

# State of Wisconsin



2025 Assembly Bill 452

Date of enactment:  
Date of publication\*:

## 2025 WISCONSIN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 9. Initial applicability.**

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

**SECTION 10. Effective date.**

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