

**County Zoning and POWTS Programs:
Pertinent State Statutes and Administrative Codes
May 2, 2024**

To review any of these in full, visit <https://docs.legis.wisconsin.gov/statutes/prefaces/toc> .

- Comprehensive planning, s. 66.1001, Wis. Stats.
- WI Admin. Code Natural Resources Chapter 115 (NR115), Shoreland Protection Program.
- WI Admin. Code Natural Resources Chapter 116 (NR116), Floodplain Management Program.
- WI Statutes Chapter 59, Counties; Subchapter VII, Land Use, Information and Regulation, Environmental Protection, Surveys, Planning and Zoning:
 - Planning and zoning authority, 59.69(1)
 - Planning and zoning agency/commission role (RPC), 59.69(2)(a), (b), (bs) and (c)
 - Department head role, 59.69(2)(bm)
 - Development plan (not comprehensive plan), 59.69(3)
 - Extent of power (establish zoning districts and regulations), 59.69(4)
 - Historic preservation, 59.69(4m)
 - Formation of zoning ordinance/procedure; 59.69(5). Section (5)d pertains to the original method created for town withdrawal from county zoning.
 - Amending ordinance, 59.69(5)(e)
 - Conditional use permits, 59.69(5e)
 - Nonconforming uses, 59.69(10)
 - Nonconforming structures, 59.69(10e) and (10m)
 - Enforcement/fines, 59.69(11)
 - Wetland notice requirement, 59.691
 - Shoreland zoning, 59.692
 - Construction site erosion control and stormwater management (SWCD), 59.693
 - Board of Adjustment, 59.694
 - BOA powers (variances, appeals, conditional use permits), 59.694(7)
 - Fees, 59.696
 - Fees for appeals, 59.697
 - Zoning administrators, 59.698
 - Environmental protection and land use (Sanitarian and SWCD), 59.70
- Limitation on development regulation authority, use of existing requirements, down zoning, s. 66.10015, Wis. Stats.
- Development moratoria, s. 66.1002, Wis. Stats.
- Limits on residential dwelling rental prohibited, s. 66.1014, Wis. Stats.
- Municipal rent control, inclusionary zoning prohibited, s. 66.1015, Wis. Stats.
- WI Statutes Chapter 91, farmland preservation planning and zoning
- WI Statutes Chapter 236, subdivision platting
- Zoning-related portions of Chapter 60, Towns; Chapter 61, Villages; and Chapter 62, Cities. Section 60.23(35) pertains to process created in 2024 for towns to withdraw from county zoning.
- WI Statutes Chapter 145, Plumbing and Fire Protection Systems and Swimming Pool Plan Review
- WI Admin. Code Safety & Professional Services Code Chapters 305, 381, 382, 383, 384, 385, 387, and 391, all at least in part pertaining to POWTS.

Note: Not included above are relevant case law and Attorney General opinions or codes/statutes regarding transportation/roads and wetlands/water quality, all of which sometimes affect or are intertwined with the administration of county zoning and POWTS programs.