

PLAN IMPLEMENTATION TOOLS

The summaries of planning statutes and codes contained below were taken from a report developed by the Wisconsin Department of Natural Resources Land Use Task Force which was prepared in 1995 to inventory all state statutes and administrative codes which may have an effect on land use.. This information is meant to be utilized as a quick reference for "planning tools" which may assist in implementing a comprehensive land use plan. Note that towns, villages, and cities may have different authorities for using such tools. For more detailed information, please refer to the latest version of the Wisconsin State Statutes or the appropriate Administrative Code.

Municipal boundaries

Municipal consolidation (s. 66.02, Wis. Stats.). Consolidations that involve an existing city or village and an entire town follow the same process and standards of municipal incorporation. Incorporated municipalities can consolidate after successful referendum in each community included in the consolidation. No state involvement is required.

Municipal annexation (ss. 66.021, 66.024, and 66.025, Wis. Stats.). Annexation is the process by which unincorporated territory becomes part of an existing incorporated municipality. Wisconsin statutes provide a mechanism by which land owners and electors may transfer their contiguous land parcels from unincorporated towns to cities and villages, and by which cities and villages can annex adjacent lands. The DOA provides technical assistance and reviews petitions for municipal annexation, providing advisory public interest opinions in counties with a population greater than 50,000. In 1993 and 1994, 846 annexation ordinances were filed by municipalities with the Secretary of State.

Cooperative boundary plans (s. 66.023, Wis. Stats.). Any combination of cities, villages, and towns may determine the boundary lines between themselves under a cooperative plan approved by the DOA. The parties can freeze boundaries, provide for phased boundary changes, or provide that boundary changes may occur if certain conditions are met. The cooperative plan must be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or general welfare, as well as efficiency and economy in the process of development. Cooperative boundary plans cover at least a 10-year period. The DOA provides technical assistance to communities preparing cooperative boundary plans, and reviews and approves plans.

This enabling statute was created in 1993. There are currently no approved cooperative boundary plans. However, two are nearing completion: one between the city of Stevens Point and the town of Plover, and one between the city of Janesville and the town of Rock. The city of Oconomowoc and the town of Oconomowoc are just beginning the process.

Cooperative boundary agreements (s. 66.027, Wis. Stats.). Two municipalities whose boundaries are immediately adjacent to each other at any point may set the boundary between them. The agreement must be approved by the governing bodies of both municipalities involved and may pass a public referendum in areas to be annexed or detached. This type of agreement can be used to settle boundary-related litigation between communities, or for service sharing agreements between local units of government.

Land acquisition

Leasing state agency facilities (s. 16.84(5), Wis. Stats.). the DOA, subject to approval by the Governor, leases property for use by state agencies, primarily for office space, but also for community based corrections and social service facilities, laboratories, clinics, and storage facilities.

State building program(s. 13.48(13), Wis. Stats.). State projects must comply with all applicable state laws, rules, codes, and regulations. However, construction of state facilities is not subject to local ordinances or regulations, except zoning. Commission policy is to give first consideration to central city locations. The state building program must "recognize the importance of historic buildings and include a program of preservation and restoration of those historic properties under the control of the state" (s.13.48 (1m), Wis. Stats.). Moreover, state agencies are required to consider using historic buildings rather than building or buying new buildings (s. 44.41 (2), Wis. Stats.).

DNR land acquisition and property master planning (ss. 23.09, 23.11, 23.28, 27.01, 28.04, and 227.11(2)(a), Wis. Stats.). The DNR owns and manages more than 1.2 million acres and has the authority to acquire lands by gift, devise, purchase, and condemnation for public purposes. When acquiring and before transferring any property containing historic or archeological properties, the DNR must work with the State Historical Society to ensure protection.

DOT property acquisition (ss. 32.185-32.23, 84.09(1), 85.04, and 85.09, Wis. Stats.). The DOT acquires land for highways and other transportation facilities by gift, devise, purchase, and condemnation. This includes lands for wetland and archeological site mitigation. The DOT also has first right to acquire abandoned railroad lands. When acquiring or transferring any property containing historic or archeological properties, the DOT must work with the State Historical Society to ensure that such properties are protected.

Planning enabling authority and platting functions

Historic and archeological sites. Planning carried out by state agencies or local governments with state or federal funding must incorporate identification and protection of historic and archeological properties. Cities and villages containing National Register and/or State Register properties must enact ordinances to regulate historic and archeological properties.

