

Introduction to the Plan Commission

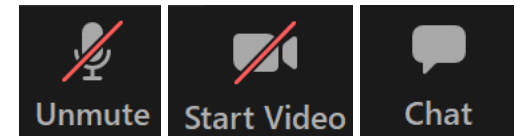


Thank you for joining us! The webinar will begin at noon.

For best results, please mute your microphone and turn off your video camera.



We will reserve 10 minutes for questions at the end. Please submit questions using the chat box.



Rebecca Roberts
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715-346-4322



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



Extension
UNIVERSITY OF WISCONSIN-MADISON

Key Takeaways



- Roles and responsibilities
- Major land use tools and decisions
- Terminology and resources



What is your role? (select all that apply)

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

How many people are watching from your site?

- 1, 2, 3, 4, 5, 6+



Plan Commission

- Established by city, village, or town with village powers
- Appointed for 3-year terms beginning in April
- 7 members or as otherwise provided by ordinance
- At least 3 “citizen” members
- Town population <2,500 may have 5 members, 1 citizen
- Wis. Stat. 60.62(4), 61.35, 62.23(7)(e)



Town Zoning Committee

- Towns without village powers
- 5 members appointed by town board
- Terms not specified
- Wis. Stat. 60.61(4)(a)



County Zoning Agency

- Three options: 1. appoint standing committee of county board, 2. plan commission composed wholly or partly of non-county board members, or 3. designate existing body
- Elected officials have 2-year terms coinciding with office
- Appointed officials have 3-year staggered terms
- Size not specified
- Wis. Stat. 59.69(2)



Plan Commission (Zoning Committee)

Responsible for advising governing body on broad planning and zoning matters and making other decisions assigned to it

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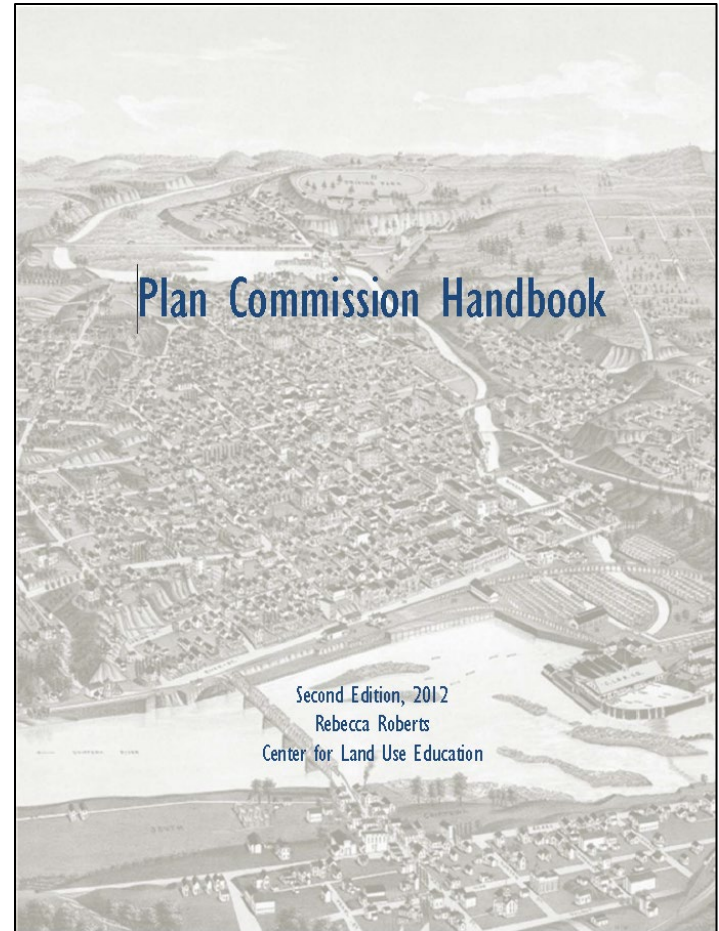
Zoning Board of Adjustment/Appeals

Independent body required to hear zoning variances and administrative appeals

Plan Commission Handbook

- I. Introduction to the Plan Commission
- II. Procedural Responsibilities
- III. Community Planning
- IV. Public Participation
- V. Plan Implementation
- V. Ordinance Administration
- VI. Zoning Regulations
- VII. Subdivision Regulations

Includes forms, worksheets, glossaries
and recommended resources



Three Most Common Land Use Tools



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



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



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

The background features a series of concentric circles in light gray, some solid and some dashed, creating a ripple effect. A large blue callout box is centered on the page, containing the text "Comprehensive Plan".

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)

- Guide to physical, social, and economic development of a community over a twenty-year period
- Includes goals, objectives, policies, programs, data, maps, and recommendations to implement plan



Nine Required Elements



Issues & Opportunities



Housing



Transportation



Utilities & Community Facilities



Agricultural, Natural & Cultural Resources



Economic Development



Intergovernmental Cooperation



Land Use



Implementation

Adopting or Amending the Plan

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

- Update at least once every 10 years
- Develop written public participation procedures
- Distribute plan for review and comment
- Class 1 notice and public hearing
- Plan commission recommends plan by resolution
- Governing body adopts plan by ordinance

Consistency Requirement

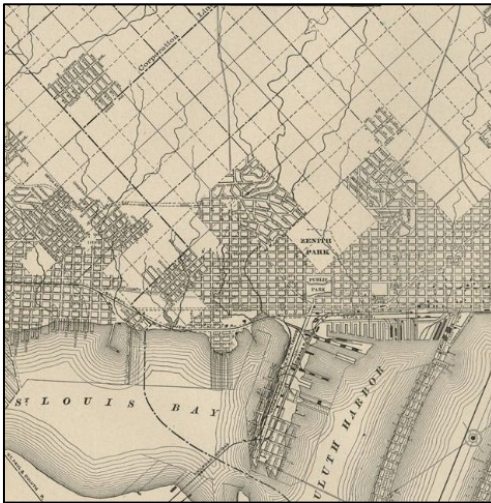
- New or amended zoning, land division, and official mapping ordinances must be consistent with an adopted comprehensive plan
- Consistent means “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan”

