

# 11

## Chapter Eleven: Implementation



Creating a comprehensive plan is just the first step in directing community growth. Subsequent planning efforts must focus on providing direct connections between the Plan's recommendations and actual development. The most effective way of accomplishing this is to adopt development regulations which directly implement planning policies, and then for the Plan Commission to evaluate all development related proposals (annexations, land divisions, rezonings, conditional uses, planned developments, and public investment and service decisions) based on their consistency with this Plan. Reference of such development review decisions to Plan recommendations will help establish both their legal defensibility and their economic efficiency. The Village's Municipal Zoning and Land Development Codes have already been amended to implement this requirement.

Finally, to be effective, this Plan should continue to be evaluated

by community representatives and amended as needed to keep current with changes brought about by time. A three-to five-year evaluation cycle is recommended for a rapidly growing community like Cottage Grove.

Many recommendations of this Plan will require specific implementation activities. This chapter of the Plan summarizes these activities. The activities will be required both within the Village of Cottage Grove and within the extraterritorial jurisdiction as depicted on Map 0.1, Jurisdictional Boundaries. These implementation steps are addressed directly in this Plan for two reasons. First, addressing these topics in the Plan will help establish their legal defensibility. Further, it helps to link goals and policies of the Plan with specific implementation techniques used by the Village at a later date.

State Statutes (§66.1001) require that, by the year 2010, any program or action of the Village that affects land use will have to be consistent with this Comprehensive Plan. These programs or actions include zoning and subdivision ordinances, annexation, official mapping, impact fees and transportation improvements.

## **A. Plan Adoption**

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State Statute §66.1001(4) establishes the procedures for adoption of a comprehensive plan. Before adoption, a plan must go through a formal public hearing and review process as required by Wisconsin Statutes. The Plan Commission adopts a public hearing draft of the plan and recommends that the Village Board introduce an ordinance approving the plan as a comprehensive plan or detailed element of the plan. Copies of the public hearing draft of the plan are forwarded to a list of local and state governments for review. Following Plan Commission approval, the Village Board holds a public hearing to discuss the proposed ordinance adopting the plan. The public hearing must be preceded by a Class 1 notice at least 30 days before the hearing. The notice must include a summary of the plan and information concerning where the entire document may be inspected or obtained. The Village Board then

adopts the ordinance approving the plan as a comprehensive plan or detailed element of the plan.

## **B. Implementation Goals, Objectives, and Policies**

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### **Goal:**

1. Implement effective and responsive administrative practices.

### **Objectives:**

1. Implement the Comprehensive Plan.
2. Implement administrative flexibility.
3. Implement timely responsiveness and efficient enforcement.
4. Encourage greater public awareness and participation in planning-related activities.

### **Policies:**

1. This Plan should be consulted by the Village Board, Planning Commission, Zoning Board of Appeals, Public Works Committee, other governmental bodies and agencies, and the private sector before any decisions related to community development or redevelopment are made.
2. Implement this Plan through the Village's Zoning Ordinance, Subdivision Ordinance, Official Map, and Capital Improvements Programming. These should be amended or created as necessary to implement this Plan.
3. Prepare and implement detailed planning efforts to supplement this Comprehensive Plan. Such detailed efforts include:
  - Prepare or require Neighborhood Development Plans for Planned Neighborhood residential areas shown on Map 5.2.
  - Implement and continue to update the Park and Open Space Plan every 5 years to incorporate, refine, and expand the recreation recommendations contained in the Comprehensive Plan.
  - Update the Wellhead Protection Plan to incorporate planned

growth areas.

- Continue to implement and adopt a new Tax Increment Finance (TIF) District Plans as necessary.
  - Prepare detailed Utility Plans to incorporate, refine, and expand the utility recommendations contained in the Comprehensive Plan.
4. Provide clear and concise application and procedural requirements for zoning, land division, and other community development related activities.
  5. Adopt regulations with explicit performance criteria for petitioners and clear requirements and clear review criteria for Village staff.
  6. Provide clear enforcement procedures for Village ordinances, and ensure that these ordinances are enforced.
  7. Allow for creative land development techniques, such as mixed use developments, planned developments, and cluster developments.
  8. Update this Plan comprehensively at least once every 10 years, and keep it in conformance with State of Wisconsin Statutes.

