

INTERGOVERNMENTAL COOPERATION

Section 66.1001 (2)(g) of the *Wisconsin Statutes* requires the Intergovernmental Cooperation Element to provide a compilation of goals, objectives, policies, maps, and programs that guide joint planning and decision making with other jurisdictions.

Furthermore, Section 16.965 of the *Wisconsin Statutes* sets forth goals related to the Intergovernmental Cooperation Element that may be addressed as part of the planning process. The goal directly related to this element is stated as the following: “encouragement of coordination and cooperation among nearby units of government.”

The intent of this chapter is to address the issues and requirements set forth by the *Wisconsin Statutes*.

INTERGOVERNMENTAL COOPERATION BETWEEN MUNICIPALITIES

Cooperative Plans and Boundary Agreements

Under Section 66.0307 of the *Wisconsin Statutes*, any combination of cities, villages, and towns may determine the common boundary lines between themselves under a cooperative plan. The cooperative preparation of a plan for the affected area should be created by the concerned local units of government and prescribe in detail the contents of the cooperative plan.

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) provides an explanation of cooperative plans and boundary agreements in the Multi-Jurisdictional Comprehensive Plan for Ozaukee County. In that document, it is stated that the cooperative plan must identify any boundary change and any existing boundary that may not be changed during the planning period; identify any conditions that must be met before a boundary change may occur; include a schedule of the period during which a boundary change may occur; and specify arrangements for the provision of urban services to the territory covered by the plan. A boundary agreement can also be achieved under Section 66.0225 which allows two abutting communities who are parties to a court action to enter into a written stipulation determining a common boundary. In addition, communities can agree upon common boundaries under Section 66.0301, the *Statute* that addresses intergovernmental cooperation.

In July 2021, the Town adopted a resolution approving an intergovernmental agreement between the Town of Cedarburg and the City of Cedarburg. The agreement is proposed to provide orderly growth and development for both the Town and City, including identifying planned boundaries that would promote the use of cost-effective services and efficient operations for both communities; providing cost effective municipal services for certain developments; and protecting natural resource areas. The agreement provides a map defining the “City Growth Area” that consists of the current area of the City and developed and undeveloped lands within the Town. As agreed upon by both communities, those Town lands within the “City Growth Area” may be annexed into the City at the request of the property owner. All other areas not within the “City Growth Area” shall remain in the Town.

The agreement also identifies the Town's cooperation with any City utility easement of water and/or sewer services through Town roads or rights-of-way to connect or extend to a new or existing City water recycling center or sewer plant located outside of the City. The agreement is in effect from 2021 to 2041.

Extraterritorial Zoning Authority

Per Section 62.23(7a) of the *Wisconsin Statutes*, a city which has created a plan commission and has adopted a zoning ordinance may exercise extraterritorial zoning power. Such cities may have extraterritorial zoning (ETZ) jurisdiction over unincorporated areas within three miles of the corporate limits of a first, second, or third class city or within 1.5 miles of the corporate limits of a fourth class city or a village. ETZ powers may not be exercised within the corporate limits of another city or village. In accordance with Section 66.0105, in situations where ETZ jurisdictions of two or more municipalities overlap, the area must be divided on or along a line which is equidistant from the boundaries of each municipality. Therefore, the unincorporated area is not subject to the ETZ regulations of more than one municipality in any given area.

Section 59.69(3)(b) of the *Wisconsin Statutes* requires that a county development plan (including a comprehensive plan) include, without change, the master (comprehensive) plan of a city or village, and the official map adopted by a city or village. Section 59.69(3)(e) further provides that a master plan or official map adopted under Section 62.23 shall control in unincorporated areas of a county, although it does not state whether city and village plans for extraterritorial areas be included in a county plan.

SEWRPC has recommended that for extraterritorial areas, a county plan shall include the land use plan map and related recommendations from the unit of government that has zoning authority over those lands. Ozaukee County has agreed with this recommendation. At this time, the Town of Cedarburg has zoning authority for all lands within its municipal boundaries. (For zoning authority to belong to a city or village in extraterritorial areas, an extraterritorial zoning ordinance must be adopted under Section 62.23(7)(a) of the *Statutes*.)

Because the Town has zoning authority over its extraterritorial areas, the Town's land use plan map and related recommendations ~~will be was~~ the information included ~~for these lands~~ in the Multi-Jurisdictional Plan for Ozaukee County.

Joint Extraterritorial Zoning Committee

In order to create extraterritorial zoning districts and regulations, a municipality must establish a Joint Extraterritorial Zoning Committee (JETZCO) with the affected municipality. The committee is composed of three citizen members of the municipality's plan commission, and three town members from each town affected by the proposed zoning districts and regulations. Once established, the committee formulates tentative zoning recommendations for the ETZ area. The 20-year intergovernmental agreement between the Town and City of Cedarburg states that the City shall not implement or exercise extraterritorial plat review or extraterritorial zoning over Town lands not included within the City Growth area for the term of the agreement.

