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Graduate Research Center  
Dept. of Urban & Regional Planning  
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# ORGANIZATION OF PLANNING AGENCIES



Graduate Research Center  
Dept. of Urban & Regional Planning  
The University of Wisconsin-Madison

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ORGANIZATION OF PLANNING AGENCIES

Prepared By

SOUTHEASTERN WISCONSIN REGIONAL  
PLANNING COMMISSION

Old Courthouse

Waukesha, Wisconsin

The preparation of this guide was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

June, 1964

Graduate Research Center  
Dept. of Urban & Regional Planning  
The University of Wisconsin-Madison

Price: \$2.00

LIST OF PUBLISHED PLANNING GUIDES

Land Development Guide, Planning Guide No. 1, SEWRPC, 1963; 96 pp.; 33 figures; 4 maps; includes a model land division ordinance, a model improvement contract and model deed restrictions; \$1.50.

Official Mapping Guide, Planning Guide No. 2, SEWRPC, 1964; 51 pp.; 9 figures; includes suggested mapping procedures and a model official map ordinance; \$1.50.

Zoning Guide, Planning Guide No. 3, SEWRPC, 1964; 158 pp.; 46 figures; 5 tables; includes a model zoning ordinance and model zoning and appeal procedural forms; \$2.50.

Organization of Planning Agencies and Inventory of Local Planning, Planning Guide No. 4, SEWRPC, 1964; 86 pp.; 11 figures; 4 tables; includes model ordinances creating planning agencies and summaries of city, village, county and town planning enabling legislation; \$2.00.

## PREFACE

This publication is the fourth in a series of planning guides prepared by the Southeastern Wisconsin Regional Planning Commission for distribution to cities, villages, towns, and counties within the seven-county Region.

The purpose of this guide is threefold: first, to explain the legislative framework for local planning in Wisconsin and the concepts underlying the organization of local planning agencies within this framework; second, to be used as a guide for the organization of local planning agencies and to this end the guide includes suggested model ordinances for the creation of local plan commissions; third, to permit local units of government to compare the status of their planning with that of other local units of government within the Region. To this end the guide includes the results of a survey of the status of local planning in the 53 villages, 27 cities, 66 towns, and 7 counties that comprised the southeastern Wisconsin Region in 1964. The results of this survey include an itemized list of the existing local planning agencies together with data on their staff and budgets, completed plans, and existing plan implementation devices.

All cities, villages, towns, and counties within the Region were contacted during the survey and inquiries made into the status of their local planning programs. Many contacts were by personal interview with appropriate local officials; and the assistance, advice, and cooperation of the numerous city, village, town, and county officials throughout the Region cooperating in the survey is gratefully acknowledged.

The guide is intended to promote the establishment of duly constituted local planning agencies able to carry out the local planning function and thereby assist local public officials in the performance of their functions and duties. This guide was prepared by the Community Assistance Division of the Southeastern Wisconsin Regional Planning Commission. Communications or questions concerning the content and use of this guide should be addressed to that division.

It is the hope of the Commission that this publication may be a helpful and informative aid to those interested in developing more pleasant and prosperous communities within the Region.



## TABLE OF CONTENTS

		Page
Chapter I	Need for Local Planning . . . . .	1
II	City and Village Planning. . . . .	7
III	County Planning. . . . .	21
IV	Town Planning. . . . .	31
V	The Plan Commission. . . . .	37
VI	The Planning Staff . . . . .	49
VII	Analysis of the Inventory of Planning. . . . .	57

### APPENDICES

Appendix A	City and Village Planning Enabling Legislation . . . . .	67
B	County Planning Enabling Legislation. . . . .	69
C	Town Planning Enabling Legislation. . . . .	71
D	Model Ordinance Creating a City, Village or Town Plan Commission. . . . .	73
E	Model Ordinance Creating a County Park and Planning Commission . . . . .	76
F	Model Resolution Adopting Village Powers . . . . .	79
G	Model Rules of Government for Plan Commissions. . . . .	80
H	Selection of a Planning Consultant. . . . .	84

### LIST OF TABLES

Table 1	Inventory of City Planning . . . . .	11
2	Inventory of Village Planning . . . . .	15
3	Inventory of County Planning . . . . .	29
4	Inventory of Town Planning . . . . .	33

### LIST OF FIGURES

Figure 1	Population Growth for The Southeastern Wisconsin Region, 1850 to 1985. . . . .	1
2	Urban Pattern in The Southeastern Wisconsin Region, 1945 and 1963. . . . .	2
3	Extraterritorial Plan Implementation Areas . . . . .	6
4	Planning Agencies Created. . . . .	8
5	Master Plans Prepared. . . . .	18
6	County and Town Plans Prepared . . . . .	22
7	Official Maps Adopted. . . . .	24
8	Land Division Ordinances Adopted. . . . .	26
9	Zoning Ordinances Adopted . . . . .	27
10	Building Codes Adopted. . . . .	32
11	Typical Municipal Organizational Charts . . . . .	39



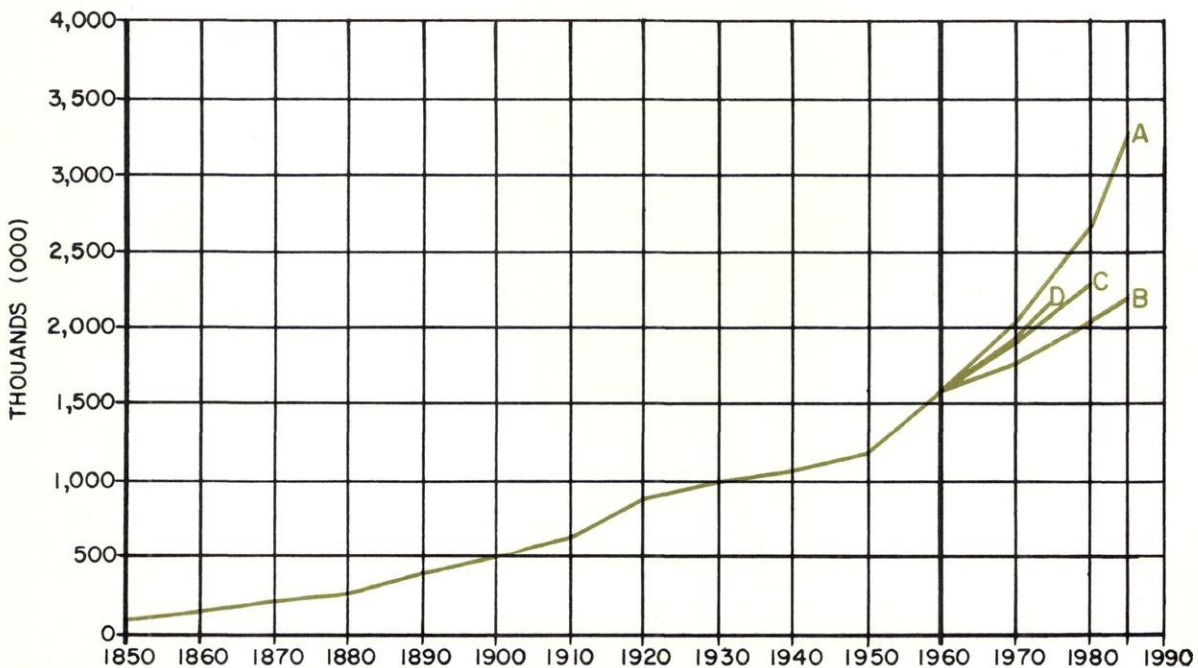


## Chapter I

### NEED FOR LOCAL PLANNING

Local communities have always needed to be concerned with planning; that is, with preparing in a rational manner for community change, whether this change might be in the form of growth as is the case with many of the newer cities and villages within the Region, or in the form of decline as is the case with some of the older cities and villages within the Region. Today the need for such concern is greater than ever before. The condition which makes the present situation unique is the fact that the nation and the Region are presently undergoing an unprecedented population growth and urbanization.

FIGURE I  
POPULATION GROWTH FOR THE SOUTHEASTERN  
WISCONSIN REGION: 1850 TO 1985



SOURCE: U.S. CENSUS OF POPULATION

A. UNIVERSITY OF WISCONSIN, 1963 (MEDIUM PROJECTION)

B. P-6 ECONOMIC STUDY, SOUTHEASTERN WISCONSIN REGION, 1963

C. WISCONSIN DEPARTMENT OF RESOURCE DEVELOPMENT, 1963

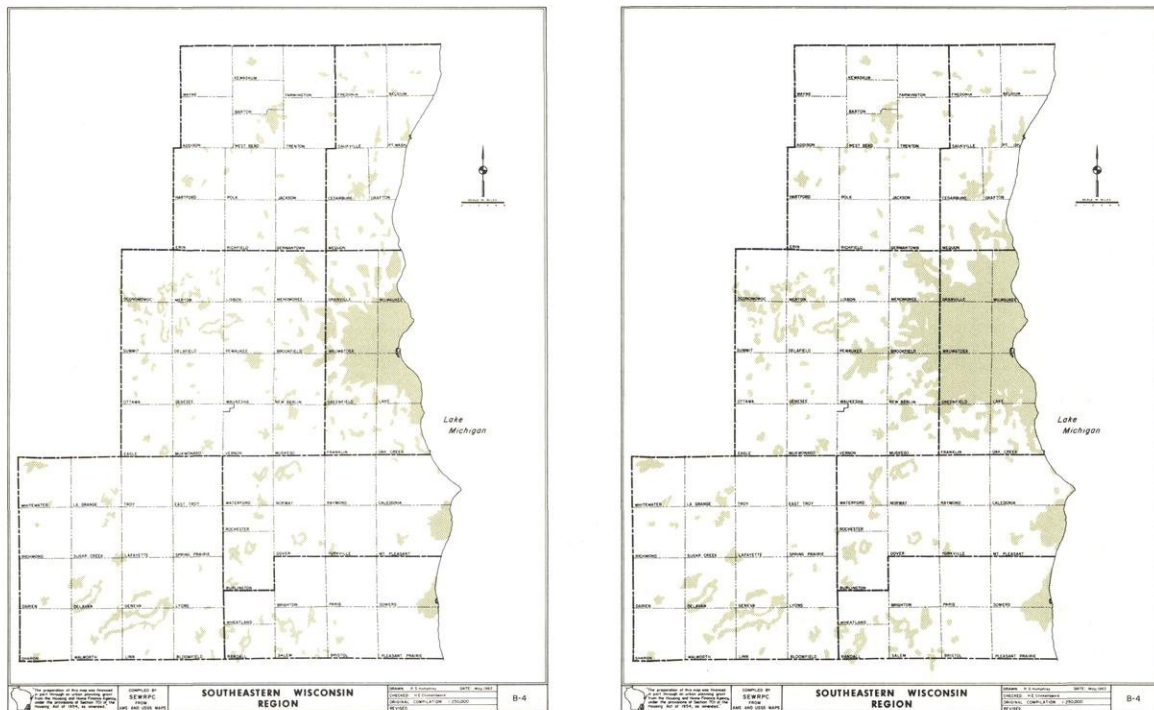
D. WISCONSIN TELEPHONE COMPANY, 1961

Changes in urban development having a tremendous impact on local units of government have occurred within the Region in the last two decades, and an entirely new regional settlement pattern is emerging. At the close of World War II, urban development within the Region was still largely confined to the older and more intensively developed central cities and their immediate suburbs. In 1945 approximately 90 percent of the population of the Milwaukee metropolitan area

resided within an urban area encompassing only 42 percent of the area of Milwaukee County. This urban area had a population density of approximately 8,900 persons per square mile and included the rural districts "in which houses had been constructed to an extent resembling light urban development."

By 1960 urban development had expanded to include not only all of Milwaukee County but portions of neighboring Ozaukee, Washington, Waukesha, and Racine Counties as well; and the population density of the urbanized area had dropped to less than 3,000 persons per square mile. Similar changes covering a smaller total area, but no less drastic in their effects, have occurred in the Racine and Kenosha metropolitan areas.

FIGURE 2  
URBAN PATTERN IN THE SOUTHEASTERN WISCONSIN REGION, 1945 & 1963



Population growth within the Region from 1950 to 1960 averaged over 33,000 persons per year and was accompanied by a substantial migration of people from the older central cities to the newer suburban and rural-urban fringe areas. Industry and trade as well as residences have followed this trend to decentralized, low-density development. The most conservative forecasts indicate that within the next ten years the population of the Region will continue to grow at a rate of 25,000 persons per year. This rate of population growth will require every year within the Region the construction from the ground up of the equivalent of five cities the size of Burlington, Hartford, Lake Geneva, Oconomowoc, and Port Washington.

In the face of such continuing population growth and urbanization, local public officials and citizen leaders within the Region must become concerned with such important questions as:

- Where will these new residents live?
- How will they be educated?
- How will they be housed?
- Where will they be employed?
- How will they be provided with such essential municipal services as: highway transportation, sanitary sewerage, water supply, parks, libraries, fire and police protection?
- What form will the new and renewed communities take?

Because urban growth is spreading out horizontally, crossing city and county boundary lines, rural as well as urban people must concern themselves with these and similar questions or face irreparable damage to their communities and to their land and water resources.

Urban growth presents serious problems at the local level requiring increased and sometimes entirely new expenditures for schools, parks and playgrounds, police and fire protection, street cleaning and snow removal, garbage and trash collection, water supply, sewerage, street and highway construction, libraries, hospitals, and for the work of appointed and elected public officials.

Proper planning can reduce these expenditures; and it can, therefore, be demonstrated that planning pays. Actual cases showing that many thousands of dollars have been saved through planning are available in public records within the Region. For example: Milwaukee County adopted a county highway width map based upon an arterial street and highway plan in 1926. This map prohibited development within the proposed rights-of-way lines of existing and proposed major streets. It has been conservatively estimated that from 1930 to 1945 over two million dollars was saved in right-of-way acquisition costs alone for arterial highways included within subdivisions developed during this 15-year period. There were untold savings in avoiding the need to acquire and raze structures within the needed rights-of-way. Many more such specific examples of monetary savings have been documented.<sup>1</sup>

Such savings accrue to the taxpaying public and are possible through careful planning whether such planning takes place in a separate planning department or in a public works, street, water, sewer, or finance department or in the offices of a school or park board.

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<sup>1</sup> American Society of Planning Officials, P.A.S. Information Report No. 123, Chicago, 1959.

There are at least seven ways in which savings can be achieved through planning:

1. The advance reservation and acquisition of land for public facilities by permitting the reservation, dedication, and purchase of sites and rights-of-way well in advance of construction and at unimproved land prices.
2. The elimination of conflicting public uses.
3. The elimination of unsound and uneconomical projects or projects proposed in an improper location because of otherwise unforeseen population and land use changes.
4. The scheduling of projects for construction in advance of apparent need, thereby effecting lower construction costs, avoiding costly emergency measures and expensive enlargements later.
5. The provision of advantageous financing, not only permitting bonds to be sold at the most favorable times and under the most favorable conditions, but permitting a greater choice of financing.
6. The provision of a common foundation of factual information and rational forecasts which can be used by private enterprise and by governmental agencies other than the one preparing the original data.
7. The encouragement of cooperative action by two or more agencies or units of government.

Even more important than the monetary savings are the goals which planning makes possible of attainment. Planning is its own justification because it leads a community to clearly state its goals and then provides the community with the means to achieve these goals over time. Planning is primarily important for what it achieves, a good environment which preserves the natural amenities of the community, rather than for the money it may save.

#### THE PLANNING OPERATION

Cities, villages, towns, and counties in Wisconsin are all empowered to create local planning agencies; and these agencies are empowered to employ a staff and to perform certain planning operations. These planning operations can be grouped into three principal categories: planning studies, preparation of development plans, and preparation of plan implementation devices.

##### Planning Studies

Planning studies include inventories and analyses of the physiography, economy, demography, land use, traffic, utilities, and community facilities of the community. Such studies are necessary in order to provide a sound factual basis

for forecasts and projections essential to sound plan preparation, as well as providing an accurate description of existing conditions and problems as a point of departure for the preparation of long-range plans.

#### Development Plans

Plans represent agreed-upon community development objectives and normally include long-range plans for land use, including standards of population density and building intensity, transportation, community facilities, community utilities and urban redevelopment. Such plans are intended to serve as a guide to action by governmental officials, civic organizations, private citizens, and private enterprises.

#### Plan Implementation Devices

Plan implementation devices are the means by which development can be guided and shaped to fit the long-range development plans and include zoning ordinances, land division ordinances, official map ordinances, building and housing codes, capital improvements programs, and precise neighborhood unit development plans.

#### Extraterritorial Plan Implementation Powers



There are three plan implementation devices which may be used by cities and villages outside their boundaries in unincorporated areas. Villages and fourth class cities have certain zoning, land division and official mapping powers over unincorporated areas 1 1/2 miles from their corporate limits while all other cities have these powers over unincorporated areas 3 miles from their corporate limits. Figure 3 illustrates the extraterritorial plan implementation areas of all the cities and villages within the southeastern Wisconsin Region as of June, 1964. The scope and limitations of these extraterritorial powers are described in the Southeastern Wisconsin Regional Planning Commission's previously published planning guides.<sup>2</sup>

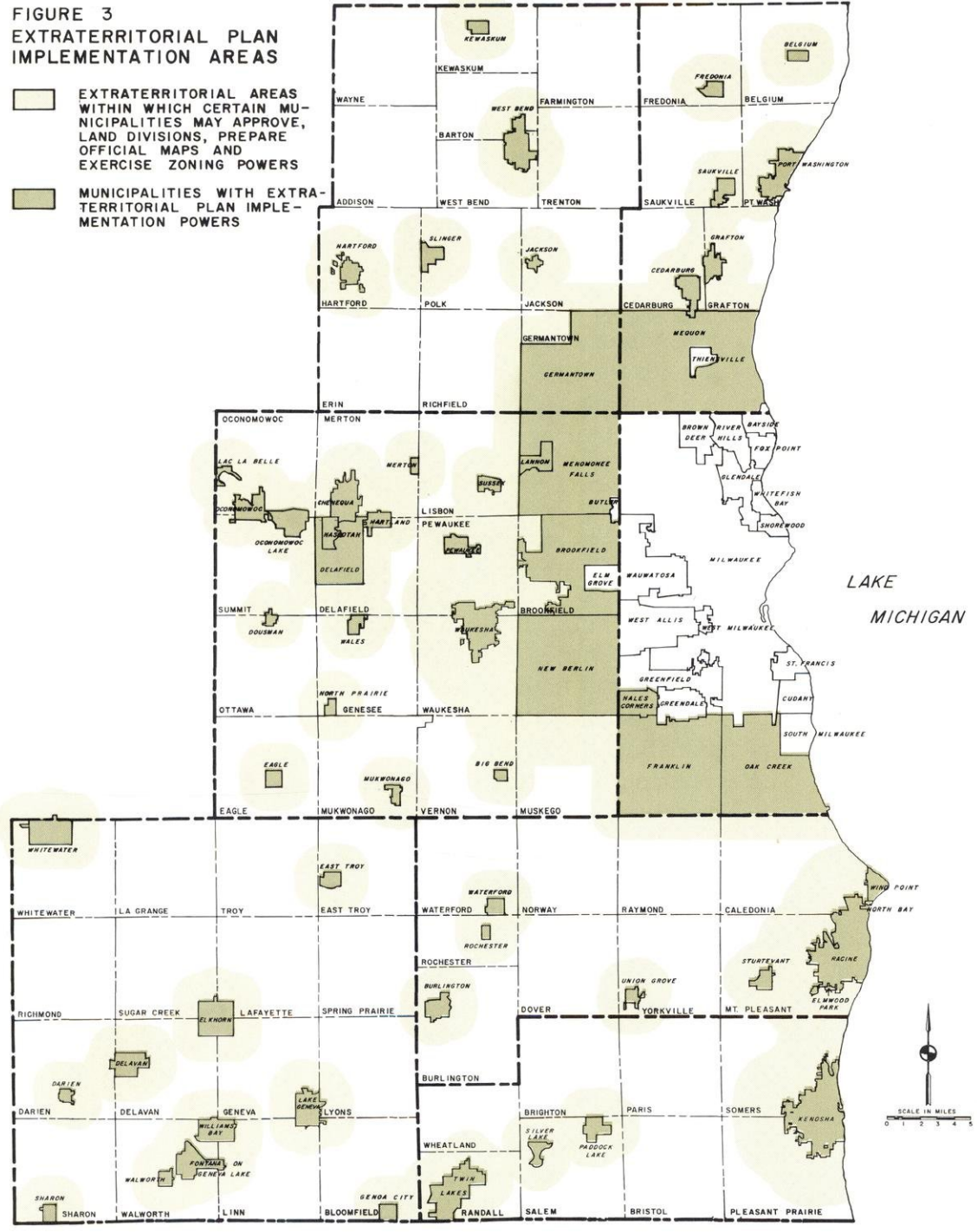
Other local ordinances, such as sanitation codes, fire prevention codes, traffic and parking ordinances, indirectly implement the community's long-range development plans by providing for a coordinated and harmonious development which will best promote the public health, safety, morals, convenience, prosperity, and the general welfare of the community.

