

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

MEETING MINUTES

November 24, 2009

Present: See Attached Sign-In Sheet

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

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

Status Reports:

- **Bill to Extend Consistency Deadline:** John Roth reported that Kenosha County staff had testified to the State Legislature regarding Assembly Bill 243 to extend the consistency deadline of the comprehensive planning law. He reminded the committee members that the bill in its current form would not apply to Kenosha County’s situation, as the County has already received grant funding from the Department of Administration to prepare the multi-jurisdictional plan. He noted that the legislators for the Kenosha County area are aware of the planning process currently underway.
- **Grant Deadline:** John Roth reported that the Wisconsin DOA has granted an extension through June 9, 2010 for the County to complete the comprehensive plan, although he also noted that the planning process should be finished in the spring of 2010.
- **Plan Updates to Reflect Village of Bristol Incorporation:** Nancy Anderson stated that in November, the Town of Bristol approved a referendum to incorporate a portion of the Town into the Village of Bristol, thereby creating another local unit of government in the County. She stated that a Village boundary will be added to the County’s base map, and the incorporation will be noted at various points in the plan element chapters.
- **Update to Chapter V (Water Supply):** Nancy Anderson stated that there were three major changes to Chapter V, “Inventory of Existing Utilities and Community Facilities”:
 - Map V-2: The Village of Pleasant Prairie requested that the map be revised to indicate that there are parcels of land that are capable of being served by the water utility, but that are not currently connected to the utility.
 - Page V-3: Information was added regarding the Great Lakes Compact, which restricts which communities may use Lake Michigan water as a source of supply. Based on the long-standing coordinated water supply and sanitary sewerage planning program, it may be expected that the Greater Kenosha Area sewer service area (consisting of the City of Kenosha, the Village of Pleasant Prairie, the Town of Bristol Utility District No.3, and portions of the Town of Somers) will be able to continue using its existing allotment of Lake Michigan water. However, future expansion of the planned utility service area outside the Lake Michigan watershed may require approval from the State.
 - Map V-1: The Village of Pleasant Prairie requested a note be added to clarify that the map shows areas within the sewer service area that may be ineligible for sewer service due to the presence of primary environmental corridor, wetlands, or steep slopes.
- **Update to Chapter XII (Telecommunications Facilities):** Nancy Anderson reviewed the additional

information regarding Kenosha County's project to demonstrate a wireless broadband telecommunications network that would initially serve the Kenosha County Sheriff's Department, and later, if desired, other law enforcement and public safety agencies within the County. This project is documented in SEWRPC Memorandum Report No. 187, *Regional Wireless Plan Implementation: Broadband Public Safety Communications Demonstration Project, Kenosha County, Wisconsin, May 2009*.

Review and Possible Action on Revised Chapter IX, "Land Use Element," of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: Nancy Anderson stated that some programs had been added to the land use element at the request of Pat Meehan (representing the Towns of Bristol, Salem, and Wheatland) and Kenosha County Planning & Development staff, including one to consider the adoption of "open space" suburban cluster subdivision options and to address recent changes to the State farmland preservation program. Ms. Anderson also noted that minor changes had been made to some local land use plan maps, including those of the City of Kenosha, Village of Pleasant Prairie, and the Towns of Somers and Bristol. She further reported that the Village of Twin Lakes is currently conducting a major update of their land use plan map, to be considered by the plan commission this month and the Village Board next month. Currently, the County plan shows a combined Village of Twin Lakes and Town of Randall land use plan map, but since the update is solely a Village action, SEWRPC will show each community's map separately in the comprehensive plan document. Ms. Anderson also noted that the update includes a Village planning area to the full extent of its 1.5-mile extraterritorial plat review jurisdiction, which affects portions of the Towns of Wheatland, Randall, and Salem.

Dennis Faber made a motion to accept the revised Chapter IX, "Land Use Element," contingent on making the changes as discussed. The motion was seconded by Jeff Labahn, and passed on a voice vote of MJAC members, with the Town of Bristol abstaining.

Review and possible action on revised Chapter VII, "Issues and Opportunities Element," of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: Nancy Anderson noted that the committee had first reviewed the issues and opportunities element in early 2008, and revisions have since been made, including revised overall goals and objectives for the comprehensive plan on pages 12 – 14; Tables VII-8 and VII-9, showing community-level population and household projections for the year 2035; and information from the Kenosha County bus tour of development sites.

Dennis Faber made a motion to accept the revised Chapter VII. The motion was seconded by Bill Morris, and passed on a voice vote of MJAC members, with the Town of Bristol abstaining.

Review of Chapter XV, "Implementation Element," of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: Nancy Anderson reminded the committee that no action would be taken on the Implementation Element until the December 22, 2009 meeting. She brought attention to the memo from Pat Meehan (representing the Towns of Bristol, Salem, and Wheatland), and stated that revisions would be made to the chapter as suggested.