~~The City of Cedarburg and the Town established a JETZCO in 2006 to discuss information pertaining to the land use plan or zoning regulations for the extraterritorial area along STH 60 from Sheboygan Road to Horns Corners Road. The JETZCO, which is limited to only two years, expired in March 2008.~~

Extraterritorial Platting Authority

Section 236.10 of the *Wisconsin Statutes* stipulates that a city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if it has adopted a subdivision ordinance or an official map. Section 236.02 defines the extraterritorial plat review jurisdiction as the unincorporated area within three miles of the corporate limits of a city of the first, second, or third class, or within 1.5 miles of the corporate limits of a city of the fourth class or a village. The 20-year intergovernmental agreement between the Town and City of Cedarburg states that the City shall not implement or exercise extraterritorial plat review or extraterritorial zoning over Town lands not included within the City Growth area for the term of the agreement.

In accordance with Section 66.0105, in situations where the extraterritorial plat approval jurisdiction (ETP) of two or more cities or villages would otherwise overlap, the extraterritorial plat approval jurisdiction between the municipalities is divided on a line. All points on the line are equidistant from the boundaries of each municipality concerned, so that no more than one city or village exercises extraterritorial plat approval jurisdiction over any unincorporated area (Figure 1). The extraterritorial plat review area changes whenever a city or village annexes land, unless the city or village has established a permanent extraterritorial plat review area through a resolution of the Common Council/Village Board or through an agreement with a neighboring city or village. A municipality may also waive its right to approve plats within any portion of its extraterritorial plat review area by adopting a resolution that describes or maps the area in which it will review plats, as provided in Section 236.10(5). The resolution must be recorded with the County register of deeds.

The Town of Cedarburg is subject to the ETP jurisdiction of several adjacent communities:

- City of Mequon
- City of Cedarburg
- Village of Grafton
- Village of Saukville

It should be noted, based on the intergovernmental agreement between the Town of Cedarburg and the City of Cedarburg to provide orderly growth and development, the City of Cedarburg will not exercise extraterritorial plat review or extraterritorial zoning over Town lands in the Town Area between 2021 and 2041.

State regulations do not specify the way in which these plats will be considered. Consequently, the administration of extraterritorial plat review will vary from municipality to municipality. The consistency requirement outlined later in this chapter may also apply to plat review.

While any portion of a town cannot be subject to more than one municipality's ETZ or ETP jurisdiction, the same portion would be subject to two municipal reviews when it is a mixture of ETZ and ETP. In other words, the ETZ jurisdictions of Municipality A and B cannot overlap. The same is true for the ETP boundaries of both municipalities. However, Municipality A's ETZ boundary can overlap with Municipality B's ETP boundary and vice versa. For a town, this adds to the complexity of ETZ and ETP reviews, as municipal administration may vary significantly.

Consolidation

No ~~consideration for consolidation effort~~ has been ~~initiated~~~~established~~ between the Town of Cedarburg and the City of Cedarburg ~~to enter the process of consolidation~~. The following information provides some general background for consolidation processes in Wisconsin.

Based on Sections 66.0229 and 66.0230 of the *Wisconsin Statutes*, a town may be consolidated with a contiguous town, village, or city through an ordinance passed by a two-thirds vote of all members of each board and council, ratified by the electors at a referendum held in each municipality. Once the ordinance is passed, the town(s) and city or village must meet a series of conditions to complete the consolidation process, including:

- Both communities must adopt identical resolutions that describe the level of service the residents of the proposed city or village will receive, including but not limited to:
 - Public parks services
 - Public health services
 - Animal control services
 - Library services
 - Fire and emergency rescue services
 - Law enforcement services

- The city or village into which the town wants to consolidate must enter into a separate boundary agreement with every city, village, or town that borders the proposed consolidated city or village.
- A comprehensive plan in accordance with Section 66.1001, effective the date of consolidation, must also be adopted by the consolidating city, village, or town.
- At least some part of the consolidated city or village receives sewage disposal services.

Land Division Regulations

Section 236.45 of the *Wisconsin Statutes* authorizes county and local governments to adopt their own land division ordinances. The Town of Cedarburg has such an ordinance in place. A land division ordinance regulates the division of land into smaller parcels, and helps ensure the following:

- New development is appropriately located;
- Lot size minimums specified in zoning ordinances are observed;

- Arterial street rights-of-way are appropriately dedicated or reserved;
- Access to arterial streets and highways is limited in order to preserve the traffic-carrying capacity and safety of such facilities;
- Adequate land for parks, drainageways, and other open spaces is appropriately located and preserved;
- Street, block, and lot layouts are appropriate;
- Adequate public improvements are provided.

Land division ordinances can be enacted by cities, villages, towns and counties. County land division ordinances only apply to unincorporated areas. Within unincorporated areas, it is possible for both counties and towns to have concurrent jurisdiction over land divisions. Counties also have authority under Section 236.10 to review and approve all subdivisions located in unincorporated areas. In addition to these requirements, the Ozaukee County shoreland and floodplain zoning ordinance includes land division regulations for areas located in the shoreland. Portions of the Town of Cedarburg are regulated under this ordinance ([see Figure 62 in the Agricultural, Natural, and Cultural Resources chapter of this report](#)).

