

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

Chapter XII

IMPLEMENTATION ELEMENT

INTRODUCTION

The comprehensive plan elements described in this report provide a design for the attainment of specific comprehensive plan objectives. However the plan is not complete until the steps required to implement the plan are specified. This chapter outlines the action policies and programs that should be undertaken by the City of Racine and other agencies and units of government in efforts to implement the plan. It should be recognized that implementation of the comprehensive plan also depends upon the cooperation of public and private interests. Intergovernmental cooperation is described in Chapter XI of this report.

The implementation element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001 (2) (i) of the *Statutes* requires this element to include a compilation of programs and specific actions (policies), in a specified sequence, to implement the recommendations set forth in the other eight elements. The *Statute* also requires this element to:

- Identify proposed changes to applicable zoning ordinances, subdivision ordinances, and official maps.
- Describe how each of the other eight elements of the comprehensive plan will be integrated and made consistent with other elements of the plan.
- Include a mechanism to measure the City’s progress towards achieving the recommendations of the plan.
- Include a process for amending and updating the plan. The *Statutes* require that a comprehensive plan be updated no less than once every 10 years.

Section 66.1001 (4) of the *Statutes* sets forth the required procedure for adoption or amendment of a comprehensive plan, which includes:

- Adoption of a written public participation plan designed to foster public participation in the development of a comprehensive plan or a plan amendment.
- Approval of a recommended plan by a resolution approved by a majority of the full membership of the plan commission.
- Distribution of the draft plan for review and comment to:¹
 - Every governmental body located in whole or in part within the City;
 - The clerk of all adjacent local governments;
 - The Wisconsin Department of Administration;
 - SEWRPC; and
 - The City library.

The parties listed above must also be provided with a copy of the adopted comprehensive plan.

- Adoption of the plan by an ordinance adopted by a majority of the full membership of the City Common Council. Adoption of the plan must be preceded by at least one public hearing. A Class 1 notice of the hearing must be published at least 30 days before the hearing. Written notice must also be provided to persons who have applied for or been issued a permit for a nonmetallic mining reclamation plan, registered a nonmetallic mining site under Chapter NR 135 of the *Wisconsin Administrative Code*, or to owners or leaseholders of lands with nonmetallic resources who have requested notice of the hearing in writing. Other property owners who submitted a written request to the City must also be notified of the hearing.

Element Format

This chapter is organized into the following five sections:

- Public Input – Implementation Issues;
- Plan Review and Adoption;
- Plan Amendment Procedures;
- Consistency Between the Comprehensive Plan and City Ordinances;
- Consistency Among Plan Elements;
- Implementation Element Goals, Objectives, Policies, and Programs; and
- Progress in Implementing the Plan.

¹ *The Wisconsin of Administration has stated that both draft and adopted plan reports may be distributed in digital format, provided a paper copy of the report is available for review at the public library in the City and at the City Hall building.*

PUBLIC INPUT-IMPLEMENTATION ISSUES

The comprehensive plan should address key plan implementation issues based upon the information and public input gathered during the comprehensive planning process. The countywide public opinion survey, and strengths, weaknesses, opportunities, and threats (SWOT) analyses—both completed in 2007—and additional City efforts to gather public input, including a citywide online survey, resulted in the identification of a number of issues that should be given a high priority in implementing the plan, including:

- preserving natural, historical and cultural resources;
- promoting the use of sustainable energy sources;
- cooperating across boundary lines with neighboring jurisdictions;
- encouraging more housing choices for people of all ages, income levels, and special needs; and
- linking land use, economic, and transportation decisions.

