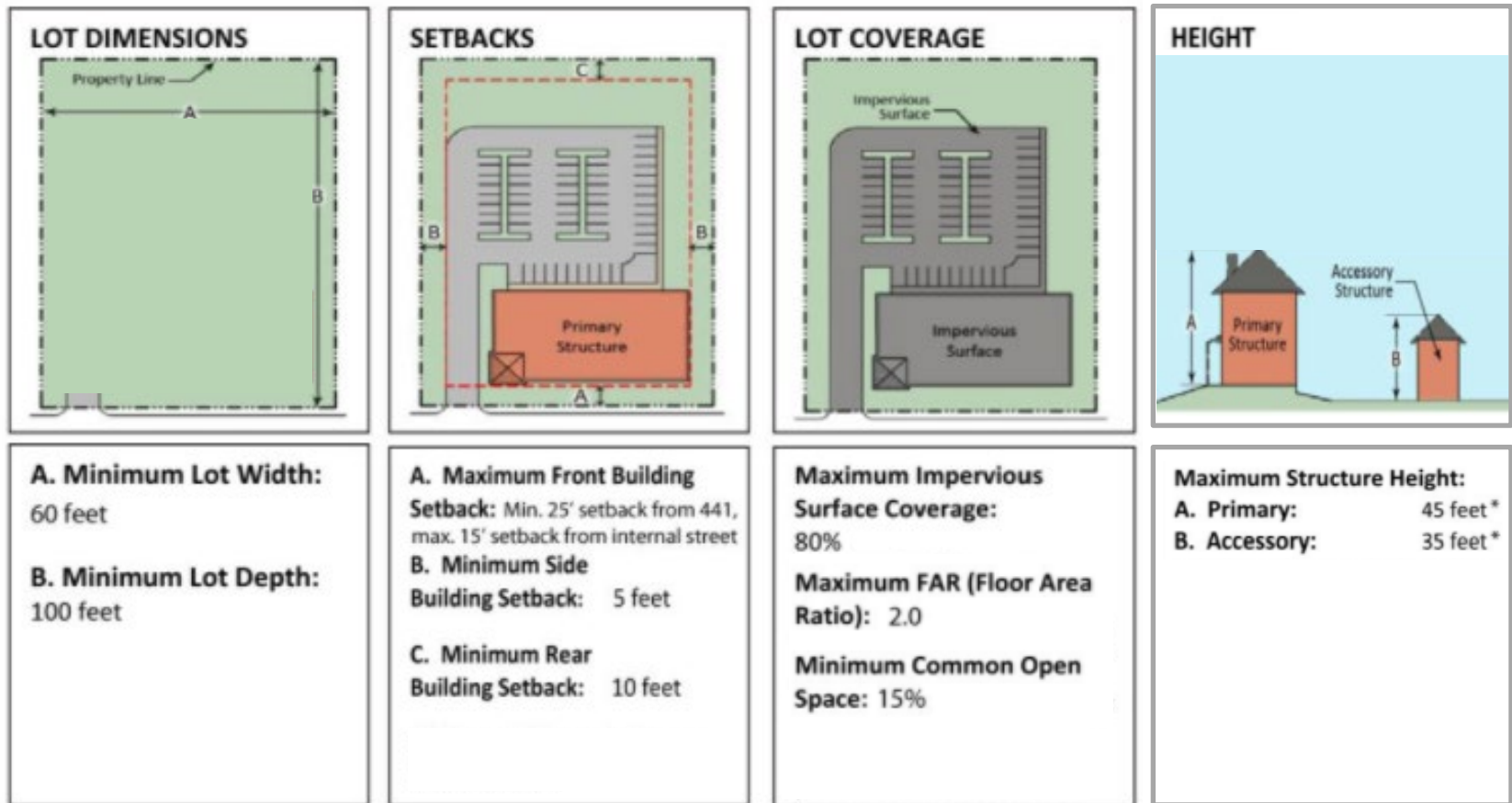
Town Center, Conditional Uses

- automobile service station
- car wash
- motor vehicle repair
- retail gasoline sales
- veterinary



Dimensional Standards

Dimensional Standards





Development Standards

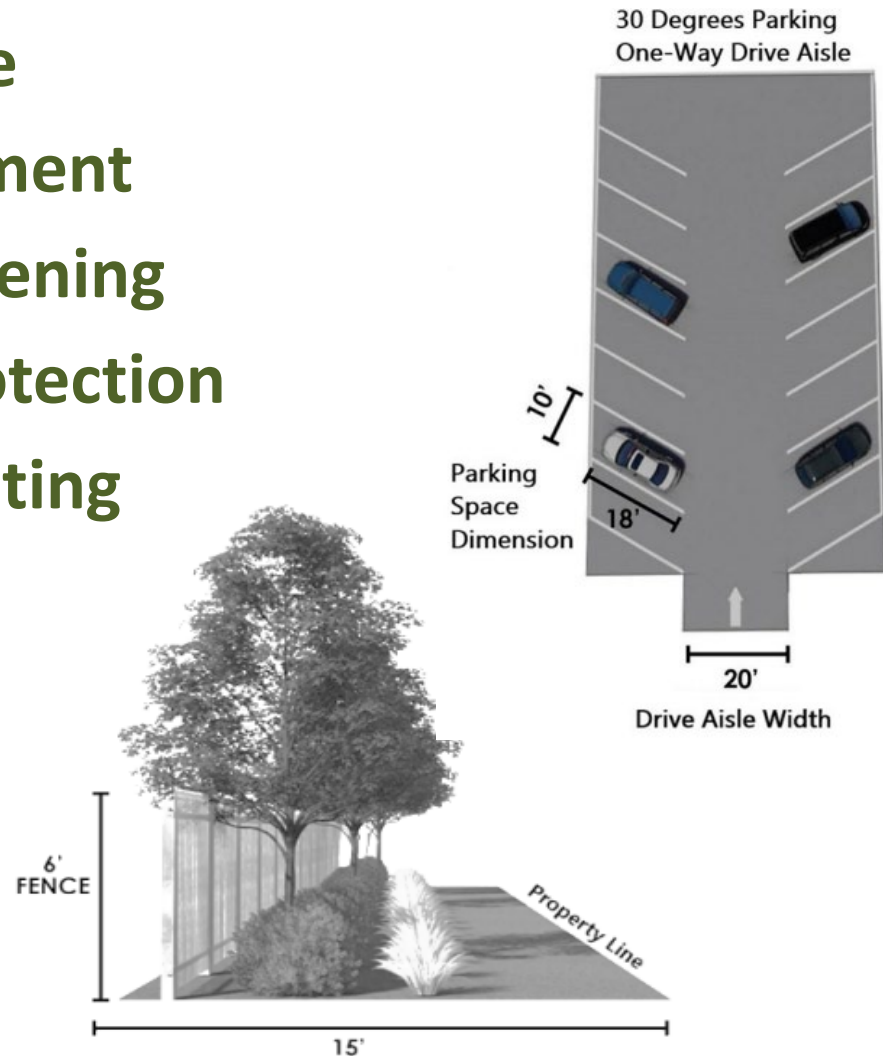
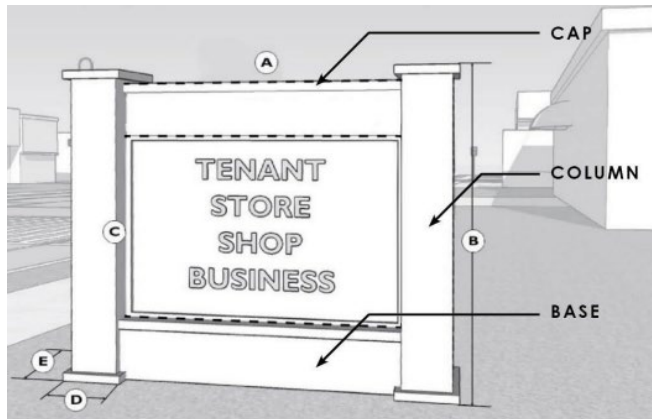
Parks and Open Space

Stormwater Management

Buffers, Fencing, Screening

Landscaping, Tree Protection

Parking, Signage, Lighting





Administrative Procedures

Division IV: Administration and Permits

Chapter 17.30 Planning Authorities Division IV, Page 1

17.30.010 PurposeDivision IV, Page 1

17.30.020 City CouncilDivision IV, Page 1

17.30.030 Planning Commission.....Division IV, Page 1

17.30.040 Community Development Director.....Division IV, Page 2

17.30.050 Zoning AdministratorDivision IV, Page 3

17.30.060 Summary of Review Authorities for Decisions and Appeals.....Division IV, Page 4

Chapter 17.31 Common Procedures Division IV, Page 5

17.31.010 PurposeDivision IV, Page 5

17.31.020 Application Forms and Fees.....Division IV, Page 5

17.31.030 Pre-Application ReviewDivision IV, Page 6

17.31.040 Review of Applications.....Division IV, Page 6

17.31.050 Environmental ReviewDivision IV, Page 7

17.31.060 Public NoticeDivision IV, Page 7

17.31.070 Conduct of Public Hearings.....Division IV, Page 8

17.31.080 Timing and Notice of Action and Findings RequiredDivision IV, Page 9

Figure 90-550-1
Conditional Uses



Common Zoning Decisions

1. **Permitted Use** – use that is listed and allowed by-right within a given zoning district
2. **Conditional Use** – use that is listed and may be allowed, subject to local ordinance requirements and conditions
3. **Rezone or Zoning Amendment** – change to zoning ordinance map or text
4. **Variance** – relaxation of an ordinance standard that may be allowed by zoning board when state standards are met
5. **Administrative Appeal** – contested decision or interpretation of zoning ordinance

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Conditional Uses (Special Exceptions)

Uses for each district:

Permitted Use

Use is listed and allowed by right in all parts of the zoning district

Granted by zoning administrator

Conditional Use

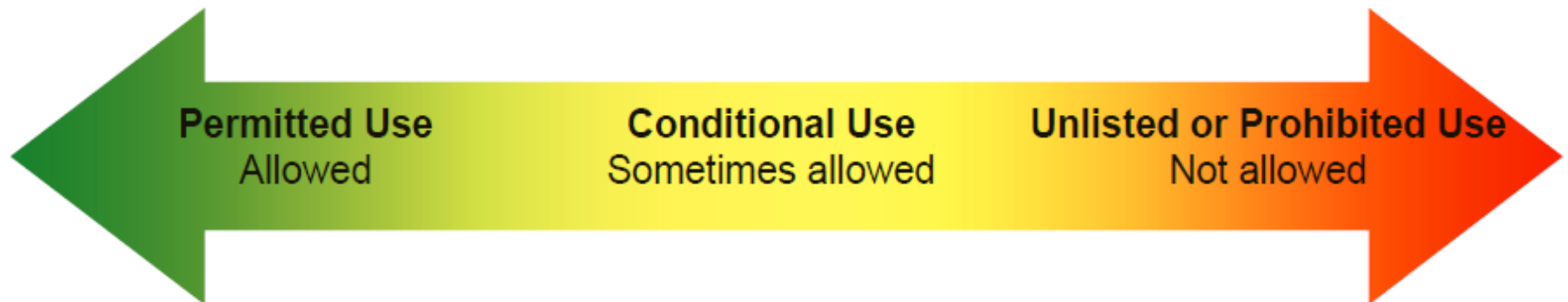
Use is listed for the district and may be allowed if suited to the location

Decided by zoning board, plan commission, or governing body

Prohibited Use

Use is not listed for the district or is expressly prohibited

May apply for rezone or use variance, if allowed



Ex. Residential District

Permitted Uses



Conditional Uses



Prohibited Uses



Sample Use Table

P Permitted **C** Conditional **-** Prohibited

Zoning District	A1 Intense Agriculture	A2 Light Agriculture	RR Rural Residential	R1 Single Family	R2 Multi Family	C1 Commercial
Livestock facility	P	C	-	-	-	-
Residential poultry and beekeeping	P	P	P	C	C	-
Agricultural tourism	C	C	C	-	-	C
Agriculture-related business	P	P	C	-	-	C
Roadside stand	P	P	P	-	-	C

Which types of conditional uses are most controversial in your community?