Official mapping (s. 62.23(6), Wis. Stats.). Cities and villages, and towns exercising village powers, may establish official maps which show streets, highways, historic districts, parks and parkways, playgrounds, railroad rights-of-way, walkways, and public transit facilities within and extending beyond their boundaries into their extraterritorial plan approval jurisdiction.

Subdivision/platting plans (s. 236.45 Wis. Stats.). This section is the enabling legislation that allows all local governments to have more restrictive subdivision ordinances.

Subdivision/platting plans (s. 236.46 Wis. Stats.). County planning agencies are authorized to prepare plans in the form of ordinances for the future platting of lands outside of incorporated areas, or for the future location, of streets or highways or parkways, and the extension or widening of existing streets or highways. A county may adopt these plans without the approval of affected towns.

Creating more than four parcels of land of one and a half acres or less within five years requires a subdivision plat. DATCP is the state's lead agency for review and certification of subdivision and

assessor's plats, certifying that plats comply with state standards and performing a clearinghouse role for other state agencies and county planning agencies. Dot reviews subdivision plats abutting an existing or proposed state or interstate highway, and DWD reviews subdivision plats that are not served with public sewer. Subdivisions within municipalities are reviewed by the town, county, and any municipality with extraterritorial plat jurisdiction in the area. Platting levels fluctuate considerably over time with housing demand and interest rates. Platting activity has increased from 573 plat reviews and 8,316 certified lots in 1989 to 917 plat reviews and 15,637 certified lots in 1994.

Extraterritorial plat review (s. 236.02(5), Wis. Stats.). Cities and villages that have adopted a subdivision ordinance or official map can exercise extraterritorial plat approval jurisdiction for three miles beyond the corporate limits of a first, second, or third class city and one and a half miles beyond the limits of a fourth class city or village.

City and village master plans (ss. 62.23 and 61.35, Wis. Stats.). Cities and villages are authorized to prepare and adopt master plans for their physical development, including any areas outside their boundaries which, in the commission's judgment, relate to their development. However, that in a county with a regional planning department, areas outside the city boundaries may not be included in the master plan without the county board's consent. Statute also authorized cities and villages to establish official maps. While this statute authorized the development of a master plan, no definition of what constitutes a plan is provided. (See also "City and village zoning ordinances" below.)

Transportation planning (s. 85.02, Wis. Stats., and ISTEA requirements). DOT is involved in a variety of systems and facilities planning processes including work with metropolitan planning organizations. In November 1994, DOT adopted *Translinks 21*, a plan for transportation through 2020. Under *Translinks 21*, DOT will pursue completion of the multi-lane *Corridors 2020* backbone network including highways 10, 29, 41, 51, 53, and 152. The plan calls for additional investments to rehabilitate and modernize existing state and interstate highways, and addresses land use and highway demand management. DOT also has approval authority for the location of airports. Figure 9 in Volume 2 shows the "backbone" and "connector" highways as planned in *Corridors*. Other significant programs identified in *Translinks 21* include developing congestion management systems in urban areas and completing multi-modal transportation systems to connect buses, rail systems, and airports.

Transportation facility location (ss. 84.12, 84.295, 114.01, 114.134(3), Wis. Stats.). The DOT has authority to designate and construct freeways and expressways, and has authority related to bridges that cross state boundary waters. This includes the authority to officially map for future freeways and expressways. The DOT also has approval authority for the location of airports.

Sewer service plans (ss. 66.24(1)(b) and 66.89(1), and 144.025, Wis. Stats. and NR 121, Wis. Adm. Code). the DNR is responsible for conducting a continuing planning process to control water pollution, integrating technical measures for pollution abatement and management arrangements necessary to implement those measures. An important element of this process is sewer service area planning. Figure 11 in Volume 2 depicts those communities and areas for which sewer service area plans have been prepared. (See "Metropolitan sewage districts" below.)

Sewer service area plans, developed locally, are used to determine where a community's sewer development will occur. In areas of the state designated by the governor, designated area-wide

water quality planning agencies (generally regional planning commissions) are responsible for preparing the plan. In other areas it is DNR's responsibility to work with local governments.

