

Three Most Common Land Use Tools



Comprehensive Plan

Wis. Stat. 66.1001

Long-range guide to the physical, social, and economic development of a community.

Includes a series of data, maps, goals, objectives, policies, programs, and specific actions to guide the community over a 20-year planning period.

Adopted and amended by the governing body following a public hearing and recommendation of the plan commission.



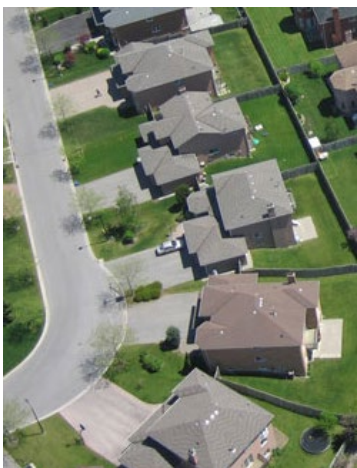
Zoning Ordinance

Wis. Stat. 59.69, 60.61, 60.62, 61.35, 62.23

Regulates the location, size and intensity of different types of development within a community.

Responsibility for making various zoning decisions falls to the zoning administrator, governing body, plan commission, and zoning board, as described in the local ordinance.

Ordinance is adopted and amended by the governing body following a public hearing and input from the plan commission. It must be consistent with the comprehensive plan.



Subdivision Ordinance

Wis. Stat. ch. 236

Legal process for dividing and recording land. Establishes standards for laying out and improving land for development.

The state provides minimum standards. Towns, cities, villages, and counties may adopt more restrictive standards. In the case of overlapping authority, the most restrictive provision applies.

Ordinance is adopted and amended by the governing body following a public hearing and input of the plan commission. The ordinance must be consistent with the comprehensive plan.

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The Comprehensive Plan

The comprehensive plan describes how a community will achieve its future vision using a series of goals, objectives, policies and maps. The plan is meant to guide the community over a 20-year planning period. It must be adopted by the governing body and updated once every 10 years. The plan commission plays a key role in developing the plan and involving the community.

The plan must address nine elements

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

Consistency with the comprehensive plan

New or amended zoning, land division, and official mapping ordinances must be “consistent” with an adopted comprehensive plan. Consistent means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.” This means that the plan and supporting ordinances should generally support each other.

The plan should provide guidance for zoning

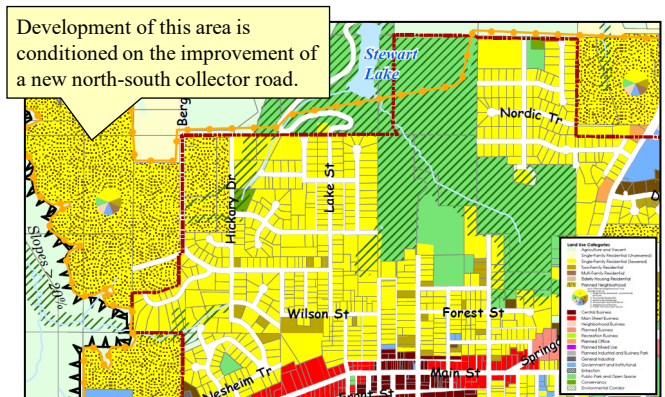
Differences between the future land use map and zoning map are possible, but that does not mean they are necessarily inconsistent. Planning maps document existing conditions and provide guidance for the future. In contrast, zoning maps establish zoning districts and regulate present use. The plan should address how to move from present to future conditions. Implementing ordinances generally contain more detailed land use and development regulations than the plan.

Updating the plan

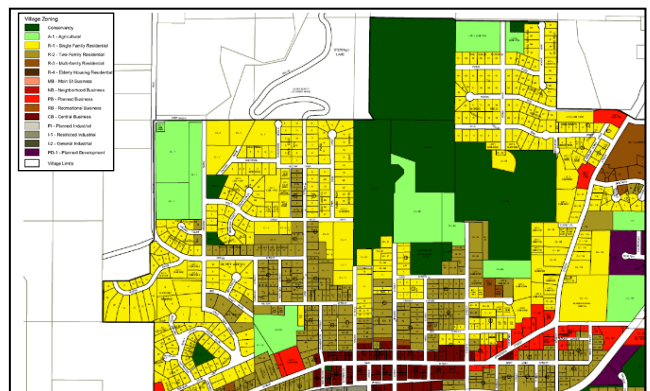
It is a good practice to periodically review and update the plan to make sure it meets the community’s needs. If a community finds that proposed development is beneficial to the community but is not consistent with the plan, the governing body has authority to amend the plan using procedures outlined in Wis. Stat. 66.1001.

Future Land Use Category	General Description	Typical Zoning Districts	Development Policies
Commercial	High-quality indoor retail, commercial service, office, health care, and institutional buildings on sites with generous landscaping and modest lighting and signage.	B-2 General Business (preferred) B-3 Highway Business PUD Planned Unit Development	Time rezoning to availability of public sewer and water service and specific development proposal. Require development to address traffic, environment and neighborhood impacts.