PLAN REVIEW AND ADOPTION

For any planning process, it is good practice to hold public informational meetings and hearings on recommended plans before their adoption. Such actions provide an additional opportunity to acquaint residents and landowners with the recommended plan and to solicit public reactions to the plan recommendations. The plan should then be modified to reflect any pertinent new information and to incorporate any sound and desirable new ideas advanced at these meetings. Numerous public informational meetings were held in the City of Racine to solicit input from the public on the comprehensive plan. These included:

- As part of the County multi-jurisdictional comprehensive planning process, two series of public informational meetings—one in fall of 2007 and the other in spring 2009—were held at various locations in Racine County. This included two meetings—on November 8, 2007 and on April 27, 2009—in the City of Racine.
- A meeting was held on February 11, 2009 at which City residents and City Plan Commission members were invited to take part in a “Strengths and Weaknesses” analysis. The results of this exercise were used to help identify issues to be addressed in the City comprehensive plan.

- A series of five neighborhood open houses were held at community centers in the City of Racine in summer 2009 to solicit public input from City residents on comprehensive plan issues.
- An open house and a public hearing were held on August 12, 2009 and August 18, 2009, respectively, at the City in advance of the endorsement of the County multi-jurisdictional comprehensive plan by the City of Racine Common Council.

As required in the development of a comprehensive plan for the City, a public hearing was held before the City Common Council on _____, 2009. A public notice of the public meeting was provided in accordance with the requirements of the comprehensive planning law, and the draft plan report was distributed to all of the parties specified in the law. An official public record, including all comments received, for the public hearing is included in Appendix A.

One of the most important steps in plan implementation is the formal recommendation of the plan to the City Common Council through a resolution of the City Plan Commission, and adoption of the recommended plan by the City Common Council.

Upon such adoption, the plan becomes the official guide to be used by City officials and staff in making development or redevelopment decisions. The plan should serve as the basis on which all development and redevelopment proposals, such as zoning requests, subdivision plats, and certified survey maps, are reviewed. Only those zoning actions or land divisions which are consistent with the plan should be approved. The City of Racine Plan Commission resolution and a copy of the adopting ordinance for the City of Racine Common Council are included in Appendix B. The City of Racine Common Council adopted this comprehensive plan on _____.

A public participation plan for development of this comprehensive plan was prepared in 2006. The public participation plan was adopted by the City Common Council on April 4, 2007.

PLAN AMENDMENT PROCEDURE

Although the City land use plan map is often the focal point of the comprehensive plan, plan amendments may include changes to the text or any of the maps included in this report. Text amendments may include:

- Changing, adding, or modifying a goal, objective, policy, or program in any of the element chapters in response to changing conditions or new information.

- Adding or changing the land use plan categories in the Land Use Element to provide for a category of development that is not incorporated into the current set of categories.
- Updating inventory information.

In addition to text amendments, the land use plan map may be amended to change the designation, and therefore the allowable uses, on a parcel or parcels of land. Other maps in the plan may be amended or updated to reflect updated information, such as updated floodplain mapping or inventories of natural resources or community facilities.

Procedure for Amending the Comprehensive Plan

A plan amendment must be initiated and approved by the City Common Council. Consequently, land owners wishing to amend the land use plan designation for their property must receive approval from the Common Council.

Because Section 59.69 of the *Statutes* requires that city plans be incorporated into the county plan without change, plan amendments requested by the City that affect only the area within the City will be automatically incorporated into the County plan. County Planning and Development Department staff will include a list of plan amendments requested by cities, villages, and towns in an annual report described later in this chapter.

The State comprehensive planning law requires that the City use the same procedures required by Section 66.1001(4) of the *Statutes* to initially adopt this plan when amending or updating the plan. The City Common Council should prepare and adopt a public participation plan (PPP) to be used for all amendments to the plan, which will specify the process to be used to foster public participation in plan amendments. A suggested procedure for reviewing plan amendments is provided below:

1. An application for a plan amendment will be submitted to the City Plan Commission and City Common Council. The City Plan Commission, with the assistance of the City planning staff, will review the proposed amendment and prepare a written recommendation for review by the City Common Council based on the following criteria and any other factors determined to be relevant by the City Plan Commission and Common Council:
 - Is the proposed amendment consistent with the goals, objectives, and policies of the plan?
 - Will the proposed amendment lead to any detrimental environmental effects?
 - Is the proposed amendment compatible with surrounding land uses?