Sewer service area planning has generally been limited to areas with a population of 10,000 or greater. There are 153 sewer service areas in Wisconsin, covering 258 cities, villages, and towns. Some cities have more than one sewer service area, and some sewer service areas cover more than one jurisdiction. There are 130 sewer service areas, including 208 jurisdictions, in areas designated by the Governor.

Sewer and Water approvals (chs. 144, 145, 147, and 162, Wis. Stats.). DNR has approval authority for municipal wastewater collection and treatment systems, water mains, water well construction and pump installation, and servicing septic and holding tanks. Approvals are based on engineering criteria and least-cost alternatives for protecting water quality.

Local planning by regional planning commissions(s. 66.945(12)(b), Wis. Stats.). Local units of government are authorized to enter into contracts with a regional planning commission to study and advise on land use, thoroughfares, community facilities, public improvement, and encouragement of economic and other developments.

Solid waste planning (subch. IV, ch. 144, Wis. Stats.). The DNR has approval authority for design and location of landfills and other solid and hazardous waste facilities.

Zoning enabling authority

County zoning ordinances (s. 59.97(4), Wis. Stats.). Any county board may, by ordinance, establish and regulate districts within the county, but outside of incorporated villages and cities, to promote public health, safety, and general welfare.

Three counties - Juneau, Vernon, and Washington - repealed their county general zoning ordinances between 1983 and 1991 (Wisconsin Taxpayers Alliance 1991). fifteen counties do not have a general zoning ordinance (Last 1991). Figure 12 in Volume 2 shows the status of county and town zoning in the state.

County shoreland (wetland) management zoning ordinances (ss. 59.971 and 144.26, Wis. Stats.). Each county is required to zone by ordinance all shorelands in its unincorporated areas. Ordinances enacted under the enabling statute supersede all provisions of ordinances enacted under s 59.97, Wis. Stats. Town approval is not required. Shorelands include areas within 1,000 feet of a lake or 300 feet of a navigable stream. Shoreland zoning ordinances may be more restrictive than minimum state standards, but not less. Counties may permit only certain uses in wetlands of five acres or more within the shoreland zone. Seventy of Wisconsin's 72 counties have adopted shoreland zoning ordinances. Milwaukee County, which is entirely incorporated, and Menominee County, which comprises the Menominee Indian Reservation, are not required to adopt shoreland zoning.

Agricultural shoreland management ordinances (s. 92.17, Wis. Stats.). DATCP may provide cost-share grants to offset county and landowner costs of installing shoreland protection practices where counties, cities, villages, or towns have adopted agricultural shoreland management ordinances. This authority was enacted into law in 1992.

County controlled-access highways (s. 83.027, Wis. Stats.). A county board may designate a portion of the county trunk highway system as controlled-access highways, with the consent of the town, village, or city governing body in which the portion lies. On controlled-access highways, no street, highway, or private entrance may be connected without the previous consent of the county board. Abutting landowners have no right or easement of access.

City and village zoning ordinances (ss. 62.23 and 61.35, Wis. Stats.). A city council may regulate and restrict by ordinance the size of buildings and other structures; the percentage of a lot that may be occupied; the size of yards, courts and other open spaces; the density of population; and the location and use of buildings, structures, and land. Of Wisconsin's 394 villages, 300 have enacted zoning ordinances. All but three of Wisconsin's 188 cities have zoning ordinances.

Extraterritorial zoning (s. 62.23, 62.23(7a) Wis. Stats.). A city or village with a plan commission and a zoning ordinance may exercise extraterritorial zoning jurisdiction. The jurisdiction of a first, second, or third class city extends one and a half miles beyond the limit. Extraterritorial zoning requires the formation of a joint extraterritorial committee evenly comprised of member of the municipality and the town(s) involved. Due to the joint committee requirement and makeup, extraterritorial zoning is not used extensively.

Water management regulation (chs. 30 and 31, Wis. Stats.). DNR has authority to issue permits affecting navigable waters of the state. DNR received more than 1,480 and 1,605 permit applications in 1993 and 1994, respectively, for waterway projects which potentially affect adjacent land uses. These include bulkhead line ordinance establishment, bridge or culvert placement, dam construction, stream realignment, retaining wall construction, water diversion, and pond construction.