Gravel pits or quarries



Frac sand operations



Large livestock farms



Solar or wind farms



Shooting ranges



Campgrounds



Other

Conditional Uses

New Rules:
2017 Wis
Act 67

Definition

Conditional Use means a use allowed under a conditional use permit, special exception, or other special zoning permission, but does not include a variance

See Wis. Stat. 59.69(5e), 60.61(4e), 60.62(4e), and 62.23(7)(de)



Conditional Uses

Process

Class 2 notice, public hearing

Decision by zoning board → appeal to circuit court

Ordinance may specify alternate route, typically:

plan commission → appeal to zoning board

governing body → appeal to circuit court

(See Wis. Stat. 59.69(2)(bm), 59.694(1), 62.23(7)(e)1)

Which body has final authority to decide conditional uses in your community?



Plan commission or zoning committee



Governing body



Zoning board

Conditional Uses

- Ordinance must list specific uses allowed in each district and measurable criteria for judging application
- Local government may attach reasonable conditions related to ordinance purpose
- Conditions may also limit permit duration, transfer, or renewal
- Local government and applicant must provide “substantial evidence” (facts and information, not just personal preferences)
- Local government must grant conditional use if applicant meets or agrees to meet all ordinance requirements and conditions
- May revoke permit for failure to meet standards or conditions

Common Ordinance Standards

No harm to public health or safety

Compatible with surrounding uses

Site access and traffic safety

Consistent with comprehensive plan

Adequate utilities and public facilities

Drainage and stormwater management

No harm to environment

Neighborhood character

Property values

Aesthetics

Recent unpublished court cases have supported these factors, but I would use with caution!

Review standards to make sure they are reasonable and measurable

Consider adding specific standards for commonly granted uses

Specific Standards

Consider adding specific standards for commonly granted uses

Ex. Sawyer County Zoning Ordinance

- Kennel allowed by conditional use in RR-2, A-1 and A-2 zoning districts

6.8 KENNEL FOR SMALL DOMESTIC ANIMALS

A kennel for small domestic animals shall meet the following minimum requirements:

6.81 Lot size - five (5) acres.

6.82 Lot width - 200 feet.

6.83 Side yard setback - 50 feet.

6.84 Back yard setback - 50 feet.

6.85 Front yard setback-Section 4.21 Setback Requirements on Highways and Roads.

6.86 Sanitary facilities provided for under Section 2 of the Sawyer County Private Sewage System Ordinance.

6.87 Perimeter fencing. Minimum height of five (5) feet with minimum depth underground of twelve (12) inches; minimum fence gauge of eleven (11).

6.88 Living quarters on same premises as kennel; occupancy restricted to property owner-operator.

6.89 Subject to the provisions of Chapter 174 of the Wisconsin Statutes.

Types of Decisions



Legislative

Exercise broad discretion in making policy.

Example:

- Plans
- Ordinances
- Amendments
- Rezones

Responsibility of governing body, with recommendation of plan commission.



Quasi-Judicial

Exercise limited discretion in evaluating proposals and applying policy.

Example:

- Conditional Use
- Variance
- Administrative Appeal

Assigned to governing body, plan commission, or zoning board.



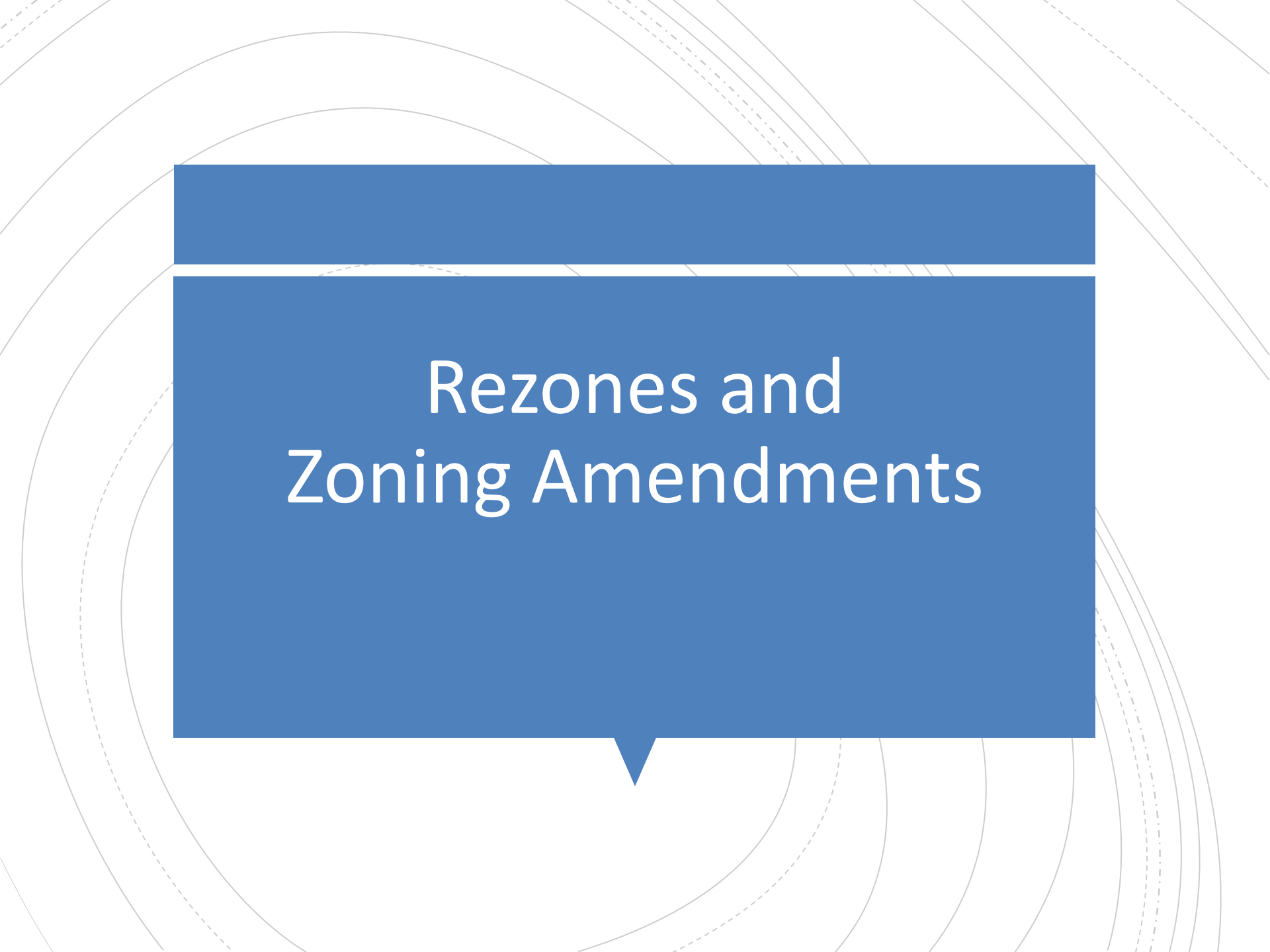
Administrative

Apply clear and objective standards while handling routine ministerial duties.

Example:

- Permitted Use

Handled by the zoning administrator or staff.

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Rezones and Zoning Amendments

Zoning Amendments

Text amendment – change to district regulations (i.e. allowed uses, setback, etc.)

Map amendment – change to district boundaries (often called a “rezone”)

Legislative decision

- Must be reasonable and constitutional
- Consistent with comprehensive plan
- Rezone standards may be listed in zoning ordinance

Sample Rezoning Standards

- ✓ The amendment is consistent with the comprehensive plan.
- ✓ The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.
- ✓ The amendment will not have a significant adverse impact on the ability to provide adequate public facilities or services
- ✓ The amendment will not have a significant adverse impact on the natural environment (i.e. air, water, noise, stormwater management, soils, wildlife, vegetation, etc.)
or the impact could be mitigated by improvements on the site or in the immediate vicinity.

Rezone Process

Petition for ordinance amendment

Notice of public hearing & notice to affected towns

Towns under county zoning:

Recommended:

Towns provide recommendation to county prior to public hearing.

Public hearing on map and/or text amendment

Within 10 days of public hearing:

Towns may **object** to changes outside shoreland/floodplain areas. If town disapproves, zoning committee must revise proposal or recommend denial.

Zoning committee recommendation to county board

Governing body vote to modify, adopt or deny

Within 40 days of county vote:

If majority of affected towns **disapprove**, amendment does not take effect.

Amendment goes into effect and is published

Town Recommendation

- Look at town comprehensive plan – describe how the rezone is consistent with or contrary to the plan
- Look to see if there are rezoning standards found in the county ordinance – base your recommendation on these standards
- Provide facts and information, not just opinions
- Work with county to develop process for town input (notice, timeline, checklist, form)

Recommendation Form

PIERCE COUNTY WISCONSIN

DEPARTMENT OF LAND MANAGEMENT & RECORDS

Zoning: 715/273-6747 Planning: 715/273-6746 Fax: 715/273-6864

Pierce County Courthouse

414 W. Main Street P.O. BOX 647

Ellsworth, Wisconsin 54011

Town Recommendation Form

Request: _____ Conditional Use Permit _____ Plat Approval – Concept, Preliminary, Final (Circle One)
_____ Map Amendment - (Rezone) _____ Other- _____

Applicant/Agent:

Name _____

Site Address (if applicable) _____

Property Description: _____ ¼ of the _____ ¼, Section _____, T _____ N, R _____ W, Lot _____, Block _____,

Subdivision _____ Town of _____

Computer # _____ - _____ - _____ Parcel # _____

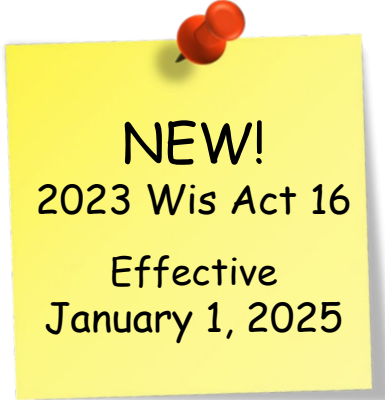
Zoning District _____ Acreage _____

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town's planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone or map amendment.

Updated requirements related to housing proposals

*See 2023 Wis Act 16 – effective January 1, 2025
and 2025 Wis Act 173 – effective January 1, 2028*

Housing Permit Approvals



NEW!
2023 Wis Act 16
Effective
January 1, 2025

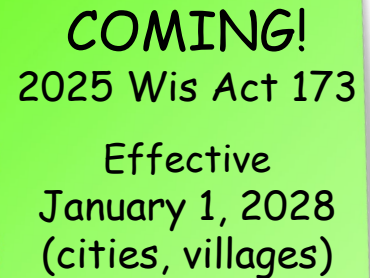
[Wis. Stat. 66.10016](#)

Local governments must approve all permits for residential housing development that comply with requirements in place when complete application is filed

- Residential = single or multi-family housing for sale or rent
- Permit = administrative approval (ex. building permit, land use permit, driveway permit, etc.)
 - Does not include conditional use permits (quasi-judicial)
 - Does not include change to ordinances or zoning classifications, i.e. rezones (legislative)

2023 Wis Act 16 – effective January 1, 2025

Rezoning Requests



COMING!
2025 Wis Act 173
Effective
January 1, 2028
(cities, villages)

New for cities and villages

- Request for change to zoning classification (rezone) for residential development must be granted within 90 days if all of the following are satisfied:
 1. Current housing supply does not meet existing or forecasted demand in next 5-year period
 2. Area is identified in comprehensive plan for residential use
 3. Proposal falls within min/max net density authorized in plan
 4. Located near existing development and can be reasonably served by existing infrastructure and services
 5. Not located in farmland preservation district/agreement/AEA

