

WAPA News

Wisconsin Chapter
American Planning Association

Summer 2003

Volume 2003, Number 3



In this issue . . .

WAPA Pins and Certificates	2
CNU Honors PDI	2
Rettler Corporation Opens Middleton Office	2
WAPA Retiree Recognition	3
Law Update	4
Legislative Updates	6
Model Zoning Ordinance	10
Professional Services Directory	13-15

WAPA Issues Editorial: Supports Smart Growth

Within recent weeks, the Board of the Wisconsin Chapter of the American Planning Association drafted an editorial statement supporting Smart Growth that will be sent to all newspapers in Wisconsin. The board has noted the increasing volume of diatribes against Smart Growth, including some support in the legislature to repeal the legislation. The board is continuing to monitor opposition to the Smart Growth efforts at the state and local level. Additional public information will be submitted to the media and posted on the web page.

The editorial below should appear around the state. President Gary Peterson asks planners to let him know when they see the editorial run in their local papers.

An Editorial from the WAPA Board

Recently, we have seen editorials criticizing local planning efforts and the State's encouragement of Smart Growth Comprehensive Planning. As professional planners, we thought you would like to hear the other side of the issue.

Planning is good business. Every successful business plans for its future. Every family should plan for its needs. Individuals plan for their retirement and the business of farming involves planning. To be successful today, we all need to take the necessary time and effort for good planning—including community planning. Every community in Wisconsin has millions of dollars in property value needing protection. Each governmental unit has budgets of many thousands, if not millions of dollars that needs to be spent wisely. To keep taxes down we must spend public money wisely. The most effective way to spend is with planning. To say that communities should just “let whatever happens happen, and trust to luck” is poor public policy. Building sewer lines, schools, Town Halls and roads is expensive. Shouldn't such facilities be planned? Shouldn't public expenditures be carefully planned so tax money isn't wasted? Failing to plan, although a form of planning, is expensive, inefficient and will cost the taxpayers more money long term.

Continued on page 11

WAPANews is published 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:

Nancy Frank, WAPA News Editor
Chair, Department of Urban Planning
School of Architecture and Urban Planning
University of Wisconsin–Milwaukee
P.O. Box 413
Milwaukee, WI 53201-0413
(414) 229-5372
(414) 229-6976 (fax)
Email: wapa@uwm.edu

Change of Address: WAPA News does not maintain the address lists for any APA publication. All lists are maintained at the national office and are updated and mailed to the chapters each month. If you have moved, please contact Member Services Coordinator, APA National Headquarters, 122 S. Michigan Street, Suite 1600, Chicago, IL 60603-6107 or call (312) 431-9100 or FAX (312) 431-9985.

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.

Professional Services Directory: Put your business in the newsletter. Advertising rates are \$40.00 per issue or \$150.00 per year. Send business card or camera-ready copy (2 inches wide x 3.5 inches long) to the newsletter editor at the address below. Digital copy may be sent as an attachment by email to wapa@uwm.edu.

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 in electronic formats: Articles may be submitted on 3.5 inch floppy disks, CD-ROM, or via email. If submitting the article by email, send it to wapa@uwm.edu.

Graphics: Graphics are encouraged for inclusion with the article in paper or electronic format. Please be sure that graphics submitted in paper format are crisp and clear.

Calendar listings: Although the WAPA News is published only 4 times annually, the web page at www.wisconsinplanners.org provides instant access to information about events of interest to planners. If you are aware of an event, please contact the editor as soon as possible, preferably at least 1 week before the event. If submitting calendar events by mail, email, or voicemail, please be sure to include the sponsor of the event, the date, time, and place, and the title of the event, along with a description including any admission fees or limitations in availability.

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

Published and postage paid at the University of Wisconsin–Milwaukee, Milwaukee, WI 53201.

WAPA News is printed on recycled paper.

WAPA Pins and Certificates

Once again, WAPA is making available a WAPA pin and certificate for those members who have never received them—or for members who have misplaced theirs. The pins were distributed with WAPA election ballots two years ago.

The pins are an attractive red silhouette of the state of Wisconsin with the WAPA initials superimposed.

If you would like to have a lapel pin and certificate of membership, please contact President Gary Peterson, maps@maps-inc.com or 608-249-2514.

CNU Honors PDI For “Form-based Code”

Lawrence Witzling, President of Planning and Design Institute, Inc. (PDI), along with Mayor John Norquist and City Planning Director Peter Park, accepted a 2003 Charter Award from the Congress for the New Urbanism (CNU) on June 21 in Washington D.C. The Charter Award honored the Park East Redevelopment Plan for overall design and integration with existing surroundings. The plan was one of 15 projects to be awarded nationwide.

PDI was the lead planner for work on the project’s master plan and redevelopment code. The firm’s work represents the forefront of new form-based codes for urban areas. Witzling believes that “form based codes represent a new generation of zoning rules that respond to what residents and developers really want. They protect neighborhood quality, increase land values, and create public places.”

Contributing consultants include HNTB and Hurtado Consulting. The plan was prepared for the Redevelopment Authority of the City of Milwaukee. The project area is approximately 85 city blocks in downtown Milwaukee, and includes a freeway spur under demolition.

The plan guides redevelopment of the corridor by reestablishing the city’s grid system that was disconnected when work on the original 1960s freeway plan was begun. The plan recommends a new boulevard to replace the freeway spur, a new street design that will reconnect existing neighborhoods, opportunities for public squares, and mixed-use opportunities for residential and retail uses. The plan also identifies three districts which will be used to guide the different types of development.

Rettler Corporation Opens Middleton Office

Rettler Corporation, a site-based landscape architecture and engineering firm, has opened a new office located at 8500 Greenway Boulevard, Middleton. Rettler Corporation will be able to better serve the Madison area clients as well as Southern Wisconsin.



Wisconsin Chapter of the American Planning Association RETIREE RECOGNITION FORM

Entries for Retiree Recognition in 2003 are due by 5:00 p.m. on
Friday, September 5, 2003.

The Wisconsin Chapter of the American Planning Association would like to recognize current and former WAPA members for their contributions to the planning profession. If you have retired since 2000, complete this form and return it to the address at the bottom of this page. If you know of someone who has retired since 2000, please share this form with him/her. If you need additional room, please write the information on the back of this form.

Retiree Information

I certify that I am or was a member of the Wisconsin Chapter of the American Planning Association.

Signature/Date

Print Name

Address

City/State/Zip

Phone

Fax

Email

Education

Please list your educational history starting with your most recent degree.

(Example: University of Somewhere, MUP, 1971)

Employment History

Please list your employment history starting with your most recent position.

(Example: City of Anywhere, Planner I, 1976-2003)

Words of Wisdom

What is the biggest lesson you learned during your career that you would like to share with your fellow planners?