- Are existing local and County facilities and services adequate to serve the type of development associated with the amendment?
 - Will the proposed amendment enhance economic development within the City?
2. The City Plan Commission will send a copy of the proposed plan amendment and its report to all adjacent local governments and the other parties listed in Section 66.1001 (4) (b) and (e) of the *Statutes*. These governments and individuals should have at least 30 days to review and comment on the proposed plan amendment.
 3. The City Common Council will schedule a public hearing on the proposed amendment and direct the publishing of a Class 1 notice, with such notice published at least 30 days before the public hearing and containing the information required under Section 66.1001(4) (d) of the *Statutes*. The City Common Council may, at its discretion, hold a public informational meeting prior to scheduling a public hearing on the amendment.
 4. The City Plan Commission would make a recommendation to the City Common Council following the public hearing.
 5. The City Common Council will consider the proposed amendment, together with supporting information and the recommendation of the City Plan Commission, and approve (or deny) an ordinance adopting the plan amendment. Adoption must be by a majority vote of all members.
 6. Following City Common Council action, the City Common Council will send a copy of the adopting ordinance and the plan amendment to those parties listed in Sections 66.1001 (4) (b) and (e) of the *Statutes*.
 7. The Racine County Planning and Development Department staff will update the digital version of the County planned land use map and City land use plan map quarterly, and post the maps on the County website.

CONSISTENCY BETWEEN THE COMPREHENSIVE PLAN AND COUNTY AND LOCAL ORDINANCES

Section 66.1001 (3) of the *Statutes* requires that the following ordinances be consistent with a unit of government's comprehensive plan by January 1, 2010:

- Official mapping established or amended under Section 62.23 (6) of the *Statutes*.
- County or local subdivision regulations under Section 236.45 or 236.46 of the *Statutes*.
- County zoning ordinances enacted or amended under Section 59.69 of the *Statutes*.
- City or village zoning ordinances enacted or amended under Section 62.23 (7) of the *Statutes*.
- Zoning of shorelands or wetlands in shorelands under Section 59.692 (for counties), 61.351 (for villages), or 62.231 (for cities) of the *Statutes*.

Beginning on January 1, 2010, the City of Racine must use its comprehensive plan as a guide to ensure that implementation of zoning, subdivision, and official mapping ordinances adopted by the City Common Council does not conflict with the recommendations of the comprehensive plan adopted by the City of Racine. If a conflict is found or would result from a proposed action, the City has the option of amending its comprehensive plan. Plan amendments should follow the guidelines for plan amendments presented earlier in this chapter.

The *Statutes* do not provide any guidance about how to determine if land use ordinance decisions are consistent with a comprehensive plan. Specific guidance on how to apply the statutory requirement for consistency will, unfortunately, likely be provided over time through court decisions in lawsuits challenging the implementation of comprehensive plans by county and local units of government throughout the State, after the consistency requirement takes effect in 2010.

Zoning Ordinance

The zoning ordinance is one of the primary implementation tools of a land use or comprehensive plan. As such, it should substantially reflect and promote the achievement of plan goals, objectives, policies, and programs. A zoning ordinance and the accompanying zoning map are a legal means for both guiding and controlling development so that an orderly and desirable pattern of land use can be achieved that conforms to the plan and balances individual property rights with community interests and goals. The zoning ordinance contains provisions for regulating the use of property, the size of lots, the intensity of development, site planning, the provision of open space, and the protection of natural resources.

