

SEWRPC Community Assistance Planning Report No. 305
A COMPREHENSIVE PLAN FOR THE CITY OF RACINE: 2035

Chapter II

EXISTING PLANS AND ORDINANCES

INTRODUCTION

While the State comprehensive planning requirements are relatively new, there is a long history of planning at the regional, county, and local level within the City of Racine. This chapter presents an overview of existing regional, county, and local plans. This chapter also describes existing local ordinances related to land use.

REGIONAL PLANS

Regional plans provide a broad framework for the preparation of county and local comprehensive plans. Because the scope and complexity of areawide development issues prohibit the making and adopting of an entire regional comprehensive development plan at one time, the Regional Planning Commission has prepared individual plan elements that together comprise a comprehensive plan. Regional plans can help build consensus among units and agencies of government in addressing development issues that transcend county and municipal boundaries. The regional framework plans are intended to be refined and detailed at the county and local level. The various regional plans that are particularly important to consider in the development of a multi-jurisdictional comprehensive plan for the City of Racine that have been prepared or are under preparation that are described below.

Regional Land Use Plan

In 2006, the Regional Planning Commission adopted a land use plan for Southeastern Wisconsin for the year 2035.¹ This plan updates the previously adopted year 2020 regional land use plan, extending the plan timeframe 15 years further into the future. The regional land use plan is the foundation for all other plan elements, including,

¹ Documented in SEWRPC Planning Report No. 48, A Regional Land Use Plan for Southeastern Wisconsin: 2035, dated June 2006.

but not limited to, transportation and water quality management planning. Major plan recommendations pertinent to the City are summarized below.

- Urban Development

The regional plan recommends that urban development occur in urban service areas—areas that are served by basic urban services, facilities, and infrastructure, including public sanitary sewer service, public water supply, and other urban facilities and services. New urban development would be accommodated through the infilling and renewal of existing urban service areas as well as through the orderly outward expansion of existing urban service areas, resulting in a relatively compact and efficient overall settlement pattern, one that is readily served by basic urban services and facilities and that maximizes the use of existing infrastructure. Growth in the economic base of the Region would be accommodated through the development and redevelopment of major economic activity centers, as well as community-level and neighborhood-level centers.

- Environmentally Significant Lands

The regional plan recommends the preservation in essentially natural, open use of primary environmental corridors—elongated areas in the landscape encompassing the best remaining elements of the natural resource base. Under the plan, development within primary environmental corridors would be limited to necessary transportation and utility facilities, compatible outdoor recreational facilities, and rural-density residential development in upland areas. In addition to primary environmental corridors, other concentrations of natural resources—referred to as secondary environmental corridors and isolated natural resource areas—have been identified as warranting strong consideration for preservation as attractive settings for well planned developments, economical drainageways, and needed open space in developing urban areas. The regional plan recommends that these areas be retained in essentially natural, open use as determined in county and local plans. In addition, the regional plan recommends the preservation of all remaining natural areas and critical species habitat sites identified in the regional natural areas and critical species habitat protection and management plan. Almost all of these sites are located within environmental corridors or isolated natural resource areas.

Regional Transportation System Plan

In 2006, the Regional Planning Commission adopted a regional transportation system plan for Southeastern Wisconsin for the year 2035.² The plan was designed to serve the population, household, and employment levels and to promote implementation of a more desirable future land use pattern within the seven-county Region as envisioned under the year 2035 regional land use plan. The plan includes specific recommendations for the

² Documented in SEWRPC Planning Report No. 49, A Regional Transportation Plan for Southeastern Wisconsin: 2035, dated June 2006.

needed improvement and expansion of the transportation system serving the Region to the year 2035. The major elements of the year 2035 regional transportation system plan are described below. The preparation of the plan first considered the potential of more efficient land use and expanded public transit, systems management, bicycle and pedestrian facilities, and demand management alleviate traffic congestion. Highway improvements were only then considered to address any residual congestion. Related maps are presented in Chapter VII of this report, which describes the transportation element of the City of Racine comprehensive plan. It should be noted that, under the State comprehensive planning law, county and local comprehensive plans are required to incorporate regional transportation plans.

- Public Transit Element

The public transit element calls for significant improvement and expansion of public transit in southeastern Wisconsin, particularly in the more densely populated areas of the Region. Within eastern Racine County, fixed-route public transit service would be expanded and rapid transit bus route service between Racine and Milwaukee would be increased. The regional plan also envisions the continuation of local public demand responsive transit services, including the Racine County Human Services Department Transportation Programs for elderly and disabled persons. In the case of the Racine area, the recommendations of this element of the 2035 regional transportation are based on the refining and detailing of the year 2020 plan through a Racine transit planning study.