Yes, I would like to attend the 2003 Upper Midwest Planning Conference, October 23-24, 2003, in Milwaukee, Wisconsin. Please contact me for more information.

Entries must be received by 5:00 p.m. on **Friday, September 5, 2003** and submitted to:
WAPA Retiree Recognition, c/o Carrie Johnson, AICP, 2000 North Calhoun Road, Brookfield, Wisconsin 53005

*** Keep a copy for your records. ***

Law Update

By MICHAEL R. CHRISTOPHER, WAPA LEGAL
COUNSEL, AND JORDAN LAMB
DeWitt, Ross, and Stevens
Madison, Wisconsin

Significant Court Decisions

By MICHAEL R. CHRISTOPHER

Extraterritorial Plat Approval *Wood v. City of Madison*

On April 11, 2003, the Wisconsin Supreme Court ruled against the developers in Wood, which overturned a 1993 case that held that the City of Madison could not use its extraterritorial plat approval jurisdiction to regulate land uses. As a result, the Court has substantially enhanced the City's ability to use their plat approval authority to effectively control or prohibit development within the extraterritorial area, which is defined as within 3 miles for larger cities and 1.5 miles for small cities and villages.

In the Wood case, the Woods submitted a preliminary plat to the City of Madison for approval under its extraterritorial plat approval jurisdiction. The proposed 11-lot subdivision was within the Town of Burke and provided for a mixture of agricultural, commercial and agribusiness lots. The City rejected the plat based upon a Madison Subdivision Ordinance that considers the plat's proposed uses. The City determined that the commercial uses in the plat were incompatible in the area that was predominantly used for agriculture.

The decision in 1993 that Wood overturned—*Gordie Boucher v. City of Madison*—stood for the principle that zoning decisions must be made using the zoning process. Thus, the law prior to the Wood decision was that cities could not attempt to “go in the back door” and use their extraterritorial plat approval powers to exert zoning control. The argument was unsuccessfully made in Wood that an extraterritorial zoning procedure requires notice to landowners, hearings and a joint zoning commission, including representatives from the Town Board. On the other hand, there are no such requirements in the extraterritorial plat approval

process so after the Wood decision, cities can apply the land use provisions of its subdivision ordinance to reject those plats where the zoning is inconsistent with the land uses approved in the City's Subdivision Ordinance.

The consequences of this decision are enormous. First, this decision could lead to more conflicts between cities and towns over subdivisions because it has shifted the “balance of power” that previously existed between cities and towns in favor of additional control for cities. However, the additional confrontation may result in a recognition that municipalities must develop a more cooperative, regional perspective in making land use decisions rather than continuing on the path of engaging in expensive and drawn out litigation. Another possible impact as a result of the Wood decision is that it may give cities additional leverage in negotiating annexation agreements since the decision limits development options in extraterritorial areas.

From a land use planning perspective, an argument can be made that the decision will promote sprawl. It is possible that development will leapfrog beyond the three miles of land adjacent to a city to get beyond a city's reach, creating an effective growth ring around the city. Such a growth ring could prevent orderly development patterns in the future. Finally, the Wood decision so raised the ire of the development community that a legislative remedy is quite possible. Attorney Lamb and I will continue to closely monitor this hot legal and legislative topic.

*The consequences
of this decision
are enormous.*

County Authority in Subdivision Regulation *Rogers Development, Inc., et al. v. Rock County Planning and Development Committee, et al.*

Wisconsin counties have traditionally regulated development by imposing conditions relating to the size of cul de sacs, the length of blocks and the location of roads in reviewing the proposed land division. The above decision decided on May 1, 2003 by the Court of Appeals, put a damper on this increasingly popular trend. The Court ruled that Wis. Stat. § 236.13(2)(a) grants only to a “town or municipality” within which the plat lies the authority to require and regulate certain public improvements as a condition of plat approval and that since a county is not a municipality for purposes of Ch. 236, it cannot regulate the above public improvements.

The Plaintiff—developer of residential real estate—submitted preliminary plats to the Town of Beloit and to Rock County which were approved by both. Rogers submitted the final plat and the Town approved it, but the County issued a conditional approval subject to the cul de sac in the proposed subdivision being 70 feet in radius and the provision being made in the subdivision for a road to be constructed to connect to an adjacent subdivision. These conditions were contrary to the directives of the Town which had unconditionally approved the final plat. Rock County argued that to broadly construe “public improvements” to include regulations governing the size of cul de sacs, the length of

street blocks and the location of town roads frustrates the legislatively declared purpose of Ch. 236, that the County shares in the cooperative governance of subdivisions because it includes numerous government units.

However, the Court ruled that not all sections of Ch. 236 grant authority equally to all types of governing bodies. For example, with regard to the installation of public improvements, the statutes grant specific authority to the town or municipality within which the subdivision lies to require that the subdivider make and install any public improvements as a condition of plat approval. The Court was in a difficult position to define “public improvements” since there is no statutory definition, nor is there any Wisconsin case law that would give the Court guidance as to whether these conditions constituted “public improvements.”

The Court decided that a broad definition of what constitutes “public improvements” is justified, particularly because the Court felt that it would be contrary to the intent of the Legislature to narrowly construe public improvements so that it would shift the authority to require them to a governmental entity, in this case, Rock County, that is not responsible for maintenance of those improvements.

Finally, the County argued that its requirements were “design or layout” conditions which are statutorily authorized. The Court was not persuaded by this argument either. It reasoned that to justify the County’s action on “design and layout” requirements go directly to designating a public improvement since it encompasses the size, shape and location of the improvement.

The decision represents a setback to Wisconsin counties’ regulation of public improvements in land divisions. However, the decision strengthens towns’ authority in this area which has often been used to restrict development.

Other Decisions of Interest

Use of Public Funds in Subdivision

Town of Beloit v. County of Rock

In another piece of litigation between parties that have recently been involved in contentious appellate litigation, in the above decision made on March 4, 2003, the Court wrestled with the question of how far a town can justify the expenditure of public funds to act as a subdivider.

The Town of Beloit decided to hire a firm to prepare a plat for submission to the County and State for a proposed 36-lot subdivision on a 20-acre parcel of land within the Town that it owned. In addition, the Town authorized the expenditure of over \$600,000 in Town tax revenues for the development and construction of waste and sewage piping with the intent that it serve both the parcel and over 1,500 additional acres of land in the Town. A group of third party intervenors challenged whether the Town of Beloit violated the “public purpose doctrine” in proposing these actions.