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<sup>2</sup> Land Development Guide, Planning Guide No. 1, SEWRPC, 1963; p. 51. Official Mapping Guide, Planning Guide No. 2, SEWRPC, 1964; p. 19. Zoning Guide, Planning Guide No. 3, SEWRPC, 1964; pp. 21, 22.

**FIGURE 3**  
**EXTRATERRITORIAL PLAN**  
**IMPLEMENTATION AREAS**

-  EXTRATERRITORIAL AREAS WITHIN WHICH CERTAIN MUNICIPALITIES MAY APPROVE, LAND DIVISIONS, PREPARE OFFICIAL MAPS AND EXERCISE ZONING POWERS
-  MUNICIPALITIES WITH EXTRATERRITORIAL PLAN IMPLEMENTATION POWERS



The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

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**SOUTHEASTERN WISCONSIN**  
**REGION**

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## Chapter II

### CITY AND VILLAGE PLANNING

Local units of government in Wisconsin are legal creatures of the state and as such are dependent upon the delegation of planning powers by the State Legislature for the execution of adequate and effective local planning programs. Historically, the delegation of planning powers to cities in Wisconsin dates from 1909 when the Legislature first extended the authority to create plan commissions to cities of the first, second, and third class. In 1917 city planning powers were extended to cities of the fourth class and, finally, in 1925 to villages.

A model "City Planning Enabling Act" was issued and sponsored by the United States Department of Commerce in 1928 when Herbert Hoover was Secretary of Commerce. It was an apparently wise model enabling act since many states have adopted planning legislation similar to it including the State of Wisconsin.

This basic enabling act in the State of Wisconsin delegating planning powers to the local units of government is Section 62.23 of the Wisconsin Statutes, entitled "City planning." It is under the provisions of this section that most of the local planning activity in the state has been and will probably continue to be carried out. The act itself applies only to cities as corporate entities, but Section 61.35 of the Wisconsin Statutes makes the city planning enabling act applicable in its entirety to villages and also to towns which have adopted village powers.



Appendix A presents in a convenient summary form all of the statutory authority for city and village planning.

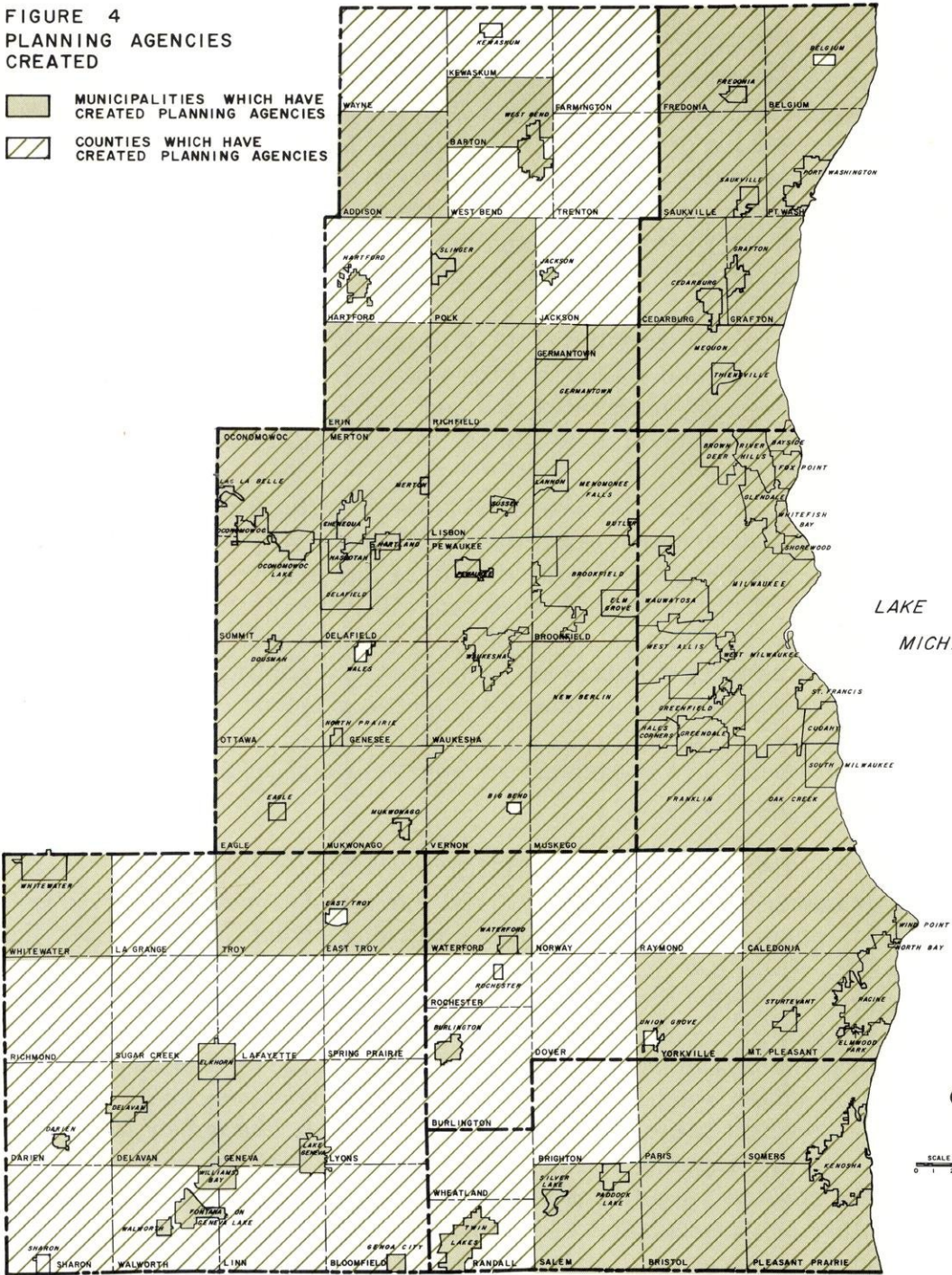
#### CITY AND VILLAGE PLANNING AGENCIES

The city planning enabling act, in its first paragraph, provides for the creation of city plan commissions by the local governing bodies and specifies that the membership of these commissions shall consist of: the mayor, an alderman, the city engineer, the president of the park board, three citizen members of "recognized experience and qualifications," and, on an optional basis, the city building inspector. The act further provides that the alderman member shall be elected to the commission by a two-thirds vote of the council on an annual basis, while the three citizen members shall be appointed by the mayor for three-year terms, the terms expiring in successive years so that only one citizen member may be replaced in any one year. In 1959 an amendment to the city planning enabling act was adopted by the State Legislature allowing the local governing body, on an optional basis, to specify a membership composition of the plan commission different than that provided in the Statutes if it so chooses. Tables 1 and 2 and Figure 4 indicate those cities and villages within the Region which have created local plan commissions pursuant to Section 62.23 of the Wisconsin Statutes.



**FIGURE 4  
PLANNING AGENCIES  
CREATED**

-  MUNICIPALITIES WHICH HAVE CREATED PLANNING AGENCIES
-  COUNTIES WHICH HAVE CREATED PLANNING AGENCIES



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In 1963 the Wisconsin Legislature provided for joint extraterritorial zoning committees to participate with city and village plan commissions in formulating tentative recommendations for zoning districts and regulations for those areas within the extraterritorial zoning jurisdiction of cities and villages. This joint committee is composed of three members of the city or village plan commission and three members from each of the towns affected. The committee members from the city or village must be the citizen members of the plan commission or, if there are no citizen members, three commissioners designated by the mayor or president. The three members from the town must be town residents and persons of "recognized experience and qualifications."

In addition to the local plan commission and the joint extraterritorial zoning committee, cities and villages have the power to create redevelopment authorities to deal with the problems of urban renewal. Such redevelopment authorities have the power to carry out slum clearance and blight elimination programs and to plan for such programs in cooperation with the plan commission.

If a plan commission has not been created, the governing body may provide that the local park board shall prepare the community development plans and that a plan committee of the governing body prepare the zoning ordinance. Neither the park boards nor the plan committees, however, are extended the comprehensive planning powers that are extended to the plan commissions.

The Statutes clearly imply that the Legislature envisioned the creation and use of a "Plan Commission" in every community that would undertake a comprehensive planning program. Before an application for a federal grant to prepare comprehensive development plans is submitted to the Housing and Home Finance Agency, the Division of Planning of the State Department of Resource Development requires the community applying for such grants to submit certified copies of the ordinance establishing their plan commission.

#### STAFF AND BUDGET

The city planning enabling act empowers the city and village plan commissions to employ experts and a staff within the limits of funds provided by the governing body, although these funds may be supplemented by private grants or gifts. The governing body may also establish the position of building inspector for the purpose of enforcing those portions of the planning statutes and all other laws and ordinances relating to the construction and maintenance of buildings. Tables 1 and 2 set forth those cities and villages within the Region which employ planning staffs, planning consultants, and building inspectors and summarize the annual funds budgeted for local planning.

#### MASTER PLANS

Having provided for the creation, financing, and staffing of plan commissions, the state planning enabling act in its second paragraph significantly requires

that: "It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the municipality..." (Emphasis supplied.) The creation of a master plan is the primary function and duty of the local plan commission. The act then outlines the permissible scope of the master plan together with its manner of adoption.

The scope of the master plan<sup>3</sup> as outlined in the act is extremely broad and includes "...among other things without limitation because of enumeration..." the general location, character, and extent of streets and highways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways; routes for railroads and buses; the general location and extent of sewers, water conduits, and other public utilities whether privately or publicly owned; the location, character, and extent of community centers and neighborhood units; the general character, extent, and layout of the replanning of slum and blighted areas; and the comprehensive zoning plan. The state planning enabling act allows the local plan commission to include in the plan such areas outside the boundaries of the municipality as the commission may deem necessary.

Good planning practice dictates that any local master plan should include at least the following component parts:

1. Physical development plans.
  - a. Land use plan.
  - b. Transportation plan.
  - c. Community facilities plan including parks, schools, libraries, and other public buildings.
  - d. Community utilities plan including sanitary sewerage, water supply, and storm water drainage.
  
2. Implementation devices.
  - a. Zoning ordinance.
  - b. Land division ordinance.
  - c. Official map ordinance.
  - d. Capital improvements program.

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<sup>3</sup> For an extensive description of the scope, function, and elements of the master plan see: Haar, Charles M., Land-Use Planning, Little, Brown and Company, Boston, 1959; pp. 692 to 714.

Table 1  
INVENTORY OF CITY PLANNING IN SOUTHEASTERN WISCONSIN

Southeastern Wisconsin Regional Planning Commission

Table with columns for City, Population, Planning Agencies, Planning Staff, Planning Consultants, Total Planning Budget, Budget for Consultants, Planning Studies, Plans, and Implementation Devices. Rows list various Wisconsin cities and their planning activities, budgets, and staff details.

\* In Process.
1. Incorporated after 1950.
2. Housing Authority.
3. About 8 full-time staff members were transferred to the City Administrative Division in 1963.
4. The City anticipates filling the City Planner's position during 1964.
5. Real Estate Research Corporation (1964), Land Absorption Study (CRP), Federal Assistance.
Candeb, Fleisig Associates (1964), Nonresidential Right Study (CRP), Federal Assistance.
Citizens Governmental Research Bureau (1964), Citizen Participation (CRP), Federal Assistance.
Relocation & Management Association (1964), Relocation Study (CRP), Federal Assistance.
Jack Meltzer and Associates (1964), Marquette Renewal, Federal Assistance.
Barton-Aechman Associates (1964), Zoning Text.



Good planning practice further dictates that the plan should be documented; that is, presented in published form. It is important that the documentation include a presentation of the basic supporting data used in the preparation of the plan as well as narrative and graphic descriptions of the plan itself. When an implementation device is attacked in court, its legality may depend upon the existence of sound documentation of the plan which the ordinance was intended to carry out.

Plan implementation devices are not, strictly interpreted, integral parts of the "master plan," different adoption procedures being provided by the Statutes for the advisory physical development plans than for the zoning, land division, and official map ordinances which together lend the force of law to certain elements of the plans. The implementation devices are, however, so closely and intimately related to the physical development plans that they should be prepared as an integral part of the community master planning process.

Under the Wisconsin Statutes, the advisory physical development plans may be adopted in whole or in part by a resolution carried by a majority of the members of the plan commission and apparently without public hearings. The Statutes require that the action be recorded on the adopted plan and a copy of the plan, or part thereof adopted, certified to the governing body. Good planning practice dictates that the master plan be adopted, not only by the plan commission, but by the governing body as well and only after public hearings.

#### Master Plan Is Advisory

The act specifies that the master plan, or parts thereof, shall be adopted solely to aid the plan commission and the governing body in the performance of their duties. The master plan, therefore, becomes an advisory guide to assist elected and appointed public officials in carrying out their duties and in making decisions concerning community development. The master plan can also be of great assistance to private investors in the making of decisions concerning private development so that such development is properly related to public development.

A characteristic of the advisory physical development plan should be flexibility so that new community development objectives; social, economic and technological changes; evolving statutory and case law; and additional planning data may be accommodated as more precise development plans and plan implementation devices are prepared. The physical development plans should not, however, be so flexible that they no longer serve as a significant guide to making decisions concerning community development.

It is slowly being recognized that decisions concerning municipal development must be based upon a comprehensive plan. Recently, Justice E. Harold Hallows of the Supreme Court of Wisconsin said:

"The purpose of the City Plan Commission...is generally to de-

velop and maintain a long-range plan. . . . While its functions may be advisory in many respects, it is an important function in municipal government if the municipality is to be developed in accordance with any long-term program of city improvement and if the city is to have a definite objective in its planning. The representatives of the public constituting the city council frequently change and some may not be aware of the long-term policies of the city. It is in the public interest that each municipality have a long-term plan of development which should be adhered to unless the common council at any particular time desires to change it after being fully informed. Only by such method can any consistency in the planning of the future development of a city be achieved. "4

It should be noted that Tables 1, 2 and 4 and Figure 5 indicate those communities which have prepared "master plans" or a component part thereof. The tables and figure do not indicate whether the local plan commissions have adopted and certified these "master plans" to the governing body in accordance with the state statutes.

#### OTHER POWERS AND DUTIES

Having given the plan commission a mandate regarding their primary duty, the state planning enabling act then empowers the commissions to initiate reports and recommendations to the governing body, public utility companies, and the citizen body on matters relating to the plan. The act further requires that certain matters must be referred to the plan commission for recommendation before final action may be taken by the common council or village board. The most important of these matters are:

1. All plats of land within the corporate limits and the extraterritorial plat approval jurisdiction of the municipality.
2. The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition, or lease of any public way, park, playground, airport, parking area, public grounds, or memorial.
3. The location, extension, abandonment, or authorization of any public utility whether privately or publicly owned.
4. The location, character and extent, acquisition, sale or lease of lands for public or semipublic housing and slum clearance.
5. Changes to the zoning district boundaries or regulations.

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<sup>4</sup> Scanlon v. City of Menasha, 16 Wis. 2d 437, 114 N.W. 2d 791 (1962).







6. Temporary zoning classification of annexed territory.
7. Changes or additions to the Official Map.
8. The location and design of public buildings.

Failure of the governing bodies to comply with these referral requirements of the Statutes will affect the legality of their actions. The Wisconsin Supreme Court recently held invalid the attempt of the Common Council of the City of Menasha to transfer city property because the Council had failed to properly refer the matter to the city plan commission before taking final action.<sup>5</sup>

The state enabling legislation also grants to the local plan commissions such additional powers as may be necessary to enable such commissions to perform their functions and duties, including:

1. Making reports relating to the master plan and to the development of the community to public officials, agencies, and utilities; to civic, educational, professional and other organizations.
2. Recommending to the mayor or president and council or board programs for public improvements and the financing thereof.
3. Requesting and obtaining such information as may be required from public officials.
4. Commission members and commission employees, in the performance of their functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments.

It should be noted, however, that a local plan commission has no legislative powers, these powers being reserved solely to the governing body unless properly delegated.

