

Comprehensive Planning Law

The Comprehensive Planning Law was enacted in 1999.¹ Sometimes referred to as the “smart growth law,” the Comprehensive Planning Law does not mandate how a community should grow, rather it leaves such decisions up to local communities.

Comprehensive Planning Law Features

- ▶ Defines a comprehensive plan as containing at least nine elements:
 - Issues and Opportunities
 - Housing
 - Transportation
 - Utilities and Community Facilities
 - Agricultural, Natural and Cultural Resources
 - Economic Development
 - Intergovernmental Cooperation
 - Land Use
 - Implementation
- ▶ Consistency requirement – Beginning on January 1, 2010, if a local governmental unit enacts or amends an official mapping, land division, or zoning ordinance, the enactment or amendment ordinance must be consistent with that community’s comprehensive plan.
- ▶ Grant program² – Provides \$2 million annually to help local communities develop comprehensive plans. To date, the Comprehensive Planning Grant Program has awarded \$21 million to 1,171 Wisconsin communities.
- ▶ Public involvement - the Comprehensive Planning Law requires public participation at every stage of the comprehensive planning process, including:
 - Adopting a public participation plan to provide a diverse range of opportunities for the public to help shape the community’s comprehensive plan.
 - Holding at least one public hearing prior to adopting the comprehensive plan, announced by a Class 1 notice.
 - Providing an opportunity to comment on the draft comprehensive plan.

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¹ See section 66.1001, Wis. Stats.

² See section 16.965, Wis. Stats.

Benefits to Comprehensive Planning

Understands the past and present – a plan collects useful information about the community, such as historical trends, present conditions, and (by studying trends) where it is headed.

Lays out a roadmap to the future – a plan puts down on paper a community's goals, values, and aspirations – its vision for the future – and the steps needed to achieve these things.

Guides land use regulations – provides a rational basis for land use regulations and makes land use decisions more predictable.

Is proactive rather than reactive – a plan helps communities to identify and resolve issues early on, before they become conflicts.

Coordinates community activity – a comprehensive plan should take into account all of a community's policies, programs, departments, initiatives, services, plans, regulations, responsibilities, and systems.

Saves money \$\$\$ – a plan identifies functions within a jurisdiction or between jurisdictions that conflict, are duplicated, or could be strengthened through coordination. For example, a town and a school district could jointly own and maintain a park and playground.

Preserves local control – the Comprehensive Planning Law promotes a bottom-up, rather than a top-down approach. The state does not adopt or certify a local comprehensive plan. Instead, a plan must be adopted by a community's governing body.

Preserves local autonomy - the Comprehensive Planning Law does not alter the legal relationship between jurisdictions. Local governments continue to have the same powers and authority over land use that they had before the law was passed.

Promotes property rights – the Comprehensive Planning Law makes planning more transparent and open to the public, including landowners, than prior to the law.

Promotes economic development – planning helps communities retain existing businesses, attract new ones, revitalize downtowns, develop housing for workers, and recommend steps to improve infrastructure capacity.

Promotes intergovernmental cooperation – through the required Intergovernmental Cooperation Element, communities identify existing cooperation between jurisdictions, identify existing or potential conflicts, and describe processes to resolve these conflicts.

Protects resources – planning helps protect the things a community treasures most, including historic buildings, forests, farmland, bluff areas, wetlands, scenic vistas, downtown main streets, lakes, rivers, village squares, etc.

