

**ROCK COUNTY**  
**LAND INFORMATION COUNCIL**  
**MONDAY October 26, 2015 - 9:00 A.M.**  
**COURTHOUSE CONFERENCE ROOM (Note room change)**  
**ROCK COUNTY COURTHOUSE – 2nd FLOOR**

**AGENDA**

- 1) Call to order.
- 2) Approval of Agenda.
- 3) Approval of Minutes of May 4, 2015
- 4) Communications and Announcements
- 5) **Information Item:** Update on Land Information Plan 2016-2019
- 6) **Information Item:** Update on Wisconsin Land Information Program
  - a) Statewide Parcel Map Update
  - b) AB371 and SB266
  - c) 2016 Strategic Initiatives Grant Application
- 7) **Information Item:** 2015 Budget Items Wrap Up
  - a) 2015 Orthoimagery Flight
  - b) Historical Scanning – Planning
- 8) **Information Item:** 2016 Budget Update
- 9) **Information Item:** Status Update of TARIS
- 10) **Information Item:** Updates on web apps and maps
- 11) **Information Item:** Status of the County Surveyor position.
- 12) Future Agenda Items.
- 13) Next Meeting Date.
- 14) Adjournment



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-2555/1  
EVM:emw

## 2015 SENATE BILL 266

September 29, 2015 - Introduced by Senators MOULTON, LASEE, MARKLEIN, STROEBEL and WANGGAARD, cosponsored by Representatives KULP, CRAIG, HORLACHER, HUTTON, T. LARSON, SANFELIPPO, SCHRAA, THIESFELDT and QUINN. Referred to Committee on Government Operations and Consumer Protection.

1     **AN ACT to repeal** 16.965, 20.505 (1) (cm), 20.505 (1) (cn), 20.505 (1) (ud), 66.0230  
2           (2) (d) and 66.1001 (3m); **to amend** 20.505 (1) (ub), 59.69 (3) (a), 62.23 (2), 62.23  
3           (3) (b), 66.1001 (3) (intro.) and 66.1002 (2) (intro.); and **to create** 66.1001 (7) and  
4           66.1001 (8) of the statutes; **relating to:** comprehensive planning and making  
5           an appropriation.

---

### *Analysis by the Legislative Reference Bureau*

This bill authorizes a local government to repeal its comprehensive plan and eliminates a grant program related to comprehensive planning.

Under the current law commonly known as the "Smart Growth" statute, if a city, village, town, county, or regional planning commission (local governmental unit) creates a development plan or master plan (comprehensive plan) or amends an existing comprehensive plan, the plan must contain certain planning elements. The required planning elements include the following: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; land use; and intergovernmental cooperation.

Also under current law, unless certain conditions apply, beginning on January 1, 2010, certain ordinances enacted or amended by a local governmental unit that affect land use must be consistent with that local governmental unit's comprehensive plan. The ordinances to which this requirement applies are official mapping, local subdivision regulation, and zoning ordinances, including zoning of shorelands or wetlands in shorelands. Also under current law, beginning on January 1, 2010, if a

**SENATE BILL 266**

local governmental unit enacts or amends any of these specified ordinances, the comprehensive plan must contain at least all of the required planning elements.

Under this bill, a local governmental unit is authorized to repeal its comprehensive plan. Correspondingly, the ordinances that under current law must be consistent with a local governmental unit's comprehensive plan must, under the bill, be consistent with the local governmental unit's comprehensive plan only if the local governmental unit has a comprehensive plan in effect.

Under current law, the Department of Administration provides grants to local governmental units to assist in financing the cost of planning activities. This bill eliminates this grant program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

1           **SECTION 1.** 16.965 of the statutes is repealed.

2           **SECTION 2.** 20.505 (1) (cm) of the statutes is repealed.

3           **SECTION 3.** 20.505 (1) (cn) of the statutes is repealed.

4           **SECTION 4.** 20.505 (1) (ub) of the statutes is amended to read:

5           20.505 (1) (ub) *Land.* From the land information fund, all moneys received by  
6 the department under s. 59.72 (5) (a), ~~except moneys appropriated under par. (ud)~~  
7 other than the first \$2,000,000 received in each fiscal year, for the land information  
8 program under s. 16.967 and for reviews of proposed municipal incorporations and  
9 annexations by the department ~~and for the purpose of providing aids under s. 16.965.~~

10          **SECTION 5.** 20.505 (1) (ud) of the statutes is repealed.