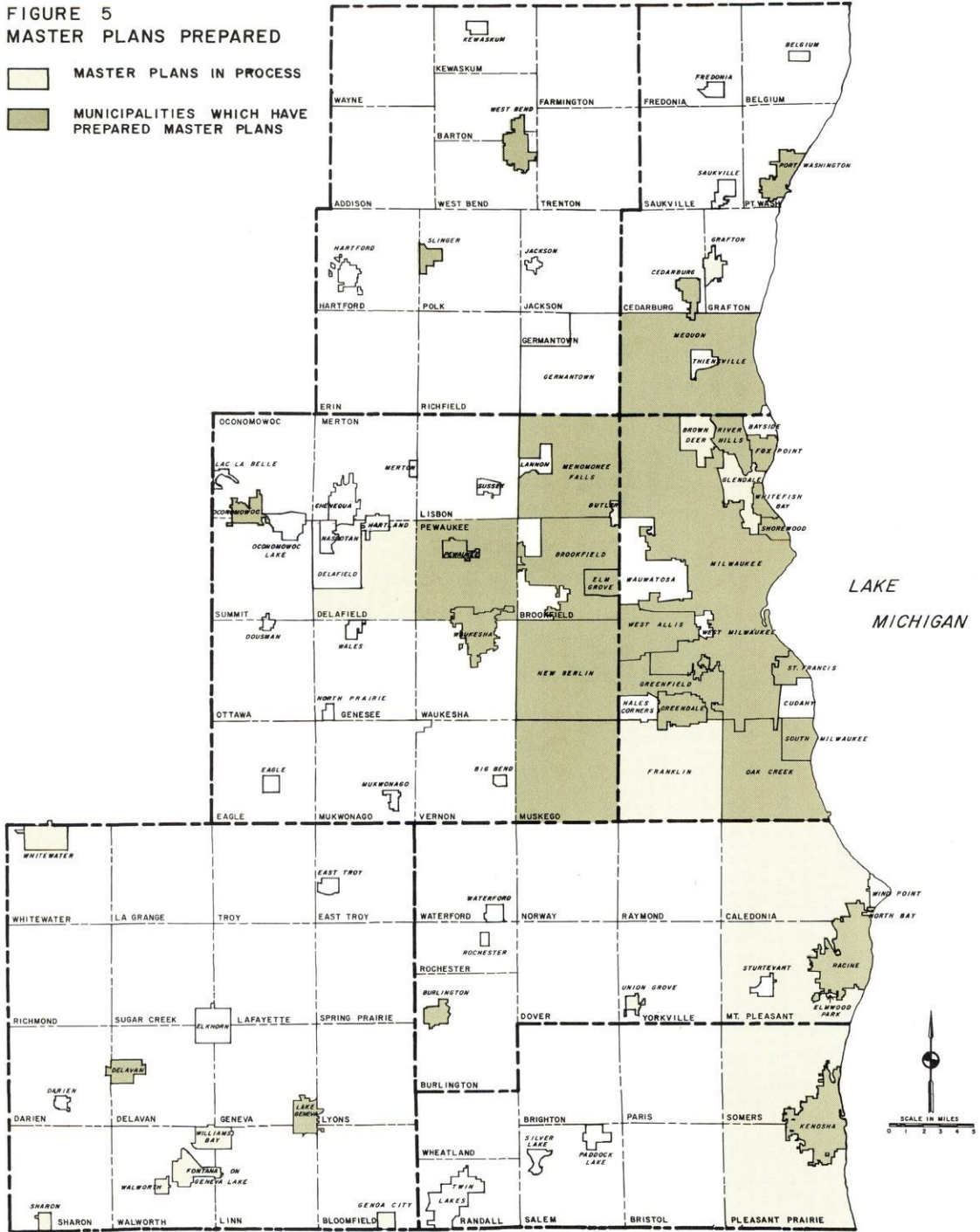
In cities of the first class, the city plan commission, in addition, may exercise all of the powers conferred on a board of public land commissioners; namely, power to acquire lands and improvements within five hundred (500) feet of any public street or highway for the purpose of converting the same into a parkway or boulevard by purchase, gift, or condemnation and to manage, control, govern, improve, subdivide, mortgage, and sell such lands.

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<sup>5</sup> Scanlon v. City of Menasha, 16 Wis. 2d 437, 114 N. W. 2d 791 (1962).

**FIGURE 5  
MASTER PLANS PREPARED**

- MASTER PLANS IN PROCESS
- MUNICIPALITIES WHICH HAVE PREPARED MASTER PLANS



The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

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**SOUTHEASTERN WISCONSIN  
REGION**

DRAWN: D. R. BEHNKE      DATE: JUNE, 1964  
CHECKED: D. R. BEHNKE      PROJ. DESIGN: W. J. ROCKELMAN  
ORIGINAL COMPILATION: 1:250000  
REVISED:

## IMPLEMENTATION

The remainder of the state planning enabling act deals in considerable detail with certain methods of implementing the master plan, the two most important of these methods being the official map and the zoning ordinance. The former implements the master plan of streets, highways, parkways, parks and playgrounds, whereas the zoning ordinance implements the master plan of land use.

Both of these devices are, when properly applied, powerful plan implementation devices and have important implications for community development. The functions and benefits of these two plan implementation devices have been discussed in previous SEWRPC planning guides.<sup>6</sup>

The device most commonly used to enforce and administer the official map and zoning ordinances, as well as other plan implementation devices, is the building permit. Many times first notice of potential violations of these ordinances is received by municipal officials at the time of application for a building permit. If the plan implementation ordinances are not enforced at this point in the development process, and the property owner expends substantial sums in erecting improvements based upon the issuance of an apparently valid building permit, then it becomes exceedingly difficult to enforce these ordinances. One violation may seriously impair an entire plan, particularly a plan for facilities which must function as integral systems, such as highway, sewerage, water supply, and drainage facilities. Therefore, it behooves every community to adopt a building code to ensure adequate enforcement of zoning, official map, and subdivision control ordinances.

Other plan implementation devices at the disposal of local units of government in Wisconsin include land division ordinances,<sup>7</sup> building codes, building line ordinances, airport zoning ordinances, capital improvement programs, nuisance ordinances, mobile home ordinances, and the power through redevelopment authorities to exercise the right of eminent domain to clear land and borrow money as may be required to eliminate urban blight and provide for urban renewal. Figures 7, 8, 9, and 10 and Tables 1 and 2 set forth the status of the utilization of these and other plan implementation devices by cities and villages within the Region.

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<sup>6</sup> Official Mapping Guide, Planning Guide No. 2, SEWRPC, 1964. Zoning Guide, Planning Guide No. 3, SEWRPC, 1964.

<sup>7</sup> Land Development Guide, Planning Guide No. 1, SEWRPC, 1963.

## SUMMARY

In its entirety Section 62.23 is a wise and adequate local planning enabling act. It recognizes planning as an essential function of local government and delegates this function to continuing advisory bodies, known as plan commissions, presumably qualified for their task and little influenced by political change. It recognizes in its provisions that planning is a continuing process which involves, first, the formulation of community goals and objectives and, second, the establishment of systematic means or course of action for their attainment over time. It recognizes the first by providing for the creation of a master plan which is broad in scope and, the second, by providing effective means for its implementation. That the methods and procedures provided by this act are well established in Wisconsin as to form at least is indicated by the results of the urban planning inventory.

## Chapter III

### COUNTY PLANNING

Counties in Wisconsin have been delegated planning duties and powers that appear limited when compared with the powers delegated to cities, villages, and towns which have adopted village powers. Moreover, there is no one statute which clearly authorizes and defines county planning duties, functions, and powers as there is for cities and villages. The basic planning enabling acts in the State of Wisconsin delegating planning powers to counties today are Section 27.015 of the Wisconsin Statutes, entitled "Rural planning," and Section 27.02, entitled "County park commission, appointment." It is under the provisions of these two sections that most of the county planning activity in the state has been carried on.

Historically, the delegation of planning powers to counties in Wisconsin predated such delegation to cities and villages, the creation of county park commissions being first authorized by the Legislature in 1907. In 1919 counties were required to create rural planning committees, and in 1923 the Statutes were broadened to permit counties to carry out rural zoning as well as rural planning. Milwaukee County thereupon adopted the first county zoning ordinance in 1927, the regulations of which are still in effect today in the former Town of Granville and will be in effect until the City of Milwaukee rezones that area.<sup>8</sup> Appendix B presents in a convenient summary form all of the statutory authority for county planning.

#### COUNTY PLANNING AGENCIES




The Wisconsin Statutes permit the delegation of county planning functions to several committees and commissions. These potential county planning agencies include: the county rural planning committee, county park commission, county highway committee, county zoning committee, and the county soil and water conservation district supervisors.

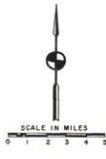
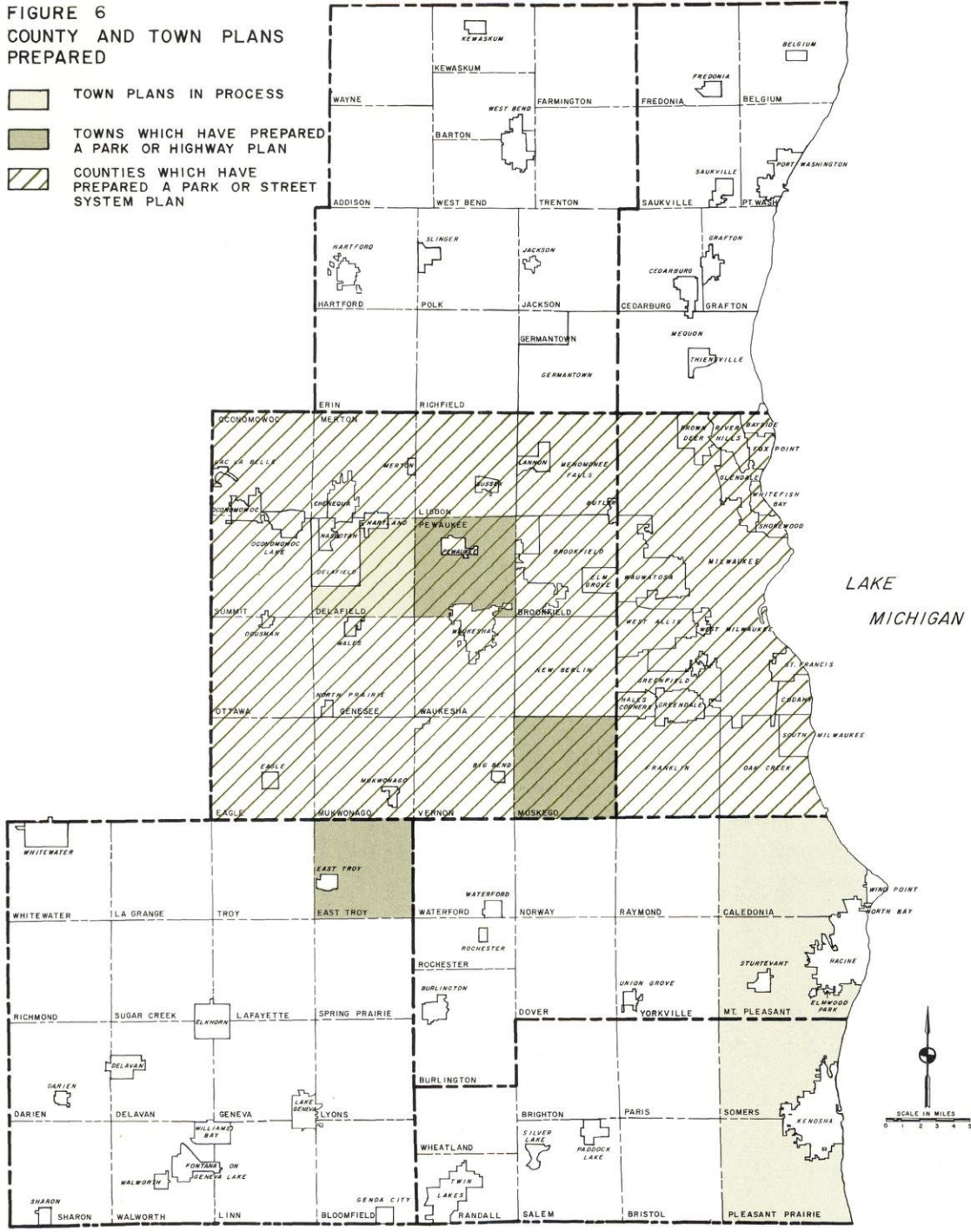
Each county is by Statute required to create a county rural planning committee. Although this committee is given the duty to "keep itself informed of the progress of rural planning" in the county, it is given no specific duties or functions to prepare a comprehensive plan for physical development of the county. Membership on the rural planning committee is specified by Statute and shall consist of the county board chairman, county highway committee chairman, county superintendent of schools, as ex officio members, and two other members appointed by the ex officio members.

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<sup>8</sup> Section 59.97(4a), Wisconsin Statutes, 1961.

**FIGURE 6  
COUNTY AND TOWN PLANS  
PREPARED**

-  TOWN PLANS IN PROCESS
-  TOWNS WHICH HAVE PREPARED A PARK OR HIGHWAY PLAN
-  COUNTIES WHICH HAVE PREPARED A PARK OR STREET SYSTEM PLAN



<p>The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.</p>	<p>COMPILED BY SEWRPC FROM SHCW AND USGS MAPS</p>	<p><b>SOUTHEASTERN WISCONSIN REGION</b></p>	<p>DRAWN: D.R. BENNKE      DATE: JUNE, 1964          CHECKED: S.R. BENNKE    PROJ. DESIGN: W.J. KOCKELMAN          ORIGINAL COMPILATION: 1:250000          REVISED:</p>
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If and when a county park commission is created by the county board, it replaces the county rural planning committee and assumes that committee's duties and powers. The agency resulting is commonly called the "county park and planning commission" and is given limited planning duties and powers under the Statutes as well as responsibilities for the acquisition, improvement, operation, and maintenance of a county park system. The Statutes specify that the membership of the county park and planning commission shall consist of seven members appointed by the chairman of the county board. Any number of the seven may be members of the county board except that in counties having a population of 500,000 or more only one such member may also be a member of the county board. The term of each member shall be for seven years.

In addition to the county rural planning committee and the county park commission, the county board may designate the county highway committee or a special county zoning committee as its agent in all matters pertaining to county zoning. Good planning practice dictates that the zoning powers be centered in the same agency having been assigned the planning powers.

Table 3 and Figure 4 set forth those counties which have created a county rural planning committee or in lieu thereof a county park and planning commission.

#### STAFF AND BUDGET

The county planning enabling legislation empowers the rural planning committee to appoint experts and persons of skill and experience in rural development to assist it in its work, subject to the consent of the county board. The county park commission is also empowered to appoint agents and employees as may be necessary to carry out its functions. If the county board has adopted a zoning ordinance, the board is required to designate an officer to administer the zoning ordinance.

The county board may levy a tax, not to exceed 0.4 of a mill upon each dollar of equalized valuation of the taxable property, for the purchase of park lands; and these receipts may also be used for payment of expenses incurred in carrying on the work of the county park and planning commission.




Table 3 indicates those counties within the Region which have provided for planning staffs and budgets for their planning agencies.

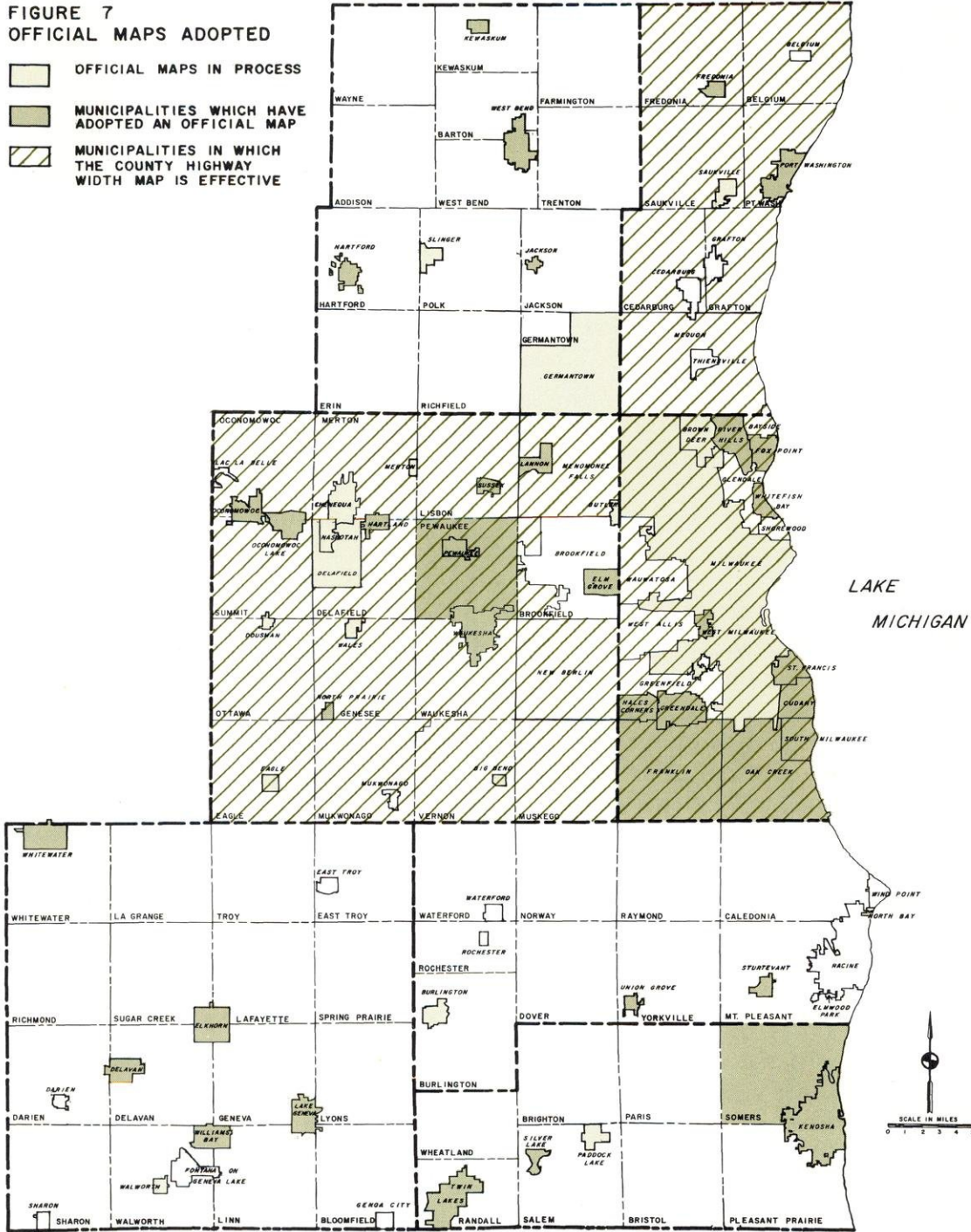
#### COUNTY PLANS

The county rural planning committee or county park and planning commission has the duty to keep informed of the progress of rural planning in the county. Rural planning is defined as including planning for the health, general welfare, and amenity of the settler; planning for the establishment of the best possible transportation facilities; planning for the creation and development of the most logical community centers; and planning for the setting aside of county parks,



**FIGURE 7  
OFFICIAL MAPS ADOPTED**

-  OFFICIAL MAPS IN PROCESS
-  MUNICIPALITIES WHICH HAVE ADOPTED AN OFFICIAL MAP
-  MUNICIPALITIES IN WHICH THE COUNTY HIGHWAY WIDTH MAP IS EFFECTIVE



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recreation fields, county fairgrounds, community woodlands, places of local and historical interest, and for the preservation of our native landscape.

Good planning practice dictates that any county development plans include essentially the same major elements as a comprehensive city plan. (See page 10) The county planning agencies are not, however, specifically required or empowered to prepare such comprehensive development plans, although certain additional duties given these agencies strongly imply the need for a framework of such county development plans. These additional duties include:

1. To report upon the design of public buildings and bridges and upon the location of community centers, statues, and memorials.
2. To advise regarding the planning for protection of flora along highways.
3. To consider and provide for the establishment of parks.
4. To propose the setting aside of places of historical interest and the protection of scenery.




In addition to the planning powers implied by these additional duties, county planning agencies are directly delegated the power to prepare certain elements of a comprehensive county development plan. The county park and planning commissions are required to make plans and maps of a county park system and a county street and highway system.

