

1 **AN ACT** to amend 59.69 (4) (intro.), 60.61 (2) (b) and 62.23 (7) (b) of the statutes;
 2 **relating to:** mixed–use zoning.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council’s Special Committee on Performance–Based Disease Management Programs for Large Populations.

Current law authorizes cities, villages, and counties to enact zoning ordinances. A town may also enact a zoning ordinance if a town meeting authorizes a town board to exercise powers relating to villages and conferred on village boards by statute.

This draft clarifies that a municipality that is authorized to enact a zoning ordinance may establish mixed–use districts that contain any combination of uses, such as industrial, commercial, public, or residential uses, in a compact urban form.

3 **SECTION 1.** 59.69 (4) (intro.) of the statutes is amended to read:

4 59.69 (4) EXTENT OF POWER. (intro.) For the purpose of promoting the public health,
 5 safety and general welfare the board may by ordinance effective within the areas within such
 6 county outside the limits of incorporated villages and cities establish districts of such number,
 7 shape and area, and adopt such regulations for each such district as the board considers best
 8 suited to carry out the purposes of this section. The board may establish mixed–use districts
 9 that contain any combination of uses, such as industrial, commercial, public, or residential
 10 uses, in a compact urban form. The powers granted by this section shall be exercised through
 11 an ordinance which may, subject to sub. (4e), determine, establish, regulate and restrict:

NOTE: Grants authority to counties to establish mixed–use districts.

12 **SECTION 2.** 60.61 (2) (b) of the statutes is amended to read:

1 60.61 (2) (b) Establish districts of such number, shape and area necessary to carry out
2 the purposes under par. (a). The town board may establish mixed-use districts that contain
3 any combination of uses, such as industrial, commercial, public, or residential uses, in a
4 compact urban form.

NOTE: Grants authority to towns to establish mixed-use districts if the town is located in a county which has not enacted a county zoning ordinance.

5 **SECTION 3.** 62.23 (7) (b) of the statutes is amended to read:

6 62.23 (7) (b) *Districts.* For any and all of said purposes the council may divide the city
7 into districts of such number, shape, and area as may be deemed best suited to carry out the
8 purposes of this section; and within such districts it may regulate and restrict the erection,
9 construction, reconstruction, alteration or use of buildings, structures or land. All such
10 regulations shall be uniform for each class or kind of buildings and for the use of land
11 throughout each district, but the regulations in one district may differ from those in other
12 districts. No ordinance enacted or regulation adopted under this subsection may prohibit
13 forestry operations that are in accordance with generally accepted forestry management
14 practices, as defined under s. 823.075 (1) (d). The council may establish mixed-use districts
15 that contain any combination of uses, such as industrial, commercial, public, or residential
16 uses, in a compact urban form. The council may with the consent of the owners establish
17 special districts, to be called planned development districts, with regulations in each, which
18 in addition to those provided in par. (c), will over a period of time tend to promote the
19 maximum benefit from coordinated area site planning, diversified location of structures and
20 mixed compatible uses. Such regulations shall provide for a safe and efficient system for
21 pedestrian and vehicular traffic, attractive recreation and landscaped open spaces, economic
22 design and location of public and private utilities and community facilities and insure adequate

1 standards of construction and planning. Such regulations may also provide for the
2 development of the land in such districts with one or more principal structures and related
3 accessory uses, and in ~~such~~ planned development districts and mixed-use districts the
4 regulations need not be uniform.

NOTE: Grants authority to cities and villages to establish mixed-use
districts.

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(END)