The Court found that since the Town was authorized to act with “village powers” it could act as a subdivider. The

Court then addressed the hotly contested issue as to whether the Town’s expenditure of public monies to develop and sell the land in the proposed subdivision was for a public purpose. The Court found that to analyze whether an act constituted a public purpose was based upon a two-prong test which first requires that the public purpose be of “public necessity, convenience or welfare” and second, that it is “difficult for individuals to provide for themselves.” The Court noted that the Town owned the parcel for nearly 40 years and that it had attempted to sell the land. The majority of the Court held that the combination of the Town “goals here of creating jobs, promoting orderly growth, enhancing the tax base and preserving and conserving environmentally sensitive lands” were legitimate the valid public purposes justifying the expenditure of public funds for the Town.

Chief Justice Abrahamson wrote the dissent, joined by Justice Bradley, stating that they would not have found either prong of the two-prong test stated above had been met. The dissent stated that the record did not justify the public expenditure but that the Town was only offering buzz words without any facts to justify their actions. Further, they argued that the benefits were too indirect, remote and uncertain to justify the public expenditure.

Zoning Variance Standard: A case to watch! ***State of Wisconsin v. Washington County Board of Adjustment***

This case decided by the Court of Appeals on March 26, 2003 is the latest chapter in the issue of whether a County Board of Adjustment’s denial of a zoning variance is an unreasonable and arbitrary decision.

In this case, the Plaintiffs owned a house on a 1.4-acre lot with approximately 200 feet of lakeshore frontage on Big Cedar Lake in Washington County. Originally, they purchased the home as a summer home but they proposed a ten-foot vertical expansion to add a bedroom, bathroom and office space. In 2001, Washington County amended its Shoreland Zoning Ordinance to prohibit any expansion of an existing structure within 50 feet of the ordinary high water-mark. However, the Plaintiffs’ house had a legally nonconforming setback of 26 feet.

The Plaintiffs argued before the Board of Adjustment that their requested variance would not impair the public’s interest since the neighbors did not object and the proposed addition would not expand their legally nonconforming use because the proposed addition was a strictly vertical expansion. The WDNR recommended that the Board deny the variance request. The Board unanimously voted to deny the request, concluding that denial of a variance “would not make the property useless.”

On appeal, the Plaintiffs argued that the two previous Wisconsin Supreme Court decisions relating to this issue, namely *State v. Kenosha County Board of Adjustment* (1998) and *State v. Outagamie County Board of Adjustment* (2001) require a balancing test, balancing the public interest and the

purpose of the zoning ordinance with the determination of whether the property owners had any reasonable use of the property if the variance was denied.

The Court majority decided that a successful variance applicant must prove that he or she has no reasonable use of the property without the requested variance.

Legal scholars have recognized that this is nearly an impossible standard for an applicant to meet. Some have reasoned that the Outagamie County case has overruled the Kenosha County case but this latest decision did not share that view.

Failure to File Notice Defense

Nesbitt Farms, LLC v. City of Madison

Wisconsin municipalities often raise the defense of the plaintiff failing to file a Notice of Claim pursuant to Wis. Stat. § 893.80(1) prior to commencing their litigation. In the above case decided by the Court of Appeals on May 8, 2003, the Court considered this defense in light of a condemnation proceeding.

The City condemned a 17.8-acre parcel belonging to the owners for public use as a stormwater detention pond. The owners appealed the Award of Compensation and the City moved to dismiss the appeal on the grounds that the owners had not filed a Notice of Claim with the City. The City relied on the Supreme Court's decision in *DNR v. City of Waukesha*, decided in 1994, where the Court held that § 893.80 applies to all causes of action, not just those in tort and not just those for money damages.

However, since 1994, the Supreme Court has identified a number of statutes which provide specific procedures for bringing actions in which municipal entities are defendants but to which the Notice of Claim requirement does not apply. Those cases include actions to enjoin violations of the Public Trust Doctrine, actions brought under the Open Records and Open Meetings Claims laws, actions objecting to a City's annexation of a Town's land, actions appealing special assessments and actions to appeal a County Board's determination regarding the requirements for tax exempt status.

This Court found that the purposes underlying the Notice of Claim Statute do not require its application to condemnation appeals. The Courts have identified three factors which shed light on the question of whether the Notice of Claims Statute applies to a given action. They are:

- a. Whether there is a specific statutory scheme for which the plaintiff seeks exemption;
- b. Whether enforcement of § 893.80(1), Stats. would hinder a legislative preference for a prompt resolution of the type of claim under consideration; and
- c. Whether the purposes for which 893.80(1) was enacted would be furthered by requiring that a Notice of Claim be filed.

The Court found that all three factors weighed in favor of an exception to the Notice of Claim requirement.

WAPA Legislative Update

BY JORDAN K. LAMB

DEWITT ROSS & STEVENS S.C.

May 22, 2003

A. 2003-05 Biennial Budget

1. Budget Procedure and Process

The Joint Finance Committee continues to hold executive sessions on Governor Doyle's biennial budget bill. In these executive sessions, the Committee is amending the Governor's proposed budget and will introduce a comprehensive substitute amendment for both houses of the legislature to consider. (For a list of the legislators who sit on the Joint Finance Committee, go to <http://www.legis.state.wi.us/lfb/jfc/jfcmembership.html> on the Internet).

Reduction in Shared Revenue

The Joint Finance Committee has not yet addressed all of the shared revenue proposals in the Governor's budget. However, they have addressed the Governor's recommendation to move the responsibility for assessing manufacturing property from the state Bureau of Manufacturing and Telco Assessment (in the Division of State and Local Finance in the Department of Revenue) to local units of government. On May 20, 2003, in Motion #149, the Joint Finance Committee voted to delete this transfer of responsibility and restore the assessment responsibility to the Department of Revenue. In addition, the Committee provided the Department with \$1,076,300 and 13.5 staff positions funded with general program revenue (GPR) and \$1,076,300 and 13.5 staff positions funded with program revenue (PR). The program revenue portion is provided through a special charge assessed against each municipality where manufacturing property is located.

Reduction in Stewardship Funding

According to the Legislative Fiscal Bureau (information from Budget Paper #529), the 1999-01 biennial budget act (1999 Act 9) provided \$460 million in bonding for a ten-year reauthorization of the Warren Knowles-Gaylord Nelson stewardship program beginning in 2000-01 for the purpose of acquiring land to expand recreational opportunities and protect environmentally sensitive areas. The annual bonding authority under the program was \$46 million, ending in fiscal year 2009-10. The 2001-03 biennial budget (2001 Act 16) increased the overall bonding authority to \$572 million and the annual bonding allocation from \$46 million to \$60 million beginning in 2002-03 (with \$45 million each year available for the land acquisition subprogram and \$15 million for

property development and local assistance). Currently, with the approval of the Natural Resources Board, the Joint Committee on Finance and the Governor, the Department can obligate up to the entire allocation under the land acquisition subprogram for large or uniquely valuable acquisitions.

The Governor made no recommendations with regard to the stewardship program in his biennial budget proposal, however, the Joint Finance Committee, on May 8, 2003, did make changes to the program. The Joint Finance Committee voted to reduce the total general obligation bond authority for the program from \$527 million to \$327 million. (Motion #268). In addition, the Committee voted to require the Department of Natural Resources to sell \$20 million worth of land currently owned by the state in each year of the 2003-05 biennium. (Motion #280).

Transportation Funding

On May 16, 2003, the Joint Finance Committee passed an omnibus transportation budget package with a vote of 12 to 4, which includes \$480 million less in Transportation Revenue Bonding than the Governor's proposed budget, fully funds the Marquette Interchange reconstruction, and funds scheduled road repair and construction projects. (Motion #457). As a part of this package, the Committee eliminated all funding for the following transportation programs: (1) the surface transportation discretionary grant program, which provides grants of federal funds for projects designed to promote alternatives to single-occupancy vehicle travel, such as the purchase of buses for new transit service or the construction of commuter bicycle facilities; (2) the multimodal transportation studies program, which funds various studies related to the development of new transportation facilities and transportation planning, including traffic modeling studies and transit system studies; and (3) the transfer of federal highway aid from the Department of Transportation to the Department of Administration for providing comprehensive planning grants to local governments.

B. Update on Previously Introduced Stand-Alone Legislation

Assembly Bill 136 – Charter Towns

Assembly Bill 136, introduced on March 6, 2003 by Representative Carol Owens (a Republican from the 53rd Assembly District), which authorizes a town board to exercise village powers to adopt a resolution declaring that it is a "charter town, passed out of the Assembly Committee on Rural Affairs with a vote of 6 to 3 on May 8, 2003. The bill has been referred to the Assembly Rules Committee and is now available for scheduling for debate on the floor of the Assembly. In a press release dated May 8, 2003, Representative Owens praised the Assembly Committee on Rural Affairs for passing AB 136 out of the Committee. Representa-

tative Owens stated, "With Wisconsin's economy in a slump, this legislation may help encourage economic development and bring in much needed jobs." She hopes that AB 136 will come up for debate on the Assembly floor in either the June or fall floorperiod.

Assembly Bill 130 – Alternative Method for Town Consolidation

Assembly Bill 130, introduced on March 6, 2003 by Representative Bonnie Ladwig (a Republican from the 63rd Assembly District), which creates another method for certain towns to consolidate with other municipalities, passed out of the Assembly Committee on Urban and Local Affairs on May 20, 2003 with a vote of 7 to 0. It has been referred to the Assembly Committee on Rules and is available for scheduling for debate on the Assembly floor.

C. Newly Introduced Stand-Alone Legislation

Senate Bill 123 and Assembly Bill 253 – Using Population in Determining Eligibility for Recycling Efficiency Grants

Current law requires the Department of Natural Resources (DNR) to make recycling efficiency incentive grants to local units of government that are responsible for operating recycling programs. On April 8, 2003, the Joint Committee for Review of Administrative Rules introduced Assembly Bill 253, which prohibits the DNR from considering the population of a responsible local unit of government in determining its eligibility for a recycling efficiency incentive grant. (On April 23, the Committee introduced Senate Bill 123, the Senate companion bill to AB 253.) These bills were introduced as required by s. 227.19 (5) (e), stats., in support of the objection of the Senate Committee on Environment and Natural Resources on February 6, 2003, and the objection of the Joint Committee for Review of Administrative Rules on March 6, 2003, to the issuance of a portion of clearinghouse rule number 02-60 by DNR. The proposed clearinghouse rule provided several ways for a responsible unit to be eligible for a recycling efficiency incentive grant, including being a responsible unit of local government with a population of at least 50,000. AB 253 has been referred to the Assembly Committee on Natural Resources, and AB 123 has been referred to the Senate Committee on Environment and Natural Resources.

2. Assembly Bill 295 – Extension of Recycling Pilot Program

On April 23, 2003, Representative Mark Miller (a Democrat from the 48th Assembly District) introduced Assembly Bill 295, which extends the termination date of a

the pilot program for an alternate method for local recycling programs. Current law lists the types of materials that a local governmental unit must require individuals and businesses to recycle. Current law also requires the Department of Natural Resources to operate a pilot program to provide nine responsible units of local government with an alternate method of complying with recycling requirements. The pilot program must include a list of types of materials from which each participating responsible unit of government chooses to require to be recycled and must include goals for amounts of materials to be recycled as a percentage of solid waste. The pilot program ends on December 31, 2005. This bill extends the pilot program to December 31, 2012. AB 295 was referred to the Assembly Committee on Natural Resources.

3. Assembly Bill 347 – Dwelling Codes

On May 20, 2003, Representative Jeffery Wood (a Republican from the 67th Assembly District) introduced Assembly Bill 347, which repeals the authority for a city, village, or town with a population of 2,500 or less to exempt itself from enforcement of the one- and two-family dwelling code. Under current law, with certain limited exceptions, any city, village, town, or county (hereinafter “municipality”) may provide for the enforcement of the one- and two-family dwelling code throughout the municipality. With certain exceptions, current law requires any municipality that does not provide for this enforcement to contract with the Department of Commerce for necessary building inspection services under the one- and two-family dwelling code. However, a municipality with a population of 2,500 or less may adopt a resolution generally exempting the municipality from any enforcement of the one- and two-family dwelling code, including inspections by the department. This bill repeals the authority for a municipality with a population of 2,500 or less to exempt itself from enforcement of the one- and two-family dwelling code, and subjects such municipality to the general requirement to provide for the enforcement of the one- and two-family dwelling code or contract with the Department of Commerce for necessary building inspection services. AB 347 was referred to the Assembly Committee on Housing.

D. Other News and Information

On May 21, 2003, the Southeastern Wisconsin Regional Planning Commission voted to recommend widening sections of Interstate 94 and Interstate 43 to eight lanes in Milwaukee and several outlying suburbs. For more information on this project, see the article entitled, “Panel Backs Widening I-43, I-94 to Eight Lanes,” by Larry Sandler, The Milwaukee Journal Sentinel, May 21, 2003, available online at:

<http://www.jsonline.com/traffic/news/may03/142439.asp>

Legislative Update, Part 2

June 16, 2003

A. 2003-05 Biennial Budget

Budget Procedure and Process

On Wednesday, June 4, 2003, the Joint Finance Committee finished preparing its amendment to the Governor’s proposed 2003-05 Biennial Budget. The budget bill was introduced as Senate Bill 44. Accordingly, it will first be debated in the Senate, and then in the Assembly.

Senate Majority Leader, Senator Mary Panzer, has indicated that the Senate Republicans plan to take the budget bill to the floor of the Senate for debate later this week.