2025 Wis Act 173 – effective January 1, 2028

Rezoning Requests

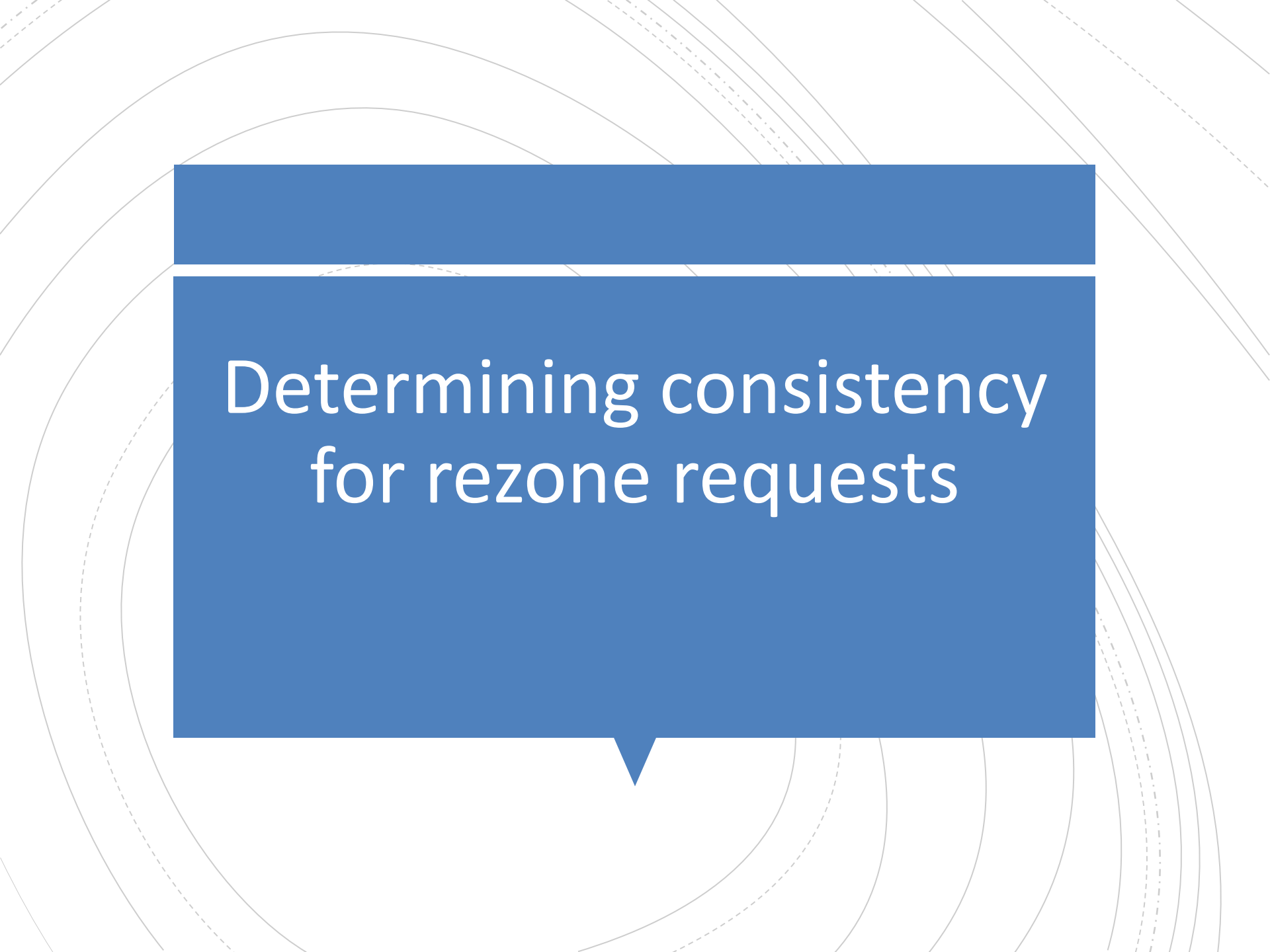
New for cities and villages

- Applicant for zoning change may specify preferences:
 - Zoning classification
 - Building setbacks
 - Lot width or frontage
 - Building size or bulk

Rezoning Requests

New for cities and villages

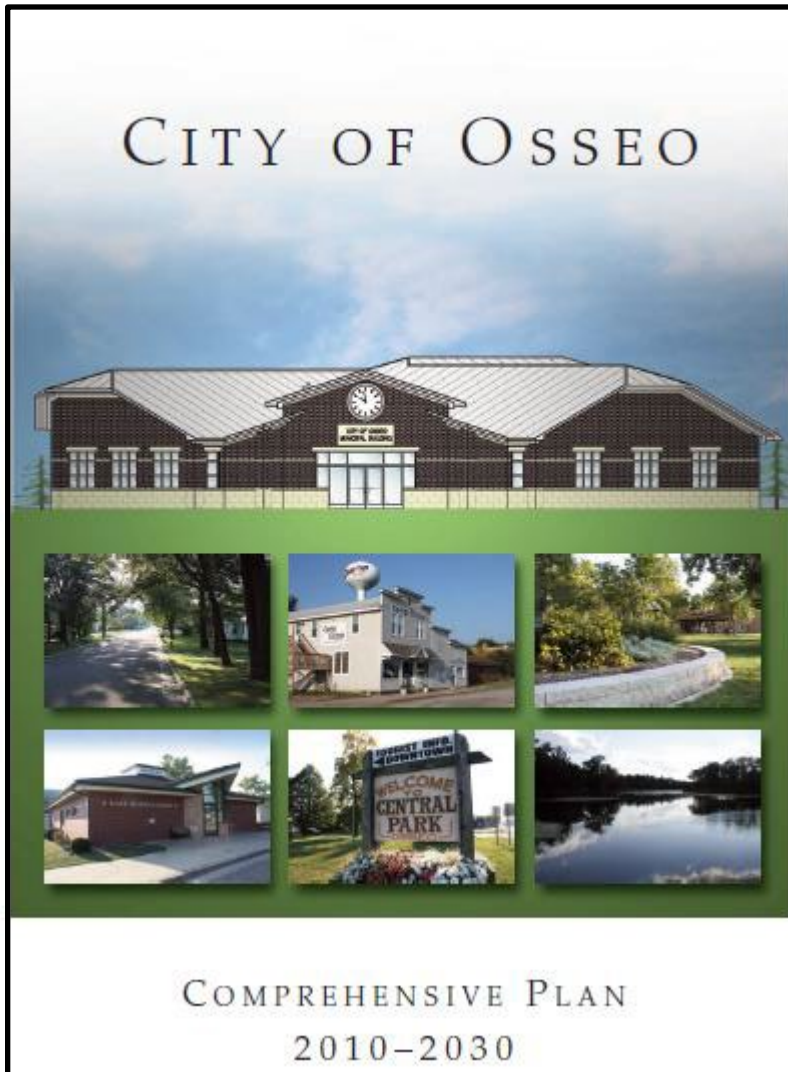
- Rezoning requests may be denied if necessary to:
 1. Prevent shortage or overburdening of public facilities
 2. Address significant threat to public health or safety

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Determining consistency
for rezone requests

Plan does not translate directly to ordinance

Comprehensive Plan



Zoning Ordinance

Chippewa County

Code of Ordinances

ARTICLE I. IN GENERAL

Sec. 70-1 Authority

The provisions of this chapter are adopted by the County Board under the authority granted by Wis. Stats. §§ 59.69 and 59.694.

(Code 1980, § 17.01)

Sec. 70-2 Purpose

The purpose of this chapter is to promote and protect the health, safety, morals, prosperity, aesthetics and general welfare of this county.

(Code 1980, § 17.02)

Sec. 70-3 Intent

It is the general intent of this chapter:

- (a) To regulate and restrict the height, number of stories and size of all buildings and other structures, the percentage of lot which may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence and other purposes.
- (b) To lessen congestion in and promote the safety and efficiency of the streets and highways, secure safety from fire, flooding, panic and other dangers; provide adequate light, air, sanitation and drainage; prevent overcrowding; avoid undue population concentration; facilitate the adequate provision of public facilities and utilities; stabilize and protect values; further the appropriate uses of land and conservation of natural resources; preserve and promote the beauty of the community; and implement the community comprehensive plan or plan components.
- (c) To provide for land in the county to be divided into districts of such number, shapes and areas as are deemed best suited to carry out such purposes and the use of the land in the various districts are limited to those specifically listed and enumerated in this chapter.
- (d) To provide for the administration and enforcement of this chapter and to provide penalties for its violation.

(Code 1980, § 17.03)

Sec. 70-4 Abrogation and Greater Restrictions

It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, other existing county ordinances, rules, regulations or permits previously issued under existing ordinances and regulations. However, wherever this chapter imposes greater restrictions, the provisions of this chapter shall govern.

(Code 1980, § 17.04)

Plan does not translate directly to ordinance

Comprehensive Plan

Visionary/Guiding

Future-oriented

Inventory of existing
resources

Vision, goals, objectives,
policies, tools

Generalized future land
use and other maps



Zoning Ordinance

Regulatory

Force of law
applies today

Detailed regulations
control location,
density, use, etc.

Zoning map with
detailed zoning
districts

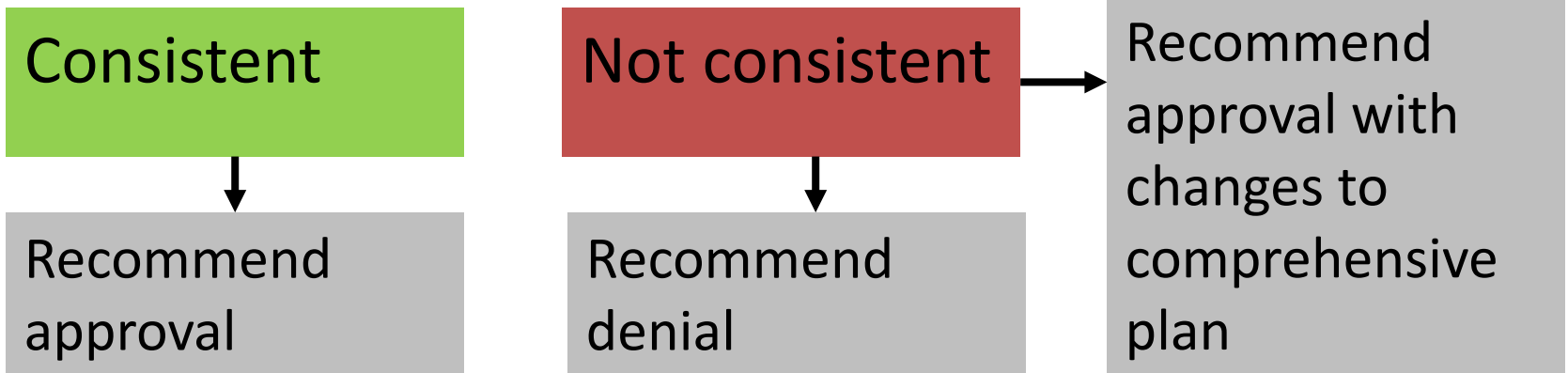
Consistency Requirement

- New or amended zoning, land division, and official mapping ordinances must be consistent with an adopted comprehensive plan
- Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan”

