

# **CHAPTER 10: INTERGOVERNMENTAL COOPERATION**

## **INTRODUCTION**

This chapter provides an overview of governments in the County of Door, including the Door County Board of Supervisors, county departments and agencies, and county taxes; local government structure; land use management (planning and zoning) interactions by the county with other government entities; and other types of intergovernmental cooperative relationships. Note that this chapter deals primarily with land use topics, focusing on the Door County Planning Department and Resource Planning Committee, since that department and committee are statutorily responsible for adopting and implementing the county comprehensive plan.

## **COUNTY ELECTED OFFICIALS, COMMITTEES, AND DEPARTMENTS**

### **DOOR COUNTY BOARD OF SUPERVISORS**

The County of Door and its accompanying government were established in 1851. Door County is governed by an elected Board of Supervisors, currently representing 21 Supervisory Districts. Each supervisory district contains an approximately equal number of residents. Elections are held for all supervisors in April of even-numbered years; all supervisors serve two-year terms. A chair and vice-chair are elected each term by the supervisors themselves.

The Door County Board of Supervisors oversees the many services provided by Door County, many of which are mandated by the state and/or federal government. Supervisors serve primarily a legislative function, largely limited to policy-making, law-making, budgetary approval, and cooperative decision-making. No operational control resides with individual supervisors. Basic county board functions include the following:

- Involve, represent, and be accountable to the public
- Create budgets and levy taxes
- Set policies
- Provide the framework for county services
- Oversee county operations
- Regulate
- Cooperate with other governments

The county board sets policy through adoption of plans, budgets, ordinances, and resolutions, as described below:

- **Plans.** A plan involves setting desired future conditions and steps to get there. With regard to land use management, state law – Wisconsin’s “Smart Growth” legislation – requires adoption of a comprehensive plan by 2010. Other common plans at the county level are strategic plans, which the Door County Board of Supervisors is undertaking in 2009; capital improvement (how money will be spent on infrastructure projects), which the County Board has recently begun adopting on an annual basis; parks, which the County Board adopts every five years; and transportation.
- **Budgets.** The budget is the document through which the board determines what services will be provided, how they will be funded, and to what level they will be funded.
- **Ordinances.** An ordinance is a local law prescribing rules of conduct related to the corporate powers of the governmental body. It is a law that can be enforced by the officials of the governmental body. It is intended to be a permanent part of the governmental code.

- Resolutions. Resolutions deal with matters that are less permanent or temporary in character. They are more often used to grant special privileges, express opinions, or to communicate with other governmental bodies.

Much of the work described above is conducted through committees comprised entirely of or including at least some supervisors and supported by county staff. The County of Door committees, as of 2008, are listed in the following sections.

### STANDING COMMITTEES

Standing committees consist almost entirely of county board supervisors and have a continuing existence. Standing committees are policy-making bodies, determining the broad outlines and principles governing administration of the departments that they oversee. Door County's standing committees and the departments they oversee (if applicable) are listed in Table 10.1. Agendas and minutes for these committee meetings, as well as committee members, may be found at the County of Door Web site listed in the Resources and Further Information section at the end of this chapter.

**Table 10.1: County of Door Standing Committees**

Standing Committees	Departments
Administrative	Child Support, Corporation Counsel, County Administrator, County Clerk, Human Resources, Veterans Services
Agriculture and Extension	UW-Extension
Airport and Parks	Airport, Parks
Emergency Services/Communications	Emergency Management, Emergency Services
Finance	Finance, Treasurer
Highway	Highway
Information Systems	Information Systems/Land Information Office, Real Property, Register of Deeds
Law Enforcement & Judiciary	Circuit Court Branches I & II, Clerk of Court, District Attorney, Register in Probate, Sheriff
Legislative	--
Negotiating	--
Property	Building Maintenance
Resource Planning *	Planning
Social Services	Social Services

Source: Door County Administrator, 2008.

\* The Resource Planning Committee is the oversight committee for the adoption and implementation of this comprehensive plan. It consists of five county board supervisors, typically meeting the first and third Thursdays of every month. Notices of public hearings conducted by the Resource Planning Committee are published in the *Door County Advocate*. Meeting agendas are posted in the Planning Department and next to the County Clerk's office on the first floor of the Government Center. The Door County Planning Department also provides, for a fee, mailings of meeting agendas and notices.

### STATUTORY COMMITTEES, COMMISSIONS, AND BOARDS

Statutory committees, commissions, and boards are standing committees comprised of county board members and members-at-large from the community. Members are appointed by the county board chair and confirmed by the county board. Door County's statutory committees, commissions, and boards and the departments they oversee (if applicable) are listed in Table 10.2. Agendas and minutes for these committee meetings may be found at the Door County Web site listed in the Resources and Further Information section at the end of this chapter.

**Table 10.2: Door County Statutory Committees, Commissions, and Boards**

<b>Statutory Committees, Commissions, and Boards</b>	<b>Departments</b>
Board of Health	Public Health, Sanitarian
Civil Service Commission	--
Community Programs Board	Community Programs
Economic Development	--
Ethics	--
Highway Safety Commission	--
Land Conservation	Soil and Water Conservation
Library Board	Library
Long Term Support Planning Committee	--
Veterans Service Commission	--

Source: Door County Administrator, 2008.

