

CHAPTER 9 Implementation Element

66.1001 (2)(i) Wis. Stat:

Implementation element. A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinance, official maps, or subdivision ordinances, to implement the objectives, policies, plans and programs containing in par. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

66.1001 (1) Definitions. In this section:

(a) "Comprehensive Plan" means:

- 1. For a county, a development plan that is prepared or amended under s. 59.69(2) or (3)*
- 2. For a city or village, or for a town that exercises village powers under s. 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3)*
- 3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0303 (8), (9) or (10)*

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

The Comprehensive Plan is intended to be used as the guide for future development decisions. