

Village of Somers
7511 12th Street
Somers, WI 53171

Special Joint Village Plan Commission and
Village Board Work Session
Agenda
Monday, May 4, 2026
4:30 P.M.

Special Village Board / Plan Commission Work Session:	
Item #	
1	Call to order
2	Pledge of Allegiance
3	Citizen Comments
4	Training & Education of Plan Commission & Village Board regarding roles and responsibilities, and new legislation. <i>No action will be taken.</i>
5	Adjourn

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of May 4, 2026 Special Village Board / Plan Commission Work Session & Agenda in 1 public place & on the Village website.

Dated this 30th day of April, 2026

Wendy Burnette, Clerk-Treasurer

Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Clerk's Office at 262-859-2822 with as much notice as possible. **Notice is hereby given that members of the Village Board and/or Plan Commission may participate telephonically. Notice is hereby given that members of the Town Board may be in attendance for the sole purpose of gathering information. A quorum may be present. However, no Board action will be taken**

Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: November 17, 2025

Contact: Abby Gorzlancyk, Staff Attorney

2025 Assembly Bill 453

**Senate Substitute Amendment 1
and Senate Amendment 1 to
Senate Substitute Amendment 1**

2025 ASSEMBLY BILL 453, AS PASSED BY THE ASSEMBLY

Generally, the bill makes changes to comprehensive plans, requests to change zoning classifications, and certain aspects of tax increment districts (TIDs). The bill has an effective date of January 1, 2028.

Comprehensive Plans

Under current law, unless an exception applies, ordinances enacted or amended by a political subdivision that affect land use must be consistent with the political subdivision's comprehensive plan, and the comprehensive plan must have all the required planning elements.

The bill requires a city or village to identify the areas in which residential land use is projected and to specify the minimum and maximum net density of residences that will be authorized in five-year increments over 20 years in the land use element of the comprehensive plan. If a city or village enacts or amends certain zoning and local subdivision ordinances, its ordinances must be consistent with its comprehensive plan. This includes incorporating residential net density standards into the ordinances. An ordinance is consistent with the comprehensive plan for a village or city if the ordinance permits a land use that is expressly identified for the land in the land use map of the comprehensive plan. The bill specifies that these changes do not apply to a town or county.

Under the bill, if a person submits an application for a residential housing development permit or a request to change an existing zoning classification to a city or village, and the comprehensive plan does not include net density requirements for areas in which residential land use is projected, the city or village must amend its comprehensive plan to include net density within 180 days. The application must certify that the land subject to the application is not located in a farmland preservation zoning district, an agricultural enterprise area, and is not subject to a farmland preservation agreement. If a city or village is adding net density requirements in response to one of these requests, it does not need to follow otherwise required comprehensive planning procedures to amend the comprehensive plan.

Request to Change a Zoning Classification

The bill requires a city or village to approve a request to change a zoning classification of land required in order to proceed with a residential housing development within 60 days if the following are satisfied:

- The proposed change is for an area identified on the political subdivision's comprehensive plan as projected for residential land use.
- The proposed change is for an area that is adjacent or close in proximity to existing development.
- Either the proposed net density range of the residences in the housing development fall within the net density range specified in the comprehensive plan, or the political subdivision has not added net density to the comprehensive plan within the 180-day time period described in the section above.

- Current housing supply in the political subdivision does not meet existing or forecasted housing demand within the next five years, as provided in the comprehensive plan.
- Certification that the proposed change is for an area that is not located with a farmland preservation zoning district or agricultural enterprise area and is not subject to a farmland preservation agreement.

The bill specifies that this request cannot be made to a town or county, nor does it apply to the extraterritorial zoning jurisdiction of a city or village.

If requesting a zoning classified change to proceed with a residential housing development, the requestor may specify its preferences regarding the zoning classification, building set back requirements, lot width or frontage requirements, lot size requirements, and building size or bulk requirements. If the zoning classification requested allows the net density of the residences proposed in the residential housing development, the land must be reclassified into that classification.