While the rapid transit service noted above is proposed to initially be provided with buses, such service is proposed to be considered for ultimate upgrading to commuter rail. A fixed-guideway transit alternatives analysis study was completed in 2003 for the Milwaukee to Kenosha corridor. The study called for the Northeastern Illinois Metra commuter rail service to be extended from Kenosha to Racine and Milwaukee. The Counties and Cities of Milwaukee, Racine, and Kenosha are currently conducting further study addressing funding and refinement of the proposed commuter rail extension. The 2005-2007 State budget created a three-county regional transit authority for Kenosha, Milwaukee, and Racine Counties which would be the operator of the proposed commuter rail service. A permanent RTA has been proposed as part of the 2009-2011 State budget.

- Bicycle and Pedestrian Facility Element

The bicycle and pedestrian facility element is intended to promote safe accommodation of bicycle and pedestrian travel, and encourage bicycle and pedestrian travel as an alternative to personal vehicle travel. The plan recommends that, as the surface arterial street system in the Region is resurfaced and reconstructed segment-by-segment, the accommodation of bicycle travel be considered and implemented, if feasible, through bicycle lanes, widened outside travel lanes, widened and paved shoulders, or separate

bicycle paths. A system of off-street bicycle paths is also recommended to connect cities and villages with a population of 5,000 or more.

The pedestrian facilities portion of this plan element is a policy, rather than a system, plan. It recommends that the various units and agencies of government responsible for the construction and maintenance of pedestrian facilities in southeastern Wisconsin adopt and follow a set of recommended facility standards and design guidelines in areas of urban development.³

This element of the transportation plan also proposes that local units of government prepare community bicycle and pedestrian plans to supplement the regional plan, and the preparation and implementation of land use plans that encourage more compact development patterns, in order to facilitate pedestrian and bicycle travel.

- Transportation Systems Management Element

The transportation systems management element includes recommendations for a variety of measures intended to manage and operate existing transportation facilities to their maximum carrying capacity and travel efficiency. Examples of such measures include coordinating traffic signals to allow for the efficient progression of traffic along arterial streets and highways, providing advisory information on message signs within the freeway system, and restricting curb-lane parking during peak traffic periods and operating such lanes as through traffic routes, where appropriate.

- Travel Demand Management Element

The travel demand management element includes recommendations intended to reduce personal and vehicular travel or to shift travel to alternative times and routes, allowing for more efficient use of the existing capacity. Examples of such measures include high occupancy vehicle preferential treatment, the provision of park-ride lots, and site-specific neighborhood and major activity center land-use plans.

- Arterial Street and Highway Element

The arterial street and highway element includes recommendations for functional improvements to the arterial street and highway system as well as recommendations regarding which unit of government should have jurisdiction over each arterial street and highway, with responsibility for maintaining and improving the facility.

³ The standards are set forth in Appendix B of SEWRPC Planning Report No. 49.

The plan provides for three types of functional improvements: system expansion, or the construction of new arterial facilities; system improvement, or the widening of facilities with additional traffic lanes; and system preservation, or the resurfacing or reconstruction necessary to properly maintain and modernize existing arterial facilities.

Each proposed arterial street and highway expansion, improvement, and preservation project would need to undergo preliminary engineering and environmental studies by the responsible State, County, or municipal government agency prior to implementation. Such studies would consider alternative alignments and impacts, including a no-build option, and final decisions as to whether and how to implement a planned project would be made by the concerned unit of government at the conclusion of preliminary engineering.

The plan recommends an arterial street and highway system for the City of Racine to the design year 2035. The plan recommends construction of new facilities within the City and widening to provide additional through traffic lanes on existing arterial facilities. The plan also calls for pavement resurfacing and reconstruction, as necessary, to maintain existing arterial facilities. The recommended functional improvements to the arterial highway system in the City of Racine are described in Chapter VII of this report.

The jurisdictional recommendations of the regional transportation plan indicate which level of government—State, County, or local—has or should have responsibility for the design, construction, maintenance, and operation of each segment of the proposed arterial street and highway system. The jurisdictional recommendations for Racine County are shown on Map 7 in Chapter VII of this report. These recommendations are based on extending the jurisdictional recommendations of the year 2020 regional transportation plan to the design year 2035. Over the next two years, the Regional Planning Commission will be working with Racine County and each of the other counties in the Region, reviewing and reevaluating the jurisdictional recommendations of the year 2035 plan. These efforts may change the jurisdictional recommendations set forth in the year 2035 regional plan. Upon completion of such county jurisdictional highway planning efforts, the year 2035 regional transportation system plan would be amended to reflect the recommendations made in the respective county plans.

