



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-086

AN ORDER to create chapter Adm 48, relating to the department's comprehensive planning and transportation planning grants to local governmental units.

Submitted by **DEPARTMENT OF ADMINISTRATION**

07-18-01 RECEIVED BY LEGISLATIVE COUNCIL.

08-13-01 REPORT SENT TO AGENCY.

RNS:AS;jal;wu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



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Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. Section Adm 48.03 (1) (d) should be written as an introduction to the subsequent subdivisions by inserting "as follows:" at the end, for example.

b. Reference is made throughout the rule to the planning grant manual. This manual should be reviewed to determine whether it includes any substantive provisions that should be promulgated as rules. [See ss. 227.01 (13) and 227.10 (1), Manual.]

c. In s. Adm 48.03 (d) 1., "shall" should replace "must."

4. Adequacy of References to Related Statutes, Rules and Forms

In s. Adm 48.02 (12), it is not clear why s. 59.69 (2), Stats., is cited.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. Adm 48.03 (2), par. (d) should be placed in a separate subsection because it is not an activity for which an applicant would seek funding. In the alternative, the paragraph could begin: "(d) Activities undertaken by applicants that have received"

b. In s. Adm 48.04 (4), "reserves the right to" should be replaced with "may." Also, "does" should be replaced with "do."

c. In s. Adm 48.05 (2), applicants are eligible for not less than 50% of base level funding. However, in the example after sub. (3), the town is eligible for a grant of only \$9,000 rather than \$10,000. Should sub. (2) include the phrase "except as provided in sub. (3)"?

d. In s. Adm 48.05 (5), it appears that for a multi-jurisdictional plan, the 10% incentive is based on the total amount of potential base funding. However, the example calculates the 10% incentive based on 50% of the amount of base funding available. Further, in sub. (6), the incentive is calculated based on the total amount of potential base funding for the county. Please review these for consistency.

e. In s. Adm 48.05 (7), "can" should be replaced with "may."

f. In s. Adm 48.06, each subsection should be written in complete sentences. For example, sub. (1) could be rewritten to read: "Thirty percent of the total points available shall be assigned to addressing the interests of overlapping or neighboring jurisdictions"

g. In s. Adm 48.06 (1) (c), a comma should be inserted following "plans" and "regarding" should be inserted following "especially."

h. In s. Adm 48.06 (6) (b), the comma should be replaced with "and."

i. In s. Adm 48.07 (1), "established by the council" should be deleted, as the rule does not require the council to establish the scoring requirements.

j. In s. Adm 48.09 (2), "for consistency requirements" is awkward and could be deleted.

k. In s. Adm 48.09 (3), "12 month" should be hyphenated.

l. In s. Adm 48.09 (4) (intro.), "all of the following occur" should be inserted before the colon, if this is what is intended.

PROPOSED ORDER OF THE DEPARTMENT OF ADMINISTRATION

The Wisconsin Department of Administration proposes an order to create chapter Adm 48 of the Wisconsin Administrative Code, relating to the department's comprehensive planning and transportation planning grants to local governmental units.

Analysis Prepared by the Department of Administration:

Statutory Authority: ss. 16.004 (1), 16.965(5) and 227.11 (2) (a), Stats.

Statutes Interpreted: ss. 16.965 (2), and 16.9651 (2), Stats.

The Wisconsin Land Council is attached to the Department of Administration. The Council is authorized to promulgate rules relating to the methodology of determining preferences in awarding grants.

The purpose of the code is to establish the procedures, methodology and evaluation criteria for planning grants to local governmental units. The proposed rule codifies the application, evaluation and award process used by the department and approved by the Wisconsin Land Council for the FY2001 comprehensive planning and transportation planning grant cycle.

The following are the major provisions proposed by the Department:

1. Specify the activities and costs eligible for grant funding, including consultant services, computer hardware, software and data acquisition and education, outreach and other activities related to development and adoption of a comprehensive plan. [Adm 48.03 (1)]
2. Establish annual grant application procedures and time frames. The department requires the planning grant manual, including all application materials and instructions, to be available by September 1, of each year. The grant application deadline is November 1. [Adm 48.04(1) & (5)]
3. Establish base funding levels based on population estimates of the local governmental unit. At a minimum, the department will fund 50% of the base funding level. [Adm 48.05 (1) & (2)]
4. Provide a financial incentive for local governmental units that incur comprehensive plan development costs below the unit's base funding level. The department may fund up to 75% of the actual plan cost when the cost is less than the base funding level. [Adm 48.05 (3)]
5. Provide a financial incentive for multi-jurisdictional plans when 2 or more local governmental units participate in the development of a single plan that covers the jurisdictions of those governmental units and where the plan is adopted separately by each unit. Funding for each city, village and town participating will be increased by 10% of their base funding level. [Adm 48.05 (5)]
6. Provide a financial incentive for multi-jurisdictional plans when all towns within a county participate jointly under a county plan. In addition to each town being

eligible to receive an additional amount equal to 10% of the town base funding level, the county will also be eligible to receive an additional amount equal to 10% of the county base funding level. [Adm 48.05 (6)]

7. Prohibit the local governmental unit from using federal grants to fund more than 50% of the required local match. The required local match is the difference between the comprehensive plan cost and the grant provided by the department. [Adm 48.05 (7)]
8. Establish the scoring criteria for evaluating grant applications based on the preferences in s. 16.695(4), Stats. [Adm 48.06]
9. Establish the percentage of the total points assigned to each preference. [Adm 48.06]
10. Require the department to prepare the planning grant priority list based on the established scoring criteria and available funds. To comply with ss. 16.965 (4) & 16.9651 (2), the department will obtain approval from the Council and department of transportation before awarding comprehensive planning and transportation planning grants. [Adm 48.07 (3) & 48.08]
11. Establish the grant period for the local governmental unit to complete and submit the adopted plan to the department. The grant period will be 30 months, 36 months or 42 months based on population unless the local governmental unit committed to a shorter time in the grant application. Multi-jurisdictional plans will have an additional 6 months to complete the process. [Adm 48.09 (2)]
12. Specify that the department withhold 25% of the grant award until the grantee submits a copy of the adopted comprehensive plan to the department and the department verifies that the plan meets the provisions of s. 66.1001, Stats. If the project has not been completed, the department may seek repayment of previously distributed funds. [Adm 48.09 (4) & (8)]

Initial Regulatory Flexibility Analysis:

Pursuant to s. 227.114, Stats., the rule herein is not expected to negatively impact on small businesses.

TEXT OF RULE:

SECTION 1: Adm 48 is created to read.

Chapter Adm 48

Comprehensive Planning and Transportation Planning Grants Program

Adm 48.01 Purpose and authority. This chapter is promulgated under the authority of ss. 16.004(1), 16.965(5), and 227.11, Stats., to implement ss. 16.965 and 16.9651, Stats.

Adm 48.02 Definitions. In this chapter:

- (1) "Applicant" means a local governmental unit as defined in ss. 16.965(1)(a) and 16.9651(1), Stats., applying for a grant under this chapter.
- (2) "Base funding level" means the levels found in the table in s. Adm 48.05(1).
- (3) "Comprehensive plan" means a plan as defined in s. 66.1001(1)(a), Stats.
- (4) "Council" means the Wisconsin land council as defined in s. 15.107(16), Stats.
- (5) "Department" means the department of administration.
- (6) "Grantee" means an applicant that has been awarded a grant under a signed grant agreement with the department.
- (7) "Grant agreement" or "agreement" means a contract signed by the local governmental unit to complete a comprehensive plan under s. 66.1001, Stats., and the department.
- (8) "Grant period" means the period of time specified in s. Adm 48.09(2).
- (9) "In-kind services" means services rendered by the local governmental unit defined in s. 66.1001(1)(b), Stats. Federal grant funds are not included as in-kind services.
- (10) "Multi-jurisdictional plan" means 2 or more local governmental units participating in the development of a single comprehensive plan that covers the jurisdictions of those local governmental units which is adopted separately by each unit under s. 66.1001, Stats. A county comprehensive plan is a multi-jurisdictional plan if the county and 2 or more local governmental units located in the county participate and adopt the plan.
- (11) "Plan" and "planning effort" means a comprehensive plan as defined in s. 66.1001(1)(a), Stats.
- (12) "Plan update" means a revision to an existing county development plan under s. 59.69(2) or (3), Stats., or to a master plan under ss. 62.23(2) or (3), or, 66.0309(8), (9) or (10), Stats., to comply with the comprehensive plan provisions of s. 66.1001, Stats. A plan update may include a revision to an existing comprehensive plan under s. 66.1001, Stats.

any rules?

(13) "Planning grant manual" means the document published annually by the department which includes the grant application, instructions, application and scoring timelines, detailed scoring, application review process, funding availability, and other pertinent information relating to the current grant cycle.

(14) "Planning grant priority list" means the department's ranking of grant applications by the numeric order of the scores.

Adm 48.03 Eligible activities. (1) An applicant may apply to the department for a grant to develop a plan or plan update for any of the following activities:

(a) Services and activities included in ss. 16.965(2) and 16.9651(2), Stats., including contracting for planning consultant services, public planning sessions, educational activities, and purchase of computerized planning data, planning software and hardware required to utilize planning data or software.

(b) Development of the plan document including printing costs.

(c) Public participation and outreach activities including educational materials, citizen surveys, internet activities and newsletters.

(d) Development, purchase and documentation of data, maps and computerized information used within the plan or plan update.

1. Digital mapping and data development activities funded under this grant such as geographic information system development must be consistent with applicable county land records modernization plans developed under s. 59.72(3)(b), Stats.

2. Digital mapping and data development activities funded under this grant may not duplicate efforts funded through the Wisconsin land information program under s. 16.966, Stats.

NOTE: Approved land records modernization plans and the planning grant manual can be obtained from the Office of Land Information Services, Department of Administration, P. O. Box 1645, Madison, WI 53701-1645 (telephone 608/267-2707). This information can also be obtained at the following website: <http://www.doa.state.wi.us/olis/>.

(e) Other activities that the applicant deems necessary in the preparation of a plan or plan update except ineligible activities noted under s. Adm 48.03(2).

(2) The following activities are ineligible for funding under this grant:

(a) Segmented activities not related to the development of a plan or plan update such as highway corridor plans, outdoor recreational plans and recreational trail plans.

(b) Planning activities and plan development costs incurred by the applicant prior to the council approving the grant priority list under s. Adm 48.08.

(c) Costs incurred by the applicant to prepare the grant application.

(d) Applicants that have received a fully funded planning grant under s. Adm 48.05 within the previous ten years.

3/2/01
②

(e) Purchase of property or land.

Adm 48.04 Grant application. (1) The department shall make the planning grant manual available by September 1st of each year.

(2) All grant applications shall be completed on forms provided by the department and follow instructions according to the planning grant manual.

(3) All grant applications shall be approved by specific action of each governmental unit participating.

(4) The department shall review the submitted application for consistency with eligible activity requirements and reserves the right to delete parts of the request for grant funding that does not reasonably relate to the development and adoption of a plan.