The bill allows a request to change a zoning classification to be denied if the city or village demonstrates that the denial is necessary to prevent a shortage in or overburdening of public facilities, or to address a significant threat to the public health or safety. A city or village may also deny requests to change a zoning classification or a permit for a residential housing development for one year if: (1) it issues a request for proposals for a qualifying residential development with a specific net density range that aligns with the comprehensive plan;¹ and (2) no person responds to the request, with certain specified exceptions. The bill also specifies that these provisions do apply to a town or county.

Lastly, if a person is aggrieved by a political subdivision's failure to approve a request to change a zoning classification, they may seek relief through an action for mandamus and may recover court costs including reasonable attorney fees.

TIDs

The bill defines newly platted residential development, for purposes of mixed-use TIDs, to mean residential development on a parcel that has not previously been the site of permanent structures other than agricultural structures. It also increases the housing extension currently available for certain TIDs at the end of their lifespan, from one to two years.

SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute Amendment 1 includes the same provisions as 2025 Assembly Bill 453, as passed by the Assembly.

SENATE AMENDMENT 1 TO SENATE SUBSTITUTE AMENDMENT 1

Senate Amendment 1 changes the required time a city or village has to approve a request to change a zoning classification from 60 to 90 days, and creates an extension to the 90-day deadline if requested by the zoning classification change requestor. If the city or village fails to approve the request in the 90-day time frame or the extended time frame as requested, the requestor is allowed to seek relief through a mandamus action.

¹ A qualifying residential development is defined as a residential development that is reasonably expected to receive sewerage and sanitary water services from a public utility and that is not reasonably believed to be environmentally contaminated.

BILL HISTORY

Representative Brooks offered Assembly Amendment 1 and Assembly Amendment 2 on September 26, 2025. Representative Armstrong offered Assembly Amendment 4 on October 1, 2025 and Assembly Amendment 5 on October 7, 2025. Also on October 7, 2025, the Assembly adopted Assembly Amendments 1, 2, 4, and 5 on consecutive voice votes, and passed the bill, as amended, on a vote of Ayes, 55; Noes, 39.

On November 3, 2025, Senator Jagler introduced Senate Substitute Amendment 1 and Senate Amendment 1 to Senate Substitute Amendment 1. On November 11, 2025, the Senate Committee on Insurance, Housing, Rural Issues and Forestry recommended adoption of Senate Amendment 1 to Senate Substitute Amendment 1, Senate Substitute Amendment 1, and the bill, as amended, on consecutive votes of Ayes, 5; Noes 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

AG:jal

State of Wisconsin



2025 Assembly Bill 453

Date of enactment: April 2, 2026
Date of publication*: April 3, 2026

2025 WISCONSIN ACT 173

AN ACT to repeal 66.1001 (3m); to renumber 66.1001 (1) (am); to renumber and amend 66.1001 (2) (h), 66.1001 (3), 66.10016 (3) and 66.10016 (4); to amend 59.69 (3) (a), 62.23 (3) (b), 66.1001 (2m) (title), 66.1001 (2m) (a), 66.1002 (2) (intro.) and 66.1105 (6) (g) 1. (intro.); to repeal and recreate 66.1001 (3) (title); to create 66.1001 (1) (am) 2., 66.1001 (2) (h) 4., 66.1001 (3) (b), 66.1001 (3) (c), 66.10016 (3) (b), 66.10016 (4) (b), 66.10016 (5) and 66.1105 (2) (cs) of the statutes; **relating to:** required approvals of rezoning requests related to residential development, applications for certain approvals related to residential housing development, contents of and consistency of local ordinances with local comprehensive plans, certain tax incremental district project costs related to residential development, and tax incremental district lifespan extension.