### **AD-HOC COMMITTEES**

Ad-hoc committees are formed to complete a specific project or assignment under a specific timetable. Members are appointed by the county board chair and confirmed by the county board. Ad-hoc committees are dissolved upon completion of the purpose for which the committee was appointed. Current County of Door ad-hoc committees are listed below:

- Communications Advisory Technical Subcommittee
- Comprehensive Planning Committee (Note: This committee is known by committee and staff members as the *Core Planning Committee*. For more information on this committee's role and responsibilities in the development of the county plan, see Volume I of the plan.)
- Veterans Memorial Committee
- W-2 Children's Services Network
- W-2 Community Steering Committee

### **OTHER COMMITTEES AND APPOINTMENTS**

- Bay-Lake Regional Harbor Council Representative
- Bay-Lake Regional Planning Commission Representative
- Door County Historian
- Door County Housing Authority
- Glacierland Resource Conservation and Development, Inc.
- Lakeshore Community Action Partnership (CAP) Representative
- Lakeshore Natural Resource Partnership Executive Committee
- Local Elected Officials
- Local Emergency Planning Committee
- Museum – Archives (oversees the Museum department)
- Nicolet Federated Library Board
- Red River/Sturgeon Bay Priority Watershed – Citizen's Advisory Committee
- Wisconsin Development Fund Grant – Loan Review Committee
- Senior Services Advisory Committee
- Zoning Board of Adjustment (BOA). In accordance with state statutes, the BOA helps administer the county zoning ordinance through holding public hearings and making decisions regarding petitions for variance and appeals of zoning administrator or Resource Planning Committee decisions.

## **DOOR COUNTY DEPARTMENTS AND AGENCIES**

The County of Door employs approximately 330 people, working for 32 departments. Departments and their contact information may be found on the County of Door Web site, listed in the Resources and Further Information section at the end of this chapter.

The Planning Department, which is responsible for administering and enforcing zoning and other land use-related ordinances and programs, works closely with the following departments:

- **Sanitarian** – As discussed in Chapter 4, Agricultural and Natural Resources, the Sanitarian Department administers Door County’s private on-site wastewater treatment systems (POWTS) programs. The Planning Department coordinates the issuance of zoning permits with the issuance of sanitary permits.
- **Real Property Listing** – Real Property Listing processes all information recorded in the Register of Deeds Office pertinent to the transfer of land and retains original copies of all land surveys conducted in the county. The Planning Department relies on Real Property Listing records in administering the county zoning and land division ordinances, particularly when land has been subdivided.
- **Register of Deeds** – Register of Deeds is responsible for the filing and recording of various legal documents including deeds, mortgages, and other documents pertaining to real estate. The Planning Department relies on Register of Deeds records in order to administer the zoning and land division ordinances, and the departments work to coordinate the recording of materials that affect Planning Department ordinances to ensure compliance with those ordinances.
- **Soil and Water Conservation Department (SWCD)** – As discussed in Chapter 4, Agricultural and Natural Resources, SWCD has the responsibility for the administration of the county’s soil and water conservation programs designed to halt and reverse the depletion of the county’s soil resources and pollution of its waters. The SWCD and Planning Departments coordinate a variety of land use management ordinances and programs.
- **Information Systems (IS)/Land Information Office (LIO)** – The IS/LIO manages and coordinates Door County’s Geographic Information System (GIS). The Planning Department coordinates with the LIO in many areas, including maintenance of information related to permit issuance, land use-related data creation and maintenance, and mapping.
- **University of Wisconsin – Extension (UW-Extension)** – The UW-Extension office works to bring to Door County knowledge originating from the University of Wisconsin. The Planning Department interacts primarily with the Community Resource Development coordinator regarding land use planning and education issues.

Also, in administering the county’s addressing ordinance and manual, the Planning Department’s GIS Addressing Specialist and Mapping Technician coordinate address numbering, road naming, signage, and related issues with Real Property Listing, IS/LIO, Emergency Services, and the local municipalities.

## **COUNTY TAXES**

Door County’s programs and services are primarily funded by property taxes. Table 10.3 illustrates a history of the taxes levied and collected in Door County from 2000 through 2007. Note that property taxes fund the local school districts, the vocational school (Northeast Wisconsin Technical College), the county itself, the local municipality within which the property is located, and other taxing jurisdictions, such as sanitary districts.

From 2000 to 2007, the county’s full value increased by 64%, or \$2.80 billion, and the total property tax collected increased \$25.1 million, or 43%. In looking at taxes broken out by taxing

jurisdiction, taxes collected by school districts increased between 2000 and 2007 by 36%; by NWTC, 73%; by the county, 56%; and by local municipalities, 26%.

Note that the County of Door has adopted, per statutory guidelines, a sales tax of 0.5% in addition to the state sales tax of 5%, the revenues from which provide a slight offset to property taxes.

**Table 10.3: Comparative Tax Appropriations, Door County**

Year Levied	Full Value	Total Property Tax	State Tax Credit	Taxing Jurisdiction Share				
				School	Vocational	County	Local	Other
2000	\$4,382,530,100	\$58,677,359	\$3,681,893	\$23,420,628	\$6,011,580	\$14,782,539	\$12,330,306	\$2,132,307
2001	\$4,916,696,800	\$65,209,728	\$3,713,695	\$24,944,824	\$7,858,344	\$17,267,410	\$12,714,614	\$2,424,536
2002	\$5,238,984,300	\$69,637,184	\$3,774,362	\$26,291,066	\$8,353,950	\$18,803,699	\$13,625,713	\$2,562,757
2003	\$5,579,066,200	\$71,781,922	\$3,798,359	\$27,411,324	\$8,601,800	\$19,254,730	\$13,812,978	\$2,701,087
2004	\$5,888,738,300	\$74,193,234	\$3,818,256	\$28,833,654	\$8,881,745	\$19,548,588	\$14,073,251	\$2,855,997
2005	\$6,233,636,100	\$74,757,319	\$3,794,156	\$28,349,594	\$9,222,772	\$20,006,413	\$14,327,953	\$2,850,585
2006	\$6,683,046,000	\$76,580,312	\$4,727,459	\$28,682,354	\$9,686,221	\$20,465,163	\$14,988,262	\$2,758,316
2007	\$7,185,361,600	\$83,758,197	\$5,234,054	\$31,822,971	\$10,384,082	\$22,994,977	\$15,476,048	\$3,080,120

Source: Wisconsin Department of Revenue, *City, Village and Town Taxes, 2000 – 2007*.