X
X

(5) Signed grant applications must be received by the department by November 1st.

(6) The department shall make copies of submitted application materials available to the public after the planning grant priority list has been approved under s. Adm 48.08(1).

Adm 48.05 Planning grants. (1) The department shall provide grants based on the population from the department's official population estimates of the local governmental unit and the base funding level noted in the table below.

Population	Base Funding Level
1 to 2,000	\$20,000
2,001 to 5,000	\$30,000
5,001 to 10,000	\$40,000
10,001 to 25,000	\$60,000
25,001 to 50,000	\$100,000
50,001 to 100,000	\$150,000
100,001 to 200,000	\$200,000
Over 200,000	\$350,000

(2) Subject to availability of funds, applicants shall be eligible for not less than 50% of the base funding level noted in sub. (1).

(3) When an applicant's cost for the comprehensive plan is less than the base funding level noted in sub. (1), the community shall be eligible for up to 75% of the actual plan costs not to exceed the eligible grant amount in sub. (2).

Example: A town's population is 300. The town's proposed cost of plan is \$12,000. The town would be eligible for up to a \$9,000 grant.

← \$10,000? all sub. (2)

(4) When the population of the applicant is within 5% of the next higher population category, the applicant's base funding level shall be the average of the 2 categories.

Example: A village's population is 1,993. The eligible base funding level of the village is \$25,000

(5) For a multi-jurisdictional plan, each local governmental unit participating within the application shall add together the base funding levels of each unit participating plus add an additional 10% incentive of the total base funding level for each city, village and town.

Example 1:

Town of Badger (pop: 1,400)		\$20,000
Village of Dairyland (pop: 2,700)	+	\$30,000
Total Base	=	\$50,000
50% base award	=	\$25,000
10% Incentive on Total Base	+	\$ 5,000
Maximum Grant Award	=	\$30,000

Example 2:

County of Holstein (pop: 112,600)		\$200,000
Town of Robin (pop: 1,400)	+	\$20,000
Town of Galena (pop: 947)	+	\$20,000
Town of Guernsey (pop: 2,700)	+	\$30,000
Town of Violet (pop: 865)	+	\$20,000
Town of Granite (pop: 1,180)	+	\$20,000
Total Base	=	\$310,000
50% base award	=	\$155,000
10% Incentive for each town	+	\$11,000
Maximum Grant Award	=	\$166,000

(6) For a multi-jurisdictional plan where all towns within a county participate jointly under a county plan and are included within a single grant application, the maximum grant award shall also include a 10% incentive of the county base funding level.

In s. Adm 48.05(5), Example 2, if all towns in Holstein Co. participate, the maximum grant award increases by the additional \$20,000 incentive (10% of \$200,000 = \$20,000).

(7) A grantee's local match is the difference between the total cost for the comprehensive plan development and the grant provided under this chapter. A grantee's local match can be financed in the annual budget, by in-kind services and through grants from other sources. Not more than 50% of the local match may be through federal grants.

(8) The grant may contain multiple state and federal funding sources. The department shall comply with the requirements and provisions of the funding sources and shall require grantees to comply with any requirements related to the funding sources. Requirements of these funding sources shall be outlined in the planning grant manual.

Adm 48.06 Grant application scoring criteria. The grant application scoring criteria is based upon preferences in s. 16.965(4), Stats., and shall be scored as follows:

(1) Applicants that address the interests of overlapping or neighboring jurisdictions. Thirty percent of the total points available shall be assigned to this subsection. Applications may be evaluated based on the applicant:

(a) Providing a list of participants anticipated within the development of a plan or plan update and addressing coordination efforts within the planning process with these participants.

(b) Identifying the process to review existing plans of these participants and identifying discrepancies between plans.

(c) Addressing consistency of plans, especially border issues between jurisdictions.

(d) Addressing implementation efforts to minimize conflicts between jurisdictions.

(e) Including proposals for coordination within extraterritorial boundaries through intergovernmental cooperation techniques.

(f) Including proposals for cooperative agreements.

(g) Engaging in a multi-jurisdictional plan as defined in s. Adm 48.02(10).

(2) Applicants that provide a specific description of the means by which all of the local, comprehensive planning goals specified in s. 16.965(4), Stats., will be achieved. Twenty-five percent of the total points available shall be assigned to this subsection. Applications may be evaluated based on the applicant:

(a) Addressing each of the goals and discussing the specific elements within s. 66.1001, Stats., in which each of these goals will be addressed.

(b) Describing specific locational issues within the discussion of the goals such as population changes, transportation needs, environmental issues, housing issues and other planning issues.

(c) Describing the goals in a coherent and consistent manner between all goals.

(3) Applicants that provide a description of the process to identify smart growth areas. Under s. 16.965, Stats., a smart growth area is an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental and utility costs. Twenty percent of the total points available shall be assigned to this subsection. Applications may be evaluated based on the applicant:

(a) Identifying the planning process for identifying potential smart growth areas and the policy implications for implementing these areas.

(b) Describing the implementation of smart growth areas.

(c) Developing these areas cooperatively with adjacent and overlapping jurisdictions.

(d) Identifying demographic, social and economic changes within the past ten years.

(4) Applicants that include planning efforts, including subsequent updates and amendments, that include development of implementing ordinances, including ordinances pertaining to zoning, subdivisions and land division. Twelve percent of the

total points available shall be assigned to this subsection. Applications may be evaluated based on the applicant:

(a) Addressing the process of developing or updating ordinances and other implementation strategies that are consistent with the provisions of the plan or plan update.

(b) Identifying land use issues related to new, anticipated, or potential transportation facilities or improvements.

(c) Identifying innovative plan implementation techniques such as improved processes and coordination techniques among neighboring and overlapping jurisdictions, community design guidelines and other techniques.

(d) Describing the level of applicant's zoning authority.

(5) Applicants that include planning efforts contemplated for completion within 30 months from the date the grant is awarded. One percent of the total points available shall be assigned to this subsection.

(6) Applicants that include planning efforts that provide opportunities for public participation throughout the planning process. Twelve percent of the total points available shall be assigned to this subsection. Applications may be evaluated based on the applicant:

(a) Identifying the process for determining and adopting public participation procedures and address all requirements found in s. 66.1001(4)(a), Stats.

(b) Proposing creative, innovative public participation efforts.

(c) Providing a variety of opportunities for broad public participation throughout the planning process.

(d) Providing opportunities for neighboring and overlapping jurisdictions to participate.

Adm 48.07 Grant application evaluation. (1) The department shall evaluate and score applications based on the scoring established by the council under s. Adm 48.06.

rule? (2) When developing the planning grant priority list, the department through a peer review process identified within the planning grant manual, shall rank all applications according to the applicant's total score received.

(3) The department shall establish the threshold in the planning grant priority list for determining which applications will be funded on the basis of the grant evaluation under this section and the availability of grant funds.

(4) The department shall prepare a detailed summary of expenditures for proposed grant awardees identified under sub. (3), including funding sources and any funding source requirements. The department shall forward the summary to the council as

required by s. 16.965, Stats., the department of transportation as required by s. 16.9651, Stats., and any other agency as necessary due to funding sources.

Adm 48.08 Grant awards. (1) The council shall review and approve or disapprove by resolution, the grant priority list including activities proposed to be funded in compliance with ss. 16.965(4) and 16.9651(2), Stats. The department shall receive approval from the council before awarding a grant.

(2) The department shall provide the department of transportation and other agencies, where required, with the detailed summary of activities proposed to be funded through transportation planning grants in compliance with s. 16.9651(2), Stats. The department shall receive written approval from the secretary of the department of transportation before awarding a transportation planning grant.

(3) Grant awards are contingent upon the execution of a grant agreement. Failure of an applicant to execute a grant agreement shall result in withdrawal of the offer. The department and the applicant may negotiate the specific budget items, and other terms and conditions prior to executing the grant agreement. Terms of a grant award shall be administered through the grant agreement.

Adm 48.09 Grant Administration. (1) Accounting for all project funds shall be in conformance with generally accepted accounting principles and practices, and shall be recorded by the grantee. Supporting records of expenditures shall be maintained in sufficient detail to show that costs were incurred for the purposes for which the grant was made. Grant records shall be maintained for a period of 3 years after the grant award.

(2) The grant period extends from the date that the department executes the grant agreement to the date the local governmental unit submits the adopted plan to the department in compliance with s. 66.1001(4)(b), Stats. The contract dates shall not extend beyond time limits for consistency requirements of a comprehensive plan under s. 66.1001(3), Stats. Unless the applicant commits to a shorter time in the application, the applicable grant period assigned in the grant agreement shall be as follows:

Population	Single-Jurisdictional Plan	Multi-Jurisdictional Plan
1 to 25,000	30 months	36 months
25,001 to 50,000	36 months	42 months
50,001 and up	42 months	48 months

(3) The grantee may submit claims for payment to the department on forms provided by the department. The grantee shall submit at least one claim during each 12¹ month time period commencing with the date the department signs the grant agreement. The department shall reimburse awardees not more than quarterly. All claims shall be consistent with the grant agreement relative to expenditures within the scope of work and estimated costs. All claims shall include documentation of progress under the terms of the grant agreement.

(4) The department shall withhold 25% of the grant award as final payment until:

(a) The grantee provides the department with a copy of the adopted plan as provided by s. 66.1001 (4)(b), Stats., and the department verifies the plan meets all provisions of s. 66.1001, Stats.

Note: This verification does not indicate a certification of compliance with s. 66.1001, Stats. This verification also does not indicate council or department approval of the plan content or policies. It is an indication that the grantee has completed the plan within the statutory requirements.

(b) The provisions of the grant agreement are met.

(5) In developing digital map data, the grantee shall adhere to widely accepted standards and use appropriate existing source data referenced in the planning grant manual.

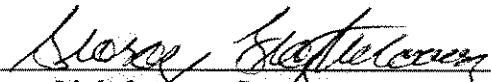
(6) The local governmental unit shall make data developed under this grant available for public dissemination.

(7) For multi-jurisdictional plans, where one or more of the local governmental units participating in the grant have not adopted the plan by the end of the grant period, that unit or units award amount shall be withheld from the final payment under s. Adm 48.09(4).

(8) If the department finds that the project has not been completed pursuant to s. Adm 48.09(4), by the end of the grant period, the department may seek repayment of the state share or a portion of the state share previously distributed to the grantee.

This rule shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register as provided in s. 227.22(2)(intro.), Stats.