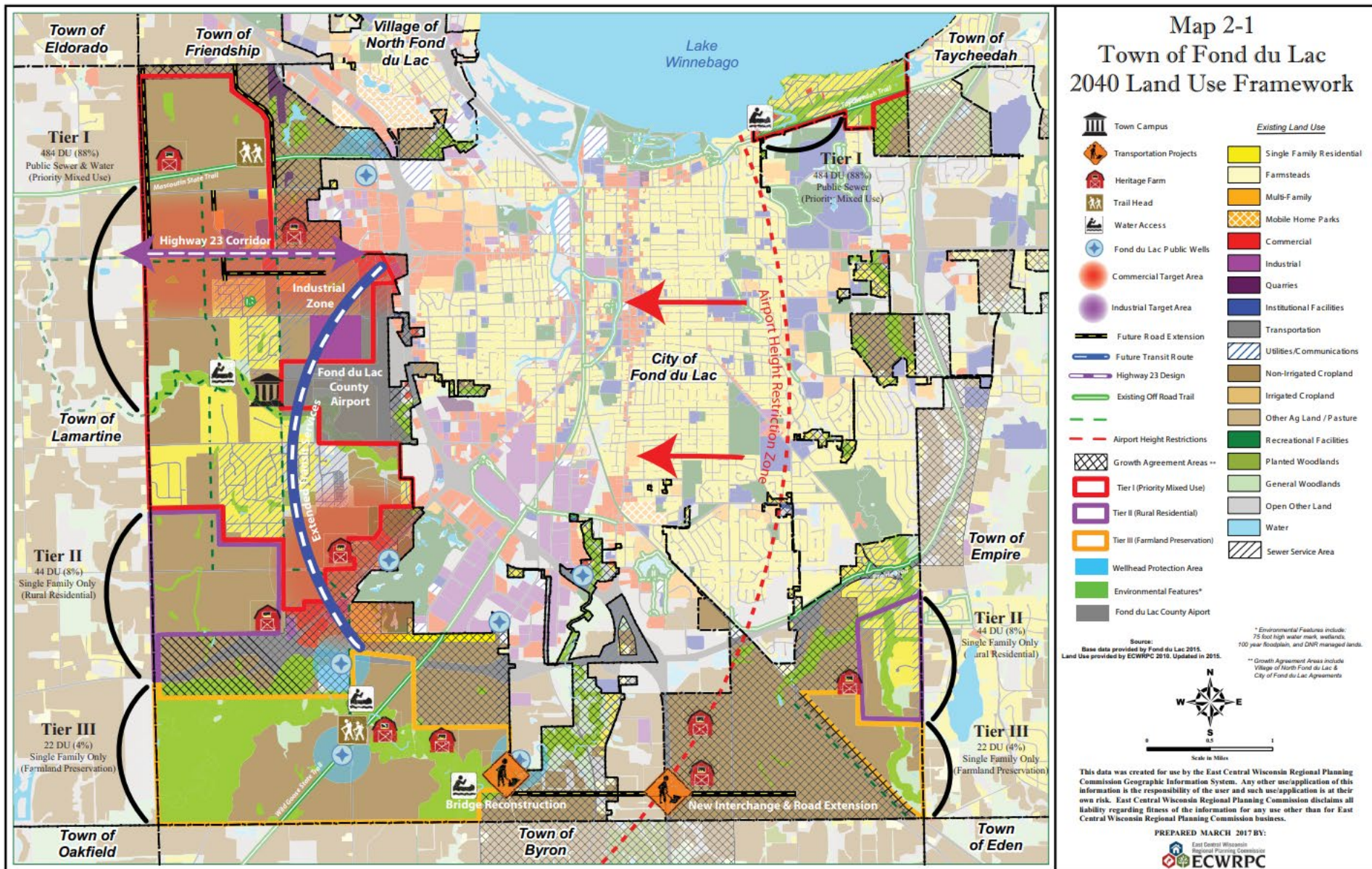
Determining Consistency

Rezone Example:

1. Look to future land use map
2. Look to text of comprehensive plan
3. Determine if proposal is consistent with plan



Ex. Town of Fond du Lac



Ex. Town of Fond du Lac

Simplified map includes three general future land use categories and a variety of implementing zoning districts. New growth is steered towards areas with sewer and water service.

A total of three growth areas were identified; Tier I, Tier II and Tier III. Below is a description of the three growth areas:

Tier I: Priority Mixed Use Growth Areas. Priority should be given to the Tier I area identified in the western portion of the Town of Fond du Lac within the water utility district boundary. Though two additional Tier I areas were identified; the first within Sanitary District No. 2 in the northeast corner of the Town and the other along the Eastern boundary of the Town in Sanitary District No. 4. New medium density residential, commercial and industrial development should be served by public sewer and water and should follow a logical progression. As new development occurs, existing development not currently on sewer and/or water should be required to connect. It is anticipated that about 88 percent of new residential development (85% of single-family and all two-family and multi-family residential), commercial and industrial development will occur in Tier I.

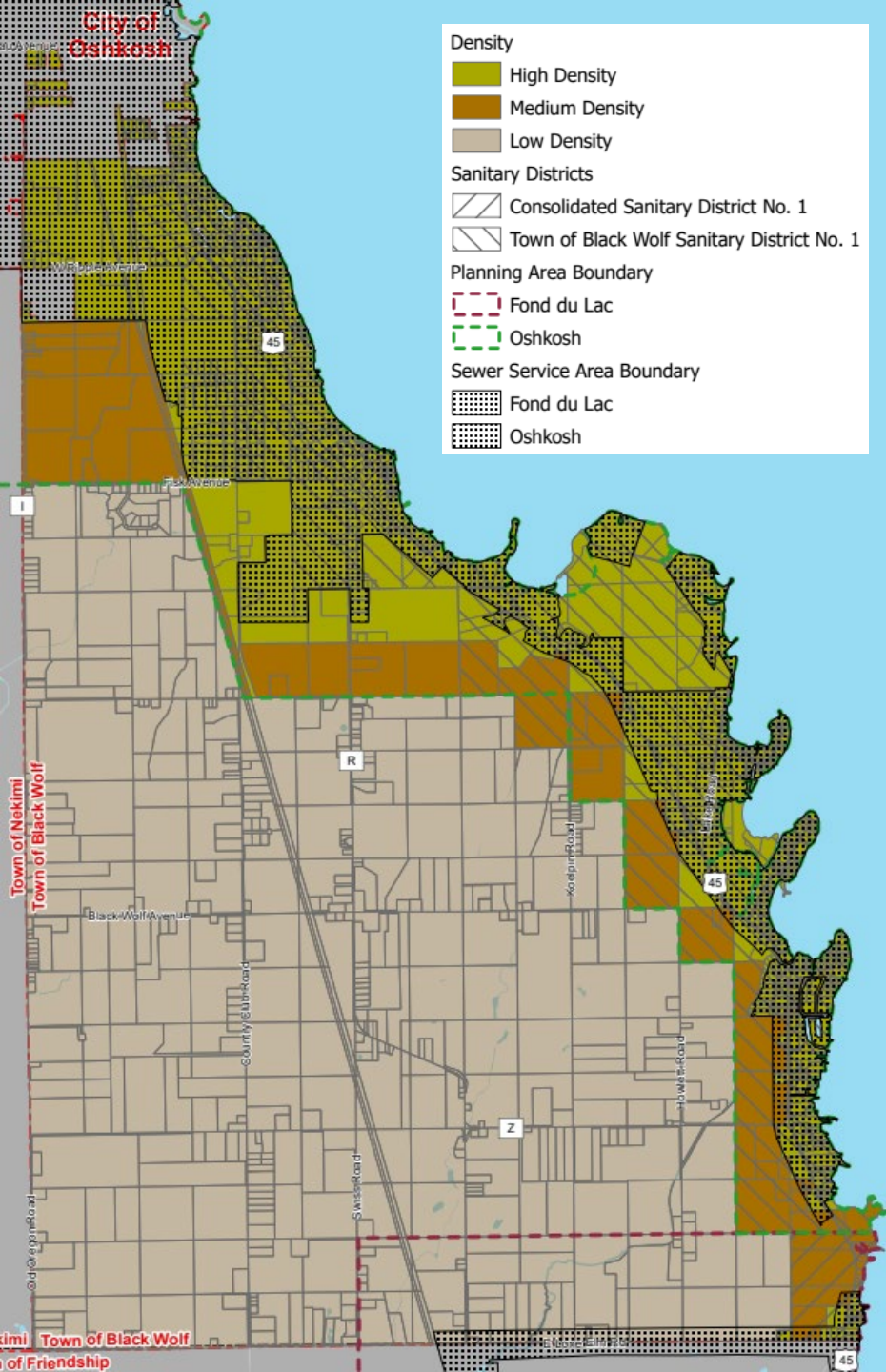
Future Land Use, 2040

Tier 1 – Priority Mixed Use
(88% growth)
Single-family
Multi-family
Commercial
Industrial
Sewer/Water

Tier 2 – Rural Residential
(8% growth)
Single-family
Well/Septic

Tier 3 – Farmland Preservation
(4% growth)
Limited residential
Large lots

 Growth Agreement Areas



Town of Black Wolf (Winnebago County) - Future Land Use, 2025

High-Density Parcels

- Location: within or completely surrounded by Sewer Service Area (SSA)
- Implication: suitable for more intense development; higher density, smaller lots
- **Parcel size: ½ acre minimum**

Medium-Density Parcels

- Location: immediately adjacent to SSA
- Transitional zone between high- and low-density areas; less intense development
- **Parcel size: 1 acre minimum**

Low-Density Parcels

- Location: outside, not adjacent to SSA
- Implications: intended to remain rural and have limited development to maintain open space, environmental preservation, or agricultural uses
- **Parcel size: 4 acre minimum**
- **Density: one parcel per 10 acres** (e.g. 4 new 4+ acre parcels allowed on a 40-acre parcel)

Determining Consistency

Rezone Example:

Beginning Jan 1, 2028, consistency for cities/villages based on future land use map and category descriptions.

Must grant rezone for residential development if housing demand exists, meets min/max density for mapped area, and can be served by infrastructure.

Consistent



Recommend
approval

Not consistent



Recommend
denial



Recommend
approval with
changes to
comprehensive
plan

Future land use map

4b

Future Land Use Village View

Mount Horeb Comprehensive Plan

- Village of Mount Horeb Boundary
- Town Boundaries
- Extraterritorial Jurisdiction Boundary
- Current Urban Service Area Boundary
- Potential Future Urban Service Area Boundary

- Right of Way
- Potential Future Roads
- Surface Water

Land Use Categories

- Agriculture
- Single-Family Residential (Unsewered)
- Single-Family Residential (Sewered)
 - 1. Single-Family (Sewered)
 - 2. Two-Family Residential
 - 3. Multi-Family Residential
 - 4. Government and Institutional
 - 5. Neighborhood Mixed-Use
 - 6. Parks and Recreation
- Two-Family Residential
- Multi-Family Residential
- Mobile Home Residential
- Planned Neighborhood
- Central Mixed Use
- Main Street Mixed Use
- Neighborhood Mixed Use
- Planned Business
- Planned Mixed Use
 - 1. Planned Business
 - 2. Planned Business Park
 - 3. Government and Institutional
 - 5. Park and Open Space
- General Industrial
- Heavy Industrial
- Extraction
- Planned Business Park/Planned Industrial
 - 1. Light Industrial
 - 2. Planned Business
 - 3. Government and Institutional
 - 4. Park and Open Space
- Parks and Recreation
- Government and Institutional
- Conservancy
- Environmental Corridor
- Rights-of-Way
- Surface Water
- Long-Term Growth Area

