

PURPOSE OF THE COMPREHENSIVE PLAN

In October 1999, the Wisconsin Legislature enacted a new comprehensive planning law, which is set forth in Section 66.1001 of the *Wisconsin Statutes*. The new requirements supplement earlier provisions in the *Statutes* for preparing county development plans (Section 59.69(3) of the *Statutes*) and local master plans (Section 62.23 of the *Statutes*). The requirements, which are often referred to as the “Smart Growth” law, provide a framework for developing, adopting, and implementing comprehensive plans in Wisconsin. The comprehensive planning law includes a “consistency” requirement, whereby zoning, subdivision, and official mapping ordinances adopted and enforced by counties, cities, villages, and towns must be consistent with the comprehensive plan adopted by the county or local unit of government.

The comprehensive planning law also requires plans to include nine plan elements: Issues and Opportunities; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural and Cultural Facilities; Economic Development; Intergovernmental Cooperation; Land Use; and Implementation. This comprehensive plan update will continue to address the nine plan elements.

Public participation will continue to be implemented at every stage of the comprehensive planning process including adoption of written procedures, broad notice provisions, the opportunity to review and comment on draft plans, and a required public hearing prior to plan adoption.

Thus, from 2002 to 2008, a multi-jurisdictional comprehensive planning process was undertaken by Ozaukee County, 14 participating local governments (including the Town of Cedarburg), the Southeastern Wisconsin Regional Planning Commission (SEWRPC), and UW-Extension to address the comprehensive planning requirements set forth in Section 66.1001 of the *Statutes*. As a result, the County and each local government partner adopted comprehensive plans that satisfy the *Statutes*. The first edition of the Town of Cedarburg’s comprehensive plan (based upon the multi-jurisdictional plan but prepared as a separate report) is documented in a report titled, *Town of Cedarburg Comprehensive Plan: 2035*, which was adopted by the Town Board on April 2, 2008. The Town subsequently amended the plan in September 2009 and May 2012.

The first edition of the Town comprehensive plan is documented in an extensive report that features a wide-range of data and mapping and addresses the nine comprehensive planning elements and corresponding goals, objectives, policies, and programs required by the comprehensive planning law. However, Section 66.1001(2)(i) of the State’s comprehensive planning law requires that comprehensive plans be updated no less than once every 10 years.

While Section 66.1001(2)(i) of the State *Statutes* requires that a comprehensive plan be updated no less than once every ten years, it does not specify what the update must include or how extensive it must be. While there is no limit on the number or frequency of amendments that may be made to a comprehensive plan, the minimum

public participation, public hearing, and plan adoption procedures required for a full comprehensive plan also apply to plan amendments and updates.¹ The comprehensive planning law sets forth procedures for a governing body to adopt a comprehensive plan amendment or update. The governing body must adopt written public participation procedures designed to foster public participation and those procedures must provide for the wide distribution of proposed plan elements and provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The governing body must hold at least one public hearing, which is to be preceded by a Class 1 notice published at least 30 days before the hearing.² Following a recommendation from the plan commission in the form of a resolution, a governing body may adopt an ordinance to approve a comprehensive plan or plan amendment/update. The comprehensive planning law requires that an adopted comprehensive plan amendment/update be sent to all governmental units within and adjacent to a local government preparing a plan; the Wisconsin Department of Administration; the Regional Planning Commission; and to the public library that serves the area that the local government is located.

To address the State comprehensive planning update requirement, the Town entered into an agreement with SEWRPC in June 2022 requesting assistance to update the Town comprehensive plan. Based on discussions between Town officials and staff and SEWRPC staff, this comprehensive plan update (Second Edition) will have a design year of 2050 and focuses on updating the land use plan map; incorporating new plans and agreements adopted or endorsed by the Town since the current comprehensive plan was adopted; the consideration of residential development in select locations within the Town; discussion on development of a Town Center within the Five Corners area of the Town while contemplating the potential extension of City of Cedarburg utilities into the Town or studying a Town utility; updating population, household, and employment data and projections; updating natural resource information; updating transportation, utility, and community facilities information; and updating goals, objectives, policies, and programs. The resolutions and ordinance adopted during the plan update process are included in Appendix _ [To be added following plan approval]. The update is documented in this report.

¹Under the Wisconsin Statutes, a plan update is considered a plan amendment.

²These requirements were expanded by 2015 Wisconsin Act 391 to require each local government to maintain a list of persons who submit a request to receive notice of any comprehensive plan amendment/update affecting the allowable use of their property and to inform property owners annually that they may add their name to this list. Methods that may be used to provide the annual notice include publishing it as a Class 1 public notice, posting the information on the local government website, or mailing a notice to each property owner within the local government.

PUBLIC PARTICIPATION

The following public participation process was included in preparing the Town of Cedarburg Comprehensive Plan update.

PUBLIC PARTICIPATION PLAN

Section 66.1001(4) of the *Statutes* requires that the governing body of any County or local government preparing or amending a comprehensive plan adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of preparing or amending a comprehensive plan. Proposed plan amendments must be widely distributed, and opportunities must be provided for written comments to be submitted by the public to the governing body. A procedure for the governing body to respond to those comments must also be identified.

On March 21, 2007, the Town adopted by resolution a public participation plan for preparation of the first edition of the Town comprehensive plan. A new public participation plan for plan amendments was developed for this plan update and was adopted by the Town Board on April 5, 2023. The public participation plan seeks to enhance public awareness of the planning effort and its importance; educate residents about current and past growth trends that have occurred in the Town; and provide opportunities for input. Techniques to secure public participation include newsletters, social media, information on the Town website, display exhibits, public open houses and other meetings to convey information and promote an exchange of ideas, and public hearings. The public participation plan is included in Appendix A.

COMPREHENSIVE PLAN COMMUNITY SURVEY

For the Comprehensive Plan approved in 2008, a Town-wide community survey was mailed on April 3, 2007, to 2,098 households, businesses, and property owners within the Town. Recipients of the survey were asked to complete the survey and return to the Town by April 30, 2007. The response rate was 32.5% (682 responses), which appears to be a representative sample of the entire Town. The survey with tabulated frequencies is referenced in Appendix B. While no Town-wide survey is planned as part of this process, surveys for updates to more focused planning documents such as the 5 Corners Master Plan or Parks and Recreation Plan are more likely.

PUBLIC INFORMATIONAL MEETINGS

The first public informational meeting was held on _____, 2023 at the Town Hall (Figure 1). The meeting provided residents the plan update schedule, the current status of the Comprehensive Plan, and allowed Town residents to participate in the planning process, such as *[to be completed after public informational meeting]*.

The second public informational meeting was held on _____, 2024 to present and review the consolidated draft Plan elements in an open discussion session.

PUBLIC ADOPTION

As previously stated, Appendix A of this report sets forth public participation procedures adopted by the Town of Cedarburg during this plan update process in accordance with Section 66.1001(4)(a) of the *Statutes*. The Town held a public hearing on the proposed comprehensive plan update on _____, 2024, at the Town Hall. On _____, 2024, the Town Plan Commission adopted a resolution to recommend that the Town Board adopt the proposed comprehensive plan update. Subsequently, the Town Board adopted this comprehensive plan update by ordinance on _____, 2024. Appendix __ of this report includes the Town Plan Commission resolution and Town Board ordinance.

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