Guiding Document



Comprehensive Plan

Regulatory Tools to Implement the Plan



Official Map



Subdivision Ordinance



Zoning Ordinance

Guiding Document



Comprehensive Plan

Non-Regulatory Tools to Implement the Plan



Specific Plans

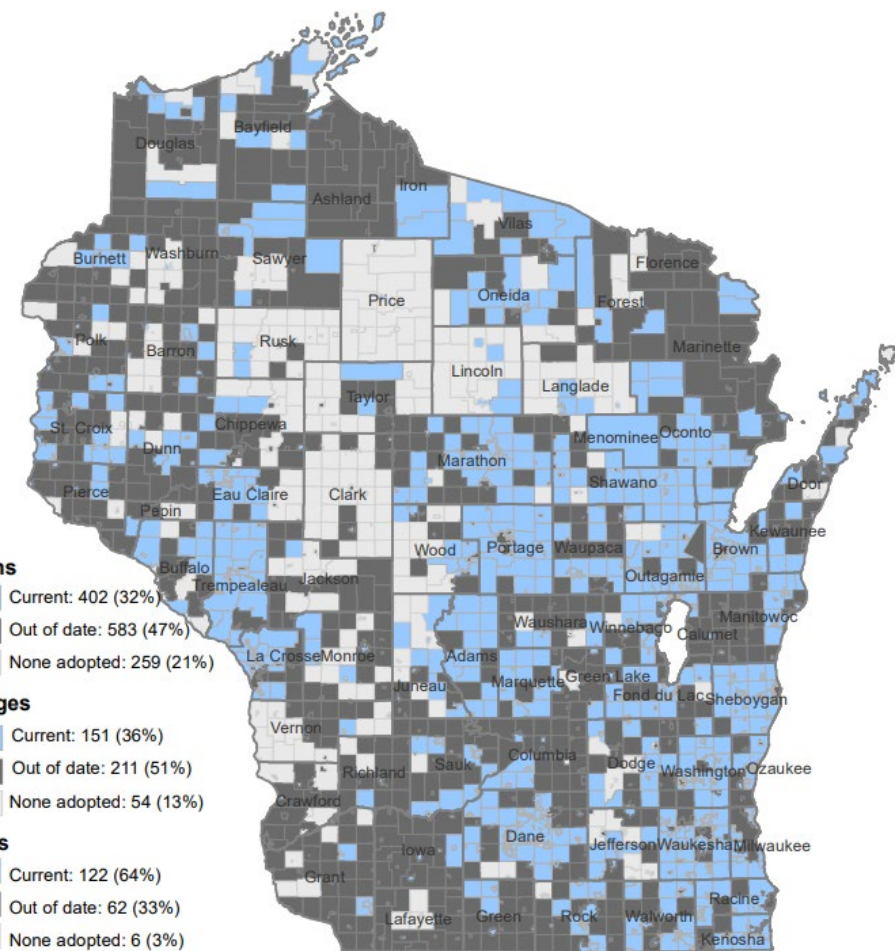
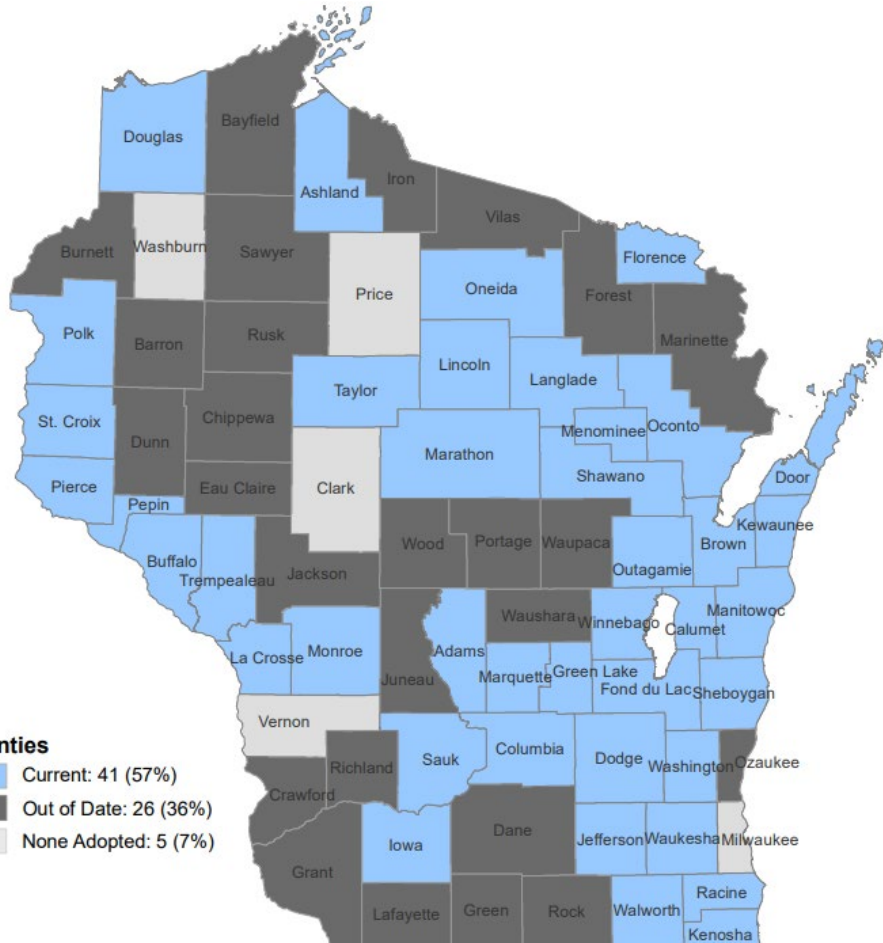


Programs



Funding

Comprehensive Plan Status



2023 Wisconsin Comprehensive Plan and Local Land Regulations Inventory Report

<https://doa.wi.gov/DIR/2023-Comp-Plan-and-Land-Regs-Inventory-Report.pdf>

Self-Reflection

- Do you have a copy of your plan?
- When did you last update it?
- How are you using your plan?
- What updates are needed?

Common Answers

- Consult when making development decisions
- Provide input on county zoning (rezones)
- Prioritize capital spending/road improvements
- Support for grant applications

The background features a series of concentric circles in light gray, some solid and some dashed, creating a ripple effect. A large blue callout box with a downward-pointing tail is centered on the page. Inside the box, the word "Zoning" is written in white, sans-serif font.

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

Zoning

Cities and Villages

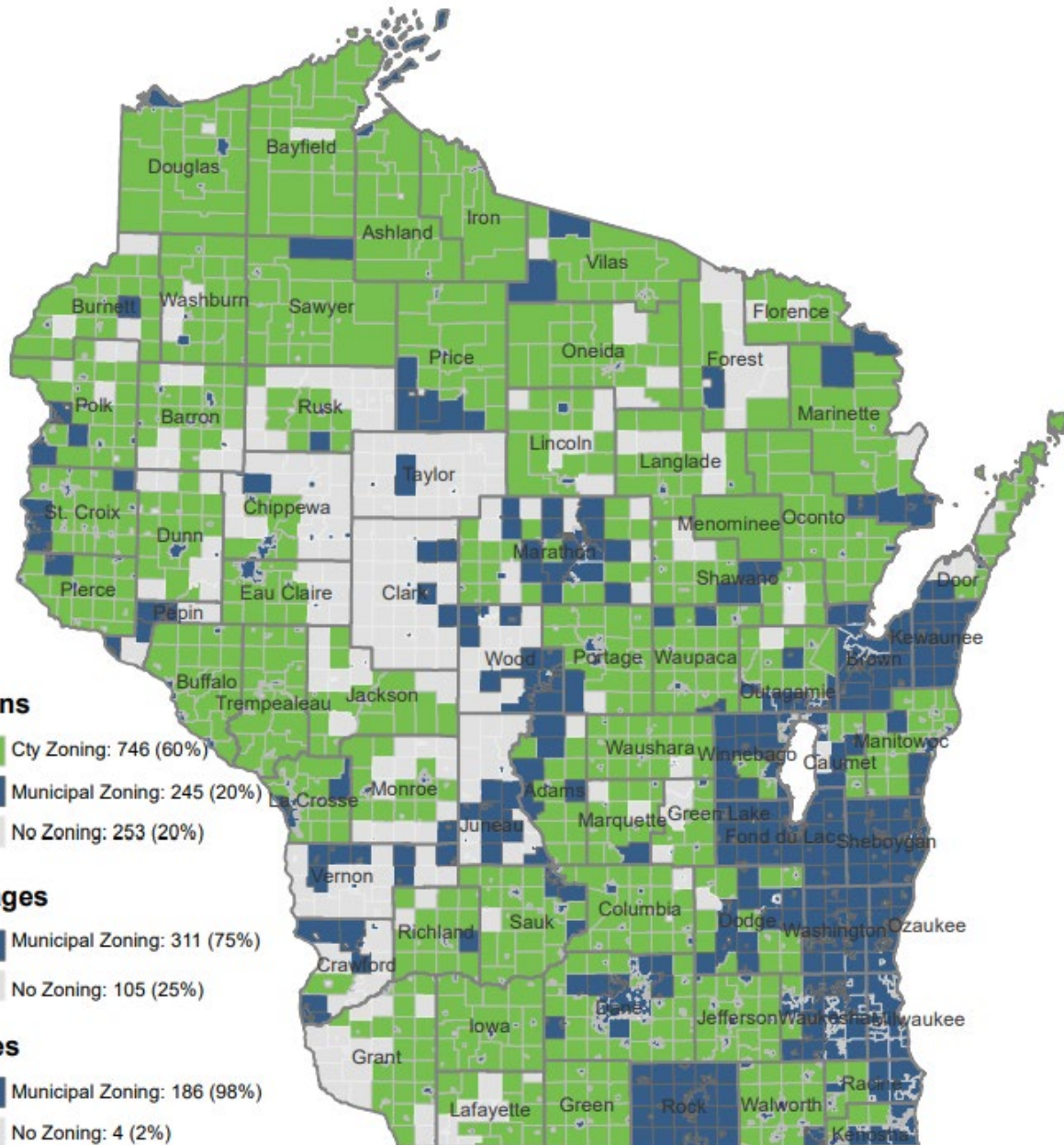
- May adopt general zoning
- May adopt extra-territorial zoning extending 1.5-3 miles beyond boundaries (rare)
- May have shoreland, wetland, floodplain zoning