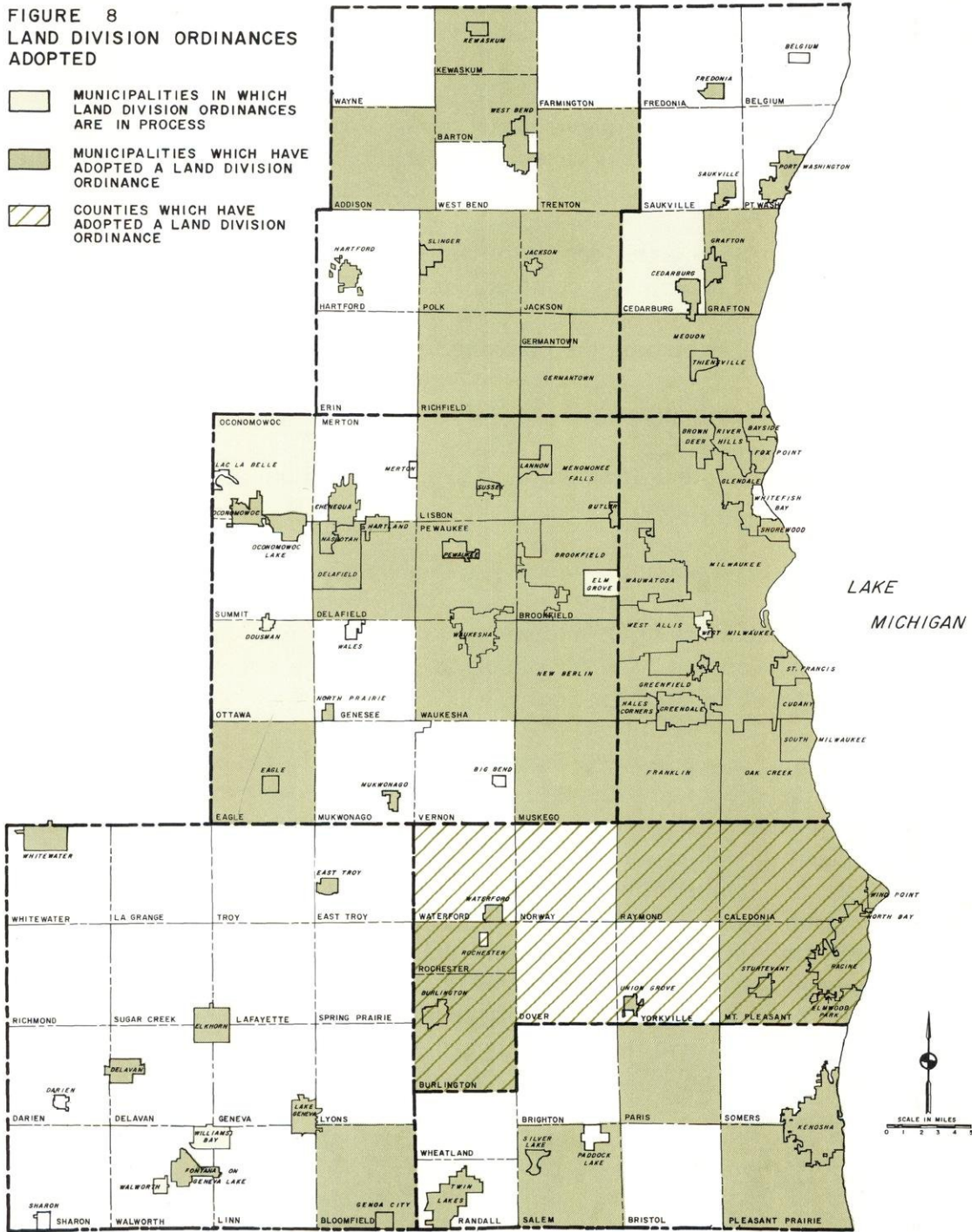
County planning agencies are further empowered to prepare "county regional plans" for the future platting of lands within the county but outside the limits of the cities and villages and for the future location of streets, highways, or parkways and the extension or widening of existing streets or highways. These county regional plans may consist of a system of arterial thoroughfares complete for each town, a system of minor streets for the complete area surrounded by any arterial thoroughfares, and the platting of lots for any area surrounded completely by any such thoroughfares or minor streets. Such county regional plans shall be certified to the county board after submission to and approval by the town boards, and the county board may adopt by ordinance the proposed county regional plans. Table 3 and Figure 6 set forth the status of county plans within the Region.

#### IMPLEMENTATION

Counties have been granted certain limited powers to implement county plans. The most important of these implementation powers is the zoning power, and county boards are specifically empowered to establish zoning districts and regulations outside cities and villages after consideration of a tentative ordinance that is prepared by the county zoning agency. As already noted, the county zon-




**FIGURE 8**  
**LAND DIVISION ORDINANCES**  
**ADOPTED**

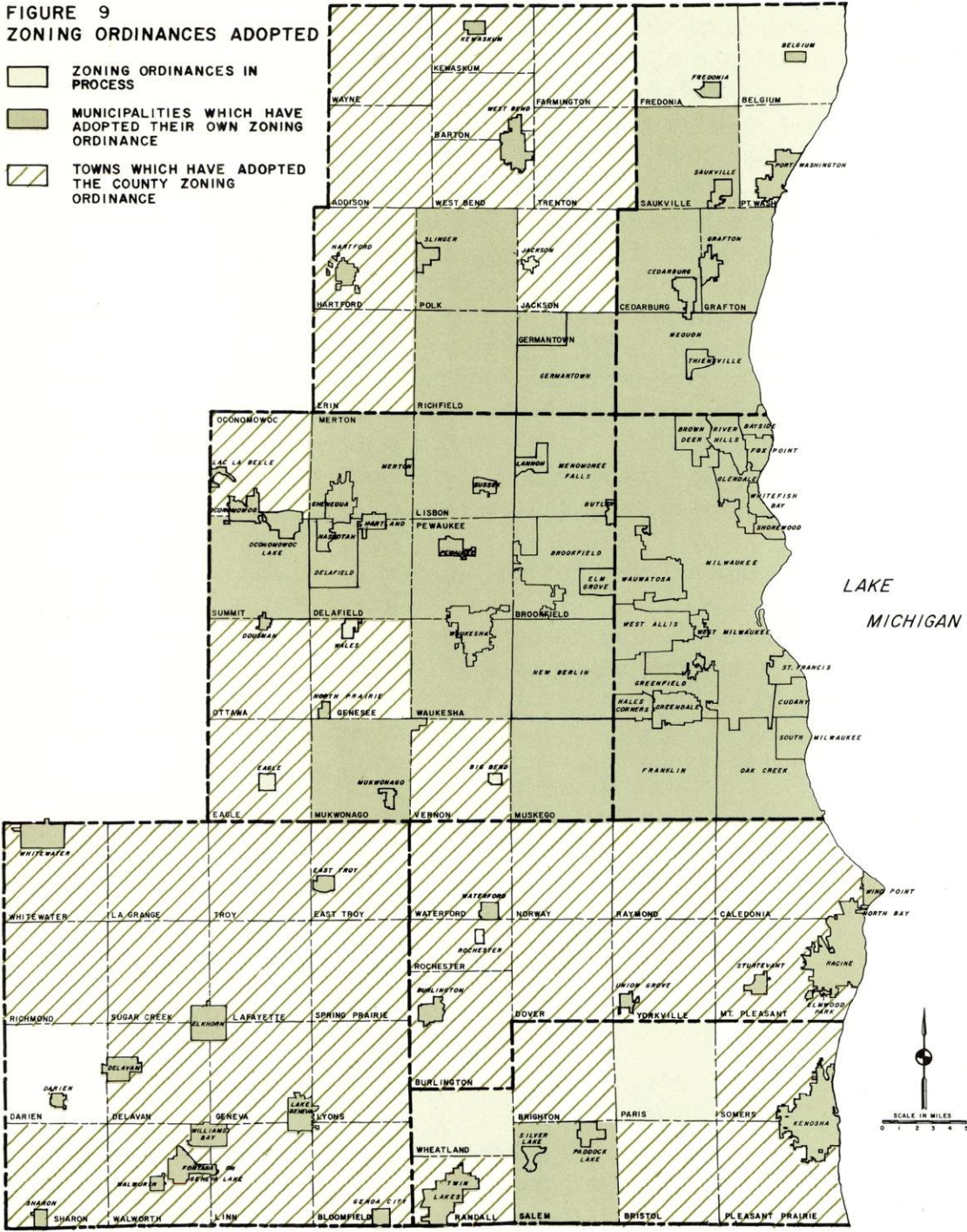
-  MUNICIPALITIES IN WHICH LAND DIVISION ORDINANCES ARE IN PROCESS
-  MUNICIPALITIES WHICH HAVE ADOPTED A LAND DIVISION ORDINANCE
-  COUNTIES WHICH HAVE ADOPTED A LAND DIVISION ORDINANCE



<p>The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.</p>	<p>COMPILED BY  <b>SEWRPC</b>          FROM          SHCW AND USGS MAPS</p>	<p><b>SOUTHEASTERN WISCONSIN</b>  <b>REGION</b></p>	<p>DRAWN: D.R. BEHNKE      DATE: JUNE, 1964          CHECKED: D.R. BEHNKE    PROJ. DESIGN: W.J. KOCKELMAN          ORIGINAL COMPILATION: 1:250000          REVISED:</p>
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**FIGURE 9**  
**ZONING ORDINANCES ADOPTED**

-  ZONING ORDINANCES IN PROCESS
-  MUNICIPALITIES WHICH HAVE ADOPTED THEIR OWN ZONING ORDINANCE
-  TOWNS WHICH HAVE ADOPTED THE COUNTY ZONING ORDINANCE



LAKE MICHIGAN



The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

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SHOW AND USGS MAPS

**SOUTHEASTERN WISCONSIN REGION**

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REVISED:

ing agency may be the county park and planning commission, rural planning committee, county highway committee, or a special zoning committee. The county zoning ordinance, however, does not become effective within any town until the county ordinance has been approved by the town board. Table 3 shows those counties which have adopted a county zoning ordinance. County zoning ordinances continue in effect over lands which later become part of an incorporated city or village until the governing body of that city or village changes such regulations by official action.

County boards are also granted modified Official Map powers and may establish the widths of existing streets and highways and the locations and widths of proposed streets and highways.<sup>9</sup> The existing and proposed streets and highways together with their established widths must be shown on a map which is filed in the Register of Deeds office. The map becomes effective in cities, villages, and towns only after the local governing body has approved such map. Ozaukee, Waukesha, and Milwaukee Counties are the only counties within the Region which have created such official street and highway maps. Some counties, however, have provided for building setback lines in their zoning ordinances to accommodate future anticipated widening of major arterials.

Other plan implementation powers granted to counties include the powers to establish building line regulations, building and sanitary codes, airport zoning ordinances, and land division ordinances. Racine County was the first county within the Region and the State to adopt a county subdivision control ordinance. County building and sanitary codes do not apply within cities and villages which have adopted their own codes. It may be inferred that such codes are applicable to cities, villages, and towns until they adopt their own.

Table 3 and Figures 7 and 8 set forth the status of these and other plan implementation devices used by counties within the Region.

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<sup>9</sup> Official Mapping Guide, Planning Guide No. 2, SEWRPC, 1964; pp. 14, 15.

Table 3

## INVENTORY OF COUNTY PLANNING IN SOUTHEASTERN WISCONSIN

Southeastern Wisconsin Regional Planning Commission

June, 1964

No.	County	Population			Planning Agencies			Planning Staff			Planning Consultants		Total Planning Budget				Planning Studies					Plans					Implementation Devices						No.		
		1950	1960	Percent of Change	Rural Planning Committee	Park Commission	Zoning Committee	Full Time	Professional	Zoning Administrators	Name	Work	1962	1963	1964	Estimated Per Capita 1963	Economic	Population	Land Use	Traffic	Other Studies	Park Plan	Street Plan	Ordinance Adopting Plans	County Regional Plans	Other Plans	Zoning Ordinance	Board of Adjustment	Airport Zoning	County Highway Width Map	Land Division Ordinance	Building Code		Sanitary Code	
1	Kenosha	75,238	100,615	+33.7	—	x	x	—	—	2	State Planning Division (1957)	Zoning	\$ 9,800	\$ 9,800	\$ 20,200	\$ .088	—	—	—	—	—	—	—	—	—	—	x	x	—	— <sup>15</sup>	—	—	—	1	
2	Milwaukee	871,047	1,036,047	+18.9	—	x	—	12	10	5	—	—	78,700 <sup>8</sup>	89,200 <sup>8</sup>	103,500 <sup>8</sup>	.082	x	x	x	—	—	x	x	x	x	Airport & detailed park plans	x <sup>14</sup>	x	x	x <sup>15</sup>	—	—	—	2	
3	Ozaukee	23,361	38,441	+64.6	—	x	—	—	—	—	L. E. Egelhoff (1963)	Park Site Plan	—	740	1,000 <sup>9</sup>	.016	—	—	—	—	—	—	—	—	—	Detailed park plans	—	—	—	x	—	—	—	3	
4	Racine	109,585	141,781	+29.4	—	— <sup>1</sup>	x <sup>3</sup>	—	—	11 <sup>6</sup>	—	—	13,400 <sup>10</sup>	13,400 <sup>10</sup>	13,500 <sup>10</sup>	.087	—	—	—	—	—	—	—	—	—	x	x	—	— <sup>15</sup>	x	—	—	4		
5	Walworth	41,584	52,368	+25.9	—	x	x <sup>4</sup>	—	—	2	State Planning Division (1936 & 1962)	Park & Street Plans Zoning	15,850	15,600	13,100	.278	—	—	—	—	—	—	—	—	—	—	x	x	—	— <sup>15</sup>	—	*	*	5	
6	Washington	33,902	46,119	+36.0	—	x	—	—	—	1	State Planning Division (1944 & 1959)	Zoning	3,500	3,500	6,400 <sup>11</sup>	.068	—	—	—	—	—	—	—	—	—	—	x	x	—	— <sup>15</sup>	—	—	—	—	6
7	Waukesha	85,901	158,249	+84.2	—	x <sup>2</sup>	—	10	7	3 <sup>7</sup>	William L. Nelson (1953)	Park Plan	105,200 <sup>12</sup>	117,000 <sup>12</sup>	99,082 <sup>12</sup>	.597	*	x	x	—	—	x	x <sup>13</sup>	x <sup>13</sup>	—	Airport & detailed park plans	x	x	x	x	*	—	—	7	

\* In Process.

- The County Board abolished the Park Commission in 1948 and designated the County Highway Commission to administer the county park program.
- Park and Planning Commission.
- Planning and Zoning Committee.
- Zoning and Industrial Development Committee.
- Milwaukee County Regional Planning Department was created in 1923 and disestablished in 1962.
- Includes 10 part-time Deputy Administrators.
- Part of the full-time Planning Staff.

8. Budget for park planning.

9. Estimate for park site planning.

10. Includes deputy zoning administrator's compensation.

11. Includes printing costs.

12. Includes mapping and park planning.

13. Portions.

14. Zoning Regulations are in effect in the former Town of Granville until changed by the City of Milwaukee.

15. The County Zoning Ordinance provides for building setback lines on highways.



## Chapter IV

### TOWN PLANNING

The basic enabling act in the State of Wisconsin delegating planning powers directly to towns is Section 60.181 of the Wisconsin Statutes, entitled "Town park commission," which provides that the electors of each town may by vote create a town park commission. Such town park commissions are granted very limited planning powers. The enabling act provides that the town park commission consist of seven members appointed by the town board, serving staggered terms of seven years. A town with no park commission may appoint a zoning committee for the purpose of recommending zoning regulations and districts.

Section 60.18(12) of the Wisconsin Statutes permits the delegation of city planning powers to towns. This section of the Statutes provides that the qualified electors of each town may direct the townboard to exercise village powers which include all city planning powers delegated to cities under Section 62.23 of the Wisconsin Statutes (Appendix A). Figure 4 and Table 4 set forth all the towns within the Region which have created town park commissions or adopted village powers and subsequently created plan commissions. Appendix C presents in a convenient summary form all of the statutory authority for town planning.

#### STAFF AND BUDGET

The state enabling legislation grants to town park commissions the power to appoint "agents and employees" as necessary to assist in the performance of their duties and functions. The town plan commissions have, of course, the same power to employ experts and a staff as do city plan commissions. Those towns which have used their authority to employ experts and a staff are shown along with the annual funds budgeted for local planning in Table 4.

#### TOWN PLANS

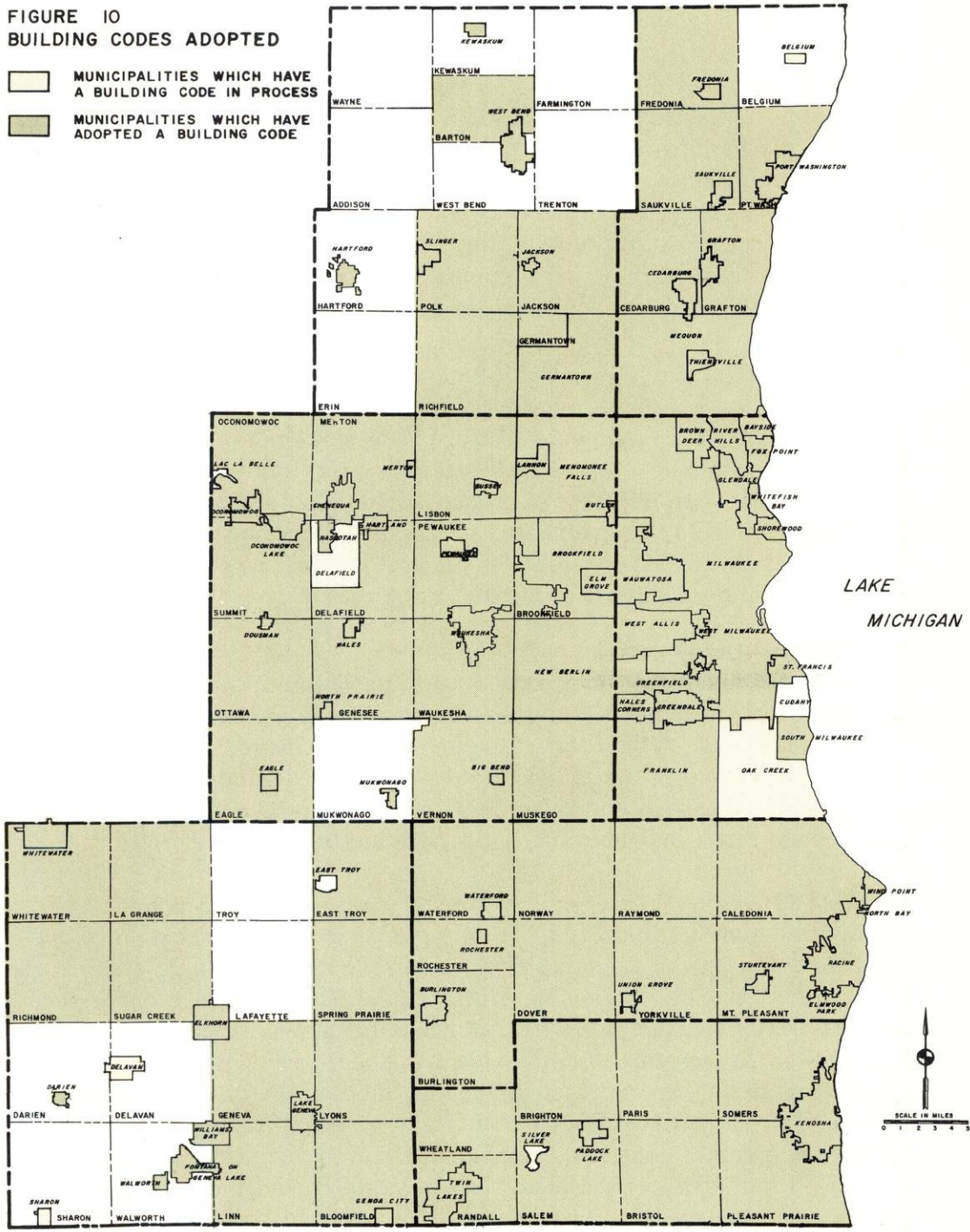
The town park commissions are the only planning agencies that have been specifically directed by the Legislature to make thorough planning studies encompassing the entire area of planning jurisdiction. The Statutes require such studies by town park commissions with reference to the reservation of land for public use and the laying out of ample open spaces, parks, highways, and roads. These commissions are directed to report the same to a town meeting within two years of organization of such commission. After completing such studies, the town park commissions are further required to prepare a town highway system plan, a town park system plan, and to again report these to a town meeting within the same two-year period.