Wisconsin counties are required to meet two tax levy caps mandated by the state in 1993 and 1997. The 1993 levy rate cap set limits for both operating levy rates and debt service levy rates; the baseline for the rate limits being the 1992 actual tax rate, adopted for 1993 budget purposes. Counties cannot exceed these operating levy and debt levy rate limits unless certain conditions apply. The second tax levy rate cap went into effect in 2007, capping county and municipal levy increases at the greater of 3.86% or the gain in value from net new construction in the first year of the biennium, and 2% or net new construction in the second year. Door County has been able to meet these requirements for all years the laws have been in effect, although the county has needed for two years running to take money from the general reserve fund (essentially, the county's savings account) to balance the budget. Also, in order to help balance the 2009 budget, the county eliminated 2.5 staff positions and at least one program. There is general speculation that more lay-offs and program eliminations are likely to occur in the future, as cost increases for items such as wages and health insurance far outpace the tax levy rate cap percentages.

## GOVERNMENTAL STRUCTURE

Local governments in Door County consist of the county, one city, four villages, and fourteen towns.

### COUNTY

Wisconsin has 72 counties, the primary political subdivision of the state. Within counties there can be cities, villages, and towns. As described previously, a Board of Supervisors is the main legislative body of the county, consisting of supervisors elected in nonpartisan elections for two-year terms. Programs and services counties must or may provide are specifically authorized in Wisconsin Statutes.

The type of executive official in Wisconsin counties can vary. Counties may have a County Executive elected in a nonpartisan election for a four-year term, an appointed County Administrator, or an appointed Administrative Coordinator. Door County has an appointed County Administrator. Elected officials in Door County include the Sheriff, District Attorney, County Clerk,

County Treasurer, Registers of Deeds, and Clerk of Court. All of these offices have four-year terms.

Door County contains and interacts with the local municipalities listed below. Descriptions of each type of local municipality are provided in the sections following.

- City of Sturgeon Bay
- Village of Egg Harbor
- Village of Ephraim
- Village of Forestville
- Village of Sister Bay
- Town of Baileys Harbor
- Town of Brussels
- Town of Clay Banks
- Town of Egg Harbor
- Town of Forestville
- Town of Gardner
- Town of Gibraltar
- Town of Jacksonport
- Town of Liberty Grove
- Town of Nasewaupée
- Town of Sevastopol
- Town of Sturgeon Bay
- Town of Union
- Town of Washington

## **CITY**

In Wisconsin, a city is an autonomous incorporated area within one or more counties. As of 2006, Wisconsin had 190 cities. Cities in Wisconsin provide almost all services to their residents, differing from counties and towns in that they have more power to govern themselves in local matters without state interference – they have the highest degree of home rule and taxing jurisdiction of all governments. This “home rule” authority allows them to make their own decisions about their affairs, administration, and much of their public policy, subject to state law.

In order to incorporate as a city, a community must have at least 1,000 citizens if it is in a rural area or 5,000 if it is in an urban area. Cities in Wisconsin are divided into four classes:

- First class: Cities with 150,000 or more people
- Second class: Cities with 39,000 to 149,999 people
- Third class: Cities with 10,000 to 38,999 people
- Fourth class: Cities with 9,999 people or less

The City of Sturgeon Bay, officially incorporated on April 7, 1883, is a fourth class city. The city, which is the county seat, covers approximately 4,000 acres and has 80 miles of streets and 11 parks. It includes portions of three different school districts: Sturgeon Bay, Sevastopol, and Southern Door.

Cities can choose to hire a city administrator or city manager, instead of electing a mayor, or have both. The City of Sturgeon Bay has both an appointed city administrator and an elected mayor. The city is governed by a Common Council consisting of the mayor and elected aldermen. The mayor is elected at large by residents of the City of Sturgeon Bay and each of the seven districts in the city elect one alderperson. The mayoral term is three years while the alderpersons serve for two years.

The city employs approximately 70 full-time employees and more than 60 part-time employees during seasonal periods. The city's organization consists of five departments: Police, Fire, Public Works, Community Development, and Administration. In addition to police and fire protection, city services include administration, finance, planning and zoning, real estate assessment, building inspection, street maintenance, snow removal, garbage and recycling, park and recreation, and water weed management. The City of Sturgeon Bay has the following boards, commissions, and committees:

- Board of Electrical Examiners
- Board of Public Works
- Board of Review
- Cable Communication System Advisory Council
- City Plan Commission
- Community Protection & Services
- Finance/Purchasing & Building Committee
- Fire & Police Commission
- Historic Preservation Commission
- Industrial Park Development Review Team
- Loan Review Committee/Revolving Loan Committee
- Personnel Committee
- Parks & Recreation Board
- Parks & Recreation Committee
- Parking & Traffic Committee
- Sturgeon Bay Harbor Commission
- Sturgeon Bay Waterfront Redevelopment Authority
- Utility Commission
- Zoning Board of Appeals

## **VILLAGE**

In Wisconsin, a village is an autonomous incorporated area within one or more counties; currently there are 402 villages in the state. Villages provide various services to its residents and have a degree of home rule and taxing jurisdiction over them. The home rule authority granted to villages allows them to make their own decisions about their affairs, administration, and much of their public policy, subject to state law.