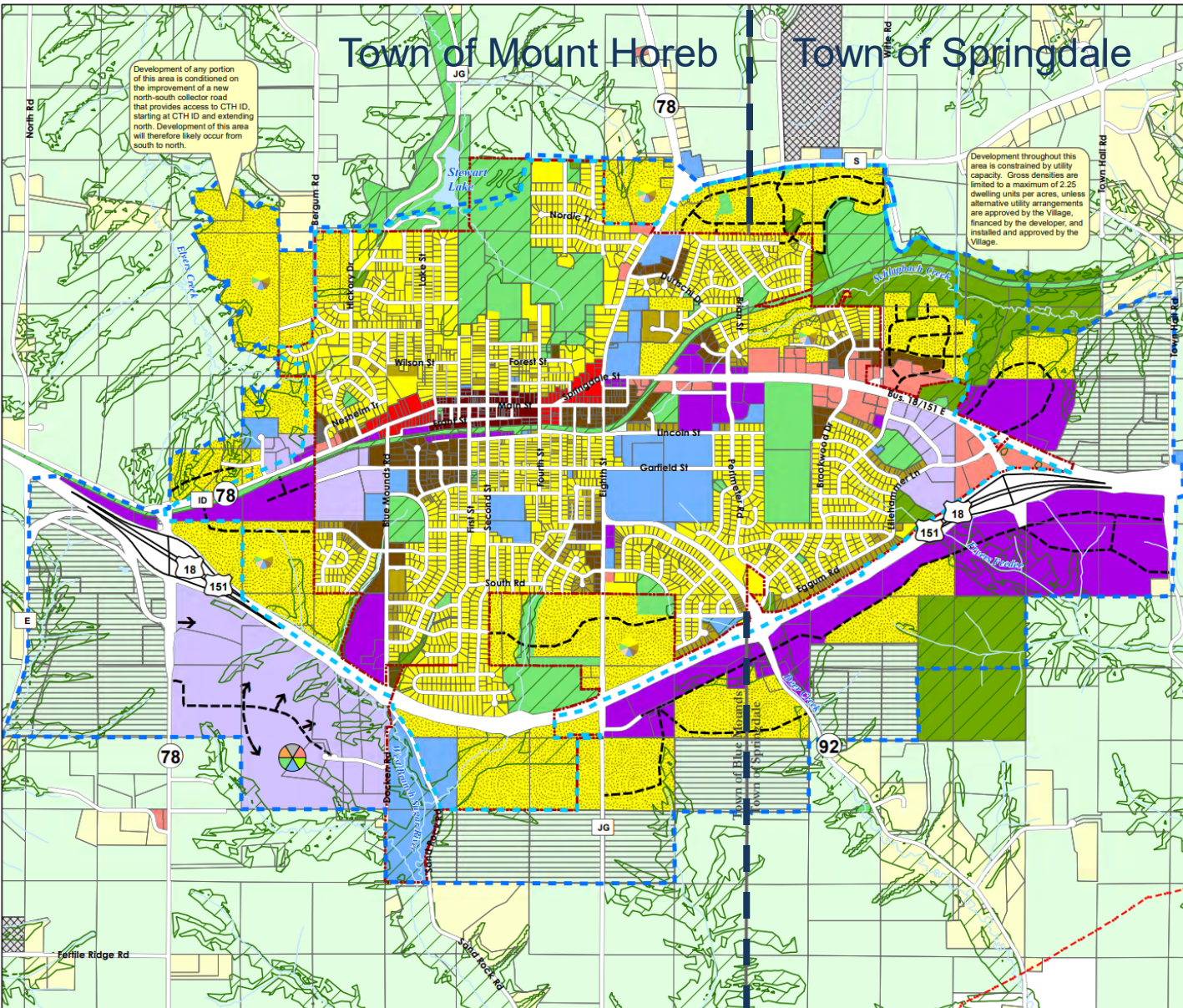


VANDEWALLE & ASSOCIATES INC.
Shaping places, shaping change

Adopted: March 30, 2022
Data Source: Dane County LIO, CARPC, MATPB, WI DNR, FEMA, USDA



0 2,100 4,200 Feet



Ex. Village of Mount Horeb – Future Land Use Map

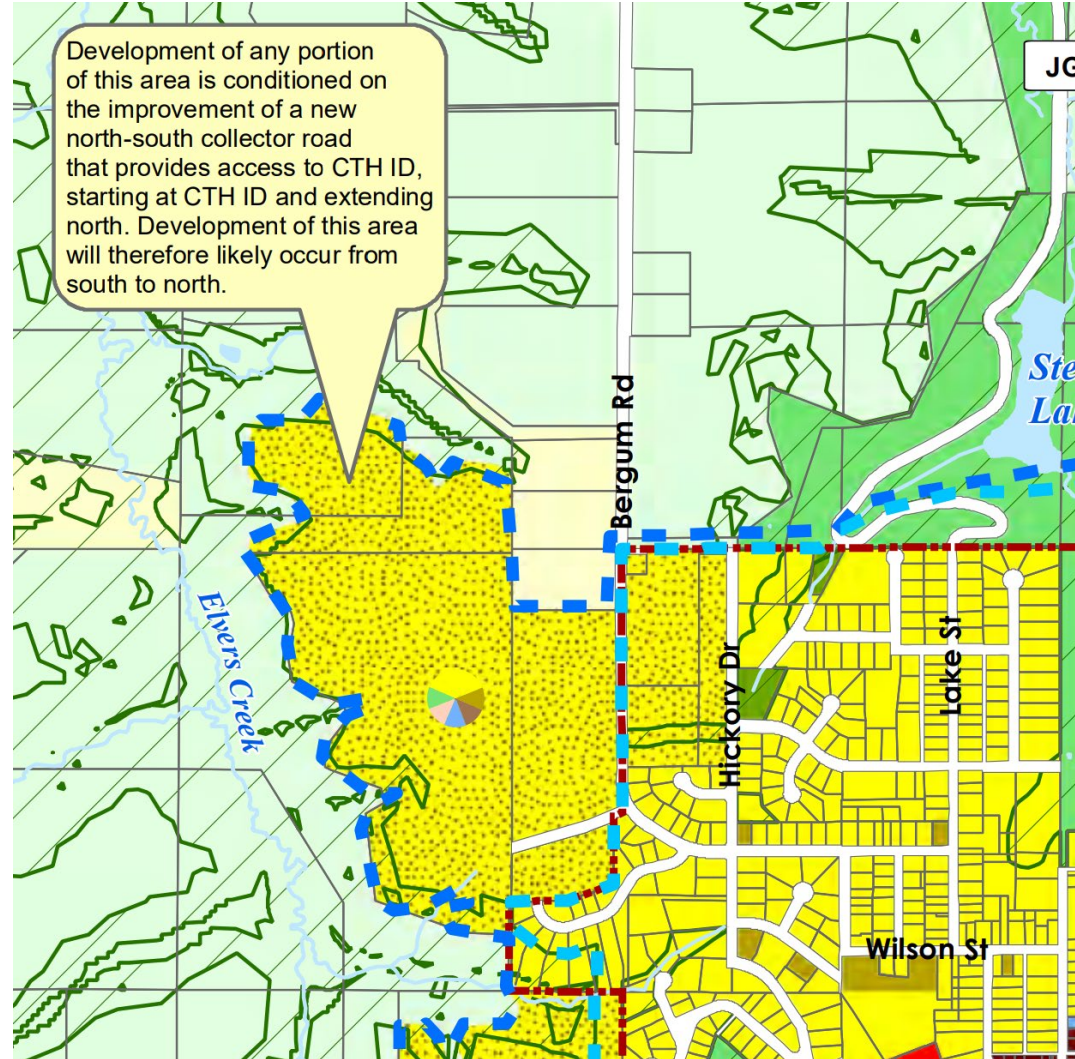
Plan specifies conditions under which growth may occur:

“development of this area is conditioned on the improvement of a new north-south collector road”



Planned Neighborhood may include:

1. Single-Family (Sewered)
2. Two-Family Residential
3. Multi-Family Residential
4. Government and Institutional
5. Neighborhood Mixed-Use
6. Parks and Recreation



Village of Mount Horeb Boundary

Current Urban Service Area Boundary

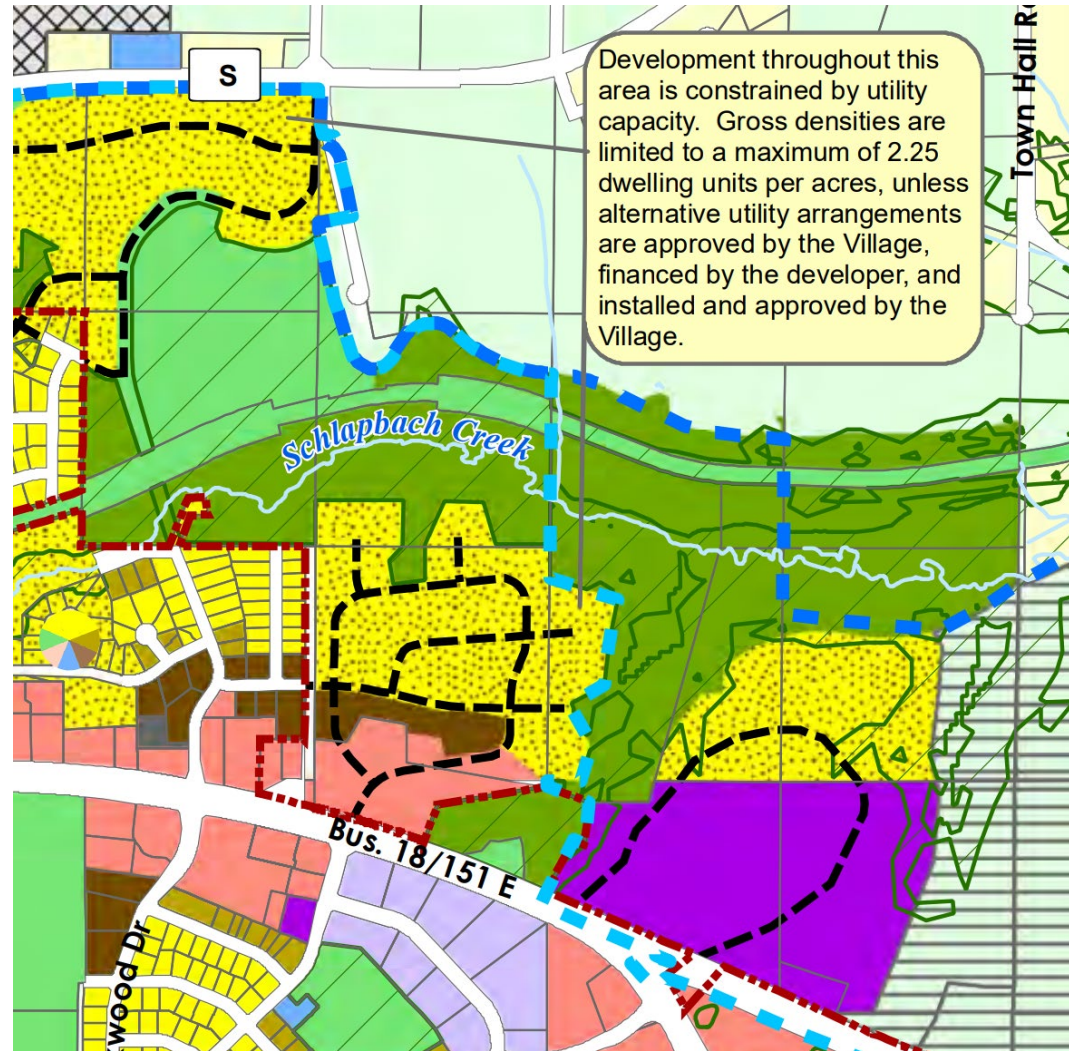
Potential Future Urban Service Area Boundary

Ex. Village of Mount Horeb – Future Land Use Map

Plan specifies conditions under which growth may occur:

“development of this area is constrained by utility capacity...”