County, city, and village floodplain ordinances (s. 87.30, Wis. Stats., and NR 116, Wis. Adm. Code). Counties, cities, and villages are required to adopt reasonable and effective floodplain zoning ordinances within one year after hydraulic and engineering data adequate to formulate the ordinance becomes available. Sixty-eight Wisconsin counties have adopted floodplain zoning ordinances. Only Forest, Menominee, Milwaukee, and Vilas counties have not adopted floodplain ordinances. In order to participate in the Federal Emergency Management Agency's National Flood Insurance Program, 485 cities and villages have enacted floodplain zoning ordinances. A few others have adopted ordinances, but do not participate in the national insurance program.

County, city, and village erosion control and storm water management ordinances (ss. 59.974, 61.354, 62.234, and 144.266, Wis. Stats.). Counties are authorized to enact ordinances to control construction site erosion control at sites in unincorporated areas, if the sites are not for building construction or storm water management. Cities and villages are authorized to enact similar ordinances affecting their incorporated areas.

City and village wetland protection ordinances (ss. 61.351, 62.231 and 144.26, Wis. Stats.). Cities and villages are required to zone by ordinance all unfilled wetlands of five acres or more which are shown on DNR's final wetland inventory maps located within shorelands and within the incorporated area. Ordinances adopted under s. 62.23 or S. 61.35, Wis. Stats., may be more restrictive than wetland protection ordinances, but not less restrictive. Shoreland-wetland zoning ordinances have been adopted in 422 Wisconsin towns and cities.

Historic preservation ordinances (s. 59.97(4m), 60.64, 62.23(7)(em), Wis. Stats.). All cities and villages with properties listed in the State Register of Historic Places or National Register of Historic

Places must enact historic preservation ordinances. Counties and towns are also authorized to enact ordinances to regulate places, structures, objects, and districts with special character, historic interest, aesthetic interest, or other significant value to preserve them. Approximately 220 cities and villages have registered historic places within their corporate limits. All of these communities must enact historic preservation ordinances by the end of 1995. Fifty cities and villages have already done this.

Burial sites preservation law (ch. 157, Wis. Stats.). SHS must assure that all burial sites containing human remains are protected under state law, unless they are interest to law enforcement authorities.

Historic building code (s. 101.121, Wis. Stats.). Administered jointly by DWD and SHS, this code provides the flexibility to rehabilitate existing historic buildings without damaging their historic fabric so that the buildings remain economically viable.

Exemptions from local zoning (ss. 301.13 and 301.16(3), Wis. Stats.). Some activities, structures, and uses are exempted by statute from local zoning regulations. These include repair or expansion of migrant labor camps required by application of DWD rules (s. 60.61(3m), Wis. Stats.); construction or establishment of community residential confinement facilities (s. 301.046(1), Wis. Stats.); intensive sanctions facilities (s. 301.048(4)(b), Wis. Stats.); electrical generating facilities and high voltage electric transmission lines (s.196.491 (3) (1) Wis. Stats.); and minimum, medium, and maximum security correctional institutions.

Limitations to local zoning (ss. 703.27 and 707.10, Wis. Stats.). Local zoning cannot regulate some activities, structures, and uses. For example, local regulations must treat condominiums or time-share properties the same as identical developments under a different type of ownership.

Tax and fiscal policy

Tax incremental finance district program(s. 66.46, Wis. Stats.). Tax incremental financing allows a city or village through its own initiative to finance projects resulting in tax base expansion, often targeting blighted areas for redevelopment or land suitable for industrial sites. DOR must certify the required project plans of all districts and establish base values. Table 21 in Volume 2 lists the number of TIF districts created each year since the program began in 1976.

Transportation facilities economic assistance and development program (s.84.185, Wis. Stats.). Under this program, DOT provides funding to public or private entities that need transportation facility improvements to help retain or create jobs in the state.

Use-value assessment (ss. 70.32(2r), and 73.03(49), Wis. Stats.). DOR annually prescribes the assessed values for farmland in the Wisconsin Property Assessment Manual. Under legislation signed into law in 1995, these values will be phased in by municipal assessors over ten years beginning in 1998. The process will be defined in Wisconsin Administrative Code including the definition of agricultural land, the method of collecting rents, and the mechanics of the capitalization process. The law includes a rollback penalty of 5 percent of the difference between "use value" and "market value" if the holding period is less than five years.

Note: Use-value assessment is a method of assessing property recognizing its value for a particular use rather than its highest and best" use. Highest and best use is the underlying principle in estimating market values by cost, sales comparison, and income approaches to assessment.