Villages are governed by a Village President and a Board of Trustees. Village officers include a president, clerk, treasurer, and assessor. Villages may also elect to hire a village manager instead of an elected village president. In order to incorporate as a village, a community must have at least 150 citizens if it is in a rural area (isolated) or 2,500 if it is in an urban area (existing metropolitan area, more densely settled).

Door County has four villages: Egg Harbor, Ephraim, Forestville, and Sister Bay.

## **TOWN**

In Wisconsin, a town is a municipality within a county. Wisconsin has 1,259 towns. All areas in the state that have not been incorporated as cities or villages are parts of towns.

The terms "town" and "township" are sometimes used interchangeably, but in Wisconsin the words are not identical. The word "town" denotes a unit of government while "township" is a surveyor's term describing the basic grid framework for legal descriptions of all land in the state

(including land in cities and villages). Originally, most towns (and townships) were six mile by six mile squares (36 square miles), but natural and human-made boundaries (rivers and county lines, for example) caused some variation. Towns are often annexed by neighboring cities and villages in whole or in part.

Towns are similar to cities and villages in that they provide many of the same services, but they are organized and governed in a different manner. The major distinguishing feature of towns is the fact that they continue to operate as a "direct democracy." State law requires towns to hold "town meetings" where all qualified electors who are age 18 or older and have lived in the town for at least ten days can discuss and vote on town matters, including the town's property tax levy. This means that the electors of the town have more direct control over most local government issues than those living in cities and villages where major decisions are made by elected representatives. Towns also tend to integrate their services with counties to a greater extent than cities and villages.

Towns are governed by an elected town board, which is headed by a board chair. The town board consists of three or five members elected for two-year terms. Towns are also served by a clerk, treasurer, assessor, and can have an appointed or elected town administrator.

Towns have less authority than villages and cities because they lack the home rule granted to villages and cities by the state. They instead have only the specific powers granted to them under state statutes. At the minimum, towns maintain their local roads. Towns may choose to provide more services, however, overlapping with those provided by the county. In most cases, towns provide limited services and thus town residents often pay lower taxes than their city or village counterparts.

Town boards can obtain greater planning and regulatory authority when they are granted village powers. (Without village powers, when a town wishes to adopt an ordinance to deal with a local concern, the town must decide whether they have specific or implied authority granted to them through state statute and powers that are necessarily implied from the statutory powers.) If authorized by the town electors at a town meeting, the town board may exercise powers relating to villages and conferred on village boards under Ch. 61, Wis. Stats., except those powers which conflict with statutes relating to towns and town boards.

With village powers, the town board may exercise the specific and general powers of a village under sec. 61.34 Wis. Stats. Under this authority, the town board's authority includes police power to regulate for the town's health, safety, and welfare. An example of specific village powers that a town board may exercise is comprehensive planning authority.

A town with village powers has some, but not all, of the powers exercised by a village because of different statutory procedures applicable to towns. For example, the statutes provide that a town in a county with comprehensive zoning must first obtain the approval of the electors to engage in zoning and then must obtain approval of the county board before the town zoning ordinance or any amendment to it may take effect. This is in contrast to cities and villages, who may zone without seeking the approval of the county.

In Door County, most of the towns have chosen to exercise village powers. The appropriate municipality should be contacted for further information.

## **LAND USE (PLANNING AND ZONING) PROGRAM INTERACTIONS**

With regard to land use issues, the primary types of county and municipal interactions in Door County are relationships required by or established with state and regional agencies and those involving comprehensive planning, land use education and discussion forums, plat review, and extra-territorial regulation.

## **STATE AND REGIONAL LAND USE AGENCIES**

### **WISCONSIN DEPARTMENT OF ADMINISTRATION – THE DIVISION OF INTERGOVERNMENTAL RELATIONS**

The Division of Intergovernmental Relations (DIR) works with counties, municipalities, and citizens providing support services in land use planning, land information and records modernization, municipal boundary review, plat review, demography, and coastal management programs. The plat review process is described in more detail in a subsequent section.

The DIR also includes the Wisconsin Coastal Management Program (WCMP), a program dedicated to preserving and improving access to the natural and historic resources of Wisconsin's Great Lakes coasts. The WCMP works cooperatively with state, local, and tribal government agencies and non-profit organizations to manage the ecological, economic, and aesthetic assets of the Great Lakes and their coastal areas. Door County has benefited from a variety of WCMP grants, most of which have been awarded to the SWCD. The WCMP, in partnership with the DNR, also developed the Draft Wisconsin Coastal Estuarine Land Conservation Plan, as described in Chapter 4, Agricultural and Natural Resources. Finally, the DIR is also in charge of the “Smart Growth” Comprehensive Planning Program, which includes some grant funding for comprehensive plan development – several individual municipalities in Door County received such funding in developing their comprehensive plans.

### **WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

The Planning Department works with the Wisconsin Department of Natural Resources (DNR) regularly on land use issues, most frequently involving ordinary high water mark determinations or wetland management, but also regarding floodplain management. The wetland regulation process in Door County is described in Chapter 4, Agricultural and Natural Resources. Other land use plans developed by the DNR that incorporate Door County are also described in Chapter 4, including the Wildlife Action Plan and the Land Legacy Report.