“gross density is limited to 2.25 dwelling units per acre unless alternative utility arrangements are made”



Village of Mount Horeb Boundary



Current Urban Service Area Boundary



Potential Future Urban Service Area Boundary

Text of comprehensive plan

Ex. Village of DeForest – Future Land Use Descriptions and Density

Future Land Use Category (shown on Map 5-1)	General Description of Land Uses Allowed and Character	Typical Implementing Zoning Districts	Density Guidelines
Agricultural Preservation	Agricultural uses or agricultural-related uses such as implement dealerships, focused on areas actively used for farming, with productive agricultural soils, with topographic conditions suitable for farming, and with long-term (i.e., 15+ year) suitability for farming. This category also includes and is intended to accommodate farmsteads, limited non-farm housing in accordance with the policies to the right, associated home occupations and family businesses, and other uses identified as permitted and conditional uses in implementing zoning districts.	In Village's extraterritorial zoning areas: A-1 Exclusive Agricultural, A-2 General Agricultural, A-3 Small Lot Agricultural, A-B Agricultural Business, and limited RH-1 and other residential districts. Outside of extraterritorial zoning areas, County zoning districts are used.	Maximum density of 1 home or non-residential/non-agricultural use per 35 acres of lands in contiguous single ownership, as further described in the density policy within the Village's subdivision ordinance. Secondary farm residences are excluded. This policy will be carried out in accordance with applicable Town plan density policies, where the applicable Town's policy is as strict or stricter than the Village's.
Rural Density Residential	Single family detached residences served by private wastewater treatment systems; also includes home occupations, small community facilities, and parks.	In Village's zoning jurisdiction: RH-1 Rural Housing; RE-1 Residential Estate. Otherwise, County zoning will apply.	Between one residence per ½ net residential acre and one residence per 35 acres
Low Density Village Residential	Predominately single family detached residences, but may also include two family, townhome, and accessory dwelling units where overall development falls within density guidelines to the right. May also include home occupations, family childcare, small community facilities, parks, and other compatible uses allowed in associated zoning districts.	RN-1, RN-2, RN-2A Residential Neighborhood; RM-6 Traditional Housing (for smaller lots) RE-1, RE-2 Residential Estate (for larger lots) RM-3 Two-Family TND Traditional Neighborhood Development, when such zoning district is adopted by the Village	Fewer than 6 units per net residential acre in each development (excludes roads, parks, stormwater facilities, and other lands not used for residential lots)
Moderate Density Village Residential	A mix of single family detached residences; small-scale, attached residences with	RN-1, RN-2, RN-2A Residential Neighborhood	Between 6 and 12 units per net residential acre in each development

Text of comprehensive plan

Ex. Village of DeForest – Future Land Use Policies

Future Land Use Category (shown on Map 5-1)	Development Policies (see also Village zoning, subdivision, stormwater management, official map, and other ordinances)
Agricultural Preservation	1. Adhere to the agricultural preservation and land division policies in the Natural & Cultural Resources chapter and the Village's subdivision ordinance. 2. Encourage clustering of smaller individual home sites at a density of 1 per 35 acres of contiguous single ownership (e.g., on one or two acre lots), as opposed to housing on 35+ acre lots. 3. Assure that rural uses do not impede very long-term urban development or road or utility extensions. 4. Through their <i>Cooperative Plan</i>, DeForest and Windsor have agreed that the Agricultural Preservation area east of Highway 51 and north of Windsor Road will be used for agricultural production and agribusiness uses.
Rural Density Residential	1. Minimize mapping this future land use category in Village and its extraterritorial jurisdiction. 2. Promote interconnection in road and trail networks within and among neighborhoods.
Low Density Village Residential	1. Map Low Density Village Residential Areas throughout the Village, particularly adjacent to natural resources and away from intensive industrial and commercial areas. 2. Where small single family lots (e.g., <7,200 square feet) and attached housing units are permitted, attend to home quality, variety, design, setbacks, and garage placement through zoning, covenants, and development agreements. 3. Assure that housing that is not single family detached, and community uses, are carefully woven into the fabric of each predominately single family residential neighborhood. 4. Promote a system of interconnected streets developed according to Complete Streets principles (see Transportation chapter) and parks where planned.
Moderate Density Village Residential	1. Map Moderate Density Village Residential areas where there is adequate road, bike/pedestrian, utility, and service capacity; and nearby parks, community services, and

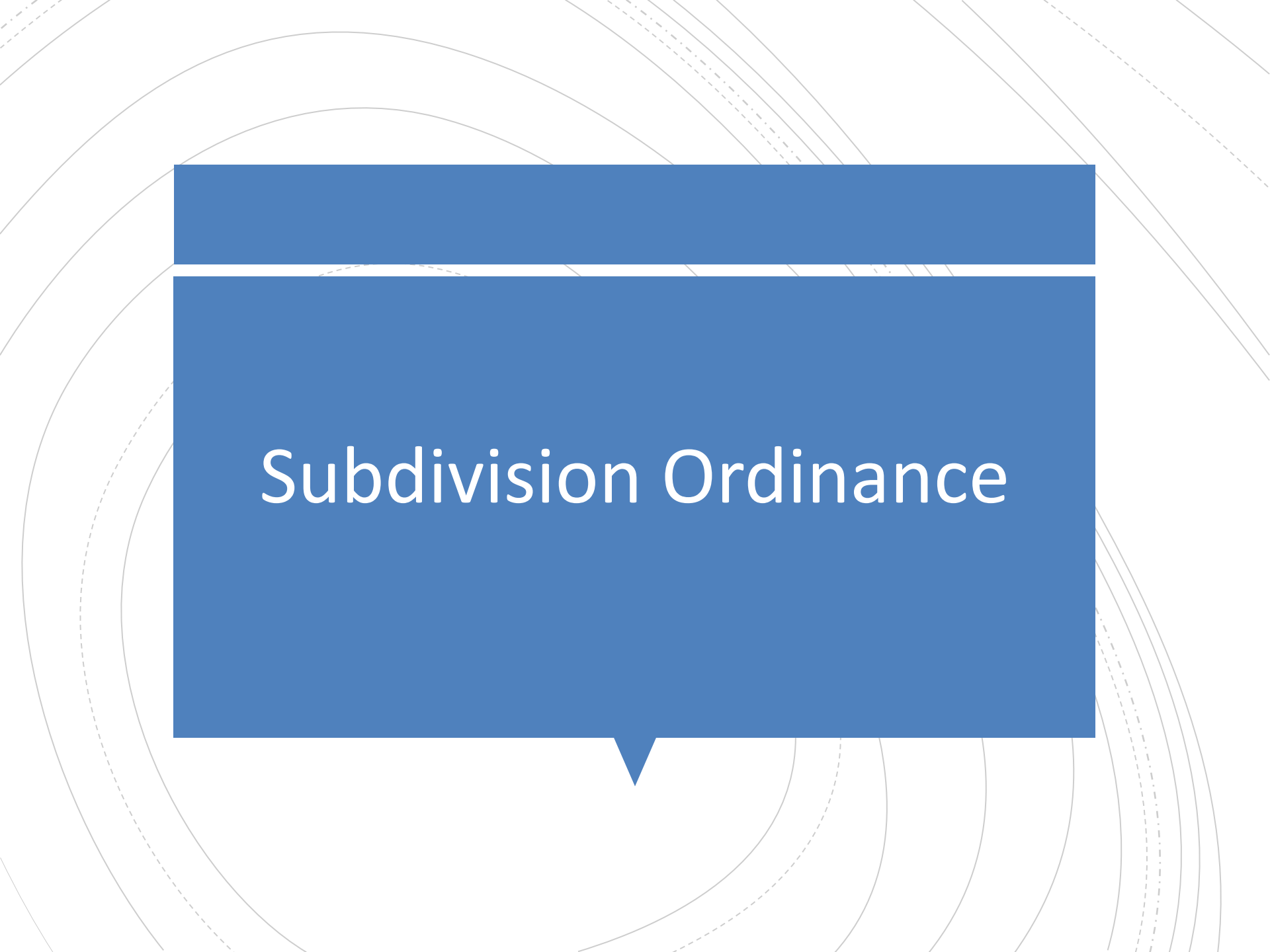
Takeaways

For cities and villages

- Review zoning ordinance districts and update to include net residential density (min + max units/acre)
- Limit analysis of consistency to future land use map and corresponding land use category descriptions
- Most requests to rezone land for residential development will be granted if consistent with future land use map (know the exceptions – e.g. overburden public facilities, farmland pres)

Broader considerations

- Reach out to neighbors to discuss sewer service area planning, cooperative boundary agreements, extraterritorial zoning, farmland preservation zoning, and other tools to manage growth and change

The background features a series of concentric circles in light gray, some solid and some dashed, creating a ripple effect. Overlaid on this is a large blue speech bubble with a white border. The text "Subdivision Ordinance" is centered within the speech bubble in a white, sans-serif font.

Subdivision Ordinance



- Legal process for dividing land and recording property
- Review for physical layout of new development, connections with existing development, public safety, utilities, other improvements