The Assembly Republicans are not expected to hold a floor session until the Senate passes the budget bill and sends it to the Assembly for action. The Assembly Republicans may hold caucus sessions while the Senate works on the bill. However, they have indicated that they plan to make only “technical” amendments to the bill.

Relevant Budget Issues – Reduction in Shared Revenue

According to the Legislative Fiscal Bureau, in 2003, state aid payments to municipalities under the shared revenue and related aid programs will total \$846.2 million. In the budget bill, the Governor proposed to reduce municipal aid payments in 2004 by \$70 million, in addition to the \$20 million reduction previously authorized under 2001 Wisconsin Act 109. As a result, aid reductions totaling \$90 million would have been applied on a per capita basis, relative to aid payments in the previous year.

However, under the Joint Finance Committee’s shared revenue proposal, 2004 municipal aid payments would be \$70 million less, in total, than aid payments in 2003, thereby providing \$20 million more in 2004 municipal aid than the Governor’s proposal.

Under the Joint Finance proposal, two separate distributions would be provided – one for large municipalities (e.g., the state’s 133 cities and 57 villages with populations over 2,500, and 33 towns with populations over 5,000) and one for smaller municipalities (e.g., the state’s 395 cities and villages and 1,232 towns.)

Under the Joint Finance Committee’s proposal, in 2003, large municipalities would receive estimated aid payments totaling \$643.5 million, which includes distributions of \$578.0 million under newly-created programs and \$65.5 million under existing programs. In addition, payments would be subject to a minimum guarantee and maximum ceiling. Under these provisions, no municipality’s aid payment would decrease from 2003 by more than 11.5%, so each municipality would be guaranteed at least 88.5% of its prior year payment. In addition, no payment will exceed

93.6% of a prior year payment. Therefore, aid payments would range from 88.5% to 93.6% of the prior year amounts.

Under the Joint Finance Committee's proposal, in 2003 smaller municipalities will receive state aid payments under the shared revenue and small municipalities shared revenue program of \$125.0 million. Each municipality's 2003 "base" payment would be reduced by 12.0%, and their payments would remain at that level in the future.

Alternative Property Tax Valuation for Swampland and Woodlots

In Motion #193, adopted 14-2 on June 3, 2003, the Joint Finance Committee changed the name of the "swamp or waste" classification of real property to "undeveloped land" for purposes of property taxation and created a new classification of property called "agricultural forest," defined to include land that is producing or is capable of producing commercial forest products and is included on a parcel where part of the parcel is classified as agricultural or is contiguous to a parcel where part of the parcel is classified as agricultural, if the contiguous parcel is owned by the same person. ("Contiguous" is defined to include a parcel that is separated only by a road from a parcel containing agricultural land, so long as both parcels are owned by the same person.)

The Committee provided for the assessment of property classified as undeveloped land and agricultural forestland at 50% of the full value for which the property could be sold. In addition, the Committee extended similar treatment to the Department of Revenue's determination of equalized values and modified the current law requirement relating to assessing each major class of property at no less than 90% of its full value by specifying that undeveloped land, agricultural forests, productive forest land, and other property be considered separate classes of property, rather than as a single class of property, as provided under current law. These provisions are extended to property assessed as of January 1, 2004.

Land Programs

The Joint Finance Committee adopted the revised Department of Administration proposal for funding land programs during the 2003-05 biennium and provided an additional \$907,000 in Program Revenue in 2003-04 and \$1,092,900 in Program Revenue in 2004-05 for this purpose. In addition, the Committee adopted the Governor's recommendation to convert \$1,500,000 in General Purpose Revenue of comprehensive planning grants funding to Program Revenue funding. The action also made technical changes extending the land program sunset date to September 1, 2005, for provisions relating to: (a) the membership of the Wisconsin Land Information Council; and (b) the Council's responsibilities to review and approve comprehensive planning grant submissions to DOA.

In addition, the Committee changed how comprehensive planning grant funds supported from land record fees could be

expended. Under current law, comprehensive planning grants may be provided to local units of government to finance the cost of planning a variety of activities, including contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or for the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. Applications made by local governments must contain a complete statement explaining how the funding would be used. In determining whether to approve a proposed grant, current law requires that preference be given to applications that contain all of the following planning effort elements: (a) address the interests of overlapping or neighboring jurisdictions; (b) promote the redevelopment of lands with existing infrastructure and public services; (c) encourage a range of neighborhood transportation choices; (d) protect natural areas; (e) protect economically productive areas; (f) encourage land uses, densities, and regulations that promote efficient development patterns; (g) preserve cultural, historic and archaeological sites; (h) encourage coordination among nearby units of government; (i) build community identity; (j) provide an adequate supply of affordable housing; (k) provide adequate infrastructure and public services to meet existing and future market demand; (l) promote the expansion or stabilization of the current economic base; (m) balance individual property rights with community interests; (n) plan land uses that create varied and unique communities; (o) provide an integrated transportation system; (p) planning efforts that identify smart growth areas; (q) planning efforts, including subsequent updates and amendments; (r) planning efforts for which completion is contemplated within 30 months of the grant award; and (s) planning efforts that provide opportunities for public participation.

The Joint Finance Committee required that for those grants funded from land record fees, the following new planning elements would also have to be addressed: (a) expediting and integrating the use of existing, locally created and maintained Wisconsin land information program data; (b) developing digital data that is consistent with Wisconsin land information program interests, modernization and public access standards; and (c) expanding public participation through access to planning support tools.

B. Update on Stand-Alone Legislation Discussed in Previous Updates

Assembly Bill 130 – Alternative Method for Town Consolidation

Assembly Bill 130, introduced on March 6, 2003 by Representative Bonnie Ladwig (a Republican from the 63rd Assembly District), which creates another method for certain towns to consolidate with other municipalities, was amended and passed on the Assembly Floor on May 29, 2003. The Assembly passed Assembly Substitute Amendment 1 to Assembly Bill 130 (hereinafter "ASA 1") with a voice vote. Under ASA 1, a proposed current law—consolidation of a

town must receive circuit court and DOA approval only if the town proposes to consolidate with a city or village. In addition, ASA 1 creates another method for certain towns to consolidate with cities or villages. All or part of a town to which a number of specifications applies may consolidate with a contiguous city or village if a consolidation ordinance is passed by a two-thirds vote of the governing bodies of each municipality and if the ordinance is ratified by the electors in a referendum in each municipality. A consolidation under ASA 1 may take effect only if some part of the consolidated city or village receives sewage disposal services. AB 130 as amended by ASA 1, has been received by the Senate and referred to the Senate Committee on Security, Veterans and Military Affairs and Government Reform.

Senate Bill 110 – Town Maps

There has been no further action on Senate Bill 110, introduced on April 9, 2003 by Senator Alan Lasee, a Republican from the 1st Senate District.