### **C. Use of the Plan in Village Decision Making**

The final key to successful Plan implementation entails the processes by which development proposals and municipal actions are evaluated. The most effective results are produced by proposal review systems which integrate Plan recommendations, regulatory controls, professional staff recommendations, appointed body consideration, and elected official actions.

#### **Plan Monitoring and Role of Plans**

All public policy and Village spending decisions related to land use and economic development must be reviewed by the Village Plan Commission prior to final Village Board approval. Plans should be detailed enough to provide effective guidance on typical de-

velopment and public investment actions. In instances where the Plan is becoming irrelevant or contradictory to emerging policy or common sense, the Plan should be carefully re-evaluated and revised if necessary.

This Plan is intended to be used by government officials, developers, residents, and others interested in the future of the Village to guide growth, development, redevelopment, and preservation. The Village intends to constantly evaluate its decisions on private development proposals, public investments, regulations, incentives, and other actions against the recommendations of this Plan. As of January 1, 2010, zoning, subdivision, and Official Map ordinances and decisions are required to be consistent with the Comprehensive Plan, Wis Stat 66.1001(3). In those cases where the plan has become out-of-date, or does not provide specific enough advice, the Village Plan Commission is responsible for updating the plan as needed or directing further study. Since this Village of Cottage Grove Comprehensive Plan is a legal comprehensive plan under Wisconsin Statutes 66.1001, any future changes or amendments to the Plan should be made through the formal public hearing process.

This Plan will only have value if it is used, understood, and supported by the community. It is critical that the Village make concerted efforts to increase community awareness and education on this Plan. To this end, efforts may include:

- Prominently displaying Plan materials in Village offices and gathering places.
- Ensuring that up to date materials are easily accessible on the Village's website.
- Speaking to community organizations about the Plan.
- Regularly presenting implementation progress reports to the Village Board, Plan Commission, and other municipal bodies.
- Incorporating Plan implementation steps in the annual budget process.



- Encouraging all Village staff and elected officials to become familiar with and use the Plan in their decision making.

### **Role of Regulations**

Ideally, planning related regulations should provide a bridge between proposed development review or public investment actions and the recommendations of adopted plans. Once this evaluation has occurred, good regulations should help staff and officials focus on the critical technical and policy issues.

### **Role of Village Staff**

Municipal staff must assist applicants in following procedures and provide officials with all information necessary to make an informed decision. In this light, staff should help applicants refine their proposals to bring them into full consistency with established policies and standards, and other elements of design.

### **Role of Advisory Boards and Commissions**

Advisory boards and commissions must evaluate proposals from a substantive, rather than a political, point of view. As individuals and as a group, they are less constrained by political expediency, and therefore should feel comfortable challenging applicants and staff to make the best possible case for their proposal and recommendations.

### **Role of Elected Officials**

Elected officials must make their decisions from the standpoint of overall community impact—tempered by site-specific factors. In this task, they must balance the recommendations made by plans and policies, the objectives of the applicant, the technical advice of staff, and the politically-neutral recommendations of advisory boards, with their own judgment on the matter at hand.

## **D. Plan Administration**

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This Plan will largely be implemented through an on-going series

of individual decisions about annexation, zoning, land division, official mapping, public investments, and intergovernmental relations. The Village of Cottage Grove will use this Plan to inform such decisions under the following guidelines:

### **Annexations**

Proposed annexations should be guided by the recommendations of this Plan. Specifically, the Future Land Use Map, the Future Transportation Facilities Map, and the Community Facilities Map of this Plan will be among the factors considered when evaluating a request for annexation. Annexation proposals on lands that are designated for urban development, as locations for future transportation facilities, and/or as locations for future community facilities should be more strongly considered for annexation approval. However, in their consideration of annexation proposals, the Plan Commission and Village Board should also evaluate the specific timing of the annexation request, its relationship to the overall regularity of the corporate boundary, the ability to provide utilities and public services to the site, the costs associated with the proposed annexation, the effect on intergovernmental relations, as well as other pertinent Statutory and non-Statutory factors.