A town plan commission, of course, has all those planning powers and duties conferred upon city plan commissions as enumerated in Chapter II and Appendix A. Table 4 and Figure 6 set forth the status of town planning within the Region.



**FIGURE 10  
BUILDING CODES ADOPTED**

- MUNICIPALITIES WHICH HAVE A BUILDING CODE IN PROCESS
- MUNICIPALITIES WHICH HAVE ADOPTED A BUILDING CODE



	<p>The preparation of this map was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.</p>	<p>COMPILED BY <b>SEWRPC</b> FROM SHOW AND USGS MAPS</p>	<p><b>SOUTHEASTERN WISCONSIN REGION</b></p>	<p>DRAWN: D.R. BEHNKE      DATE: JUNE, 1964          CHECKED: D.R. BEHNKE    PROJ. DESIGN: W.J. KOCKELMAN          ORIGINAL COMPILATION: 1:250000          REVISED:</p>
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## IMPLEMENTATION

Towns in Wisconsin have been directly granted very limited plan implementation powers. They may adopt a zoning ordinance in counties which have not adopted a county zoning ordinance, but only after the town board has petitioned the county board to adopt a county zoning ordinance and the county board refuses or fails to direct the county zoning agency to proceed or the county zoning agency fails to present a tentative county zoning ordinance within a year or the county board fails to adopt such an ordinance at the next meeting after presentation.

If the town has adopted village powers, it has the power to adopt a zoning ordinance without petitioning the county; however, if the county has a zoning ordinance, a referendum vote of the town electors and county approval of the ordinance and amendments are required. Figure 9 shows those towns which have adopted a county zoning ordinance or their own zoning ordinance.

Towns have no official map powers unless they adopt village powers, which powers would grant to the town board all the official map powers of the city. The town board may approve the county highway width map in those counties which have adopted a highway width map. Table 4 and Figure 7 illustrate those towns which have adopted a county street and highway map or have prepared their own.

The town may adopt ordinances governing the division of land if they have established a town park commission, a town zoning committee, or a town plan commission. Table 4 and Figure 8 illustrate those towns which have adopted land division ordinances. Other implementation devices utilized by the towns are illustrated in Table 4 and Figure 10.



## Chapter V

### THE PLAN COMMISSION

The various types of local planning agencies envisioned by the Wisconsin Legislature for carrying out the planning function at the city, village, county, and town levels of government have been described in the preceding chapters along with their particular powers and duties.

The first step toward carrying out the planning function at the local level is to organize a local planning agency. The local governing body should utilize the power granted to it by the State Legislature by adopting an ordinance creating a local planning agency (Appendices E and F). This ordinance should grant to that agency the powers and assign it the duties discussed in the preceding chapters.

In considering the type of agency to be created and in assigning its functions and duties, it must be remembered that local government is not simple either in concept or function. The state planning enabling legislation applies to many different kinds of cities, villages, counties, and towns; large and small, central and suburban, mayor and manager; and it must be admitted that what may be best for one may not be best for all others.

It has already been noted that Section 62.23 which applies to cities, villages, and towns that have adopted village powers is a wise and adequate local planning enabling act. This enabling act recognizes planning as an essential function of local government and delegates this function to continuing advisory bodies, known as plan commissions, qualified for their tasks and little influenced by political change. It recognizes in its provisions that planning is a continuing process which involves, first, the formulation of community goals and, second, the establishment of a systematic means or course of action for their attainment over time. The methods and procedures provided by this act are well established in Wisconsin and have generally proven to be successful when properly applied. For all local units of government except the county, state legislation presently requires that the primary local planning agency shall be a plan commission.

Under the state planning enabling legislation in Wisconsin, the plan commission performs a unique role of representing the public interest, not only of today's public, but of tomorrow's as well. This is an interest shared by many elected legislative and executive officials but to which few can give first priority since the actions of elected public officials must often embody the immediate public interest. The local community needs, and most elected public officials seem to welcome, the separate embodiment of the future public interest in a plan commission.

The plan commission under this concept is a body whose advice must be sought on that class of legislative and executive action that has especially strong importance for the future growth and development of the community. The failure of some plan commissions to perform this important function well is sometimes due to the lack of a competent professional staff to assist the commissions in carrying out their functions.

The elected legislative body need not fear any loss of power or authority to a plan commission since the legislative body not only controls the budget of the commission but also the final decisions to act upon commission recommendations. Moreover, where a professional planning staff is provided, the elected public legislative and executive officials will find themselves working closely with the planning staff since that staff normally provides the contact through which the commission formally reports to the executive and legislative bodies. If a professional staff, whether full or part time, is provided by the plan commission, and if as recommended herein, the elected chief executive officer serves as the chairman of the plan commission, then the planning staff properly becomes an arm of the executive as well as of the legislative body (Figure 11).

Appended to this guide are suggested model ordinances for the creation of city, village, or town plan commissions and county park and planning commissions (Appendices D and E). A model resolution granting towns village powers so that they may create a plan commission is also provided (Appendix F). These model ordinances are presented to assist local units of government in the creation of their own plan commissions and are intended as guides. Competent legal and planning assistance should be obtained by any local governing body in the application of these guides to their own situation.

#### MEMBERSHIP

Once the plan commission has been established, the next step is the selection and appointment of members; and this step is perhaps one of the most important acts that ever takes place in any community with respect to providing for its future development.

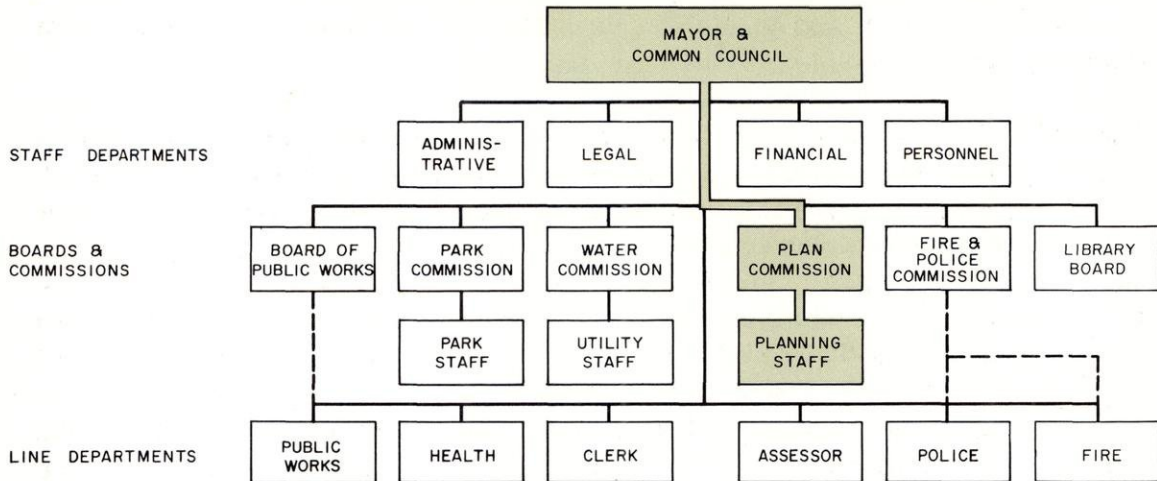
There are two schools of thought as to what is the most desirable membership composition of a plan commission. One believes that the plan commission membership should consist largely of elected legislative and executive officials involved in the day-to-day operation of the local government. The other believes that the membership should consist largely of citizen members detached from the day-to-day operation of the local government. The common practice in Wisconsin has been to provide a membership consisting of both elected and appointed public officials and citizens.

#### Ex Officio Members

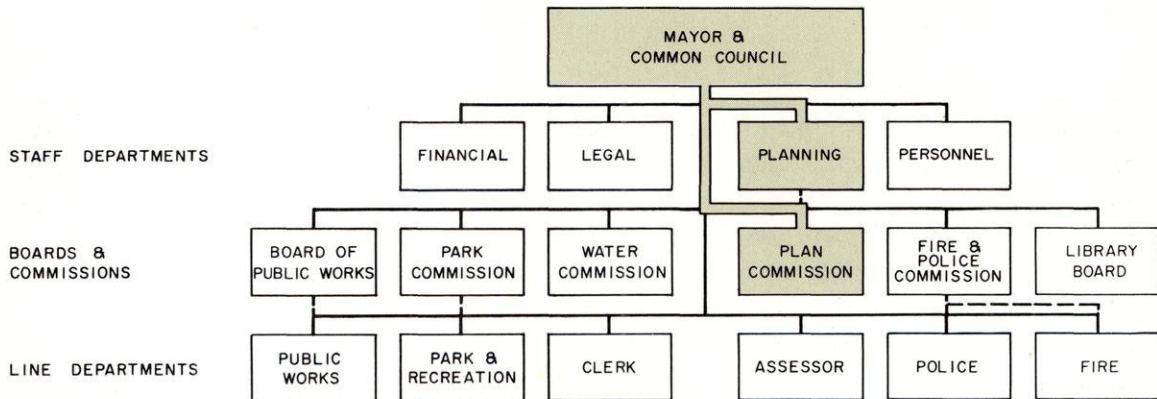
There are several individuals within a community who should be members of a

FIGURE II  
TYPICAL MUNICIPAL ORGANIZATION CHARTS

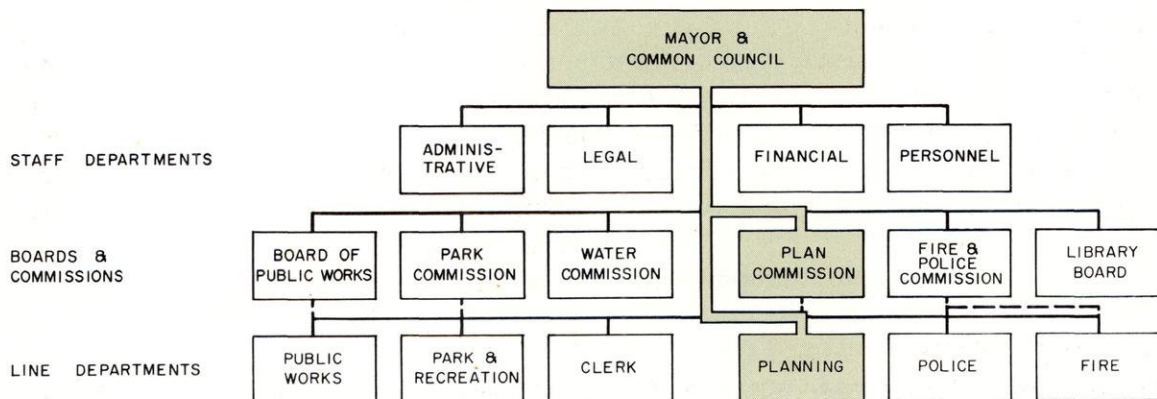
**PLANNING AS A COMMISSION FUNCTION**



**PLANNING AS A STAFF FUNCTION**



**PLANNING AS A LINE FUNCTION**





plan commission by reason of their official positions. The mayor, village president, county or town chairman as the chief executive officer should be a member of the plan commission and its presiding officer even if not required to be so by the state enabling acts. The chief executive officer serves as a focal point in local government and should be given the opportunity to guide the commission in its planning programs. The chief executive officer and the plan commission should be the most important advisors to the legislative body with respect to the physical development of the community. The chief executive officer presides over the governing body which will enact those ordinances and adopt those budgets which implement the community's plans and is, therefore, in a strong position to influence plan implementation.

A member of the local legislative body should also be a key member of the plan commission and probably should be elected to the commission by the other members of the legislative body. Such a representative is a valuable complement to the mayor, village president, county or town chairman and should be able to present the ideas of the legislative body to the commission and, in turn, the recommendations of the plan commission directly to his colleagues and introduce and explain such programs and recommendations upon the floor of the council or board, thereby reserving certain prerogatives to the presiding officer of the legislative body.

The community's municipal engineer, whether a full-time staff employee or a part-time consulting engineer, should be a member of the commission. His intimate knowledge of the community's physical plant, such as the street and highway, sewerage, drainage, and water supply systems and of such essential public services as utility plant maintenance, waste collection, and snow removal, is essential to any intelligent action by the commission. Moreover, his knowledge of engineering, construction, and building costs will be invaluable to the commission; and any professional planning staff will often rely heavily upon his knowledge and judgment in matters concerning public works facilities and services. The planning staff will also require supplemental technical assistance from the municipal engineer and his staff whether or not he is a member of the commission.

Other valuable additions to the commission include a member of the school board and a member of the park board because a large part of the community's new facilities are constructed by and its taxes committed by the school board. Also greater use is being made of school sites as recreational areas and of school buildings as community facilities.

Strong arguments can be made for including the mayor, village president, county or town chairman, an alderman, trustee, or supervisor, the municipal engineer, and park and school board representatives on the plan commission in the interests of efficiency, economy, and interdepartmental cooperation.

A community may also desire to place the local building or zoning inspector as the public official responsible for administering some of the most important plan implementation devices at the disposal of local government on the commission. Obviously, the staff or consultant planner should not be a member of the commission; however, both the planner and the building or zoning inspector should be present at all meetings.

#### Citizen Members

Because planning touches upon the lives of all the citizens of a community, it is desirable to have as much citizen participation in the planning effort as possible. The citizen members of the plan commission should be citizens of recognized experience and qualifications, having a knowledge of the physical conditions of the community and the purpose and scope of planning. But above all, they should have a sincere interest in the improvement of the entire community and in the welfare of all of its citizens.

It is suggested that some of the citizen members might be drawn from such civic and professional organizations as the P. T. A., Chamber of Commerce, League of Women Voters, conservation groups, neighborhood improvement groups, fine arts groups, citizen action groups, and youth organizations. In predominantly agricultural, educational, or industrial communities special consideration may be given to the farmer, educator, labor leader, and industrialist as commission members.

It is desirable that the citizen members be carefully chosen to avoid representation of any business interest that might be greatly affected by the plan commission's programs and recommendations. Such a condition often embarrasses the commission or causes insidious "conflict of interest" remarks to be directed at the commission.

The appointment of a prominent citizen member who is retired but still active in community affairs has the advantage of lending judgment and experience which is often shared generously and without selfish ambitions. Professionals, such as physicians, dentists, lawyers, architects, engineers, economists, geographers, and sociologists are valuable additions as citizen members of a plan commission. Sometimes their technical understanding can greatly assist the staff in presenting certain programs to the commission. A former officeholder who is politically alert in municipal affairs is invaluable; however, it is desirable that no citizen member currently hold a public office. The citizen members are important since the studies and proposals of the professional planning staff or consultant will be tested against their common sense and intimate knowledge of the community.

The ultimate test of a commission is its effectiveness in comprehending and performing its duties. Basic to this are the attributes of zeal, foresight, un-

selfishness, and courage possessed both individually and collectively.

### Terms

An important aspect of citizen participation is the length and staggering of their terms so as to provide a continuity in the planning program that is not otherwise present because of the ex officio members' elective or appointed positions.

### Size

The overall size of a plan commission should be from seven to ten members so as to: provide adequate balance between the citizen and ex officio membership; obtain representation of many of the community's interests; ensure adequate active members in the event some are temporarily absent; and to provide a number sufficient for the delegation of some functions to special committees so as not to overload the members.

A commission larger than ten may result in such problems as: time lost in debate, a "let George do it" attitude, difficulty in rendering decisions, partisanship, inefficiency in handling public meetings, lack of personal interest, and discussion of extraneous matters. The average size of planning agencies throughout the United States is approximately nine and ranges from three to thirty-four members.<sup>10</sup>

### Orientation

The task facing the plan commission can be an awesome one as it appears to newly appointed plan commissioners. It is suggested that they familiarize themselves with the general characteristics of the community, such as its topography, economic base, population composition, traffic patterns, and with any completed planning studies, any proposed plans and with any implementation devices that are in effect such as zoning, land division, official map, and building ordinances. It is desirable that they be readily familiar with the powers granted and the duties assigned to them by the state enabling act and the local ordinances.

There are several good, readable pamphlets about planning that cover the planning process in considerable detail. Any one of the following would be interesting to a new commissioner and refreshing to many present commissioners:

Mr. Planning Commissioner by Harold B. Miller, Public Administration Service, Nashville, Tennessee, 1954; \$1.00.

Planning Primer, Area Development Department, Northern Natural Gas Company, 2223 Dodge Street, Omaha, Nebraska, 1962; No charge.

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<sup>10</sup> American Society of Planning Officials, P.A.S. Information Report No. 19, Chicago, 1950.

The Citizen's Guide to Planning by Herbert H. Smith, Chandler-Davis Publishing Co., P. O. Box 36, West Trenton, N. J., 1961; \$1.50.

#### ORGANIZATION

Once the plan commission members are appointed, they should meet and discuss the organization of their commission and the adoption of rules or bylaws for its government. These rules must be in accordance with the state enabling act and the local ordinance creating the plan commission and should specify the duties of the officers, of any standing committees, and procedures at meetings including the order of business and conduct of public hearings. The rules should be such as to provide for the efficient processing of all matters referred to the plan commission.

The plan commission should hold regularly scheduled meetings, and it is suggested that an agenda be prepared in advance listing the matters to be considered and the order in which they would be taken up. The agenda should be mailed to the members in advance of the meeting so that they may inform themselves and even inspect sites affected by any business on the agenda.

All matters should be referred or submitted to the commission well in advance of the regular meeting dates, preferably at least one week, so that the staff can make adequate studies, inspect sites, and obtain supplemental staff services from other local officials.

Written minutes should be kept of each meeting showing the members, staff, and public in attendance and all actions taken including resolutions, findings, determinations, transactions, and recommendations. All reports and recommendations made by the commission should be made in writing and mailed to the governing body, board of zoning appeals or adjustment, and any other public official, board, commission, agency, or utility affected.

Depending upon the commission's workload, it may be desirable to set up standing or special committees for the handling of such matters as plat review, rezoning petitions, urban renewal, capital budgeting, parking and traffic problems. By this method the work of the commission can better be distributed among the individual members resulting in expeditious handling, conservation of the member's time, and the development of the interest and responsibility of individual members.

Proper organization and rules of government will greatly assist the commission in alleviating the problem of being swamped with day-to-day routine business, such as hearings, complaints, and meetings. A model "rules of government" for the convenience of local plan commissions is set forth in Appendix G of this guide.

## FUNCTIONS

The primary function of a plan commission is to act as an advisor to the elected executive and legislative bodies. The various aspects of this function have been more specifically discussed in the preceding chapters and also specified in the model ordinances (Appendices D and E).

