

# WAPA NEWSLETTER



American Planning Association  
**Wisconsin Chapter**

*Making Great Communities Happen*

A Publication of the Wisconsin Chapter of the American Planning Association

## WAPA Member Poll: Inaugural Poll and Results

In March, WAPA inaugurated a new monthly or bimonthly member poll, to get our members opinions on current issues related to planning. The polls will help WAPA to stay closer to its membership, representing our members' positions on legislation, public policy, and practice issues.

Each poll presents just a quick question or two to take the pulse of the membership on a current issue. The first mini-poll asked members to weigh in on proposals to allow communities to receive extensions on the 2010 deadline for completing comprehensive plans.

On that question, respondents split, with 35 percent favoring allowing an extension until 2012 and 49 percent opposing an extension. Sixteen percent of respondents were neutral on this question.

A second question asked whether communities should be given the option of adopting the comprehensive plan by resolution as well as by ordinance. On this question, respondents split, with 33 percent in favor of allowing both options for adoption of the plan and 44 percent opposed. (See Table on page 4 for detailed results.)

The WAPA board is pleased with the responsiveness of members to this request for participation in a quick survey. In the future, WAPA will work to provide a bit more background information with the question, to allow planners unfamiliar with a particular issue to form a more informed opinion.

Detailed results, including the comments of all respondents, are posted on the WAPA website.

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The WAPA Newsletter is published electronically four times each year by the Wisconsin Chapter of the American Planning Association to facilitate discussion among its members of planning issues in Wisconsin. Correspondence should be sent to:

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Membership Information: To become a member of the Wisconsin Chapter of the American Planning Association, simply become a member of the APA. An application form is provided on the back of this publication. Or you may opt for Wisconsin Chapter only membership.

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Submission of Articles: WAPA News welcomes articles, letters to the editor, articles from the WAPA districts, calendar listings, etc. Please send anything that may be of interest to other professional planners in Wisconsin. Articles may be submitted by mail, fax, or email. Articles may be edited for readability and space limitations prior to publication. Content of articles does not necessarily represent the position of APA, the WAPA Executive Committee, or the editor.

Submit articles by email attachment. Graphics are encouraged

Deadlines:

Winter issue: submit by January 15.  
Spring issue: submit by March 15  
Summer issue: submit by June 15  
Fall issue: submit by September 15

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Here is a sample of competing views on these issues.


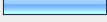
Strongly Disagree with proposal to allow extension on deadline for comprehensive plans: “Communities have had a decade to comply. If they have not done so by now an extra 2 years will not do anything. An extension is like saying “just kidding!” to all the municipalities that have worked hard to get their plans done ON TIME over the past decade.”


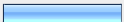
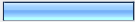

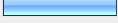
Strongly Agree with proposal to allow extension of the deadline: “Provided the communities have made some move to prepare a plan- for example, have applied for a grant but were not awarded funds, or have started work but haven’t yet completed a plan. Communities that are just finishing work on their plans this year should also be granted an extension to update zoning ordinances and maps and update other implementing ordinances. And why are there no grant funds for that work?”

Strongly Disagree with proposal to allow adoption by resolution: “Wouldn’t allowing the adoption by resolution completely undermine the intent of the comp planning statute? The path of least resistance is often the most traveled.”

Strongly Agree with allowing adoption by resolution: “The plan should be a policy document, implemented through zoning and subdivision ordinances.”