### **Zoning**

Proposed zoning map amendments (rezonings) should be consistent with the recommendations of this Plan. The Future Land Use Map should be used to guide the application of the general pattern of permanent zoning. The precise location of zoning district boundaries may vary, as judged appropriate by the Plan Commission and Village Board. Departures from the exact land use boundaries depicted on the Future Land Use Map may be particularly appropriate for Planned Unit Development projects, projects involving a mix of land uses and/or residential development types, properties split by zoning districts and/or properties located at the edges of future land use areas. However, in their consideration of Zoning Map issues, the Plan Commission and Village Board will also evaluate the specific timing of the Zoning Map amendment request, its relationship to the nature of both ex-

isting and planned land uses, and the details of the proposed development. This Plan allows for the timing of zoning actions and the refinement of the precise recommended land use boundaries through the zoning, conditional use, planned development and land division processes. The Zoning Ordinance will be the single most cost effective way of implementing this Plan.

### **Land Division**

Proposed land divisions should be generally consistent with the recommendations of this Plan. The Future Land Use Map, the Future Transportation Facilities Map, and the Community Facilities Map (and the policies behind these maps) should be used to guide the general pattern of development, the general location and design of public streets, parks, and utilities. In the consideration of land divisions, the Plan Commission and Village Board should also evaluate the specific timing of the land division request, its relationship to the nature of both existing and future land uses, and the details of the proposed development. Departures from the exact locations depicted on these maps shall be resolved through the land division process for certified survey maps, preliminary plats and final plats within the Village limits and the extraterritorial jurisdiction. This Plan allows for the timing and the refinement of the precise recommended development pattern and public facilities through the land division process, as deemed appropriate by the Plan Commission and Village Board.

### **Official Mapping**

The Village should update its Official Map to be in accordance with the recommendations of this Plan. Wisconsin Statutes allow every community with a zoning ordinance to adopt an Official Map. An Official Map reserves the rights-of-way of future streets, pedestrian/bicycle paths, schools, parks, drainageways and other public facilities.

The Official Map is a very important planning implementation tool because it allows the municipality to achieve plan implementation in an efficient, cost-effective manner. For example, the

official map allows municipalities to prohibit new development from occurring within the mapped future rights-of-way of streets. Further, as lands along the officially mapped streets (existing or planned) are divided into plats or certified survey maps, adequate right-of-way can be required to be dedicated from the developer to the Village at no cost to the local taxpayers. Without an Official Map, substantial street right-of-way acquisition costs may need to be passed on to the local taxpayers in order to widen an existing street or acquire right-of-way for the construction of a new street. The Official Map can also be used to protect critical drainageways and other natural features that are part of the community's storm-water management system.

The Future Transportation Facilities Map and the Community Facilities Map will be used to guide the general location and design of both existing and new public streets, public parks, and utilities, as depicted on a revised Official Map prepared and adopted in accordance with State Statutes. However, in their consideration of official mapping issues, the Plan Commission and Village Board will also evaluate the specific timing of the development request, its relationship to the nature of both existing and future land uses, and the details of the proposed development. Departures from the exact locations depicted on these maps will be resolved through the official mapping and platting processes both within the Village limits and the extraterritorial jurisdiction.

### **Public Investments**

Financial factors continue to increase in their importance to planning. The recommendations of this Plan significantly assist in establishing the full validity of most public expenditures in the street and utility network, in the park system, and in relation to the locational decisions of Village government and the Monona-Grove School District. More importantly, the effort taken in mapping logical land use patterns, transportation system components, and recreation facilities will logically assist in more accurately predicting the costs and benefits of alternative public investment options. Under new State Law regarding the development of impact fees,

the importance of the Comprehensive Plan in establishing a legally valid base level of analysis (the future land use and transportation pattern) cannot be overstated.

### **Capital Improvements Program (CIP)**

The first component of a comprehensive municipal financing system is the Capital Improvements Program (CIP). The CIP is essentially a budget that allocates municipal funding to various projects over a three to ten year period. The recommendations of this Plan will assist the Village in identifying a list of possible capital projects. An intermediate level analysis which translates the land use and transportation system recommendations of this Plan into levels of facility demand, and thence projected costs, will be necessary before accurate capital costs can be projected.