### **BAY– LAKE REGIONAL PLANNING COMMISSION**

The Bay-Lake Regional Planning Commission (BLRPC) was created in 1972 by Governor Lucey under Wisconsin Statutes s. 66.945 (re-titled 66.0309) as the official area-wide planning agency for northeastern Wisconsin. The function of BLRPC is solely advisory. The BLRPC has undertaken regional studies that have focused on the region's transportation network, population and economic structure, housing characteristics, natural resources, land and water related issues, and those issues that transcend local governmental boundaries.

The BLRPC operates under the following five principles:

- To assist and advise local government;
- To influence state, regional, and federal plans and programs that reflect the best interest of the Bay-Lake Region;
- To prepare and adopt a comprehensive plan under Wisconsin Statutes s. 66.0295, for the development of the region;
- To provide technical information about the region for use by public and private agencies; and
- To encourage citizen participation in the planning process.

Door County has maintained sporadic membership in BLRPC since its establishment.

## **COMPREHENSIVE PLANNING**

### **COMPREHENSIVE PLAN DEVELOPMENT**

The Door County Planning Department is responsible for the overall development of the county's comprehensive plan in compliance with the requirements of Sec. 66.1001(4)(a), Wis. Stats., commonly called the "Smart Growth" legislation. The Smart Growth legislation requires municipalities with a zoning ordinance, subdivision ordinance, or an official mapping program to have a comprehensive plan in place by January 1, 2010. Land use management decisions based on those zoning or subdivision ordinances or official maps must be consistent with the comprehensive plan starting in 2010.

The municipalities in Door County required to do a comprehensive plan, as of December 2008, were:

- County of Door
- City of Sturgeon Bay
- Villages of Egg Harbor, Ephraim, Forestville, and Sister Bay
- Town of Egg Harbor (town subdivision ordinance)
- Towns of Union and Brussels (town-level zoning)

The development of this Door County Comprehensive Plan 2030 involved work on the part of several different county departments and committees, and work groups comprised of local staff, experts, and residents as well as representatives from other governmental agencies (local municipalities, DNR, etc.). The plan's development also involved the coordination of 19 municipalities at varying stages of their municipal comprehensive plan development. As discussed earlier, nine municipalities – two villages and seven towns – within Door County adopted comprehensive plans in accordance with the Smart Growth legislation before the County of Door plan was completed. Five more municipalities were in various stages of comprehensive plan development process as the county developed its plan, and five others were not undertaking their own comprehensive plans.

For detailed information on Wisconsin's planning legislation, the process followed in preparation of the Door County 2030 Comprehensive Plan, and the county plan vision statements and goals, see Volume I of the plan.

### **COMPREHENSIVE PLAN IMPLEMENTATION**

As has been true historically, the Door County Zoning Ordinance will presumably continue to be one of the primary tools the county uses to implement this new comprehensive plan. Administration and enforcement of the zoning ordinance are carried out in accordance with state statutes, which outline procedures counties must follow involving towns in potential zoning ordinance text and map amendments. Note that the Planning Department has for over ten years also provided means for additional coordination with the towns that have adopted county comprehensive zoning, such as seeking input on and allowing extra time for town review of applications going to public hearing (conditional use permits, variances, appeals, zoning text amendments, zoning map amendments).

Table 10.4 below shows which municipalities have as of December 2008 adopted comprehensive plans as well as which land use management ordinances they have adopted. A description of most of the ordinances listed in Table 10.4 may be found in Chapter 9, Land Use.

**Table 10.4: Land Use Management Ordinances and Plans, Door County Municipalities**

Municipality	Comprehensive Plan	Zoning	Land Division	Floodplain	Telecommunications	Wind Energy	Airport Height	Other Plans & Ordinances
Door County	Yes	Yes - 9 towns under county comprehensive zoning, 5 with county zoning in shoreland only.*	Yes**	Yes**	Yes**	Yes**	Yes	Uniform Addressing Ord., Solid Waste Management Ord., Recycling Ord., Outdoor Refuse Burning and Fireworks Ord., Farmland Preservation Plan, Parks & Open Space Plan, Land & Water Resource Management Plan, Bicycle Capital Improvement Plan, County Highway Plan
T. Baileys Harbor	Yes	County	County	County	County	County	No	--
T. Brussels	Yes	County Shoreland & Town	County	County	County	County	No	--
T. Clay Banks	No	County	County	County	County	County &	No	Holding Tank - Sludge Spreading Code
T. Egg Harbor	In process	County Shoreland Only	County & Town	County	County	County	No	--
T. Forestville	No	County	County	County	County	County	No	--
T. Gardner	In process	County Shoreland Only	County	County	County	County	No	--
T. Gibraltar	Yes	County	County	County	County	County	Ephraim-Gibraltar	--
T. Jacksonport	No	County	County	County	County	County	No	--
T. Liberty Grove	Yes	County	County	County	County	County	No	Park & Recreation Plan
T. Nasewaupee	Yes	County Shoreland Only	County & Town	County	County	County	County	--
T. Sevastopol	Yes	County	County	County	County	County	County	--
T. Sturgeon Bay	In process	County	County	County	County	County	Yes	Park & Recreation Plan
T. Union	Yes	County Shoreland & Town	County	County	County	County	No	--
T. Washington	No	County	County	County	County	County	No	--
V. Egg Harbor	Yes	Yes	Yes	No	No	No	No	Building Regulations and Construction, Mobile Homes and Mobile Home Parks, Sign Code, Lighting Ord.
V. Ephraim	In process	Yes	Yes	Yes	No	No	Ephraim-Gibraltar	Architectural Design Ord., Historic Preservation Ord., Stormwater/Construction Site Erosion Control Ord.
V. Forestville	No	Yes	No	Yes	No	No	No	--
V. Sister Bay	Yes	Yes	Yes	No	Yes	No	No	Park & Recreation Plan, Wellhead Protection Plan, Comprehensive Utility Plan
C. Sturgeon Bay	In process	Yes	Yes	Yes	Yes	No	Yes	Historic Preservation Ord., Waterfront Design Ord., Park & Recreation Plan, Wellhead Protection Plan