### Referrals

The function of rendering advice and making recommendations concerning both public and private development has considerable importance under Wisconsin law. (See page 17.) A serious responsibility is placed upon the local plan commission to study thoroughly any project or proposal upon which it is required to make a recommendation by the state enabling act or local ordinance.

### Coordination

The plan commission should be kept informed of all proposed developments being considered by various public bodies. The ex officio members can be very helpful in providing liaison with the governing body and other municipal boards, commissions, and departments. They should ensure that there is prompt referral to the plan commission while projects or proposals are still in a formulative stage.

Plan commissions should address themselves to the community planning aspects of the proposals referred to them and leave legal, engineering, and administrative details to the professional staffs employed to deal with these details. This will assure preservation of the distinctive nature of the commission's advisory planning function, prevent encroachment into other provinces, and lend weight to the commission's recommendations.

Obviously, the commission should maintain close contact with other local, regional, state, and federal agencies that may be making or implementing plans in functional and geographic areas that affect the community.

Commission members can be of valuable assistance to the community, the planning staff, and the governing body by:

1. Becoming familiar with the planning process, the state enabling legislation, and the various planning tools at their disposal.
2. Attending all commission meetings, certain meetings of the governing body, and important planning workshops and conferences.
3. Making frequent field inspections.
4. Articulating the goals and desires of the community for the planning staff or consultant.

5. Becoming familiar with the community's plans and promoting them whenever possible to community groups.
6. Persuading the governing body to implement certain phases of the community's plans.

#### PUBLIC MEETINGS

One of the most important aspects of planning is the conduct of public meetings as the manner in which a public meeting is conducted in many cases determines the success or failure of a proposal or program. A tremendous responsibility rests upon the plan commission and in particular upon its presiding officer for the effective conduct of such meetings. Public meetings have two purposes: (1) The hearing of the public, and (2) The informing of the public.

The public hearing is an official meeting called solely for the purpose of hearing the public and is required by Statute or local ordinance in certain cases; for example, the adoption or amendment of a zoning ordinance and the hearing and granting of appeals. Notice of such required public hearings is mandatory, whereas a public meeting for the purpose of informing the public is discretionary; and while notice is desirable, it is not required.

It should be remembered that the public hearing has only one purpose, and that is to permit the public to express its views in an orderly and constructive manner. The proposal or program to be acted upon should be readily available to the public, published in a local paper, and explained well in advance of the hearing so as to adequately inform the public. Any material needed for reference should be on display and easily accessible during the hearing.

The meeting should be well organized, and the following procedure is suggested:

1. The presiding officer, who occupies a key role in the procedure, should introduce himself and the commission and explain briefly why the meeting was called.
2. He should let it be known just how the hearing will proceed and that decorum and order will prevail. He should also make it clear that the commission and staff, while attempting to answer all questions, will not engage in debates or lengthy discussions with anyone.
3. The subject matter under discussion should be briefly introduced as it should have been made public prior to the meeting.
4. It is highly desirable to keep an accurate record of all pertinent comments.
5. Each person should be instructed to give his full name and address and

state his views as briefly and clearly as possible. If a large audience is anticipated, it may be desirable to limit each speaker to a specified period of time.

6. Upon conclusion of each individual's statement, the chairman should thank him politely and assure him that his views will be considered and then move immediately on to the next person. Upon conclusion of all the statements of the public, the chairman should again thank them for their interest and attendance and assure them that their views will be carefully studied.
7. The meeting should then be adjourned and careful study be given to the views expressed.

The commission should remember that it has been selected to represent not only those people present at the hearing but the many more citizens of the community who are not present or did not express themselves publicly. Many times desirable proposals or programs are killed by extremely vocal groups of only ten or twenty people. It is up to the commission to make certain that the opinions expressed are indicative of the general feeling within the community and not just the expression of narrow and selfish interests.

#### CITIZEN SUPPORT

Those communities in which the planning function has been most effective are those where public support for the plans has been developed and maintained. The plan commission and planning staff or consultants must do more than just work with community leaders and certain elected public officials. It must also reach out to the general public at large, promote understanding, and solicit wide participation. Public participation in the planning process is difficult to obtain and requires continuing efforts. Strong and active citizen planning groups are of tremendous value and are often able to materially aid the plan commission in carrying out the community plan. Their assistance may take the following forms: exhibits; discussions before civic, professional and neighborhood conservation groups; newspaper articles; radio broadcasts; education television; and study courses in the local schools.

Many voluntary local citizen groups are only successful when the initiating drive comes from within their group; however, the planning agencies can do much to encourage the growth of these organizations. Plan commissions can furnish them information about the community's plans, consult with them regularly about these plans, and encourage expression of opinions. Alert citizen groups with a sense of participation in the community can significantly raise the general level of public awareness about the community's problems. Such groups can assist the planning agency by their testimony and support of sound planning at both public and private gatherings. These groups may become, in effect, lay experts

on community planning, aiding in policy formulation, maintaining citizen support, ensuring more critical examination of proposals, and generally creating a more favorable planning atmosphere in the community.





## Chapter VI

### THE PLANNING STAFF

The plan commission should be actively involved in articulating the community's goals and establishing the outlines of planning programs and should not become unduly involved in the performance of "leg-work" better left to a staff.

Sometimes technical and professional planning assistance is not readily available to a local community, and in its absence some communities attempt to utilize the talent of local officials and citizens. An advantage of this type of approach is that the individual plan commissioners become more intimately involved in the planning process and thereby not only become very effective but achieve a great deal of personal satisfaction.

Usually a plan commission embarking on the job of planning very quickly finds that some professional services are not only desirable but essential. The typical plan commission is comprised of persons who, though interested and perhaps even skilled in certain phases of community development, lack the time necessary to carry on a comprehensive planning program. Many plan commission members are active civic leaders with their own professions to pursue, and the amount of time that they can devote to the planning process must be limited to making important policy decisions. There are few, if any, planning surveys, studies, investigations, or plans that can be accomplished during the two- or three-hour meetings that occur once or twice a month.

It thus becomes apparent that, if the local planning is to be meaningful, someone skilled in planning technology with substantial time to devote to its prosecution must be found. This means the employment of the services of a professional planner, either on a full-time resident basis, part-time consulting basis, or by sharing with another department or community.

#### PLANNING STAFF

Experience has shown that the employment of a full-time resident planning staff, responsible to the plan commission, is the best method of obtaining professional planning services. The size, cost, and administrative organization of such resident staffs vary from one community to another. A staff may consist of one trained planner, as in the case of small communities, or may number several planners, researchers, draftsmen and secretaries in the larger cities.

#### Size

The majority of local planning offices are small one- or two-man operations usually consisting of a planning director, an assistant, and a clerk-stenographer. If the community desires its own planning staff, it must be prepared to

commit itself to paying the cost of the planning staff employed not for one or two years, but on a permanent basis, so that the planning program will be on a continuing basis. Office space, equipment, supplies, and other expense items must also be provided. These expenses, however, are minor in comparison with the economies that may be realized from sound community planning.

The number and type of full-time planning staffs used by cities and counties in the United States are as follows:

CITIES<sup>11</sup>

Population Group	Range of Full-Time Planning Professionals	Mean Number of Total Planning Employees
500,000 - 999,999	7 - 39	38.9
250,000 - 499,999	5 - 23	26.9
100,000 - 249,999	1 - 14	11.9
50,000 - 99,999	1 - 8	6.3
25,000 - 49,999	1 - 6	4.2
10,000 - 24,999	1 - 3	2.7

COUNTIES<sup>11</sup>

Population Group	Range of Full-Time Planning Professionals	Mean Number of Total Planning Employees
1,000,000 - and over	4 - 79	49.0
500,000 - 999,999	8 - 23	24.7
250,000 - 499,999	3 - 18	15.1
100,000 - 249,999	1 - 14	10.8
50,000 - 99,999	1 - 7	5.0

It should also be remembered that there are some components of a community's comprehensive plan that can be prepared by other municipal agencies with the plan commission performing the role of "master planner" or coordinator so

<sup>11</sup> Adapted from American Society of Planning Officials, P. A. S. Information Report No. 184, Chicago, 1964.

that the individual plan components are integrated into the overall community plan. For example, the utility, park, and school plans can be prepared by the engineering department and the park and school board staffs with supervision and coordination being furnished by the planning staff. This utilization of a community's other professional and technical staffs reduces the number of resident staff planners and consequently reduces the community's planning budget.

#### Cost

There are some communities whose size, tax base, or growth are such that they cannot afford a full-time resident planner. The average annual per capita expenditure for planning in the United States is about 63 cents for cities and about 33 cents for counties. Therefore, a community of less than 20,000 population would find it perhaps difficult to pay the salary and office expenses of one good, full-time resident professional planner.

Such communities could hire a planning consultant on a continuing basis or hire a planner who divides his time between planning work and work for another municipal agency, such as the engineering department or park board.

Sometimes two or more neighboring communities can join together in providing the planning staff who would then divide their time among the communities. The Wisconsin Legislature has specifically provided that cities, villages, towns, counties, and regional planning commissions may contract with each other for the joint exercise of any power or duty required or authorized by statute.<sup>12</sup>

#### Selection

In any planning operation, the selection of personnel is extremely important. The planner should be a graduate of a college or university with a degree in planning, architecture, landscape architecture, civil engineering, or other planning related field and should, particularly if he is to direct the planning for a smaller community, have had at least five-years' experience in municipal, county, or regional planning under the supervision of qualified, experienced professional planners. Membership in the American Institute of Planners is also desirable.

There is no substitute for experience, and none should be allowed. In unusual situations experience may, however, be substituted for college work. He should have a certain amount of skill in dealing with the public, and he should possess general administrative ability. The success or failure of the planning process is often dependent upon his individual ability and personality. There is no question that it is an extremely difficult task to find competent, experienced planners

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<sup>12</sup> Section 66.30, Wisconsin Statutes, 1961.

at a reasonable salary that the community can afford to pay; but an incompetent or inexperienced planner may do costly and sometimes irreparable damage to the future development of a community.

The plan commission should have an important voice in the recruitment and retention of the planner, since the commissioners must be able to work as a team with the planner. The plan commission must have confidence in the knowledge and ability of the planner if it is to accept his recommendations and evaluations on important matters. Individual commissioners should visit the planning office from time to time so as to better acquaint themselves with the staff and let them know that they are constructively interested. The planner should be introduced to a number of people in the community, and these introductions should be made in a favorable light so that there will be a basis for friendship and communication. The planner should know the people who are responsible for making important decisions affecting the change and growth of the community, such as the people who operate the lending institutions and the basic industries, people in the Chamber of Commerce, and people who develop land and build homes.

A planner should avoid and the commission and elected officials should not involve the planner in partisan politics. His position should be regarded as a nonpartisan, technical position; and he should be allowed to conduct himself in such a manner so that, regardless of changes in administration of the community, his work and the commission's can continue without interruption and without prejudice.

#### Professional Conduct

The commission should reasonably expect the following of their professional staff:

1. They should be responsible and honest so that appropriate office hours are kept, equipment is properly handled, and the public is graciously treated.
2. They should willingly, intelligently, and aggressively become acquainted with the community, its people, its problems, and its unique characteristics. They should have a reasonable sense of timing and a sense of humor.
3. They should be technically competent and should make every effort to bring the full force of their training and experience to bear in doing the jobs to which they are assigned.
4. They should be accurate and precise so that their work and presentations are not slovenly nor confusing.

5. Outside work should be permitted only in the most unusual circumstances and then only with the full knowledge and approval of the commission and subject to there being no possible conflict of interest with or deduction from their work for the commission.

#### Advantages and Disadvantages

A resident planner living within the community has the advantage of being intimately familiar with the community, its people, and its problems. A staff program provides continuity and puts planning on a day-to-day basis so that technical advice is immediately available and there is direct contact with the community's officials and citizens.

The disadvantages of a planning staff are that often the planner becomes enmeshed in day-to-day routine work and has little time left for long-range, comprehensive planning. Sometimes he is too readily available to pressure groups, runs the danger of being emotionally involved, and loses his objectivity by familiarity. It is also difficult to find personnel for the small staff operation who have the required broad experience. It is infrequent that one planner has sufficient skills in all required technical fields as well as in administration and in public speaking and public relations. Sometimes the best program for a given community is the combination of both a planning staff and a planning consultant.

#### PLANNING CONSULTANT

There are many private planning consultant firms in the business of providing technical and professional planning services to a community on a fee basis. These services range from single studies and proposals for a particular community problem, such as parking or redevelopment, through preparation of a complete comprehensive development plan including the implementation devices. The consultant may be used to supplement the local planning staff or even retained on a continuing basis if the community has no planning staff.

In any case, it is important that the commission and the consultant work as a team with the commission members articulating the community's goals and the consultant explaining each step of his work to them. Any work prepared by the consultant without the benefit of the commission's review and guidance or without the commission having the opportunity to discuss many important factors being considered by the consultant is in the danger of not being understood or favorably received by the commission, not being adequately presented to the public, and not being properly implemented by the local governing body.

#### Selection

The key to the success of any planning program is the care with which the personnel, whether it be a staff or a consulting firm, is selected. The problem of staff or consultant selection is becoming increasingly perplexing. Appendix H contains a list of suggestions for selecting planning consultants.

### Professional Conduct

The commission should be able to reasonably expect the following from the consultant:

1. He will not undertake work for which he is not qualified by the character of his education or the breadth of his experience nor offer to do any work for a fee that precludes adequate performance.
2. He will accept no remuneration other than his established compensation for the agreed charges for services rendered.
3. He will have no financial interest in the result of his work which has not been disclosed to and received the approval of his client.
4. He will recommend the services of other professionals when their special abilities are needed.

### Advantages and Disadvantages

A well-qualified planning consulting firm can usually offer a staff which has broad training and experience. Members of the firm are usually schooled in varying disciplines and have worked in many different communities. They can often draw from this experience, saving time and in many cases avoiding costly mistakes. The consultant is usually free to work without interference from local pressure groups or vested interests. Not being primarily dependent upon the community for his livelihood, he can be more objective and at the same time his opinion often carries more weight. The most frequent disadvantage of the consulting firm is the danger of the "one-shot package" plan. The consultant is usually unable to become as familiar with the community as the staff planner and he may, therefore, prepare technically competent studies that overlook matters of immediate local concern.

### THE FEDERAL PLANNING ASSISTANCE PROGRAM

Section 701 of the Housing Act of 1954, as amended, provides that the Federal Government may finance the preparation of specified urban planning activities in an amount not to exceed two-thirds of the total cost of an approved planning program. The total cost of the program includes the cost of employing a planning consultant or the staff of a governmental planning agency to do the work.

A local unit of government may also carry out an approved planning program using its own planning staff, the staff of another community, or the staff of a county, regional, or state agency. The use of these agencies may be considered to be an advantage in that the local plans will be prepared and implemented in the light of the more general plans and policies prepared by the county, regional, or state agencies.

#### OTHER PLANNING ASSISTANCE

State, regional, and county agencies often provide various levels and types of planning assistance to local communities upon request. Limited guidance and assistance is usually provided without cost or they may be provided for a nominal fee or the local community may actually contract with the agency in the same manner as they would with a planning consultant.



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## Chapter VII

### ANALYSIS OF THE INVENTORY OF PLANNING

The local planning inventory information relating to cities, villages, and counties, summarized in Tables 1 through 3 and illustrated on Figures 4 through 10, was obtained through personal interviews held with elected officials and planning staffs in 26 cities, 32 villages, and all 7 counties in the Region during the period between 1962 and 1964. The local planning inventory information relating to towns, summarized in Table 4, was obtained through a postal questionnaire mailed to all of the 66 town chairmen and town clerks.

Mayors, village presidents, and all city and village clerks were also mailed postal questionnaires to obtain information supplementing that obtained through the personal interviews and to ensure up-to-date information. Local officials, staff and consultant planners in each of the 27 cities, 53 villages, 7 counties, and 66 towns were contacted by telephone for the purpose of editing the questionnaires and to obtain information from those communities which had not responded to the postal questionnaires. In addition, a preliminary draft of the summary data tabulations was sent to each community in the Region for their review, comment, and correction prior to publication.

Every effort has been made by the Southeastern Wisconsin Regional Planning Commission to ensure that the information on Tables 1 through 4 is complete and accurately reflects the status of local planning in each community throughout the Region as of June, 1964.

#### CITIES

The status of planning in all of the 27 cities in the Region was inventoried, and a summary of that inventory is set forth in Table 1.

#### Planning Agencies

The results of the inventory indicate that 26 of the 27 cities (96 percent) in the Region have created city plan commissions which range in size from seven to nine members. In addition, four cities (15 percent) have created redevelopment authorities; and one has provided for a housing authority.

#### Planning Staff

Six cities (22 percent) employed full-time planning staffs ranging in size from one to 37. All such full-time staffs included professional planners ranging in number from one to 27. All cities employed a building or zoning inspector.

Twenty-three cities (85 percent) had engaged the services of planning consultants, and four cities (15 percent) have engaged such services on a continuing

basis. Seventeen cities (63 percent) had or were having the consultant prepare comprehensive plans, and eleven of these cities (41 percent) were receiving federal urban planning assistance from the Housing and Home Finance Agency under Section 701 of the Housing Act.

#### Planning Budget

Nineteen cities (70 percent) have budgeted for planning in 1964, the budgeted amounts ranging from \$25 to \$397,195. Five others (19 percent) had provided a budget for planning at some time during the 1960-1964 period. Moneys budgeted for planning consultants in 1964 ranged from \$700 to \$100,000.

The estimated per capita local planning budgets for 1963 for cities in the Region varied from nothing to \$1.83. The estimated average annual per capita expenditure for city planning in the United States by comparison is about \$0.63.

#### Planning Studies

Thirteen cities (48 percent) have prepared economic studies; fourteen (52 percent) have prepared population studies; twenty-five (93 percent) have made a land use inventory; and five cities (19 percent) have made traffic studies or analyses. Four cities (15 percent) have made a study of housing conditions. Other studies made by cities included: urban service area, parking, utilities, urban renewal, and community facilities studies.

#### Plans

The inventory of "plans prepared" indicated that 19 cities (70 percent) have prepared "master plans," and two cities were in the process of preparing such master plans. These plans usually included proposals for land use, community facilities, and transportation.

Sanitary sewer plans have been prepared by 10 cities (37 percent), water service plans by nine cities (33 percent), and storm water drainage plans by four cities (15 percent). Five cities (19 percent) have prepared redevelopment plans. Some cities have prepared special plans for parking, lake front development, and industrial and business area development.

#### Implementation Devices

All of the cities in the Region have adopted zoning ordinances and land division ordinances. Mobile home ordinances were in effect in 17 cities (63 percent), building codes in 23 (85 percent), plumbing codes in 25 (93 percent), electrical codes in 22 (81 percent), housing codes in 5 (19 percent), and architectural ordinances in 7 (26 percent). Three cities were in the process of preparing a building code; and one newly incorporated city was in the process of preparing building, plumbing, and electrical codes. One city adopted a minimum housing code in 1961 and then repealed it in 1963.

Official Maps have been adopted in fifteen cities (56 percent); and three, including Milwaukee, were in the process of preparing such a map. Twelve cities (44 percent) had adopted a county highway width map, or such a map was effective in recently annexed or incorporated portions of those cities.

