

Truth in Planning - Wisconsin

A new state legislature mandate on
cities

Wisconsin Comprehensive Planning Refresher

- Smart Growth law adopted 1999
- Nine required elements
- 20-year planning horizon
- Required towns, village, towns, counties and regional plan commissions to have comprehensive plans

Nine Required Comprehensive Plan Elements

- Issues & Opportunities
- Housing
- Transportation
- Utilities & Community Facilities
- Agricultural, Natural & Cultural Resources
- Economic Development
- Intergovernmental Cooperation
- Land Use
- Implementation

Original Consistency Framework

- Consistency required as of January 1, 2010
- Zoning, subdivision and official mapping decisions judged against the entire plan
- Narrative policies and maps all relevant

What is the official map?

An official map is a legally adopted map, established by ordinance or resolution, that shows—with survey accuracy—the location and extent of existing and proposed public facilities, including but not limited to:

- **Streets and highways**
- **Parks, playgrounds, and other public grounds**
- **Railroad rights-of-way**
- **Utility corridors**
- **Drainageways**
- **Waterways, airports, and transit facilities (optional)**

Once adopted, the official map serves as the formal public record of where a municipality has laid out or intends to require land for future public use.

The City of Columbus “Official Map” was last adopted in 2008

Truth in Planning: What Changed

Key Details of the Truth in Planning Law (AB453/Act 173):

- **Goal:** To increase Wisconsin's housing supply, lower construction costs, and provide predictability for developers by reducing lengthy rezoning processes and Not-In-My-Backyard (NIMBY) delays
- **Consistency Requirement:** Municipalities must ensure zoning ordinances are consistent with comprehensive plans, which must now outline 20-year growth in 5-year increments.
- **Mandatory Rezoning:** If a developer proposes a project in an area identified in the comprehensive plan for residential use that is contiguous with existing development, the municipality must approve the rezoning.
- **Automatic Rezoning:** If a municipality's comprehensive plan is outdated or does not meet the new standards, requested land for residential development may be automatically rezoned to the requested classification.

Other Parts of the law

- Affordable Housing
 - New Residential Tax incremental financing District
 - Lot size restrictions
 - Single family 7,500 sq ft max with max 70 ft lot width
 - Side setbacks no greater than 10 feet
 - Duplex 15,000 sq. ft. max
 - House size
 - Single story max is 1,500 sq. ft.
 - Two Story is 2,000 sq. ft. max

Major Legal Change

- Consistency now determined using the Future Land Use Map only
- Narrative plan chapters no longer control zoning consistency

Former vs. New Consistency Test

- Before: Entire comprehensive plan (text + maps) as related to zoning, subdivision, and official mapping
- Now: Future Land Use Map alone
 - Can text and policy narratives be added to the map?
 - Possibly

Future Land Use Map - New Requirements

- Clearly identify residential land use areas
- Specify minimum and maximum residential densities
- Show timing and phasing of development
- Clearly identify and calculate all future land use types

Why Map Accuracy Matters

- The map now has a greater regulatory effect
- Vague categories create legal and policy risk
- Zoning outcomes must match mapped intent both in **density and timing** (five year increments)
- Connection and coordination of infrastructure is also important

Update Decision Facing the City

- City's comprehensive plan adopted in 2021
- Does not meet the the new law
- The deadline to meet the law is January 1, 2028
- Prioritizing this work with other long range plans and projects is challenging

Option 1 - Land Use Chapter Update

- Update the Land Use Element and Future Land Use Map
- Address densities and timing
- Achievable by January 1, 2028
- Lower cost and narrower scope

Option 2 - Full Comprehensive Plan Update

- Update all nine elements
- Improves internal policy consistency
- Higher cost - consultant assistance required
- Likely needed to begin fall 2026
- Estimated cost \$50,000
 - Some of this would be in 2026 but most of it in 2027
 - Currently not budget



Plan Commission Role

- Discuss tradeoffs between update options
- Recommend a preferred approach to City Council