

AGENDA
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON MONDAY, OCTOBER 30, 2017

1. **Call to Order**
2. **Roll Call (Establish a Quorum)**
3. **Certification of Compliance with the Open Meetings Law**
4. **Approval of the Agenda**
5. **Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**
6. **Approval of September 21, September 25, October 13 and October 19 Committee Meeting Minutes**
7. **Communications**
8. **September Monthly Financial Report for Land Information Office – Andy Erdman**
9. **October Monthly Financial Report for Zoning – Rob Klotz**
10. **Discussion and Possible Decision on Request for Holding Tank Waiver for Koshkonong Mounds Country Club Property, Town of Koshkonong**
11. **Discussion and Possible Action on Passed and Pending Legislation affecting County Zoning**
12. **Discussion and Possible Action on Comprehensive Plan and Agricultural Preservation and Land Use Plan and Zoning Ordinance Updates**
13. **Discussion and Possible Action on Petitions Presented in Public Hearing on October 19:**

R4007A-17 – Michael Cronin/Michael Neal & Doris Cronin Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 0.7-acre lot and a 2.3-acre lot at **W4849 Shaner Rd** from PIN 010-0515-0622-002 (3 Ac), Town of Hebron.

R4008A-17 – Michael Bumbard/C&G Bumbard Trust Property: Create a 6-acre building site utilizing lot combination on **Wishing Well Ln** in the Town of Koshkonong. The site is part of PIN 016-0513-2534-000 (40 Ac). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4009A-17 – Matthew Kaminski: Create a 1.59-ac farm consolidation lot around the home at **N7797 Vandred Rd** in the Town of Milford from part of PIN 020-0814-2933-000 (16.679 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4010A-17 – Kathryn I Moritz Trust: Create an 8.5-acre lot at **W6770 Pond Rd**, in part by farm consolidation and also by lot combination from PINs 016-0514-2924-000 (40 Ac) and 016-0514-2923-001 (10 Ac) in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4011A-17 – Kathryn I Moritz Trust: Rezone to create a 4.4-acre Natural Resource zone from part of PIN 016-0514-2924-000 (40 Ac), near **N6770 Pond Rd** in the Town of Koshkonong in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

R4012A-17 – J&D Messmann Trust/Robert Biwer, Vesta Biwer Trust: Rezone PIN 008-0715-3042-001 (8.487 Ac) to create an 8.55-acre Natural Resource zone near **County Road Y** in the Town of Farmington. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

CU1931-17 – North Shore Estates LLC: Allow multi-family residential development for 13 units at **W7990 and W7986 County Road B** on PINs 018-0713-0234-002 (3.419 Ac), 018-0713-0234-003 (0.561 Ac) and 018-0713-0234-009 (0.353 Ac). The site is in the Town of Lake Mills, and is zoned Residential R-1. This request is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

14. Possible Future Agenda Items

15. Upcoming Meeting Dates

November 10, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203

November 16, 7:00 p.m. – Public Hearing in Courthouse Room 205

November 27, 8:30 a.m. - Decision Meeting in Courthouse Room 203

December 15, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203

December 21, 7:00 p.m. – Public Hearing in Courthouse Room 205

January 8, 2018, 8:30 a.m. - Decision Meeting in Courthouse Room 203

16. Adjourn

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountymi.gov.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so that appropriate arrangements can be made.

A digital recording of the meeting will be available in the Zoning Department upon request.

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: Thursday, September 21, 2017

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. Call to Order

The meeting was called to order by Chairman Nass at 7:00 p.m..

2. Roll Call

All members were present, as well as Rob Klotz and Matt Zangl from the Planning and Zoning Department.

3. Certification of Compliance with Open Meetings Law Requirements

Reese confirmed the meeting is being held in compliance with the Open Meetings law requirements.

4. Approval of Agenda

Motion by Jaeckel, seconded by Reese to approve the agenda. Motion passed on a voice vote with no objection.

5. Explanation of Public Hearing Process by Committee Chair

Chairman Nass explained the public hearing process and noted the Committee decision meeting will be on Monday, September 25 at 8:30am and County Board Action will be on Tuesday October 10 at 7:00 pm.

6. Public Hearing

Klotz noted the Esser petition was withdrawn and there would not be a public hearing for the petition. Klotz read the following into the record:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, September 21, 2017, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the official zoning map of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff finding of fact, are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL AND
RURAL BUSINESS WITH CONDITIONAL USE**

R3996A-17 & CU1926-17 – Tim Esser: Rezone in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance with conditional use jj. for mini-warehousing/personal storage warehousing on **Newville Road** , PIN 030-0813-2834-003 (4.297 Ac) in the Town of Waterloo.

This petition was withdrawn.

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL
RESIDENTIAL**

R4003A-17 – Jacob Kummrow: Rezone to create a 1.16-acre building site on **Morgan Road** in the Town of Concord from part of PIN 006-0716-1344-000 (16.222 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Jacob Kummrow (N7970 Reserve Park Dr): I am asking for a 1 acre lot exclusive of ROW. It will be 208 feet square parcel located next to an existing home.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-14-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Klotz noted they will need to show access for new lot and the remnant lot on the CSM.

R4004A-17 – Lance Dopke/Dopke LLC Property: Create a 3-acre lot around the home at N8471 Witte Lane, Town of Watertown, from PIN 032-0815-2211-000 (18.106 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Lance Dopke (803 Cheyenne Circle, Watertown): I am asking for 2.8 ac or up to 3.0 ac lot with the existing home. We want to sell the house.

Response to Klotz: The house was built in 1980. The proposed access is on the north side of the property. The property will not change from what it is now. I am aware of the airport protection zone.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-14-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Klotz asked how old the house it? The lot will need a new driveway and access. Klotz asked if the petitioner is aware of the airport protection zone?

R4005A-17 – Donald & Phyllis Vehlow Trust: Create a 1-acre building site on County Road G from part of PIN 030-0813-2421-000 (20.962 Acres), Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Don Vehlow (N8861 Island Church Road): I want to create a building site. It will have a shared driveway and Don explained the sight lines for the access area.

Response to Klotz: The hwy shop was out and looked at the access area.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-15-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Klotz questioned the driveway and access. There is an email in the file explaining the access from Hwy Department.

FROM A-1, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCES

R4006A-17 – Donald & Phyllis Vehlow Trust: Rezone to create a 2.6-acre Natural Resource zone adjacent to a proposed building site on County Road G, Town of Waterloo, from PIN 030-0813-2421-000 (20.962 Acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

Petitioner: Don Vehlow (N8861 Island Church Road): The purpose is to maintain the wooded area. In 1980 it was part of the County set aside program. Now it is a forest. The area is highly erodible.

Response to Klotz: Yes, it will be sold with the lot.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-15-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Will this have the same access as the A-3 lot? This will be attached to the A-3 zone.

CONDITIONAL USE APPLICATIONS

CU1929-17 – Robert Muchka: Modify conditions of CU1786-14 to allow a third storage structure, 2,800 square feet and over 15 feet in height, at W1336 County Road B, Town of Concord, on PIN 006-0716-1641-001(3.467 Acres). The property is zoned Community; this action is being taken in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

Petitioner: Bob Muchka (400 N Summit Moors Drive, Oconomowoc): We would like an additional heated storage building. Everything is parked inside and we need more room now. There will be no additional access needed. It is located behind the other buildings and is not visible. It will be for the less used equipment.

Response to Klotz: Yes, the existing conditions are ok. There will be no bathroom, no drains and used for storage only. The building will be approximately 20-21 feet high. There are some wetlands on the property, but the proposed building is not near the wetlands.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-14-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Are you ok with the existing conditions from the original CUP? Any bathrooms? What is the height of the building? There are wetlands located on the property?

CU1930-17 – John & Ann Adsit: Conditional use for an extensive on-site storage structure 20 feet in height in a Residential R-1 zone. The site is at W9569 Skogen Road, Town of Oakland, on PIN 022-0613-0721-030 (0.477 Acre). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

Petitioner: John Adsit (W9569 Skogen Road): We would like to build a storage unit in the back of our yard. John explained the location and showed a picture of the proposed building. The extra height is asked for to match the height of the house and existing shed.

Response to Reese: No, all inside storage.

Response to Klotz: No, No and No. Yes, there will be a screen room for the summer.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: Reese: All inside storage? No outside storage?

Town Response: Dated 8-16-2017 the town was in favor to the petition.

Staff Report: Given by Klotz and in the file. Klotz explained the need for the CUP. Klotz asked if there would be any water service, habitable use or business use? There is a screened porch?

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.

A recording of the meeting will be available from the Zoning Department upon request.

Further information about Zoning can be found at www.jeffersoncountyiwi.gov

Motion to adjourn by Reese, seconded by David at 7:25 p.m. The motion was passed on a voice vote, with no objection.

Don Reese, Secretary

**MINUTES OF THE
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
DECISION MEETING**

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

**ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:30 A.M. ON SEPTEMBER 25, 2017**

1. Call to Order

The meeting was called to order at 8:30 a.m. by Chairman Nass.

2. Roll Call (Establish a Quorum)

Committee members Nass, Jaeckel and David were present. Reese and Rinard were absent and excused. Also present were Rob Klotz, Deb Magritz and Matt Zangl from the Zoning Department.

3. Certification of Compliance with the Open Meetings Law

Klotz verified that the meeting was being held in compliance with open meetings law requirements.

4. Approval of the Agenda

Motion by Jaeckel, seconded by David to approve the agenda as presented. Motion carried on a voice vote with no objection.

5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)

There was no public comment.

Approval of August 28, September 8 and September 21 Committee Meeting Minutes

Motion by Jaeckel, seconded by Nass to approve the August 28 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Jaeckel, seconded by David to approve the September 8 minutes as presented.

September 21 minutes were not available for review.

7. Communications

There were no communications.

8. August Monthly Financial Report for Land Information Office – Andy Erdman

Erdman reported that August was a good month for revenues. Recording revenues seem to have come back to expectations. He also noted that his budget hearing went well with the Finance Committee.

9. September Monthly Financial Report for Zoning – Rob Klotz

Klotz told the Committee that revenues are up \$2,000 for the month over September of 2016 due to two tower permits having been issued at \$3,000 each. He also reported that his budget presentation went well with the Finance Committee.

10. Discussion and Possible Decision on Request for Holding Tank Waiver for Koshkonong Mounds Country Club Property, Town of Koshkonong

Klotz explained the request. He noted that there is ample room for a system, however its use would be just seasonal for concession stand and bathrooms. Jeff Simes, County Onsite Waste Systems Technician spoke. His main concern was whether the road was wide enough and could support a pump truck. Klotz suggested that if the Committee was inclined to approve the request, a condition might be for satisfactory evidence presented that they meet code and that the road is accessible, or if not, that they include the suction line in the plan submitted. Motion by Jaeckel to direct Koshkonong Mounds to talk with Simes about the potential for a system; the

Committee would prefer to see a regular system. Nass suggested that the Mounds prove to the Committee that they cannot put in a conventional system after discussion with Simes. Motion carried on a voice vote with no objection.

PLEASE SEE INDIVIDUAL FILES FOR A COMPLETE RECORD OF THE FOLLOWING DECISIONS:

11. Discussion and Possible Action on Petitions Presented in Public Hearing on September 21, 2017:

The Committee moved to CU1929-17:

APPROVED WITH CONDITIONS CU1929-17 – Robert Muchka on a motion by Jaeckel, seconded by David to modify conditions of CU1786-14 to allow a third storage structure, 2,800 square feet and over 15 feet in height, at W1336 County Road B, Town of Concord, on PIN 006-0716-1641-001(3.467 Acres). The property is zoned Community; this action is being taken in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVED WITH CONDITIONS R4003A-17 – Jacob Kummrow on a motion by David, seconded by Jaeckel to rezone to create a 1.16-acre building site on **Morgan Road** in the Town of Concord from part of PIN 006-0716-1344-000 (16.222 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVED WITH CONDITIONS R4004A-17 – Lance Dopke/Dopke LLC Property on a motion by David, seconded by Jaeckel to create a 3-acre lot around the home at N8471 Witte Lane, Town of Watertown, from PIN 032-0815-2211-000 (18.106 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVED WITH CONDITIONS R4005A-17 – Donald & Phyllis Vehlow Trust on a motion by David, seconded by Jaeckel to create a 1-acre building site on County Road G from part of PIN 030-0813-2421-000 (20.962 Acres), Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVED WITH CONDITIONS R4006A-17 – Donald & Phyllis Vehlow Trust on a motion by Jaeckel, seconded by David to rezone to create a 2.6-acre Natural Resource zone adjacent to a proposed building site on County Road G, Town of Waterloo, from PIN 030-0813-2421-000 (20.962 Acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

APPROVED WITH CONDITIONS CU1930-17 – John & Ann Adsit on a motion by Jaeckel, seconded by David for conditional use for an extensive on-site storage structure 20 feet in height in a Residential R-1 zone. The site is at W9569 Skogen Road, Town of Oakland, on PIN 022-0613-0721-030 (0.477 Acre). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

12. Possible Future Agenda Items

13. Upcoming Meeting Dates

October 13, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203-Jaeckel may be absent

October 19, 7:00 p.m. – Public Hearing in Courthouse Room 205

October 30, 8:30 a.m. - Decision Meeting in Courthouse Room 203

November 10, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203

November 16, 7:00 p.m. – Public Hearing in Courthouse Room 205

November 27, 8:30 a.m. - Decision Meeting in Courthouse Room 203

14. Adjourn

Motion by Jaeckel, seconded by David to adjourn the meeting. Motion carried on a voice vote, and the meeting adjourned at 8:58 a.m.

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

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MINUTES
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE
SITE INSPECTION MEETING

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

ROOM 203, COUNTY COURTHOUSE
311 S. CENTER AVE., JEFFERSON, WI 53549
8:00 A.M. ON FRIDAY, OCTOBER 13, 2017

1. Call to Order

The meeting was called to order by Vice-Chairman David at 8:05 a.m.

2. Roll Call (Establish a Quorum)

All Committee members other than Chairman Nass were present. Also present were Rob Klotz, Planning and Zoning Department Director and Matt Zangl, Zoning/On-Site Waste Systems Technician.

3. Certification of Compliance with the Open Meetings Law

Reese verified that the meeting was being held in compliance with open meeting law requirements.

4. Approval of the Agenda

The agenda was approved.

5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)

There was no public comment.

6. Communications

Klotz explained proposed legislative bills.

7. Site Inspections for Petitions to be Presented in Public Hearing on October 19, 2017:

Zangl and the Committee left at 8:13 a.m. on the following site inspections:

R4007A-17 – Michael Cronin/Michael Neal & Doris Cronin Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 0.7-acre lot and a 2.3-acre lot at **W4849 Shaner Rd** from PIN 010-0515-0622-002 (3 Ac), Town of Hebron.

R4010A-17 – Kathryn I Moritz Trust: Create an 8.5-acre lot at **W6770 Pond Rd**, in part by farm consolidation and also by lot combination from PINs 016-0514-2924-000 (40 Ac) and 016-0514-2923-001 (10 Ac) in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

R4011A-17 – Kathryn I Moritz Trust: Rezone to create a 4.4-acre Natural Resource zone from part of PIN 016-0514-2924-000 (40 Ac), near **N6770 Pond Rd** in the Town of Koshkonong in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

R4008A-17 – Michael Bumbard/C&G Bumbard Trust Property: Create a 6-acre building site utilizing lot combination on **Wishing Well Ln** in the Town of Koshkonong. The site is part of PIN 016-0513-2534-000 (40 Ac). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

CU1931-17 – North Shore Estates LLC: Allow multi-family residential development for 13 units at **W7990 and W7986 County Road B** on PINs 018-0713-0234-002 (3.419 Ac), 018-0713-0234-003 (0.561 Ac) and 018-0713-0234-009 (0.353 Ac). The site is in the Town of Lake Mills, and is zoned Residential R-1. This request is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

R4009A-17 – Matthew Kaminski: Create a 1.59-ac farm consolidation lot around the home at **N7797 Vandre Rd** in the Town of Milford from part of PIN 020-0814-2933-000 (16.679 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

N4012A-17 – J&D Messmann Trust/Robert Biwer, Vesta Biwer Trust: Rezone PIN 008-0715-3042-001 (8.487 Ac) to create an 8.55-acre Natural Resource zone near **County Road Y** in the Town of Farmington. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

8. Ajourn

Motion by Jaeckel, second by David to adjourn the meeting. Motion carried on a voice vote with no objection, and the meeting ended at 10:00 a.m.

Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Materials covering other agenda items can be found at www.jeffersoncountywi.gov.

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A digital recording of the meeting will be available in the Zoning Department upon request.

**MINUTES OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and a Request for a Conditional Use Permit

DATE: Thursday, October 19, 2017

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. **Call to Order:** The meeting was called to order at 7:00 p.m. by Chairman Nass.
2. **Roll Call:** All members were present. Also present was Matt Zangl and Rob Klotz from the Planning and Zoning Department.
3. **Certification of Compliance with Open Meetings Law Requirements:** Reese certified that the meeting was being held in compliance with the Open Meetings Law.
4. **Approval of Agenda:** Motion by David, second by Jaeckel to approve the agenda. The motion was carried on a voice vote with no objection.
5. **Explanation of Public Hearing Process by Committee Chair:** Chairman Nass explained the public hearing process and noted the Committee Decision meeting will be on 10-30-2017 and County Board action will be on 11-14-2017.
6. **Public Hearing:** Klotz read the following:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, October 19, 2017, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the official zoning map of Jefferson County and an application for conditional use permit. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff findings of fact, are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL
RESIDENTIAL**

R4007A-17 – Michael Cronin/Michael Neal & Doris Cronin Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 0.7-acre lot and a 2.3-acre lot at **W4849 Shaner Rd** from PIN 010-0515-0622-002 (3 Ac), Town of Hebron.

Petitioner: Michael Cronin (W4819 Shaner Lane): I would like to come into compliance by splitting the property into two parcels.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 8-14-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. This petition received variances for lot size. 17 years ago they converted the barn to a residence and never got a zoning permit.

R4008A-17 – Michael Bumbard/C&G Bumbard Trust Property: Create a 6-acre building site utilizing lot combination on **Wishing Well Ln** in the Town of Koshkonong. The site is part of PIN 016-0513-2534-000 (40 Ac). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Steve Mode (representative N2192 Clearview Lane): We want to sell the farm and create a non-prime lot.

Comments in Favor: Bill Merik (N606 Wishing Well Lane): Bill is in favor with minor issues in the dimensions.

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2107 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. This will be a six acre non-prime lot with 100% non-prime soil.

R4009A-17 – Matthew Kaminski: Create a 1.59-ac farm consolidation lot around the home at **N7797 Vandre Rd** in the Town of Milford from part of PIN 020-0814-2933-000 (16.679 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Matt Kaminski (N7797 Vandre Road): I would like to parcel off the house and original out buildings.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-14-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. The petition is for a 1.59 acre parcel farm consolidation.

R4010A-17 – Kathryn I Moritz Trust: Create an 8.5-acre lot at **W6770 Pond Rd**, in part by farm consolidation and also by lot combination from PINs 016-0514-2924-000 (40 Ac) and 016-0514-2923-001 (10 Ac) in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

Petitioner: Kathryn Moritz (W6770 Pond Road): I am dividing the area to create an 8.5 acre lot.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Klotz explained how a parcel of 8.5 acres can be created through the ordinance.

FROM A-, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCES

R4011A-17 – Kathryn I Moritz Trust: Rezone to create a 4.4-acre Natural Resource zone from part of PIN 016-0514-2924-000 (40 Ac), near **W6770 Pond Rd** in the Town of Koshkonong in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

Petitioner: Kathryn Moritz (W6770 Pond Road): This is for a 4.4 acre NR Zone from the 50 acres.

Comments in Favor: None

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-18-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Approximately half is wooded and half is non-prime soil. This will be added to the A-3 zone with the house.

R4012A-17 – J&D Messmann Trust/Robert Biwer, Vesta Biwer Trust: Rezone PIN 008-0715-3042-001 (8.487 Ac) to create an 8.55-acre Natural Resource zone near **County Road Y** in the Town of Farmington. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

Petitioner: Jerry Messmann (W4667 Marsh Road): We have already purchased half of this parcel and want to purchase the remainder. It will be used for hunting and recreational land.

Comments in Favor: Kathrine Messmann (W5302 Biederman Drive): Will there be a survey required?

D Messmann (W4667 Marsh Road): In favor

Comments Opposed: None

Questions from the Committee: None

Town Response: Dated 9-13-2017 and in the file, the town was in favor of this petition.

Staff Report: Given by Klotz and in the file. Klotz explained when a survey is required. This will be only hunting land, no buildings and no house.

CONDITIONAL USE PERMIT APPLICATION

CU1931-17 – North Shore Estates LLC: Allow multi-family residential development for 13 units at **W7990 and W7986 County Road B** on PINs 018-0713-0234-002 (3.419 Ac), 018-0713-0234-003 (0.561 Ac) and 018-0713-0234-009 (0.353 Ac). The site is in the Town of Lake Mills, and is zoned Residential R-1. This request is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

Petitioner: Jay Smith (Representative – 122 E Lake St): Mr. Smith explained that the petitioner is wanted a Conditional Use Permit for multi-family. Currently, there are to houses on three parcels. They would be completing a Condo Plat for 13 units including six duplexes and one home. This area is currently residential and an area for growth and near other condos.

Rebuttal: The owner sent a letter to the neighbors and were unaware of any opposition. The property was bought with the intent to separate or rent the homes. This petition was not spot zoning. Other projects in the area have 20 plus units. This location is prime for

growth with 4+ acres and 13 units. The petitioner will work with the neighbors and the Town needs to approve the Condo Plat. They will not be increasing boat traffic or slips, but the owners would have access to the water.

Ryan Quam (4604 Siggelkow Road): Ryan is the engineer for the project and can answer any questions presented.

Rebuttal: The Condo Plat will meet the County, Town and State requirements. The total amount of pavement will not increase by much and the water runoff will be treated by a rain garden.

Comments in Favor: None

Comments Opposed: Tom Travers (7974 County Road B): Tom lives near the project and is opposed for many reasons.

Attorney Karen Reemer (Representing Donna Tarnutzer) (140 E Lake St): They are opposed for the same reasons including increased noise, traffic and families sharing 75' of lake frontage.

Ed Barthell (W7952 County Road B): Opposed for the same reasons and concerns including increased traffic, environmental concerns, new utilities (new well impacts). Traffic and safety concerns with County Road B.

Jim Ackerman (W7946 County Road B): Jim is opposed and representing his mother (Kay). Opposed due to over population in the area, safety with County Road B and speed concerns on the road. Jim presented a petition with signatures from neighbors in the area. The petition was added to the file.

Peter Luther (W7968 County Road B): Peter is opposed with the same concerns including traffic concerns and well concerns.

Questions from the Committee: None

Town Response: Dated 9-12-2017 and in the file, the town was in favor of this petition with effort to be made to maintain 35' wetland setback and a vision triangle.

Staff Report: Given by Klotz and in the file. Klotz explained the Town notice requirements and the County's notice requirements. The property is zoned R-1 and has been since 1975 and has the ability for a conditional use for duplexes or multi-family of up to 10 units per acre. There was no objection from the County Hwy Department. The petition is for 6 duplexes and 1 single family home and will be developed as a condo development.

Motion to adjourn at 7:52 by Reese, seconded by Jaeckel. Motion passed by a voice vote with no objection.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.

A recording of the meeting will be available from the Zoning Department upon request.

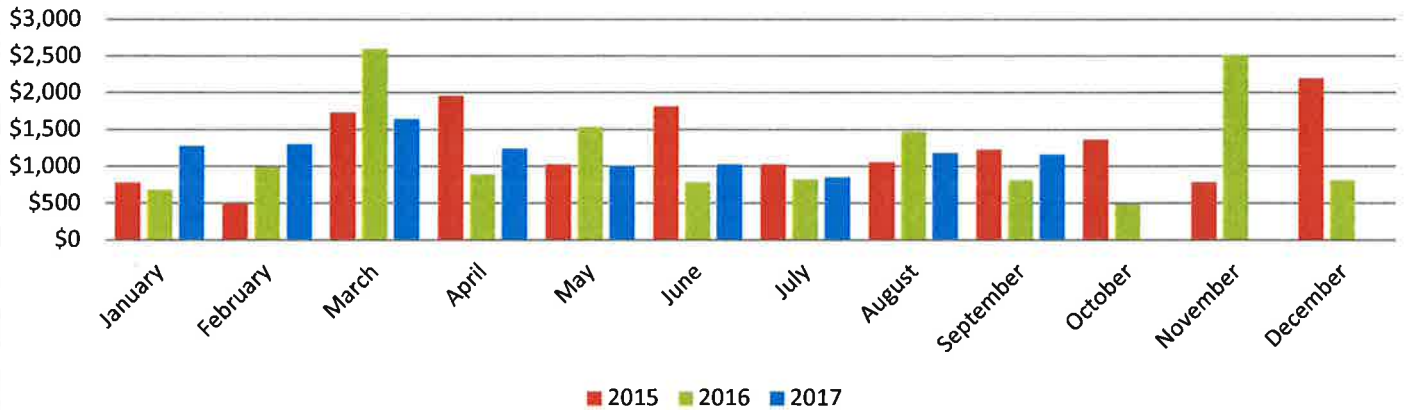
Further information about Zoning can be found at www.jeffersoncountymi.gov

Don Reese, Secretary

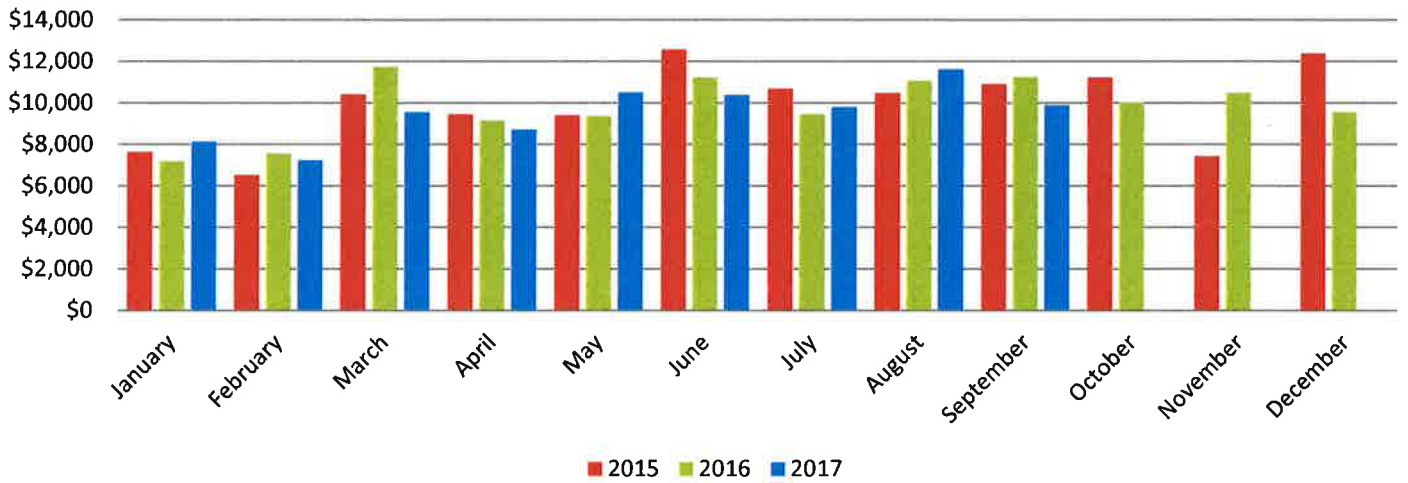
Land Information Monthly Revenue Report

January - September 2017

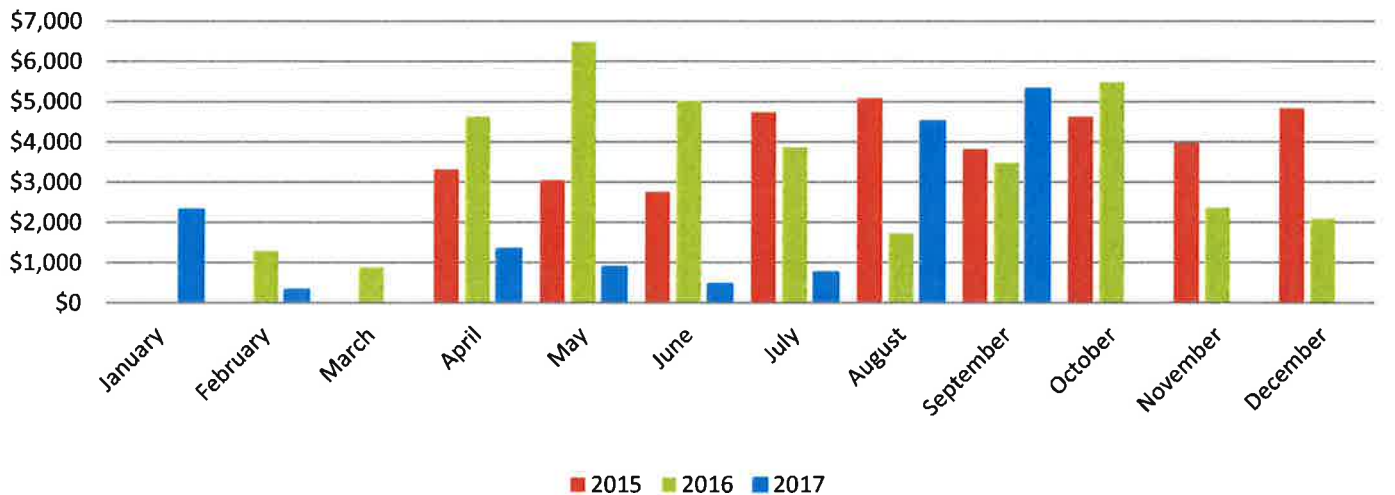
Land Information Office Remote Access and Map Sales



Land Information Program Retained Fee Revenue



Land Surveyor Revenue



Work Page | Zoning Receipt | Solid Waste | Receipt Look-up | Reporting |

Jefferson County Planning and Zoning Department

Enter Year:

submit

PDF:

Excel:

Enter 2016 Actual Zoning Deposit:

submit

Enter 2017 Budget Revenues:

submit

MTH	Other Permits/LU 7101.432099	Private Parties Copies/Maps 7101.451002	Municipal Copies/Printing 7101.472003	Private Sewage System (County) 7101.432002	Soil Testing Fee 7101.458010	Farmland Qualifying Acreage Schedule 7101.458015	Farmland Agreement App 7101.458014	Farmland Preservation Fee/ Certs 7101.458001	Septic Replacement Fee/ Wis Fund 7101.458002	Zoning Ordinance Forfeitures 7101.441002	Wisconsin Fund Grants 7102.421001	Refunds	2017 Totals	2016 Totals	2016- 2017 Difference
Jan	8,655.00	419.58		1,575.00	500.00								11,149.58	8,387.05	2762.53
Feb	7,710.00	263.50		2,750.00	150.00								10,873.50	16,026.12	-5152.62
Mar	11,135.00	26.73		2,950.00	450.00							375.00	14,561.73	15,042.16	-480.43
Apr	18,035.00	107.76		4,325.00	250.00							250.00	22,717.76	42,933.19	-20215.43
May	17,440.00	16.83		5,025.00	800.00								23,281.83	18,897.09	4384.74
June	22,410.00	10.26		6,750.00	700.00							450.00	29,870.26	20,248.87	9621.39
July	14,425.00	9.29		5,950.00	400.00								20,784.29	17,995.86	2788.43
Aug	12,990.00	11.44		4,125.00	1,100.00								18,226.44	22,735.79	-4509.35
Sept	22,720.00	80.00		5,900.00	400.00							250.00	29,100.00	22,428.79	6671.21
Oct	12,810.00	5.90		5,275.00	450.00								18,540.90	20,888.54	-2347.64
Nov														16,778.26	-16778.26
Dec														12,725.00	-12725
Total	148,330.00	951.29		44,625.00	5,200.00							1,325.00	199,106.29	235,086.72	-35980.43

2016 Actual Zoning Deposit: \$235,083.72

2017 Budget Revenues: \$198,018.00

2017 Deposits YTD: \$199,106.29



Jefferson County Zoning Department
320 S. Main Street
Jefferson, WI 53549
Attn: Jeff Simes

September 18, 2017

Dear Zoning Board,

I am writing on behalf of the Koshkonong Mounds Golf Course to request a variance in the septic code to install a 2,000 gallon holding tank to service a seasonal concession stand located at the far end of the golf course accessible off of the corner of Wishing well road and Koshkonong Lake Road

In 2011 a concession stand was built by contractors in memory of a Jefferson County golfer at the Koshkonong Mounds golf course to service the members, students, families and companies who come to play and watch golf. This stand was built using Brick construction by professional contractors according to all building codes.

Currently the course uses Porta Potty's which many times are unsanitary, vandalized, moved, tipped over, and a real problem for the course and it's neighbors. When the new building was constructed, Mark the Plumber, Abendroth Water, and Duntley Water Works pre-plumbed the facility for future well water usage, and bathroom addition so it would be pre-done when the time or budgets allowed.

There are several hardships that we would like to present to you that support the request for a holding tank.

- It is over 1000 yards to the nearest connection to the properties current septic system, and this is not possible without a pumping station due to uphill terrain.
- The removal of trees, fairways, and overall agricultural disruption to a beautiful course would make this a great hardship.
- Due to the fact this is a golf course, the proposed holding tank area does not lend itself to a septic field or a mound system where others would drive golf carts and heavy vehicles over, and the possibility of golfers hitting on top or on the side of a mound and damaging it.
- Presently there is no hand washing available at the concession stand, therefore food service is unable to be offered. A holding tank would allow for this.

- The total cost to install a field or mound system would prohibit this facility to offering nice sanitary bathrooms, leaving no option but to continue to struggle with Port Potty's
- Due to constant vandalism porta potty's are tipped over, moved, stolen. Many times the mess is left behind or scraped into the surface soil and ground. Bathrooms that can be locked and waste into a holding tank will eliminate the usage of porta potty's

Presently the location does lend itself well for the installation of a holding tank.

- This is a seasonal sport usage application. The golf course opens in May (sometimes April) and closes in October. The tanks would then be drained, water lines blown out and shut down.
- We already have a service road that is blacktop to this location for the concession stand and the current porta potty's, and this road is located within the code of 25 feet. The tank would not be obstructing or presenting any danger to the students, or staff.
- It will only provide services to the members, public players, high school golf teams, and area tournaments. Many of these events are large events which draw in many outside spectators for tourism.
- The maximum number of people that have the potential to use this facility at one time would be 200 people.
- This system will be permitted and Installed by Vailia Septic of Fort Atkinson

It is my hope that I have provided you with enough information to approve the request for the variance and installation of a holding tank at Koshkonong Mounds Golf Course.

Please feel free to contact me with any questions that you might have.

Sincerely,

Matthew Reel, PGA

General Manager / Director of Golf
Koshkonong Mounds Resort Inc.
mreel@kmccgolf.com

Vince M. Kent

President
Abendroth Water Inc.
WQA Certified Water Specialist
WQA Certified Installer
State of Wisconsin Master Plumber
vince@abendrothwater.com

Jefferson County Land Information



- | | |
|--|---|
|  Municipal Boundaries |  Section Lines |
|  Property Boundary |  Surface Water |
|  Old Lot/Meander Lines |  Map Hooks |
|  Rail Right of Ways |  Tax Parcels |
|  Road Right of Ways |  Streams and Ditches |



 Jefferson County Geographic Information System

DISCLAIMER: This map is not a substitute for an actual field survey or onsite investigation. The accuracy of this map is limited to the quality of the records from which it was assembled. Other inherent inaccuracies occur during the compilation process. Jefferson County makes no warranty whatsoever concerning this information.

Printed on: October 6, 2017
Author: Public User



Jefferson County Zoning Department
320 S. Main Street
Jefferson, WI 53549
Attn: Jeff Simes

June 3, 2016

Dear Zoning Board,

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Sincerely,

Matthew Reel, PGA

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Koshkonong Mounds Resort Inc.
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Vince M. Kent

President
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vince@abendrothwater.com



Wisconsin
County Code
Administrators

ZC Decision
Meeting
Agenda
10/30/17

Fall 2017 Legislative Report

Appointments & Announcements

- **Disaster Declaration:** 10/9/2017 Governor Scott Walker today announced a Federal Emergency Management Agency (FEMA) major disaster declaration for 11 counties impacted by flooding in western Wisconsin in July. The counties included in the declaration are Buffalo, Crawford, Grant, Iowa, Jackson, La Crosse, Lafayette, Monroe, Richland, Trempealeau and Vernon Counties.
- **ASSEMBLY DEMOCRATS ELECT NEW LEADERSHIP** The Assembly Democratic Caucus met to elect Gordon Hintz as the new Assembly Minority Leader. Hintz will take the position effective October 1.
- **Governor Walker** has released a list of **99 final veto decisions for the 2017-19 state budget**. According to Walker's release, "The vetoes improve the general fund balance by \$16.5 million in current biennium and by an estimated \$71 million in the 2019-21 biennium." Walker said the majority of vetoes are "technical corrections, eliminate nonfiscal policy items, or remove items that should be considered through separate legislation."
- **Religious Waiver for POWTS Systems:** Rep. Kathleen Bernier, the author of the 2015 "religious waiver" language and wanted me to know she is frustrated at the DSPS interpretation. She met with DSPS and the Governor's legal staff to impress upon them that it was never intended for the waiver to apply to POWTS. POWTS were not even discussed at that time and the drafting included the involvement of two LRB attorneys, Larry Konopacki of Leg Counsel, and DSPS. Unfortunately, DSPS is refusing to change its interpretation and it doesn't sound like the Governor's Office is going to do anything about it. Therefore, Rep. Bernier is working with Larry Konopacki to draft a "clean up" bill that clearly excludes POWTS from the religious waiver opportunity...retroactive to 2015. She also is asking for our cooperation in working with the landowners whose POWTS waivers will become null and void. Her request is that we do all we can to work with these people with the understanding that the wrongdoing is that of DSPS and not the landowner. She is hoping there will not be punitive action against these landowners, providing they are willing to concede the need to comply with POWTS codes.

