

Kenosha County
Multi-Jurisdictional Comprehensive Plan Advisory Committee (MJAC)
(“Smart Growth”)

MEETING MINUTES

March 31, 2009

Present: See Attached Sign-In Sheet

Fred Ekornaas, Chairman, called the meeting to order at 2:00 p.m.

Approval of Minutes: Motion was made by Dennis Faber to approve the January 27, 2009 MJAC meeting minutes. The motion was seconded by Bill Morris and passed unanimously by a voice vote of the MJAC representatives.

Status Reports:

- **Local Land Use Plan Maps and Chapter IX, “Land Use Element Chapter,” of the Multi-Jurisdictional Comprehensive Plan for Kenosha County:** Nancy Anderson of the Southeastern Wisconsin Regional Planning Commission (SEWRPC) stated that all local land use plan maps have been digitized, though SEWRPC is still waiting for information from some local communities.
- **Intergovernmental Cooperation Element Chapter:** Nancy Anderson stated that the intergovernmental cooperation element had been distributed to committee members and local governments earlier in the month and will be reviewed at the next MJAC meeting. She reported that SEWRPC has received comments from Pat Meehan, representing the Towns of Wheatland, Salem and Bristol. These comments were distributed to committee members for review, and Ms. Anderson stated that any additional comments received by SEWRPC will also be distributed for discussion prior to the next meeting.
- **Revised Report Chapters:** Nancy Anderson stated that the element and inventory chapters completed to date were undergoing revisions based on comments from local governments. Revised drafts of Chapters IV, “Inventory of Existing Land Uses and Transportation Services and Facilities” and VI, “Existing Plans and Ordinances,” and XIII, “Economic Development Element” will be distributed for review prior to the next MJAC meeting. Ms. Anderson also reported that the latest issue of the Kenosha County Comprehensive Plan Newsletter had been completed and would be distributed to MJAC members following the meeting.

Review and Possible Action on the Revised Chapter XII, “Utilities and Community Facilities Element,” of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: Nancy Anderson stated that the utilities and community facilities element had originally been reviewed by the committee at the November 2008 MJAC meeting. A revised draft had been reviewed at the January 2009 meeting, but approval was deferred until local communities had the opportunity to fully review the element and provide comments to SEWRPC. These comments were incorporated into the latest draft, dated 3/10/09. Ms. Anderson briefly reviewed the most recent changes, which included:

- Page XII-9: Pat Meehan requested that local park and open space plans be recognized as an element of the multi-jurisdictional comprehensive plan and of each respective local government comprehensive plan. Nancy Anderson noted that, as a consequence of this revision, amendments or updates to County or local park and open space plans may also require an amendment to the County or local comprehensive plan.
- Page XII-26: Two policies—one regarding shared services and equipment between the County Sheriff’s Department and local police, fire, and rescue departments, and the other regarding police protection services between the County Sheriff’s Department and local communities—were revised to indicate that coordination of these services should be initiated by interested local communities.
- Page XII-27: A program recommending the development of methods to study cost savings and service

efficiencies of shared police and fire and rescue services among municipalities was removed. Ms. Anderson noted that the more general policy of encouraging shared services where appropriate remained.

Dennis Faber made a motion to accept the utilities and community facilities element as amended. Bill Morris seconded the motion. Upon a voice vote, the motion carried unanimously.

Discussion Regarding Plan Adoption Process: Nancy Anderson reviewed the procedures for local communities and the County to adopt the comprehensive plan, following the steps outlined in Section 66.1001(4) of the Wisconsin Statutes. These steps include:

- Adoption of a public participation plan (PPP): Nancy Anderson noted that Kenosha County and participating local governments have already adopted a PPP. She further noted that the PPP requires each participating local community to host an open house prior to adoption of the comprehensive plan.
- Plan Commission recommendation to local governing body to adopt comprehensive plan: Ms. Anderson noted that the recommendation must be adopted by a majority vote of the full commission. She also stated that a copy of the comprehensive plan must be distributed to every governmental body located within the boundaries of the local government adopting the plan (e.g., school districts, utility districts, lake districts); the clerks of every local government adjacent to the local government adopting the plan; the Wisconsin Department of Administration (DOA); SEWRPC; and the local library. She noted that the DOA requires that a paper copy of the plan be available at the municipal hall and public library serving the local government adopting the plan, but other copies may be distributed on CD.
- Local government town/village board or city common council adoption by enacting an ordinance: Ms. Anderson provided sample ordinances from Washington County.
- Public hearing: Ms. Anderson stated that every participating local community must conduct a public hearing prior to adopting the plan—typically, the process has been that an open house would be conducted, followed by the public hearing, then plan commission recommendation, and finally local government adoption. For the public hearing, a Class I notification must be published at least 30 days before the hearing is conducted. Ms. Anderson stated that SEWRPC has many examples of these public notices for local governments. She also noted that State law does not require that local governments notify landowners of adoption or amendment of the comprehensive plan, unless the landowners provide a written request for notification.

Sheila Siegler asked whether the open house and the public hearing were separate requirements for each community. Nancy Anderson stated that they were, but the open house and public hearing may be conducted on the same night—that is, a local government may choose to schedule their open house for an hour prior to their public hearing.

Jean Werbie asked whether local governments that abut the state line are required to send copies of their comprehensive plans to adjacent local communities in Illinois. Nancy Anderson stated that the matter would be discussed with the DOA.

Nancy Anderson stated that the Village of Silver Lake, and the Towns of Brighton, Bristol, Paris and Somers were planning to adopt the County's multi-jurisdictional comprehensive plan as their local government's comprehensive plan. She recommended that local governments that are developing their own comprehensive plans should not adopt both the multi-jurisdictional comprehensive plan and their own plan. However, she noted that if local governments did not believe that their local comprehensive plans would be completed in time for the State's January 1, 2010 deadline, they should adopt the county's multi-jurisdictional plan first. Then, when the local plan is complete, they should repeal the ordinance adopting the multi-jurisdictional plan and enact an ordinance to adopt the local plan.

Jean Werbie asked if local governments could request an extension to complete their comprehensive plan rather than adopt the multi-jurisdictional comprehensive plan. Nancy Anderson replied that the January 1, 2010 deadline was in the State Statutes and would require a legislative vote to change. She also clarified that Kenosha County was requesting an extension only for the DOA grant, which currently ends on June 4, 2009. Fred Ekornaas asked where other communities in Wisconsin were in the comprehensive planning process. Nancy Anderson replied that, at this time, about one-third of local governments have completed and adopted comprehensive plans. She also noted that eight to ten counties only recently received grants from the DOA to conduct multi-jurisdictional planning efforts, and she did not foresee that they would be completed in time for the State's January 1, 2010 deadline. Nancy Washburn asked what would happen in those communities that did not have a comprehensive plan adopted in time. Ms. Anderson stated that those communities could lose their zoning authority; however, she also noted that shoreland and floodplain zoning authority could not be revoked. She also commented that every year there is a proposal to extend the 1/1/10 deadline, but it has never passed. Ms. Washburn asked if there were any efforts the committee members could undertake to show support for the deadline extension. John Roth stated that the County Executive is aware of the issue.

Discussion Regarding Plan Amendment Process: Nancy Anderson commented that the comprehensive plan amendment process should dovetail with the rezoning process in Kenosha County, though communities would need to be careful to ensure that proper notification is provided at the required times. The amendment process will be documented fully in the Implementation Element. John Roth also stated that the process will be further discussed in the future, including the issue of how often plan amendments will be reviewed and considered by the County Board.

Any Other Business Allowed by Law: Nancy Anderson announced that the next advisory committee meeting will be on Tuesday, April 28, 2009. The committee will review the Intergovernmental Cooperation Element and a revised draft of the Economic Development Element.

Adjournment: A motion to adjourn was made by Bill Morris, seconded by Dennis Faber, and passed unanimously by a voice vote of the MJAC members. The meeting adjourned at 2:35 p.m.

Respectfully submitted,



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

Approved: June 30, 2009