Counties

- May adopt general zoning in unincorporated areas
- 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)

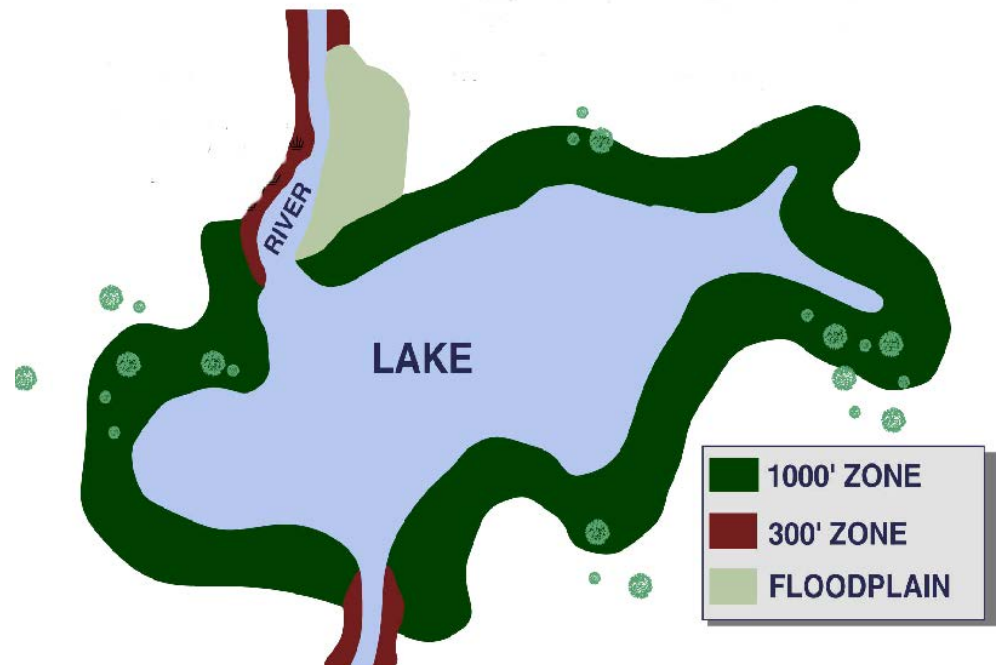


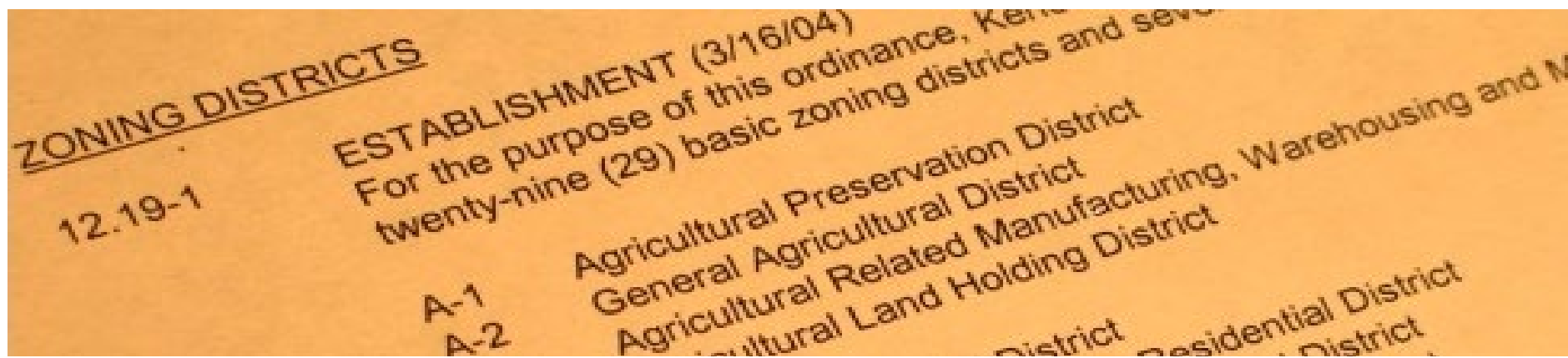
Cities, villages, and towns adopt general zoning ordinances under s. 62.23(7), 60.61 or 60.62. Counties and towns adopt county general zoning under s. 59.69. Those seeking the most current data may consult the [Comp Plan and Land Regs Inventory spreadsheet](#), which continues to be updated. They may 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