Following adoption of a comprehensive plan by the City of Racine, the City Plan Commission should initiate appropriate amendments to the zoning ordinance to make it consistent with the concepts and proposals included in the plan, particularly the land use plan map in the Land Use Element of the plan. Specific recommendations for modifications of the text, or regulations, of the zoning ordinance for City of Racine relate to natural resource

protection. The recommended changes include the addition of lowland and upland resource conservation districts to the City zoning ordinance.

With respect to the zoning map for the City of Racine, it is recommended that the following approach be used to update the City zoning map following the adoption of a comprehensive plan:

- Areas of existing development should, over time, be placed in a zoning district that is consistent with the land use designation shown on the land use plan map. The comprehensive plan should serve as a guide to ensure that any future rezonings actions are consistent with the plan. Rezonings to achieve consistency between the zoning map and the comprehensive plan will be considered if requested by the property owner. The City may also initiate a rezoning to achieve consistency, subject to available staff and funding.
- Primary environmental corridors should be placed, and other natural resource areas, including secondary environmental corridors and isolated natural resource areas, may be placed, in a conservancy or other appropriate zoning district (such as a park zoning district) at the time a preliminary plat, redevelopment plan, rezoning application, or other zoning approval is requested, based on a field delineation of natural resource boundaries. Generally, wetlands and surface waters should be placed in a Lowland Conservancy zoning district and woodlands, steep slopes, and other components of upland environmental corridors should be placed in an Upland Conservancy zoning district.

Land Division Ordinance

The City of Racine must also ensure that the implementation of the City land division ordinance is consistent with the comprehensive plan. Following adoption of a comprehensive plan by the City Common Council, the City Plan Commission should review in detail the existing land division ordinance and identify changes that may be necessary to promote the achievement of plan goals, objectives, policies, and programs of the comprehensive plan and initiate appropriate amendments to the land division ordinance.

Official Mapping Ordinance

Following adoption of a comprehensive plan by the City Common Council, the City of Racine should review its official map and identify changes that may be necessary to promote the achievement of plan goals, objectives, policies, and programs of the comprehensive plan and initiate appropriate amendments as necessary.

CONSISTENCY AMONG PLAN ELEMENTS

The comprehensive planning law requires that the implementation element “describe how each of the elements of the comprehensive plan shall be integrated and made consistent with the other elements of the plan.” All elements of this comprehensive plan were prepared simultaneously by the same staff with great care given to ensure internal consistency among the various elements. In addition, the City Plan Commission reviewed and approved all element chapters not only with respect to the content of individual chapters, but with respect to the consistency of plan element recommendations. There are no known inconsistencies among plan elements.

CITY OF RACINE IMPLEMENTATION ELEMENT GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

The implementation element goals and objectives, along with the related policies and programs, were developed based upon consideration of the recommendations of City, County, and regional plans; meetings with City officials; and the results of the public participation process including input from public opinion surveys and other public input exercises.

The following City of Racine implementation related goals were developed under the comprehensive planning program and previously presented in Chapter IV.

City of Racine Implementation Goals

Goal XII-1: Encourage a public participation process that provides equity and fairness to landowners and other stakeholders, balanced with responsible land use.

Goal XII-2: Review, revise, or create the regulatory ordinances necessary to ensure consistency with the comprehensive plan and implementation of the objectives, including zoning ordinances, land division ordinances, and official mapping ordinances.

Goal XII-3: Reevaluate the comprehensive plan regularly (at least once every ten years) to ensure that it continues to reflect community objectives.

City of Racine Implementation Objectives

- Implement all policies contained in other elements of the comprehensive plan.

- Utilize available programs described in other elements of the comprehensive plan as needed to facilitate the implementation of plan objectives.
- Rely on the comprehensive plan recommendations in making decisions at the City level with respect to future development and redevelopment.
- Encourage intergovernmental cooperation.