Dated: 7-17-01



George Lightbourn, Secretary
Department of Administration

Fiscal Estimate — 2001 Session

- Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number ch. Adm 48

Subject

Creation of the Comprehensive Planning and Transportation Planning Grants Program by DOA and the Wisconsin Land Council

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs — May be possible to absorb within agency's budget.
 Yes No
 Decrease Costs

Local: No Local Government Costs

- | | | |
|--|---|---|
| 1. <input checked="" type="checkbox"/> Increase Costs
<input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input checked="" type="checkbox"/> Increase Revenues
<input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Governmental Units Affected:
<input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Villages <input checked="" type="checkbox"/> Cities
<input checked="" type="checkbox"/> Counties <input checked="" type="checkbox"/> Others RPC's
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | |

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations
 20.505(1)(cm), 20.505(1)(z)

Assumptions Used in Arriving at Fiscal Estimate

Although local governmental units (statutorily defined as towns, villages, cities, counties and regional planning commissions) are not required to develop and adopt comprehensive plans, s. 66.1001(3), Wis. Stats., specifies that beginning on January 1, 2010, any program or action of a local governmental unit that affects land use shall be consistent with that local governmental unit's comprehensive plan.

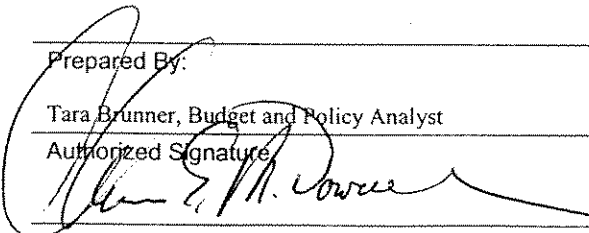
Sections 16.965(2) and 16.9651(2), Stats., require that a local governmental unit receiving planning grants, finance a percentage of the costs of preparing the plan from the resources of the local governmental unit.

The proposed rule codifies the current application, evaluation and award process used for FY2001 comprehensive and transportation planning grants.

The amount of funds available for comprehensive and transportation planning grants will not change as a result of these rules.

Long-Range Fiscal Implications

Unknown.

Prepared By: Tara Brunner, Budget and Policy Analyst	Telephone No. 266-0016	Agency Administration
Authorized Signature: 	Telephone No. 267-3835	Date (mm/dd/yyyy) 5/30/01



WISCONSIN DEPARTMENT OF
ADMINISTRATION

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October 29, 2001

Honorable Fred Risser, President
Wisconsin State Senate
220 South, State Capitol
Madison, WI 53702

Honorable Scott Jensen, Speaker
Wisconsin State Assembly
211 West, State Capitol
Madison, WI 53702

RE: Rules Clearinghouse No. 01-086

Dear Senator Risser and Representative Jensen:

Enclosed, in final draft form, is Chapter Adm 48, Wis. Adm. Code, relating to the Department's comprehensive planning and transportation planning grants to local governmental units. The fiscal estimate for this rule is also attached.

A copy of the Legislative Council Rules Clearinghouse Report is enclosed. All of the comments of the Clearinghouse have been addressed and incorporated into the rule. Public hearings were held on the rule on September 13, 14, 17 and 18, 2001 in Green Bay, Wausau, Eau Claire, Waukesha and Madison. The names of the persons who appeared at the hearing are provided on the enclosed hearing registration forms. Also enclosed is a transcript of the hearing testimony provided in response to the proposed rule.

The final enclosure is a summary of all the comments received by the Department and the Department's response to those comments. This document provides an explanation of the modifications made to the proposed rule as a result of the comments received by the Department.

We respectfully request submittal of the rule to the appropriate standing committees for review.

Sincerely,


George Lightbourn
Secretary

cc: ✓ Revisor of Statutes
Joint Committee on Review of Administrative Rules (Senator Judith Robson)

PROPOSED ORDER OF THE DEPARTMENT OF ADMINISTRATION

The Wisconsin Department of Administration proposes an order to create chapter Adm 48 of the Wisconsin Administrative Code, relating to the department's comprehensive planning and transportation planning grants to local governmental units.

Analysis Prepared by the Department of Administration:

Statutory Authority: ss. 16.004 (1), 16.965(5) and 227.11 (2) (a), Stats.
Statutes Interpreted: ss. 16.965 (2), and 16.9651 (2), Stats.

The Wisconsin Land Council is attached to the Department of Administration. The Council is authorized to promulgate rules relating to the methodology of determining preferences in awarding grants.

The purpose of the code is to establish the procedures, methodology and evaluation criteria for planning grants to local governmental units. The proposed rule codifies the application, evaluation and award process used by the department and approved by the Wisconsin Land Council for the FY2001 comprehensive planning and transportation planning grant cycle.

The following are the major provisions proposed by the Department:

1. Specify the activities and costs eligible for grant funding, including consultant services, computer hardware, software and data acquisition and education, outreach and other activities related to development and adoption of a comprehensive plan. [Adm 48.03 (1)]
2. Establish annual grant application procedures and time frames. The department requires the planning grant manual, including all application materials and instructions, to be available by September 1, of each year. The grant application deadline is November 1. [Adm 48.04(1) & (5)]
3. Establish base funding levels based on population estimates of the local governmental unit. At a minimum, the department will fund 50% of the base funding level. [Adm 48.05 (1) & (2)]
4. Provide a financial incentive for local governmental units that incur comprehensive plan development costs below the unit's base funding level. The department may fund up to 75% of the actual plan cost when the cost is less than the base funding level. [Adm 48.05 (3)]
5. Provide a financial incentive for multi-jurisdictional plans when 2 or more local governmental units participate in the development of a single plan that covers the jurisdictions of those governmental units and where the plan is adopted separately by each unit. Funding for each city, village and town participating will be increased by 10% of their base funding level. [Adm 48.05 (5)]
6. Provide a financial incentive for multi-jurisdictional plans when all towns within a county participate jointly under a county plan. In addition to each town being

eligible to receive an additional amount equal to 10% of the town base funding level, the county will also be eligible to receive an additional amount equal to 10% of the county base funding level. [Adm 48.05 (6)]

7. Prohibit the local governmental unit from using federal grants to fund more than 50% of the required local match. The required local match is the difference between the comprehensive plan cost and the grant provided by the department. [Adm 48.05 (7)]
8. Establish the scoring criteria for evaluating grant applications based on the preferences in s. 16.965(4), Stats. [Adm 48.06]
9. Establish the percentage of the total points assigned to each preference. [Adm 48.06]
10. Require the department to prepare the planning grant priority list based on the established scoring criteria and available funds. To comply with ss. 16.965 (4) & 16.9651 (2), the department will obtain approval from the Council and department of transportation before awarding comprehensive planning and transportation planning grants. [Adm 48.07 (3) & 48.08]
11. Establish the grant period for the local governmental unit to complete and submit the adopted plan to the department. The grant period will be 30 months, 36 months or 42 months based on population unless the local governmental unit committed to a shorter time in the grant application. Multi-jurisdictional plans will have an additional 6 months to complete the process. [Adm 48.09 (2)]
12. Specify that the department withhold 25% of the grant award until the grantee submits a copy of the adopted comprehensive plan to the department and the department verifies that the plan meets the provisions of s. 66.1001, Stats. If the project has not been completed, the department may seek repayment of previously distributed funds. [Adm 48.09 (4) & (8)]

Final Regulatory Flexibility Analysis:

Pursuant to s. 227.114, Stats., the rule herein is not expected to negatively impact on small businesses.

TEXT OF RULE:

SECTION 1: Adm 48 is created to read.

Chapter Adm 48

Comprehensive Planning and Transportation Planning Grants Program

Adm 48.01 Purpose and authority. This chapter is promulgated under the authority of ss. 16.004(1), 16.965(5), and 227.11, Stats., to implement ss. 16.965 and 16.9651, Stats.

Adm 48.02 Definitions. In this chapter:

- (1) "Applicant" means a local governmental unit as defined in ss. 16.965(1)(a) and 16.9651(1), Stats., applying for a grant under this chapter.
- (2) "Base funding level" means the levels found in the table in s. Adm 48.05(1).
- (3) "Comprehensive plan" means a plan as defined in s. 66.1001(1)(a), Stats.
- (4) "Council" means the Wisconsin land council as defined in s. 15.107(16), Stats.
- (5) "Department" means the department of administration.
- (6) "Grantee" means an applicant that has been awarded a grant under a signed grant agreement with the department.
- (7) "Grant agreement" or "agreement" means a contract signed by the local governmental unit to complete a comprehensive plan under s. 66.1001, Stats., and the department.
- (8) "Grant period" means the period of time specified in s. Adm 48.09(2).
- (9) "In-kind services" means services rendered by the local governmental unit defined in s. 66.1001(1)(b), Stats. Federal grant funds are not included as in-kind services.
- (10) "Multi-jurisdictional plan" means 2 or more local governmental units participating in the development of a single comprehensive plan that covers the jurisdictions of those local governmental units which is adopted separately by each unit under s. 66.1001, Stats. A county comprehensive plan is a multi-jurisdictional plan if the county and 2 or more local governmental units located in the county participate and adopt the plan.
- (11) "Plan" and "planning effort" means a comprehensive plan as defined in s. 66.1001(1)(a), Stats.
- (12) "Plan update" means a revision to an existing county development plan under s. 59.69(3), Stats., or to a master plan under ss. 62.23(2) or (3), or, 66.0309(8), (9) or (10), Stats., to comply with the comprehensive plan provisions of s. 66.1001, Stats. A plan update may include a revision to an existing comprehensive plan under s. 66.1001, Stats.

(13) "Planning grant manual" means the document published annually by the department which includes the grant application, instructions, application and scoring timelines, detailed scoring, application review process, funding availability, and other pertinent information relating to the current grant cycle.

(14) "Planning grant priority list" means the department's ranking of grant applications by the numeric order of the scores.

Adm 48.03 Eligible activities. (1) An applicant may apply to the department for a grant to develop a plan or plan update for any of the following activities:

(a) Services and activities included in ss. 16.965(2) and 16.9651(2), Stats., including contracting for planning consultant services, public planning sessions, educational activities, and purchase of computerized planning data, planning software and hardware required to utilize planning data or software.

(b) Development of the plan document including printing costs.

(c) Public participation and outreach activities including educational materials, citizen surveys, internet activities and newsletters.

(d) Development, purchase and documentation of data, maps and computerized information used within the plan or plan update as follows:

1. Digital mapping and data development activities funded under this grant such as geographic information system development shall be consistent with applicable county land records modernization plans developed under s. 59.72(3)(b), Stats.

2. Digital mapping and data development activities funded under this grant may not duplicate efforts funded through the Wisconsin land information program under s. 16.966, Stats.

NOTE: Approved land records modernization plans and the planning grant manual can be obtained from the Office of Land Information Services, Department of Administration, P. O. Box 1645, Madison, WI 53701-1645 (telephone 608/267-2707). This information can also be obtained at the following website: <http://www.doa.state.wi.us/olis/>.

(e) Other activities that the applicant deems necessary in the preparation of a plan or plan update except ineligible activities noted under s. Adm 48.03(2).

(2) The following activities are ineligible for funding under this grant:

(a) Segmented activities not related to the development of a plan or plan update such as highway corridor plans, outdoor recreational plans and recreational trail plans.

(b) Planning activities and plan development costs incurred by the applicant prior to the council approving the grant priority list under s. Adm 48.08.

(c) Costs incurred by the applicant to prepare the grant application.