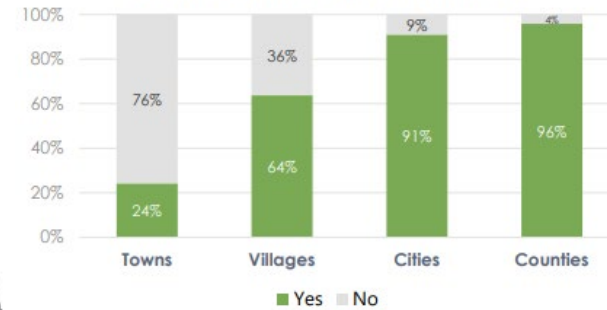
Three Levels of Authority

State

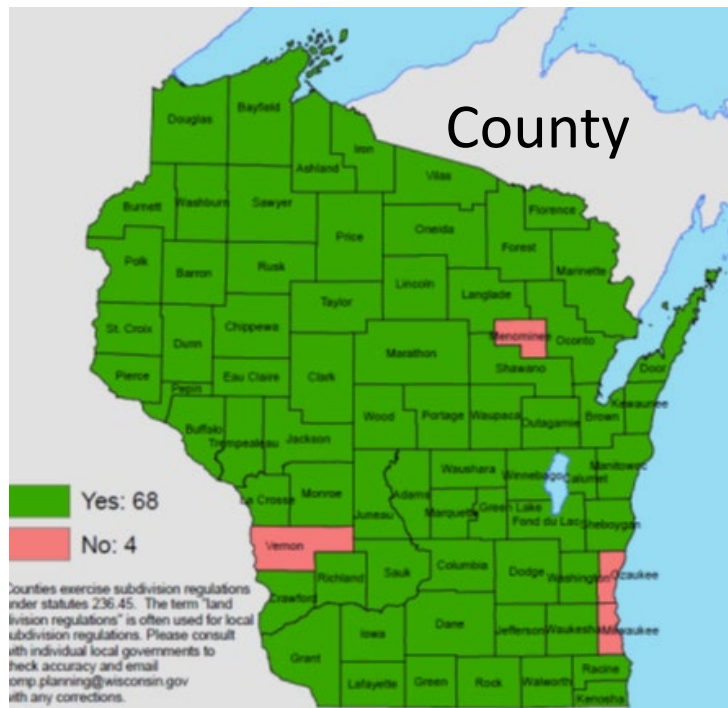


Local

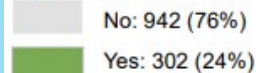
Subdivision Ordinances Adopted



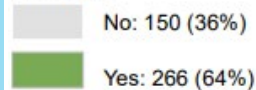
County



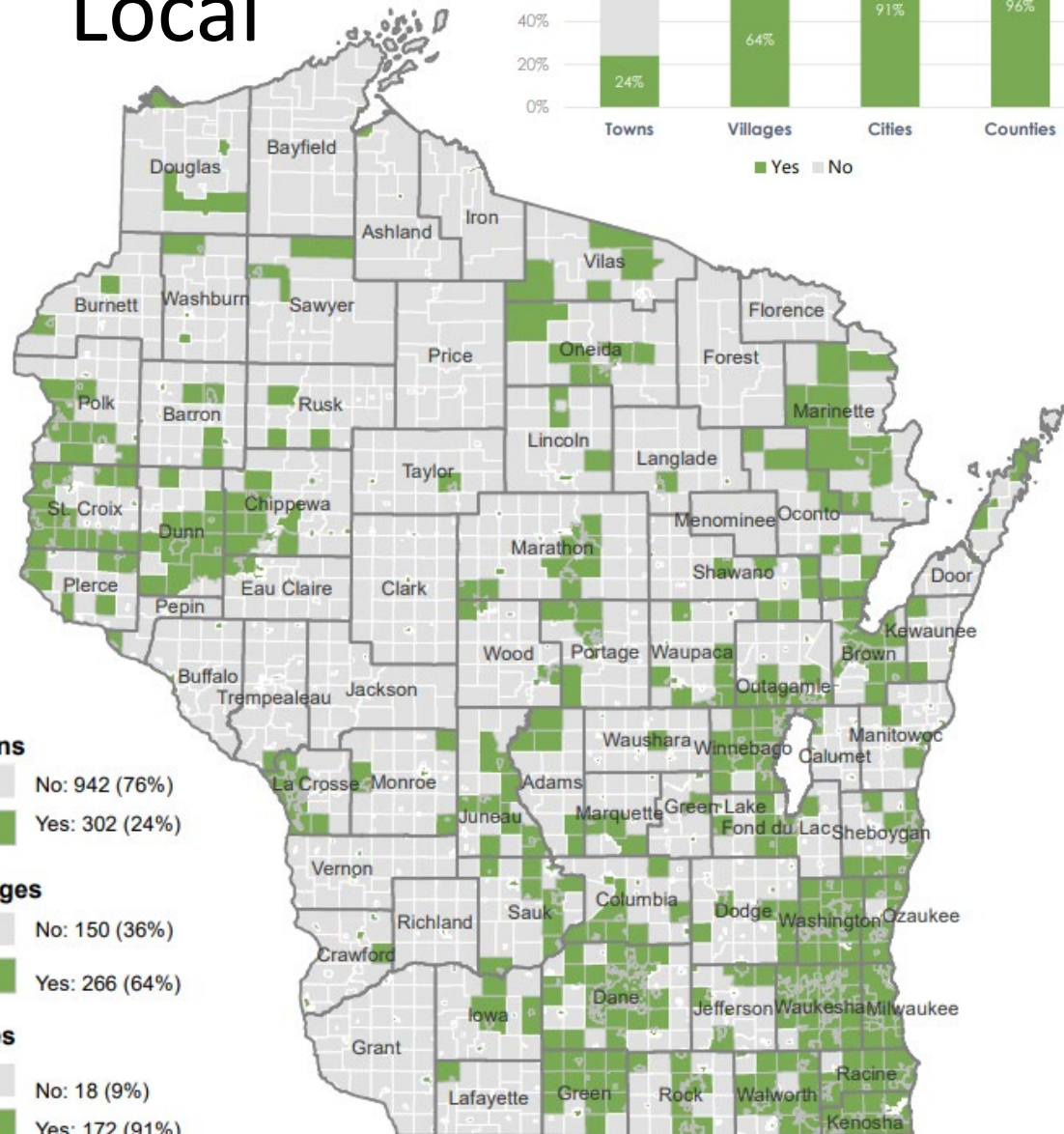
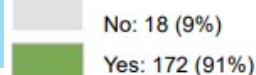
Towns



Villages



Cities



State Subdivision Law



- State provides minimum standards for subdivisions
 - Subdivision = creation of 5 or more parcels of 1½ acre or less within 5-year period
 - State reviews for surveying, layout, mapping and plat submittal requirements

(Wis Stat. ch 236)

Approving Authorities

- The following units of government have authority to “approve” of state-defined subdivision plats:
 - [County Planning Agency](#) – if the subdivision is located in an unincorporated area of the county
 - [Town Board](#) – if the subdivision is located in the town or an area whose annexation is being contested by the town
 - [City Council/Village Board](#) – if the subdivision is located in a city/village or its extraterritorial plat review jurisdiction

Objecting Authorities

- The following agencies have authority to certify or “object” to state-defined subdivision plats:
 - [Department of Administration](#) – all state-defined subdivisions are reviewed for compliance with surveying, layout, mapping and plat submittal requirements. (Wis. Stat. 236)
 - [Department of Transportation](#) – subdivisions that abut a state trunk or connecting highway are reviewed for public safety issues and preservation of public interests/investments. (Trans 233)
 - [County Planning Agency](#) – 18 counties review plats located in cities/villages for conflicts with parks, highways, airports, schools, and other planned public developments. (Wis. Stat. 236.12(2)(b))
 - Brown, Calumet, Dane, Dodge, Door, Fond du Lac, Jefferson, Juneau, Manitowoc, Milwaukee, Oconto, Racine, Rock, St. Croix, Sheboygan, Washington, Waukesha, and Winnebago

Local Subdivision Regulations



- Local ordinances may define subdivision differently
 - Ex. 4 or more parcels
 - Ex. 5 acres or less
- Local ordinances may impose additional requirements
 - Ex. public improvements
- When review authority overlaps, the most restrictive provision applies



(Wis Stat. 236.45)

Local Subdivision Regulations

- Requirements or design standards related to:
 - Roads and sidewalks
 - Trees, parks, open space
 - Water, sewer/septic
 - Fire protection
 - Street signs, lighting
 - Stormwater, drainage
 - Shoreland/wetland/floodplain
 - Land suitability/steep slopes
 - Road/driveway access/connectivity
 - Road naming/addressing
 - Shore access, easements
 - Public utilities

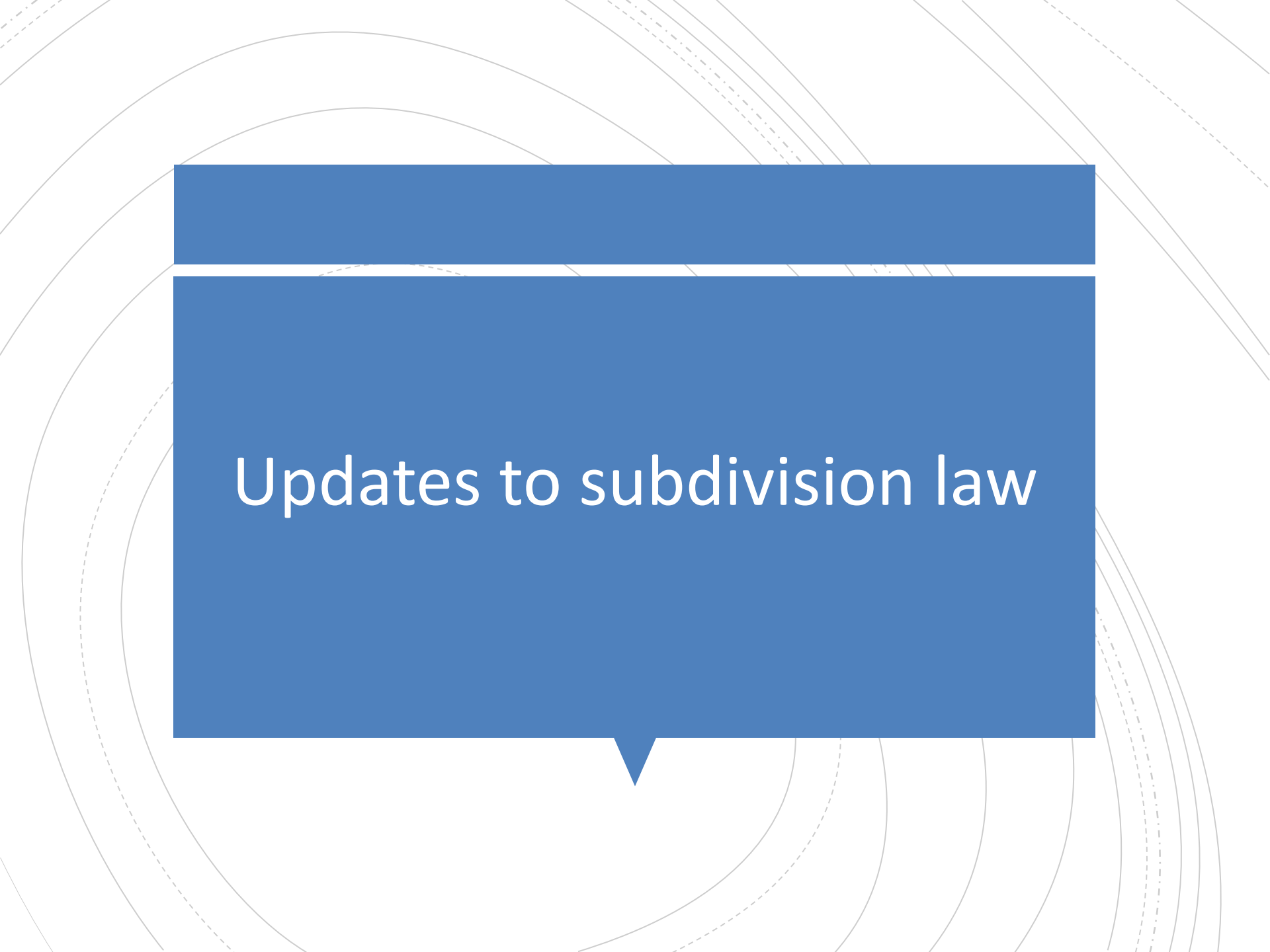


CSM = Certified Survey Map

Expedited process for land divisions that do not meet state or local definition of subdivision (based on number or size):

- Survey, monument, and map by professional land surveyor
- CSM dedicating streets or other land must be submitted to governing body – 90 days to act
- Filed with county register of deeds



The background features a series of concentric circles in light gray, some solid and some dashed, creating a ripple effect. A large blue speech bubble is centered on the page, containing the text "Updates to subdivision law".

Updates to subdivision law

Subdivision Regulations

- Updates to purpose and legislative intent
 - **Added:** healthy, livable communities, range of housing types, complete streets, range of transportation choices ([Wis Stat 236.01](#))
 - **Removed:** lessen congestion in streets, prevent overcrowding of land, avoid concentration of population ([Wis Stat 236.45](#))

Subdivision Regulations

- Pre-submission conceptual review ([Wis Stat 236.105](#))
 - **Added:** Local government must provide option of non-binding conceptual review prior to preliminary or final plat
- Preliminary plans and reports ([Wis Stat 236.11\(1\)\(a\)](#))
 - **Updated:** Developer may submit preliminary (rather than final) plans and reports at time of preliminary plat submittal
 - Local government may not reject on basis of preliminary plans; may **condition approval on final plans**
 - ex. sewer, water, roads, grading, stormwater, soil testing, landscaping, street lighting

Subdivision Regulations

- Public Improvements ([Wis Stat 236.13\(2\)\(am\)](#))
 - **Updated:** Developer must agree to install public improvements and provide financial security (previously install or provide)
 - Local government may require as condition of approval that public improvements are **installed within reasonable time** after approval
 - Local government may not require installation or acceptance of public improvements as condition of plat approval or recording
 - Residential building permits cannot be withheld if public improvements are substantially complete
- Recording Plat ([Wis Stat 236.25](#))
 - **Added:** Approving authority shall certify plat no later than 10 days after subdivider submits plat with required certificates and affidavits

Takeaways

- Review and update ordinance purpose statements
- Review process and timelines
 - Provide option for conceptual review
 - Certify plat within 10 days of receiving required certificates and affidavits
- Review conditions of approval
 - Preliminary plat – condition on final plans and reports
 - Final plat – establish reasonable time to install public improvements

Typical Process

1

Pre-Submission Conceptual Review

If requested by
applicant or required
by local ordinance

Informal, non-binding
review intended to
spot problems upfront

2

Preliminary Plat Approval

If submitted by
applicant or required
by local ordinance

Act within 90 days

3

Final Plat Approval

Submission of
detailed engineering
and design drawings
that comply with
Wis. Stat. Ch. 236

Act within 60 days

Final plat is entitled to approval if it complies with local plans/ordinance, meets objections of state agencies, and substantially conforms with an approved preliminary plat.



Department of Community Development

3805 S. Casper Drive
P.O. Box 510921

New Berlin, Wisconsin 53151-0921

Ph: (262) 797 2445

Fax: (262) 780 4612

www.newberlin.org/dcd

PRE-APPLICATION CHECK LIST

- Dumpster Enclosures
- Cross sections of all RTU, wall mounted meters or air handling units.
- Lighting Plan – Parking Lot and Street Lighting if required

§226 & §275-55 Stormwater & Drainage Plan

- Stormwater Management Plan meeting the requirements of Chapter 226
- Master Grading Plan drawn to a scale no greater than 1"=100' on no smaller than 24" x 36" sheets
- Erosion Control Plan drawn to a scale no greater than 1"=100' on no smaller than 24" x 36" sheets

§275-24C(3) Utility Plans

- The Utility Plan may be incorporated into the site plan as long as it remains readable.
- Utility Plans draw to a scale no greater than 1" = 100' on no smaller than 24" x 36" sheets (four copies required).
- Sewage Disposal with location of pipe, septic field, holding tank or sampling manhole
- Water Supply source with location of pipe or well
- Location of electric, gas and telecommunication equipment
- Location of existing and proposed utility easements
- RTU, wall mounted meters or air handling units.