11          **SECTION 6.** 59.69 (3) (a) of the statutes is amended to read:

12          59.69 (3) (a) The county zoning agency may direct the preparation of a county  
13 development plan or parts of the plan for the physical development of the  
14 unincorporated territory within the county and areas within incorporated  
15 jurisdictions whose governing bodies by resolution agree to having their areas

**SENATE BILL 266**

1 included in the county's development plan. The plan may be adopted in whole or in  
2 part and may be amended by the board and endorsed by the governing bodies of  
3 incorporated jurisdictions included in the plan. The county development plan, in  
4 whole or in part, in its original form or as amended, is hereafter referred to as the  
5 development plan. ~~Beginning on January 1, 2010, or, if the county is exempt under~~  
6 ~~s. 66.1001 (3m), the date under s. 66.1001 (3m) (b), if the county engages in any~~  
7 ~~program or action described in s. 66.1001 (3), the development plan shall contain at~~  
8 ~~least all of the elements specified in s. 66.1001 (2).~~

9 **SECTION 7.** 62.23 (2) of the statutes is amended to read:

10 62.23 (2) FUNCTIONS. It shall be the function and duty of the commission to  
11 make and adopt a master plan for the physical development of the city, including any  
12 areas outside of its boundaries that in the commission's judgment bear relation to the  
13 development of the city provided, however, that in any county where a regional  
14 planning department has been established, areas outside the boundaries of a city  
15 may not be included in the master plan without the consent of the county board of  
16 supervisors. The master plan, with the accompanying maps, plats, charts, and  
17 descriptive and explanatory matter, shall show the commission's recommendations  
18 for such physical development, ~~and shall, as described in sub. (3) (b), contain at least~~  
19 ~~the elements described in s. 66.1001 (2).~~ The commission may from time to time  
20 amend, extend, or add to the master plan or carry any part or subject matter into  
21 greater detail. The commission may adopt rules for the transaction of business and  
22 shall keep a record of its resolutions, transactions, findings, and determinations,  
23 which record shall be a public record.

24 **SECTION 8.** 62.23 (3) (b) of the statutes is amended to read:

**SENATE BILL 266****SECTION 8**

1           62.23 (3) (b) The commission may adopt the master plan as a whole by a single  
2 resolution, or, as the work of making the whole master plan progresses, may from  
3 time to time by resolution adopt a part or parts of a master plan. ~~Beginning on~~  
4 ~~January 1, 2010, or, if the city is exempt under s. 66.1001 (3m), the date under s.~~  
5 ~~66.1001 (3m) (b), if the city engages in any program or action described in s. 66.1001~~  
6 ~~(3), the master plan shall contain at least all of the elements specified in s. 66.1001~~  
7 ~~(2).~~ The adoption of the plan or any part, amendment, or addition, shall be by  
8 resolution carried by the affirmative votes of not less than a majority of all the  
9 members of the city plan commission. The resolution shall refer expressly to the  
10 ~~elements under s. 66.1001 and other matters intended by the commission to form the~~  
11 ~~whole or any part of the plan, and the action taken shall be recorded on the adopted~~  
12 ~~plan or part of the plan by the identifying signature of the secretary of the~~  
13 ~~commission, and a copy of the plan or part of the plan shall be certified to the common~~  
14 ~~council, and also to the commanding officer, or the officer's designee, of any military~~  
15 ~~base or installation, with at least 200 assigned military personnel or that contains~~  
16 ~~at least 2,000 acres, that is located in or near the city. The purpose and effect of the~~  
17 ~~adoption and certifying of the master plan or part of the plan shall be solely to aid~~  
18 ~~the city plan commission and the council in the performance of their duties.~~

19           **SECTION 9.** 66.0230 (2) (d) of the statutes is repealed.

20           **SECTION 10.** 66.1001 (3) (intro.) of the statutes is amended to read:

21           66.1001 (3) ORDINANCES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.  
22 (intro.) ~~Except as provided in sub. (3m), beginning on January 1, 2010, if~~ If a local  
23 governmental unit has in effect a comprehensive plan and enacts or amends any of  
24 the following ordinances, the ordinance shall be consistent with that local  
25 governmental unit's comprehensive plan:

**SENATE BILL 266**

1           **SECTION 11.** 66.1001 (3m) of the statutes is repealed.

2           **SECTION 12.** 66.1001 (7) of the statutes is created to read:

3           66.1001 (7) REPEAL OF COMPREHENSIVE PLAN. A local governmental unit may  
4           repeal its comprehensive plan by a majority vote of the members-elect, as defined  
5           in s. 59.001 (2m), of the governing body.