### WAPA Poll #1

1. Please respond to the following statements: Local governments that have not yet adopted Comprehensive Plans that meet the requirements of Wis Rev Stats 66.1001 should be provided a deadline extension of January 1, 2012 to complete and adopt their plan.		
	Response Percent	Response Count
Strongly Agree 	12.5%	27
Agree 	23.1%	50
Neutral 	15.7%	34
Disagree 	30.6%	66
Strongly Disagree 	18.1%	39
Please feel free to add additional comments:		58
<b>answered question</b>		<b>216</b>
<b>skipped question</b>		<b>0</b>

2. Local governments should be given the option of adopting comprehensive plans by either an ordinance or resolution.		
	Response Percent	Response Count
Strongly Agree 	12.0%	26
Agree 	20.8%	45
Neutral 	23.1%	50
Disagree 	24.1%	52
Strongly Disagree 	19.9%	43
Please feel free to add additional comments:		44
<b>answered question</b>		<b>216</b>
<b>skipped question</b>		<b>0</b>



## 2009 CHAPTER AWARDS

### PLAN DOCUMENT

Envision Boscobel

Northwest Side Comprehensive Area Plan

### PLAN IMPLEMENTATION

Cross Plains Downtown Revitalization Plan

### URBAN DESIGN

Stevens Point Downtown Redevelopment  
Stoughton Road Revitalization Plan



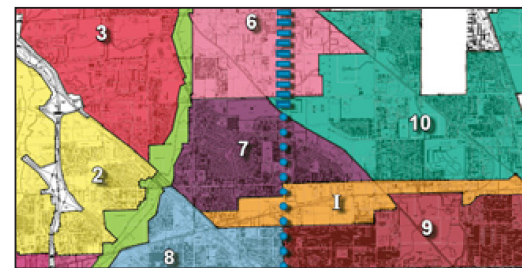
### BOSCobel

MSA Professional Services

City of Boscobel

Boscobel Developers Group, Ltd.

A Strategic Economic Planning Process was utilized to provide a framework for attracting people to the City. Actions include: enhancing the appearance, fostering leaders, retaining existing and attracting new businesses, promoting arts & culture, stimulating the housing market, and thinking regionally.

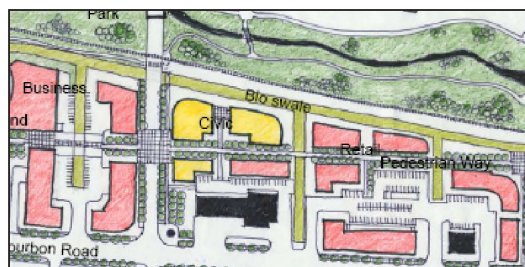


### NORTHWEST SIDE

City of Milwaukee

PDI/GRAEF

Recognizing the City's transition from an urban to suburban character was critical to the many stakeholders and property owners. Recommendations are structured first for the whole area, then for specific districts and corridors, and finally for particular redevelopment sites. Eleven catalytic projects address mixed-use, traffic, housing, and parks.



### CROSS PLAINS

Village of Cross Plains

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The Plan is a detailed inventory and assessment of downtown parcels, a vision for the area, urban design ideas for each commercial district, and an action plan. Several new projects have been implemented since 2005, bringing increased property values, an improved identity, and strong support from the residents and property owners.



### STEVENS POINT

PDI/GRAEF

City of Stevens Point

Reconnecting areas of the downtown and revitalizing an old shopping mall were the focus of design development efforts. Recommendations were bundled into sub-areas including: the waterfront, Centerpoint Boulevard, and the Mall redevelopment, with an emphasis on market demands, private sector commitments, and City priorities.



### STOUGHTON ROAD

City of Madison

Cunningham Group Architecture

The Plan balances the relationship between existing neighborhoods and a high traffic corridor. Recommendations complement WisDOT improvements while serving economic development growth and reinforcing the natural systems in the area. Three Development Areas serve as the guide for future decisions and investments.

Green roof of the first Litehouse townhome in Downtown Dayton

## The Litehouse: New Housing That's Green and Affordable

By MARIE RIVERA

In 2006 the cities of Dayton, West Carrollton, and Kettering joined CountyCorp to form the Partnership for Affordable Sustainability (PAS). They challenged area builders to develop an eco-friendly, energy efficient sustainable home design that would conform to LEED (Leadership in Energy and Environmental Design) standards. The purpose was to provide residents with unique housing options by reshaping the vision of affordable housing through the implementation of green building practices. In recogni-



*"The Litehouse: New Housing That's Green and Affordable" is reprinted from the newsletter of the Ohio Chapter of the American Planning Association by permission of the author.*

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tion of its design Litehouse Development Group was awarded the top honor in the PAS Affordable Green Design contest.