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

SECTION 1. 59.69 (3) (a) of the statutes is amended to read:

59.69 (3) (a) The county zoning agency may direct the preparation of a county development plan or parts of the plan for the physical development of the unincorporated territory within the county and areas within incorporated jurisdictions whose governing bodies by resolution agree to having their areas included in the county's development plan. The plan may be adopted in whole or in part and may be amended by the board and endorsed by the governing bodies of incorporated jurisdictions included in the plan. The county development plan, in whole or in part, in its original form or as amended, is hereafter referred to as the development plan. To the extent that the development plan applies to unincorporated areas of a county with the population described in s. 60.23 (34), it applies only to those unincorporated areas that are subject to county zoning. Beginning on January 1, 2010, ~~or, if the county is exempt under s. 66.1001~~

~~(3m), the date under s. 66.1001 (3m) (b);~~ if the county engages in any program or action described in s. 66.1001 (3), the development plan shall contain at least all of the elements specified in s. 66.1001 (2).

SECTION 2. 62.23 (3) (b) of the statutes is amended to read:

62.23 (3) (b) The commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts of a master plan. Beginning on January 1, 2010, ~~or, if the city is exempt under s. 66.1001 (3m), the date under s. 66.1001 (3m) (b);~~ if the city engages in any program or action described in s. 66.1001 (3), the master plan shall contain at least all of the elements specified in s. 66.1001 (2). The adoption of the plan or any part, amendment, or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the city plan commission. The resolution shall refer expressly to the elements under s. 66.1001 and other matters intended by the commission to form the whole or

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

any part of the plan, and the action taken shall be recorded on the adopted plan or part of the plan by the identifying signature of the secretary of the commission, and a copy of the plan or part of the plan shall be certified to the common council, and also to the commanding officer, or the officer's designee, of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city. The purpose and effect of the adoption and certifying of the master plan or part of the plan shall be solely to aid the city plan commission and the council in the performance of their duties.

SECTION 3L. 66.1001 (1) (am) of the statutes is renumbered 66.1001 (1) (am) 1.

SECTION 3n. 66.1001 (1) (am) 2. of the statutes is created to read:

66.1001 (1) (am) 2. This paragraph applies only to towns and counties.

SECTION 4. 66.1001 (2) (h) of the statutes is renumbered 66.1001 (2) (h) (intro.) and amended to read:

66.1001 (2) (h) *Land-use element.* (intro.) A compilation of objectives, policies, goals, maps, and programs to guide the future development and redevelopment of public and private property. In this paragraph, determinations of the net density of lands shall exclude only those portions of the lands that are wetlands, that are included in a 100-year floodplain, or that are owned by the federal government, a local governmental unit, as defined in s. 20.931 (1) (a), or a state agency, as defined in s. 20.931 (1) (c), and are not intended for redevelopment. The element shall ~~contain~~ do all of the following:

1. Contain a listing of the amount, type, intensity, and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial, and other public and private uses. ~~The element shall analyze~~

2. Analyze trends in the supply, demand, and price of land, opportunities for redevelopment, and existing and potential land-use conflicts. ~~The element shall contain~~

3. Contain projections, based on the background information specified in par. (a), for 20 years, in 5-year increments, of future residential, agricultural, commercial, and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. ~~The element shall also include~~

5. Include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the

future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

SECTION 5. 66.1001 (2) (h) 4. of the statutes is created to read:

66.1001 (2) (h) 4. For 20 years, in 5-year increments, identify the areas in which residential land use is projected and, for each of these areas and increments, specify the minimum and maximum net density of residences, expressed in residential units per acre, that will be authorized. This subdivision does not apply to a town or county.

SECTION 6. 66.1001 (2m) (title) of the statutes is amended to read:

66.1001 (2m) (title) EFFECT OF ENACTMENT OF A COMPREHENSIVE PLAN, CONSISTENCY REQUIREMENTS.

SECTION 7. 66.1001 (2m) (a) of the statutes is amended to read:

66.1001 (2m) (a) ~~The~~ Notwithstanding sub. (2) (h) 4., the enactment of a comprehensive plan by ordinance does not make the comprehensive plan by itself a regulation.