Twelve cities (44 percent) reported using capital improvements programs, and two were in the process of preparing such a program. Two cities (7 percent) had executed redevelopment programs, and three had reported that such execution was in process. Of the two cities that had executed redevelopment programs, one was using federal aid and the other was accomplishing redevelopment by strict enforcement of existing codes and by the razing of substandard structures.

#### VILLAGES

The status of planning in all of the 53 villages in the Region was inventoried, and a summary of that inventory is set forth in Table 2.

##### Planning Agencies

Forty-two villages (79 percent) have created plan commissions, and three are in the process of doing so. These commissions ranged in size from five to nine members.

##### Planning Staff

The results of the inventory indicated that only one village (2 percent) has a full-time planning staff; however, thirty-eight villages (72 percent) had at some time used the services of planning consultants; and six villages (11 percent) were retaining such consultants on a continuing basis. Fourteen villages (26 percent) have used a consultant to prepare comprehensive plans, and eleven (21 percent) of these plans were prepared with federal urban planning assistance from the Housing and Home Finance Agency under Section 701 of the Housing Act. The planning division of the State Department of Resource Development is acting or has acted as the planning consultant in nine of the villages (17 percent).

##### Planning Budget

Twenty-six villages (49 percent) have budgeted for planning in 1964, the budgeted amounts ranging from \$100 to \$16,000. Four others have provided a budget for planning at some other time during the period from 1960 to 1964. Moneys budgeted for planning consultants ranged from \$400 to \$16,000 in 1964.

The estimated per capita local planning budgets for villages in 1963 varied from nothing to \$13.04.

##### Planning Studies

Ten villages (19 percent) have prepared economic and population studies; twenty-one (40 percent) have made a land use inventory; and five (9 percent) have made traffic studies or analyses. Four villages are in the process of preparing

economic, population, and land use studies. Two villages are in the process of preparing traffic studies, and one is in the process of preparing a housing study. Other studies made by villages have included: rubbish disposal, urban service areas, water service, sanitary sewerage, storm water drainage, annexation, and governmental studies.

#### Plans

The inventory of "plans prepared" indicated that nine villages (17 percent) had made master plans, and nine more (17 percent) were in the process of making such plans. These plans usually included proposals for land use, community facilities, and transportation.

Sanitary sewer plans have been prepared in nine villages (17 percent), water service plans in five villages (9 percent), and storm water drainage plans in seven villages (13 percent). Six villages (11 percent) were in the process of preparing sanitary sewer and storm drainage plans, and nine (17 percent) were in the process of preparing water service plans. Four villages (8 percent) had prepared redevelopment plans, and two were in the process of preparing such plans.

#### Implementation Devices

Forty-eight of the villages (91 percent) had adopted zoning ordinances, of which seven (13 percent) were interim ordinances. Four villages were in the process of adopting a zoning ordinance. Thirty-seven villages (70 percent) have adopted a land division ordinance, and five were in the process of preparing one.

Mobile home ordinances were in effect in 33 villages (62 percent), building codes in 48 (91 percent), plumbing and electrical codes in 29 (55 percent), housing codes in 5 (9 percent), and architectural ordinances in 18 (34 percent). Some of the villages are in the process of preparing these codes.

Official Maps have been adopted in 22 villages (42 percent), and fourteen (26 percent) were in the process of preparing such a map. Fifteen villages (28 percent) had adopted a county highway width map, or it was effective in those portions of the villages annexed or incorporated.

Seven villages (13 percent) reported using capital improvement programs, and five more (9 percent) were in the process of preparing such a program. Three of the villages have executed redevelopment programs by purchasing, razing, and reselling blighted properties. None of the villages utilized federal assistance for such redevelopment.

#### COUNTIES

The status of planning in all of the seven counties in the Region was inventoried, and a summary of that inventory is set forth in Table 3.

### Planning Agencies

All of the counties have provided for some type of planning agency. Six counties were using the park commission, and one was using a planning and zoning committee. The Milwaukee County Regional Planning Department, created in 1923, was disestablished in 1962.

### Planning Staff

Two counties had provided for full-time planning staffs, although one county used this staff exclusively for park planning purposes. The Milwaukee and Waukesha County planning staffs consist of 12 and 10 full-time personnel respectively, of which 10 and 7 respectively are professionals. All counties with zoning ordinances have provided for full or part-time zoning administration personnel. Five counties have used the services of planning consultants for zoning assistance and for the preparation of park and street plans.

### Planning Budget

All of the counties have provided budgets for planning in 1964, in amounts ranging from \$1,000 to \$103,500. Portions of some of these budgets were used for mapping, printing, park administration, and zoning administration as well as park and park site planning.

The estimated per capita county planning budgets in 1963 varied from \$0.016 to \$0.597. The estimated average annual per capita expenditure for county planning in the United States by comparison is about \$0.33.

### Planning Studies

Two counties have prepared population and land use studies. One county has prepared an economic study, and another has one in process.

### Plans

One county had prepared a park system plan, a highway system plan, and a county regional plan which includes minor street and lot layouts; and its county board has by ordinance adopted both the park and highway system plans. Another county has prepared a park system plan and portions of a highway system plan; and its county board has adopted portions of the highway system plan. Two of the counties have prepared airport plans, and three have prepared detailed park plans. None of the counties have prepared "master plans."

### Implementation Devices

Six of the counties have adopted zoning ordinances, and two have adopted airport zoning ordinances. One county has prepared a land division ordinance, and three counties have adopted highway width maps. Five of the county zoning ordinances, however, provide for established building setback lines along highways. None of the counties have prepared building or sanitary codes, but one county was in the process of doing so.

## TOWNS

The status of planning in all of the 66 towns in the Region was inventoried, and a summary of that inventory is set forth in Table 4.

### Planning Agencies

Fifty-two (79 percent) of the towns have assumed village powers, and twenty-six (39 percent) have created plan commissions ranging in size from three to seven members. Of those towns without a plan commission, one was in the process of creating such a commission; ten (15 percent) have zoning committees; and four have park commissions.

### Planning Staff

The results of the inventory indicated that none of the towns have provided for a full-time planning staff; however, all but six (91 percent) employed building or zoning inspectors, and five (8 percent) have engaged a planning consultant on a continuing basis. Thirteen towns (20 percent) have used consultants for various types of services ranging from the provision of zoning assistance to the preparation of comprehensive plans.

### Planning Budget

Eleven of the towns (17 percent) have provided a budget for planning in 1963 or 1964 ranging from \$300 to \$5,000. The estimated per capita local planning budgets for towns within the Region with planning budgets in 1963 varied from \$0.04 to \$1.28.

### Planning Studies

One town has prepared an economic study; two have prepared population studies; two have made a land use inventory; and another two (3 percent) were in the process of making such an inventory. None of the towns have prepared traffic or housing studies.

### Plans

Of the twenty-six towns (39 percent) with plan commissions, two (3 percent) have prepared a master plan; and three more (5 percent) were in the process of doing so. Of the nine towns (14 percent) with park commissions, one has prepared the highway and park plans; but two more (3 percent) were in the process of preparing such plans.

### Implementation Devices

Sixty towns (91 percent) had zoning ordinances in effect, and five more (8 percent) were in the process of preparing town zoning ordinances or adopting the county zoning ordinance. Sixteen towns (24 percent) have adopted their own zoning ordinance under town or village powers, while forty-four (67 percent) have elected to adopt the county zoning ordinance. All but one of the towns with their own zoning ordinance have provided for a board of adjustment or appeals.

Twenty-five towns (38 percent) have adopted a land division ordinance, and three were in the process of doing so.

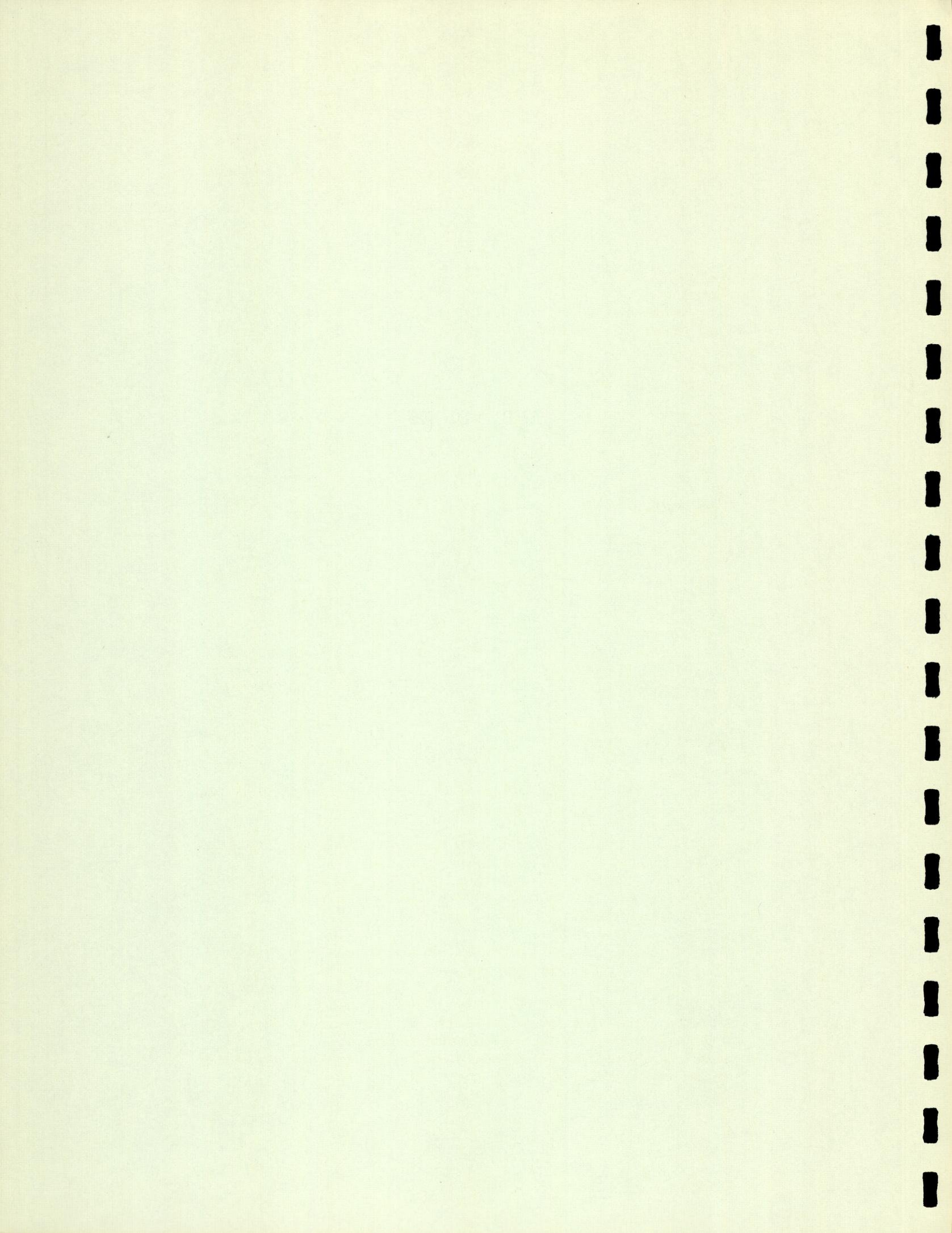
Mobile home ordinances were in effect in 46 towns (70 percent), building codes in 50 (76 percent), plumbing codes in 21 (32 percent), electrical codes in 15 (23 percent), and architectural ordinances in 6 (9 percent). Many of the towns without their own codes have adopted the Wisconsin State Codes by reference. None of the towns have prepared a housing code, but one town is in the process of doing so.

Official Maps have been adopted by 2 towns (3 percent); however, 20 towns (30 percent) have adopted the county highway width map. Three towns (5 percent) reported using capital improvement programs.





APPENDICES



## Appendix A

### CITY AND VILLAGE<sup>1</sup> PLANNING ENABLING LEGISLATION<sup>2</sup>

#### LOCAL PLANNING AGENCIES

Park Board <sup>3</sup>	s. 27.08(4)
Plan commission	s. 62.23(1)
Joint extraterritorial zoning committee <sup>4, 5</sup>	s. 62.23(7a)(c) <sup>6</sup>
Plan committee of the council <sup>7</sup>	s. 62.23(7)(d)
Board of public land commissioners <sup>8</sup>	ss. 62.23(7)(d), (9a)
Redevelopment authority <sup>9</sup>	s. 66.431(3)

#### STAFF AND BUDGET

Experts and a staff	s. 62.23(1)(e)
Building and zoning inspector	s. 62.23(9)(a)

#### PLANS

*Master plan	ss. 62.23(2), (3)
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#### IMPLEMENTATION

Parkways and boulevards <sup>10</sup>	s. 27.11
*Master plan adoption and certification	ss. 62.23(2), (3)(b)
Capital improvement program	s. 62.23(4)
Official map ordinance	s. 62.23(6)
Zoning ordinance	s. 62.23(7)
Interim zoning ordinance	s. 62.23(7)(da)
*Board of zoning appeals	s. 62.23(7)(e)
Extraterritorial zoning	s. 62.23(7a) <sup>6</sup>
Building code	s. 62.23(9)(a)
Fire prevention ordinance	s. 62.23(9)(b)
Building line ordinance	s. 62.23(11)

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\* Mandatory

1. Section 61.35 provides that villages shall have all the planning powers and duties conferred by s. 62.23 upon cities.
2. Wisconsin Statutes, 1961.
3. Only if the municipality has no plan commission; the park board's planning power only includes preparation of the master plan.
4. Only for recommending and approving zoning districts and regulations and amendments thereto in the extraterritorial zoning jurisdiction.
5. Only if the municipality has a plan commission.
6. Chapter 241, Laws of 1963.
7. Only for recommending zoning districts and regulations when the municipality has neither a plan commission nor a board of public land commissioners.
8. Only for recommending zoning districts and regulations and reporting on changes and amendments when there is no plan commission. Section 27.11(13) grants the board of public land commissioners in cities of the first class all the powers of city plan commissions.
9. Section 66.436 provides that villages shall have all the redevelopment powers conferred upon cities.
10. Only cities of the first class.

Public nuisance regulations	s. 66.052
Offensive industry regulations	s. 66.052(1)
Dumping area regulations	s. 66.052(2)
Mobile home ordinance	s. 66.058
Blighted area redevelopment <sup>1</sup>	ss. 66.43, 66.436
Approval of county street and highway map	s. 80.64
Airport zoning ordinance	s. 114.136
Smoke emission regulations	s. 146.10
*Plat approval	s. 236.10(1)(a)
Extraterritorial plat approval jurisdiction <sup>2</sup>	s. 236.10(1)(b)
Land division ordinance <sup>3</sup>	s. 236.45(2)

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\* Mandatory

1. Chapter 241, Laws of 1963.
1. Section 66.436 provides that villages shall have all the redevelopment powers conferred upon cities.
2. Only if the municipality has a plan commission employing a full-time professional planner or has adopted an official map.
3. Only if the municipality has a plan commission.

Appendix B  
 COUNTY PLANNING ENABLING LEGISLATION<sup>1</sup>

COUNTY PLANNING AGENCIES

County park commission <sup>2</sup>	s. 27. 02
*County rural planning committee	s. 27. 015(4)
County park board <sup>2</sup>	s. 27. 015(13)
County highway committee <sup>3</sup>	s. 59. 97(2)(a)
Special zoning committee <sup>3</sup>	s. 59. 97(2)(a)

STAFF AND BUDGET

Agents and employees as necessary	ss. 27. 03(2), 59. 15(2)(d)
Mill-tax appropriation	s. 27. 06
Consulting rural planning experts	s. 27. 015(9)
Person of skill and experience in rural development	s. 27. 015(9)
Building and zoning inspector	s. 59. 07(16)
County park commissioners compensation <sup>4</sup>	s. 59. 07(43)
Air pollution control officers	ss. 59. 07(53), (85)
Transportation consultants <sup>5</sup>	s. 59. 07(71)
*Officer to administer the zoning ordinance	s. 59. 97(7)(b)
*Other necessary zoning administrative personnel	s. 59. 97(8)

COUNTY PLANS

*Comprehensive county park system plan	s. 27. 04(1)
*County system of streets and parkways plan	s. 27. 04(1)
Transportation studies and plans <sup>5</sup>	s. 59. 07(71)
County regional plans <sup>6</sup>	s. 236. 46

IMPLEMENTATION

County ordinance adopting plans <sup>7</sup>	s. 27. 04(2)
Building line regulations <sup>8</sup>	s. 27. 05(1)

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\* Mandatory

1. Wisconsin Statutes, 1961.
2. Replaces the county rural planning committee.
3. Only for recommending and administering the zoning ordinance.
4. Except in counties of a population of 500,000 or more.
5. In counties having a population of 500,000 or more.
6. Includes an arterial thoroughfare system, minor street system inside arterials, and lot layout inside minor streets or arterials.
7. The comprehensive park system plan and the system of streets and parkways plan.
8. Only along streets connecting parks with municipalities or other open spaces.

Park, street and parkway acquisition	s. 27.065
Zoning petition and zoning appeal fees	ss. 59.07(16m), (68)
Billboard regulations	s. 59.07(49)
Building and sanitary codes	s. 59.07(51)
Air pollution control ordinance	ss. 59.07(53), (85)
Watershed protection projects	s. 59.07(60)
Zoning ordinance	s. 59.97
Board of adjustment	s. 59.99
County street and highway map	s. 80.64
Soil conservation ordinance	s. 92.09
Airport zoning ordinance	s. 114.136
*Plat Approval <sup>1</sup>	s. 236.10
Land division ordinance <sup>2</sup>	s. 236.45(2)

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\* Mandatory

1. In cities and villages only if the county planning agency employs a full-time professional planner, engineer or zoning administrator.
2. Only if the county has a planning agency.

Appendix C

TOWN PLANNING ENABLING LEGISLATION<sup>1</sup>

TOWN PLANNING AGENCIES

Town plan commission <sup>2</sup>	s. 60.18(12)
Town zoning committee <sup>3</sup>	s. 60.74(2)
Town park commission	s. 60.181

STAFF AND BUDGET

Appoint agents and employees	s. 60.182(2)
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TOWN PLANS

*Park and highway planning study	s. 60.183
*Comprehensive town highway system plan	s. 60.183
*Comprehensive town park plan	s. 60.183
*Reported to the town board	s. 60.183

IMPLEMENTATION

Approval of county zoning ordinance	s. 59.97(2)(d)
Watershed protection projects	s. 60.18(21)
Zoning ordinance <sup>4</sup>	s. 60.74(1)
Removal of nonconforming uses and structures in the vicinity of airports	s. 60.74(1)(b)
Board of adjustment	s. 60.75
Building lines <sup>5</sup>	s. 60.184(1)
Public nuisance regulations <sup>6</sup>	s. 66.052
Offensive industry regulations	s. 66.052(1)
Mobile home ordinance	s. 66.058
Approval of county street and highway map	s. 80.64
Airport zoning ordinance	s. 114.136

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\* Mandatory

1. Wisconsin Statutes, 1961.
2. The town's qualified electors may direct the town board to exercise all the powers conferred on village boards, in which case a town plan commission would have all the powers and duties of a city plan commission, s. 62.23.
3. Only for the purpose of recommending the zoning districts and zoning regulations.
4. Only if the county has not adopted a county zoning ordinance or refuses or neglects to do so after the town has petitioned, except if the town has adopted village powers then the town zoning ordinance and any amendments thereto are subject to the county board's approval in those counties which have a county zoning ordinance.
5. Only along streets connecting parks with municipalities or other open spaces.
6. Only if not regulated by a city or village.