Co-Sponsored Memos

- **LRB-4115 Memo Wetland Permitting** (Roth, Roger) Permitting and mitigation requirements for nonfederal and artificial wetlands and state assumption of the federal regulatory program governing the discharge of dredged or fill material into navigable waters. *Deadline: Friday, October 6, 3 pm*
- **LRB-4410 Memo Wetland Permitting** (Steineke, Jim) Permitting and mitigation requirements for nonfederal and artificial wetlands and state assumption of the federal regulatory program governing the discharge of dredged or fill material into navigable waters. *Deadline: Friday, October 6, 3 pm*

Bills – Assembly & Senate

Introduced Bills: Assembly – 527

Senate – 425

Bill: Assembly Bill 42 (Companion Senate Bill 15) **Enacted into Law**

Description: Relating to: various changes regarding **administrative rules and rule-making procedures** and making an appropriation.

Impact: This bill

1. Requires scope statements for proposed administrative rules to be reviewed by the Department of Administration for a determination of an agency's authority to promulgate a rule;
2. Requires agencies to hold preliminary public hearings and comment periods on scope statements for rules if directed to do so by the Joint Committee for Review of Administrative Rules (JCRAR);
3. Requires the passage of a bill in order for an agency to promulgate a rule that would result in implementation and compliance costs of \$10 million over any two-year period, subject to certain exceptions; and
4. Allows either a co-chairperson of JCRAR or JCRAR as a whole, at certain steps in the rule-making process, to request the preparation of an independent economic impact analysis for a proposed rule

Bill Status:

- 1/26/2017 Sen. Introduced by Senators
- 1/26/2017 Sen. Read first time and referred to Committee on Government Operations, Technology and Consumer Protection
- 6/14/2017 Asm. Read a third time and concurred in, Ayes 62, Noes 34
- 6/14/2017 Asm. Ordered immediately messaged
- 6/15/2017 Sen. Received from Assembly concurred in
- 8/3/2017 Sen. Presented to the Governor on 8-3-2017
- 8/9/2017 Sen. Report approved by the Governor on 8-9-2017. [2017 Wisconsin Act 57](#)
- 8/9/2017 Sen. Published 8-10-2017

WCCA Position: No Position Taken

Bill: [Assembly Bill 45 \(Companion Senate Bill 14\)](#)

Description: Relating to: state procurement of products and services from businesses located in this state and setting a goal for local government to purchase a certain percentage of products and services from businesses located in this state.

Impact: Municipalities would have to look to local businesses for products instead of just bid process.

Bill Status:

- 1/31/2017 Asm. Introduced by Representatives
- 1/31/2017 Asm. Read first time and referred to Committee on Government Accountability and Oversight
- 2/27/2017 Asm. Fiscal estimate received
- 3/7/2017 Asm. Refused to withdraw from the committee on Government Accountability and Oversight, Ayes 34, Noes 64

WCCA Position: No Position Taken

Bill: [Assembly Bill 050 \(Companion Senate Bill 22\)](#)

Description: This bill establishes standards and a process for designating areas in this state as groundwater management areas. The standards vary depending on whether an area has a confined aquifer or an unconfined aquifer. An aquifer is a water-bearing geologic formation. A confined aquifer has above it a layer (of rock, for example) through which water does not pass easily. An unconfined aquifer does not have such a layer above it.

Current law provides for a Groundwater Coordinating Council, consisting of the secretaries of natural resources, safety and professional services, agriculture, trade and consumer protection, health services, and transportation, and the president of the University of Wisconsin System, or their designees; the state geologist; and a person to represent the governor. This bill requires the GCC to appoint a subcommittee on groundwater area review (council subcommittee), consisting of individuals with technical expertise in the area of groundwater science and management.

Impact:

1. Eliminates the environmental review requirement relating to springs and instead requires DNR to conduct an environmental review of an application for approval of a high capacity well that may have a significant adverse impact on waters of the state.
2. Provides that an approval issued after the effective date of the bill may not remain in effect for more than ten years. An approval issued prior to the effective date of the bill remains in effect for a longer period depending on how long before the effective date of the bill it was issued.
3. DNR develops a groundwater management plan for a groundwater management area, DNR may not approve a high capacity well in the groundwater management area unless the high capacity well is consistent with the groundwater management plan. (Marathon County is not listed within the initial management area but surrounding counties are involved.)

Bill Status:

- 2/6/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 2/23/2017 Asm. Fiscal estimate received

WCCA Position: No Action Taken

Bill: [Assembly Bill 63](#)

Description: Relating to: lead testing and disclosures for certain rental properties.

Impact: This bill exempts from wetland permitting requirements a discharge of material into a wetland that is incidental to installation or maintenance of utility infrastructure in a highway right-of-way if the affected portion of the wetland will be restored to the condition that existed immediately before the discharge was commenced.

Bill Status:

- 2/8/2017 Asm. Introduced by Representatives
- 2/8/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 2/22/2017 Asm. Fiscal estimate received
- 6/9/2017 Asm. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 64](#) ([Companion Senate Bill 30](#)) **Enacted into Law**

Description: **Executive Budget** (Joint Finance) State finances and appropriations, constituting the executive budget act of the 2017 legislature.

Impact:

1. **Local Regulations of Quarry Operations** – Was approved into the Budget, **Governor line vetoed this section.**
2. **Limits on residential dwelling rental prohibited.** - A political subdivision may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer.
3. If a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days, a political subdivision may limit the total number of days within any consecutive 365-day period that the dwelling may be rented to no fewer than 180 days. The political subdivision may not specify the period of time during which the residential dwelling may be rented, but the political subdivision may require that the maximum number of allowable rental days within a 365-day period must run consecutively.
4. **Wisconsin Fund - \$840,000.00**
5. SECTION 584r. 30.12 (1g) (jm) of the statutes is created to read: **30.12 (1g) (jm) Riprap in an amount not to exceed 200 linear feet that is placed in a river or inland lake, or in an amount not to exceed 300 linear feet that is placed in a Great Lakes water body, and to which all of the following apply:**
 - 1) The riprap is clean fieldstone or quarry stone with a diameter of no less than 6 inches and no greater than 48 inches.
 - 2) The toe of the riprap does not extend more than 8 feet waterward of the ordinary high-water mark.
 - 3) The final riprap slope is not steeper than one foot horizontal to 1.25 feet vertical.
 - 4) The riprap does not reach an elevation higher than 36 inches above the ordinary high-water mark or above the storm-wave height, as calculated using a method established by the department by rule, whichever is higher.
 - 5) No fill material or soil is placed in a wetland and, aside from riprap and, under subd. 7, gravel, no fill material or soil is placed below the ordinary high-water mark of any navigable waterway.
 - 6) The riprap follows the natural contour of the shoreline.
 - 7) Filter fabric or clean-washed gravel is used as a filter layer under the riprap.

Bill Status:

- 9/11/2017 Asm. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/13/2017 Asm. Read a third time and passed, Ayes 57, Noes 39, Paired 2
- 9/13/2017 Asm. Ordered immediately messaged
- 9/13/2017 Sen. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/13/2017 Sen. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/15/2017 Sen. Ordered immediately messaged
- 9/18/2017 Asm. Received from Senate concurred in
- 9/19/2017 Asm. Report correctly enrolled on 9-19-2017
- 9/20/2017 Asm. Presented to the Governor on 9-20-2017
- 9/21/2017 Asm. Report approved by the Governor with partial veto on 9-21-2017. [2017 Wisconsin Act 59](#)
- 9/21/2017 Asm. Published 9-22-2017

WCCA Position: No Position Taken

Bill: [Assembly Bill 70 \(Companion Senate Bill 42\)](#)

Description: Government Meeting Publication - Publication of proceedings of meetings held by certain government bodies.

Impact:

This bill authorizes city councils and the boards of villages, counties, school districts, and technical college districts to satisfy their legal obligation to publish the proceedings of regular and special meetings by posting a copy of the proceedings in a public place and electronically placing a copy of the proceedings on the Internet site maintained by the respective governmental unit

Bill Status:

- 2/13/2017 Asm. Introduced by Representatives
- 2/13/2017 Asm. Read first time and referred to Committee on Local Government
- 3/8/2017 Asm. Public hearing held
- 3/13/2017 Asm. Assembly Amendment 1 offered

- 2/15/2017 Sen. Introduced by Senators
- 2/15/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 3/13/2017 Sen. Senate Amendment 1 offered
- 3/14/2017 Sen. Public hearing held

WCCA Position: No Action Taken

Bill: [Assembly Bill 76 \(Companion Senate Bill 41\)](#)

Description: Relating to: lead testing and disclosures for certain rental properties.

Impact: This bill requires that a landlord conduct a test for lead for each water supply or plumbing system serving a premises prior to entering into a rental agreement with a prospective tenant for that premises

Bill Status:

- 2/20/2017 Asm. Introduced by Representatives
- 2/20/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 2/22/2017 Asm. Representative Stuck added as a coauthor

- 2/15/2017 Sen. Introduced by Senators
- 2/15/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 2/17/2017 Sen. Representative Pope added as a cosponsor
- 2/23/2017 Sen. Representative Stuck added as a cosponsor

WCCA Position: No Position Taken

Bill: [Assembly Bill 78 \(Companion Senate Bill 48\)](#)

Description: Relating to: lead service line replacements.

Impact: This bill provides that it is not unjust, unreasonable, insufficient, unfairly discriminatory, or preferential or otherwise unreasonable or unlawful for a water public utility to provide financial assistance to a customer solely for replacing service lines containing lead if the financial assistance is allowed by local ordinance.

Bill Status:

- 2/21/2017 Asm. Introduced by Representatives
- 2/21/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 3/6/2017 Asm. Fiscal estimate received
- 4/18/2017 Asm. Public hearing held
- 6/20/2017 Asm. Referred to committee on Rules

- 2/20/2017 Sen. Introduced by Senators
- 2/20/2017 Sen. Read first time and referred to Committee on Natural Resources and Energy
- 3/8/2017 Sen. Public hearing held
- 3/15/2017 Sen. Fiscal estimate received
- 3/29/2017 Sen. Executive action taken
- 3/29/2017 Sen. Report passage as amended recommended by Committee on Natural Resources and Energy, Ayes 5, Noes 0
- 3/29/2017 Sen. Available for scheduling
- 6/8/2017 Sen. Senate Amendment 1 to Senate Substitute Amendment 1 offered by Senator Cowles

WCCA Position: No Position Taken**Bill: [Assembly Bill 105](#) (Companion [Senate Bill 76](#)) Enacted into Law****Description:** This bill provides that no additional approval is needed for the owner of an approved high capacity well to

1. Repair or maintain the well,
2. Construct a replacement high capacity well, if the replacement well's purpose is to prevent contamination or if the replacement well will be substantially the same depth as the existing well and either within a 75-foot radius of the existing well or farther from the nearest groundwater protection area than the existing well,
3. Reconstruct the well to substantially the same depth and specifications as the existing well, or
4. Transfer the approval at the same time as the owner transfers the land on which the well is located. No additional fee is required for any of these actions, but the owner of the well must notify DNR of any replacement, reconstruction, or transfer.