City of Racine Implementation Policies and Programs

- The City of Racine should consider the development of a fee structure to cover costs associated with amending the comprehensive plan.
- The Racine County Planning and Development Department will post and maintain the inventory data compiled as part of the comprehensive planning process on the County website in an accessible format. County staff, in cooperation with SEWRPC where appropriate, will update inventory data on a periodic basis.
- The Racine County Planning and Development Department will update the City and countywide land use plan map on a quarterly basis and post the plan map on the County website. The plan map file will also be provided to the City of Racine if requested.
- As new inventory information becomes available, such as updated floodplain or natural resource mapping, this information should be taken into account as the plan is implemented. As examples, an update of the State Wisconsin Wetlands Inventory was completed in 2008 and new FEMA mapping of floodlands will be available in late 2009 or early 2010. Consequently this information could not be incorporated in to the comprehensive plan. As development plans are reviewed, it will be necessary to include these new inventories in the review process to precisely identify areas subject to wetland/floodland regulations and to refine the delineation of environmental corridors and isolated natural resources as appropriate.

As previously noted, the comprehensive planning law requires the Implementation Element to include a compilation of programs and specific actions (policies), in a specified sequence, to implement the recommendations set forth in the other elements of the comprehensive plan.

The following lists the policy and program priorities for each of the other plan elements² that should be considered to have the highest priority in implementing the plan.

Agricultural, Natural, and Cultural Resources Element (Chapter V)

- Expand community gardening opportunities on publicly owned land or other vacant land in the City where feasible.
- Maintain the existing farmers markets and consider opportunities to establish new markets in other areas of the City. Such markets provide City residents convenient access to fresh farm products and support the County’s agricultural sector.
- Support economic initiatives to ensure that farming remains viable in Racine County, including agri-tourism and direct marketing of farm products.
- Encourage development to occur in areas outside of environmental corridors, isolated natural resource areas, natural areas, floodplains, wetlands, and critical species habitat sites in the City.
- Review City regulatory tools, such as zoning and land division ordinances and zoning maps, to identify any necessary revisions to protect the primary environmental corridors identified on Map 2 in Chapter V.
- Based on local needs and concerns, review City regulatory tools, such as zoning and land division ordinances and zoning maps, to identify any necessary revisions to protect the secondary environmental corridors and isolated natural resources identified on Map 2 in Chapter V.
- Implement the recommendations of the City of Racine park and open space plan and the Racine County park and open space plan as it pertains to the City—and any subsequent plan updates.
- Encourage the preservation of historic structures, sites, and districts that have been listed on the National and/or State Registers of Historic Places.
- Work cooperatively with appropriate State and Federal agencies to identify programs, grants, and tax credits that are available to help fund the implementation of the cultural resources element of the comprehensive plan.

Land Use Element (Chapter VI)

- Accommodate future land use development in areas recommended to be developed or redeveloped for the specific land use as identified on the land use plan map.
- Implement the detailed recommendations and design standards included in the Racine Downtown Plan, the Douglas Avenue Revitalization Plan, the Live Towerview Plan, the Neighborhood Strategic Plan for Southside Racine, the Uptown Improvement Plan, and the West Racine Neighborhood Revitalization Plan.
- Continue to create and implement detailed neighborhood plans that are consistent with the comprehensive plan.

Transportation Element (Chapter VII)

- Act to consider the recommended expansion, improvement, and maintenance of the arterial street and highway facilities designated in the plan for the City, including undertaking, as may be appropriate, detailed planning, preliminary engineering, environmental studies, and official mapping efforts.

²*The Issues and Opportunities Element (Chapter IV) does not include any recommended programs, but rather sets forth general goals and objectives for the City of Racine.*

- Provide public transit services in accordance with the recommendations set forth in the transit element of the plan.
- Where feasible, consider the accommodation for safe bicycle travel on the arterial street and highway system as that system is resurfaced and restructured on a segment-by-segment basis.
- Provide a system of off-street bicycle paths located primarily within natural resource and utility corridors to provide reasonably direct connections between City of Racine neighborhoods and other urban areas of Racine County as set forth in the plan.
- Work with the Regional Planning Commission in the major review, reevaluation, and update of the Racine County jurisdictional highway system plan.
- Work cooperatively with the Wisconsin Department of Transportation to identify State and Federal grants and programs that are available to fund the implementation of the transportation system plan and apply for such funds as appropriate.