Regional Airport System Plan

The regional airport system plan⁴ recommends a coordinated set of airport facilities and service improvements to serve the air transportation needs of the Southeastern Wisconsin Region. The plan recommends that a system of

⁴ Documented in SEWRPC Planning Report No. 38 (2nd Edition), A Regional Airport System Plan for Southeastern
PRELIMINARY DRAFT

11 public-use airports be maintained to meet the commercial, business, personal, and military aviation needs of the Region. One privately owned airport—John H. Batten—in the City of Racine is part of the eleven-airport system recommended in the regional plan.

Regional Park Plan / Regional Natural Areas Plan

The Regional Planning Commission first adopted a regional park and open space plan for southeastern Wisconsin in 1977.⁵ That plan consisted of two elements: an open space preservation element and an outdoor recreation element. The open space preservation element provided recommendations for the preservation of primary environmental corridors within the Region. The outdoor recreation element provided recommendations for large parks, recreation corridors, and water access facilities needed to meet resource-oriented outdoor recreation needs in the Region, along with recommendations regarding the number and distribution of local parks and related recreational facilities required in urban areas of the Region.

The regional park and open space plan has been refined and updated by the Regional Planning Commission through the preparation of county-level park and open space plans. Upon adoption by the Commission, such county plans serve as amendments to the regional park and open space plan. In this respect, the Commission assisted Racine County in the preparation of a park and open space plan in 1988 and in the preparation of a second-edition plan in 2001. The Racine County park and open space plan is described later in this chapter.

The regional natural areas and critical species habitat protection and management plan⁶ was adopted by the Regional Planning Commission as an amendment to the regional park and open space plan in 1997. That plan identifies, and makes recommendations regarding the protection of, the most significant remaining natural areas—essentially, remnants of the pre-European settlement landscape—as well as other areas vital to the maintenance of endangered, threatened, and rare plant and animal species. The natural areas and critical species habitat areas in the City of Racine as identified under this plan are described in Chapter V of this report. The natural areas and critical species habitat protection and management plan was adopted by the Racine County Board in 1998.

Regional Water Quality Management Plan

In 1979, the Regional Planning Commission completed and adopted a regional water quality management plan for southeastern Wisconsin.⁷ The plan consists of the following five major elements: land use; point source pollution

Wisconsin: 2010, *dated November 1996, and in SEWRPC Memorandum Report No. 133, Review and Update of Regional Airport System Plan Forecasts, dated August 2004.*

⁵ *Documented in SEWRPC Planning Report No. 27, A Regional Park and Open Space Plan for Southeastern Wisconsin—2000, dated November 1977.*

⁶ *Documented in SEWRPC Planning Report No. 42, A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, dated September 1997. An amendment to this plan is currently under preparation and anticipated to be completed in 2009.*

⁷ *Documented in SEWRPC Planning Report No. 30, A Regional Water Quality Management Plan for Southeastern*

abatement; nonpoint source pollution abatement; sludge management; and water quality monitoring. In 1995, the Commission updated the content and documented the implementation status of the regional water quality management plan.⁸

Much of the Commission's work on implementing the plan relates to the point source pollution abatement element of the regional water quality management plan. This element includes recommendations for major sewage conveyance and treatment facilities and identifies planned sanitary sewer service areas for each of the public sewerage systems in the Region. Under Wisconsin law, major sewerage system improvements and all sanitary sewer extensions must conform to the water quality management plan. Sanitary sewers may be extended only to areas located within planned sanitary sewer service areas adopted as part of the regional water quality management plan. Sewer service area plans are prepared through a cooperative planning process involving the concerned local units of government, including the governmental unit responsible for the operation of the sewage treatment facility, the Regional Planning Commission, and the Wisconsin Department of Natural Resources. Such plans may be amended in response to changing local conditions as well as in response to new population projections, subject to the provisions of Chapter NR 121 of the *Wisconsin Administrative Code*.

Regional Water Quality Management Plan Update

The Regional Planning Commission worked with the Milwaukee Metropolitan Sewerage District (MMSD) to update the regional water quality management plan⁹ for the area within the Kinnickinnic River, Menomonee River, Milwaukee River, Root River, and Oak Creek watersheds; the Milwaukee Harbor estuary; and the adjacent nearshore areas draining to Lake Michigan. The planning area includes that portion of the City of Racine that is located within the Root River Watershed and the area northeast of the Root River that drains directly to Lake Michigan. The plan recommends standards to control point and nonpoint pollution sources, and provides a framework for decision-making on community, industrial, and private waste disposal systems. In addition, the plan update includes sub-elements with specific recommendations relating to issues such as groundwater, public beaches, waterfowl control, household hazardous waste collection, exotic invasive species, and water quality monitoring.