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

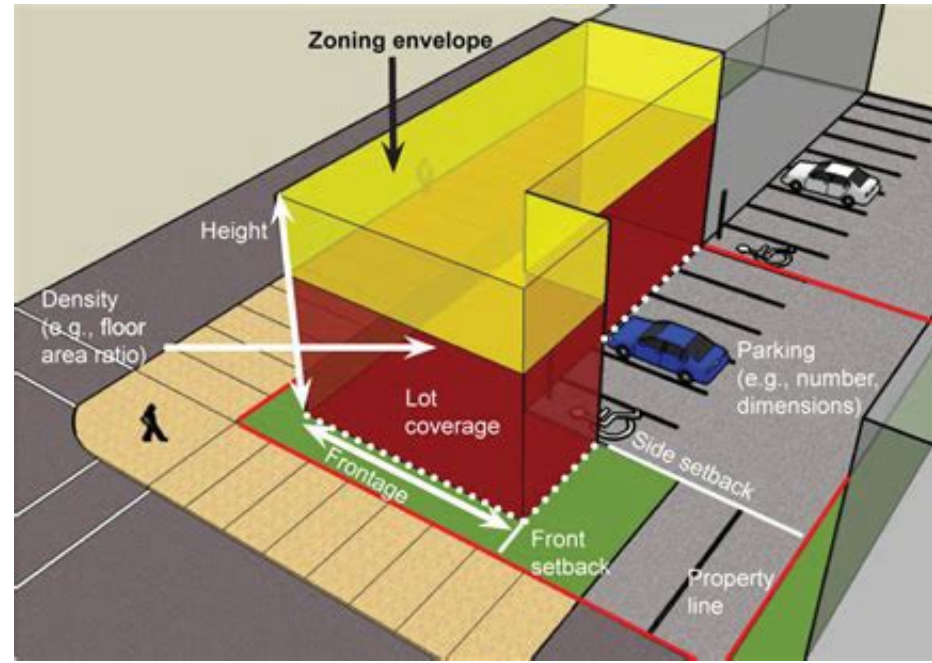
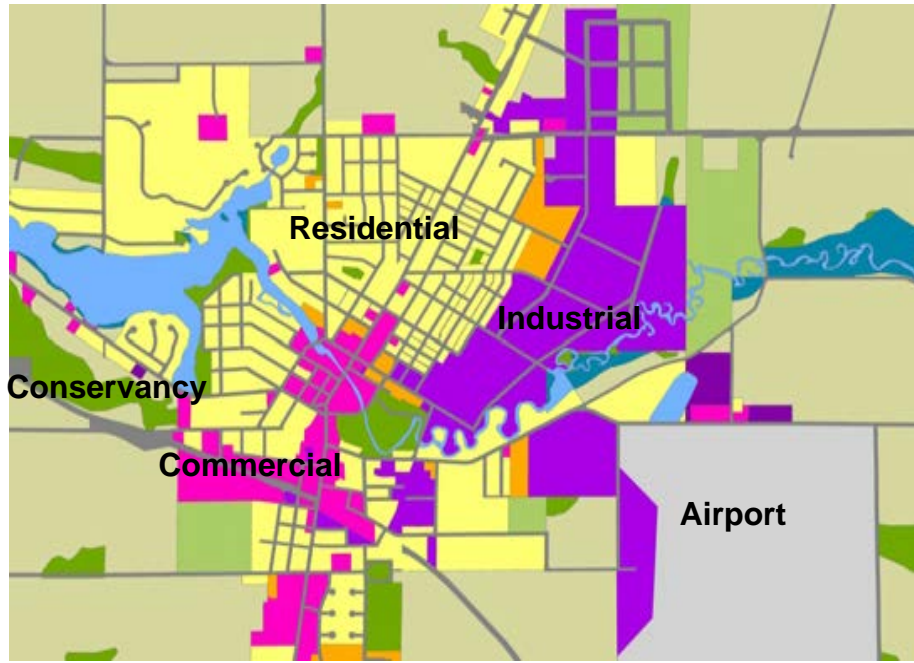
- Shoreland zoning
- Floodplain zoning
- Wellhead protection
- Farmland preservation
- Bluff or steep slopes
- Historic overlay
- Airport protection





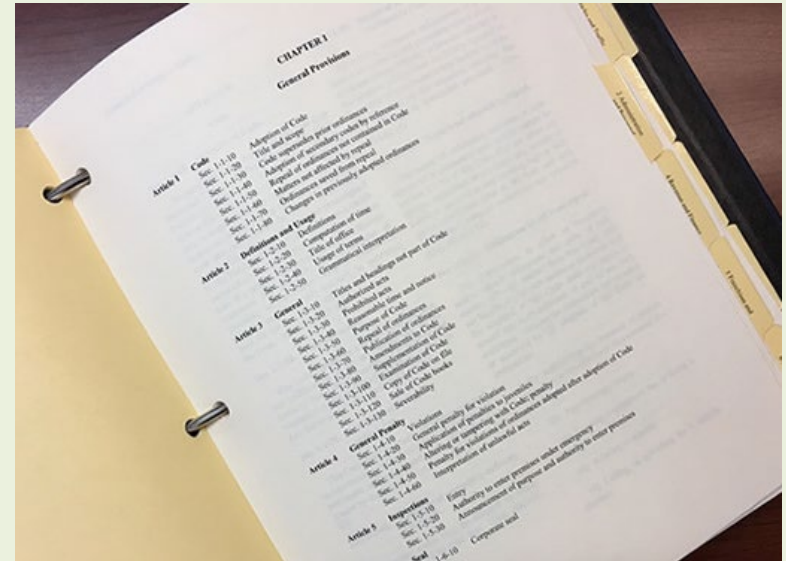
Map – Divides the community into zoning districts

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.

Zoning Districts

Residential 1 Family R-1		Regional Commercial C-3	
Residential 1-2 Family R-2		Light Industrial I-1	
Residential 1-3 Family & Town House R-3		Medium Industrial I-2	
Residential Low-Rise Multifamily R-4		Heavy Industrial I-3	
Residential Mid-Rise Multifamily R-5		Mixed Use 1 Residential & Commercial MX-1	
Residential High-Rise Multifamily R-6		Mixed-Use 2 Residential, Commercial, Industrial MX-2	
Neighborhood Commercial C-1		Port PORT	
Community Commercial C-2		Airport & Airport Support EWR & EWR-S	
			




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

Uses for Each District

Permitted Use

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

Granted by zoning administrator.

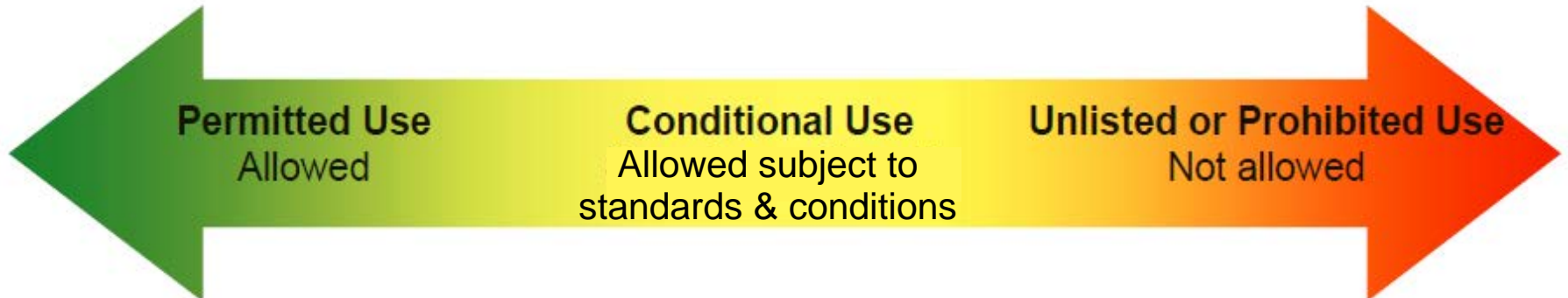
Conditional Use

Use is listed for district and allowed if it meets ordinance standards and conditions imposed by the local government.

Decided by zoning board, plan commission, or governing body, as assigned by local ordinance.

Prohibited Use

Use is not listed or is expressly prohibited within the district.



Ex. Residential District

Permitted Uses



Conditional Uses



Local government may add standards or conditions related to parking, signage, hours of operation, size of operation, etc.