6           **SECTION 13.** 66.1001 (8) of the statutes is created to read:

7           66.1001 (8) LIMITATION ON CONSIDERATION OF COMPREHENSIVE PLANNING. No  
8           department or agency of the state or authority created by the state or any city, village,  
9           town, or county may consider whether or not a local governmental unit has in effect  
10          a comprehensive plan in determining the eligibility of the local governmental unit  
11          or any person or entity in the local government unit for participation in an economic  
12          development program.

13          **SECTION 14.** 66.1002 (2) (intro.) of the statutes is amended to read:

14          66.1002 (2) MORATORIUM ALLOWED. (intro.) Subject to the limitations and  
15          requirements specified in this section, a municipality may enact a development  
16          moratorium ordinance if the municipality has enacted a comprehensive plan, is in  
17          the process of preparing its comprehensive plan, or is in the process of preparing a  
18          significant amendment to its comprehensive plan in response to a substantial  
19          change in conditions in the municipality, ~~or is exempt from the requirement as~~  
20          described in s. 66.1001 (3m), and if at least one of the following applies:

21          **SECTION 15. Fiscal changes.**

22          (1) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the  
23          land information fund from the appropriation account to the department of  
24          administration under section 20.505 (1) (ub) of the statutes, as affected by the acts  
25          of 2015, an amount equal to \$2,000,000 less any amount obligated or paid for

**SENATE BILL 266**

**SECTION 15**

1 comprehensive planning grants in the fiscal year, in the fiscal year in which this  
2 subsection takes effect.

3 **SECTION 16. Effective dates.** This act takes effect on the day after publication,  
4 except as follows:

5 (1) The treatment of section 20.505 (1) (ub) of the statutes takes effect on July  
6 1, 2016.

7 (END)

### Fiscal Estimate - 2015 Session

Original     
  Updated     
  Corrected     
  Supplemental

LRB Number <b>15-2555/1</b>	Introduction Number <b>SB-266</b>
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**Description**  
 comprehensive planning and making an appropriation

**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
  - Increase Existing Appropriations
  - Decrease Existing Appropriations
  - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
  - Yes       No
- Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
  - 1.  Increase Costs       Permissive     Mandatory
  - 2.  Decrease Costs       Permissive     Mandatory
  - 3.  Increase Revenue       Permissive     Mandatory
  - 4.  Decrease Revenue       Permissive     Mandatory
- 5. Types of Local Government Units Affected
  - Towns     Village     Cities
  - Counties     Others    Regional Planning Commissions
  - School Districts     WTCS Districts

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	10/5/2015



## Fiscal Estimate Narratives

DNR 10/5/2015

LRB Number <b>15-2555/1</b>	Introduction Number <b>SB-266</b>	Estimate Type <b>Original</b>
<b>Description</b> comprehensive planning and making an appropriation		

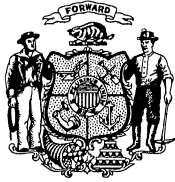
### Assumptions Used in Arriving at Fiscal Estimate

The bill authorizes a local government to repeal its comprehensive plan and it eliminates a Department of Administration (DOA) grant program related to comprehensive planning.

This bill would have no fiscal impact on the Department of Natural Resources.

For local governments, the elimination of the DOA grant program may leave some comprehensive planning costs with local units of government if they opt to continue those efforts. Other fiscal impacts are indeterminate.

### Long-Range Fiscal Implications



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3115/1  
EVM:emw

## 2015 ASSEMBLY BILL 371

September 25, 2015 - Introduced by Representatives KULP, HUTTON, T. LARSON, SANFELIPPO, SCHRAA, THIESFELDT, QUINN, CRAIG and HORLACHER, cosponsored by Senators MOULTON, LASEE, MARKLEIN, STROEBEL and WANGGAARD. Referred to Committee on State Affairs and Government Operations.

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2           (2) (d) and 66.1001 (3m); **to amend** 20.505 (1) (ub), 59.69 (3) (a), 62.23 (2), 62.23  
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**ASSEMBLY BILL 371**

local governmental unit enacts or amends any of these specified ordinances, the comprehensive plan must contain at least all of the required planning elements.