Regional Water Supply Plan

The Regional Planning Commission is conducting a regional water supply study for the Southeastern Wisconsin Region. The resulting regional water supply system plan is expected to be completed in 2009. The plan will

Wisconsin—2000, *Volume One*, Inventory Findings; *Volume Two*, Alternative Plans; and *Volume Three*, Recommended Plan, dated September 1978, February 1979, and July 1979, respectively.

⁸ Documented in SEWRPC Memorandum Report No. 93, A Regional Water Quality Management Plan for Southeastern Wisconsin: An Update and Status Report, dated March 1995.

⁹ Documented in SEWRPC Planning Report No. 50, A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds, dated December 2007.

include the following: identification of water supply service areas and related forecasts of demand for water use; identification of important groundwater recharge areas; recommendations regarding sources of supply for each service area and basic infrastructure required; recommendations for water conservation; and implementation recommendations.

RACINE COUNTY PLANS

County Park and Open Space Plan

Racine County first adopted a county park and open space plan in 1989. That plan had a design year of 2000. In 2001, the County adopted a second-edition plan that looked ahead to the year 2020. The currently adopted County park and open space plan consists of an open space preservation element and an outdoor recreation element.¹⁰ Plan recommendations related to the City of Racine area include proposed Racine County acquisition of additional land and development of additional facilities at Cliffside Park and Sanders Park. It also recommends that the County provide a system of recreation trails. Trails that would be provided by Racine County include: the Lake Michigan Corridor; the Root River Corridor; and the Racine-Burlington trail.

County Land and Water Resources Management Plan

The first county land and water resources management plan was adopted by Racine County in 2000.¹¹ An updated land and water resources management plan was adopted by the County in 2007, with plan implementation occurring from 2008 through 2012.

The county land and water resources management plan is intended to provide a comprehensive guide for addressing the full range of land and water resource management issues facing Racine County. The plan includes an assessment of land and water resource conditions in the County and describes land and water resource issues and concerns. The plan also included a major outreach component that was intended to gauge citizen's perspectives on land and water conservation issues through a countywide survey. The plan establishes ten goals ranging from reduction in sediment nutrient delivery to waterbodies from agricultural land; to protection of groundwater and surface water resources; to the improvement of overall water quality and wildlife habitat. For each goal the plan identifies implementation actions and activities. In this way, the plan provides Racine County with a guide for targeting available staff and financial resources to land and water resource management issues.

¹⁰ *The County park and open space plan is documented in SEWRPC Community Assistance Planning Report No. 134 (2nd Edition), A Park and Open Space Plan for Racine County, adopted by the Racine County Board in 2001 and readopted in 2006.*

¹¹ *Documented in SEWRPC Community Assistance Planning Report No. 259, A Land and Water Resource Management Plan for Racine County: 2000-2004, dated September 2000.*

County Economic Development Plan

The Racine County Economic Development Plan 4.0 was prepared by the Racine County Economic Development Corporation and adopted by the Racine County Board in 2008. The plan is intended to provide strategies and action items specific to the future economic vitality of the County. The plan identifies five challenges with associated strategies and action items specific to the future economic vitality of the County. In this way the plan recommends concrete strategies to address the challenges and links economic development planning with land use planning and engages all elements of business and political leadership.

CITY PLANS

The regional land use plan described earlier in this chapter is a systems level plan. As such, it includes generalized boundaries for urban services; allocations of incremental population, households, and employment and associated land uses to urban and rural areas; and recommended density ranges for the urban service areas. The identification of precise urban service area boundaries and actual design of neighborhoods and other development units is beyond the scope of the regional planning process and is properly accomplished through detailed local planning within the framework of the regional plan. Local efforts in this respect are described below.

Local Land Use Plans

While the City of Racine does not have an individual local plan, the City was included in the detailed Racine Urban Planning District plan prepared in 1972. That plan was adopted as the land use plan for the City of Racine in 1975. Since that time the City's land use plan has been revised and detailed through the preparation of area/neighborhood plans. Detailed plans developed by the City include the Racine Downtown Plan, the Douglas Avenue Revitalization plan, the Live Towerview Plan, a Neighborhood Strategic Plan for Southside Racine, the Uptown improvement Plan, and the West Racine Neighborhood Revitalization Plan. The existing plan documents served as a point of departure for developing the comprehensive plan for the City.