Litehouse was selected for its nique design and adherence to LEED standards. As part of the PAS commitment to green construction in their neighborhoods, the cities donated lots and in-kind services.

The Litehouse design addresses the need for innovation in housing to minimize the impact of the housing industry on the environment, while maximizing the efficient use of energy, materials and land. The affordability of the Litehouse allows citizens to live in energy efficient sustainable homes, placing less stress on their finances and our utility services through waste reduction, lower utility costs and decreased water consumption. Additionally, green construction will significantly reduce builder and homeowner exposure to harmful toxins.

Thought was given to energy efficient and green features that would lower

maintenance costs and provide a healthy indoor environment. Litehouse homes feature high-efficiency furnaces, Energy-Star windows and doors, linoleum flooring made of natural materials such as linseed oil and wood flour, recyclable carpet, low-Volatile Organic Compounds (VOC) paints and rain harvesting systems. All appliances are included with the homes to ensure that the maximum savings are achieved through the use of Energy-Star rated models. Litehouse homes are at least 30% more energy efficient than a typical newer home, and even more so than a house of earlier vintage.

There are currently two Litehouse demonstration homes built in Montgomery County. One is a town home model in Downtown Dayton; the first of approximately forty homes planned for a site that is currently a parking lot. This unique green urban living environment is the first of its kind in the Dayton area. The site will consist of private bricked interior

streets with large plant-filled urns, imparting the feel of a European-style cobblestoned courtyard.

These innovative town homes are environmentally friendly while also being stylish and contemporary. There are two town home models. The smaller model is available in a one- or two-bedroom configuration with 1-1/2 baths. The larger model is configured with two to three bedrooms and 2-1/2 baths. Both of these models have a private attached garage.

The demonstration town home features a clerestory light well that floods the home with natural daylight, minimizing the need for artificial lighting. A green

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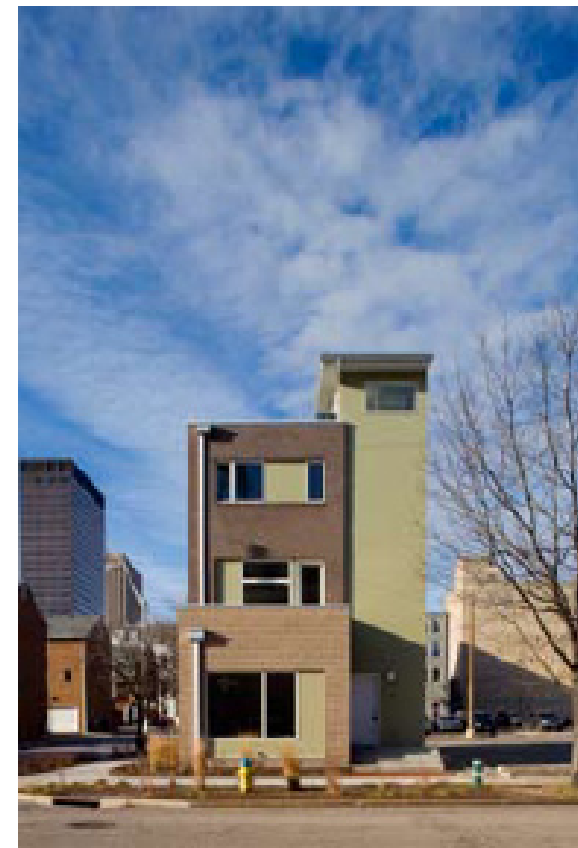
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roof was installed on this home, the first residential green roof in Montgomery County. The City of Dayton is offering a ten-year tax exemption to purchasers of town homes at this location.