Impact:

Impact should be minimal to the Counties due to this bill relinquishing approval authority from the DNR in certain cases for replacement and repair of high capacity wells.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives
- 3/1/2017 Asm. Read first time and referred to Committee on Agriculture
- 3/15/2017 Asm. Public hearing held
- 4/5/2017 Asm. Assembly Amendment 1 offered by Representative Krug

- 2/21/2017 Sen. Introduced by Senators
- 2/21/2017 Sen. Read first time and referred to Committee on Labor and Regulatory Reform
- 5/2/2017 Asm. Read a third time and concurred in, Ayes 62, Noes 35, Paired 2
- 5/2/2017 Asm. Representative E. Brooks added as a cosponsor
- 5/2/2017 Asm. Ordered immediately messaged
- 5/3/2017 Sen. Received from Assembly concurred in
- 5/11/2017 Sen. Report correctly enrolled
- 5/11/2017 Sen. LRB correction
- 5/11/2017 Sen. LRB correction (Senate Amendment 4)
- 5/31/2017 Sen. Presented to the Governor on 5-31-2017
- 6/1/2017 Sen. Report approved by the Governor on 6-1-2017. [2017 Wisconsin Act 10](#)
- 6/1/2017 Sen. Published 6-2-2017

WCCA Position: No Action Taken

Bill: [Assembly Bill 106 \(Companion Senate Bill 80\)](#)

Description: Relating to: requiring approval by a municipal governing body before construction of highway roundabouts.

Impact: Under this bill, no roundabout may be constructed as part of a highway project unless the authority in charge of the highway project obtains approval for the roundabout from the governing body of the municipality where the proposed roundabout would be located.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives
- 3/1/2017 Asm. Read first time and referred to Committee on Transportation
- 3/29/2017 Asm. Fiscal estimate received

- 3/2/2017 Sen. Introduced by Senators
- 3/2/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 3/30/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 109](#)

Description: This bill makes a number of technical changes to the law authorizing towns located in a county with a population of at least 485,000 to withdraw from county zoning. The bill makes the following changes:

1. Changes some of the timing requirements related to when a town must notify a county of the town's intention to withdraw from county zoning.
2. No longer requires a town to send copies of its official map to the county clerk.

Impact:

This impacts a very small number of counties. This bill had originated from Dane County.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives
- 3/1/2017 Asm. Read first time and referred to Committee on Local Government
- 3/8/2017 Asm. Public hearing held
- 4/6/2017 Asm. Read a third time and passed, Ayes 57, Noes 34, Paired 6
- 4/6/2017 Asm. Ordered immediately messaged
- 4/6/2017 Sen. Received from Assembly

WCCA Position: No Action Taken

Bill: [Assembly Bill 119](#)

Description: Relating to: method of notification when a legal notice is provided electronically

Impacts: The bill. For qualifying municipalities that elect to provide legal notice by posting a notice in one public place and placing the notice on the municipality's internet site, the bill requires the municipality to include an easily identifiable link to its notices on the municipality's website homepage.

Bill Status:

- 3/2/2017 Asm. Introduced by Joint Legislative Council
- 3/2/2017 Asm. Read first time and referred to Committee on Judiciary

WCCA Position: No Action Taken

Bill: [Assembly Bill 120](#)

Description: Relating to: information required to be included in class 2 and class 3 legal notices.

Impacts: The bill allows a municipality the option to publish a summary, instead of publishing any full-text content that may be required under current law, for the second and third insertions that are required for publication of Class 2 and 3 notices, if the summarized notice also indicates that the full-text content may be viewed at the following sources:

1. The newspaper in which the initial insertion of the Class 2 or 3 notice was published.
2. The municipal website.
3. The Wisconsin Newspapers Association legal notices website.
4. A physical location maintained by the municipality. The authority to summarize the content of a notice under the bill does not apply to a legal notice required to be published by a municipality by order of a court.

Bill Status:

- 3/2/2017 Asm. Introduced by Joint Legislative Council
- 3/2/2017 Asm. Read first time and referred to Committee on Judiciary

WCCA Position: No Position Taken

Bill: [Assembly Bill 123 \(Companion Senate Bill 49\)](#)

Description: Relating to: the information technology block grant program, the broadband expansion grant program, waiving certain fees and appraisals, and making appropriations.

Impact: This bill makes changes to the following: 1) a broadband grant program administered by the Public Service Commission; 2) the authority of the Department of Natural Resources and the Department of Transportation regarding certain fees relating to the construction of broadband infrastructure; and 3) the Technology for Educational Achievement program, known as TEACH, which is administered by the Department of Administration

Bill Status:

3/2/2017 Asm.	Introduced by Representatives
3/21/2017 Asm.	Public hearing held
4/17/2017 Asm.	Assembly Amendment 1 offered
4/17/2017 Asm.	Assembly Amendment 2 offered
4/20/2017 Asm.	Referred to joint committee on Finance
4/24/2017 Asm.	Executive action taken
5/2/2017 Asm.	Read a second time
5/2/2017 Asm.	Assembly Amendment 1 adopted
5/2/2017 Asm.	Assembly Amendment 3 offered
5/2/2017 Asm.	Assembly Amendment 3 laid on table, Ayes 64, Noes 34
5/2/2017 Asm.	Assembly Amendment 4 offered
5/2/2017 Asm.	Assembly Amendment 4 laid on table, Ayes 64, Noes 34
5/2/2017 Asm.	Ordered to a third reading
5/2/2017 Asm.	Rules suspended
5/2/2017 Asm.	Read a third time and passed, Ayes 98, Noes 0
5/2/2017 Asm.	Ordered immediately messaged
2/20/2017 Sen.	Introduced by Senators
2/20/2017 Sen.	Read first time and referred to Committee on Revenue, Financial Institutions and Rural Issues
2/23/2017 Sen.	Public hearing held
3/7/2017 Sen.	Senate Amendment 1 offered by Senator
3/7/2017 Sen.	Senate Amendment 2 offered by Senator
3/8/2017 Sen.	Senate Amendment 3 offered by Senator
3/9/2017 Sen.	Report adoption of Senate Amendment 1 recommended by Committee on Revenue, Financial Institutions and Rural Issues, Ayes 5, Noes 0
3/9/2017 Sen.	Report passage as amended recommended by Committee on Revenue, Financial Institutions and Rural Issues, Ayes 5, Noes 0
3/21/2017 Sen.	Withdrawn from committee on Senate Organization and referred to joint committee on Finance pursuant to Senate Rule 46(2)(c)
3/27/2017 Sen.	Executive action taken
3/28/2017 Sen.	Report introduction of Senate Amendment 4 by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen.	Report introduction of Senate Amendment 5 by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen.	Report introduction of Senate Amendment 6 by Joint Committee on Finance, Ayes 16, Noes 0

3/28/2017 Sen. Report introduction of [Senate Amendment 7](#) by Joint Committee on Finance, Ayes 16, Noes 0
 3/28/2017 Sen. Report introduction of [Senate Amendment 8](#) by Joint Committee on Finance, Ayes 16, Noes 0
 3/28/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Joint Committee on Finance, Ayes 16, Noes 0
 3/28/2017 Sen. Report passage as amended, with emergency statement attached, pursuant to s.16.47 (2), Wisconsin Statutes, recommended by Joint Committee on Finance, Ayes 16, Noes 0
 3/28/2017 Sen. Available for scheduling
 3/31/2017 Sen. Placed on calendar 4-4-2017 pursuant to Senate Rule 18(1)
 4/4/2017 Sen. LRB correction (Senate Amendment 1)
 4/4/2017 Sen. [Senate Amendment 9](#) offered by Senators
 4/4/2017 Sen. [Senate Amendment 10](#) offered by Senators
 4/4/2017 Sen. [Senate Amendment 11](#) offered by Senators
 4/4/2017 Sen. [Senate Amendment 12](#) offered by Senators

 4/4/2017 Sen. Senate Amendment 13 offered by Senators
 4/4/2017 Sen. Senate Amendment 14 offered by Senators
 4/4/2017 Sen. Senate Amendment 15 offered by Senators
 4/4/2017 Sen. Read a second time
 4/4/2017 Sen. Senate Amendment 1 adopted
 4/4/2017 Sen. [Senate Amendment 9](#) laid on table, Ayes 20, Noes 13
 4/4/2017 Sen. [Senate Amendment 10](#) laid on table, Ayes 20, Noes 13
 4/4/2017 Sen. [Senate Amendment 11](#) laid on table, Ayes 20, Noes 13
 4/4/2017 Sen. [Senate Amendment 12](#) laid on table, Ayes 19, Noes 13
 4/4/2017 Sen. [Senate Amendment 13](#) adopted, Ayes 33, Noes 0
 4/4/2017 Sen. [Senate Amendment 14](#) laid on table, Ayes 20, Noes 13
 4/4/2017 Sen. [Senate Amendment 15](#) laid on table, Ayes 20, Noes 13
 4/4/2017 Sen. Ordered to a third reading
 4/4/2017 Sen. Rules suspended
 4/4/2017 Sen. Read a third time and passed, Ayes 33, Noes 0
 4/4/2017 Sen. Ordered immediately messaged
 4/4/2017 Asm. Received from Senate
 5/8/2017 Asm. Fiscal estimate received

WCCA Position: No Action Taken

Bill: [Assembly Bill 130](#)

Description: This bill authorizes a political subdivision to prohibit any person from placing a new mobile service support structure within, or within 750 feet of the boundary of, a residential zoning district that is the least dense of all such districts in the political subdivision. The bill also prohibits any person from placing such a structure within, or within 200 feet of the boundary of, the next two least dense residential zoning districts in the political subdivision

Impact:

Several years ago WI Legislators placed regulations within the State Budget bill restricting the regulation of approval and placement of Wireless Communication Towers. Counties were required to modify local ordinances to comply with these regulations. If approved this would restrict the location of towers and may limit locations in rural communities. This would push communication towers to utility services in to right of ways.

Bill Status:

3/8/2017 Asm. Introduced by Representatives
 3/8/2017 Asm. Read first time and referred to Committee on Energy and Utilities
 3/24/2017 Asm. Fiscal estimate received

WCCA Position: No Position taken, but requested clarification and clearer wording on the “residential zoning district that is the least dense of all such districts in the political subdivision”

Bill: [Assembly Bill 145](#) ([Companion Senate Bill 94](#)) - **Enacted into Law**

Description: Relating to: notification of special meetings of the common council of a city.

Impact: Under this bill, the mayor may call a special meeting by notifying members in a manner likely to give each member notice of the meeting and providing the notice at least six hours before the meeting.

Bill Status:

- 3/10/2017 Asm. Introduced by Representatives
- 3/10/2017 Asm. Read first time and referred to Committee on Local Government
- 5/3/2017 Asm. Public hearing held
- 5/8/2017 Asm. Fiscal estimate received
- 5/17/2017 Asm. Executive action taken
- 5/19/2017 Asm. Report passage recommended by Committee on Local Government, Ayes 8, Noes 0
- 5/19/2017 Asm. Referred to committee on Rules

- 3/2/2017 Sen. Introduced by Senators
- 3/2/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 4/12/2017 Sen. Public hearing held
- 8/1/2017 Sen. Presented to the Governor on 8-1-2017
- 8/2/2017 Sen. Report approved by the Governor on 8-2-2017. [2017 Wisconsin Act 50](#)
- 8/2/2017 Sen. Published 8-3-2017

WCCA Position: No Position Taken

Bill: [Assembly Bill 160](#) ([Companion Senate Bill 95](#)) **Enacted into Law**

Description: Relating to: regulation of **aquaculture and fish farms**, providing an exemption from emergency rule procedures, and granting rule-making authority.

Impact:

This bill...

1. Exempts normal aquaculture activities from the requirement to obtain an individual or general wetland permit, if the discharge is to a wetland that has been created for aqua cultural purposes in an area without any prior wetland history.
2. Expands the category of natural bodies of water that may be used as part of a fish farm to include an artificial water body that is used as a registered fish farm or as part of a registered fish farm, regardless of the water source of the artificial water body, including an artificial water body that is fed by a spring.
3. Creates an exemption to the general prohibition on using a natural water body as a fish farm for a person who holds a permit from DNR to use a natural water body as a fish farm and who takes no action in the water body other than maintaining the fish farm facility
4. Creates an exemption from the requirement to obtain a permit from DNR to construct, dredge, or enlarge an artificial water body that connects with a navigable waterway or that is located within 500 feet of the ordinary high-water mark of an existing navigable waterway. This exemption applies only to the maintenance or repair of an artificial water body or registered fish farm
5. Prohibits DNR from including additional conditions in a permit issued to a large fish farm unless those conditions are necessary to meet certain standards, such as federal or state water quality standards or schedules of compliance established by DNR.

