



Catching Up With the Approval Process in Cities and Villages

Excerpted from: *Citizen's Guide to Land Use in Wisconsin* ~ by 1,000 Friends of Wisconsin. Download for free or order paper copies by visiting www.1kfriends.org.

Your Links to Municipal (City or Village) Government

The City Council or Village Board: This is the elected governing body for Wisconsin cities and villages. City council members (called "alderpersons"), and village board members (called "trustees"), are your representatives and have a great deal of decision making authority in land use issues. Elections are held in the spring.

The Planning (or Zoning) Commission (or Committee): This group is expressly concerned with land use issues that take place in their city or village. They function primarily in gathering information in order to make recommendations to those with decision making power.

The Board of Appeals: This decision making body has a great deal of authority on issues of interpretation. This board is involved in certain situations where there may be some flexibility in the specific application of a land use regulation or plan.

The Mayor or Village President: Cities and villages generally have an elected executive officer. This individual may sit as the chair of the planning commission and may have the ability to exercise veto power for certain land use decisions. Many smaller cities and villages also have an appointed city or village manager, who can be very influential.

A Typical Approval Process in Cities and Villages

A common land use situation in municipalities is the approval of development near the edge of its territory.

Step 1 A landowner decides he wants to develop his land, which is adjacent to, but not in a city. His land is in a town. Because his development will be large and relatively dense, he needs to have public water and sewer services brought in. He goes to the city and asks to have his land annexed (joined) to the city so that water, sewer and other public services such as police and fire protection can be offered to the development.

Step 2 The city decides whether to annex the land. This decision is between the city and the landowner. The town is not involved, except that towns sometimes challenge annexations in court.

Step 3 The next step is to ask the Department of Natural Resources to extend the "urban service area" to include this property. Urban service areas are places

where public sewer and water are provided. In some counties the regional planning commission advises the DNR on these decisions. After the RPC holds a public hearing, it votes on the extension request. It forwards its recommendation on to the Department of Natural Resources, which ultimately decides if the urban service area will be expanded. (NOTE: Not all areas of the state need RPC approval because there is no RPC or because the local RPC has chosen not to exercise its authority. These communities can go straight to the DNR.)

- Step 4** Next, the city needs to rezone the land from the zoning category that applied in the town to a new category from the city zoning ordinance. The zoning change is referred to relevant city committees where public hearings are held. Eventually, the ordinance is voted on by the full city council.
- Step 5** If the zoning is approved, the next step is to plat out the subdivision, decide where streets will go, if there will be sidewalks, how far the buildings must be set back from the street, etc.