

Comprehensive Planning Law Factsheet

The Comprehensive Planning Law was passed as part of the 1999-2001 Wisconsin biennial budget.¹ Although sometimes referred to as the Smart Growth Law, the Comprehensive Planning Law does not actually dictate how or where development will occur. Those decisions are left to local communities. However, because the Comprehensive Planning Law does improve on the amount and quality of communication within and between jurisdictions, it may indirectly lead to more informed decisions that result in smart growth.

Comprehensive Planning Law features

- ▶ Defines a comprehensive plan as containing 9 elements:
 - Issues and opportunities
 - Housing
 - Transportation
 - Utilities and Community Facilities
 - Land Use
 - Agricultural, Natural and Cultural Resources
 - Economic Development
 - Intergovernmental Cooperation
 - Implementation.
- ▶ Consistency requirement - After January 1, 2010, if a local governmental unit engages in official mapping, subdivision regulation, or zoning, those actions must be guided by, and consistent with, the community's comprehensive plan. This will make land use decisions much more predictable.
- ▶ Grant program - Provides \$2 million annually to help local communities develop comprehensive plans. To date, the comprehensive planning grant program has awarded \$13.5 million to 742 Wisconsin communities, about 40 percent of the state.
- ▶ 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. Plan drafts must be sent to adjacent jurisdictions, the Wisconsin Department of Administration, the regional planning commission serving the community, the public library serving the area, and all other area jurisdictions located entirely, or partially within the boundaries of the community.

¹ See sections 66.1001 and 16.965, Wis.Stats.

Benefits to Comprehensive Planning

Coordinates community activity – a comprehensive plan strategically and holistically examines and coordinates all of a community’s policies, programs, departments, initiatives, services, plans, regulations, responsibilities, and other systems.

Understand the past and present – a plan collects useful information about the community, about where its been, where it is now, and (by studying trends) where it is headed.

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.

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

Save 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, certify, or object to local plans. Instead, a plan must be adopted by a community’s governing body in order for it to effect future decisions.

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 much 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 workforce education and training, and infrastructure capacity.

Promotes intergovernmental cooperation – through the required Intergovernmental Cooperation Element, communities identify existing cooperation between jurisdictions, identify 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 mainstreets, lakes, rivers, village squares, etc.

