

## *Role of the Plan Commission*

What functions is the plan commission required to perform? What functions are optional?

The following table provides a summary of typical plan commission functions. Words such as “shall” and “must” indicate functions the plan commission is required to perform. Words such as “may” and “should” indicate functions that may be required by local ordinance or initiated at the discretion of the governing body or plan commission.

### *Community Planning*

- **Plan Preparation.** The plan commission shall prepare and recommend a comprehensive plan for adoption by the governing body.<sup>4</sup> The commission may also prepare other more detailed community plans, reports and recommendations.
- **Plan Review and Updates.** The comprehensive plan must be updated at least once every ten years.<sup>5</sup> However, the plan commission may review or recommend updates to the plan on a more frequent basis.
- **Consistency Review.** New or amended zoning, subdivision and official mapping ordinances must be consistent with the comprehensive plan.<sup>6</sup> The plan commission may be asked to review these items for consistency.

### *Public Participation*

- **Preparation of a Public Participation Plan.** The governing body is required to prepare written procedures for public participation in association with the preparation of a comprehensive plan.<sup>7</sup> The plan commission may be asked to prepare this plan or take a lead role in involving the public.
- **Public Meetings and Hearings.** Under Wisconsin’s Open Meetings Law, all meetings and hearings of the plan commission must be open to the public and preceded by advance notice.<sup>8</sup> A public hearing must be held by the plan commission or governing body prior to adopting plans and ordinances and in association with most development review functions.

### *Plan Implementation*

- **Ordinances.** At the direction of the governing body, the plan commission shall prepare and recommend ordinances or amendments necessary to implement the plan (i.e. zoning,<sup>9</sup> subdivision,<sup>10</sup> official mapping,<sup>11</sup> driveway access, design review, etc.)
- **Programs.** The plan commission may recommend programs for public improvements<sup>12</sup> or other non-regulatory programs to implement the plan (i.e. education, economic development, tourism promotion, acquisition of land or conservation easements, capital improvement programs, intergovernmental agreements, etc.)

### *Development Review*

- **Plat Review.** Proposed plats that fall within a municipality’s plat approval jurisdiction must be referred to the plan commission for review. Approval of preliminary or final plats may be assigned to the plan commission or governing body.<sup>13</sup>

- **Rezones.** Proposed zoning amendments must be referred to the plan commission for review.<sup>14</sup> (Note: For towns under county zoning, rezones and other zoning matters do not need to be referred to town plan commissions. However, notice of rezones must be provided to affected towns.)
- **Conditional Uses.** Authority to decide zoning conditional use permits may be assigned to the plan commission, zoning board, or governing body as specified in the local zoning ordinance.<sup>15</sup>
- **Other review** as assigned by the governing body including but not limited to site plan review, design review, historic preservation review, etc.

### *Referrals and Advisory Recommendations*

The following matters must be referred to the plan commission for review and consideration before the governing body or other decision-making body takes action:<sup>16</sup>

- Location and design of public buildings
- Location of statues and memorials
- Land for public purposes such as streets, parks, airports, etc.
- Land for public or semi-public housing, slum clearance, relief of congestion, vacation camps for children
- Public utilities
- General fire limits<sup>17</sup>
- Child welfare agencies and group homes<sup>18</sup>
- Community-based residential facilities<sup>19</sup>
- Pedestrian malls<sup>20</sup>
- Proposed housing projects<sup>21</sup>
- Plats of lands over which the municipality is given platting jurisdiction
- Adoption or amendment of a subdivision or land division ordinance<sup>22</sup>
- Amendment or repeal of any ordinance adopted under Wis. Stat. sec. 62.23, including ordinances relating to plan commissions, comprehensive planning, official mapping and zoning.

### *Miscellaneous Powers*

- **Hire Staff.** The plan commission may employ or contract for the services of experts or staff, not to exceed appropriations made by the governing body.<sup>23</sup>
- **Adopt Rules of Procedure.** The plan commission may adopt rules of procedure and shall keep a record of its studies, resolutions, transactions, findings, and determinations.<sup>24</sup>
- **Inspect Land.** The plan commission may enter upon land, make examinations and surveys, and place and maintain necessary monuments and marks thereon.<sup>25</sup>

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<sup>4</sup> Wis. Stat. §§ 62.23(2) and 59.69(3)(a). <sup>5</sup> Wis. Stat. § 66.1001(2)(i). <sup>6</sup> Wis. Stat. § 66.1001(3). <sup>7</sup> Wis. Stat. § 66.1001(4)(a). <sup>8</sup> Wis. Stat. § 19.83. <sup>9</sup> Wis. Stat. §§ 59.69(5)(e), 60.61(4)(b) and 62.23(7)(d)1a. <sup>10</sup> Wis. Stat. § 236.45(4). <sup>11</sup> Wis. Stat. § 62.23(6). <sup>12</sup> Wis. Stat. § 62.23(4). <sup>13</sup> Wis. Stat. § 62.23(5) and 236.10(3). <sup>14</sup> Wis. Stat. §§ 59.69(5)(e) and 62.23(7)(d)2. <sup>15</sup> Wis. Stat. §§ 59.694(1) and 62.23(7)(e)1. <sup>16</sup> Wis. Stat. § 62.23(5) which applies to cities, villages and towns with village powers. Other references as noted. <sup>17</sup> Wis. Stat. § 62.23(9)(b). <sup>18</sup> Wis. Stat. § 48.68(3). <sup>19</sup> Wis. Stat. § 50.03(4). <sup>20</sup> Wis. Stat. § 66.0905. <sup>21</sup> Wis. Stat. § 66.1211(3). <sup>22</sup> Wis. Stat. § 236.45(4). <sup>23</sup> Wis. Stat. §§ 59.69(2)(d) and 62.23(1)(e). <sup>24</sup> Wis. Stat. §§ 59.69(2)(c) and 62.23(2). <sup>25</sup> Wis. Stat. § 62.23(4).