Assembly Bill 253 and Senate Bill 123 – Using Population in Determining Eligibility for Recycling Efficiency Grants

There has been no further action on either Assembly Bill 253 or Senate Bill 123, introduced on April 8 and April 23, respectively, by the Joint Committee for Review of Administrative Rules.

C. New Stand-Alone Legislation of Interest

Assembly Bill 271 – Notices for Zoning Changes

Assembly Bill 271, introduced on April 18, 2003, by Representative Sheryl Albers (a Republican from the 50th Assembly District), specifies that a town zoning committee must hold a public hearing and give notice of the hearing on a preliminary report on recommended zoning district boundaries and zoning regulations for such districts and that a town board give notice of a public hearing on a proposed zoning ordinance. In addition, the bill requires that, if a proposed zoning ordinance, amendment to a zoning ordinance or zoning district plan or regulation, has the effect of changing the allowable use of any property within the boundaries of the political subdivision, the political subdivision or subunit of the political subdivision must send a notice, which contains a copy of the proposed ordinance or amendment, to each person whose property may be affected and who has previously notified the political subdivision in writing, of his or her desire to be placed on a list to receive such a notice. The political subdivision or subunit of the political subdivision may charge a fee for providing the notice. The fee may not exceed the approximate cost of providing the notice. Assembly Bill 271 was referred to the Assembly Committee on Property Rights and Land Management.

Assembly Bill 369 – Dept. of Transportation Review of School Plans

Assembly Bill 369, introduced on May 29, 2003, by Representative Steve Wieckert (a Republican from the 57th Assembly District), requires the Department of Transportation, upon request of a school board, to review the site plan of any proposed enlargement of school grounds, or proposed construction or enlargement of school buildings or facilities. AB 369 was referred to the Assembly Committee on Transportation.

Senate Bill 89 – Town Referenda for Annexations

Senate Bill 89, introduced by Senator Alan Lasee (a Republican from the 1st Senate District), specifies that no annexation ordinance or annexation of a town territory to any city or village may take effect unless it is approved in a referendum of all of the town electors in the town from which the town territory is proposed to be annexed. SB 89 has been referred to the Senate Committee on Security, Veterans and Military Affairs and Government Reform.

Footnotes

¹Information on estimated state aid to municipalities is provided in this section based on information provided by Bob Lang, Director of the Legislative Fiscal Bureau, in his Memorandum to Members of the Wisconsin Legislature, dated June 13, 2003, entitled “Estimated State Aid to Municipalities Under Proposal by the Joint Committee on Finance.”

Model Zoning Ordinance On Line

**BY RUSSELL KNETZGER, AICP
MILWAUKEE, WI**

A model zoning ordinance has been placed on the WAPA web site for use by anyone (www.wisconsinplanners.org). Drafted in February, 1991 to implement the new master plan for Marathon County's Town of Weston (population 11,000 and made a Village in 1996), the 216 page ordinance was offered to WAPA readers in July, 1991. At a nominal cost, users had to purchase a paper copy, or buy a computer disk, from the North Central Wisconsin Regional Planning Commission (NCWRPC) in Wausau, Wisconsin. Now, with the convenience of e-mail and the Internet, access to the ordinance is free. It is a modifiable Microsoft Word Windows 98 file so that adjustments can be made to suit your needs.

The ordinance is based upon s.62.23 Wis. Statutes (city planning), but can also be used by villages, or by towns that have adopted village powers. Counties and non-village power towns would need to make modifications to such sections as adoption and amendment, how to process conditional uses, and whether or not site plan approvals would go beyond the town level to the county level. Currently counties are not known to make such reviews in Wisconsin except as part of Conditional Uses.

The version on the web site has been adapted to two "Smart Growth" provisions. One is Wisconsin's January 1, 2001 mandatory inclusion of a "Traditional Neighborhood Development" section in the zoning ordinances of communities over 12,500 population (see s.66.034(3), Wis. Statutes, renumbered later to 66.1027(3)). The adaptation has been done by designating the Planned Unit Development section, and its corresponding OPD Overlay PD District, as intended to implement said s.66.1027(3) statute. Similarly with the Smart Growth encouragement in that same statute of "Conservation Subdivisions", said Planned Unit Development section is designated for that purpose.

This ordinance incorporates time-tested concepts from earlier model zoning ordinances, such as Waukesha County (1950s by William L. Nelson), and Kenosha County (1980s by Roland Tonn and George Melcher using the 1964 SEWRPC model). It also utilizes features of the prior Town of Weston ordinance that was based upon the model by Barton Aschman Associates, a consulting firm of the 1960s, adopted by many Wausau metropolitan area communities. Features are also taken from the ordinance of the Town of Mt. Pleasant in Racine County, drafted by Russell Knetzger in the late 1960s. Ideas were also borrowed from a 1990 NCWRPC model ordinance by then-director Arno W. Haering.

All sections and all definitions were re-examined and updated to 1991, and reviewed again in more cursory fashion for the June, 2003 insertion on the WAPA web site. Districts range from unsewered rural (but the agricultural preservation zone is a "holding district" where development may not be imminent, but is expected) to diversified urban development on sewers. It contains single family 1/4 acre to 1-acre lot sizes, mobile homes, duplexes and several multiple family residence districts. The commercial section ranges from neighborhood convenience (suitable for intermixture in "TND – Traditional Neighborhood Developments") to office-only districts, to a blended office/industrial district called Business Park.

The industrial district Permitted Uses are based principally upon compliance with the performance standards chapter, and commercial and industrial permitted uses are described primarily by class and characteristic, rather than only by exact use name.

All non-single family uses are only permitted subject to approval of building, site, and operational plans (BSOP) by the Planning Commission. BSOP Review guidelines are built into the ordinance.

Extensive use is made in the ordinance of overlay

districts, relying upon strong foundational enabling language that delineates overlay districts from basic districts. Strong foundational language is also provided for conditional uses, the planned unit development district, and for the Board of Zoning Appeals, though the ordinance generally restricts the appeal process as much as possible.

This restrictive approach to all variances and appeals in 1991, ended up foreshadowing the current doctrine of the Wisconsin Supreme Court set forth in 1998. That doctrine is that deviations from the shoreland zoning regulations should not be made unless denial renders a property without any reasonable use (see Wis. DNR v. Kenosha County Board of Adjustment, 218 Wis. 2d 396, 577 NW 2d 813 (1998)). While such a harsh doctrine may be appropriate for shoreland situations, when the court (or the legislature) eventually relaxes on non-shoreland circumstances, this model ordinance should strike a better balance between maintaining the spirit of the ordinance, while granting relief where inherent conditions, not created by the petitioner, merit some relief.