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13 development plan or parts of the plan for the physical development of the  
14 unincorporated territory within the county and areas within incorporated  
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**ASSEMBLY BILL 371**

1 included in the county's development plan. The plan may be adopted in whole or in  
2 part and may be amended by the board and endorsed by the governing bodies of  
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4 whole or in part, in its original form or as amended, is hereafter referred to as the  
5 development plan. ~~Beginning on January 1, 2010, or, if the county is exempt under~~  
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12 areas outside of its boundaries that in the commission's judgment bear relation to the  
13 development of the city provided, however, that in any county where a regional  
14 planning department has been established, areas outside the boundaries of a city  
15 may not be included in the master plan without the consent of the county board of  
16 supervisors. The master plan, with the accompanying maps, plats, charts, and  
17 descriptive and explanatory matter, shall show the commission's recommendations  
18 for such physical development, ~~and shall, as described in sub. (3) (b), contain at least~~  
19 ~~the elements described in s. 66.1001 (2).~~ The commission may from time to time  
20 amend, extend, or add to the master plan or carry any part or subject matter into  
21 greater detail. The commission may adopt rules for the transaction of business and  
22 shall keep a record of its resolutions, transactions, findings, and determinations,  
23 which record shall be a public record.

24 **SECTION 8.** 62.23 (3) (b) of the statutes is amended to read:

**ASSEMBLY BILL 371****SECTION 8**

1           62.23 (3) (b) The commission may adopt the master plan as a whole by a single  
2 resolution, or, as the work of making the whole master plan progresses, may from  
3 time to time by resolution adopt a part or parts of a master plan. ~~Beginning on~~  
4 ~~January 1, 2010, or, if the city is exempt under s. 66.1001 (3m), the date under s.~~  
5 ~~66.1001 (3m) (b), if the city engages in any program or action described in s. 66.1001~~  
6 ~~(3), the master plan shall contain at least all of the elements specified in s. 66.1001~~  
7 ~~(2).~~ The adoption of the plan or any part, amendment, or addition, shall be by  
8 resolution carried by the affirmative votes of not less than a majority of all the  
9 members of the city plan commission. The resolution shall refer expressly to the  
10 ~~elements under s. 66.1001 and other matters intended by the commission to form the~~  
11 ~~whole or any part of the plan, and the action taken shall be recorded on the adopted~~  
12 ~~plan or part of the plan by the identifying signature of the secretary of the~~  
13 ~~commission, and a copy of the plan or part of the plan shall be certified to the common~~  
14 ~~council, and also to the commanding officer, or the officer's designee, of any military~~  
15 ~~base or installation, with at least 200 assigned military personnel or that contains~~  
16 ~~at least 2,000 acres, that is located in or near the city. The purpose and effect of the~~  
17 ~~adoption and certifying of the master plan or part of the plan shall be solely to aid~~  
18 ~~the city plan commission and the council in the performance of their duties.~~

19           **SECTION 9.** 66.0230 (2) (d) of the statutes is repealed.

20           **SECTION 10.** 66.1001 (3) (intro.) of the statutes is amended to read:

21           66.1001 (3) ORDINANCES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.  
22 (intro.) ~~Except as provided in sub. (3m), beginning on January 1, 2010, if~~ If a local  
23 governmental unit has in effect a comprehensive plan and enacts or amends any of  
24 the following ordinances, the ordinance shall be consistent with that local  
25 governmental unit's comprehensive plan:

**ASSEMBLY BILL 371**

1           **SECTION 11.** 66.1001 (3m) of the statutes is repealed.

2           **SECTION 12.** 66.1001 (7) of the statutes is created to read:

3           66.1001 (7) REPEAL OF COMPREHENSIVE PLAN. A local governmental unit may  
4 repeal its comprehensive plan by a majority vote of the members-elect, as defined  
5 in s. 59.001 (2m), of the governing body.

6           **SECTION 13.** 66.1001 (8) of the statutes is created to read:

7           66.1001 (8) LIMITATION ON CONSIDERATION OF COMPREHENSIVE PLANNING. No  
8 department or agency of the state or authority created by the state or any city, village,  
9 town, or county may consider whether or not a local governmental unit has in effect  
10 a comprehensive plan in determining the eligibility of the local governmental unit  
11 or any person or entity in the local government unit for participation in an economic  
12 development program.