Housing Element (Chapter VIII)

- Support the full range and variety of housing structure types, including single-, two-, and multi-family, accessory, and live/work dwellings, at flexible densities, as appropriate, including mixed-use development patterns.
- Support programs relating to the existing housing stock that enable low-income persons, first-time homebuyers, disabled, and elderly households to maintain, repair, convert, and rehabilitate housing and improve accessibility.
- Enable the elderly and disabled to remain in the City as their needs change by supporting smaller homes, accessory dwellings, nursing homes, community based residential facilities, and other types of assisted living residential arrangements.
- Encourage infill development, rehabilitation, and revitalization practices that benefit existing residents, prevent their displacement, and improve the tax base, availability of jobs, and community facilities.
- Continue the cooperation between the City, non-profit entities, and the housing development community to utilize available housing funding and assistance programs that facilitate the provision of affordable owner-occupied, rental, and rehabilitated or adaptively reused housing in the City.

Economic Development Element (Chapter IX)

- Continue to implement an aggressive and targeted existing business growth and business attraction program for the City of Racine that is based on: industries with a recent history of competitiveness and export orientation; emerging industries that show a potential for future growth.
- Direct commercial and industrial development to those targeted areas identified for such uses on the comprehensive plan 2035 land use plan map.
- Promote the redevelopment of underutilized, vacant, blighted, brownfield, or other environmentally contaminated industrial and commercial buildings to efficiently utilize existing public utilities and services.
- Advocate for programs that will impact the high unemployment rates in the low-income and minority neighborhoods.
- Promote coordination and cooperation between all of the communities in the County on economic development related issues including business creation, retention, and expansion.

Utilities and Community Facilities Element (Chapter X)

- Establish a cooperative process with WDNR, SEWRPC, and local governments to develop a framework for coordinated planning of land use, sewage treatment and disposal, stormwater management, and water supply.

- Encourage public-private partnerships to enhance the level of public services in the City.
- Provide a system of public neighborhood and community parks in the City that complement the City and County park and trail system.
- Work with the Racine Unified School District to ensure that school-age children have access to high quality schooling in or in close proximity to their neighborhood.
- The City and adjacent communities in Racine County should be open to private sector proposals for community facilities that meet the needs of residents, consistent with City goals and objectives. This could include recreation, healthcare, and housing facilities.

Intergovernmental Cooperation Element (Chapter XI)

- Support the coordination between Racine County, its communities, and other agencies, where appropriate, to provide cost-effective government services.
- The City of Racine should continue to work with the RCEDC with respect to business development and expansion.
- The City of Racine and adjacent communities should work with other government agencies and private entities, including non-profit agencies, where appropriate, to construct and/or operate community facilities in a cost-effective and efficient manner through joint service agreements.
- The existing revenue sharing agreement between the City of Racine and the Villages of Caledonia and Mt. Pleasant should continue to be implemented.

PROGRESS IN IMPLEMENTING THE PLAN

Annual Report on Plan Implementation

The Racine County Planning and Development Department will prepare an annual report for distribution to the City of Racine, all other local governing bodies in Racine County, and the County Board reporting on plan implementation activities and progress in implementing the plan throughout the County during the previous year. The report will summarize how the comprehensive plan was used to direct policy decisions by local and County officials and staff and whether circumstances have changed that have necessitated amendments to the plan.

The Countywide annual report should include the following information:

- Use of the Plan to Guide County and Local Activities
- Amendments Made to the Plan
- Recommendations for Changes to Plan Goals, Objectives, Policies, and Programs or Other Information in the Plan