Chapter 236 of the *Wisconsin Statutes* sets forth general requirements governing the subdivision of land, and grant authority to county and local governments to review subdivision maps (plats) with respect to local plans and ordinances. Under the Chapter, local governments are required to review and take action on plats for subdivisions. Local subdivision ordinances may be broader in scope and require review and approval of land divisions in addition to those meeting the statutory definition of a subdivision.

Communities within Ozaukee County administer their own zoning, which includes land division regulations. The Town of Cedarburg regulates land division in Chapter 184 of the Town Code. The Town should continuously evaluate county and surrounding city and village land division regulations in relation to its own ordinance.

Shared Services

See the Utilities and Community Facilities element for [the existing Town intergovernmental agreements](#) with the City of Cedarburg regarding fire and rescue ~~and community pool~~.

INTERGOVERNMENTAL COOPERATION WITHIN THE REGION

Ozaukee County

On a county-wide level, there are several issues that may require the various levels of government to work cooperatively in the near future. The Town and surrounding municipalities should work cooperatively with the County to establish guidelines for shared resources and achieve a strong level of collaboration. In addition, the Town may wish to work with the County to ensure that the County addresses areas of concern, e.g. sewer service area boundaries, in a way that is consistent with Town objectives.

The Town may also wish to coordinate with the County regarding the establishment of amendments to the Multi-Jurisdictional Comprehensive Plan. All local units of government can propose an amendment to the Plan. The County anticipates conducting annual updates to keep the Plan current.

Wisconsin Department of Transportation (WisDOT)

Currently, the following arterials exist within the Town of Cedarburg that are regulated by WisDOT:

- State Trunk Highway 60
- State Trunk Highway 181

The transportation element provides additional information about these arterials. In the future, the Town should collaborate with WisDOT as modifications to these highways are proposed.

Wisconsin Department of Natural Resources (WDNR)

The WDNR requires that a governing body adopt a park plan by resolution in order to be eligible to apply for and potentially receive recreational grant funds administered by the WDNR. To become or remain eligible for available State and Federal outdoor recreation grants, the WDNR typically requires a plan that was adopted within five years preceding the submittal of any grant application. Adoption by the Plan Commission is required only if a community wishes to adopt the park plan as an element of its local master-comprehensive plan.

The Town of Cedarburg updated its Comprehensive Park Plan in 2018~~09~~. The document was adopted by resolution by the ~~Plan Commission, Town Board, Plan Commission,~~ and Park and Recreation Committee. ~~The Plan was submitted to the DNR, which should make the Town eligible for grant funds in 2010.~~ The Town should continue to coordinate with the WDNR on the recommendations made in the Plan, particularly regarding the enforcement of public access sites to Cedar Creek.

PLANS IN THE REGION

Regional Land Use and Transportation Plan (VISION 2050)

The regional land use and transportation plan, referred to as VISION 2050, was adopted by SEWRPC in 2017 and provides a long-range vision and recommendations for land use and transportation in the seven-county Region. It also makes recommendations to local and State government to shape and guide land use development and transportation improvement, including public transit, bicycle and pedestrian facilities, arterial streets and highways, and freight transportation to the year 2050. The key recommendations of the plan pertaining to land and water resource management include:

- Environmental Corridors
- Urban Development
- Productive Agricultural Land
- Regional Transportation Component

The Regional Planning Commission plans to conduct an interim review and update of the regional land use and transportation plan every four years to address Federal requirements. A review and update was conducted in 2020 and assessed implementation to date of VISION 2050, reviewed the year 2050 forecasts underlying the plan, and monitored current transportation system performance. Based on the implementation evaluation and public input, VISION 2050 will continue to recommend focusing new urban development in urban centers, a compact development pattern with a mix of housing types and uses, and preserving primary environmental corridors and agricultural land.

Water Quality Management Plan

In 1979, SEWRPC adopted an areawide water quality management plan for Southeastern Wisconsin as a guide to achieving clean and wholesome surface waters within the seven-county region. The plan has five elements:

- a land use element;
- a point source pollution abatement element;
- a non-point source pollution abatement element;
- a sludge management element;
- a water quality monitoring element.

The point source pollution abatement element is of particular importance to land use planning. That plan element recommends major sewage conveyance and treatment facilities and identifies planned sewer service areas for each of the sewerage systems in the region. Under Wisconsin law, major sewerage system improvements and all sewer service extensions must be in conformance with the plan.

Subsequently, SEWRPC updated the report in March 1995 documenting the updated content and implementation status of the regional water quality management plan. That report also documented the extent of progress made toward meeting the water use objectives and supporting water quality standards set forth in the regional plan.