The comprehensive plan describes preferred land uses and may provide guidance to implement the plan by describing zoning districts or policies. (Ex. Village of DeForest)



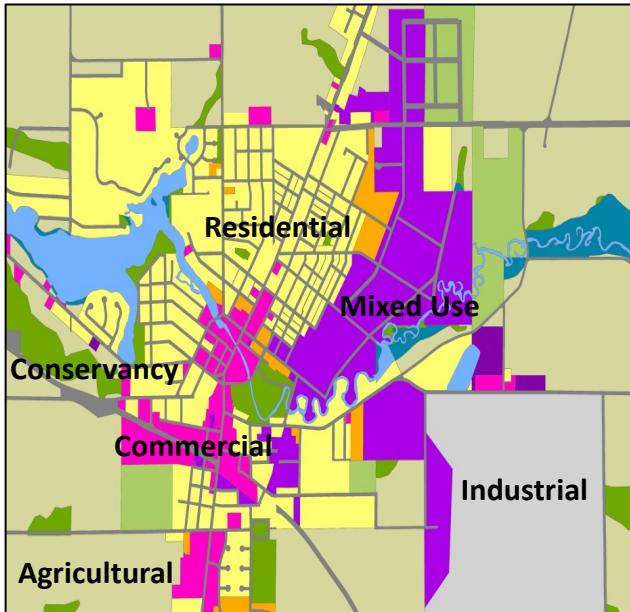
The future land use map found in the comprehensive plan shows broad land use categories and highlights opportunities for growth and change. Note how the map describes conditions that should be present before annexing, subdividing, or zoning land outside existing municipal boundaries. (Ex. Village of Mount Horeb)



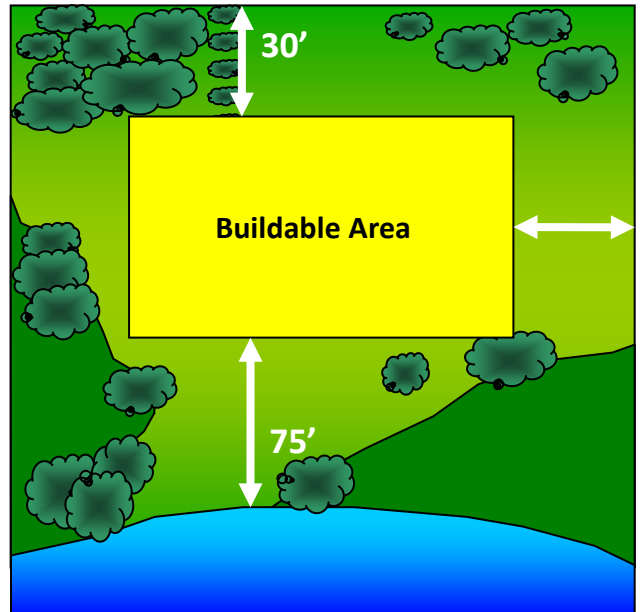
The zoning map divides the community into districts, while the text of the zoning ordinance regulates land use, density and dimensions of development currently allowed in each district. (Ex. Village of Mount Horeb)

The Zoning Ordinance

Zoning is a tool used by local government to regulate how land may be used and developed. The zoning ordinance contains two legally adopted components: the zoning map and text.



The zoning map divides the community into different zoning districts such as residential, commercial, and industrial. Districts are designed to separate incompatible uses and to promote a mix of compatible uses. Overlay districts may apply additional standards to specific areas. Examples include shoreland zones, wellhead protection zones, and airport overlay zones.



The text of the ordinance describes uses that are allowed in each district, dimensional standards such as lot size, setbacks, and building height, and other development standards like parking, signage, landscaping and stormwater management. Authority, process, and standards for granting zoning approvals are also described in the ordinance.

3 categories of uses are listed for each district:

Permitted uses are listed in the ordinance and allowed by right throughout the district provided they meet the standards of the ordinance. Permitted uses are reviewed by the zoning administrator.

Conditional uses are listed in the ordinance and allowed if they meet ordinance standards and conditions imposed following the public hearing. Decided by plan commission, governing body, or zoning board, as assigned by local ordinance.

Prohibited uses are not allowed within the listed district. Uses not described in the ordinance are generally prohibited unless the local government finds they are substantially similar to a listed use.

3 forms of relief from the zoning ordinance:

Rezone – the zoning map or text may be changed to accommodate development that is consistent with the comprehensive plan and desirable to the community. Requires a public hearing, recommendation of the plan commission, and adoption by governing body.

Variance – relief from a provision of the zoning ordinance may be granted for a specific parcel if state standards are met. Requires a public hearing and approval by the zoning board.

Appeal – decisions of the zoning administrator and plan commission may be appealed to the zoning board of adjustment or appeals. Decisions of governing body are appealed to circuit court.