Farmland preservation program (ch. 91, Wis. Stats.). the farmland preservation program, administered by DATCP, provides property tax relief to farmland owners and encourages local governments to develop farmland preservation policies. Property tax relief is based on income, amount of property tax, and type of land use controls protecting the farmland. Farmland protection could consist of either a preservation agreement or exclusive agricultural zoning. About 23,500 Wisconsin farmers claimed farmland preservation credits totaling \$29.9 million in 1994.

Forest land tax programs (ch. 70 and 77, Wis. Stats.). DNR manages three forestry tax laws which provide tax incentives to encourage managing private forest lands for forest crop production while recognizing a variety of other objectives.

Approximately 2.48 million acres of forests held by about 25,000 land owners are enrolled in the three Wisconsin forest tax programs: about 343,000 under the Woodland Tax Law; about 719,000 under the Managed Forest Law; and about 1.4 million under the Forest Crop Law. Table 26 in Volume 2 lists acreage totals for all three programs over the past ten years.

Development impact fees (s.66.55, Wis. Stats.). Counties, cities, villages, and towns can impose development impact fees. To collect such fees, a community must adopt an ordinance and prepare a public facilities assessment report detailing the costs of services to be offset by fees. Local governments must show a direct correlation between the development and the increased costs or services, infrastructure development, and maintenance it requires.

Wisconsin Development Fund (s. 560.60, Wis. Stats.). This program provides financial assistance to Wisconsin businesses to support economic development projects that will create or retain jobs in the state. The program is targeted to specific funding needs, such as labor training, research into new products or processes, facilities, or the feasibility of employees owning a business. DOC works very closely with local communities on business location, expansion, and retention projects.

Development zone program (s. 560.71, Wis. Stats.). This program promotes economic opportunities in twelve of the state's most severely distressed areas. There is a statewide limit of fourteen zones. Each area has suffered from high unemployment, low incomes, or decreasing property values. A community may apply to have an area within its jurisdiction designated a development zone. To qualify, a community must demonstrate to the DOC a series of community support initiatives, analyze economic and social impact, delineate and justify land to be in the zone, and identify the types of businesses to be recruited. A business that locates in the zone may receive tax credits that relate to job creation and investment. In order to participate, a business must develop a plan for creating economic activity and receive both local and state approval. A firm must create jobs and invest before it can claim any tax credits. Eight development zones were created in 1989, and four more in 1991. Two additional zones were approved in the 1993-1995 state budget. In 1994, DOD certified a total of 157 businesses located in the 12 zones under this program. This represented a private investment of more than \$61.6 million and the creation of 3,102 jobs (DOC 1994a).

Enterprise development zone program (s. 560.797, Wis. Stats.). This program is similar to the development zone program in terms of distress criteria, state designation of the zone, business plan requirements, and tax credits. However, the zones will be site-specific, designed to encourage projects in areas of high distress. In addition, there are two additional credits: a child care credit for firms that provide child care to children of target group members, such as former recipients of Aid to Families with Dependent Children, and an environmental remediation credit for firms that clean up contaminated land and reuse vacant or abandoned sites. There is a statewide limit of fifty zones.

Community development block grants (PL 42-USC-5301, 5320; s. 560.04 and 16.358, Wis. Stats.).

This program offers grants administered both by DOA and DOC. The DOA program provides grants to general purpose units of government on the basis of need and competition. These grants are for housing programs, primarily for low-and moderate-income households and primarily for projects that rehabilitate, demolish, or remove buildings. There are two types of community development block grants: federally administered entitlement grants to large cities, and state administered application-based grants to small communities. The DOC-administered community development block grants go to local governments, with populations less than 50,000 to help businesses create or retain jobs emphasizing employment for low-and moderate-income individuals. The grants can also be used to help communities provide the infrastructure for a particular economic development project, as well as to help communities upgrade infrastructure and utilities in low-and moderate-income neighborhoods.

In 1993-1995, DOC awarded 130 community development block grants totaling more than \$50.8 million to cities, villages, and counties. Thirty-four grants were for economic development projects, 74 were for developing or upgrading infrastructure, and 22 were for infrastructure improvements for specific economic development projects (DOC 1994b).

Clean Water Fund (ss. 144.21, 144.241, and 144.2415, Wis. Stats.). Through this program, DNR administers grants and loans to municipalities and school districts to design and construct facilities to prevent and abate water pollution.