Source: Door County Planning Department, 2008.

\* State law requires county zoning to be effective in the shoreland areas of all unincorporated areas, regardless of whether or not the town has adopted county zoning. Shoreland areas are defined as lands within 1000' of navigable lakes, ponds, or flowages; and/or within 300' of navigable creeks, streams, or rivers.

\*\* In effect in all 14 towns.

## **LAND USE EDUCATION FORUMS**

Since 2006, the Door County Planning Department has held educational/discussion meetings on an approximately quarterly basis with local elected and appointed officials. The purpose of the meetings is to provide educational and discussion forums regarding planning and zoning issues and to help coordinate comprehensive planning and related regulatory activities between the Planning Department and local municipalities. Meetings cover topics and include speakers requested by municipal officials.

Planning Department Zoning Administrators are also actively involved with the Wisconsin County Code Administrators and the Eastern Wisconsin County Code Administrators, attending and organizing educational sessions and serving on various committees.

## **PLAT REVIEW**

The state requires a subdivision plat any time a landowner or landowner's agent divides a lot, parcel, or tract of land for the purpose of sale or building development, where:

- 1) The division creates five or more parcels or building sites (i.e., lots or outlots) of 1 ½ acres each or less; or
- 2) Successive divisions within a five-year period create five or more parcels or building sites (i.e., lots or outlots) of 1½ acres each or less.

Final plats for situations that meet the state requirements listed above are subject to three objecting authorities, as defined by state statutes. The Wisconsin Department of Administration has a Plat Review Program that reviews all subdivision plats as defined by s. 236.02 (12), or as required by local ordinance, for compliance with ss. 236.15, 236.16, 236.20, and 236.21, Wis. Stats. The Wisconsin Department of Transportation (WisDOT) reviews subdivision plats for compliance with ch. Trans 233, Wis. Admin. Code, when lands being platted abut a state trunk or interstate highway, or when the subdivider has an interest in land between the subdivision and a state trunk or interstate highway. Door County is also an objecting authority for those subdivision plats located within the city and villages: the Planning Department reviews city and village plats to determine any conflicts with parks, parkways, expressways, major highways, airports, drainage channels, schools, or other planned public improvements.

In addition to the objecting authorities listed above, the approval authorities for towns include the town board and the county. Approval is based on compliance with town and county subdivision ordinances, local comprehensive plans, and alterations to utilities and the creation of easements for public benefit. Town boards may require the installation of public improvements. Door County's Land Division Ordinance, applicable in all 14 towns, is more restrictive than the state and requires a subdivision plat when creating five or more parcels or building sites that are 10 acres or less in area or successive divisions within a five-year period that create a total of five or more parcels. The Towns of Egg Harbor and Nasewaupée also have town-level subdivision ordinances. The more restrictive ordinance (county or town) will supersede.

## **EXTRA-TERRITORIAL REGULATION AND COOPERATIVE AGREEMENTS**

Extra-territorial regulation may be applied by cities and villages, giving them some control regarding zoning and subdivisions within a limited area outside their incorporated boundaries. Cooperative boundary agreements are also permitted by state statutes in order to help municipalities coordinate development of the territory covered within plans.

## **EXTRA-TERRITORIAL SUBDIVISION REGULATION**

Wisconsin Statutes s. 236.10 and s. 62.23 grant incorporated villages and cities the authority to review plats within surrounding unincorporated areas. The extraterritorial subdivision jurisdiction for 1<sup>st</sup> through 3<sup>rd</sup> class cities extends 3 miles beyond corporate limits. The limit for 4<sup>th</sup> class cities (such as Sturgeon Bay) and villages is 1½ miles beyond corporate limits. They can review plats for compliance with municipal ordinances, local master or comprehensive plans, and official maps. They cannot require public improvements within the subdivision. This helps cities or villages protect land uses near their boundaries from potentially conflicting uses and plan for potential extension of municipal services.

Extra-territorial plat review applies automatically if a city or village adopts a subdivision ordinance or an official map. Towns do not have approval authority over these ordinances. Cities and villages may waive their right to approve plats within any portion of extra-territorial plat approval jurisdiction. This is done by filing a resolution with the Register of Deeds incorporating a map or metes and bounds description of the area outside its corporate boundaries within which it has authority to approve plats. The municipality may rescind this waiver at any time by resolution filed with the Register of Deeds. Neither the city nor the villages in Door County have waived extra-territorial subdivision authority.

