

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

**MEETING MINUTES**

December 22, 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 Rich Gossling to approve the November 24, 2009 MJAC meeting minutes. The motion was seconded by Bill Morris and passed unanimously by a voice vote of the MJAC representatives.

**Status Report:**

- **Bill to Extend Consistency Deadline:** John Roth reported that there has been no movement on Assembly Bill 243 to extend the consistency deadline of the comprehensive planning law.

**Updates to Previously Approved Chapters:**

- **Revise Maps II-13, III-16, VIII-1, and VIII-3 to show updated floodplain:** Nancy Anderson reminded the committee that the Federal Emergency Management Agency's Map Modernization Program updated floodplain maps for Kenosha County will not be available until March 2010, so the maps included in the multi-jurisdictional comprehensive plan reflect the best information currently available.
- **Corrections to Map V-1:** Updates were made to Map V-I, "Adopted Sanitary Sewer Service Areas and Existing Areas Served by Sewer in Kenosha County," in the Towns of Salem and Wheatland.
- **Updated Map VII-1 and accompanying text:** Map VII-1, "Generalized Planned Urban Service Areas in Kenosha County as Identified by the 2035 Regional Land Use Plan," was updated and text was added to indicate an amendment to the Greater Kenosha Area sewer service area plan in June 2007 to include an area along CTH U north and south of CTH C and extending slightly south of CTH Q in the Town of Bristol planned sewer service area.
- **Updated Map XII-1 and accompanying text:** Map XII-1, "Areas Projected to be Served by Municipal and Other than Municipal, Community Water Supply Systems in Kenosha County: 2035" was updated to include areas in the Village of Pleasant Prairie that are capable of being served, but were not connected to the utility as of 2005. Regarding the preliminary regional water supply plan, which anticipates that four new municipal water supply systems may be developed in Kenosha County by 2035, text was added to clarify that the development of these systems would only be envisioned if a local demonstrated need arose based on groundwater quality or quantity issues, and if a local initiative was undertaken to implement a municipal system.
- **Updated Table XIII-22:** The table was completed to show employment projections for all communities in Kenosha County.
- **Updates to Land Use Plan maps and accompanying text and tables in Chapter IX:** Nancy Anderson reported that the Village of Twin Lakes adopted an updated land use plan map on December 21, 2009. The updated map includes areas within the full extent of the Village's 1.5-mile extraterritorial plat review jurisdiction, therefore it affects portions of the Towns of Wheatland, Randall, and Salem. Text has been added to the chapter outlining potential conflicts between the Village plan and the Towns' plans. Since Twin Lakes and Randall conducted a multi-jurisdictional comprehensive plan and had a joint land use plan map, SEWRPC has prepared a separate land use plan map for the Town of Randall for inclusion in the County's multi-jurisdictional comprehensive plan. Ms. Anderson also noted that the Town of Bristol's land use plan map and accompanying text have been revised to reflect the incorporation of a portion of the town into the Village of Bristol.

**Review and Possible Action on Revised Chapter XV, “Implementation Element,” of the Multi-Jurisdictional Comprehensive Plan for Kenosha County:** Nancy Anderson reminded the committee that Chapter XV, “Implementation Element,” had been distributed in November 2009. Additions to the chapter include: Figures XV-1 and XV-2, which are flowcharts showing the comprehensive plan amendment procedures for towns (XV-1) and for cities and villages (XV-2); additions to Figure XV-3 (previously XV-1) to include stormwater management plans and lake management plans as plans that should be consistent with the comprehensive plan, though there is no statutory requirement for consistency; and additional information on Tables XV-1 and XV-2, regarding local meetings to review and adopt the plan.

Nancy Anderson then reviewed information presented in Chapter XV, including the plan review and adoption procedure. She stated that the Towns of Brighton, Bristol, Paris, and Salem, and the Village of Silver Lake plan to adopt the multi-jurisdictional comprehensive plan as the comprehensive plan for their local community. She further advised that if a community decides to adopt its own plan in the future, it should repeal adoption of the multi-jurisdictional comprehensive plan.

Bill Morris stated that the Town of Somers was concerned about the plan amendment process for towns, because it indicates that the County Board may approve changes which the town board and town plan commission have already decided are against the best interests of the town. He also asked whether, if the Town adopted its own separate comprehensive plan, the County would still have the final decision-making power. Nancy Anderson stated that the County has authority over zoning in the towns, and therefore would have the final vote. Ms. Anderson and John Roth noted that the town plans and the county plan are currently consistent, and will be consistent when the plan is adopted. Bill Morris asked whether there could be a withdrawal option for applicants who have been denied by the town plan commission and town board, so that their application does not have to go on to the County Board. It was decided that County Planning & Development will work further with SEWRPC and the local communities to ensure that concerns about the amendment process are addressed.

Nancy Anderson stated that the flowcharts are intended to indicate the process for land use plan map amendments, rather than text amendments. Text amendments are expected to be considered annually and will require a reconvening of the MJAC. Sheila Siegler asked for clarification about whether amendments to a town’s land use plan map would require approval from the entire MJAC. Nancy Anderson stated that an amendment to a town map needs approval only from the town and Kenosha County.