(d) Activities undertaken by applicants that have received a fully funded planning grant under s. Adm 48.05 within the previous ten years.

(e) Purchase of property or land.

Adm 48.04 Grant application. (1) The department shall make the planning grant manual available by September 1st of each year.

(2) All grant applications shall be completed on forms provided by the department and follow instructions according to the planning grant manual.

(3) All grant applications shall be approved by specific action of each governmental unit participating.

(4) The department shall review the submitted application for consistency with eligible activity requirements and may delete parts of the request for grant funding that do not reasonably relate to the development and adoption of a plan.

(5) Signed grant applications must be received by the department by November 1st.

(6) The department shall make copies of submitted application materials available to the public after the planning grant priority list has been approved under s. Adm 48.08(1).

Adm 48.05 Planning grants. (1) The department shall provide grants based on the population from the department's official population estimates of the local governmental unit and the base funding level noted in the table below.

Population	Base Funding Level
1 to 2,000	\$20,000
2,001 to 5,000	\$30,000
5,001 to 10,000	\$40,000
10,001 to 25,000	\$60,000
25,001 to 50,000	\$100,000
50,001 to 100,000	\$150,000
100,001 to 200,000	\$200,000
Over 200,000	\$350,000

(2) Subject to availability of funds, applicants shall be eligible for not less than 50% of the base funding level noted in sub. (1) except as provided in sub. (3).

(3) When an applicant's cost for the comprehensive plan is less than the base funding level noted in sub. (1), the community shall be eligible for up to 75% of the actual plan costs not to exceed the eligible grant amount in sub. (2).

Example: A town's population is 300. The town's proposed cost of plan is \$12,000. The town would be eligible for up to a \$9,000 grant.

(4) When the population of the applicant is within 5% of the next higher population category, the applicant's base funding level shall be the average of the 2 categories.

Example: A village's population is 1,993. The eligible base funding level of the village is \$25,000

(5) For a multi-jurisdictional plan, each local governmental unit participating within the application shall add together the base funding levels of each unit participating plus add an additional 10% incentive of the total base funding level for each city, village and town.

Example 1:

Town of Badger (pop: 1,400)	\$20,000
Village of Dairyland (pop: 2,700)	+ \$30,000
Total Base	= \$50,000
50% base award	= \$25,000
10% Incentive on Total Base	+ \$ 5,000
Maximum Grant Award	= \$30,000

Example 2:

County of Holstein (pop: 112,600)	\$200,000
Town of Robin (pop: 1,400)	+ \$20,000
Town of Galena (pop: 947)	+ \$20,000
Town of Guernsey (pop: 2,700)	+ \$30,000
Town of Violet (pop: 865)	+ \$20,000
Town of Granite (pop: 1,180)	+ \$20,000
Total Base	= \$310,000
50% base award	= \$155,000
10% Incentive for each town	+ \$11,000
Maximum Grant Award	= \$166,000

(6) For a multi-jurisdictional plan where all towns within a county participate jointly under a county plan and are included within a single grant application, the maximum grant award shall also include a 10% incentive of the county base funding level.

In s. Adm 48.05(5), Example 2, if all towns in Holstein Co. participate, the maximum grant award increases by the additional \$20,000 incentive (10% of \$200,000 = \$20,000).

(7) A grantee's local match is the difference between the total cost for the comprehensive plan development and the grant provided under this chapter. A grantee's local match may be financed in the annual budget, by in-kind services and through grants from other sources. Not more than 50% of the local match may be through federal grants.

(8) The grant may contain multiple state and federal funding sources. The department shall comply with the requirements and provisions of the funding sources and shall require grantees to comply with any requirements related to the funding sources. Requirements of these funding sources shall be outlined in the planning grant manual.

Adm 48.06 Grant application scoring criteria. The grant application scoring criteria is based upon preferences in s. 16.965(4), Stats., and shall be scored as follows:

(1) Thirty percent of the total points available shall be assigned to addressing the interests of overlapping or neighboring jurisdictions. Applications may be evaluated based on the applicant:

(a) Providing a list of participants anticipated within the development of a plan or plan update and addressing coordination efforts within the planning process with these participants.

(b) Identifying the process to review existing plans of these participants and identifying discrepancies between plans.

(c) Addressing consistency of plans, especially regarding border issues between jurisdictions.

(d) Addressing implementation efforts to minimize conflicts between jurisdictions.

(e) Including proposals for coordination within extraterritorial boundaries through intergovernmental cooperation techniques.

(f) Including proposals for cooperative agreements.

(g) Engaging in a multi-jurisdictional plan as defined in s. Adm 48.02(10).

(2) Twenty-five percent of the total points available shall be assigned to providing a specific description of the means by which all of the local, comprehensive planning goals specified in s. 16.965(4), Stats., will be achieved. Applications may be evaluated based on the applicant:

(a) Addressing each of the goals and discussing the specific elements within s. 66.1001, Stats., in which each of these goals will be addressed.

(b) Describing specific locational issues within the discussion of the goals such as population changes, transportation needs, environmental issues, housing issues and other planning issues.

(c) Describing the goals in a coherent and consistent manner between all goals.

(3) Twenty percent of the total points available shall be assigned to providing a description of the process to identify smart growth areas. Under s. 16.965, Stats., a smart growth area is an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental and utility costs. Applications may be evaluated based on the applicant:

(a) Identifying the planning process for identifying potential smart growth areas and the policy implications for implementing these areas.

(b) Describing the implementation of smart growth areas.

(c) Developing these areas cooperatively with adjacent and overlapping jurisdictions.

(d) Identifying demographic, social and economic changes within the past ten years.

(4) Twelve percent of the total points available shall be assigned to including planning efforts, including subsequent updates and amendments, that include development of

implementing ordinances, including ordinances pertaining to zoning, subdivisions and land division. Applications may be evaluated based on the applicant:

(a) Addressing the process of developing or updating ordinances and other implementation strategies that are consistent with the provisions of the plan or plan update.

(b) Identifying land use issues related to new, anticipated, or potential transportation facilities or improvements.

(c) Identifying innovative plan implementation techniques such as improved processes and coordination techniques among neighboring and overlapping jurisdictions, community design guidelines and other techniques.

(d) Describing the level of applicant's zoning authority.

(5) One percent of the total points available shall be assigned to including planning efforts contemplated for completion within 30 months from the date the grant is awarded.

(6) Twelve percent of the total points available shall be assigned to including planning efforts that provide opportunities for public participation throughout the planning process. Applications may be evaluated based on the applicant:

(a) Identifying the process for determining and adopting public participation procedures and address all requirements found in s. 66.1001(4)(a), Stats.

(b) Proposing creative and innovative public participation efforts.

(c) Providing a variety of opportunities for broad public participation throughout the planning process.

(d) Providing opportunities for neighboring and overlapping jurisdictions to participate.

Adm 48.07 Grant application evaluation. (1) The department shall evaluate and score applications based on the scoring under s. Adm 48.06.

(2) When developing the planning grant priority list, the department through a peer review process identified within the planning grant manual, shall rank all applications according to the applicant's total score received.

(3) The department shall establish the threshold in the planning grant priority list for determining which applications will be funded on the basis of the grant evaluation under this section and the availability of grant funds.

(4) The department shall prepare a detailed summary of expenditures for proposed grant awardees identified under sub. (3), including funding sources and any funding source requirements. The department shall forward the summary to the council as required by s. 16.965, Stats., the department of transportation as required by s. 16.9651, Stats., and any other agency as necessary due to funding sources.

Adm 48.08 Grant awards. (1) The council shall review and approve or disapprove by resolution, the grant priority list including activities proposed to be funded in compliance with ss. 16.965(4) and 16.9651(2), Stats. The department shall receive approval from the council before awarding a grant.

(2) The department shall provide the department of transportation and other agencies, where required, with the detailed summary of activities proposed to be funded through transportation planning grants in compliance with s. 16.9651(2), Stats. The department shall receive written approval from the secretary of the department of transportation before awarding a transportation planning grant.

(3) Grant awards are contingent upon the execution of a grant agreement. Failure of an applicant to execute a grant agreement shall result in withdrawal of the offer. The department and the applicant may negotiate the specific budget items, and other terms and conditions prior to executing the grant agreement. Terms of a grant award shall be administered through the grant agreement.

Adm 48.09 Grant Administration. (1) Accounting for all project funds shall be in conformance with generally accepted accounting principles and practices, and shall be recorded by the grantee. Supporting records of expenditures shall be maintained in sufficient detail to show that costs were incurred for the purposes for which the grant was made. Grant records shall be maintained for a period of 3 years after the grant award.

(2) The grant period extends from the date that the department executes the grant agreement to the date the local governmental unit submits the adopted plan to the department in compliance with s. 66.1001(4)(b), Stats. The contract dates shall not extend beyond time limits for a comprehensive plan under s. 66.1001(3), Stats. Unless the applicant commits to a shorter time in the application, the applicable grant period assigned in the grant agreement shall be as follows:

Population	Single-Jurisdictional Plan	Multi-Jurisdictional Plan
1 to 25,000	30 months	36 months
25,001 to 50,000	36 months	42 months
50,001 and up	42 months	48 months

(3) The grantee may submit claims for payment to the department on forms provided by the department. The grantee shall submit at least one claim during each 12-month time period commencing with the date the department signs the grant agreement. The department shall reimburse awardees not more than quarterly. All claims shall be consistent with the grant agreement relative to expenditures within the scope of work and estimated costs. All claims shall include documentation of progress under the terms of the grant agreement.

(4) The department shall withhold 25% of the grant award as final payment until all of the following occur:

(a) The grantee provides the department with a copy of the adopted plan as provided by s. 66.1001 (4)(b), Stats., and the department verifies the plan meets all provisions of s. 66.1001, Stats.

Note: This verification does not indicate a certification of compliance with s. 66.1001, Stats. This verification also does not indicate council or department approval of the plan content or policies. It is an indication that the grantee has completed the plan within the statutory requirements.

(b) The provisions of the grant agreement are met.

(5) In developing digital map data, the grantee shall adhere to widely accepted standards and use appropriate existing source data referenced in the planning grant manual.

(6) The local governmental unit shall make data developed under this grant available for public dissemination.

(7) For multi-jurisdictional plans, where one or more of the local governmental units participating in the grant have not adopted the plan by the end of the grant period, that unit or units award amount shall be withheld from the final payment under s. Adm 48.09(4).

(8) If the department finds that the project has not been completed pursuant to s. Adm 48.09(4), by the end of the grant period, the department may seek repayment of the state share or a portion of the state share previously distributed to the grantee.

This rule shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register as provided in s. 227.22(2)(intro.), Stats.

Dated: 10-24-01


George Lightbourn, Secretary
Department of Administration

WISCONSIN DEPARTMENT OF ADMINISTRATION
PUBLIC HEARING

On

CHAPTER ADM 48
Comprehensive Planning and Transportation Planning
Grants Program

Thursday, September, 13, 2001
8:30 a.m. - 9:30 a.m.
Brown County Central Library, Auditorium
Green Bay, Wisconsin

REGISTRATION

NAME: Ann Z. Schell

ADDRESS: 132 Main Street

Menasha, WI 54952

PHONE: (920) 751-4770

REPRESENTING: East Central Wisconsin Regional Planning
Commission

Please check applicable statement(s):

- () Appearing in favor.
- () Appearing in opposition.
- (X) Appearing for informational purposes.
- () I wish to testify.