Water Quality Management Plan Update

SEWRPC is working with the Milwaukee Metropolitan Sewerage District (MMSD) to update the regional water quality management plan. The area involved includes all of the Kinnickinnic River, Menomonee River, Milwaukee River, Root River, and Oak Creek watersheds; the Milwaukee Harbor estuary; and the adjacent nearshore areas draining to Lake Michigan. All of the Ozaukee County planning area is included in the plan update except the Sauk Creek, Sucker Creek, and Sheboygan River watersheds and two small portions of the Lake Michigan direct drainage area located in the northeast portion of the County.

The interagency effort is using the U.S. Environmental Protection Agency's recommended watershed approach to update the Regional Water Quality Management Plan and to develop the MMSD's 2020 Facilities Plan for the study area, called the Greater Milwaukee Watersheds. When completed, the plan will recommend the control of

~~both point and nonpoint pollution sources, and provide the basis for decisions on community, industrial, and private waste disposal systems.~~

~~In 2007, the regional water quality management plan update for the greater Milwaukee watersheds addressed three major elements of the original regional water quality management plan: 1) the land use element; 2) the point source pollution abatement element; and 3) the nonpoint source pollution abatement element, and the plan also included instream and riparian habitat considerations. The plan was amended in 2013 to reflect changes to the watershed water quality models necessitated by findings during additional modeling efforts conducted after the plan was issued, and included evaluating the possible effects of climate change on water quality in streams in the study area.~~

~~Regional Groundwater Plan~~

~~SEWRPC has worked cooperatively with the Wisconsin Geological and Natural History Survey (WGNHS) and the Wisconsin Department of Natural Resources (WDNR) on a regional groundwater plan to develop hydrologic data that can be used to support the preparation of a regional groundwater modeling program. The document will also provide information useful for land use and related planning efforts. The groundwater related inventories are documented in SEWRPC Technical Report No. 37, Groundwater Resources of Southeastern Wisconsin, June 2002.~~

~~Regional Water Supply Plan~~

~~The regional water supply plan being prepared by SEWRPC, together with the above mentioned groundwater inventories and a ground water simulation model, will form the SEWRPC regional water supply management program. The preparation of these three elements includes interagency partnerships with the U.S. Geological Survey, the WGNHS, the University of Wisconsin Milwaukee, the WDNR, and many of the area's water supply utilities.~~

~~The regional water supply plan will include the following major components:~~

- ~~• Water supply service areas and forecast demand for water use.~~
- ~~• Recommendations for water conservation efforts to reduce water demand.~~
- ~~• Evaluation of alternative sources of supply, recommended sources of supply for each service area, and recommendations for development of the basic infrastructure required to deliver that supply.~~
- ~~• Identification of groundwater recharge areas to be protected from incompatible development.~~
- ~~• Specification of new institutional structures necessary to carry out plan recommendations.~~
- ~~• Identification of constraints to development levels in subareas of the Region that emanate from water supply sustainability concerns.~~

~~The Commission completed a regional water supply study and planning program for Southeastern Wisconsin in 2010. The regional water supply plan and program were formed from past SEWRPC groundwater inventories.~~

including the report conducted in 2002, and the development of a groundwater simulation model, and includes the following major components:

- Identification of public utility water supply service areas
- Recommendations for source of water supply for identified service areas
- A recommendation for implementing comprehensive water conservation programs, including both supply side efficiency measures and demand side conservation measures with the scope and content of these programs to be determined on a utility-specific basis reflecting the type and sustainability of the source of supply and probable future water supply infrastructure requirements
- Identification of important groundwater recharge areas and recommendations for protecting and preserving recharge areas that have a high or very high recharge potential
- Recommendations for implementing various stormwater management practices, including state-of-the-art practices, which, to the extent practicable, will maintain the natural recharge of areas committed to urban land use development
- Recommendations related to siting new high-capacity wells
- Recommendations for installing enhanced rainfall infiltration systems in areas where evaluations conducted in conjunction with the siting of high-capacity wells in the shallow aquifer indicate probable reductions in baseflow on nearby streams or water levels in nearby lakes and wetlands due to the installation and operation of these wells

The plan was prepared in collaboration with the U.S. Geological Survey (USGS), the Wisconsin Geological and Natural History Survey, the University of Wisconsin-Milwaukee, the Wisconsin Department of Natural Resources (WDNR), and many of the area's water supply utilities.

Regional Chloride Impact Study

In March 2016, SEWRPC completed a prospectus for a comprehensive study of the environmental impacts of the use of chloride on the surface water and groundwater resources in the Region. SEWRPC is currently preparing the comprehensive study. The study will provide an inventory of the historical and present sources of chloride loads to surface and groundwater resources; assess the impacts of the loads on the environment; utilize a state-of-the-art component addressing current research and emerging technologies and policies related to mitigating the environmental effects of chloride from multiple sources; identify alternate means of achieving desired levels of managing sources of chloride; and provide general recommendations for reducing the undesirable environmental impacts of the use of chloride. The primary purpose of the study is to identify the relationship between significant sources of chloride to the environment and the chloride content of surface and groundwater within the Region.