Nancy Washburn asked what the public notice requirements for plan amendments were. Nancy Anderson replied that, according to State law, plan amendment procedures were similar to plan adoption procedures, in that they required a public hearing with a Class One public notice published at least 30 days in advance; distribution of the notice to nonmetallic mineral mining interests and persons who have submitted a written request for notification; recommendation for approval from the local plan commission by resolution; local governing body approval of the amendment by ordinance; and distribution of the approved amendment to the County, SEWRPC, Wisconsin Department of Administration; and adjacent local governments.

Nancy Anderson continued the review of the implementation element, including potential changes to the County zoning ordinances to add: Business Park District; revision of the Planned Unit Development (PUD) Overlay to include Mixed-Used PUDs; Town Center Overlay; and B-94 Interstate Highway Business District. Recommendations for amendments to the Village of Silver Lake Zoning Ordinance are also included. Ms. Anderson noted that there will not be a comprehensive rezoning as part of the comprehensive planning process, but the plan recommends the following approach to update zoning maps after the adoption of the comprehensive plan:

- Areas of existing development should, over time, be placed in a zoning district that is consistent with the land use designation shown on the land use plan map.
- Areas that are currently in agricultural use and zoned for such use, but shown on the land use plan map for future urban development should remain in agricultural zoning until a property owner submits a request for rezoning that specifies the proposed use of the property that is consistent with the comprehensive plan.
- Primary environmental corridors should be placed, and other natural resource areas, including secondary

environmental corridors and isolated natural resource areas, may be placed, in a conservancy or other appropriate zoning district at the time a preliminary plat, rezoning application, or zoning permit to change an existing use of a property is requested.

The plan also recommends a change to the County land division ordinance to require approval of a certified survey map or plat for any land division that would create a parcel smaller than 35 acres in order to avoid the creation of parcels that do not conform to the zoning ordinance. The implementation element also contains a section on plan phasing for the Towns of Bristol, Salem, and Wheatland, which includes a series of land use plan maps that were developed for various time periods between the date of plan adoption and 2035. The chapter concludes with implementation goals, objectives, policies, and programs.

Bill Morris made a motion to approve the revised Chapter XV, "Implementation Element," subject to changes and with the understanding that Figures XV-1 and XV-2 may need more refinement with input from local communities. John Holloway seconded the motion. Upon a voice vote, the motion passed unanimously.

**Review and possible action on the Summary of the Multi-Jurisdictional Comprehensive Plan for Kenosha County:** Nancy Anderson stated that the summary was developed as an introduction to the comprehensive plan for local officials. She noted that another version of the summary, which includes additional maps and pictures, will be available at the open houses and public hearings. A newsletter summary of the comprehensive plan will also be prepared by Kristen Lie for distribution prior to the local meetings.

John Holloway stated that the Paris Town Chairman had indicated that he felt the town officials had not had enough time to adequately review the final chapters of the plan, and if the committee was to act on the plan, he asked for it to be emphasized that the plan is still in draft form, and may be subject to changes prior to adoption.

Mr. Holloway then made a motion to approve the summary of the multi-jurisdictional comprehensive plan, with the understanding that the plan itself was still in draft and may be subject to further changes. Bill Morris seconded the motion. Upon a voice vote, the motion passed unanimously.

**Consideration and Possible Action to Approve the Multi-Jurisdictional Comprehensive Plan and Forward the Plan for Consideration by Participating Local Governments:** Fred Ekornaas reminded the committee that it was important for Kenosha County to have a draft approved by the MJAC by January 1, 2010, and he further stated that it would be preferable for the plan to be adopted by the Kenosha County Board before the new board is seated at the second board meeting in April 2010. SEWRPC will coordinate with County and UW-Extension staff and the local governments to schedule all local meetings in time for the County Land Use Committee to consider the plan in March 2010, so that the County Board may consider it in April 2010.

Dennis Faber made a motion to approve the multi-jurisdictional comprehensive plan and forward the plan for consideration by participating local governments and Kenosha County. Bill Morris requested an amendment to emphasize that approval was for the draft multi-jurisdictional comprehensive plan. Dennis Faber then amended the motion to approve the draft multi-jurisdictional comprehensive plan and forward the plan for consideration by local participating governments and Kenosha County. Bill Morris seconded the motion. Upon a voice vote, the motion passed unanimously.

**Scheduled Dates and Review Documents for Review and Adoption of the Multi-Jurisdictional Comprehensive Plan and Independent Comprehensive Plans:** Nancy Anderson reported that the Village of Pleasant Prairie adopted its comprehensive plan on December 21, 2009. She also stated that several communities have been in contact with Kristen Lie to schedule open house meetings, public hearings, plan commission meetings, and town board/village board meetings; the Towns of Salem and Wheatland and City of Kenosha are adopting separate plans, and will schedule their meetings with SEWRPC. Ms. Anderson then reminded the committee that a memo had been sent on December 10, 2009 which included a form for each community to indicate how many copies (paper or on CD) of the draft comprehensive plan they will need; she asked the committee members to complete the form and return it to SEWRPC so that there is adequate time for printing the

plan. She also stated that full copies of the plan will not be available until January 22, 2010, at which time they will be distributed in accordance with State law and Wisconsin Department of Administration grant requirements.

**Any Other Business Allowed by Law:** John Roth asked representatives from the towns to stay after the meeting to discuss stormwater management and farmland protection updates with Planning & Development staff.

**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 3:10 p.m.

Respectfully submitted,



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

Approved: May 25, 2010