The other Litehouse demonstration home is a single family detached home. This home is located in the Olde Downtown Neighborhood of West Carrollton. Olde Downtown is an established neighborhood in the process of revitalization. This Litehouse home maintains the character of the neighborhood with architecture that reflects that of the surrounding homes.

The detached Litehouse model is available with two to four bedrooms, with a full bath on the first level and a unique "Jack and Jill" style bath on the upper level. These homes are available with a full basement that can be finished with a recreational room, a bedroom and bath, or left unfinished. The City of West Carrollton donated the site for this home and has offered to provide additional lots



Litehouse home in West Carrollton, Ohio..



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for future Litehouse homes. Other PAS member cities have agreed to provide lots in their neighborhoods as well.

A third demonstration home is planned for the Fairgrounds Neighborhood in the City of Dayton. This neighborhood will contain a mix of both town homes and detached homes. The Fairgrounds Neighborhood has undergone a transformation as a result of the Genesis Project that started the revitalization of this neighborhood in the 1990s. This revitalization effort has been greatly advanced by Miami Valley Hospital's Employee Homestead Assistance Program, in which employees are provided down-payment assistance. There are over fifteen sites for Litehouse homes in the Fairgrounds Neighborhood.

Building in an established neighborhood presents its challenges. An advantage of the Litehouse buildings is that they are factory built, leaving the construction site safer for neighbors, especially children, who can be injured by falling into an excavated foundation. Litehouse Development Group uses modular construction for their homes, allowing homes to be built more quickly.

Modular construction meets LEED criteria, with its inherent energy efficiency, reduced site disturbance (modules are built at the plant, trucked and stacked on the site) and minimal construction waste. The modules are built

in a protected indoor environment, eliminating damage and mold growth due to exposure to the elements. The homes are built by Unibilt Industries in Vandalia, Ohio. The foundations for these homes are also factory built in Lebanon Ohio by Superior Walls of the Tri-State.

In December 2008 the Litehouse



Townhome in Dayton, Ohio.

project was recognized as the 2008 Project of the Year at the 22nd Annual Planning & Zoning Workshop. This award was given in recognition of the innovative approach taken by the cities and County-Corp to advance community based revitalization projects in their neighborhoods.

The Litehouse project team members include PAS representatives Amy Riegel and Amy Walbridge from the City of Dayton; Greg Gaines from the City of West Carrollton; Tom Robillard and Kip Bohachek from the City of Kettering; and

Sue Pratt and Jim Martone from County-Corp. The Litehouse Development Group combines the architectural acumen of Rogero Buckman Architects (RBA), the marketing and design expertise of Visual Marketing Associates (VMA) and the finance competence of Burhill Financial Services.

National City has partnered in the project by providing equity financing, along with a special mortgage program for eligible Litehouse homebuyers. Under this program mortgages will be offered at 1½% below market rate. When the mortgage savings are coupled with the energy and maintenance savings, these homes become affordable for the long run.

Aside from PAS and National City, the project has received support and funding from various partners and sponsorships, helping with both construction materials and disseminating the green message. These include the Miami Conservancy District (US EPA grant), CityWide Development Corporation, Sappi Paper, Kohler, Vectren, General Electric, Unibilt Industries, Superior Walls of the Tri-States, Forbo Flooring, Greater Dayton Regional Transit Authority (RTA) and Sherwin-Williams. For more information, visit [www.litehouseliving.com](http://www.litehouseliving.com).

Margie Rivera can be reached at 937-223-8234 or [mriviera@litehouseliving.com](mailto:mriviera@litehouseliving.com).

## Using APA's "Webinar" - Seminar on the Internet Web: Sustainability in Codes and in Public Policy, Salt Lake, Utah

BY RUSSELL KNETZGER, AICP MILWAUKEE

UWM's Department of Urban Planning offered a public showing of a planning "Webinar" on March 6, 2009, over the noon hour 11:50AM to 1:30PM. This is part of the webinar series sponsored by a consortium of APA chapters.