### **EXTRA-TERRITORIAL ZONING**

Wisconsin Statutes s. 62.23(7a) allow an incorporated village or city to extend limited zoning authority 1½ to 3 miles beyond its borders into surrounding unincorporated areas (towns). The extra-territorial zoning jurisdiction for 1<sup>st</sup> through 3<sup>rd</sup> class cities extends 3 miles beyond corporate limits. The limit for 4<sup>th</sup> class cities and villages is 1½ miles. In order to exercise their extra-territorial zoning powers, a city or village must have created a plan commission and adopted a zoning ordinance for the land within its corporate limits.

Three major steps are involved in the adoption of an extra-territorial zoning ordinance. First, the governing body of the city or village adopts and publicizes a resolution which establishes its intent to exercise its zoning authority within all or part of its extra-territorial jurisdiction. Second, the governing body directs its plan commission to formulate tentative recommendations for the extra-territorial district plan and regulations. The statute requires referral of the extra-territorial zoning resolution to the adopting municipality's plan commission. Actual hearings, recommendations, and decisions regarding the final zoning plan are made and conducted by a joint extra-territorial zoning committee. The joint extra-territorial zoning committee is composed of three city or village representatives and three members from each of the towns included within the area proposed to be zoned. Finally, once it has received the extra-territorial zoning plan as approved by the joint committee, the governing body of the city or village may adopt the final plan.

Currently, in Door County only the Village of Egg Harbor has exercised extra-territorial zoning authority.

### **COOPERATIVE BOUNDARY AGREEMENTS**

Wisconsin Statutes ss. 66.0301 and 66.0307 allow municipalities to enter into agreements regarding changing or maintaining municipal boundaries for a period of 10 years or more. The Cooperative Boundary Plan is established by any combination of cities, villages, and towns and determines the boundary lines between their municipalities, with the plan then approved by the Wisconsin Department of Administration (DOA). The plan should have the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory covered by the plan. The cooperative plan must include provisions for the physical development of the territory covered by the plan; identify existing boundaries that will not change and conditions for any boundary changes; evaluate any significant adverse environmental consequences; and address the need for safe and affordable housing to meet the needs of

diverse social and income groups in each community. The plan and agreement should strive to provide long-term certainty for all participating local governments, developers, and landowners. If boundaries are going to change, they will do so only according to the criteria specified in the agreement. Currently, there are no cooperative boundary agreements in Door County.

## **OTHER INTERGOVERNMENTAL COOPERATIVE RELATIONSHIPS**

A wide variety of other cooperative relationships exist between the County of Door, local municipalities and other governments, and non-governmental agencies. The alphabetical listing below provides an idea as to programs and services encompassed by many of these relationships. Note that state and federal agencies with which Door County interacts are listed under “state” and “federal.”

- City of Sturgeon Bay
  - City-owned fiber optic system services county buildings
  - City-owned main library building houses the main County of Door library
  - Sturgeon Bay Utilities provides services to almost every municipality
- County of Door Community Programs Department
  - Annual funding for non-profit HELPLine
  - Consultation to local schools regarding suicide prevention
  - Collaboration for Crisis Training with the Sheriff’s and Sturgeon Bay Police Departments
- County of Door Emergency Services Department (see also Chapter 8, Utilities and Community Facilities)
  - County leases land from Village of Sister Bay for Northern Door Emergency Center
  - Critical communication coordination (i.e., 911 dispatch, fire departments, etc.)
- County of Door Highway Department (see also Chapter 7, Transportation and Chapter 8, Utilities and Community Facilities)
  - Contracts with both state and towns to do road repair, maintenance, and plowing on state highways and town roads
  - Pursues federal and state funding for solid waste management efforts (i.e., municipal recycling programs and countywide electronics and prescription clean sweeps)
  - Washington Island Ferry (County of Door owns a portion of the Washington Island Ferry dock, an extension of STH 42)
- County of Door Information Systems Department (IS)
  - IS contracts with city to provide data and phone service (IT support and phone network); negotiating with school districts to do the same
  - Telecommunication towers shared with state and other private providers.
- County of Door Parks Department (see also Chapter 4, Agricultural and Natural Resources and Chapter 8, Utilities and Community Facilities)
  - Partners with DNR and non-profits to acquire land using DNR stewardship funds
  - Park maintenance agreements with the state (i.e., Ahnapee Trail) and the towns
  - Snowmobile Coordinator for the State of Wisconsin Snowmobile Program
- County of Door Public Health Department

- School health programs for hearing and vision screening
- Preschool and kindergarten health screenings at schools.
- Professional nursing services to school districts
- Beach Contamination Reduction Project - Testing and monitoring of 33 public beaches (collaboratively with UW-Oshkosh, the DNR, and the SWCD)
- County of Door Sheriff's Department (see also Chapter 8, Utilities and Community Facilities)
  - Law enforcement sharing with the city and state; assists with coordinating law enforcement activities across the county
  - Eligible city residents in jail go to Southern Door School
  - D.A.R.E. - Drug Abuse Resistance Education
  - Door County juveniles are jailed at Manitowoc or Brown Counties
  - Kewaunee County has a contract with Door County Jail to house adult male and female Kewaunee County inmates
  - Door/Kewaunee Drug Task Force
- County of Door Social Services Department
  - Memory Care Connections program (for persons with dementia and their care providers). This program is currently funded through 12/30/09, with hopes to eventually incorporate it into the states Aging Disability Resource Center/Family Care System.
  - The Door County Departments of Social Services and Community Programs are jointly planning family care in a multi-county arrangement with Kewaunee, Brown, Oconto, Shawano, and Marinette counties. Expected activation of this program is approximately July – December, 2011.
  - Juvenile Restitution and Community Service Program
  - Independent Living Skills Program - provides education and training in necessary life skills to youth who have been in the Door County Department of Social Services Foster Care Program.
- County of Door Soil and Water Conservation Department (see also Chapter 4, Agricultural and Natural Resources)
  - Provides assistance to the Village of Ephraim with their Stormwater/Construction Site Erosion Control Ordinance
  - Beach Contamination Reduction Project - Testing & monitoring of 33 public beaches (collaboratively with UW-Oshkosh, the DNR, and Public Health)
  - Wellhead protection - SWCD helped the Village of Sister Bay map area “zones of contribution”
- Door County Economic Development Corporation (DCEDC) (see also Chapter 6, Economic Development)
  - Administers the county's revolving loan fund for new businesses and business expansions that create jobs
  - Technology Council
  - Helps coordinate Door County Legislative days in partnership with UW-Extension
  - Door-Kewaunee County Business Education Partnership (DKBEP).
- Door County Natural Areas Group (see also Chapter 4, Agricultural and Natural Resources)
  - Collaborative group comprised of public and private organizations
  - Pursuing a “Greenprinting” project with the national non-profit organization Trust for Public Land
- Door County Tourism Zone Commission (see also Chapter 6, Economic Development)