SECTION 8. 66.1001 (3) (title) of the statutes is repealed and recreated to read:

66.1001 (3) (title) CONSISTENCY REQUIREMENTS.

SECTION 9. 66.1001 (3) of the statutes is renumbered 66.1001 (3) (a), and 66.1001 (3) (a) (intro.), as renumbered, is amended to read:

66.1001 (3) (a) (intro.) ~~Except as provided in sub. (3m), beginning~~ Beginning on ~~January 1, 2010~~ the effective date of this paragraph [LRB inserts date], if a local governmental unit enacts or amends any of the following ordinances, the ordinance shall be consistent with that local governmental unit's comprehensive plan:

SECTION 10. 66.1001 (3) (b) of the statutes is created to read:

66.1001 (3) (b) 1. An ordinance enacted or amended under par. (a) is consistent with the comprehensive plan if the ordinance permits a land use that is expressly identified for the land affected by the ordinance enacted or amended under par. (a) in the adopted land use map contained in the comprehensive plan.

2. An ordinance under par. (a) is not inconsistent with the comprehensive plan solely because it permits additional land uses beyond those identified in the plan.

3. With regard to the comprehensive plan, in determining consistency under par. (a), only the adopted land use map and the corresponding land use category descriptions in the comprehensive plan may be considered.

4. Subdivisions 1. to 3. do not apply to a town or county.

SECTION 11. 66.1001 (3) (c) of the statutes is created to read:

66.1001 (3) (c) 1. Beginning on the effective date of this subdivision [LRB inserts date], if a political subdivision enacts or amends any of the ordinances under par. (a) or adds lands by annexation or consolidation intended for residential development, the political subdivision shall do all of the following:

a. Ensure that the comprehensive plan of the political subdivision includes the material required under sub. (2) (h) 4.

b. Ensure that the residential net density standards specified under sub. (2) (h) 4. are incorporated into the ordinance.

2. If a person submits to a political subdivision an application for a permit, as defined in s. 66.10016 (1) (a), or a request for a change to an existing zoning classification, and the submission or request is related to a residential housing development, as defined in s. 66.10016 (1) (c), and the comprehensive plan of the political subdivision does not include the material required under sub. (2) (h) 4., the political subdivision shall amend its comprehensive plan to include the material required under sub. (2) (h) 4. within 180 days of receiving the application.

3. Subsection (4) does not apply to the amendment of a comprehensive plan under this paragraph.

4. This paragraph does not apply to a town or county.

SECTION 12. 66.1001 (3m) of the statutes is repealed.

SECTION 13. 66.10016 (3) of the statutes is renumbered 66.10016 (3) (a) and amended to read:

66.10016 (3) (a) If a person submits a complete application for a permit related to a residential housing development meeting all existing requirements that must be satisfied to obtain the permit at the time the application is filed, the political subdivision shall grant the application. An application is deemed complete under this ~~subsection~~ paragraph if it complies with form and content requirements. As part of an application, the applicant shall certify that the lands subject to the application are not located within a farmland preservation zoning district, not subject to a farmland preservation agreement, and not located within an agricultural enterprise area. An applicant that provides a false certification under this paragraph is liable for any costs incurred by the political subdivision to reverse or remedy the rezoning and is not entitled to recover any costs under sub. (4) (a) or (b). An application is filed under this ~~subsection~~ paragraph on the date that the political subdivision receives the application.