Bill Status:

- 3/20/2017 Asm. Introduced by Representatives
- 3/20/2017 Asm. Read first time and referred to Committee on Natural Resources and Sporting Heritage
- 3/29/2017 Asm. Public hearing held
- 4/26/2017 Asm. Executive action taken
- 4/26/2017 Asm. Report passage recommended by Committee on Natural Resources and Sporting Heritage, Ayes 9, Noes 5
- 4/26/2017 Asm. Referred to committee on Rules
- 4/27/2017 Asm. Placed on calendar 5-2-2017 by Committee on Rules
- 5/2/2017 Asm. Read a third time and passed, Ayes 64, Noes 34
- 5/2/2017 Asm. Ordered immediately messaged
- 5/3/2017 Sen. Received from Assembly
- 5/4/2017 Sen. Read first time and referred to committee on Senate Organization
- 5/4/2017 Sen. Available for scheduling
- 5/5/2017 Sen. Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0
- 5/5/2017 Sen. Placed on calendar 5-10-2017 pursuant to Senate Rule 18(1)
- 5/10/2017 Sen. [Senate Amendment 1](#) offered by Senators
- 5/10/2017 Sen. [Senate Amendment 2](#) offered by Senators
- 5/10/2017 Sen. [Senate Amendment 1](#) rejected
- 5/10/2017 Sen. [Senate Amendment 2](#) rejected
- 5/10/2017 Sen. Ordered to a third reading
- 5/10/2017 Sen. Ordered immediately messaged
- 5/10/2017 Asm. Received from Senate concurred in
- 6/21/2017 Asm. Presented to the Governor on 6-21-2017
- 6/26/2017 Asm. Report approved by the Governor on 6-23-2017. [2017 Wisconsin Act 21](#)
- 6/26/2017 Asm. Published 6-24-2017

WCCA Position: No position taken

Bill: [Assembly Bill 161](#) ([Companion Senate Bill 219](#))

Description: Relating to: **authorizing a political subdivision to impose setback requirements or certain mobile service support structures.**

Impact: This bill grants a political subdivision limited authority to impose a setback requirement on the placement of such a structure. Under the bill, a requirement could apply only to a structure that is constructed on land that is zoned for residential use. In addition, the setback requirement must be based on the height of the proposed structure, and the requirement may not exceed the height of the proposed structure.

Bill Status:

- 3/20/2017 Asm. Introduced by Representatives
- 3/20/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 4/3/2017 Asm. Fiscal estimate received
- 5/4/2017 Sen. Introduced by Senators
- 5/4/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 6/6/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken, **but expressed concerns of the language of what districts are allowed to have these regulations.**

Bill: [Assembly Bill 179](#) ([Companion Senate Bill 173](#))

Description: Relating to: remediation of contaminated land; air pollution control requirements for certain manufacturing facilities constructed on formerly contaminated land; reassigning tax deeds on tax delinquent brownfield properties; creating a new method for the creation of environmental remediation tax incremental financing districts; loans and repayment assistance by a political subdivision for certain brownfield revitalization projects and collection of the debt by special charge; state trust fund loans for brownfield projects; conversion of business improvement districts; and annexations to business improvement districts and neighborhood improvement districts.

Impact: This bill:

1. Provides a definition of the term "property" in relation to the voluntary party liability exemption for remediation of contaminated land. The bill also provides that a property may be subdivided or transferred without affecting the liability exemption or requiring a new application.
2. This bill creates a pilot program under which a participating owner or operator of a stationary source is not required to make changes to the source's air pollution controls due to new or modified legal requirements, except as required under the federal Clean Air Act, for ten years after DNR issues a registration permit for the source.
3. This bill provides that a county may also assign its right to take a tax deed on brownfield property to a person who agrees to remediate, maintain, and monitor the property according to DNR rules.
4. Changes the way environmental remediation tax incremental districts are created.
5. A political subdivision may make a PACE loan to, or enter a PACE agreement with, an owner or lessee of a premises for a brownfield revitalization project.
6. Territory may be annexed to a BID or NID using essentially the same procedure as for the creation of the BID or NID. Also under this bill, upon petition by an owner of real property that is subject to general real estate taxes, that is used exclusively for residential purposes, and that is located in a BID, a BID may convert to an NID.
7. A state trust fund loan to a municipality made for the purpose of funding a project related to brownfields may not be included in arriving at the constitutional debt limitation if 1) the term of the loan is not more than 15 years, 2) the loan is not in default, and 3) DNR verifies to BCPL that the site on which the project will occur is a brownfield.

Bill Status:

- 3/28/2017 Asm. Introduced by Representatives
- 3/28/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 4/17/2017 Asm. Fiscal estimate received
- 5/16/2017 Asm. Public hearing held

- 4/13/2017 Sen. Introduced by Senators
- 4/13/2017 Sen. Read first time and referred to Committee on Government Operations, Technology and Consumer Protection
- 4/20/2017 Sen. Fiscal estimate received

WCCA Position: No Position taken

Bill: [Assembly Bill 187](#) ([Companion Senate Bill 137](#))

Description: Relating to: certain buildings used for social events.

Impact: This bill provides an exemption from building code requirements applicable to public buildings and places of employment for buildings historically used for farming (barns) that were built before 1965 and that are used principally for wedding receptions and similar social events. Such a barn is exempt under the bill if certain requirements are satisfied, including all of the following:

1. If the barn is internally wired for electricity or contains an elevator or other conveyance, the wiring or the elevator or other conveyance complies with applicable law.
2. All areas of the barn used for wedding receptions or other social events satisfy applicable state accessibility requirements.
3. Each year, there is at least one period of 90 consecutive days in which the barn is used for no more than one social event.
4. Smoking and all open flames are prohibited in the barn and within 50 feet of the barn, except for certain catering services.
5. The barn satisfies certain fire protection and posting requirements.

Bill Status:

- 3/28/2017 Asm. Introduced by Representatives
- 3/28/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 4/4/2017 Asm. Fiscal estimate received

- 3/29/2017 Sen. Introduced by Senators
- 3/29/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 4/12/2017 Sen. Fiscal estimate received
- 6/1/2017 Sen. Public hearing held

WCCA Position: No Position taken

Bill: [Assembly Bill 214 \(Companion Senate Bill 152\)](#)

Description: Prohibiting Mining/Drilling Prohibiting certain mining and drilling activities that cause the destruction or filling in of a lake bed, reservoir, or flowage or that cause the withdrawal of water from a reservoir or flowage. Referred to Assembly Rural Development and Mining

Impact:

This bill:

1. Eliminates the exceptions to the general prohibition against destroying or filling in a lake bed so that the prohibition applies to a person engaged in iron mining activities regardless of whether DNR has issued other permits for those activities.
2. Prohibits DNR from authorizing a person who is engaged in nonferrous metallic mining or iron mining from destroying or filling in a reservoir or flowage or from withdrawing water from a reservoir or flowage and
3. Prohibits DNR from authorizing a person conducting drilling operations for the exploration or production of oil or gas to withdraw water from a reservoir or flowage.

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Rural Development and Mining
- 3/29/2017 Sen. Introduced by Senators
- 3/29/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry

WCCA Position: No Position Taken

Bill: [Assembly Bill 211 \(Companion Senate Bill 158\)](#)

Description: Relating to: a property owner's right to refuse entry into his or her home for assessment purposes and conditions for appearing before the board of review.

Impact: This bill allows a person who has refused a reasonable written request to view the person's property to appear before the board of review to contest the property's assessed value and, ultimately, to file a claim with the taxation district for an excessive assessment. The bill also provides that the assessor may not increase the value of a person's property based on the person's refusal to allow entry to the assessor. In addition, the bill requires an assessor to provide written notice to each owner of residential property regarding the property owner's right to refuse entry to his or her residence for property tax assessment purposes. Finally, the bill allows a person who has not complied with a request to provide income information to the assessor to file a claim for an excessive assessment even though the person is prohibited from appearing before the board of review (Property Rights)

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Local Government
- 4/11/2017 Asm. Assembly Amendment 1
- 4/7/2017 Sen. Introduced by Senators
- 4/7/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 4/11/2017 Sen. Senate Amendment 1 offered
- 5/3/2017 Sen. Public hearing held

WCCA Position: No Position Taken

Bill: Assembly Bill 226 (Companion Senate Bill 168)

Description: This bill provides that a city, village, town, or county may remediate a contaminated private well, fill and seal a contaminated well, or rehabilitate, replace, or abandon a failing private on-site wastewater treatment system, in agreement with the owner of the well or wastewater treatment system, or may make a low-interest or interest-free loan to the owner of a contaminated well or failing wastewater treatment system for these purposes. Under the bill, if a city, village, town, or county takes any of these actions or provides a loan for these purposes, the city, village, town, or county may recover the costs of the action or collect the loan repayment as a special charge or special assessment.

Impact:

This bill will need to be monitored. This bill would

1. Give municipalities the option of a loan program
2. Another funding option for wastewater treatment systems
3. The county would have to set up an internal program using multiple departments to administer the program.

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 4/13/2017 Sen. Introduced by Senators
- 4/25/2017 Asm. Fiscal estimate received
- 5/16/2017 Asm. Public hearing held
- 6/14/2017 Asm. Report passage recommended by Committee on Environment and Forestry, Ayes 10, Noes 2
- 6/14/2017 Asm. Referred to committee on Rules
- 6/21/2017 Asm. Assembly Substitute Amendment 1 offered by Representatives
- 6/21/2017 Asm. Assembly Substitute Amendment 1 laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. Read a third time and passed
- 6/21/2017 Asm. Ordered immediately messaged
- 6/22/2017 Sen. Received from Assembly
- 6/23/2017 Sen. Read first time and referred to committee on Senate Organization
- 6/23/2017 Sen. Available for scheduling

WCCA Position: No Position Taken

Bill: Assembly Bill 246 (Companion Senate Bill 177)

Description: Under this bill, the owners of a majority of the land proposed to be transferred in a drainage district that is located entirely, or partly, within the boundaries of a municipality may petition the board having jurisdiction over the district to transfer jurisdiction of the district, or a part of the district that is located in the municipality, to the municipality. After a hearing, the board may order transfer of jurisdiction if it finds that a sufficient number of owners have signed the petition, the governing body of the municipality approves the transfer, and the municipality and district have entered into an agreement that contains the following items:

1. A statement of the goal of the agreement;
2. Specification of monetary obligations of the municipality and district;
3. The municipality agrees to ensure district access to, and maintenance of, drain access corridors;
4. The municipality agrees, upon request by the district, to maintain and repair former district drains; and
5. Upon declaratory judgment by a court, the district may complete any maintenance work not performed by the municipality and assess the costs to the municipality.

Impact:

As part of this bill there are some exemptions to floodplain regulations. Floodplain regulations are regulated both federally and by the state. If federal regulations are not followed the municipality jeopardizes their approval into the National Floodplain Insurance Program.

Bill Status:

- 4/14/2017 Asm. Introduced by Representatives
- 4/14/2017 Asm. Read first time and referred to Committee on Agriculture
- 5/1/2017 Asm. Fiscal estimate received
- 8/22/2017 Asm. [Assembly Amendment 1](#) offered
- 4/13/2017 Sen. Introduced by Senators
- 4/13/2017 Sen. Read first time and referred to Committee on Agriculture, Small Business and Tourism
- 5/3/2017 Sen. Fiscal estimate received
- 9/13/2017 Sen. [Senate Amendment 1](#) offered

WCCA Position: No Position Taken

Bill: [Assembly Bill 272 \(Companion Senate Bill 198\)](#)

Description: Weight limit exceptions for vehicles equipped with idle reduction technology or natural gas fuel systems.

Impact:

This bill provides that heavy-duty vehicles with idle reduction technology and vehicles that operate on natural gas may exceed certain weight limits.

Bill Status:

- 4/24/2017 Asm. Introduced by Representatives
- 4/24/2017 Asm. Read first time and referred to Committee on Transportation
- 5/9/2017 Asm. Fiscal estimate received
- 5/23/2017 Asm. Public hearing held
- 6/20/2017 Asm. Report passage recommended by Committee on Transportation, Ayes 13, Noes 0
- 6/20/2017 Asm. Referred to committee on Rules
- 4/20/2017 Sen. Introduced by Senators
- 4/20/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 5/3/2017 Sen. Public hearing held
- 5/17/2017 Sen. Report passage recommended by Committee on Transportation and Veterans Affairs, Ayes 5, Noes 0
- 6/9/2017 Sen. Placed on calendar 6-14-2017 pursuant to Senate Rule 18(1)
- 6/14/2017 Sen. Read a third time and passed
- 6/14/2017 Sen. Ordered immediately messaged
- 6/14/2017 Asm. Received from Senate
- 6/20/2017 Asm. Read first time and referred to committee on Rules

WCCA Position: No Position Taken

Bill: [Assembly Bill 317 \(Companion Senate Bill 322\)](#)

Description: Relating to: review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision.

Impact:

This bill provides for an alternate, expedited procedure an agency can use to repeal a rule that the agency determines it no longer has the authority to promulgate because of the repeal or amendment of the law that previously authorized its promulgation (unauthorized rule).

