

**Kenosha County**  
**Multi-Jurisdictional Comprehensive Plan Advisory Committee (MJAC)**  
**("Smart Growth")**

**MEETING MINUTES**

May 25, 2010

**Present:** See Attached Sign-In Sheet

Fred Ekornaas, Chairman, called the meeting to order at 1:09 p.m.

**Approval of Minutes:** Motion was made by Dennis Faber to approve the December 22, 2009 MJAC meeting minutes. The motion was seconded by Bill Morris and passed unanimously by a voice vote of the MJAC representatives.

**Adoption of Local and County Comprehensive Plans:** Nancy Anderson reported that all local communities and the County have adopted comprehensive plans, with six municipalities making changes to their land use plan maps at the time of adoption. She also stated that changes had been made to the Fire and Emergency Medical Services maps and text. Changes to the implementation element had been proposed, but since these changes were suggested after some local communities had already adopted the multi-jurisdictional comprehensive plan, they were not made and have not been approved by the County Board. These changes may be considered at the annual review of the text of the comprehensive plan.

**Printing and Distribution of Comprehensive Plans:** Nancy Anderson stated that the four communities had adopted separate comprehensive plans – the Village of Pleasant Prairie has printed their plan; the City of Kenosha is finalizing their plan for printing; the Town of Wheatland's plan has been printed; and the Town of Salem's plan will be printed by the end of May. She noted that due to a variety of projects, SEWRPC is not likely to print the final, formal version of the County's multi-jurisdictional plan until the fall. However, a pre-publication plan document will be printed in time for the County's Department of Administration grant extension deadline of June 9, 2010. This version of the plan will include all the revisions to the text and land use plan maps that were made during the review and approval process; the only difference is the maps and tables will not be integrated with the text, as is typically done in SEWRPC publications. One copy of the pre-publication document will be distributed to each community and community libraries.

John Holloway asked if the plan would be available in a form that would allow for pages to be easily replaced when amendments were made, or if amendments would require the whole plan document to be reprinted. Nancy Anderson stated that the Village of Pleasant Prairie's plan included an appendix to contain all plan amendments and the most recent land use plan map, which seemed to be a good system since all changes will be tracked in one place.

**Changes to Comprehensive Planning Law:** Nancy Anderson distributed copies of Senate Bill 601, which Governor Doyle signed into law on May 18, 2010, and which changes the comprehensive planning law in the following ways: provides a definition of "consistency"; changes the consistency section to apply to ordinances, rather than actions; extends the consistency deadline to 2012 for government units if they are working on a plan, or to the grant extension deadline date for those governments which received extensions; and eliminates the requirement to distribute the plan adoption ordinance to all adjacent government units. Brian Ohm, UW-Extension State Specialist in land use law, environmental regulation, and growth management, is now developing a document regarding the legislative intent of the changes. This document will be provided to the MJAC upon completion.

**Plan Amendments:** Nancy Anderson stated that plan amendments require the same review process as the plan adoption, including: public participation plan, 30-day public notice, public hearing, recommendation by plan commission, and approval by town board and county board, or village board/common council. SEWRPC provided

sample documents for comprehensive plan amendments for towns in Kenosha County, including: notice of public hearing, plan commission resolution; and public participation plan.

Todd Roehl reviewed the proposed amendment procedures and application form for land use plan amendments, noting that the procedures are based on the flowchart as shown in Figure XI-1 of the multi-jurisdictional comprehensive plan. Steps for the applicant include: contact Planning & Development to determine if a land use plan map amendment is needed; schedule a joint pre-conference meeting with the applicant's town and Planning & Development; complete the amendment application form; submit application form to Planning & Development; submit one copy of completed application to the town clerk for notice of public hearing and placement on planning commission and town board meeting agendas; attend the plan commission/public hearing and town board meeting; submit copy of notice of public hearing to Planning & Development; submit to Planning & Development a copy of the enacted town resolution and ordinance adopting the amendment to the Kenosha County comprehensive plan map; and attend the Kenosha County Land Use Committee (LUC) meeting/public hearing. The LUC will recommend either approval or denial to the County Board, which will, in turn, either approve or deny the amendment.

Nancy Washburn clarified that if a proposed development project matches the land use plan map, there is no need to amend the comprehensive plan, and then asked at what point in the development process do developers need to submit the application for a plan amendment. She noted some of the questions on the proposed application form seem to require engineering, which developers may not want to invest in without knowing whether the land use map amendment has been approved. Todd Roehl and Nancy Anderson stated that rezoning a parcel cannot be done before the land use plan amendment has been approved; however, the two processes can happen concurrently. John Roth added that the amendment process is still being developed, but it is expected that it will be tied to the rezoning process. Sheila Siegler asked whether the two processes could be conducted in the same meeting as a two-step process. Nancy Anderson stated that the process would depend on the applicant; the County would be willing to run the processes concurrently, but the applicant may not want to pay the fees for both the amendment and the rezoning since it is possible that the amendment would not be approved. John Roth commented that many issues would be resolved in the first step of the amendment process, when the applicant meets with county and town staff to discuss the proposal.

Bill Morris asked whether there could be a time limit set on land use plan map amendments, in case a developer chooses not to move forward on a proposal after the amendment has already been approved. He noted that if there were no such limit, communities would have to go through the amendment process to revert to the original planned land use. Nancy Anderson and John Roth concurred that this issue should be further examined, and Mr. Roth reiterated that the amendment process is still being developed with input from SEWRPC, Planning & Development staff, and local communities.

**Future Role of MJAC:** John Roth stated that the plan calls for the multi-jurisdictional comprehensive plan advisory committee to meet on an annual basis in order to review and act on proposed amendments to the text of the plan. He added that staff were considering scheduling this meeting to take place in early fall in order to facilitate the development/construction process.

Peggy Herrick asked whether amendments to village and city plans would also be considered on an annual basis, noting that the Village of Pleasant Prairie planned to provide their amendments to the County on an ongoing basis.

Nancy Anderson stated that city and village amendments do not required approval from the County Board, and the County is still considering how frequently to amend the countywide land use plan map, but it will be amended at least once a year, if needed.

**Any Other Business Allowed by Law:** None.

**Adjournment:** On a motion made by Dennis Faber and seconded by Bill Morris, the meeting adjourned at 1:50 p.m.

A handwritten signature in cursive script that reads "Kristen Lie".

Kristen Lie, Community Planning Educator  
Kenosha County Department of Planning and Development

Approved: June 28, 2011