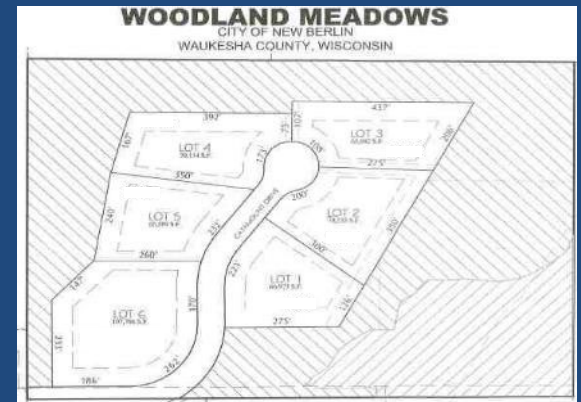
§275-56 Landscaping Plan

- Landscaping Plan to a scale no greater than 1" = 100' on no smaller than 24" x 36" sheets (four copies required)
- Landscaping Plan drawn and colored suited for public presentation to fit on a single 11" x 17" sheet (eighteen color copies required)
- Signature of Landscape Architect that prepared plan
- Fiscal security – installation and maintenance bond or letter of credit
- Limits of Disturbance boundary, §275-54A
- Size, location, type and height of new and existing landscaping
- Screening materials
- Location of electric, gas and telecommunication equipment screening
- RTU, wall mounted meters or air handling units screening.
- Buffer yard landscaping
- Existing wooded areas
- Watercourses
- Scenic or significant vistas
- Pedestrian Access / Sidepaths / Trails

§275-54 Natural Resource Preservation

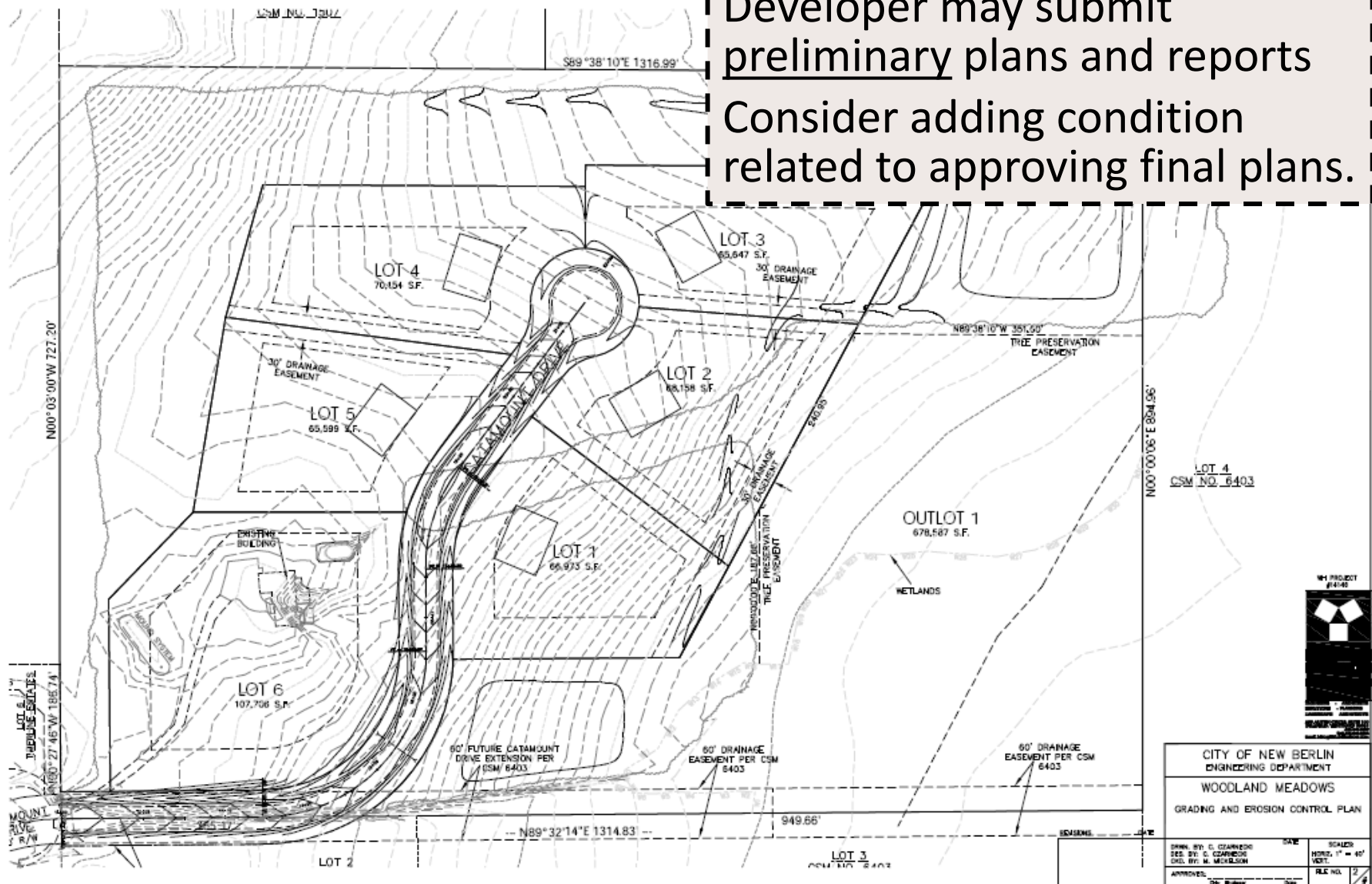
- Limits of Disturbance (LOD) boundary shown on Site Plan and Landscaping Plan
- No development, grading or vegetation removal or alteration (other than approved landscaping) shall occur outside the LOD
- Residential uses: No more than 60% of the total gross area to be within the LOD
- Non-Residential uses: No more than 75% of the total gross area to be within the LOD
- Woodland, tree and vegetation protection shown on Landscaping Plan
- Location and size of all significant trees (deciduous trees with a DBH of 5 inches or larger or conifers trees 10 foot and taller)
- Significant trees to be removed shall be identified
- Location and size of all replacement trees, see §275-54B(6)
- Wildlife conservation plan (only if required by staff) in accordance with §275-54C

§275-37B(4)(b) Wetland Field Verification



Preliminary Plat drawn to scale including location of streets, utility lines, parks, storm drainage, sewer and water lines, etc....

Developer may submit
preliminary plans and reports
Consider adding condition
related to approving final plans.



Activities

Who does what?

- Subdivision plats must be referred to the plan commission for review and recommendation.
- The governing body may delegate preliminary or final plat approval authority to the plan commission.
- Final plats dedicating streets, highways or other lands must be approved by the governing body.

(Wis. Stat. 62.23(5) and 236.10(3))



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Recommended Resources

For More Information

Plat Review

<http://doa.wi.gov/platreview>

Platting News

Plat Review Documents

Platting Manual

Platting Statutes & Rules

Intergovernmental Relations

Contact Us

Email

plat.review@wisconsin.gov

Phone

[\(608\)266-3200](tel:(608)266-3200)

Wisconsin Platting Manual

[Full Manual](#) June 2024

Manual Sections

[A-E 7](#)

[Annexation](#) December 2021

[Assessor's Plats](#) Sept. 2023

[Cemetery Plats](#)

[Certificates](#) Nov. 2016

[Condo Plats](#) 2009

[Correction Instruments](#)

[Certified Survey Maps \(CSM\)](#) March 2023

[Discontinuances](#) Jan. 2019

[Easements](#)

[Example Plats](#) Oct. 2023

[Local Plats](#) Dec. 2014

[Lots & Outlots](#) Dec. 2014

[Mapping Requirements](#) Oct. 2023

[Monuments](#) Dec. 2014

[Recording](#) Dec. 2014

[Review Process](#) Oct. 2023

[Restriction Release](#)

[Submittals](#) June 2024

[Time Limits](#) Dec. 2014

[Streets](#) Dec. 2014

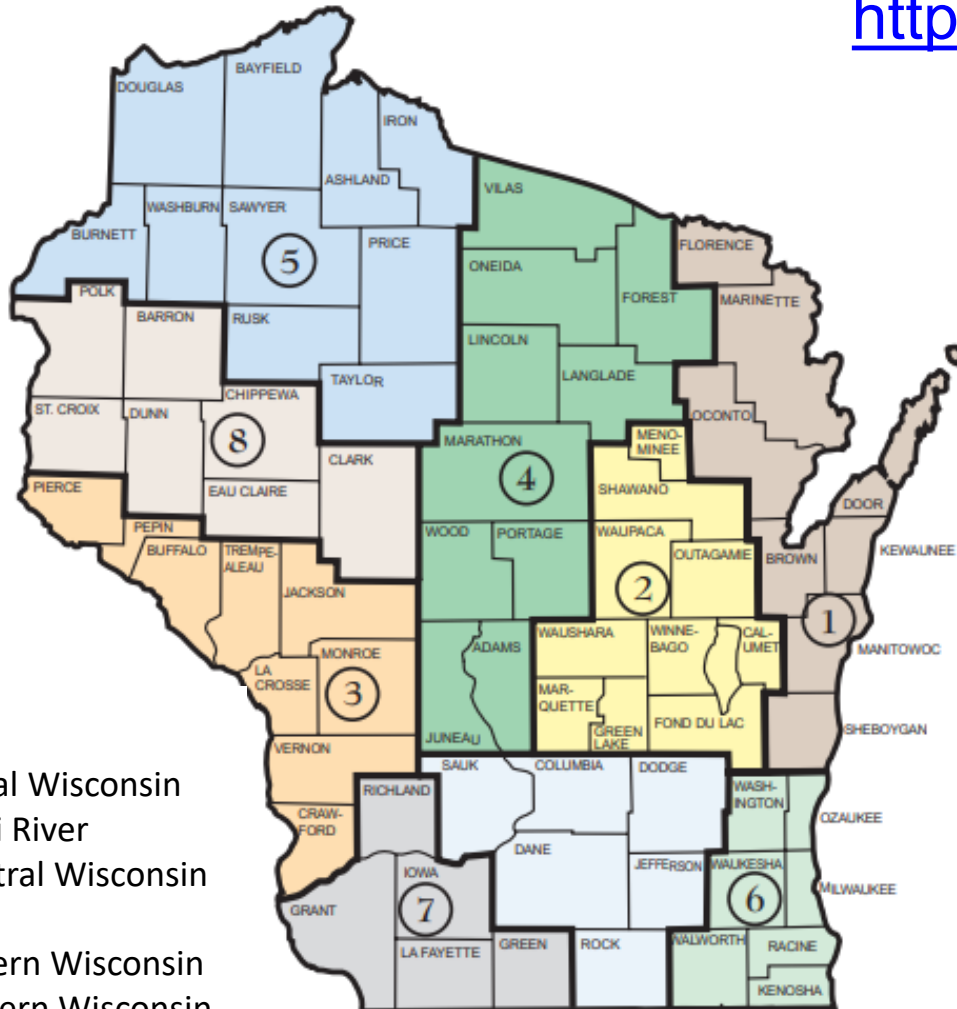
[Subdivisions & Water](#) Dec. 2014

[Vacations](#) Jan. 2016

<https://doa.wi.gov/Pages/LocalGovtsGrants/WisconsinPlattingManual.aspx>

Regional Planning Commissions

<https://www.awrpc.org/>



- Mapping
- Data and research
- Planning
- Economic development
- Transportation
- Grants and funding

- 1 Bay-Lake
- 2 East Central Wisconsin
- 3 Mississippi River
- 4 North Central Wisconsin
- 5 Northwest
- 6 Southeastern Wisconsin
- 7 Southwestern Wisconsin
- 8 West Central Wisconsin
- 9 Capital Area

Thank You!

Rebecca Roberts
Center for Land Use
Education
715-346-4322
rroberts@uwsp.edu

Scan →



Workshop resources:
<https://bit.ly/CLUEworkshops>



Center for Land Use Education
College of Natural Resources
University of Wisconsin - Stevens Point



Extension
UNIVERSITY OF WISCONSIN-MADISON