SECTION 14. 66.10016 (3) (b) of the statutes is created to read:

66.10016 (3) (b) 1. Notwithstanding s. 66.1001

(2m) (a), and except as provided in subds. 4. and 5., sub. (5), and s. 66.1001 (3) (c) 2., if a person submits a request for a change to a zoning classification of land that is required to proceed with a residential housing development and all of the following are satisfied, the political subdivision shall grant the request within 90 days:

a. The proposed change is for an area identified in the political subdivision's comprehensive plan as projected for residential land use under s. 66.1001 (2) (h) 4.

b. The proposed change is for an area that is adjacent to or in close proximity to existing development such that the area may be reasonably served by existing infrastructure and public services.

c. Either the proposed minimum and maximum net density of residences in the residential housing development falls within the minimum and maximum net density for the area specified under s. 66.1001 (2) (h) 4. for the current 5-year increment or the comprehensive plan does not include the material required under s. 66.1001 (2) (h) 4. and the political subdivision has not complied with s. 66.1001 (3) (c) 2.

d. Current housing supply in the political subdivision does not meet existing housing demand or forecasted housing demand within the next 5 years, as provided in the comprehensive plan.

e. The requester certifies in writing that the proposed change is for an area that is not located within a farmland preservation zoning district or agricultural enterprise area or subject to a farmland preservation agreement. A requester that provides a false certification under this subd. 1. e. is liable for any costs incurred by the political subdivision to reverse or remedy the rezoning and is not entitled to recover any costs under sub. (4) (a) or (b).

2. In a request under subd. 1., the requester may specify its preferences regarding any of the following:

a. The zoning classification provided in the political subdivision's zoning ordinance into which the land should be reclassified.

b. Building setback requirements.

c. Lot width or frontage requirements.

d. Lot size requirements.

e. Building size or bulk requirements.

3. If a request is granted by action of subd. 1., the requester specified a zoning classification under subd. 2. a., and the zoning classification allows the net density of residences in the proposed residential housing development, the land subject to the request is reclassified into that classification.

4. a. Subdivision 1. does not apply to a request that does not identify the proposed minimum and maximum net density of residences in the residential housing development.

b. A request for a change to a zoning classification

of land that satisfies the requirements of subd. 1. may be denied by the political subdivision if the political subdivision demonstrates that the denial is necessary to prevent a shortage in, or the overburdening of, public facilities located in the political subdivision or to address a significant threat to the public health or safety.

c. This paragraph does not apply to lands within a farmland preservation zoning district, lands subject to a farmland preservation agreement, or lands within an agricultural enterprise area, as certified by the requester under subd. 1. e.

d. This paragraph does not apply to lands within the extraterritorial zoning jurisdiction of a city or village, as described under s. 62.23 (7a).

e. This paragraph does not apply to a town or county.

5. The 90-day limit for granting a request under subd. 1. shall be extended by the political subdivision at the request of the person requesting a change to a zoning classification of land.

SECTION 15. 66.10016 (4) of the statutes is renumbered 66.10016 (4) (a) and amended to read:

66.10016 (4) (a) A person aggrieved by a political subdivision's failure to approve an application under sub. (3) (a) or a request under sub. (3) (b) may seek relief through an action for mandamus as provided in ch. 783. If the court finds that the political subdivision improperly failed to approve the application under sub. (3) (a) or the request under sub. (3) (b), the court shall issue a writ of mandamus ordering the political subdivision to approve the application or request. For purposes of any mandamus claim filed under this subsection, substantial damages or injury shall be assumed.

SECTION 16. 66.10016 (4) (b) of the statutes is created to read:

66.10016 (4) (b) In an action for mandamus under par. (a) based upon a political subdivision's failure to approve a request under sub. (3) (b), the petitioner may recover court costs and reasonable attorney fees attributable to the failure to approve the request within the time frame provided in sub. (3) (b) 1. or 5. of submission of the request.