Stewardship programs (ss. 20.866, 23.0195, 23.092, 23.094, 23.096, 23.175, 23.27, 23.29, 23.293, 23.294, and 30.277, Wis. Stats.). Through the stewardship program, DNR administers grants to local governments and non-profit conservation organizations to acquire conservation and recreation lands. The DNR also acquires lands and easements through this program. Each year the stewardship program distributes nearly \$23.1 million for land acquisition and management projects across the state. (See Table 27 in Volume 2.)

Contaminated lands remediation. The Lands Recycling Law of 1994 encourages redeveloping "brownfields" by limiting liability of purchasers, municipalities, lenders, trustees, and administrators of probate estates from certain parts of the Hazardous Substance Discharge Law (spills law). DNR is exploring various funding options to help implement this law. There is no concurrent federal limit on liability.

Tax credits for historic and archeological places (ss. 71.07 (9m) and (9r), and 70.11, Wis. Stats.). SHS administers state and federal tax credits for rehabilitating historic buildings. Property tax exemptions for archeological properties listed in the State Register and for certain historic buildings provide incentives for preservation and protection.

Petroleum Environmental Cleanup Fund Award (PECFA) program. (s.101.43, Wis. Stats., and ILHR 47, Wis. Adm. Code). DWD administers this program, which provides partial funding to remediate environmental contamination from petroleum product storage. Included in the coverage are storage tank systems containing gasoline, gasoline-alcohol fuel blends, kerosene, fuel oil, burner oil, diesel fuel, and used motor oil. Many underground and above-ground storage systems are covered, along with their on-site integral piping and dispensing components. Some of the costs covered include investigating contamination sources, preparing remediation alternatives, removing contaminated soils, removing contaminants from surface and groundwater, contractor and subcontractor costs for remedial action, and compensating third parties for bodily injury and property damage. DWD

coordinates this program with DNR, which has responsibilities related to remediating contaminated sites.

Special purpose units of government

School districts (s. 115.01, Wis. Stats.). All territory in Wisconsin must be included in a school district operating elementary school grades, high school grades, or both. Districts can affect local land use decisions through location of school facilities, which are often part of a physical development plan. However, school districts are separate, autonomous districts with their own elected boards and taxing authority. District boundaries may not have the same boundaries as area municipalities. Processes exist for districts to exchange territory (s. 20.255, Wis. Stats.) and for reorganizing and entire district (ch. 117, Wis. Stats.) do exist, but are not used regularly.

Metropolitan sewerage districts (ss. 66.20 to 66.26, and 66.88 to 66.918, Wis. Stats.). Metropolitan sewerage districts (MSDs) are created by an order from DNR as a result of a county, city, village, or town resolution (s. 66.20 to 66.26, Wis. Stats.), or by resolution of the common council of a first class city. MSDs are special purpose units of government which plan, build, and operate systems to collect, carry, and dispose of all sewage and drainage of the sewerage service area, including storm water and groundwater. MSDs established by DNR include at least one entire municipality and all or part of other municipalities necessary for physical and fiscal management. The initial boundary of MSHs established by first class cities is the same as the county boundary of the county where the first class city is located. There are seven MSDs in Wisconsin, covering 19 cities and 28 villages (Wisconsin Taxpayers Alliance 1993).

Drainage districts (Ch. 88, Wis. Stats.). Drainage districts are organized under state law to promote and maintain drainage of agricultural lands. County drainage boards and local circuit courts handle the business of drainage districts. Drainage boards must submit a report to the circuit court which establishes drainage benefits. These benefits are then used to assess district costs against property in the district. DATCP regulates agricultural drainage districts through administrative rules that establish performance standards and procedures to assess benefits and investigate district compliance. There are about 180 drainage districts in Wisconsin. However, there is no consolidated data base for drainage districts and it is likely that additional districts will be identified in the future.

Inland lake protection and rehabilitation (management) districts (ss. 33.21 to 33.37, Wis. Stats.). Lake management districts are special purpose units of government administered by a board of commissioners. district voting members make major policy decisions at annual meetings. Districts have the authority to levy taxes. make special assessments, or charge user fees to finance lake management activities. A lake management district may exercise the same powers as a sanitary district if authorized by the unit of government which created the district. There are approximately 80 inland lake protection and rehabilitation districts throughout Wisconsin.