Unusual districts include a well-head protection district based upon Joseph Pribanich's work for the Town of Rib Mountain. That approach excludes specific named land uses if they still employ processes common to their class of use, which processes can seriously pollute ground water resources. A woodland protection overlay district is included that functions over residential, commercial or industrial districts to preserve wood lots. A mineral extraction overlay zone is provided, and specific overlay districts are established for institutional and recreation uses, both public and private.

Another unusual inclusion is "provisional zoning" whereby re-zonings may be revoked if development has not

Continued on page 13

WAPA Editorial: *Continued from page 1*

Those who purport to want all options for their land to maximize its value, may not realize that what happens on the other side of the fence can negatively affect the value of their land. For most people their home and property is their largest financial investment. We can't imagine anyone wanting to risk that investment by poor or nonexistent planning.

In closing, we applaud the many communities now planning for their future and encourage those who are interested in planning to get involved with their community's planning efforts. The new "from the ground up" Smart Growth Planning Law is within the best Wisconsin tradition of "Let the people decide".

For more information on planning log on to: www.wisconsinplanners.org

Composed by Larry Ward, Secretary, and Gary Peterson, President of the Wisconsin Chapter of the American Planning Association at 621 N. Sherman Avenue, Madison, WI 53704

MAKING GREAT COMMUNITIES HAPPEN



**American
Planning
Association**

NATIONAL & CHAPTER MEMBERSHIP

Includes full chapter membership; *Planning* magazine monthly; support for APA's policy and public information programs; and discounts on books, reports, national APA conferences and workshops, and group insurance programs.

- ☐ I want to join National APA and the Wisconsin chapter. Check the dues category that applies:
- ☐ Member. National dues (from table below) \$_____ plus \$40 chapter dues. Enter total under **PAYMENT**.
- ☐ Student member. Dues \$42* (national dues \$37; chapter dues \$5)
- ☐ Planning board member. Dues \$65* (national dues \$56; chapter dues \$9)

*Verification of status required

NATIONAL DUES TABLE

Check the range that includes your salary plus other profession-related income. Records are confidential.

<i>Salary Range</i>	<i>Dues</i>
<input type="checkbox"/> Less than \$20,000	\$ 90
<input type="checkbox"/> \$20,000 - \$24,999	\$ 98
<input type="checkbox"/> \$25,000 - \$28,999	\$104
<input type="checkbox"/> \$29,000 - \$31,999	\$115
<input type="checkbox"/> \$32,000 - \$34,999	\$118
<input type="checkbox"/> \$35,000 - \$37,999	\$126
<input type="checkbox"/> \$38,000 - \$41,999	\$130
<input type="checkbox"/> \$42,000 - \$44,999	\$135
<input type="checkbox"/> \$45,000 - \$49,999	\$141
<input type="checkbox"/> \$50,000 - \$54,999	\$147
<input type="checkbox"/> \$55,000 - \$59,999	\$158
<input type="checkbox"/> \$60,000 - \$64,999	\$167
<input type="checkbox"/> \$65,000 - \$69,000	\$175
<input type="checkbox"/> \$70,000 and over	\$186
<input type="checkbox"/> You may pay \$187 flat dues, plus chapter dues	

CHAPTER MEMBERSHIP ONLY

Includes chapter publications and entitles you to participate in all chapter activities.

- ☐ I want to join the Wisconsin chapter (dues \$35).

PAYMENT

Amount due \$_____

- ☐ Purchase order enclosed
- ☐ Check enclosed payable to APA
- ☐ Charge my ☐ MasterCard
- ☐ Visa ☐ American Express

Signature _____

Card number _____

Expires _____

MAIL TO:

American Planning Association
Lock Box 97774
Chicago, IL 60678-7774
312-431-9100

STUDENT STATUS VERIFICATION

I certify that the student named on this form is currently enrolled as a full-time student.

Signature of department head, professor, or registrar _____

School/Date _____

PLANNING BOARD VERIFICATION

I verify that I am a current member of

Name of board or commission _____

and I don't earn my living in planning.

Signature/Date _____

Join APA Today!

NAME & MAILING ADDRESS

Name _____ ☐ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Mailing address _____

City _____ State _____ ZIP _____

Home phone number _____

Preferred E-mail address _____ CHAP _____

EMPLOYER MAILING ADDRESS

Employer Name _____

Employer Address _____ Suite No. _____

City _____ State _____ ZIP _____

Office Phone Number _____ Fax Number _____

Please tell us where to send correspondence from APA.

Send invoices to: ☐ Home ☐ Office

Send publications and other mail to: ☐ Home ☐ Office

Rev. 10/00

Model Ordinance Available: *Continued from page 11*

proceeded as planned within a stated time, up to three years.

All numerical regulations (lot size, density, setbacks, side yards, etc.) are on a single 11x17 inch foldout table, which streamlines the remaining individual Use District regulations. All Use Districts contain extensive Statements of Intent, meant to interpret the sample permitted uses and conditional uses, and to provide guidance in allowing for unclassified uses.

Off-street parking is in its own comprehensive section and deals with parking for all classes of uses, and with parking of non-residential vehicles in residential areas, as well as non-agricultural vehicles in farm areas.

Sign regulations are also in their own separate and comprehensive section, and commercial and industrial signs are based upon a ratio of sign size to building size. Throughout the ordinance, and especially in the general enabling sections, emphasis is placed upon keeping the zoning regulations and map closely tied to the goals of the community's comprehensive plan as interpreted by the Planning Commission.

The Weston regulations were principally drafted by Russell Knetzger, AICP of Shorewood in Milwaukee county, as part of a joint venture with the North Central Wisconsin Regional Planning Commission (NCWRPC) in Wausau, and with Max Anderson, AICP, formerly a consultant in Monona, Wis. and now semi-retired in Delray Beach, Florida.

Note: This description of the model ordinance has been edited due to space limitations. For more information about the model ordinance and for the complete text, see the Law page on the WAPA web site.

WAPA Professional Services Directory



SRF
CONSULTING GROUP, INC.