Study work began in summer 2017 and was completed in fall 2018. Chloride loads entering surface and groundwater resources can potentially come from several significant sources, including road salt applied for anti-icing and deicing roads, sidewalks and parking lots; water softening systems and other systems that discharge to sanitary sewers or private onsite wastewater treatment systems; salt storage areas; large agricultural feed

lots; fertilizers; landfills; chemical manufacturing; and food processing. However, salt applied to roads, parking lots, and public walkways are the most visible of the potential chloride sources, and thus, receives the most attention.

The negative environmental impacts regarding the use of chloride are significant because chloride introduced to surface water and groundwater resources is not treatable by the best management practices applicable to other forms of water pollution. There are no natural processes by which sodium and chloride concentrations contained in contaminated runoff or other discharges are broken down, metabolized, safely absorbed, or otherwise removed from the environment. Ultimately, chloride will accumulate over time in surface lakes and reservoirs and in groundwater, thereby constituting a significant threat to the future quality of life within the Region.

Multi-Jurisdictional Plan for Ozaukee County: 2035

Ozaukee County ~~was completed awarded~~ a State comprehensive planning grant in 2008~~4 and an amendment in 2009~~. With the exception of the City of Cedarburg, all cities, towns, and villages in the County, plus the Village of Newburg, ~~are participating in this~~ multi-jurisdictional planning program to develop a comprehensive plan for the County and each of the participating local governments. ~~Work on the plans has begun, and SEWRPC is assisting in the preparation.~~

Additional Plans in the Region

Other plans in the region not mentioned here are addressed in the remaining elements of this Plan.

PLANS IN ADJACENT MUNICIPALITIES

City of Cedarburg

The City of Cedarburg ~~developed and adopted has~~ a comprehensive plan in 2008 from 1991 entitled “Smart Growth Comprehensive Land Use Plan - 2025A-Development Plan for the City of Cedarburg; 2010.” This plan, ~~was created by the CitySEWRPC, and includes~~ portions of the Town of Cedarburg planned for future land uses as shown on the City 2025 Land Use Plan map (Map 8-2); the Town lands not included in the “City’s Growth Area” are not eligible for annexation per the 20-year intergovernmental agreement between the City and Town of Cedarburg for the duration of the agreement in its planning boundaries. ~~The document will be replaced by a new comprehensive plan currently being compiled by the City.~~

The City also has a Comprehensive Park and Open Space Plan that was adopted in August 2017 and provided five-year park, open space, recreational facilities recommendations through 2022 ~~amended in May of 2004.~~ The Plan will be included in the City’s “Smart Growth” planning document. The plan also recommends the development of public trails and greenways in new developments that could potentially connect to City and County trail systems.

To address sewer service issues, the City and the Village of Grafton have adopted SEWRPC Community Assistance Planning Report No. 91 (2nd Edition) from June 1996. The report was adopted by the WDNR in

January 2013 with the most recent amendment occurring in September 2019. As of 2005, both municipalities and SEWRPC adopted the report, but adoption by the Wisconsin Department of Natural Resources (WDNR) was pending.

City of Mequon

As of 2005, the City of Mequon had adopted a comprehensive plan titled, “A 2035 Comprehensive Plan for the City of Mequon,” in place that was written in April 2009 and amended in 2000.

The City’s Comprehensive Park, Recreation, and Open Space Plan was prepared by Ayres Associates and adopted in October 2019. The plan is an update of the 2014 plan and identifies progress towards completing priorities identified by the earlier report. A joint bike and pedestrian plan was also developed by the City and the Village of Thiensville in 2010 and revised in 2015 titled, “Joint Mequon-Thiensville Bike and Pedestrian Way Commission 2010 to 2035 Recommendations.” The joint plan identifies specific bike and pedestrian recommendations for providing a viable bike and pedestrian network throughout both communities. The City has a Transportation Plan from 1996 that includes a section on recommendations for bikeways and bikeway implementation.

The City of Mequon also adopted SEWRPC Community Assistance Planning Report No. 188, written in January 1992 with the most recent amendment occurring and amended in 2022 by the City. As of 2005, the City, SEWRPC, and the WDNR have adopted the 1992 report document and the 2022 amendment.

Village of Grafton

The Village of Grafton’s Comprehensive (Master) Plan titled, “Village of Grafton Comprehensive Plan for 2035,” 2010 was created and adopted in 2009. The plan was amended in 2016 and 2022 with another amendment currently being proposed for early 2023. As of 2005, this was the most recent comprehensive plan for the Village. A portion of the Town of Cedarburg is included in the planning area of the Village’s Future Land Use map (Map 1). The boundaries in this plan include a portion of the Town of Cedarburg.