Special districts within municipalities

Local development (urban redevelopment) areas (ss. 66.405 and 66.406, Wis. Stats.). Cities are authorized to prepare redevelopment plans for areas that are substandard or unsanitary as a result of inadequate planning; excessive land coverage; lack of proper light, air, or open space, defective design and arrangement of buildings; lack of proper sanitary facilities; and the existence of buildings which have become economic or social liabilities.

Tax incremental financing districts (ss. 66.436 and 66.46, Wis. Stats.). Cities and villages are authorized to create tax incremental financing districts and prepare development or redevelopment plans for them. regional planning commissions or private consultants often assist cities and villages. Tax incremental financing districts are typically used to finance infrastructure costs of commercial and industrial park development. A total of 762 TIF districts have been created in Wisconsin since the program began in 1976. There are 533 active TIF districts in 258 cities and villages in Wisconsin. Table 21 in Volume 2 provides a year-by-year breakdown of districts created.

Reinvestment neighborhoods (s. 66.465, Wis. Stats.). Cities, villages, and towns are authorized to delineate reinvestment neighborhoods or areas.

Business improvement districts (s. 66.6.8, Wis. Stats.). Cities, villages, and towns may create business improvement districts within their boundaries and adopt operating plans for the development, redevelopment, maintenance, operation, and promotion of the districts.

Architectural conservancy districts (s. 66.609, Wis. Stats.). cities, villages, and towns may create architectural conservancy districts within their boundaries and adopt operating plans for the development, maintenance, operation and promotion of the districts. Architectural conservancy districts are operated under the direction of a district board.

Other activities

Official population estimates and projections (s. 16.96, Wis. Stats.). DOA is required to prepare official annual population estimates and periodic long-range population projections. Estimates and projections affect distribution of state shared revenues and infrastructure payments, and other planning processes.

State policy and budget analysis approval (ss. 13.10, 16.42, 16.43, 16.46, 16.47, 16.51, 16.505, and 16.515, Wis. Stats.). DOA has responsibilities for policy and budget analysis and approval that affect land use where state-administered funds are spent on federal, state, or local programs.

Private septic system program (ss. 145.20 and 145.13, Wis. Stats.). DWD and counties administer codes regulating the design, installation, and operation of private sewage (septic) systems. Counties are authorized to designate areas where holding tanks are prohibited.

Agricultural impact statements (s. 32.05, Wis. Stats.). This program requires agricultural impacts statements when a state agency or public entity proposes to acquire an interest in over five acres of farmland through eminent domain. Since 1990, DATCP has prepared over 180 agricultural impact statements covering over 16,000 acres of farmland. DATCP works closely with DOT to minimize the impacts of highway projects on farmland.

DOC technical assistance (ss. 560.03 and 560.41, Wis. Stats.). DOC administers a variety of technical assistance programs that help communities and businesses locate suitable buildings or sites, secure financing, and identify regulatory and permit issues to ensure compliance with all local and state regulations. The DOC works very closely with local communities and local development organizations on economic development sitting projects.

Wetland water quality standards (ss. 23.32 and 144.025, Wis. Stats.). DNR applies narrative (rather than numerical) water quality standards for wetlands to all its actions potentially affecting wetlands.

This may include planning, financial assistance, and regulations. Associated with this program is the Wisconsin wetland inventory program, under which the DNR is responsible for mapping wetlands.

Nonpoint source water pollution abatement (s. 147.015, Wis. Stats.). DNR, in cooperation with DATCP, administers the nonpoint source water pollution abatement program. This program includes a planning phase which examines land uses, and provides cost-share money to landowners and local governments to help them implement best management practices to prevent nonpoint source pollution. Of the 67 priority watershed projects initiated under the program, 14 are completed, 36 are in the implementation phase, and 17 are in the planning stage. In 1992 and 1993, 665 cost-share agreements were signed with individual landowners and municipalities, representing 18 percent of the nearly 3,700 agreements since the first grants were awarded. Figure 15 in Volume 2 shows the priority watershed projects throughout the state.

State and national registers of historic places (Ch. 44 and ss. 13.48, 66.037, and 120.12, Wis. Stats.). SHS lists properties in the State Register, nominates properties to the National Register, and maintains a statewide inventory of about 200,000 historic and archeological sites and districts. Placement on the registers triggers protections and incentives that further the preservation and continued use of properties, neighborhoods, rural landscapes, and communities.