Bill Status:

- 5/12/2017 Asm. Introduced by Representatives
- 5/12/2017 Asm. Read first time and referred to Committee on State Affairs
- 5/17/2017 Asm. Public hearing held
- 5/23/2017 Asm. [Assembly Amendment 1](#) offered
- 5/23/2017 Asm. [Assembly Amendment 2](#) offered
- 6/2/2017 Asm. Report passage recommended by Committee on State Affairs, Ayes 10, Noes 5
- 6/2/2017 Asm. Referred to committee on Rules
- 6/7/2017 Asm. Placed on calendar 6-14-2017 by Committee on Rules
- 6/14/2017 Asm. [Assembly Amendment 3](#) offered
- 6/14/2017 Asm. [Assembly Amendment 3](#) laid on table, Ayes 62, Noes 34
- 6/14/2017 Asm. [Assembly Amendment 4](#) offered by Representative
- 6/14/2017 Asm. [Assembly Amendment 4](#) laid on table, Ayes 62, Noes 34
- 6/14/2017 Asm. Read a third time and passed, Ayes 62, Noes 34
- 6/14/2017 Asm. Ordered immediately messaged
- 6/15/2017 Sen. Received from Assembly
- 6/23/2017 Sen. Read first time and referred to committee on Labor and Regulatory Reform
- 8/29/2017 Sen. Public hearing held
- 9/7/2017 Sen. Executive action taken
- 9/8/2017 Sen. Report concurrence recommended by Committee on Labor and Regulatory Reform, Ayes 3, Noes 2
- 9/8/2017 Sen. Available for scheduling

WCCA Position: No Position Taken

Bill: [Assembly Bill 348](#)

Description: Wireless Facilities Regulation Limiting the authority of the state and political subdivisions to regulate wireless facilities and authorizing subdivisions to impose setback requirements for certain mobile service support structures.

Impact:

This bill creates a regulatory framework for the state and political subdivisions (cities, villages, towns, and counties) for the deployment of wireless equipment and facilities, including the placement of such items in rights-of-way (ROW), the collocation of such facilities on existing poles and structures, the regulation of access to governmental structures by wireless services and infrastructure providers, and limitations on local authority to regulate such activities. The bill also authorizes political subdivisions to impose setback requirements for certain mobile service support structures.

Bill Status:

- 5/25/2017 Asm. Introduced by Representatives
- 5/25/2017 Asm. Read first time and referred to Committee on Jobs and the Economy
- 5/30/2017 Asm. Public hearing held
- 6/5/2017 Asm. [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 1](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 2](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 3](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 4](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 5](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 6](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 7](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 8](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 9](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 10](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 11](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 12](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 13](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 14](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 15](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 16](#) to [Assembly Substitute Amendment 1](#) offered
- 6/6/2017 Asm. Executive action taken

- 6/8/2017 Asm. Report Assembly Amendment 5 to [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 11, Noes 0
- 6/8/2017 Asm. Report Assembly Amendment 16 to [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 11, Noes 0
- 6/8/2017 Asm. Report [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 9, Noes 2
- 6/8/2017 Asm. Report passage as amended recommended by Committee on Jobs and the Economy, Ayes 9, Noes 2
- 6/19/2017 Asm. [Assembly Amendment 17](#) to [Assembly Substitute Amendment 1](#) offered
- 6/20/2017 Asm. [Assembly Amendment 18](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 5](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 16](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 17](#) to [Assembly Substitute Amendment 1](#) withdrawn and returned to author
- 6/21/2017 Asm. [Assembly Amendment 18](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 19](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 19](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 20](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 20](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 21](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 21](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 22](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 22](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 23](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 23](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. Ordered immediately messaged
- 6/22/2017 Sen. Received from Assembly
- 7/5/2017 Sen. Printed engrossed by the direction of the Senate Chief Clerk-3854
- 7/10/2017 Sen. LRB correction ([Assembly Amendment 16](#) to Assembly Substitute Amendment 1)

WCCA Position: No Position Taken

Bill: [Assembly Bill 360 \(Companion Senate Bill 271\)](#)

Description: Relating to: the sale of homemade baked goods and homemade canned goods.

Impact:

This bill allows for the limited face-to-face sale of certain homemade baked and canned foods without a licensing requirement.

Bill Status:

- 6/1/2017 Asm. Introduced by Representatives
- 6/1/2017 Asm. Read first time and referred to Committee on Small Business Development
- 5/25/2017 Sen. Introduced by Senators
- 5/25/2017 Sen. Read first time and referred to Committee on Public Benefits, Licensing and State-Federal Relations
- 6/7/2017 Sen. Public hearing held
- 6/7/2017 Sen. Executive action taken
- 6/7/2017 Sen. Report introduction of [Senate Amendment 1](#) by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/7/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/7/2017 Sen. Report passage as amended recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/9/2017 Sen. Placed on calendar 6-14-2017 pursuant to Senate Rule 18(1)
- 6/14/2017 Sen. Read a second time
- 6/14/2017 Sen. [Senate Amendment 1](#) adopted
- 6/14/2017 Sen. Read a third time and passed
- 6/14/2017 Sen. Ordered immediately messaged
- 6/14/2017 Asm. Received from Senate

WCCA Position: No Position Taken

Bill: [Assembly Bill 361](#)

Description: Relating to: **requiring a local referendum to impose a wheel tax.**

Impact to Marathon County:

Under this bill, a municipality or county that proposes to impose a registration fee is required to hold a referendum at a regularly scheduled election. The registration fee may be imposed only if approved by a majority of the electors who vote in the referendum.

Bill Status:

- 6/1/2017 Asm. Introduced by Representatives
- 6/1/2017 Asm. Read first time and referred to Committee on Ways and Means
- 6/27/2017 Asm. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 370](#) ([Companion Senate Bill 296](#))

Description: Relating to: the establishment of a self-certification registry operated by the Department of Safety and Professional Services, granting rule-making authority, and providing a penalty.

Impact:

This bill requires the Department of Safety and Professional Services to establish and maintain an electronic self-certification registry that allows individuals certified by state-approved supporting organizations to apply to be able to use the title "state certified" in conjunction with their practice.

Bill Status:

- 6/2/2017 Asm. Introduced by Representatives
- 6/2/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform
- 6/19/2017 Asm. Fiscal estimate received
- 8/24/2017 Asm. Public hearing held
- 9/8/2017 Asm. [Assembly Amendment 1](#) offered by Representative Hutton

WCCA Position: No Position Taken

Bill: [Assembly Bill 388](#) ([Companion Senate Bill 320](#))

Description: Relating to: the discharge of dredged or fill material into artificial wetlands and requiring the exercise of rule-making authority.

Impact: This bill exempts from wetland permitting requirements a discharge of dredged or fill material into an artificial wetland.

Bill Status:

- 6/16/2017 Asm. Introduced by Representatives
- 6/16/2017 Asm. Read first time and referred to Committee on Environment and Forestry

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Natural Resources and Energy

WCCA Position: No Position Taken

Bill: [Assembly Bill 399](#) ([Companion Senate Bill 309](#))

Description: Relating to: zoning ordinances in the Lower St. Croix riverway.

Impact: This bill provides that neither the Department of Natural Resources nor a county may enforce a guideline or standard for local zoning ordinances applicable to the Lower St. Croix riverway, a general zoning standard, or a stipulation made between a county and a property owner to prohibit the operation of an event facility and lodging establishment in existing buildings on a property located in the riverway that was historically used as a recreational campground.

Bill Status:

- 6/19/2017 Asm. Introduced by Representatives
- 6/19/2017 Asm. Read first time and referred to Committee on Natural Resources and Sporting Heritage
- 7/19/2017 Asm. Public hearing held
- 8/28/2017 Asm. Report passage recommended by Committee on Natural Resources and Sporting Heritage, Ayes 8, Noes 3
- 8/28/2017 Asm. Referred to committee on Rules

- 6/15/2017 Sen. Introduced by Senator
- 6/15/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 8/10/2017 Sen. Public hearing held

WCCA Position: No Position Taken

Bill: [Assembly Bill 412](#)

Description: Relating to: the regulation of bakeries and the sale of baked goods.

Impact: This bill eliminates the authority of the Department of Agriculture, Trade and Consumer Protection to regulate the activities of a bakery and the sale of baked goods. Under current law, a food processing license is generally required to operate certain facilities at which food is manufactured or prepared for sale through processes such as baking, canning, freezing, and bottling, and DATCP may promulgate rules governing the operation of those facilities.

Bill Status:

- 6/29/2017 Asm. Introduced by Representatives
- 6/29/2017 Asm. Read first time and referred to Committee on State Affairs
- 7/10/2017 Asm. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 448](#)

Description: Relating to: Joint Committee on Finance consideration of motions relating to the biennial budget bill.

Impact: The bill provides that the Joint Committee on Finance may not consider or take executive action on any motion relating to the biennial budget bill unless the motion has been distributed to all members of JCF at least 48 hours before JCF considers or takes executive action on the motion. The motion must also be posted on the Legislative Fiscal Bureau Internet site at least 48 hours before JCF considers or takes executive action on the motion.

Bill Status:

- 7/25/2017 Asm. Introduced by Representatives
- 7/25/2017 Asm. Read first time and referred to Joint Committee on Finance
- 9/19/2017 Asm. Representative Quinn added as a coauthor

WCCA Position: No Position Taken

Bill: [Assembly Bill 456](#) ([Companion Senate Bill 374](#))

Description: Relating to: alternative highway project delivery methods; prevailing wage for public works projects; municipal approval of highway roundabouts; local referendum imposing a wheel tax; funding for and audit of the Department of Transportation; granting rule-making authority; and making appropriations.

Impact:

This bill authorizes the Department of Transportation and cities, villages, towns, counties, and technical colleges (governmental units) to use alternate methods for delivering projects

Bill Status:

- 7/26/2017 Asm. Introduced by Representatives
- 7/26/2017 Asm. Read first time and referred to Committee on Transportation
- 8/10/2017 Asm. Fiscal estimate received
- 8/3/2017 Sen. Introduced by Senators
- 8/3/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 8/15/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 479](#) ([Companion Senate Bill 387](#)) (Homeowner's Bill of Rights)

Description: Relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; shoreland zoning of, and the removal of material from the bed of, certain small, private ponds; inverse condemnation proceedings; and the right to display the flag of the United States.

Impact: This bill makes various changes to local government zoning authority, navigable water permits, inverse condemnation proceedings, and the right to display the flag of the United States.

Under this Bill:

- A city, village, town, or county may generally not prohibit a property owner from doing any of the following:
- Conveying an ownership interest in a substandard lot.
- Using a substandard lot as a building site if two conditions are met: the substandard lot has not been developed with one or more of its structures placed partly on an adjacent lot; and the substandard lot is developed to comply with all other ordinances of the political subdivision.
- Requires a city, village, town, or county to issue a conditional use permit to an applicant who meets, or agrees to meet, all of the requirements and conditions specified by the political subdivision. Under the bill, both the application, and the political subdivision's decision on the permit application, must be based on substantial evidence, although public testimony alone is not substantial evidence and cannot be the sole basis for a political subdivision to deny a conditional use permit.
- For a variance the property owner bears the burden of proving "unnecessary hardship" by demonstrating either of the following:

- 1) For an area variance, that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.
 - 2) For a use variance, that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In both situations, the property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than personal considerations, and that the unnecessary hardship was not created by the property owner.
- No ordinance of a political subdivision may prohibit, limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.
 - Exempts certain small, private ponds from the permitting requirements for removing material from the bed of a navigable body of water and from shoreland zoning laws. This bill adds an exception to these permitting requirements for the removal of material from the bed of a self-contained pond that is five acres or less in size, has no public access, and is located on and entirely surrounded by land privately owned by the same person.
 - Codifies the standard adopted by the Wisconsin Supreme Court in *Zealy v. City of Waukesha*, 201 Wis. 2d 265, 548 N.W.2d 528 (1996), for evaluating whether a regulation enacted by a governmental entity has the effect of taking a person's property without paying just compensation.
 - Allows a property owner to bring an action under the inverse condemnation law alleging that a restriction imposed by a governmental unit deprives the owner of all or substantially all practical use of the owner's property.
 - Creates a similar provision in Wisconsin law with respect to the federal Freedom to Display the American Flag Act of 2005 which prohibits a condominium association, housing cooperative, or homeowners' association (organization) from adopting or enforcing a policy, or entering into an agreement, that would restrict or prevent a member of the organization from displaying the flag of the United States on residential property that the member owns or to which the member has the right to exclusive possession and use.