WISCONSIN DEPARTMENT OF ADMINISTRATION
PUBLIC HEARING

On

CHAPTER ADM 48
Comprehensive Planning and Transportation Planning
Grants Program

Thursday, September, 13, 2001
8:30 a.m. - 9:30 a.m.
Brown County Central Library, Auditorium
Green Bay, Wisconsin

REGISTRATION

NAME: Leonard Vaness

ADDRESS: 206 Court St.
Chilton WI 53014

PHONE: (920) 849-1442

REPRESENTING: Calumet Co. Planning

Please check applicable statement(s):

- Appearing in favor.
 Appearing in opposition.
 Appearing for informational purposes.
 I wish to testify.

DID NOT TESTIFY

WISCONSIN DEPARTMENT OF ADMINISTRATION
PUBLIC HEARING

On

CHAPTER ADM 48
Comprehensive Planning and Transportation Planning
Grants Program

Thursday, September, 13, 2001
8:30 a.m. - 9:30 a.m.
Brown County Central Library, Auditorium
Green Bay, Wisconsin

REGISTRATION

NAME: GAYLENE NASH
ADDRESS: 205 J. WEBSTER
OMRO WI 54963
PHONE: 920.685 7000
REPRESENTING: City of Omro

Please check applicable statement(s):

- Appearing in favor.
 Appearing in opposition.
 Appearing for informational purposes.
 I wish to testify.

DID NOT TESTIFY

WISCONSIN DEPARTMENT OF ADMINISTRATION
PUBLIC HEARING

On

CHAPTER ADM 48
Comprehensive Planning and Transportation Planning
Grants Program

Thursday, September, 13, 2001
8:30 a.m. - 9:30 a.m.
Brown County Central Library, Auditorium
Green Bay, Wisconsin

REGISTRATION

NAME: David Buck, Planner II

ADDRESS: 100 N. JEFFERSON ST. Room 608
GREEN BAY, WI 54301

PHONE: 920-448-3400

REPRESENTING: City of Green Bay Dept. of Planning

Please check applicable statement(s):

- Appearing in favor.
 Appearing in opposition.
 Appearing for informational purposes.
 I wish to testify.

DID NOT TESTIFY

WISCONSIN DEPARTMENT OF ADMINISTRATION
PUBLIC HEARING

On

CHAPTER ADM 48
Comprehensive Planning and Transportation Planning
Grants Program

Friday, September, 14, 2001
9:00 a.m. - 10:00 a.m.
Eau Claire County Courthouse, Room 2560
Eau Claire, Wisconsin

REGISTRATION

NAME: Mike Huggins

ADDRESS: 203 S. Farwell, Eau Claire, WI 54601

PHONE: 715-839-4902

REPRESENTING: City of Eau Claire

Please check applicable statement(s):

- Appearing in favor.
 Appearing in opposition.
 Appearing for informational purposes.
 I wish to testify.

DID NOT TESTIFY

**Public Hearing on Adm 48 relating to the Department's Comprehensive Planning
and Transportation Planning Grants to Local Governmental Units**

Thursday, September 13, 2001

8:30 a.m. - 9:30 a.m.

Brown County Central Library, Auditorium (Lower Level), Green Bay

(Testimony:)

Mike Blaska: It's Thursday, September 13th, at 8:30 in Green Bay at the Brown County Central Library. This is a public hearing on Adm 48, relating to the Department's Comprehensive Planning and Transportation Planning Grants to Local Governmental Units.

The Department of Administration has set at this time and place a public hearing pursuant to ss. 16.004(1), 16.065 (5), and 227.11(2)(a), of the Wisconsin Statutes, to consider the creation of rules related to the department's comprehensive planning and transportation planning grants to local governmental units.

My name is Mike Blaska and I'm the Executive Director of the Wisconsin Land Council and the Director of the Office of Land Information Services for the Department of Administration. With me is Jeanne Storm, the Deputy Director of the Office of Land Information Services for the Department of Administration.

In the August 31, 2001, issue of the Wisconsin Administrative Register, notice was given that public hearings would be held to consider adoption of this rule. In addition, copies of the rule were made available to interested parties. Copies of the notice were also hand-delivered to the Press Boxes located in Room 235, Southwest in the State Capitol Building.

The purpose of today's hearing is to give all interested persons or their representatives an opportunity to present facts, views or arguments regarding the proposed rule. In addition to today's testimony, the department will accept written comments or questions received by September 30, 2001. Please direct written comments to Donna Sorenson, Department of Administration, 101 East Wilson Street, P.O. Box 7864, Madison, Wisconsin 53707.

Section 227.18(3), of the Statutes requires that all persons present at this hearing have an opportunity to present their arguments and comments to the agency officer responsible for promulgating these rules; that is, the Secretary of the Department of Administration. The Secretary has determined that argument to him should be made in writing rather than orally. Consequently, a transcript of this hearing, along with your written comments will be provided to him prior to final promulgation of this rule.

The Department proposes creating Chapter Adm 48 to establish the procedures, methodology and evaluation criteria for planning grants to local governmental units. The proposed rule codifies the application, evaluation and award process used by the department and approved by the Wisconsin Land Council for FY2001 comprehensive planning and transportation planning grant cycle.

The proposed rule was submitted to the Wisconsin Legislative Council Rules Clearinghouse for their review, analysis and recommendations. The Legislative

Council issued its report on the proposed rule on August 13, 2001. The comments suggested by the Legislative Council will be incorporated in the rule.

I'll now go through the appearance slips to see who wants to give testimony on the rule. When I call you, please state your name, who you are representing and if you are testifying in favor or in opposition to the proposed rule.

Is there anybody that wishes to comment on Adm 48? There being no one wishing to testify I'll go off the record now at 8:35.

Mike Blaska: We are currently back on record. If you want to state your name.

Ann Schell: My name is Ann Schell, I'm the assistant director at East Central Wisconsin Regional Planning Commission. A couple of comments I'd like to make about the Administrative Rule 48.

First of all concerns the timing of the public hearings, they seem a little bit after the fact. I think if there's any reason that perhaps we're not getting a lot of comments it's because that only gives people the feeling that it doesn't make any difference. With all the emphasis on environmental justice and public participation in the planning process I think that's the wrong foot to start off on.

The other comment I would like to make from the perspective of the regional planning commission, it is very difficult to comprehend how a lot of this stuff applies to regional planning commissions. We understand that we are required to do a comprehensive plan, but a lot of the information in the administrative rule is not clear on how it applies to regional planning commissions. It is easy to say that it's a matter of scale, but in some cases it's more than that. It's a matter of just application. And, it would be good, since regional planning commissions are required to develop a comprehensive plan, that a little more description of their role had been included. That's all.

Mike Blaska: OK, thank you. Anyone else wishing to testify on Adm 48? If not, it being 9:30 I'm going to close the public hearing.

**Summary of rule revisions based on comments from Rules Clearinghouse,
hearing testimony and public comments received by the Department**

CLEARINGHOUSE RULE 01-086
Chapter Adm 48

<u>Rule Section</u>	<u>Recommended Change and Response</u>
s. 48.02 (12)	Comment (4.) recommended by Rules Clearinghouse was made.
s. 48.03 (1) (d)	Comment (2.a.) recommended by Rules Clearinghouse was made.
s. 48.03 (1) (d) 1.	Comment (2.c.) recommended by Rules Clearinghouse was made.
s. 48.03 (2) (d)	Comment (5.a.) recommended by Rules Clearinghouse was made.
s. 48.04 (4)	Comments (5.b) recommended by Rules Clearinghouse were made.
s. 48.05 (2)	Comment (5.c.) recommended by Rules Clearinghouse was made.
s. 48.05(5)	Comment (5.d.) recommended by Rules Clearinghouse suggested that the Department review sections 48.05(5) and (6) for consistency. Section Adm 48.05 (5), specifies, in part, "...add an additional 10 % incentive of the total base funding level for each city, village and town." There are 2 examples for this section: <ul style="list-style-type: none">• In Example 1, the base funding level for the Town and the Village total \$50,000. 10% of \$50,000 = \$5,000 (which is what is shown in this example).• In Example 2, the base funding level for the 5 Towns total \$110,000. 10% of \$110,000 = \$11,000 (which is what is shown in this example). Section Adm 48.05 (6), specifies, in part, "...where all towns within a county participate...include a 10 % incentive of the county base funding level." In the example for this section: <ul style="list-style-type: none">• The base funding level for the County is \$200,000. 10% of \$200,000 = \$20,000 (which is the amount of the increase shown in this example). All 3 examples are consistent with the stated criteria for receiving the 10% incentives.
s. 48.05 (7)	Comment (5.e.) recommended by Rules Clearinghouse was made.
s. 48.06	Comments (5.f.) recommended by Rules Clearinghouse were made.

- s. 48.06 (1) (c) Comments (5.g) recommended by Rules Clearinghouse were made.
- s. 48.06 (6) (b) Comment (5.h.) recommended by Rules Clearinghouse was made.
- s. 48.07 (1) Comment (5.i.) recommended by Rules Clearinghouse was made.
- s. 48.09 (2) Comment (5.j.) recommended by Rules Clearinghouse was made.
- s. 48.09 (3) Comment (5.k.) recommended by Rules Clearinghouse was made.
- s. 48.09 (4) Comment (5.l.) recommended by Rules Clearinghouse was made.

Comment (2.b), recommended by Rules Clearinghouse suggested that the Department review the "Planning Grant Manual" referenced throughout the rule to determine whether it includes any substantive provisions that should be promulgated as rules. The planning grant manual (copy attached for your information) contains the grant application form, instructions for filling out the application, budget and reporting worksheets, funding available for the grant cycle, numerous examples, and other informational and explanatory materials relating to the rule; therefore, the Department does not believe that it includes substantive provisions that should be part of the rule.

Public Hearing Testimony: Ann Schell, Assistant Director at East Central Wisconsin Regional Planning Commission, provided the only testimony at the Department's public hearings. She had 2 comments.

- The first related to the timing of the public hearing. Ann noted that the public hearing seemed to be "after the fact" and that people might assume it didn't make any difference.
- The second comment related to the proposed rule lacking detail on the role of the regional planning commissions in comprehensive planning.

Department's Response: The timing of the rule hearing is part of the administrative rule process. The Department agrees with Ms. Schell that both state statute and the proposed administrative rule describe the role of the regional planning commissions in fairly broad terms and that it is consistent with the legislative intent to have the new comprehensive planning legislation focus on a "bottom-up" approach that allows maximum flexibility for local governmental units to meet the particular needs of their locality.

Comprehensive Planning Grant Manual

FY 2002 Application Packet

(Pursuant to ss. 16.965, 16.9651 and 66.1001, Wis. Stats.)