Prohibited Uses



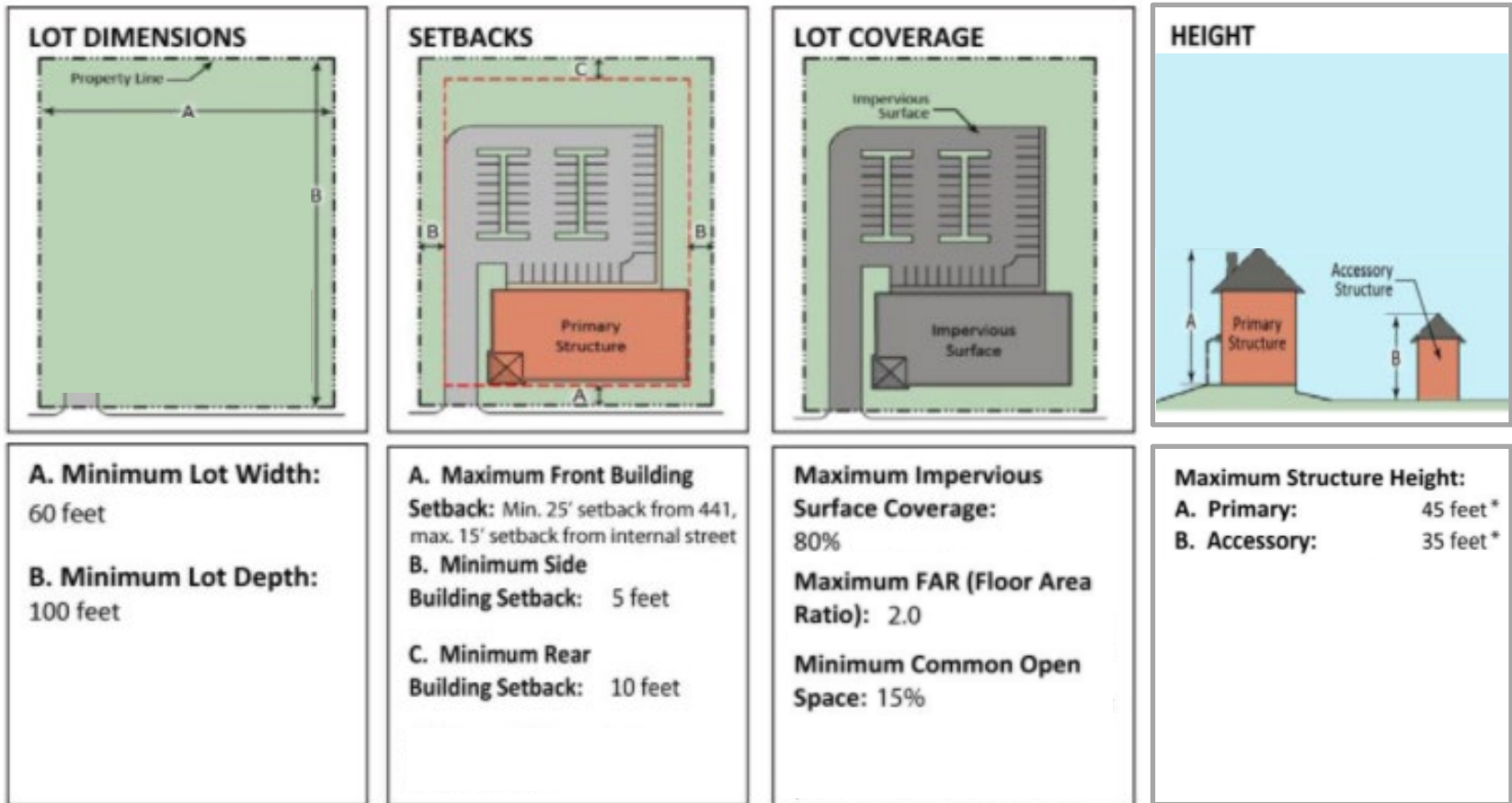
Sample Use Table

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

Development Standards

Dimensional Standards



Parking, landscaping, lighting, signage, stormwater management, etc.

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

Let's Review! Who Does What?

Planning and Zoning Staff



Plan Commission / Zoning Committee



Governing Body



Zoning Board of Adjustment / Appeals



Drafting, review and technical support

Recommendation

Ordinance adoption or amendment

(Includes rezones)

Permitted use

Conditional use

or

Conditional use

or

Conditional use

Variance

Administrative appeal

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.



Legislative

Create new standards that apply to the community as a whole or a broad segment of the community.

Broad discretion

- Must be reasonable and constitutional.
- Broad public participation encouraged.
- Very little concern about discussion outside of hearing.

vs. Quasi-Judicial

Apply ordinance standards to a specific land use proposal.

Limited discretion

- Impartial decision-makers.
- Input, fact-finding, and decision-making limited to public hearing.
- Must apply ordinance as written.
- May approve or deny.
- May attach conditions to minimize negative impacts.

Ex. Conditional Uses

Ordinance:

- ✓ Purpose of regulations
- ✓ Specific uses allowed in each district
- ✓ Measurable criteria for judging conditional uses
- ✓ Body responsible for making permit decisions

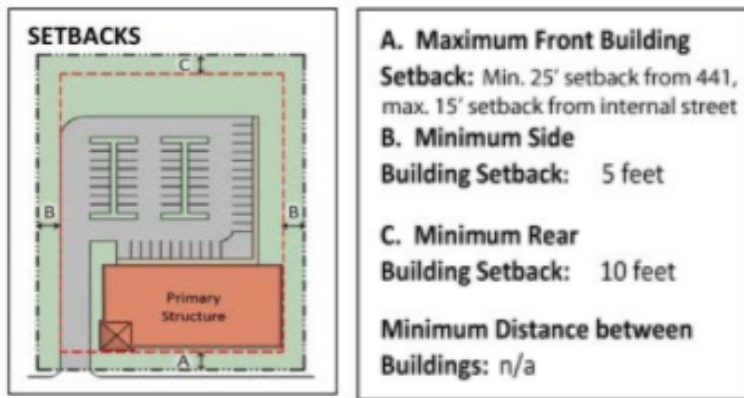
Decision:

- ✓ Grant or deny permit based on ability to meet ordinance standards and conditions
- ✓ May attach reasonable conditions that relate to ordinance purpose
- ✓ Provide substantial evidence supporting your decision

Zoning Amendments

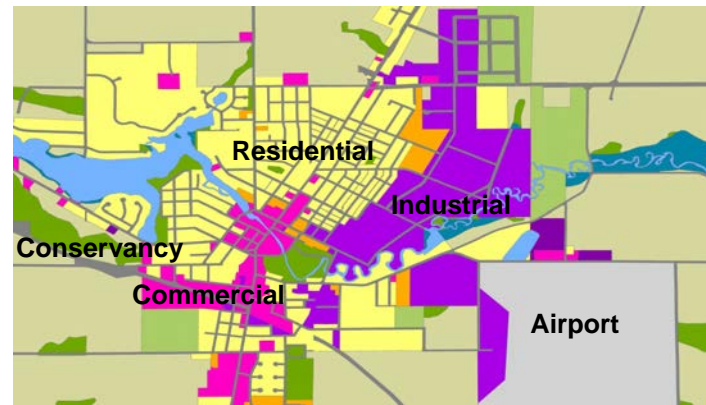
Text Amendment

change to district regulations
ex. allowed uses, setbacks, 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.