### **Impact Fees**

As the infrastructure system needs associated with the land use and transportation recommendations of this Plan are predicted, it will be possible to evaluate a number of different fee alternatives designed to ensure that the costs associated with providing service to a new development are in fact passed on to that development. Although recent Wisconsin legislation limits the use of impact fees (for example, school costs cannot be recouped), it also validates the use of development exaction techniques for a wide variety of facilities with which municipalities are concerned.

### **Development Review Cost-Recovery**

Development review services in the Village are currently provided by a combination of in-house Village staff and consultants – including staff and consultants engaged in planning, building inspection, civil engineering, legal analysis, architecture, and landscape architecture. The Village has the ability to adopt regulations that ensure that the costs incurred by the Village to hire such experts are reimbursed or pre-paid by the applicant whose project is initiating the cost.

### **Intergovernmental Relations**

Proposed intergovernmental relations decisions, including intergovernmental agreements, should be guided by the recommendations of this Plan as deemed appropriate by the Plan Commission and Village Board. However, in their consideration of intergovernmental decisions and agreements, the Plan Commission and Village Board will also evaluate a wide variety of other factors, including specific provisions of the recommended agreements. Departures from the recommendations of this Plan should be resolved by the Village Board through the intergovernmental process.

### **Interpretation**

The interpretation of this Plan shall be the responsibility of the Village Board, as guided by recommendations of the Plan Commission.

## **E. Plan Amendments**

Amendments to a comprehensive plan must go through the same process. Plan amendment proposals initiated by Village staff or elected officials may occur at any time. These amendments are required to follow all of the adoption requirements, per Wis. Statute 66.1001.

Members of the public may also request an amendment. This request first goes before the Plan Commission, and if deemed beneficial and appropriate any subsequent amendment must follow the same statutory process noted elsewhere. If such requests become frequent, the Village could implement a regular cycle of review and amendment.

## **E. Plan Update**

The state comprehensive planning law requires that this Comprehensive Plan be updated at least once every ten years. As opposed to an amendment, an update is often a substantial re-write of the plan document and maps. The Village should continue to monitor

any changes to the language or interpretations of the State law over the next few years.

### **G. Consistency Among Plan Elements**

The state comprehensive planning statute 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 comprehensive plan.” Because the various elements of this Plan were prepared simultaneously, there are no known internal inconsistencies between the different elements or chapters of this Plan.

### **H. Implementation Programs and Recommendations**

It is hoped that the recommendations and presentation of this Plan are of sound assistance during each step in this process.

## Strategies & Timeline

| Category          | Strategy   | Timeline                  |
|-------------------|--|---------------------------|
| Detailed Planning | Update the Park & Open Space Plan every five years   | 2023, 2028, 2033, 2038    |
|                   | Prepare a Comprehensive Bicycle & Pedestrian Plan  | As needed                 |
|                   | Prepare or require detailed Neighborhood Plans   | Ongoing, as needed        |
|                   | Update Wellhead Protection Plan  | As needed                 |
|                   | Continue to incorporate recommendations of Firemen’s Park Master Plan  | Ongoing                   |
|                   | Prepare detailed utility plans   | As needed                 |
| Ordinances        | Continue to monitor and update the Zoning Ordinance and Zoning Map   | Ongoing                   |
|                   | Continue to monitor and update the Subdivision Regulations   | Ongoing                   |
|                   | Continue to monitor and update the Official Map  | Ongoing                   |
|                   | Implement recommendations of the Comprehensive Plan through the Village’s Zoning Ordinance, Subdivision Ordinance, Official Map, and Capital Improvement Program | Ongoing                   |
| Financing         | Continue to utilize impact fees for park development and stormwater management   | Ongoing                   |
|                   | Work with Dane County on implementing shared objectives  | Ongoing                   |
| Intergovernmental | Evaluate cooperative agreements and plans with surrounding Towns   | Ongoing                   |
| Evaluation        | Go through the Comprehensive Plan amendment process annually   | As needed                 |
|                   | Evaluate affordable housing trends   | As data becomes available |

Fig. 11.2: Major Recommended Plan Implementation