NOTE: The grant provisions and application contained in this packet including, but not limited to, the grant criteria and grant distribution mechanisms apply to the FY 2002 Comprehensive Planning Grant cycle only, as approved by the Wisconsin Land Council.

Send one (1) original signed application and nine (9) copies of the completed application (total of 10) to:

Office of Land Information Services
Department of Administration
17 South Fairchild Street, 7th Floor
Madison, WI 53701-1645

Application Deadline: November 1, 2001, 4:30 PM

Questions? Please call Sarah Kemp at 608-264-6117 or email her at sarah.kemp@doa.state.wi.us. You may also call the OLIS general number at 608-267-2707 for more information.

FY 2002 Comprehensive Planning Grant

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FY 2002 Comprehensive Planning Grant Information

Eligible Applicants

This comprehensive planning grant provides funding for the development of local comprehensive plans under s. 66.1001, Stats. Towns, villages, cities, counties and regional planning commissions are eligible to apply for this grant. In order to receive funds through this grant program, communities must commit to preparing and adopting a comprehensive plan under the requirements of s. 66.1001, Stats. A timeline for plan adoption for the purposes of this grant can be found on Page 5 under Grant Period.

Grant Eligibility

Awardees (a local government who has been awarded a grant) are eligible for one comprehensive planning grant award every ten years for developing a new or updated plan. Grant awardees from the 2000 Transportation Planning Grant (issued by the Office of Land Information Services) are eligible for the remaining comprehensive plan costs. The grant award would be the difference between the 2000 grant award and the base funding level outlined on Page 6.

Eligible Activities

Eligible activities include activities reasonably related to the development of a comprehensive plan described in ss. 16.965, 16.9651 and 66.1001, Stats. The Department of Administration, hereinafter referred to as DOA, reserves the right to delete proposed activities not included in ss. 16.965, 16.9651 and 66.1001, Wis. Stats., which are deemed to be outside of development of a comprehensive plan.

Eligible activities include:

1. Services and activities included in ss. 16.965(2) and 16.9651(2), Stats., including contracting for planning consultant services, public planning sessions, educational activities, and purchase of computerized planning data, planning software and hardware required to utilize planning data.
2. Development of the plan document including printing costs.
3. Public participation and outreach activities including educational materials, citizen surveys, internet activities and newsletters.
4. Development, purchase and documentation of data, maps and computerized information used within the plan or plan update.
5. Other activities necessary for the development and preparation of a comprehensive plan or plan update.

Ineligible activities include:

1. Segmented activities not related to the development of a comprehensive plan or plan update. Examples of these activities include corridor plans, outdoor recreation plans, site plans and trail development plans.
2. Planning activities and plan development costs incurred by the applicant prior to the Wisconsin Land Council approval of the grant awardees. Planning efforts already underway will be considered for grant funding, however, funds will be awarded for those activities not yet conducted and completed.
3. Costs incurred by the applicant to prepare the grant application.
4. Applicants that have been awarded a grant within the previous ten years.
5. Purchase of property or land.

Additional Grant Resources

Wisconsin Statutes, s. 66.1001, Stats., can be viewed and downloaded from the Office of Land Information Services web site at <http://www.doa.state.wi.us/olis/>. The comprehensive planning statutes can be found from the front page, under Items of Interest, "Comprehensive Planning or Smart Growth" and by opening the documents entitled "Comprehensive Planning and Smart Growth Statutes" http://www.doa.state.wi.us/olis/pdf_files/comp_plan_stats_1200.pdf.

Data Development

Digital mapping and data development activities funded under this grant such as geographic information system (GIS) development must be consistent with applicable county land records modernization plans developed under s. 59.72(3), Stats. Digital mapping and data development activities funded under this grant may not duplicate efforts funded through the Wisconsin land information program under s. 16.966, Stats. When feasible the local government should utilize county data by contacting the County Land Information Officer or utilize state data by contacting the data specialist at the Office of Land Information Services or individual departments. In developing digital map data, the grantee shall adhere to widely accepted standards, use appropriate existing source data and provide data for public dissemination. Metadata should preferably be in a form consistent with the Federal Geographic Data Committee's "Content Standards for Digital Geospatial Metadata."

Funds Available

The total funds available for this grant cycle for the development of comprehensive plans are dependent on the outcome of the state biennial budget and will not be known until this process is finalized. View the Office of Land Information Services' website, <http://www.doa.state.wi.us/olis/>, for available funds for the 2002 Comprehensive Planning Grant. It is anticipated that the grant funds will be provided through a variety of sources.

Grant Application Deadline

Applications are due in the Office of Land Information Services by 4:30 PM on November 1, 2001. Faxed applications or late applications will not be accepted. All applicants are required to send one (1) signed original and nine (9) copies of the completed application and supporting documentation to:

If by US Postal Service:

Office of Land Information Services, DOA
P.O. Box 1645
Madison, WI 53701-1645

If by Commercial Carrier or Hand Delivery:

Office of Land Information Services, DOA
17 South Fairchild Street, 7th Floor
Madison, WI 53703-3219

Electronic submissions will be accepted in a format compatible with Microsoft Word 97. Email to Sarah Kemp, Grant Specialist, at sarah.kemp@doa.state.wi.us. Applicants choosing to submit an application electronically must also send one (1) signed original of the application to OLIS by the application deadline, November 1, 2001.

The grant selection and contract negotiation period is from November 2001 through January 2002. Applicants will be notified of their grant application status early February 2002 and contracts will be mailed to successful candidates by March 1, 2002. Signed contracts must be returned to DOA by April 15, 2002.

Grant Period

The grant period extends from the date that DOA executes the grant agreement to the date the local governmental unit submits the adopted plan to DOA in compliance with s. 66.1001(4)(b), Stats. The applicable grant period is assigned based on population and whether the applicant is developing a single or multi-jurisdictional plan:

Population	Single-Jurisdictional Plan	Multi-Jurisdictional Plan
1 to 25,000	30 months	36 months
25,001 to 50,000	36 months	42 months
50,001 and up	42 months	48 months

If the applicant indicates it will comply with the 30 month timeline as noted in the scoring criteria (see Part III, Section F on page 14), the grant period and contract will require a 30 month grant period to complete and adopt the plan.

Multi-jurisdictional Plan: For the purposes of this grant, a multi-jurisdictional plan means two or more local governmental units participating in the development of a single comprehensive plan that covers the jurisdictions of those local governmental units which is adopted separately by each unit under s. 66.1001, Stats. A county comprehensive plan is a multi-jurisdictional plan if two or more local governmental units

located in the county participate and adopt the plan. For example, a multi-jurisdictional plan at a minimum would include a county and two local governmental units; a regional planning commission and two additional local governmental units; a town and a village; a town and a city, etc.

Planning Grant Award Amounts

The schedule below outlines the base funding levels according to the population of the community applying. Subject to available funds, the applicant is eligible for not less than 50% of the base funding level. See "Funding Incentives" on Page 6-7 for communities with proposed plan costs that are less than the base funding level and multi-jurisdictional applications.

Schedule for Base Funding Levels

Population:	Up to 2,000	2,000 to 5,000	5,001 to 10,000	10,001 to 25,000	25,001 to 50,000	50,001 to 100,000	100,001 to 200,000	Over 200,000
Base Funding:	\$20,000	\$30,000	\$40,000	\$60,000	\$100,000	\$150,000	\$200,000	\$350,000
50% Base Funding:	\$10,000	\$15,000	\$20,000	\$30,000	\$50,000	\$75,000	\$100,000	\$175,000

Population is determined using DOA's Demographic Services year 2001 population estimates on the DOA's website under "County Estimates" or "Municipality Estimates by County" at http://www.doa.state.wi.us/dhir/boir/demographic/pop_info.asp. Applicants will be required to include this information in the application under Part II, Funding Information, on Page 11. You may also contact OLIS for population estimate information.

If the applicant falls within 5% under the population of the next base category, the applicant's base funding level is the average between the two categories. (Example: For a village with a population of 1,993 the base funding level is \$25,000. The grant award would not be less than \$12,500.)

Funding Incentives

Multi-Jurisdictional Plans: Multi-jurisdictional plan applicants are eligible for an additional incentive of 10% of their base funding level for each community participating. If all towns within a county participate jointly under the county plan efforts, add an additional 10% incentive of the county's total base funding level. For example, in Example 2, if all towns in Holstein Co. participate with the County, an additional \$20,000 is included (10% of \$200,000 = \$20,000) in the total award amount. See the examples provided.

EXAMPLE 1:		EXAMPLE 2:	
Town of Badger (pop. 1,400)	\$20,000	County of Holstein (pop. 112,600)	\$200,000
Village of Dairyland (pop. 2,700)	+ \$30,000	Town of Robin (pop. 1,400)	+ \$20,000
Total Base Funding	= \$50,000	Town of Galena (pop. 947)	+ \$20,000
50% Base funding	= \$25,000	Town of Guernsey (pop. 2,700)	+ \$30,000
10% Incentive of base funding	+ \$ 5,000	Town of Violet (pop. 865)	+ \$20,000
Grant Award	= \$30,000	Town of Granite (pop. 1,180)	+ \$20,000
		Total Base Funding	= \$310,000
		50% Base funding	= \$155,000
		10% Incentive of towns' base funding	+ \$11,000
		Grant Award	= \$166,000

Grant Proposals where plan costs are less than the Base Funding Level: When an applicant's proposed plan cost is less than the applicant's eligible base funding level, up to 75% of the actual plan costs, but not more than 50% of the base funding level, may be awarded. See the examples provided.

Example 3: Single Jurisdictional Applicant

Town of Green Forest (pop. 300)	
Eligible Grant	Grant Proposal (under base funding level)
Eligible Base Funding Level = \$20,000	Actual Plan Cost = \$12,000
Grant Award (50%) = \$10,000	Grant of 75% (not more than 50%) = \$9,000

Example 4: Multi-Jurisdictional Applicant

Town of Badger (pop. 1,400) and Village of Dairyland (pop. 2,700)	
Eligible Grant	Grant Proposal (under base funding level)
Town of Badger (pop. 1,400) \$20,000	Actual Plan Cost = \$40,000
Village of Dairyland (pop. 2,700) + \$30,000	Grant of 75% (not more than 50%) = \$30,000
Total Base Funding = \$50,000	
50% Base funding = \$25,000	
10% Incentive of base funding + \$ 5,000	
Grant Award = \$30,000	

Local Match

The local match is the difference between the applicant's total plan cost and the grant award amount. The local match can be a combination of financing in the applicant's annual budget, in-kind services, and other state or federal grants. In-kind services are services rendered through the local community such as utilizing existing staff resources. No more than half (50%) of the local match may be funded through federal grants. Please refer to the appropriate example for your proposal.

Single Jurisdictional Grant Proposals where plan costs are at or greater than the Base Funding Level: The required local match for the project is 50% of the base funding level. See the example provided.