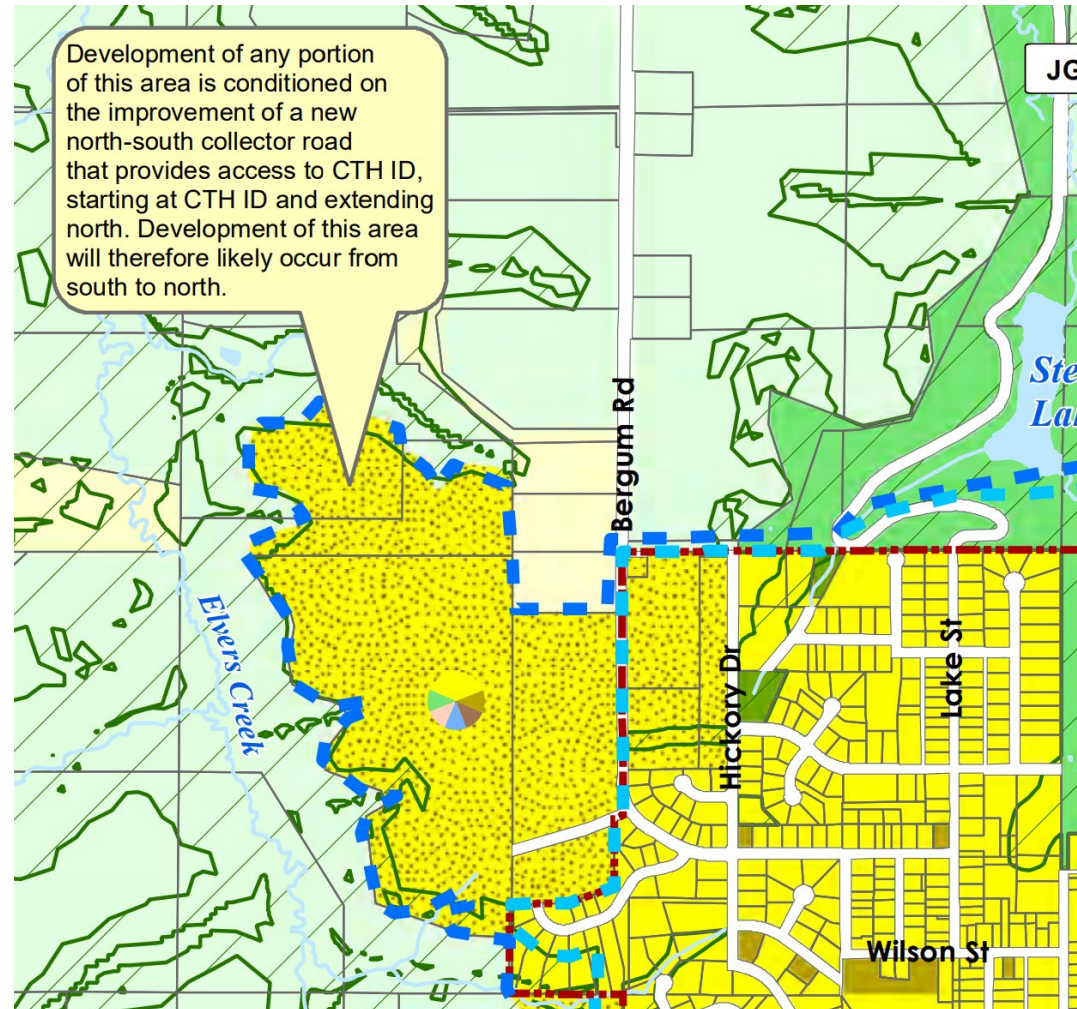
1. Look to future land use map to determine consistency

Ex. Village of Mount Horeb
Future Land Use Map
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



-  Current Urban Service Area Boundary
-  Potential Future Urban Service Area Boundary

2. Look to text of comprehensive plan

Ex. Village of DeForest – Future Land Use Categories and Policies

Future Land Use Category (shown on Map 6-1)	General Description of Land Uses Allowed	Typical Implementing Zoning Districts	Lot Size and/or Density Range	Development Policies (see also Village zoning, subdivision, stormwater management, official map, and other ordinances)
Commercial	High-quality indoor retail, commercial service, office, health care, and institutional buildings on sites with generous landscaping and modest lighting and signage; served by a public sewer system (except for A-B district)	B-2 General Business (preferred) B-3 Highway Business PUD Planned Unit Development A-B Agricultural Business (in ETZ and other rural settings)	Per associated zoning district requirements	<ol style="list-style-type: none"> 1. In addition to zoning requirements, meet commercial design policy in the Economic Development chapter. 2. Time rezoning to when public sanitary sewer and water services available and a specific development proposal is offered. 3. Assure that development provides access and an attractive rear yard appearance and existing and future development behind these sites. 4. Require developments to address off-site traffic, environmental, and neighborhood impacts.
Downtown	Mix of specialty retail, restaurants, service, office, institutional, and mainly upper-story residential uses, in a pedestrian-oriented environment and mixed use buildings, with on-street parking, minimal setbacks, and buildings compatible with a downtown setting	B-1 Central Business District (preferred) PUD Planned Unit Development	See Chapter 3: Downtown for density and other site utilization recommendations for the Downtown and specific sites within it Also see B-1 requirements	<ol style="list-style-type: none"> 1. Encourage uses most appropriate for the Village downtown area to develop or remain there. 2. Pay special attention to design and scale when considering approvals in the Downtown. 3. Preserve the architectural and historic character of the core downtown historic buildings. 4. See the Downtown chapter for more specific land use, redevelopment, and revitalization recommendations.
Office/Research	High-quality indoor professional office, research, development, and testing uses, health care facilities and other institutional uses, support uses such as day care, health club, bank, and compatible assembly operations; served by public sewer system	O-R Office and Research District (preferred) PUD Planned Unit Development B-2 General Business	Per associated zoning district requirements	<ol style="list-style-type: none"> 1. Design and approve developments within Office/Research areas to result in higher-end "office park" or "office/research campus" setting. 2. Encourage warehousing and manufacturing uses to locate away from lands designated for Office/Research use, except where the building, site, and activities are designed to blend within an office/research setting.

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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