SECTION 17. 66.10016 (5) of the statutes is created to read:

66.10016 (5) In this subsection "qualifying residential development" means a residential development that is reasonably expected to receive sewerage and sanitary water services from a public utility and that is not reasonably believed to be environmentally contaminated. If a political subdivision issues a request for proposals for a qualifying residential development that specifies

minimum and maximum net density of residences in the development that are within the densities specified for the area in the political subdivision's comprehensive plan, and no person responds to the request by the date provided in the request for submissions, sub. (3) (b) does not apply in that political subdivision for one year after the last date on which responses were to be accepted. A response under this subsection includes a response that does not include a qualifying residential development proposal if the response is from a person with the capability to construct a qualifying residential development in the requesting political subdivision and the response explains with specificity the person's economic reasons for not submitting a proposal. This subsection does not apply to a town or county.

SECTION 18. 66.1002 (2) (intro.) of the statutes is amended to read:

66.1002 (2) MORATORIUM ALLOWED. (intro.) Subject to the limitations and requirements specified in this section, a municipality may enact a development moratorium ordinance if the municipality has enacted a comprehensive plan, or is in the process of preparing a significant amendment to its comprehensive plan in response to a substantial change in conditions in the municipality, ~~or is exempt from the requirement as described in s. 66.1001 (3m)~~; and if at least one of the following applies:

SECTION 19. 66.1105 (2) (cs) of the statutes is created to read:

66.1105 (2) (cs) "Newly platted residential development" means residential development on a parcel that has not previously been the site of permanent structures other than structures used solely for agricultural purposes.

SECTION 20. 66.1105 (6) (g) 1. (intro.) of the statutes is amended to read:

66.1105 (6) (g) 1. (intro.) After the date on which a tax incremental district created by a city pays off the aggregate of all of its project costs, and notwithstanding the time at which such a district would otherwise be required to terminate under sub. (7), a city may extend the life of the district for ~~one year~~ up to 2 years if the city does all of the following:

SECTION 21. Initial applicability.

(1) This act first applies to an application for a permit, as defined in s. 66.10016 (1) (a), or a request for rezoning made on the effective date of this subsection.

SECTION 22. Effective date.

(1) This act takes effect on January 1, 2028.

State of Wisconsin



2025 Assembly Bill 452

Date of enactment: December 9, 2025
Date of publication*: December 10, 2025

2025 WISCONSIN ACT 68

AN ACT to amend 236.01, 236.11 (1) (a), 236.13 (2) (am) 1. a., 236.13 (2) (am) 3. b., 236.25 (1) and 236.45 (1); to create 236.105 and 236.11 (1) (d) of the statutes; relating to: subdivision plat approvals.

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

SECTION 1. 236.01 of the statutes is amended to read:

236.01 Purpose of chapter. The purpose of this chapter is to regulate the subdivision of land to promote public health, safety, and general welfare; to further the orderly layout and use of land; ~~to prevent the overcrowding of land; to lessen congestion in the streets and highways; to ensure that land is developed in a manner that supports healthy, livable communities; to foster the development of a range of housing types; to advance complete streets that prioritize safety, comfort, and accessibility for pedestrians, cyclists, transit riders, and motorists alike;~~ to provide for adequate light and air; to facilitate adequate provision for water, sewerage, and other public requirements; ~~to encourage development patterns that provide safe and convenient transportation choices for a variety of users;~~ to provide for proper ingress and egress; and to promote proper monumenting of land subdivided and conveyancing by accurate legal description. The approvals to be obtained by the subdivider as required in this chapter shall be based on requirements designed to accomplish the aforesaid purposes.

SECTION 2. 236.105 of the statutes is created to read:

236.105 Presubmission conceptual review. The municipality, town, or county that has the authority under s. 236.10 to approve a subdivision shall provide the subdivider the opportunity to meet informally with representatives of the municipality, town, or county before the subdivider submits a preliminary plat for approval, or a final plat if the subdivider does not intend to submit a preliminary plat for approval, to obtain the representatives' conceptual review of the subdivider's proposed subdivision and opinions regarding whether the subdivision complies with the municipality's, town's, or county's requirements and conditions for approving plats. Conceptual reviews and opinions provided under this section are not binding on the municipality, town, or county, or the subdivider.