City of Badger (pop. 3,300)	
Base Funding Level	= \$30,000
Grant Award	= \$15,000
Local Match	= \$15,000
Local Match Breakdown	
In-kind Services	\$4,500
Other State Grant	\$3,000
Other Federal Grant	\$7,500

Single Jurisdictional Grant Proposals where plan costs are less than the Base Funding Level: The required local match for the project is a minimum of 25% of the plan costs. See the example provided.

Town of Green Forest (pop. 300)	
Eligible Grant	Grant Proposal Submitted
Eligible grant base funding level = \$20,000	Actual Plan Cost = \$12,000
Grant Award (50%) = \$10,000	Grant of 75% (no more than 50%) = \$9,000
Local Match (50%) = \$10,000	Local Match (25% of plan costs) = \$3,000

Multi-Jurisdictional Grant Proposals where plan costs are at or greater than the Base Funding Level: The required local match for the project will be less than 50% of the base funding level because of the 10% incentive awarded. See the example provided.

County of Holstein (pop. 112,600)	\$200,000	Base Funding Level	= \$310,000
Town of Robin (pop. 1,400)	+ \$20,000	<u>Grant Award</u>	= <u>\$166,000</u>
Town of Galena (pop. 947)	+ \$20,000	Local Match	= \$144,000
Town of Guernsey (pop. 2,700)	+ \$30,000		
Town of Violet (pop. 865)	+ \$20,000		
Town of Granite (pop. 1,180)	+ <u>\$20,000</u>		
Total Base Funding Level	= \$310,000	Local Match Breakdown	
50% base award	= \$155,000	Annual Budget	\$52,000
10% Incentive of base funding	+ \$11,000	Other State Grant	\$20,000
Grant Award	= \$166,000	Other Federal Grant	\$72,000

Multi-Jurisdictional Grant Proposals where plan costs are less than the Base Funding Level: The required local match for the project is a minimum of 25% of the plan costs. See the example provided.

Eligible Grant		Grant Proposal Submitted	
Town of Badger (pop. 1,400)	\$20,000	Actual Plan Costs	= \$40,000
Village of Dairyland (pop. 2,700)	+ <u>\$30,000</u>	<u>Grant Award</u>	= <u>\$30,000</u>
Total Base Funding Level	= \$50,000	Local Match	= \$10,000
50% base award	= \$25,000		
10% Incentive of base funding	+ \$ 5,000		
Grant Award	= \$30,000		

Application Screening and Grant Selection

Grant applications are evaluated through a peer review process. Scores are ranked according to the points received in the review process. The final screening will examine the number and amount of grant funds requested based on the final scores of the applications. False or misleading statements or omissions that render the information provided to be false or misleading on an application are grounds for rejection of an application, and a denial or termination of funds by DOA. The applicant may also be required to reimburse DOA for grant funds issued.

Application Withdrawal

Grant applicants may, at any time, withdraw its grant application materials from the grant review process by providing written notice to OLIS. Consideration in future grant cycles will not be affected if an applicant chooses to withdraw their application.

Payment Process - Invoicing and Reimbursement

This is a reimbursement grant. Costs incurred prior to Wisconsin Land Council's approval of the grant are not eligible for reimbursement. A minimum of annual reporting will be required of the grantee. Specific

provisions will be outlined in the grant contract. The grantee may request up to four times annually for reimbursement based upon work completed by submitting documentation to the Office of Land Information Services. The final payment of 25% of the total grant award amount will be withheld until the participating governing body adopts the comprehensive plan, DOA has verified the plan meets the provisions of s. 66.1001, Stats. and the DOA contract provisions have been met.

Questions and Technical Assistance

For assistance contact: **Sarah Kemp, Grant Specialist**

Phone: 608-264-6117

Email: sarah.kemp@doa.state.wi.us

You may also call the OLIS general office number at 608-267-2707 for assistance on your application. However, staff will not be able to provide specific suggestions for a particular application or review project proposals of a forthcoming grant application submission.

In compliance with State regulations regarding conflict of interest, members of the Wisconsin Land Council will not provide any form of technical assistance or advice to prospective applicants. All applicants will be referred to OLIS staff.

FY 2002 Comprehensive Planning Grant Application Instructions

Applicants must use the application form provided in this manual. For Part I and Part II, please type or print on the application form. Attach the written response for Part III, Sections A through F to the completed application form. Written responses to Part III should be limited to a maximum of 10 single-sided pages with an 8.5" by 11" page format with a 11-point font size or greater. All application attachments such as appendices, supporting documentation and maps, should be limited to 10 additional pages. Applicants are required to complete the budget worksheet in the application in Part IV.

Submit one original, signed application and nine copies of the completed application materials (for a total of ten). Staple or clip each copy of the application materials. Do not bind submitted application materials.

Required Resolution

An approved resolution is required by each unit of government agreeing to apply for a comprehensive planning grant. If you are applying for a grant as a multi-jurisdictional applicant, your resolution should represent your participation in the development and adoption of a comprehensive plan under the requirements of s. 66.1001, Stats. Copies of the resolutions must be included in the submitted application. (These resolutions will not be counted towards the application attachment limit.)

Part I: General Information

An applicant must fill in all information in Part I in order to be considered for this grant. Indicate N/A where the information requested does not apply. List all groups which the applicant will coordinate the development of the comprehensive plan including: neighboring jurisdictions; county(ies) of jurisdiction; school, utility and other special districts; other groups and organizations; and where applicable, the regional planning commission and the metropolitan planning organization (MPO).

Part II: Funding Information

The base funding formula in Part II determines the amount of eligible funding for your project. Complete the sections that apply to your proposal only. The applicant completes Sections A, B or C. The grant amount requested and the local match indicating the source of local funds must be designated. All applicants must complete section D. Part II is required to determine your funding level.

Part III: Project Criteria

Part III provides an opportunity for you to describe the project and identify the need for the development of a comprehensive plan or plan update. Limit your Part III response to ten (10) written pages. Please refer to Sections A through F below for scoring criteria and the percentage of total points possible for each section.

Section A (30% of Total Points): Planning efforts that address the interests of overlapping or neighboring jurisdictions.

The application will be evaluated on the applicant:

- a. Providing a list of participants anticipated within the planning process and addressing coordination efforts within the process with these participants. For applicants within metropolitan planning organization (MPO) areas, the MPO must be included in the planning process. The transportation element must be reviewed by the MPO for consistency. Identify any Federal requirements that need to be met. Applicants should identify efforts anticipated within the planning process to include all bordering communities, counties of jurisdiction, and other entities such as school districts and utilities.
- b. Identifying the process to review existing plans of these participants and identifying discrepancies between plans.
- c. Addressing consistency of plans especially border issues between jurisdictions.
- d. Addressing implementation efforts to minimize conflicts between jurisdictions.
- e. Including proposals for coordination within extraterritorial boundaries through intergovernmental cooperation techniques.
- f. Including proposals for cooperative agreements.
- g. Engaging in a multi-jurisdictional plan as defined in this grant program. Those applicants applying as a multi-jurisdictional plan effort and fully describing intergovernmental cooperation items as noted above will receive the highest scoring consideration under section A. Communities are not required to apply as a multi-jurisdictional plan to obtain a grant.
- h. Involving relevant state agency staff in the planning process.

Section B (25% of Total Points): Planning efforts that contain a specific description of the means by which all of the following local, comprehensive planning goals will be achieved.

The application will be evaluated on the applicant:

- a. Addressing each of the goals and discussing the specific elements within s. 66.1001, Stats. in which each of the goals will be addressed.
- b. Describing specific locational issues within the discussion of the goals such as population changes, transportation needs, environmental issues, housing issues and other planning issues.
- c. Describing the goals in a coherent and consistent manner between all goals.
- d. Where relevant, describing how the applicant will consider other state and regional planning processes, including: highway corridor planning, county farmland preservation planning,

environmental corridor planning, water quality planning and other relevant regional planning processes.

The applicant will receive zero (0) points if each of the fourteen goals and associated implementation techniques have **not** been addressed. It is recommended that applicants include information that is specific to the community and its planning effort rather than general discussion. Listed below are the fourteen local comprehensive planning goals as described in s. 16.965(4), Stats.:

1. Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial and industrial structures.
2. Encouragement of neighborhood designs that support a range of transportation choices.
3. Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces and groundwater resources.
4. Protection of economically productive areas, including farmland and forests.
5. Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state governmental and utility costs.
6. Preservation of cultural, historic and archaeological sites.
7. Encouragement of coordination and cooperation among nearby units of government.
8. Building of community identity by revitalizing main streets and enforcing design standards.
9. Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.
10. Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial and industrial uses.
11. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional and local levels.
12. Balancing individual property rights with community interests and goals.
13. Planning and development of land uses that create or preserve varied and unique urban and rural communities.
14. Providing an integrated, efficient and economical transportation system that affords mobility, convenience and safety and that meets the needs of all citizens, including transit-dependent and disabled citizens.

Section C (20% of Total Points): Planning efforts that identify smart growth areas.

According to s. 16.065(1), Stats., a "smart growth area" is an area that will enable the development and redevelopment of lands within existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low utility and municipal and state governmental costs. The application will be evaluated based on the applicant:

- a. Identifying the planning process for identification of potential smart growth areas and the policy implications for implementing these areas.
- b. Describing the implementation of smart growth areas.
- c. Developing these areas cooperatively with adjacent and overlapping jurisdictions.
- d. Identifying demographic, social and economic changes within the past ten years that prompt identification of smart growth areas.

Section D (12% of Total Points): Planning efforts, including subsequent updates and amendments, that include development of implementing ordinances, including ordinances pertaining to zoning, subdivisions and land division.

The application will be evaluated based on the applicant:

- a. Addressing the process of developing or updating ordinances and other implementation strategies that are consistent with the provisions of the plan or plan update.
- b. Identifying land use issues related to new, anticipated, or potential transportation facilities or improvements.
- c. Identifying innovative plan implementation techniques such as improved processes and coordination techniques among neighboring and overlapping jurisdictions, community design guidelines and other techniques.
- d. Describing the level of applicant's zoning authority. For example, if an applicant is a town under county zoning, discuss how the town intends to work with the county toward these implementation efforts. If an applicant is a county, discuss how the towns not under county zoning will be included in the implementation efforts. For multi-jurisdictional efforts, describe each participating local unit zoning authority.

Section E (12% of Total Points): Planning efforts that provide opportunities for public participation throughout the planning process.

The application will be evaluated based on the applicant:

- a. Identifying the process for determining and adopting public participation procedures and address all requirements found in s. 66.1001(4)(a), Stats.
- b. Proposing creative, innovative public participation efforts.
- c. Providing a variety of opportunities for broad public participation throughout the planning process.
- d. Providing opportunities for neighboring and overlapping jurisdictions to participate.

Section F (1% of Total Points): Planning efforts contemplated for completion within 30 months from the date the grant is awarded.

Applicants that indicate a 30-month process will receive all possible points for Section F (1% of total points). Those indicating a timeline beyond 30 months will receive zero (0) points. A timeline for the development and completion of the comprehensive plan, including adoption of the plan, must be included.