The Village has also adopted a comprehensive outdoor recreation plan in December 2019 that provides five-year park, open space, and recreational facilities recommendations. The plan updates the 2008 plan. The two plans also address existing and future bicycle/pedestrian amenities and parks and open space. The Village of Grafton Bicycle and Pedestrian Plan (2015) includes an inventory of existing facilities, describes the planning process used to determine recommendations for facilities, identifies priority improvements and the type of improvements planned, contains an implementation plan, project cost estimates, and includes maps depicting current and future bicycle and pedestrian facilities. The Village of Grafton Park and Open Space Plan was adopted in 2002 and focuses on recreational development needs through 2007 and includes a recreational capital improvements program and inventory of existing facilities. The plan also includes recommendations for recreational development needs beyond 2007.

See the above section on the City of Cedarburg for information regarding the adopted sewer service plan for the Village of Grafton.

Village of Jackson

~~As of April 2006, the Village of Jackson adopted a comprehensive plan titled, "A Comprehensive Plan for the Village of Jackson: 2050" in November 2019. The plan was prepared with assistance from SEWRPC and updates the Village comprehensive plan adopted in 2009. had two plans for the community: SEWRPC Community Assistance Planning Report No. 10, Land Use and Arterial Street System Plans for the Village of Jackson (December 1976), and the Village of Jackson and Town of Jackson Revenue Sharing Agreement and Cooperative Boundary Plan (September 1999).~~

~~The Village also adopted a parks, recreation, and open space plan in January 2021. The plan provides recommendations for the development or improvements of parks, recreational facilities, and bikeways and trails.~~

Town of Grafton

~~The Town adopted its Comprehensive Outdoor Recreation Plan titled, "Town of Grafton Comprehensive Plan: 2035," in April 2008. The plan was prepared by the Planning and Design Institute and was subsequently amended in May 2017September of 2007, and will be adopting its Comprehensive Plan in 2008. The Town's Comprehensive Plan will be compliant with state statutes.~~

~~The Town also adopted a comprehensive outdoor recreation plan in March 2015. The plan provides recommendations for the acquisition, preservation, and protection of naturally-sensitive areas, the acquisition and development of park and open space sites, and the development and improvements of outdoor recreation facilities and various types of trails.~~

Town of Jackson

~~To the west of the Town of Cedarburg is the Town of Jackson, which is the only adjacent municipality located within Washington County. With assistance from SEWRPC, the Town of Jackson adopted a comprehensive plan titled, "A Comprehensive Plan for the Town of Jackson: 2050" in January 2021. The Town of Jackson is currently working on completing a comprehensive plan in compliance with state statutes.~~

The Town of Cedarburg should evaluate the above-mentioned plans when analyzing future development proposals and the location of trails, facilities, and parks within its boundaries to determine how well they connect to adjacent areas. See the Transportation and Utilities and Community Facilities chapters for information on the Town's plans for bicycle/pedestrian amenities and parks and open space.

Town of Saukville

~~In partnership with 13 other municipalities, the Town of Saukville participated in a multi-jurisdictional planning effort under Ozaukee County. The County multi-jurisdictional plan with a design year of 2035 was adopted in April 2008 and subsequently amended in May 2009. In 2008, the Town updated their land use plan and the~~

land use plan map associated with that plan update was incorporated into the County multi-jurisdictional plan as the Town comprehensive land use plan map. The ~~2008 Town of Saukville has a land use plan updates in place that was completed by SEWRPC in the 1998 Town plan. The plan is~~ entitled, “A Land Use Plan for the Town of Saukville: 2010.”

Town of Trenton

In partnership with ten other municipalities, the Town of Trenton ~~is participating~~ in a multi-jurisdictional planning effort under Washington County. ~~In April 2009, the Town adopted its own comprehensive plan titled, “A Comprehensive Plan for the Town of Trenton: 2035,” as part of the multi-jurisdictional planning effort. That plan, with assistance from SEWRPC, was subsequently updated with a design year of 2050 and adopted by the Town in January 2018. The County and partnering municipalities are currently in the process of completing this document.~~

INTERGOVERNMENTAL COOPERATION CONFLICTS

Ongoing Planning and Cooperation

Being that the nature of the planning process is not static, existing plans within the region will be subject to frequent change. These changes may create conflict between the plan of one governing body and the Town’s comprehensive plan. The Town should coordinate with adjacent municipalities and other governing bodies to review the comprehensive plan as it relates to the spirit and intention of other plans that affect the Town. These municipalities and governing bodies include, but are not limited to, the following:

- Wisconsin Department of Administration (DOA)
- Wisconsin Department of Natural Resources (WDNR)
- Wisconsin Department of Transportation (WisDOT)
- Southeastern Wisconsin Regional Planning Commission (SEWRPC)
- Ozaukee County
- City of Cedarburg
- City of Mequon
- Village of Grafton
- Town of Grafton
- Town of Jackson
- Town of Saukville
- Town of Trenton

In accordance with *Wisconsin Statute* 66.1001(2)(i), the comprehensive plan must be updated no less than once every ten years.