Ms. Anderson then reviewed a presentation given by the League of Wisconsin Municipalities, "Smart Growth 2010: Challenges, Legal Hurdles, and Possible Law Changes," which outlines some of the proposed changes to the comprehensive planning law, including: extension of the consistency deadline (AB 243); clarifications regarding the definitions of "comprehensive plan" and "consistent with;" clarification of what actions need to be consistent with the comprehensive plan; establishment of a process for challenging whether an ordinance is consistent with the comprehensive plan; and a deadline for updating ordinances after a comprehensive plan is amended. John Holloway asked whether local government units should adopt a resolution before January 1, 2010 committing to enacting a comprehensive plan by January 1, 2012, as put forward in AB 243. Nancy Anderson stated that since towns are under County zoning, the resolution would be adopted by the Kenosha County Board. However, she noted that the bill has not been passed, and therefore, no action is currently needed.

Nancy Anderson then briefly outlined the content of Chapter XV, "Implementation Element," which includes the

process for plan review and adoption, as well as plan amendment procedures at the local and County levels. She further noted that there are different procedures for amendments to the text of the plan and amendments to the land use plan map; towns also have different amendment procedures from villages and cities, and require additional coordination with the County. Rick Kania (SEWRPC staff) is developing a flowchart to clarify the proposed amendment procedures for review at the December 22 meeting.

Distribution of Draft and Adopted Plan Reports: Nancy Anderson stated that it was hoped that the MJAC would approve the last plan element chapter and the summary chapter of the comprehensive plan at the December 22, 2009 meeting so that plan review by local communities could start in early 2010. The Kenosha County Board will consider the plan following approval from all local governments. Ms. Anderson asked that each committee member consider what materials their community board members and plan commissioners will want, whether they will want complete hard copies of the plan or summaries of the plan with supplemental maps. Fred Ekornaas commented that he felt it would be appropriate for plan commissioners and board members to have full copies of the plan if they are expected to vote for its adoption. Nancy Anderson stated that State Statutes require that the adopted plan be distributed to every governmental unit located in whole or in part within Kenosha County, every local government unit adjacent to Kenosha County, the Wisconsin Department of Administration, SEWRPC, and local community libraries that serve Kenosha County residents. As a requirement of the DOA grant, the draft plan must also be distributed prior to its adoption. The draft will also be available on the Kenosha County Smart Growth website.

Nancy Anderson reminded the committee of the review and adoption procedure, which consists of each participating community conducting the following steps: open house, public hearing, plan commission approval by resolution, and local government (town board/village board/common council) adoption by ordinance. Ms. Anderson stated that each community should decide how it wants to proceed, whether it wants to conduct each step separately or combine meetings. She stated that many communities have found it efficient and effective to conduct the open house, public hearing, and plan commission meeting on one night, and then have the town board/village board/common council consider the plan at the next regularly scheduled meeting; this would allow time for SEWRPC to make revisions suggested by residents or plan commissioners. Nancy Anderson also stated that SEWRPC and County staff are available for meetings with plan commissions prior to the open houses and public hearings, if local communities feel that such informational meetings would be helpful. Kristen Lie of UW-Extension will be in contact in early December to schedule tentative dates for these meetings. Since the public hearing requires a 30-day notice, these are expected to take place in February 2010.

Sheila Siegler asked whether each community was expected to publish the public hearing notice. Nancy Anderson replied that each community was responsible for the notice, but that SEWRPC staff would assist communities to ensure that the notice meets requirements and contains the appropriate information. Fred Ekornaas asked whether the County Board was also required to conduct a public hearing. Nancy Anderson replied that the Land Use Committee would hold the public hearing on behalf of the Board.

Citizen Comments: None

Any Other Business Allowed by Law: Linda Valentine asked whether the committee would be discussing the Census Boundary and Annexation Survey (BAS), which is used to update information about the legal boundaries of all governmental units in the United States. Bill Morris stated that the Town of Somers had also received the survey, and he had contacted Scott Schutze, Kenosha County GIS Systems Coordinator, who informed him that the County would coordinate with the Census Bureau to complete the survey. Linda Valentine asked that the Town of Salem be provided with the information that is sent to the Bureau to ensure accuracy.

Nancy Anderson also informed the committee that a *Community Chat* about the land use plan had been taped, featuring herself, John Roth, Bill Morris, and host Annie Jones. The episode will air through the month of December 2009 on channel 14, on Sundays at 10:30 p.m and Tuesdays at 9:00 a.m. It will also be available on the Kenosha County Smart Growth website.

Adjournment: A motion to adjourn was made by Bill Morris, seconded by Rich Gossling, and passed unanimously by a voice vote of the MJAC members. The meeting adjourned at 2:45 p.m.

Respectfully submitted,



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

Approved: December 22, 2009