With a single free registration, UWM is able to provide access to the webinar, even if all of the registrations have been filled. A regular seminar room with laptop computer, projector, and pull-down screen is tied via the Internet to the lecturer(s), and the web-seminar proceeds. This first lecture had 1,000 participants nationwide.

Soren D. Simonsen, AIA, AICP & LEED AP was the lecturer. His multiple credentials reflect his professional roots in architecture, urban planning, and "LEED" which relates to the green revolution and to sustainability. LEED stands for Levels in Environmental Engineering & Design. Simonson focused on Salt Lake City, Utah, where he is employed with the city planning department.

Salt Lake City always seems to be pictured for its flat desert terrain and clear desert air views of the surrounding moun-

tains, but like Los Angeles and Mexico City, it actually suffers from poor air quality many days of the year from "inversions" of cold air on top, trapping stagnant warm surface air that is filling with pollutants. As a result Salt Lake has become aggressive in zoning, subdividing, and project plan reviews that strive for better environmental results. More can be learned by contacting Simonsen's website at [sdsimonsen@communitystudies.us](mailto:sdsimonsen@communitystudies.us).

Simonsen credits early work by Boulder, Colorado in How to Create Sustainable Areas, and for Peter Calthorpe in stressing "go first for the low hanging fruit," meaning focus on what is easiest for everybody to do. These include enhancing bicycle use, stormwater management, water-use conservation, and waste management. Harder areas include lowering air emissions, CO2 sequestering, and ventilation. At Daybreak Elementary School in Jordan, Utah, combining a recreation center with a new school had the effect of lowering the energy use to an index of 0.84 vs. 1.09 if the recreation center were separate. The total square footage dropped from 228,000 s.f. to 78,000 s.f. Simonsen also recommends the book "Natural Capitalism" by Paul Hawken which contains the principle of The Dignity of All Species, and distinguishing "Things" vs. "Services that Things Provide."

In addition to citing physical changes

in our environment, such as lowering aquifers, seeing greater severity of storms, rising salinity of surface waters, he relates these events back to the legal basis for planning action: Health, Safety, and Welfare. With a 21% increase in population the last 20 years, vehicle miles rose 80%. Obesity in children and adults is one result, and that is going to increase health costs for diabetes. Simonsen, also on the City Council, between July, 2005-2009 helped adopt LEED Certification procedures, first on public projects, and now for all projects. In 2009 a Sustainability Code is also being implemented.



# Law Update

As this issue goes to press, the Governor has just signed the budget bill. Below are taken from the Governor's veto message.

See the entire veto message at:  
[http://www.doa.state.wi.us/debf/pdf\\_files/2009-11VetoMessage.pdf](http://www.doa.state.wi.us/debf/pdf_files/2009-11VetoMessage.pdf)

The Governor's veto message included no actions or comments related to comprehensive planning.

The budget bill as signed included regional transit authorities for Chippewa Valley, Chequamegon Bay region, Dane County, and Southeast region. The Governor removed the provision for a separate Milwaukee County transit authority because it did not promote regional cooperation on transportation issues. The Governor retained the Southeastern region transit authority with funding through an \$18 vehicle rental fee to allow engineering studies to be completed on the Kenosha-Racine-Milwaukee corridor.

The new budget contains several new economic development funding programs, including \$10 million annually for business payroll credits for new jobs; an innovation fund to support start-ups; a

tax break for reinvestment in Wisconsin and for research and development; and other provisions.

The budget provides \$20 million in bonding over the biennium to reduce nonpoint water pollution through nutrient management and other practices. The capital budget also included \$6.6 million for use in the Yahara River watershed for anaerobic digesters to reduce nutrient pollutants.