Part IV: Budget Information

Applicants are required to provide a detailed budget and timeline for the plan process and identify the products being developed as part of the comprehensive plan. Applicants must complete the form on the application outlining the plan budget including a separate transportation planning activity budget in Part IV.

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2002 Comprehensive Planning Grant Application Form

PART I: GENERAL INFORMATION Please complete all of the following information:

1. Plan Title:

2. Lead government unit applying:

3. County(ies) within the plan area:

Space for Office Use:

4. List all additional government units applying (if a multi-jurisdictional application):

5. Contact Person and Address:

Phone #:

Email Address:

6. Application prepared by:

Phone:

Email Address:

7. Comprehensive Plan will be prepared:

In house

By private consultant

Other (Please identify):

8. If located within an Metropolitan Planning Organization (MPO) planning area please indicate:

MPO:

Contact Person:

Phone:

9. As part of the development or update of the comprehensive plan, the applicant (s) is committed to complying with the requirements defined in s. 66.1001 Stats:

Yes.

No. If answered No, this application will not be considered for a grant.

10. SIGNATURE OF LEAD GOVERNMENT UNIT (Adopted resolutions from each county, town, city or village must be included):

Signature:

Date:

Print Name:

Title:

Existing Plans: Please answer all questions. Indicate N/A where necessary.

11. Is this project part of an *update* of an existing plan (master plan, development plan, land use plan, etc.)?

- Yes. Please identify plan(s) below. No. Please go to question 12.

a. Title of existing plan (or plans if multi-jurisdictional effort) and plan prepared by:

b. Was the existing plan(s) adopted by the community's elected officials:

- Yes. No. Date of Adoption:

c. What was the approximate cost for developing the plan:

d. Please list existing plans separately, if multi-jurisdictional project:

12. Have other components of a comprehensive plan been developed such as Agriculture Preservation Plan, Comprehensive Outdoor Recreation Plan, etc. ?

- Yes. No.

If Yes, please list:

13. Please list other existing plans and dates that also cover and/or govern land use in this community? (Examples: County Development Plan, Regional Transportation Plan, etc...)

Implementation Efforts: Please answer all questions. Indicate N/A where necessary.

14. Has the community adopted the following planning implementation tools? Please indicate the adoption year and, if applicable, the year of the most recent update. (For multi-jurisdictional efforts, please list by community in space below under question 14.)

Zoning Ordinances	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Exclusive Ag Zoning	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Land Division Ordinances	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Building Code	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Highway Access Control	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Official Map	<input type="checkbox"/> Yes <input type="checkbox"/> No	Year adopted:	Last update:	Administered by:
Site Plan Review	<input type="checkbox"/> Yes <input type="checkbox"/> No			

15. Please indicate other implementation tools not listed above:

16. State statute, s. 66.1001, requires that the following actions and programs must be consistent with an adopted comprehensive plan. Please check applicable boxes where these programs or actions may apply to your community.

- Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.
- Annexation procedures under s. 66.021, 66.024 or 66.025.
- Cooperative boundary agreements entered into under s. 66.023.
- Consolidation of territory under s. 66.02.
- Detachment of territory under s. 66.022.
- Municipal boundary agreements fixed by judgment under s. 66.027.
- Official mapping established or amended under s. 62.23 (6).
- Local subdivision regulation under s. 236.45 or 236.46.
- Extraterritorial plat review within a city's or village's extraterritorial plat approval jurisdiction, as defined in s.236.02(5).
- County zoning ordinances enacted or amended under s. 59.69.
- City or village zoning ordinances enacted or amended under s. 62.23 (7).
- Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
- An improvement of a transportation facility that is undertaken under s. 84.185.
- Agricultural preservation plans that are prepared or revised under subch. IV of chapter 91.
- Impact fee ordinances that are enacted or amended under s. 66.55.
- Land acquisition for recreational lands and parks under s. 23.09 (20).
- Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.
- Construction site erosion control and storm water management zoning under s. 59.693, 61.354 or 62.234.
- Any other ordinance, plan or regulation of a local governmental unit that relates to land use.

For multi-jurisdictional plans, please list separately:

17. Please list all groups which the applicant will coordinate the development of the comprehensive plan including but not limited to: neighboring jurisdictions; county(ies) of jurisdiction; school, utility and other special districts; other groups and organizations, and where applicable, the Regional Planning Commission of jurisdiction; and the Metropolitan Planning Organization (MPO).

PART II: FUNDING INFORMATION

Please complete the following Section under Part II that applies to your application. This section is provided to determine your funding level. Only one of these sections (A, B or C) under Part II should be filled in by the applicant.

Section A is for a single jurisdiction where plan costs are at or above the base funding level. See schedule on page 6.

Section B is for a single jurisdiction where plan costs are less than the base funding level. See example 3 on page 7.

Section C is for an applicant applying as a multi-jurisdictional plan. See examples 1 or 2 on page 7.

Section D is required by ALL APPLICANTS.

SECTION A: Proposals for a single jurisdiction where plan costs are at or above base funding level.

Governmental Unit (Town, Village, City, County or RPC)	Population (Use the DOA year 2001 pop. Estimate)	Base Funding (See <u>Schedule</u> on Page 6 of instructions)
		\$
Grant Award (50% of Base Funding)		\$
Local Match (Base Funding minus Grant Award)		\$
List Sources of Local Match		

SECTION B: Proposals for a single jurisdiction where plan costs are less than the base funding level.

Governmental Unit (Town, Village, City, County or RPC)	Population (Use the DOA year 2001 pop. Estimate)	Base Funding (See <u>Schedule</u> on Page 6 of instructions)
		\$
Proposed Plan Costs		\$
Grant Award (75% but not more than 50% of Base Funding)		\$
Local Match (Base Funding minus Grant Award)		\$
List Sources of Local Match		

SECTION C: Proposals for Multi-Jurisdictional Plans

If your proposal includes more than eight (8) communities within the plan process, please attach additional sheets. See examples 1 and 2 on page 7. Proposals with plan costs below the base funding level should contact the grant specialist.

Governmental Unit (Town, Village, City, County or RPC) List Each.	Population (Use the DOA year 2001 pop. Estimate)	Base funding for each government unit (See schedule page 6 of instructions.)
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
(Multi-jurisd. ONLY)		+
Base Funding		= \$
50% of Base Funding		\$
10% Incentive of Base Funding for Each Community		+\$
Grant Award		-\$
Local Match (Base Funding minus Grant Award)		\$
List Sources of Local Match		

SECTION D: Plan Costs and Grant Request Summary

All applicants must fill out this section. Information is from the above Table in PART II, SECTIONS A, B or C.

1. Total Base Funding: \$	2. Grant Award: \$	3. Local Match: \$
4. Total Comprehensive Plan Costs (May be the same or different than the base funding level): \$		

PART III: PROJECT CRITERIA

Limit Part III to 10 written pages. Limit all supporting documentation, maps, or other attachments to 10 additional pages. Refer to the Pages 11-15 for a description of information required in PART III.

Attach the written response for Part III, Sections A through F to Sections I and II of the application form.

Section A (30%)

Planning efforts that address the interests of overlapping or neighboring jurisdictions.

Section B (25%)

Planning efforts that contain a specific description of the means by which all of the following local, comprehensive planning goals will be achieved

Section C (20%)

Planning efforts that identify smart growth areas as defined under s. 16.965.

Section D (12%)

Planning efforts, including subsequent updates and amendments, that include development of implementing ordinances, including ordinances pertaining to zoning, subdivisions and land division.

Section E (12%)

Planning efforts that provide opportunities for public participation throughout the planning process.

Section F (1%)

Planning efforts contemplated for completion within 30 months from the date the grant is awarded.

PART IV: PROJECT BUDGET

Please complete the worksheet below. You may expand on this information by attaching additional detail regarding work products within the elements including individual product costs. Budget information is not included in the page limit for the application. All applicants must complete both budget worksheets in Part IV.

OVERALL BUDGET WORKSHEET (includes Transportation Activity Costs)

	Preparation and Products	Timeframe for Completion	Overall Costs (Include cost of consultant, in-kind & LTEs)
Issues Identification <ul style="list-style-type: none"> ▪ Visioning ▪ Goal/Objectives Development ▪ Intergovernmental Coordination Activities 			
Data and Inventory <ul style="list-style-type: none"> ▪ Data Gathering ▪ Data Development 			
Mapping Activities <ul style="list-style-type: none"> ▪ Base Mapping Activities ▪ Element Plan Map 			
Public Participation Activities <ul style="list-style-type: none"> ▪ Educational Activities ▪ Meetings ▪ Surveys, Focus Group Sessions ▪ Intergovernmental Coordination Activities 			
Development of Plan Alternatives (Draft and Final Plans) <ul style="list-style-type: none"> ▪ Plan Document Preparation ▪ Plan Distribution 			
Plan Implementation <ul style="list-style-type: none"> ▪ Plan Approval Process ▪ Program Review ▪ Ordinance Review, Revisions & Additions ▪ Cooperative Agreements 			
Other Activities <ul style="list-style-type: none"> ▪ Purchase of Computer Hardware, Software 			
TOTAL PLAN COSTS			
(This figure should be the same costs indicated in PART II under SECTION E and should include transportation activity costs as identified in Transportation Activity Budget Worksheet.)			

PART IV: PROJECT BUDGET (CONTINUED)

Please complete the worksheet below for Transportation Activity Budget. You may expand on the information by attaching additional detail including individual product costs. Budget information is not included in the page limit for the application. All applicants must complete this budget worksheet as part of the funding requirements.

TRANSPORTATION ACTIVITY BUDGET WORKSHEET

Transportation Activity Portion of Total Budget ONLY	Preparation and Products	Timeframe for Completion	Overall Costs (Include cost of consultant, in-kind & LTEs)
Transportation Issues Identification <ul style="list-style-type: none"> ▪ Visioning ▪ Goal/Objectives Development ▪ Intergovernmental Coordination Activities 			
Transportation Data and Inventory <ul style="list-style-type: none"> ▪ Data Gathering ▪ Data Development 			
Mapping Activities <ul style="list-style-type: none"> ▪ Base Mapping Activities ▪ Transportation Plan Map 			
Public Participation Activities (Percentage of Effort) <ul style="list-style-type: none"> ▪ Educational Activities ▪ Meetings ▪ Surveys, Focus Group Sessions ▪ Intergovernmental Coordination Activities 			
Development of Plan Alternatives (Draft and Final Plans) <ul style="list-style-type: none"> ▪ Transportation Element Preparation ▪ Document Distribution 			
Plan Implementation <ul style="list-style-type: none"> ▪ Transportation Related Program Review ▪ Transportation Related Ordinance Review, Revisions & Additions 			
Other Activities <ul style="list-style-type: none"> ▪ Purchase of Computer Hardware, Software for Transportation Element 			
TRANSPORTATION ACTIVITY RELATED COSTS (This figure should be part of the total costs reported in Overall Budget Worksheet.)			