13           **SECTION 14.** 66.1002 (2) (intro.) of the statutes is amended to read:

14           66.1002 (2) MORATORIUM ALLOWED. (intro.) Subject to the limitations and  
15 requirements specified in this section, a municipality may enact a development  
16 moratorium ordinance if the municipality has enacted a comprehensive plan, is in  
17 the process of preparing its comprehensive plan, or is in the process of preparing a  
18 significant amendment to its comprehensive plan in response to a substantial  
19 change in conditions in the municipality, ~~or is exempt from the requirement as~~  
20 ~~described in s. 66.1001 (3m)~~, and if at least one of the following applies:

21           **SECTION 15. Fiscal changes.**

22           (1) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the  
23 land information fund from the appropriation account to the department of  
24 administration under section 20.505 (1) (ub) of the statutes, as affected by the acts  
25 of 2015, an amount equal to \$2,000,000 less any amount obligated or paid for

**ASSEMBLY BILL 371**

**SECTION 15**

1 comprehensive planning grants in the fiscal year, in the fiscal year in which this  
2 subsection takes effect.

3 **SECTION 16. Effective dates.** This act takes effect on the day after publication,  
4 except as follows:

5 (1) The treatment of section 20.505 (1) (ub) of the statutes takes effect on July  
6 1, 2016.

7 (END)

### Fiscal Estimate - 2015 Session

Original     
  Updated     
  Corrected     
  Supplemental

LRB Number <b>15-3115/1</b>	Introduction Number <b>AB-0371</b>
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<b>Description</b> Comprehensive planning and making an appropriation
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**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
  - Increase Existing Appropriations
  - Decrease Existing Appropriations
  - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
  - Yes
  - No
- Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
  - 1.  Increase Costs
  - 2.  Decrease Costs
    - Permissive  Mandatory
  - 3.  Increase Revenue
  - 4.  Decrease Revenue
    - Permissive  Mandatory
- 5. Types of Local Government Units Affected
  - Towns     Village     Cities
  - Counties     Others    Regional Planning Commissions
  - School Districts     WTCS Districts

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	10/5/2015



**Fiscal Estimate Narratives**

**DNR 10/5/2015**

LRB Number	<b>15-3115/1</b>	Introduction Number	<b>AB-0371</b>	Estimate Type	<b>Original</b>
<b>Description</b> Comprehensive planning and making an appropriation					

**Assumptions Used in Arriving at Fiscal Estimate**

The bill authorizes a local government to repeal its comprehensive plan and it eliminates a Department of Administration (DOA) grant program related to comprehensive planning.

This bill would have no fiscal impact on the Department of Natural Resources.

For local governments, the elimination of the DOA grant program may leave some comprehensive planning costs with local units of government if they opt to continue those efforts. Other fiscal impacts are indeterminate.

**Long-Range Fiscal Implications**



## LION

The Wisconsin Land Information Officers Network

October 16, 2015

Senate Public Hearing  
Committee on Government Operations and Consumer Protection  
Senate Bill 266

Dear Committee,

The Land Information Officers Network (LION) formally requests, that this legislation be amended so that any funding not lapse to the general fund, but stay with the Wisconsin Land Information Program (WLIP) fund. This funding should stay where it was originally intended, to further the goals of the WLIP - which are essential and critical for the operation of business and government.

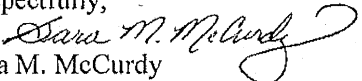
The money identified in this bill comes from the WLIP that is funded by County Register of Deeds collecting fees through document recordings. A portion of the fees go to the State to be distribute back to counties in the form of base budget, education and strategic initiative grants that support land record activities. When the Comprehensive Planning grants were implemented, the funding of these grants became the obligation of the WLIP, which we opposed. No additional money was set aside, but rather other WLIP grants went under funded or unfunded. This greatly reduced funding to County Land Information Offices (LIO) that provide the Geographic Information System (GIS) data and systems demanded by the state, many federal agencies, local units of government, private businesses and the public.

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Statutory changes made to §59.72(2) requires counties to develop and support a state initiative to create a statewide parcel dataset. In addition, changes to §5.15(4) requires counties to submit bi-annual municipal boundary updates for Census submittal and future legislative redistricting. A permanent lapse of \$2 million to the general fund would dramatically impact the WLIP fund, threatening statewide initiatives and directly affect the smaller counties that need the assistance that the WLIP grants provide. It is essential that the \$2 million stay with the WLIP to fund the grants back to the County LIOs to develop, enhance and maintain the GIS data, systems and Internet applications used by realtors, title companies, appraisers, public safety, local governments, state agencies and many more.

LION does not support this legislation in that it would lapse \$2 million to the general fund. However, LION does not have a formal position on the continuation of the Comprehensive Planning program.

Respectfully,

  
Sara M. McCurdy  
Chair  
Land Information Officers Network