## June Legislative Update

By STEVE HINIKER, 1000 FRIENDS OF WISCONSIN

**AB 243 - relating to delaying the implementation date of the comprehensive planning statute for certain local governmental units.**

This bill delays the implementation date in current law from January 1, 2010, until January 1, 2012, but only for a local governmental unit that has not enacted a comprehensive plan that takes effect on January 1, 2010, and that take certain steps towards meeting the consistency requirement. The local government unit must adopt a resolution before January 1, 2010, that commits the local government unit to enacting a comprehensive plan that will take effect on or before January 1, 2012, and the local

II

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government must have applied for but not yet received, or must have decided not to apply for, a grant under a program administered by the Department of Administration that provides funding for local planning activities.

### **AB 256 – relating to the regulation of wind energy systems.**

The bill prohibits a political subdivision from prohibiting or restricting any person from conducting tests to determine the suitability of a site for the possible placement of a wind energy system, although the political subdivision may petition the PSC to impose reasonable restrictions on the testing. With regard to a proposed wind energy system that is one megawatt or larger, the bill provides that any person who is aggrieved by a political subdivision's decision or enforcement action may seek review by the PSC. If the PSC determines that the political subdivision's decision or enforcement action does not comply with the agency's rules or is unreasonable, it must issue a superseding decision and order an appropriate remedy.

### **AB 260 – related to extraterritorial plat approval on basis of land's use.**

Current law specifies whether a county, town, city, or village has the right to approve or object to a plat (the map

of a subdivision). Generally, the location of the subdivision determines which local governmental unit or units have the right to approve the plat. However, if a subdivision lies in the unincorporated area within three miles of the corporate limits of a first, second, or third class city, or within one and one-half miles of a fourth class city or village, the governing body of the city or village has the right to approve the plat under its extraterritorial plat approval jurisdiction, as well as the board of the town within which the subdivision lies and the planning agency of the county within which the subdivision lies if the planning agency employs on a full-time basis a professional engineer, a planner, or another person charged with administering zoning or other planning legislation. Approval of a plat is conditioned on, among other things, the plat's compliance with the local ordinances and a comprehensive, master, or development plan of the local governmental unit or units that have the right to approve the plat.

## **Updates on previously reported Legislative Proposals**


### **AB 18 – Tax Credit for Historic Rehabilitation**



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4/23/2009 – Passed in Assembly and sent to the Senate

**AB 25 - Relating to school board approval of subdivision plats**

Referred to committee on Urban and Local Affairs

**AB 75 – Budget Bill - An act relating to state finances and appropriations, constituting the executive budget act of the 2009 legislature.**

Budget Bill currently in Joint Finance Committee

**AB 90 – The operation of motor-boats, other than personal watercraft, at slow-no-wake speed within a given distance of the shoreline of a lake.**

Referred to committee on Natural Resources

**AB 92 - The regulation, preservation, and restoration of historic buildings;** the supplement to the federal historic rehabilitation tax credit and the state historic rehabilitation tax credit; requiring the certification of downtowns; promoting certain downtown areas in this state; highway projects involving business and downtown areas; granting rule-making authority; and making appropriations.

Referred to committee on Jobs, the Economy and Small Business

(AB 92 is a Companion Bill to SB 55)

**AB 109 - Relating to authorizing a city or village to extend the life of a tax incremental district for one year to benefit housing in the city or village.**

Referred to the Committee on Housing

**AB 113 - Relating to changes to economic development tax benefit programs,** providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

Consolidation of economic development zone programs

Referred to committee on Jobs, the Economy and Small Business

**AB 165 - Relating to expanding the types of property that may be specially assessed by a neighborhood improvement district.**

5/13/09 – Passed in the Assembly and sent to the Senate.

**AB 174 –Authoring sharing of tax increments by certain remediation tax incremental districts.**

Referred to Committee on Urban and Local Affairs

5/8/09 – Recommended passage and referred to Rules Committee.



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**AB 180 – changes to and extension of the Environmental Results Program,** extension of the Environmental Improvement Program and the length of a compliance schedule under that program, and reporting requirements for certain environmental programs.

Companion bill to SB 126

5/6/09 – Public Hearing held.