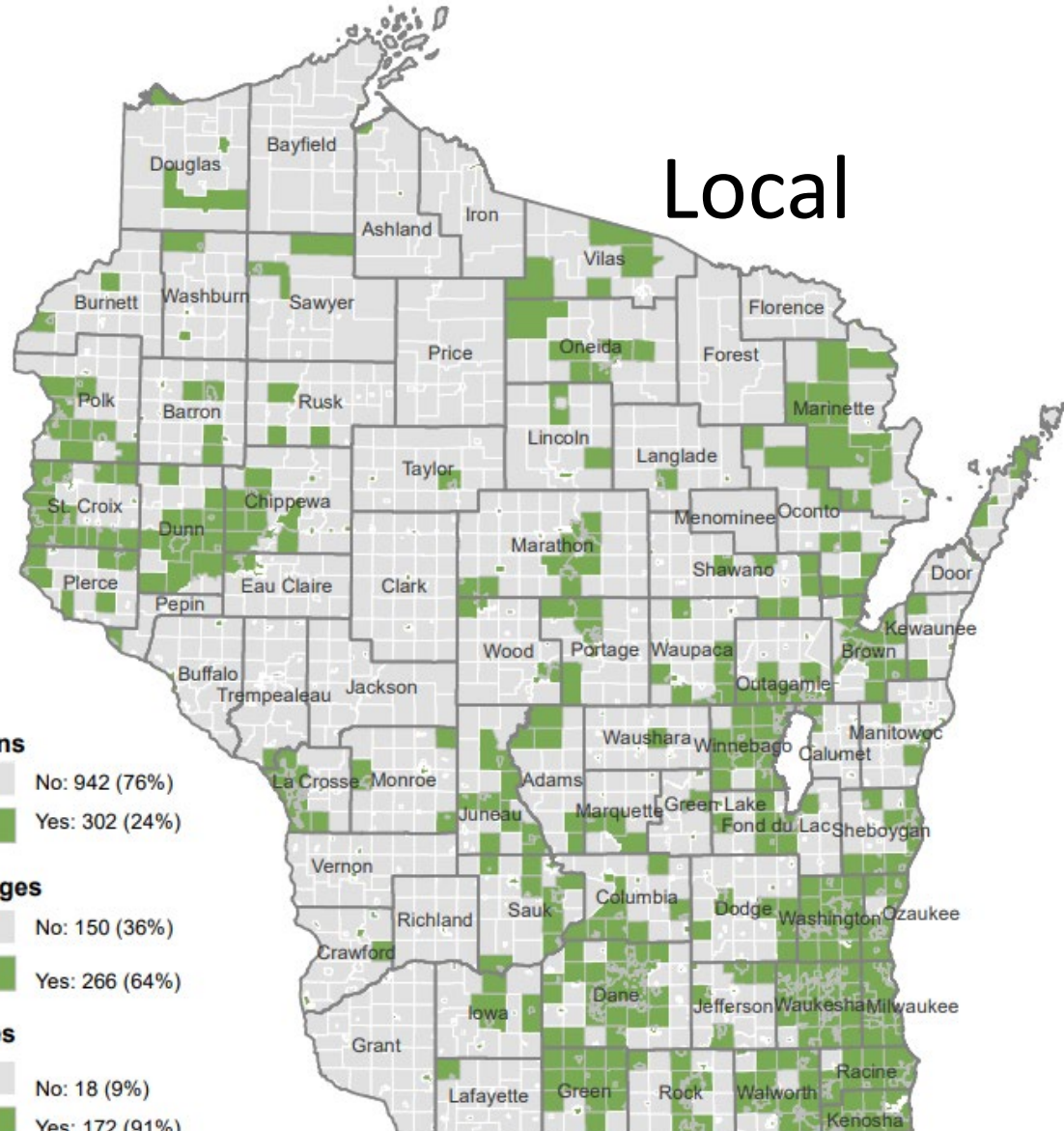


Three Levels of Review

State



Local



County



Towns

- No: 942 (76%)
- Yes: 302 (24%)

Villages

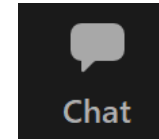
- No: 150 (36%)
- Yes: 266 (64%)

Cities

- No: 18 (9%)
- Yes: 172 (91%)

Counties exercise subdivision regulations under statutes 236.45. The term "land division regulations" is often used for local subdivision regulations. Please consult with individual local governments to check accuracy and email omp_planning@wisconsin.gov with any corrections.

Which of these is considered a “subdivision” under state law?



Type in chat box

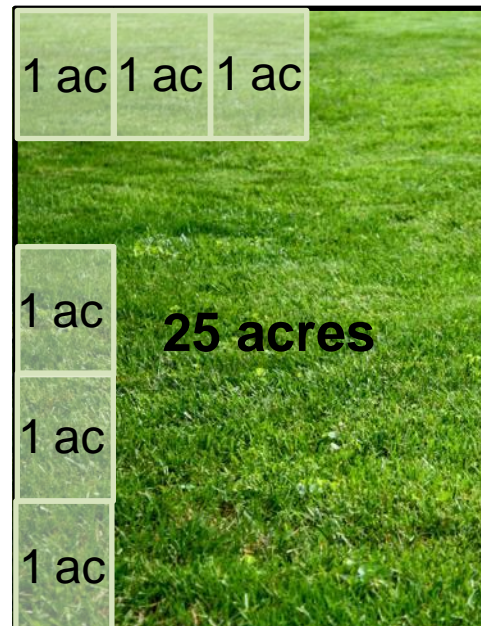
#1

Three 1-acre parcels created in one year



#2

Six 1-acre parcels created within 5 years



#3

Five 5-acre parcels created in one year



Subdivision = creation of 5 or more parcels of 1.5 acres or less within a period of 5 years

No

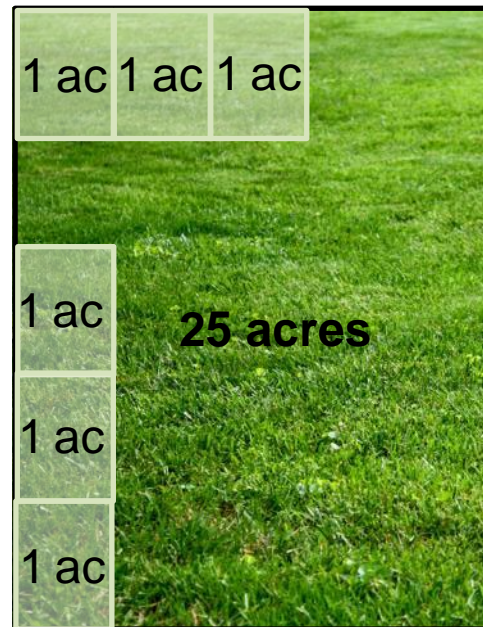
Too few parcels

Three 1-acre parcels
created in one year



Yes!

Six 1-acre parcels
created within 5 years



No

Parcels too large

Five 5-acre parcels
created in one year



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)

Local Subdivision Regulations



- Local ordinances may define subdivision differently
 - Ex. 5 acres or less; 4 or more parcels; anytime a road is created, etc.
- Local ordinances may impose additional requirements
 - Ex. public improvements in a town, village or city ordinance
- When review overlaps, most restrictive provision applies
 - May not review for use or public improvements in extraterritorial area



Plat = a map of a subdivision

PARTRIDGE RIDGE SUBDIVISION - 7TH ADDITION

LOCATED IN THE SW 1/4 OF THE NW 1/4 SECTION 18, TOWNSHIP 6 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, CITY OF POCATELLO, BANNOCK COUNTY, IDAHO



VICINITY MAP

LEGEND

- SECTION CORNER AS NOTED
- FOUND 1/4 CORNER AS NOTED
- FOUND 1/2 INCH REBAR WITH PLASTIC CAP STAMPED "RMES PELS 2541" OR AS NOTED
- FOUND 2 INCH ALUM. CAP STAMPED "RMES PELS 2541" INSIDE MONUMENT VAULT
- FOUND 2 INCH REBAR WITH PLASTIC CAP STAMPED "RMES PELS 2541" (LOT CORNERS AND AT END OF CURVES)
- FOUND 5/8 INCH REBAR WITH 1/2 INCH ALUM. CAP STAMPED "RMES PELS 2541"
- 5 / BLOCK 1** SUBDIVISION LOT / BLOCK NUMBER
- LOT 4** BLOCK 1 EX. SUBDIVISION LOT / BLOCK NUMBER
- SUBDIVISION BOUNDARY LINE
- SUBDIVISION LOT LINE
- STREET CENTERLINE
- EXISTING SECTION & STREET CENTERLINE
- EASEMENT SIDELINE
- EXISTING EASEMENT SIDELINE

GRAPHIC SCALE
 60 0 30 60
 (1 INCH) = 60 FEET
 1 inch = 60'

BASIS OF BEARING
 PER CITY OF POCATELLO DATUM BASED ON THE CENTRAL MERIDIAN OF IDAHO STATE PLANE EAST ZONE COORDINATE SYSTEM