- Oversees implementation and distribution of room tax funds
- Door County Transportation Consortium (see also Chapter 7, Transportation)
  - Over 43 members, including non-profit providers, for-profit providers, other non-profits, businesses, and government agencies
- Federal Agencies
  - Environmental Protection Agency
  - Federal Emergency Management Association (FEMA)
  - United States Coast Guard
  - Federal Aviation Administration
  - USDA/FSA (possible closure/merging with Kewaunee County)
  - Civil Air Patrol (military organization operating out of Cherryland Airport; coordinates with Door County Emergency Services)
  - Veteran's Office
- Lakeshore CAP (see also Chapter 5, Housing)
  - Door County Mentoring Program - Lakeshore CAP partners with the Women's Employment Project to mentor at-risk youth in Door County.
  - Rental Housing Development - designed to allow special needs adults selected by the Door County Community Programs Department the opportunity to live outside an institutional setting.
  - Emergency Food Pantry Services - Lakeshore CAP directly operates a food pantry in Door County. Lakeshore CAP also facilitates the delivery of USDA commodities to the food pantry.
- State of Wisconsin Departments:
  - Administration - energy assistance programs
  - Agriculture, Trade, and Consumer Protection - farmland preservation agreements
  - Children and Families - Safe & Stable Families, Independent Living, Kinship Care, foster care, other child placements, Healthy Families, W-2, child care
  - Commerce
  - Corrections
  - Health Services - Medicaid, Long Term Care, Aging Programs, Income Maintenance, Integrated Services Project, Elder Abuse
  - Justice
  - Nicolet Federated Library System
  - Public Service Commission of Wisconsin – wind energy
  - Transportation
  - Workforce Development
  - University of Wisconsin – Extension
    - Joint employment agreements between UW-Extension and Door County for the employment of County Agricultural Agent, County Community Development Educator, County Family Living Agent, and County 4H and Youth Development Agent
    - Cooperates with other county departments and other local agencies on programs considered important to the environment and economy of Door County
    - Door County Legislative Days - In partnership with the Door County Economic Development Corporation, UW-Extension coordinates this countywide effort to lobby state government on economic development and quality of life issues for Door County
- Wisconsin Towns Association (WTA), Door County Chapter

- Representatives from the 14 towns meet on a regular basis to discuss issues of interest or concern amongst themselves, with local and state-level elected officials, and WTA staff

## **OTHER COUNTIES**

The only county unit of government adjacent to Door County is Kewaunee County, located immediately south of Door County. Kewaunee County has 14 municipalities: two cities, two villages, and ten towns. Brown County, separated from Door County by only a small corner of Kewaunee County, is located less than three miles south of Door County. Brown County contains 24 municipalities: two cities, nine villages, and thirteen towns.

Brown County adopted its comprehensive “Smart Growth” plan in 2004 and Kewaunee County adopted its in 2008. Intergovernmental cooperation and coordination between Door and the other two counties is not deemed to be a major concern: the Brown County comprehensive plan does not mention Door County at all with regard to intergovernmental cooperation, and the Kewaunee County plan mentions Door County only in relation to the jailing of their inmates in the Door County jail.

## **RESOURCES AND FURTHER INFORMATION**

### **County of Door** (<http://www.co.door.wi.gov/>)

Phone: (888) 743-844

Door County Government, established in 1851, provides services to the county's approximately 30,000 year round residents as well as a seasonal population whose size fluctuates throughout the year. The county seat is the City of Sturgeon Bay. The county consists of the city, 14 towns, and four villages covering 492 square miles. See the Web site listed above for county department contact information.

**Door County Municipality Contact Information:** See the County of Door Web site listed above for a list of Door County municipalities and their Web site addresses, if applicable. The County Clerk’s office can be contacted for telephone and mailing address information for those municipalities without Web site addresses.

### **Bay – Lake Regional Planning Commission** (<http://www.baylakerpc.org/>)

441 South Jackson Street

Green Bay, Wisconsin 54301

Phone: (920) 448-2820

The Bay-Lake Regional Planning Commission was established by Governor Patrick Lucey in 1972 by Executive Order 35 and covers the counties of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan.

### **State of Wisconsin** ([www.wisconsin.gov](http://www.wisconsin.gov))

See Web site for further information regarding the Department of Administration – Division of Intergovernmental Relations and the Department of Natural Resources, as well as other state agencies referenced in this chapter.