**AB 205 – adopting changes to the Internal Revenue Code for state income tax purposes related to deductions for energy efficient commercial building.**

Referred to Committee on Jobs, Economy and Small Business.

5/12/09 – Public Hearing held.

5/26/09 – Executive Action taken.

**AB 213 - relating to establishing and changing compensation for city and village elective offices; signing village contracts; bidding procedure for village public construction contracts; officer-of-the-peace status of village officers; publication by the city clerk of fund receipts and disbursements; village and 4th class city regulation of political signs; liability of counties and cities for mob damage; means of providing police and fire protection by cities and villages; holdover status of appointed city and village officers; use of the s. 32.05 procedure in villages for certain housing and urban renewal condemnation; and application of public contract bidder prequalification to 1st class cities.**

Referred to Urban and Local Affairs Committee

5/5/09 - Public Hearing held.

6/2/09 – Executive Action taken.

SB 12 - Relating to the operation of motorboats, other than personal watercraft, at slow-no-wake speed within a given distance of the shoreline of a lake.

Passed in both houses.

**SB 47 - Designating portions of the Totogatic River as a wild river**

Recommended by committee on Transportation, Tourism, Forestry, and Natural Resources. Available for scheduling.

**SB 50 - Legislative oversight of expenditure of federal economic stimulus funds**

Referred to committee on Ethics Reform and Government Operations

**SB 55 - The regulation, preservation, and restoration of historic buildings;** the supplement to the federal historic rehabilitation tax credit and the state historic rehabilitation tax credit; requiring the certification of downtowns; promoting certain downtown areas in this state; highway projects involving business and downtown areas; granting rule-making authority; and making appropriations.

State Historic Building Code

Historic buildings used as multifamily dwellings

Historic rehabilitation tax credit

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towns

Referred to Committee on Economic Development.

3/31/09 – Public hearing held.

**SB 62 – An Act relating to state finances and appropriations and making diverse other changes in the statutes.**

2009 Wisconsin Act 2 – Published March 9, 2009

**SB 77 - Changes to economic development tax benefit programs,** providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority. Consolidation of economic development zone programs

Referred to Committee on Economic Development

**SB 78 - Protections for tenants in foreclosure actions**

Referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing

**SB 81 - Authorizing a city or village to extend the life of a tax incremental district for one year to benefit housing in the city or village.**

Referred to committee on Ethics Reform and Government Operations

Passage recommended by committee.

Available for scheduling.

**SB 117 - Relating to extraterritorial plat approval on basis of land's use.**

Referred to committee on Rural

Issues, Biofuels, and Information Technology

**SB 131 - Relating to authorizing the cities of Cudahy and Oak Creek to use environmental remediation tax increments generated by one environmental tax incremental district to benefit another environmental remediation tax incremental district.**

Referred to committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue

**SB 132 - Relating to expanding the life of a tax incremental district in the city of Racine.**

Referred to committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue

4/14/09 - Public Hearing held.

**SB 126 – relating to changes to and extension of the Environmental Results Program,** extension of the Environmental Improvement Program and the length of a compliance schedule under that program,

and reporting requirements for certain environmental programs.

4/28/09 - Passed unanimously in the Senate and sent to Assembly Natural Resources Committee.

4/28/09 – passed unanimously in the Senate.

4/30/09- Referred to Assembly Natural Resources Committee.

5/6/09 – Public Hearing held.

5/20/09 – Executive Action taken.

**SB 144 – Authorizing sharing of tax increments by certain environmental remediation tax incremental districts.**

Companion bill to AB 174

**SB 145 – determining the value of billboards for personal property tax purposes.**

Referred to committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

**SB 172 – Relating to limiting a city's and village's use of direct annexation and authorizing limited tow challenges to an annexation.**

Referred to Committee on Labor, Elections, and Urban Affairs.

**SB 173 – relating to the removal of nonconforming outdoor advertising signs.**

Referred to committee on Transportation, Tourism, Forestry, and Natural Resources

5/21/09 – Public Hearing held.

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