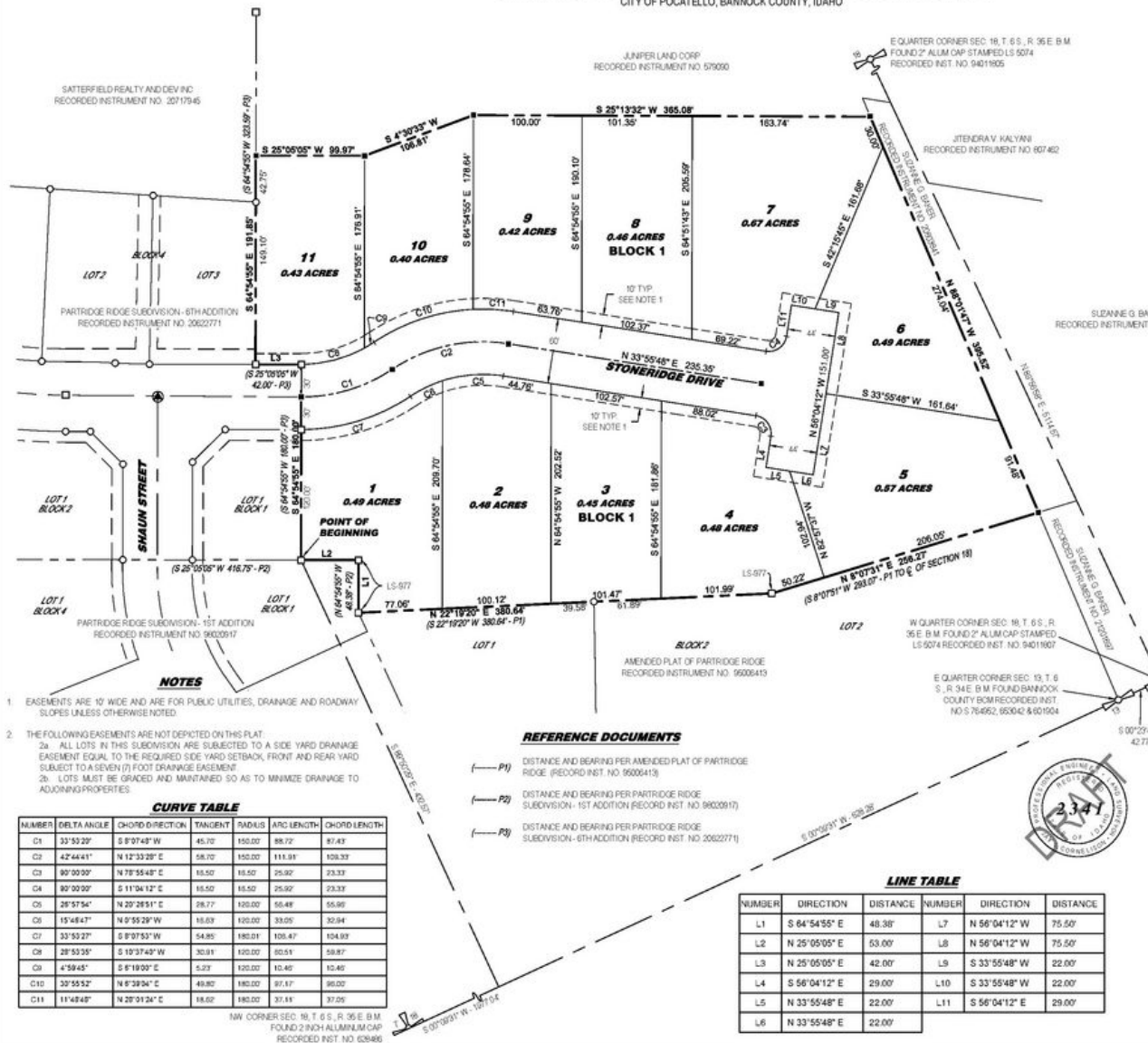
RECORDING INSTRUMENT NUMBER

PARTRIDGE RIDGE SUBDIVISION 7TH ADDITION
 LOCATED IN THE SW 1/4 OF THE NW 1/4 SECTION 18, TOWNSHIP 6 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, CITY OF POCATELLO, BANNOCK COUNTY, IDAHO

RMES
 Engineers + Surveyors + Planners
 2310 17th Ave. West, #207 Williston, ND 58801 (701) 875-0110
 2043 E. Center St. Pocatello, ID 83201 (208) 234-0110

REVISIONS: SURVEYED BY: J.K. SRM, J.C.E.
 1. OFFICE WORK BY: J.C. SOB
 2. FIELD BOOK NO.: NA
 3. DATE: APRIL 2015

PROJECT NO: 14002
 DRAWING: R1445a1b1field, BlyPartridge Ridge general work - 14002-PLAT18/7TH PLD102
 SCALE: 1 INCH = 60 FEET
 SHEET 1 OF 2



Who Does What?



- Ordinance, amendments, and plats must be reviewed by plan commission.
- 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))

Typical Process

1

Pre-Application Conference

Informal review intended to spot problems upfront

If requested or required by local ordinance

2

Preliminary Plat Approval

If required by local ordinance OR submitted by applicant

Act within 90 days

3

Final Plat Approval

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

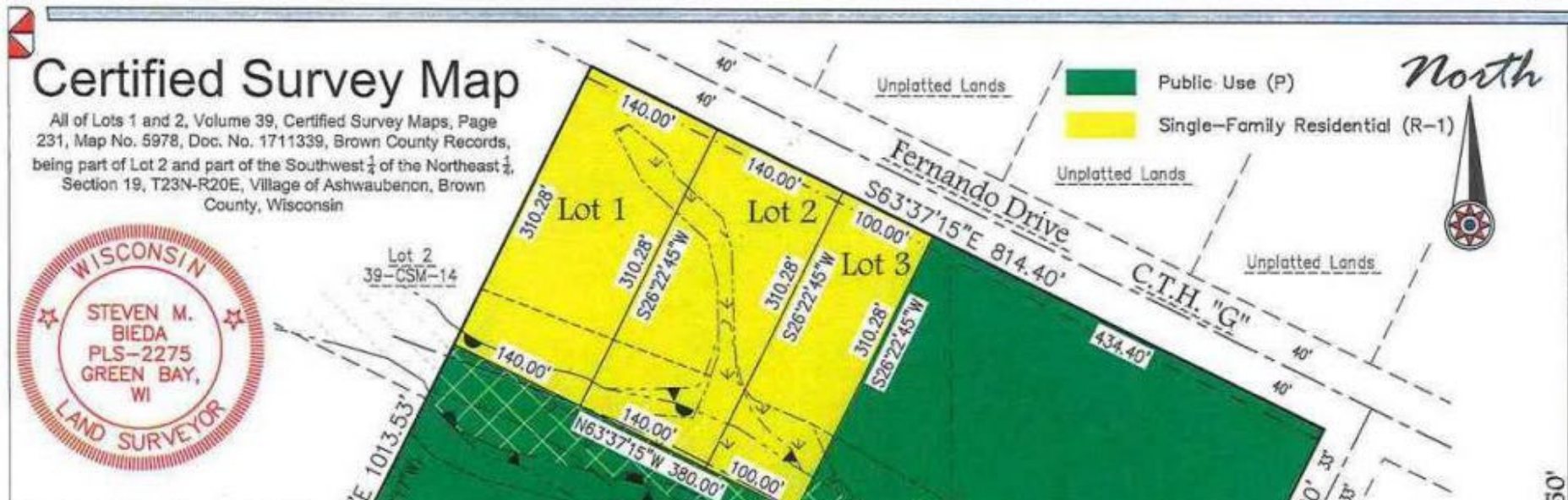
Act within 60 days

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.

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



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 March 2023](#)

Manual Sections

A-E 7

[Annexation December 2021](#)

[Assessor's Plats Jan. 2019](#)

Cemetery Plats

[Certificates Nov. 2016](#)

[Condo Plats 2009](#)

[Correction Instruments](#)

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

[Discontinuances Jan. 2019](#)

[Easements](#)

[Example Plats Jan. 2022](#)

[Local Plats Dec. 2014](#)

[Lots & Outlots Dec. 2014](#)

[Mapping Requirements Jan. 2022](#)

[Monuments Dec. 2014](#)

[Recording Dec. 2014](#)

[Review Process Jan. 2022](#)

[Restriction Release](#)

[Submittals Oct. 2022](#)

[Time Limits Dec. 2014](#)

[Streets Dec. 2014](#)

[Subdivisions & Water Dec. 2014](#)

[Vacations Jan. 2016](#)

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

Thank You!
Any Questions?

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