As mentioned previously, towns have no provision in the *Wisconsin Statutes* to agree (by resolution) to have their areas included in the county development plan, nor is there a provision for town endorsement of the county

development plan. In addition, no statutory language requires that counties incorporate or include town plans in a county plan. However, Ozaukee County ~~will~~included the land use plan for the Town of Cedarburg in the Multi-Jurisdictional Plan. To ensure that this recognition continues and adequately reflects the Town, it is crucial for the Town and Ozaukee County to establish methods by which each entity can ensure consistency between their respective plans.

Consistency

In terms of consistency between the Multi-Jurisdictional Plan, comprehensive plans for municipalities adjacent to the Town, and the Town comprehensive plan, it is important to emphasize that the definitions of “consistency” can be viewed in a number of ways.

- Consistency means that there is an absolute match between the County plan and the Town plan.
- Consistency means that the Town plan should match the County plan, both of which depict a future state, if and when the zoning is changed. Put another way, if everything matched exactly, they would not be “plans” but rather maps of “existing conditions”. The purpose of each plan is to guide decisions as they are made.
- Consistency means that as decisions are made they are generally within the intent and guidelines established by each plan, including all the provisions that such plans allow for making reasonable exceptions due to unique circumstances (not unlike conditional uses in zoning).

In addition, the model state enabling legislation prepared by the American Planning Association addresses the concept of consistency as it relates to comprehensive planning and land use decisions. This text can be used to interpret the idea of consistency as it relates to intergovernmental cooperation:

“The local planning agency shall find that proposed land development regulations, a proposed amendment to existing land development regulations, or a proposed land-use action is consistent with the local comprehensive plan when the regulations, amendment, or action:

- (a) furthers, or at least does not interfere with, the goals and policies contained in the local comprehensive plan;
- (b) is compatible with the proposed future land uses and densities and/or intensities contained in the local comprehensive plan; and
- (c) carries out, as applicable, any specific proposals for community facilities, including transportation facilities, other specific public actions, or actions proposed by nonprofit and for-profit organizations that are contained in the local comprehensive plan.

In determining whether the regulations, amendment, or action satisfies the requirements of subparagraph (a) above, the local planning agency may take into account any relevant guidelines contained in the local comprehensive plan.”

As discussed in the land use element, the following policies should be considered for resolving conflict between the Town and both neighboring municipalities and the County:

- Recognize that the Town's image of its future is legitimate regardless of whether it does not match the image of a neighboring municipality.
- Indicate that there are many ways to meet the criterion for "consistency" if and when such a criterion is actually imposed.
- Suggest other ways of collaborative planning with adjacent communities and the County.

INTERGOVERNMENTAL COOPERATION

GOALS, OBJECTIVES, AND POLICIES

GOAL #1

Maintain effective working relations with adjoining municipalities.

OBJECTIVE

Encourage opportunities for cooperation in formulating compatible local policies and programs (e.g. development regulations, boundary agreements, etc.).

POLICIES

Complete the cooperative planning process with the City of Cedarburg.

Consider periodic meetings with adjacent municipalities to review common issues.

Conduct an analysis of areas at risk for annexation in the Town (currently, only applies to the Village of Grafton).

Consider additional opportunities or the restructuring of current shared service agreements between the City of Cedarburg and the Town.

GOAL #2

Maintain and improve communication with other governing bodies.

OBJECTIVE

Ensure regular interaction with neighboring communities, school districts, Ozaukee County, WDNR, WisDOT, SEWRPC, and other intergovernmental partners.

POLICIES

Continue attending meetings for the Wisconsin Town Association.

Attend pertinent County and school district meetings, and attend the City of Cedarburg shared services meetings.

Coordinate with Ozaukee County to ensure that amendments to the Town plan are incorporated into the Multi-Jurisdictional Plan.

OBJECTIVE

Devise new ways to coordinate and share community facilities and services with neighboring communities, school districts, and Ozaukee County.