\*Plat approval  
Land division ordinance<sup>1</sup>

s. 236. 10(1)(b), (c)  
s. 236. 45

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- \* Mandatory
1. Only if the town has a park commission, a zoning committee, or a land use planning agency.

Appendix D

MODEL ORDINANCE CREATING A CITY,  
VILLAGE OR TOWN PLAN COMMISSION

SECTION 1. Establishment

The Common Council of the City of \_\_\_\_\_, Wisconsin, do ordain as follows: There is hereby established a City Plan Commission for the City of \_\_\_\_\_, Wisconsin, in accordance with Section 62.23 of the Wisconsin Statutes.

2. Membership

The City Plan Commission shall consist of at least seven members, but not more than ten members, who shall serve without compensation. One member shall be the Mayor. One member shall be an Alderman elected for a term of two (2) years by a two-thirds vote of the Common Council the first week in May of every other year. One member shall be the City Engineer. One member shall be a School Board member appointed for a term of two (2) years by the School Board the first week in May of every other year. One member shall be a Park Board member appointed for a two (2) year term by the Park Board the first week in May of every other year. The other members shall be citizen members of recognized experience and qualifications appointed by the Mayor subject to confirmation by the Common Council.

Presiding Officer shall be the Mayor.

Secretary shall be appointed by the Mayor.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments.

Terms for the Citizen Members shall commence in the first week of May, and each term shall be staggered and each term shall be for a three-year period.

3. Organization

The City Plan Commission shall organize and adopt rules for its own government in accordance with the provisions of this Ordinance.

Meetings shall be held monthly and at the call of the Mayor or a majority of the full commission and shall be open to the public.

Standing and Special Committees may be appointed by the Chairman.

Quorum shall be four (4) members, but all actions shall require approval of a majority of the full commission except a motion to adjourn.

A Written Record shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the City Clerk as a public record.

4. Powers

The City Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning. Such powers shall include the following:

To Employ Experts and a Staff and to pay for their services, supplies, equipment, and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Common Council.

To Make Reports and Recommendations relating to the plan and development of the municipality to public officials, agencies, utilities, and other organizations and citizens.

To Recommend Public Improvement Programs and financing thereof to the Common Council or Mayor.

To Request Available Information from any public official to be furnished within a reasonable time.

To Enter Upon any Land. The Commission, its members and employees, may enter upon any land in the performance of its functions, make examinations and surveys, and place and maintain necessary monuments and marks thereon.

5. Duties

The City Plan Commission shall have the following functions and duties:

To Make and Adopt a Master Plan for the physical development of the municipality including any areas outside of its boundaries in accordance with Sections 62.23(2) and (3) of the Wisconsin Statutes.

To Make and Recommend an Official Map to the Common Council in accordance with Section 62.23(6) of the Wisconsin Statutes.

To Prepare and Recommend a Zoning district plan and regulations to the Common Council in accordance with Section 62.23(7) of the Wisconsin Statutes.

To Prepare and Recommend Land Division Regulations to the Common Council in accordance with Section 236.45 of the Wisconsin Statutes.

To Make Any Changes to the Master Plan they deem necessary or desirable and to recommend any changes or amendments to the Common Council that they deem necessary or desirable concerning the Official Map, Zoning, Land Division, and Fire Prevention Ordinances.

To Consider and Report or Recommend on all matters referred to them.

6. Referrals

The Common Council or other public body or officer of the City

having final authority thereon shall refer to the City Plan Commission, for its consideration and report before final action is taken, the following matters:

Location and Architectural Design of any public building.

Location of Any Statue or other memorial.

Location, Acceptance, Extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley or other public way, park, playground, airport, parking area or other memorial or public grounds.

Location, Extension, Abandonment, or authorization for any public utility whether publicly or privately owned.

Location, Character and Extent, or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children.

Proposed Fire Prevention Regulations.

All Annexations, incorporations, or consolidations affecting the City.

All Divisions of Lands within the City's platting jurisdiction.

All Proposed or Requested Changes and Amendments to the City's Master Plan, Official Map, Zoning, Land Division, and Fire Prevention Ordinances.

7. Additional Powers and Duties

The City Plan Commission shall have all additional powers and duties granted or assigned by the Common Council or by City Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to City Plan Commissions and any amendments thereto are hereby granted or assigned to the Commission and such Statutes are hereby adopted by reference.

8. Severability and Conflict

If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the City inconsistent with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

9. Effective Date

This Ordinance shall be effective after adoption and publication by the Common Council of the City of \_\_\_\_\_ .

Adopted \_\_\_\_\_ day of \_\_\_\_\_ , 1964

Published \_\_\_\_\_ day of \_\_\_\_\_ , 1964

Effective \_\_\_\_\_ day of \_\_\_\_\_ , 1964

\_\_\_\_\_  
Mayor

Countersigned:

\_\_\_\_\_  
City Clerk

Appendix E

MODEL ORDINANCE CREATING  
A COUNTY PARK AND PLANNING COMMISSION

SECTION 1. Establishment

The County Board of Supervisors of the County of \_\_\_\_\_ do ordain as follows: There is hereby established a County Park and Planning Commission in accordance with Section 27.02 of the Wisconsin Statutes.

2. Membership

The County Park and Planning Commission shall consist of seven (7) members. One member shall be the Chairman of the County Board, and he shall appoint the other members (except in counties having a population of 500,000 or more, all the members shall be elected by the County Board; and only one such member may be a county board supervisor).

Term of each member shall be for seven (7) years commencing on July 1, except that the first seven members shall be appointed respectively for such terms that on July 1 in each of the seven years next following the year in which they are appointed the term of one member will expire.

Their Replacements shall be appointed by the Chairman of the County Board annually in the month of June to succeed the member whose term next expires on July 1 (except in counties having a population of at least 150,000 but less than 500,000, the replacement shall be elected by the County Board of Supervisors).

Presiding Officer shall be the County Board Chairman.

Secretary shall be elected by the other commissioners at the annual meeting in July for terms of one (1) year.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments.

Vacancies shall be filled in the same manner as appointments or elections for the full term.

3. Organization

The County Park and Planning Commission shall convene at the courthouse within thirty (30) days after their appointment or election and shall organize and adopt rules for its own government in accordance with the provisions of this Ordinance.

Meetings shall be held monthly at the call of the chairman or a majority of the full commission and shall be open to the public.

Standing and Special Committees may be appointed by the chairman.

Quorum shall be four (4) commissioners, and all actions shall require approval of a majority of the full commission except a motion to adjourn.

A Written Record shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the County Clerk as a public record.

4. Powers

The County Park and Planning Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote rural and park planning; and such powers shall include the following:

To Appoint such agents and employees as may be necessary to carry out its functions including rural planning experts.

To Have Charge and Supervision of all county parks and county reservations subject to the County Board's supervision and regulations as prescribed in Section 27.05 of the Wisconsin Statutes.

To Make Reports and Recommendations on any phase of rural planning to the County Board.

5. Duties

The County Park and Planning Commission shall have the following functions and duties:

To Make a Thorough Study of the county with reference to making reservations and acquisitions of lands therein for public uses and improvement of such lands for parks, playgrounds, forest reservations, parkways, and boulevards and report the same to the County Board.

To Make Surveys, Maps, and Plans of a comprehensive county park system and report the same to the County Board.

To Make Surveys, Maps, and Plans of a county system of streets and parkways and report the same to the County Board.

To Draft a Proposed Zoning Ordinance for the County Board's consideration in accordance with Section 59.97(2) of the Wisconsin Statutes.

To Make and Recommend a County Street and Highway Map to the County Board in accordance with Section 80.64 of the Wisconsin Statutes.

To Prepare and Recommend Land Division Regulations to the County Board in accordance with Section 236.45 of the Wisconsin Statutes.

To Recommend Any Changes or amendments to the County Board that they deem necessary or desirable concerning the county park system plan, county system of streets and parkways plan, county street and highway map, zoning and land division ordinances.

To Consider and Report or Recommend on all matters requested by the County Board and required by Section 27.015 (7) of the Wisconsin Statutes.

6. Referrals

The County Board or other public body or officer of the county having final authority thereon shall refer to the County Park and Planning Commission, for its consideration and report before final action is taken, the following matters:

All Rural Planning Duties assigned by Section 27.015(7) of the Wisconsin Statutes.

All Divisions of Lands within the county's platting jurisdiction (if a full-time professional engineer, a planner, or zoning administrator is employed).

All Changes and Amendments to the county's park system plan, system of street and highway plan, street and highway map, zoning and land division ordinances.

7. Additional Powers and Duties

The County Park and Planning Commission shall have all additional powers and duties granted or assigned by the Wisconsin Statutes, the county park commissions, and county rural planning committees; and any amendments thereto are hereby granted or assigned to the commission; and such statutes are hereby adopted by reference.

8. Severability and Conflict

If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the county inconsistent with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

9. Effective Date

This Ordinance shall be effective after adoption and publication by the Board of Supervisors of the County of \_\_\_\_\_.

Adopted \_\_\_\_\_ day of \_\_\_\_\_, 1964

Published \_\_\_\_\_ day of \_\_\_\_\_, 1964

Effective \_\_\_\_\_ day of \_\_\_\_\_, 1964

\_\_\_\_\_  
Chairman

Countersigned:

\_\_\_\_\_  
County Clerk

Appendix F

MODEL RESOLUTION ADOPTING VILLAGE POWERS

WHEREAS, Section 60.18(12) of the Wisconsin Statutes, 1961, provides that the qualified electors of each town shall have the power at any annual town meeting by vote to direct, by resolution, the town board to exercise all powers relating to villages; and

WHEREAS, village powers are necessary to enable the town to perform certain necessary planning functions; and

WHEREAS, the Town of \_\_\_\_\_ held its annual town meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 1964, and the qualified electors did so direct the town board to exercise all powers conferred on village boards by Chapter 61 of the Wisconsin Statutes;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Board of the Town of \_\_\_\_\_, County of \_\_\_\_\_, be authorized to exercise all the powers granted to villages.

\_\_\_\_\_  
Chairman

Countersigned:

\_\_\_\_\_  
Town Clerk



Appendix G

MODEL RULES OF GOVERNMENT FOR PLAN COMMISSIONS

SECTION 1. Establishment

The Village Plan Commission of the Village of \_\_\_\_\_, Wisconsin, shall be governed by Sections 62.23 and 236 of the Wisconsin Statutes and Village Ordinance No. \_\_\_\_\_ creating the Plan Commission.

2. Membership

The Village Plan Commission shall consist of at least seven members but not more than ten members who shall serve without compensation. One member shall be the Village President. One member shall be a Village Trustee elected for a term of two (2) years by a two-thirds vote of the Village Board the first week in May of every other year. One member shall be the Village Engineer. One member shall be a School Board member appointed for a term of two (2) years by the School Board the first week in May of every other year. One member shall be a Park Board member appointed for a two (2) year term by the Park Board the first week in May of every other year. The other members shall be citizen members of recognized experience and qualifications appointed by the President subject to confirmation by the Village Board.

Chairman shall be the Village President who shall preside at the meetings of the Commission, supervise the work of the Secretary, and decide all points of procedure unless otherwise directed by a majority vote of the Commissioners present.

Vice-Chairman shall be appointed by the Village President at the first meeting of the Commission in May.

Secretary shall be appointed by the Village President at the first meeting of the Commission in May. The Secretary shall prepare all correspondence for the Commission; receive and file all referrals, applications, papers, and records; prepare, publish, and mail all notices required; prepare and keep all minutes and records of the Commission's proceedings.

Zoning Inspector shall attend all meetings for the purpose of providing technical assistance when requested by the Commission.

Standing or Special Committees may be appointed by the Chairman.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointments.

Terms for the Citizen Members shall commence in the first week in May and each term shall be staggered and each term shall be for a three-year period.

Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

3. Meetings

Meetings shall be held monthly or at the call of the Chairman or at the call of a majority of the full Commission, and shall be held in the Village Hall, \_\_\_\_\_, Wisconsin, and shall be open to the public.

Closed Sessions. The Commission may go into closed executive session for purposes enumerated in Section 14.90(3) of the Wisconsin Statutes.

Quorum shall be four (4) members, but all actions shall require approval of a majority of the members present.

Order of Business at meetings shall be substantially as follows:

- Call to order.
- Roll call and declaration of a quorum.
- Reading and approval of previous minutes.
- Communications and reports.
- Unfinished business.
- Review of Land Divisions.
- Referrals from the Village Board.
- Referrals from the Board of Zoning Appeals.
- Review of applications for conditional use permits.
- New business.
- Miscellaneous.
- Adjournment.

Minutes of the proceedings and a record of all actions shall be kept by the Secretary, showing the vote of each member upon each question, the reasons for the Commission's determination, and its finding. These records shall be immediately filed in the office of the Commission and shall be a public record.

4. Hearings

Notice of the time, date, and place of hearings on petitions for changes and amendments to the community's comprehensive plan, plan components, zoning ordinance text and map, official map and land division ordinance, and applications for conditional use permits shall be published in the official newspaper not less than ten (10) days prior thereto and shall be mailed to the Commission members, Zoning Inspector, petitioner, applicant, and parties in interest.

Appearances. The petitioner or applicant may appear in person or by his agent or attorney. In the absence of an appearance for or against any petition or application, the Commission may table or take action to deny, authorize, or make a recommendation to deny or grant the petition or application.

Order of Business at hearings shall be substantially as follows:

- Introduction by the Chairman.
- Explanation by the planning staff.
- Hearing of the Petitioner or Applicant.
- Hearing of interested property owners.
- Response of the Petitioner or Applicant.
- Response of any opposition.

Withdrawal. A petitioner or applicant may withdraw his petition or application at any time prior to a decision thereon; but if a motion is pending to grant, deny, or make a recommendation to grant or deny, such motion shall have precedence. Withdrawal shall not entitle the petitioner or applicant to return of the filing fee.

5. Decisions

The Commission shall render its decision within thirty (30) days after the final hearing and shall transmit a signed copy of the Commission's decision to the petitioner, applicant, referring body, and Zoning Inspector.

Voting. The concurring vote of a majority of the full Commission shall be required: to make a finding that certain lands are unsuitable for development, to authorize a conditional use permit, or to recommend granting of a rezoning petition.

Record. The Secretary shall record the vote of each member upon each question in the minutes, or if the member is absent or fails to vote, shall indicate such fact in the minutes.

Personal Interest. No Commissioner shall participate in the decision of, or vote upon, any case in which he shall be interested, directly or indirectly.

Form. The final disposition of all petitions or applications shall be in the form of a written resolution signed by the Chairman and Secretary and attached to the minutes. Such resolution shall show the reasons for the Commission's determination and its findings.

Conditions imposed with respect to any conditional use permit shall be stated in the minutes embodying the Commission's decision and shall also be set forth upon the permit. Such permit shall be valid only as long as the conditions upon which it is granted are observed.

6. Powers and Duties

The Village Plan Commission shall have all the powers and duties granted or assigned by the Village Board or by Village Ordinances. All the powers and duties granted or assigned by Section 62.23 of the Wisconsin Statutes to city plan commissions, and any amendments thereto, are hereby granted or assigned to the Commission; and such Statutes are hereby adopted by reference.

7. Amendments

These Rules of Government may be amended, suspended, or revoked by a majority vote of the full Commission at any meeting, provided all the members are notified.

8. Conflict

Whenever any conflict occurs between these Rules of Government and the laws of Wisconsin or ordinances of the Village, the State laws and the Village ordinances shall prevail.

9. Effective Date

These Rules of Government shall be effective after adoption by a majority of the full Commission and filing with the Village Clerk.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

Date Adopted \_\_\_\_\_

Date Filed \_\_\_\_\_

## Appendix H

### SELECTION OF A PLANNING CONSULTANT<sup>1</sup>

#### FACTORS TO TAKE INTO ACCOUNT IN SELECTING A CONSULTANT

1. The plan commission should spend sufficient time interviewing each consultant, talking with only two or three in a single evening, as the decision is too important to be rushed.
2. If it is necessary to decide between two or three consultants after the interviews are held, they should be interviewed a second time.
3. The distance of the consultant's home office from the community should be considered. Research and field work should be carried on by a consultant's staff member who resides in the community at least temporarily. The selection of a consultant from further away may result in some new ideas.
4. The consultant's approach to public relations, press releases, and display materials should be evaluated. The consultant's effectiveness in presenting plans and recommendations to the commission and the public should be considered.
5. The consultant's personality and ability to work well with the plan commission, local planning staff, and the public is an important factor.
6. The consultant should understand the community's goals and be able to assist the plan commission in articulating them.
7. The consultant should be familiar with the state planning enabling legislation.
8. The experience and qualifications of the consultant and his staff which will be doing the actual work.

#### SOME QUESTIONS THAT SHOULD BE ASKED OF THE CONSULTANT

1. What kind of a staff does the consultant have available (professional, clerical, drafting)? What is the consultant's background? Membership in professional organizations? What is the background of staff members?
2. Is the consultant's full time devoted to planning or is consulting a "second job" for him?
3. How soon will the consultant be able to commence work?

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<sup>1</sup> Adapted from a publication of the Division of Planning, Massachusetts Department of Commerce, Boston, Mass., 1960.

4. Will the consultant or a staff member do most of the research and field work, even some of the planning? If so, the planning board should have the opportunity to meet and talk with the staff member or members who will be in a responsible position.
5. How many months duration will the planning program take?
6. What other communities has the consultant served? Were their problems similar? Were they nearby?
7. The planning board should ask for references and contact elected and appointed officials in other communities where the consultant has worked. What is their reaction to his work? Persons in communities and states further away should also be checked.
8. In the past has the consultant been prompt in completing his work? Check with other communities.
9. Does the consultant have examples available of his planning work, studies, reports? Do they appear stereotyped, or are they impractical? Are they imaginative and yet reasonable?
10. Are his final planning reports precise and understandable? Do they provide material that is both interesting and useful to the commission and to other community officials? The consultant may not always be available for advice. His material must provide a continuing guide for the commission in the future.
11. Following the interview it is usual for each consultant interviewed to submit a proposal as to the services to be rendered and his "fee" for them. His proposal should make clear what will be prepared and list alternate programs and fees.
12. The consultant should not be selected on a bid basis. He is a professional, and his planning services are not a commodity that meet standard specifications. The plan commission should judge the consultant on his skills, capabilities, experience and previous performances.

#### PLAN COMMISSION'S RESPONSIBILITY TO THE CONSULTANT

1. The planning board should know what type of a planning program is to be undertaken and what its general emphasis should be; that is, they should know whether they desire a complete master plan or a zoning study, a review of subdivision layout or the problems relating to them.
2. The plan commission should list and have available for reference to their consultant existing technical and engineering studies and data and be able to show what other materials, such as assessor's work or surveys, are readily available during or after the interview, as the amount of materials of this sort may materially affect the fee asked.
3. After selection, the plan commission should reserve at least one night a month to meet with their consultant.

4. The plan commission should not expect the consultant to work in a vacuum. Commissioners should make a point to introduce him and his staff members to town officials and interested citizens. The commissioners should make suggestions as to sources of materials and persons to contact for information.
5. Once the consultant is selected, the plan commission should work wholeheartedly with him. They should not wait for a pretty package at the end of the study. If they do not understand his proposals, they should ask him "why."

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