Local Park and Open Space Plans

The City of Racine has adopted a local park and open space plan. The plan is documented in SEWRPC Community Assistance Report No. 270, *A Park and Open Space Plan for the City of Racine*, dated 2003. The plan is intended to guide the preservation and development of land for park, outdoor recreation, and related open space purposes as needed to satisfy the recreational needs of local residents. The plan includes recommendations for the provision of park facilities and recreational trails and the preservation of open space sites within the City. In addition, the plan is necessary for the City to be eligible to apply for grants under the Wisconsin Stewardship Program.

CITY ORDINANCES

City of Racine Zoning Ordinance

The city of Racine has adopted a general zoning ordinance governing the use of land within its incorporated area. In addition, the City has adopted floodplain zoning and shoreland-wetland zoning as required under the *Wisconsin Statutes*.

Map 1 shows the pattern of zoning in the City of Racine. The areal extent of generalized zoning in 2000 is described below.

- About 6,225 acres of land, or 62.0 percent of the City, were in residential zoning districts.
- About 930 acres, or 9.3 percent of the City, were in commercial zoning districts.
- About 1,950 acres, or 19.4 percent of the City, were in industrial zoning districts.
- About 515 acres, or 5.1 percent of the City, were in governmental and institutional zoning districts.
- Floodplain and shoreland-wetland zoning districts were in place on about 340 acres of land, or 3.3 percent of the City.
- The balance of the City—about 90 acres—was comprised of surface water not included in a zoning district.

City of Racine Subdivision Ordinance

Chapter 236 of the *Wisconsin Statutes* sets forth general regulations governing the platting of land, including, among others, street layout requirements, necessary approvals, recording procedure, and the vacating and altering of plats. Under Wisconsin law, land subdivision ordinances can be enacted by cities, villages, and towns. The City of Racine has adopted such an ordinance. The purpose of the City ordinance is to regulate and control the subdivision of land within the corporate limits of the city in order to promote the public health, safety and general welfare of the community. It is designed to lessen congestion in the streets and highways; to further the orderly layout and use of land; to ensure proper legal description and proper monumenting of subdivided land; to secure safety from fire, panic, and other dangers; to provide for adequate light and air; to prevent the overcrowding of land and avoid undue concentrations of population; to facilitate adequate facilities for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; to facilitate and further the resubdivision of

larger tracts into smaller parcels of land. The regulations are formulated to facilitate the enforcement of development standards as outlined in the zoning ordinances and the master plan of the city.

City of Racine Official Mapping Ordinances

Official mapping powers granted to cities under Section 62.23(6) of the *Wisconsin Statutes* provide a means for reserving land for future public use such as streets, highways, and parkways. The enabling statutes prohibit the issuance of building permits for the construction or enlarging of buildings within the limits of such areas as shown on the official map unless it can be shown that the property is not yielding a fair return and the applicant will be substantially damaged by placing a proposed building outside the mapped area. The City of Racine has adopted an official map.

INTERGOVERNMENTAL AGREEMENTS

Opportunities for intergovernmental cooperation is provided under Section 66.0305 of the *Wisconsin Statutes*, entitled “Municipal Revenue Sharing.” Under this statute, two or more cities, villages, and towns may enter into revenue sharing agreements, providing for the sharing of revenues derived from taxes and special charges. The agreements may address matters other than revenue sharing, including municipal services and municipal boundaries. Municipal revenue sharing can provide for a more equitable distribution of the property tax revenue generated from new commercial and industrial development within metropolitan areas and help reduce tax-base competition among communities, competition that can work against the best interests of the metropolitan area as a whole.

In 2002, the City of Racine and neighboring communities executed an agreement under this statute. Under the *Racine Area Intergovernmental Sanitary Sewer Service, Revenue Sharing, Cooperation and Settlement Agreement*, the City of Racine receives shared revenue payments from neighboring communities for use in renovating older residential areas, redeveloping brownfield sites, and supporting regional facilities like the City zoo, fine arts museum, and library. In return, the City of Racine agreed to support the incorporation of the two adjacent towns—the former Towns of Caledonia and Mt. Pleasant; refrain from annexations without the consent of those Towns; refrain from using extraterritorial and plat review powers; and move ahead with sewerage system improvements that will accommodate growth in Caledonia and Mt. Pleasant. It should be noted that the Towns of Mt. Pleasant and Caledonia were incorporated as villages in 2003 and 2005, respectively.

* * *