POLICIES

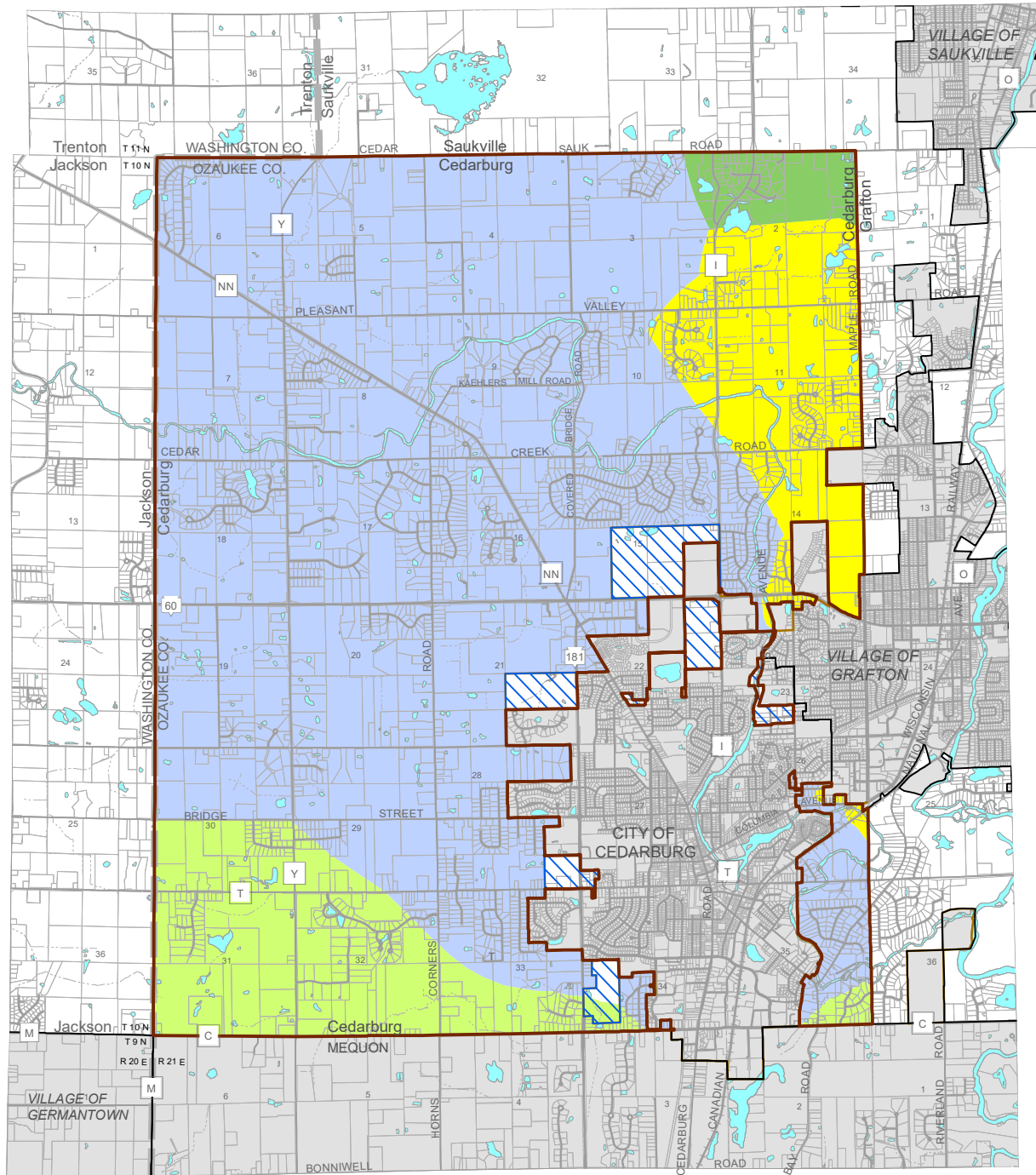
Consider coordinating with neighboring communities and the school districts when contracting private companies and similar services are needed (i.e. resurfacing, etc.). Negotiate for a reduced cost based on the larger project volume.

Consider opportunities to purchase expensive capital equipment jointly with neighboring communities in an effort to save through purchase and maintenance costs.

Encourage the school districts to collaborate in ways that will allow the provision of additional services to Town residents (i.e. youth programs, community use of classrooms by seniors and community classes).

Worldox #264594-2 – Town of Cedarburg CPU: Chapter 9 Text
110-1257
RLR/mid
12/04/23; 11/27/2023

Figure 1
Extraterritorial Plat Review Jurisdiction for Cities and Villages in the Town of Cedarburg: 2021-2041



EXTRATERRITORIAL AREAS WITH ADJUSTMENTS MADE FOR OVERLAPPING AREAS

- CITY OF MEQUON
- VILLAGE OF GRAFTON
- VILLAGE OF SAUKVILLE

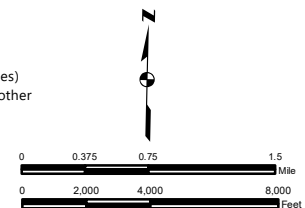
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CEDARBURG AND TOWN OF CEDARBURG

- TOWN AREA
(Town Lands with no Extraterritorial Plat Review: 2021-2041)
- CITY GROWTH AREA
(Areas Eligible for City of Cedarburg Annexation: 2021-2041)

- TOWN OF CEDARBURG: 2023
- INTERGOVERNMENTAL AGREEMENT BOUNDARY: 2021-2041

NOTE: The full extraterritorial plat review area (1.5 miles) applies only where the area does not overlap with another city or village's extraterritorial area.

The boundary of the City Growth Area is intended to establish the outer limits of annexation and potential boundary of the City of Cedarburg per the Intergovernmental Agreement to Provide Orderly Growth and Development entered into between the City of Cedarburg and the Town of Cedarburg in 2021. In addition, the City will not exercise extraterritorial plat review over Town lands in the Town Area identified in the Agreement between 2021 and 2041.



Source: Intergovernmental Agreement Between City of Cedarburg and Town of Cedarburg to Provide for Orderly Growth and Development and SEWRPC