SECTION 3. 236.11 (1) (a) of the statutes is amended to read:

236.11 (1) (a) Before submitting a final plat for approval, the subdivider may submit, or the approving authority may require that the subdivider submit, a preliminary plat. It shall be clearly marked "preliminary plat" and, ~~except as provided in par. (d),~~ shall be in sufficient detail to determine whether the final plat will meet layout requirements. ~~Within~~ Subject to par. (d), within 90 days, the approving authority, or its agent authorized to approve preliminary plats, shall take action to approve, approve conditionally, or reject the preliminary plat and

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the approving authority or its agent to act within the 90 days, or extension thereof, constitutes an approval of the preliminary plat.

SECTION 4. 236.11 (1) (d) of the statutes is created to read:

236.11 (1) (d) A subdivider that submits a preliminary plat for approval under par. (a) may submit preliminary, rather than final, plans and reports regarding sewer, water, road cross-sections, grading, stormwater, soil testing, landscaping, and street lighting. The approving authority, or its agent authorized to approve preliminary plats, may not reject the preliminary plat on the basis that the plans and reports are not final, but the approving authority or its agent may approve conditionally the preliminary plat on that basis and state in writing the conditions of approval as allowed under par. (a), including conditions that final plans and reports are submitted.

SECTION 5. 236.13 (2) (am) 1. a. of the statutes is amended to read:

236.13 (2) (am) 1. a. As a further condition of approval, the governing body of the town or municipality within which the subdivision lies may require that the subdivider ~~make and agree to~~ install any public improvements reasonably necessary ~~or that the subdivider~~ and provide financial security to ensure that the subdivider will make those improvements within a reasonable time after approval. The governing body may not require that public improvements be installed or accepted as a condition of submitting, reviewing, approving, or recording of a preliminary or final plat. The governing body may not require the subdivider to provide security at the commencement of a project in an amount that is more than 120 percent of the estimated total cost to complete the required public improvements, as determined under subd. 1d. Nothing in this subd. 1. a. prohibits a governing body from requiring as a condition of approval that public improvements be installed within a reasonable time after the plat is approved.

SECTION 6. 236.13 (2) (am) 3. b. of the statutes is amended to read:

236.13 (2) (am) 3. b. Upon such substantial completion, any outstanding local building permits for home sites on the plat that are related to, and dependent upon, substantial completion meet the requirements of applicable building codes, zoning ordinances, and other mu-

nicipal regulations shall be released and may not be withheld solely because of the status of public improvements.

SECTION 7. 236.25 (1) of the statutes is amended to read:

236.25 (1) The subdivider shall have the final plat recorded in the office of the register of deeds of the county in which the subdivision is located. Subject to sub. (2), a final plat that has the approvals required under s. 236.10, or that is deemed approved under s. 236.11, is entitled to be recorded. The approving authority for the plat shall make a certificate to that effect on the face of the plat no later than 10 days after the subdivider submits the plat with the certificates and affidavits required under sub. (2) (c) and (d).

SECTION 8. 236.45 (1) of the statutes is amended to read:

236.45 (1) **DECLARATION OF LEGISLATIVE INTENT.** The purpose of this section is to promote the public health, safety, and general welfare of the community and the regulations authorized to be made are designed ~~to lessen congestion in the streets and highways;~~ to further the orderly layout and use of land; to secure safety from fire, panic, and other dangers; to provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems; ~~to prevent the overcrowding of land; to avoid undue concentration of population;~~ to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; and to facilitate the further resubdivision of larger tracts into smaller parcels of land. The regulations provided for by this section shall be made with reasonable consideration, among other things, of the character of the municipality, town, or county with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation, and for encouraging the most appropriate use of land throughout the municipality, town, or county.

SECTION 9. Initial applicability.

(1) The treatment of ss. 236.11 (1) (a) and (d) and 236.13 (2) (am) 1. a. first applies to a plat submitted on the effective date of this subsection.

SECTION 10. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.