- Community Planning
- Urban Design
- Public Spaces & Trails
- Civil & Structural
- Environmental Planning
- Water Resources
- Transportation & ITS
- Traffic

One Carlson Parkway North, Suite 150, Minneapolis, MN 55447-4443
(763) 475-0010 Fax (763) 475-2429
www.srfconsulting.com



Stockham Consulting
Urban Planning & Development Services

John Stockham
Email: jstockham@charter.net

3100 Lake Mendota Drive
Madison, WI 53705
Tel: 608.233.1827
Cell: 608.516.8423

Professional Services Directory continues on page 14

WAPA Executive Committee

President, Gary Peterson, AICP
(608) 249-2514 (office) / (608) 249-6615 (fax)
maps@maps-inc.com

Past President, Rollie Tonn, AICP
(262) 569-2166 (office) / (262) 569-3238 (fax)
rtonn@wppisys.org

Vice Pres. of Prof. Dev., Greg Kessler, AICP
(262) 797-2445 (office) / (262) 780-4605 (fax)
gkessler@newberlin.org

Vice Pres. of Chapter Affairs, Thomas Dabareiner, AICP
(414) 359-2300 (office) / (414) 359-2314 (fax)
tdabareiner@hntb.com

Secretary, Lawrence Ward, AICP
(608) 342-1214 (office) / (608) 342-1220 (fax)
wardla@uwplatt.edu

Treasurer, Amy Emery, AICP
800-571-6677 or 920-735-6900 / 920-830-6110 (fax)
amy.emery@omnni.com

Director at Large, Carrie Johnson, AICP
(262) 782-9650 (office) / (262) 796-6702 (fax)
johnsonc@ci.brookfield.wi.us

Director at Large, Tim Kabat, AICP
(608) 251-8140, x128 (office) / (608) 251-8535 (fax)
tkabat@ci.madison.wi.us

N.W. District Representative, Mel Erickson, AICP
(715) 839-1657 (office) / (715) 839-4854 (fax)
mel.erickson@co.eau-claire.wi.us

S.E. District Representative, Nancy Frank, AICP
(414) 229-5372, (414) 229-6976 (fax)
frankn@uwm.edu

N.E. District Representative, Linda Stoll
(920) 738-7025 (office) / (920) 738-7025 (fax)
foxwolf@fwwa.org

S.W. District Representative, Jason Gilman, AICP
(608) 781-9590 (phone)
jgilman@charter.net
SW District website: www.wapasw.com

Planning Official Development Officer (Appointed)
Anna Haines
(715) 346-2386 (office) / (715) 346-4038 (fax)
ahaines@uwsp.edu

Student Representatives

UW - Madison

Olivia Parry and Brea Lemke
00parry@wisc.edu or brlemke@wisc.edu

UW - Milwaukee

Ryan Horton
rjhorton@uwm.edu

National Officers

Laurence C. Gerckens, AICP
AICP Director, Region IV
(800) 932-7675 (office)
(800) 932-7675 (fax)
lcgerckens@aol.com

APA National—Washington: (202) 872-0611
APA National—Chicago: (312) 431-9100
American Institute of Certified Planners (202) 872-0611

URS

BRW, Inc.

Planning • Urban Design • Transportation • Engineering

10200 Innovation Drive, Suite 500, Milwaukee, WI 53226
414.831.4100 Fax 414.831.4101

Offices Nationwide

HNTBARCHITECTS
ENGINEERS
PLANNERSUrban Design ■ Planning ■ Smart Growth
Transportation ■ Engineering ■ EnvironmentalMilwaukee
414-359-2300

www.hntb.com

Madison
608-294-5000Richard A. Lehmann
Land Use and Planning Law**BOARDMAN** ^{LLP}
LAW • FIRMP.O. Box 927 • Madison WI • 53701-0927
Phone (608) 283-1719 • Fax (608) 283-1709
Email rlehmann@boardmanlawfirm.com

SmithGroup JJR

Planning
Landscape Architecture
Urban Design
Civil Engineering
Environmental Science

608 | 251 | 1177

kate.sullivan@smithgroup.com

625 Williamson Street • Madison, Wisconsin 53703

**Martenson & Eisele, Inc.**Planning ■ Surveying
Engineering ■ Architecture*Professionals dedicated to serving people committed to improving their communities*1919 American Court, Neenah, WI 54956-1274
920-731-0381 ■ 800-236-0381 ■ 920-733-8578 FAX
www.martenson-eisele.com**Russell Knetzger
A.I.C.P.**Community Planning
Real Estate AnalysisFax: 414-962-0671
2625 E. Shorewood Blvd.
Milwaukee, WI 53211-2457
414-962-5108**Solutions**

262.542.5733

www.ruekert-mielke.com

Planners
Economic Analysts
Landscape Architects
GIS Experts
Civil Engineers
Surveyors
Geoscientists **Ruekert-Mielke**
engineering solutions for a working worldMid-America Planning
Services, Inc.Smart Growth planning
Grant writing
Economic developmentGary L. Peterson, AICP
President621 N. Sherman Ave.
Madison, WI 53704-4445

Phone: 608-244-6277

800-604-MAPS

Fax: 608-249-6615

www.maps-inc.com
maps@maps-inc.com

VANDEWALLE & ASSOCIATES

City Planning
Urban Design
Urban Redevelopment
Regional Vision Planning
Economic Development
Project Implementation

Madison, Wisconsin
(608) 255-3988

va@vandewalle.com
www.vandewalle.com



Planning • Architecture • Engineering • Environmental • Transportation



We help you plan, design, and achieve.

SEH

Short Elliott Hendrickson Inc.
Contact David Carlson at SEH Planning Group
1.800.472.5881 • www.sehinc.com

Π

Planning Service & Solutions

Independent Consulting
Pamela A. Lazaris, AICP

110 E. Madison Street ▲ P.O. Box 17 ▲ Lake Mills, WI 53551
(920) 648-6617 ▲ FAX (920) 648-2115
pal@gdinet.com

SCHREIBER / ANDERSON ASSOCIATES, INC.



1435 E. MAIN STREET • MADISON, WI 53703
608.255.0800 • www.saa-madison.com

Helping to build communities with a comprehensive approach to planning, funding, design, and implementation

PLANNERS LANDSCAPE ARCHITECTS CIVIL ENGINEERS

R

RUDD & ASSOCIATES
Robert T. Rudd, A.I.C.P.

Planning and Zoning Services

W6355 Meadow Valley Road
New Glarus, Wisconsin 53574
PHONE 608-527-5828
FAX 608-527-5941
E-MAIL TwoSilos@aol.com

**We Listen,
We Innovate
and We Solve**



VIERBICHER
ASSOCIATES
Committed to Quality Service Since 1976

PLANNING • ARCHITECTURE • ENGINEERING
800-261-6468 • www.vierbicher.com

Planning ▼ Economic Development ▼ Redevelopment
Smart Growth ▼ Urban Design ▼ Historic Preservation

PDI

Planning and Design Institute, Inc.

241 N. Broadway • Suite 300 • Milwaukee, WI 53202
tel. 414.271.2545 • fax. 414.271.2542 • web. www.pdisite.com

comprehensive planning • smart growth • development • urban design • conservation

MAYO corporation

ENGINEERS • SURVEYORS • ARCHITECTS • PLANNERS

Phone (608) 833-0628
(800) 249-0708

FAX (608) 833-0746
mayoco@mayoengrs.com

600 Grand Canyon Drive • Madison, Wisconsin 53719-1044



Department of Urban Planning
PO Box 413
Milwaukee, WI 53201-0413
Attn: N. Frank

Nonprofit Organization
U.S. POSTAGE
PAID
MILWAUKEE, WI
Permit No. 864