Bill Status:

- 8/24/2017 Asm. Introduced by Representatives
- 8/24/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 8/10/2017 Sen. Introduced by Senators
- 8/10/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade

WCCA Position: No Position Taken

Bill: [Assembly Bill 480 \(Companion Senate Bill 388\)](#)

Description: Relating to: review by the Department of Safety and Professional Services of the state electrical wiring code applicable to one-family and two-family dwellings; the legal description required for recording an easement for the construction, operation, or maintenance of sewer lines or facilities; expanding the use of tax incremental financing for workforce housing development and allowing a reduction in the amount of certain impact fees; effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations; exempting certain vehicles delivering propane from class B highway weight limitations and certain special or seasonal weight limitations; elimination of the forestation state property tax; reviews of and reports on bills and proposed administrative rules that affect housing; general permits to place riprap on the bed of a navigable water; and making an appropriation.

Impact: This bill makes various changes relating to the following:

1. Review by the Department of Safety and Professional Services of the state electrical wiring code applicable to one-family and two-family dwellings.
2. The legal description required for recording an easement for the construction, operation, or maintenance of sewer lines or facilities.
3. Expanding the use of tax incremental financing for workforce housing development and requiring a reduction in the amount of certain impact fees.
4. The effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations.
5. Exempting certain vehicles delivering propane from class B highway weight limitations and certain special or seasonal weight limitations.
6. Eliminating the forestation state property tax.
7. Reviews of and reports on bills and proposed administrative rules that affect housing.
8. General permits to place riprap on the bed of a navigable water.

Bill Status:

- 8/24/2017 Asm. Introduced by Representatives
- 8/24/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 9/12/2017 Asm. Fiscal estimate received
- 8/10/2017 Sen. Introduced by Senators
- 8/10/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 8/28/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 483 \(Companion Senate Bill 394 \)](#)

Description: Relating to: eliminating the Building Inspector Review Board and the Contractor Certification Council and requiring the Uniform Dwelling Code Council to review complaints regarding the inspection of one-family or two-family dwelling construction.

Impact: This bill eliminates the Building Inspector Review Board and the Contractor Certification Council and transfers their duties to the Uniform Dwelling Code Council.

Bill Status:

- 8/29/2017 Asm. Introduced by Representatives
- 8/29/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform
- 9/6/2017 Asm. Fiscal estimate received
- 9/7/2017 Asm. [Assembly Amendment 1](#) offered
- 8/24/2017 Sen. Introduced by Senators
- 8/24/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 9/14/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Assembly Bill 497 \(Companion Senate Bill 406 \)](#)

Description: Relating to: mitigation requirements applicable to wetland individual permits.

Impact: Under this bill, if the Department of Natural Resources issues a wetland individual permit to a public utility, DNR may not require mitigation unless the discharge authorized by the wetland individual permit will result in a permanent fill of more than 10,000 square feet of wetland

Bill Status:

- 9/13/2017 Asm. Introduced by Representatives
- 9/13/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 9/18/2017 Asm. Withdrawn from committee on Environment and Forestry and referred to committee on Energy and Utilities pursuant to Assembly Rule 42 (3)(c)
- 9/21/2017 Asm. Fiscal estimate received
- 9/14/2017 Sen. Introduced by Senators
- 9/14/2017 Sen. Read first time and referred to Committee on Elections and Utilities

WCCA Position: No Position Taken

Bill: [Assembly Bill 499 \(Companion Senate Bill 395 \)](#)

Description: Relating to: the regulation of nonferrous metallic mining, prospecting, exploration, and bulk sampling, repealing administrative rules relating to wetlands, granting rule-making authority, and making an appropriation.

Impact: This bill repeals the existing prohibition on issuing sulfide ore mining permits. Current law prohibits DNR from issuing any permits for the purpose of mining a sulfide ore body until DNR determines that 1) there is a mining operation in a potentially acid-generating sulfide ore body in the United States or Canada that has been in operation for at least ten years without resulting in the pollution of groundwater or surface water from acid drainage or from the release of heavy metals; and 2) there is a mining operation that operated in a potentially acid-generating sulfide ore body in the United States or Canada that has been closed for at least ten years without resulting in the pollution of groundwater or surface water from acid drainage or from the release of heavy metals.

This bill also makes changes to the locations at which groundwater standards may apply at nonferrous metallic mining and prospecting sites. The bill does not make changes to numerical groundwater standards.

This bill requires DNR, for each mining or prospecting site, to determine the depth in the Precambrian bedrock below which the groundwater is not reasonably capable of being used for human consumption and is not hydrologically connected to other sources of groundwater that are suitable for human consumption. Under the bill, for a nonferrous metallic mining or prospecting site, DNR may not apply groundwater enforcement standards at any point deeper than that identified depth for the site.

Bill Status:

- 9/14/2017 Asm. Introduced by Representatives
- 9/14/2017 Asm. Read first time and referred to Committee on Labor

- 8/29/2017 Sen. Introduced by Senators
- 8/29/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 9/7/2017 Sen. Public hearing held
- 9/8/2017 Sen. Fiscal estimate received
- 10/2/2017 Sen. [Senate Amendment 1](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 2](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 3](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 4](#) offered by Senator Tiffany

WCCA Position: No Position Taken

Bill: [Assembly Bill 508 \(Companion Senate Bill 411\)](#)

Description: Relating to: apprentices-to-journey worker ratios in apprenticeships and the minimum duration of carpentry and plumbing apprenticeships.

Impact: This bill specifically prohibits DWD from prescribing, enforcing, or authorizing, through any means, a ratio of apprentices to journey workers for apprenticeship programs or apprentice contracts that requires more than one journeyworker for each apprentice.

The bill also repeals certain provisions regarding minimum terms for carpentry and plumbing apprenticeships

Bill Status:

- 9/20/2017 Asm. Introduced by Representatives
- 9/20/2017 Asm. Read first time and referred to Committee on Workforce Development

- 9/14/2017 Sen. Introduced by Senators
- 9/14/2017 Sen. Read first time and referred to Committee on Labor and Regulatory Reform

WCCA Position: No Position Taken

Bill: [Senate Bill 26](#)

Description: Relating to: broadband expansion grants and making an appropriation.

Impact:

Beginning in FY 2019-20, this bill reserves for the Broadband Expansion Grant Program \$1.5 million annually from the funding that the PSC currently receives from assessments paid into the USF by telecommunications providers.

Bill Status:

- 2/8/2017 Sen. Introduced by Joint Legislative Council
- 2/8/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 3/2/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: Senate Bill 245

Description: Relating to: requiring a supermajority vote for bills overturning local government policies, ordinances, and regulations.

Impact:

This bill provides that no house of the legislature may pass a bill that overturns any local government policy, ordinance, or regulation unless the bill is approved by two-thirds of those members present and voting. The bill applies to policies, ordinances, and regulations of school districts, counties, cities, villages, and towns.

Bill Status:

- 5/11/2017 Sen. Introduced by Senators
- 5/11/2017 Sen. Read first time and referred to Committee on Financial Services, Constitution and Federalism

WCCA Position: No Position Taken

Bill: Senate Bill 330

Description: Relating to: regulating and monitoring airborne particulate matter and respirable silica and granting rule-making authority.

Impact:

This bill requires an owner or operator of an industrial sand mining or processing facility to monitor the ambient air near the facility for small crystalline silica particles and other particulate matter and report the results to the Department of Natural Resources

This bill also requires DNR to promulgate an ambient air quality standard for small crystalline silica particles

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/7/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: Senate Bill 331

Description: Relating to: monitoring industrial sand mining and processing operations and making an appropriation.

Impact:

This bill authorizes eight full time equivalent positions to the Department of Natural Resources for monitoring industrial sand mining and processing operations and provides funding for those positions from the environmental fund.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/5/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Senate Bill 332](#)

Description: Relating to: listing frac sand mining as a conditional or prohibited use in certain types of zoning ordinances.

Impact:

Under this bill, with regard to a zoning ordinance that is enacted and relates to agricultural use, frac sand mining must be listed as a conditional use. Also under this bill, with regard to a zoning ordinance that is enacted and relates to residential use, frac sand mining must be listed as a prohibited use.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/26/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Senate Bill 333](#)

Description: Relating to: county authority relating to exploration for a type of industrial sand.

Impact:

This bill authorizes counties to issue licenses for the exploration of frac sand. Exploration consists of drilling holes for the purpose of searching for frac sand or establishing the nature and extent of a frac sand deposit. A person who applies to a county for a frac sand exploration license must submit a bond to ensure that drillholes will be properly filled and proof that the person has liability insurance covering personal injury and property damage. The bill also requires a licensee to notify the county before beginning drilling and before filling a drillhole. The bill requires the Department of Natural

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/11/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Senate Bill 334](#)

Description: Relating to: disclosure of contracts for frac sand mining on neighboring properties.

Impact:

This bill requires an owner to disclose on the applicable report whether the owner has notice or knowledge of a contract, or an option to contract, that allows a person to mine frac sand on a neighboring property.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry

WCCA Position: No Position Taken

Bill: [Senate Bill 335](#)

Description: Relating to: notice requirements for zoning actions related to frac sand mining.

Impact:

Under this bill, before a city, village, town that is authorized to exercise village powers, or county may take any action on an application for a frac sand mine, the governing body must publish a class 2 notice at least 30 days before the meeting and must also send written notice of the meeting, by first class mail, at least 30 days before the meeting, to the owner or occupant of any land that is located within one mile of the proposed mine.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/5/2017 Sen. Fiscal estimate received

WCCA Position: No Position Taken

Bill: [Senate Bill 425](#)

Description: Relating to: limiting the authority of the state and political subdivisions to regulate certain wireless facilities and authorizing political subdivisions to impose setback requirements for certain mobile service support structures.

Impact:

This bill creates a regulatory framework for the state and political subdivisions (cities, villages, towns, and counties) for the deployment of wireless equipment and facilities, including the placement of such items in rights-of-way (ROW), the collocation of such facilities on existing poles and structures, the regulation of access to governmental structures by wireless services and infrastructure providers, and limitations on local authority to regulate such activities. The bill also authorizes political subdivisions to impose setback requirements for certain mobile service support structures.

Bill Status:

- 10/4/2017 Sen. Introduced by Senator LeMahieu;
- 10/4/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 10/5/2017 Sen. Senator Cowles added as a coauthor

WCCA Position: No Position Taken



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1511/1
MES&MDK:amn

2017 BILL

1 AN ACT *to amend* 66.0401 (1m) (intro.) and 196.378 (4g) (b); and *to create*
2 66.0401 (1m) (d) of the statutes; **relating to:** authorizing a city, village, town,
3 or county to restrict placement of a wind energy system.

Analysis by the Legislative Reference Bureau

Under this bill, a city, village, town, or county may enact an ordinance that prohibits or regulates the placement of a wind energy system closer than 1,800 feet from the property line of any contiguous property, even if such an ordinance is more restrictive than rules promulgated by the Public Service Commission.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 66.0401 (1m) (intro.) of the statutes is amended to read:
5 66.0401 (1m) AUTHORITY TO RESTRICT SYSTEMS LIMITED. (intro.) No Except as
6 provided in par. (d), no political subdivision may place any restriction, either directly
7 or in effect, on the installation or use of a wind energy system that is more restrictive

BILL**SECTION 1**

1 than the rules promulgated by the commission under s. 196.378 (4g) (b). No political
2 subdivision may place any restriction, either directly or in effect, on the installation
3 or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind energy
4 system, unless the restriction satisfies one of the following conditions:

5 **SECTION 2.** 66.0401 (1m) (d) of the statutes is created to read:

6 66.0401 (1m) (d) With regard to a wind energy system, prohibits or regulates
7 the placement of such a system closer than 1,800 feet from the property line of any
8 contiguous property.

9 **SECTION 3.** 196.378 (4g) (b) of the statutes is amended to read:

10 196.378 (4g) (b) The commission shall, with the advice of the wind siting
11 council, promulgate rules that specify the restrictions a political subdivision may
12 impose on the installation or use of a wind energy system consistent with the
13 conditions specified in s. 66.0401 (1m) (a) to (c). The subject matter of these rules
14 shall include setback requirements that provide reasonable protection from any
15 health effects, including health effects from noise and shadow flicker, associated with
16 wind energy systems. The subject matter of these rules shall also include
17 decommissioning and may include visual appearance, lighting, electrical
18 connections to the power grid, setback distances, maximum audible sound levels,
19 shadow flicker, proper means of measuring noise, interference with radio, telephone,
20 or television signals, or other matters. A Except as provided in s. 66.0401 (1m) (d),
21 a political subdivision may not place a restriction on the installation or use of a wind
22 energy system that is more restrictive than these rules.

23 **SECTION 4. Initial applicability.**

BILL

1 (1) This act first applies to an ordinance that takes effect on the effective date
2 of this subsection.

3 (END)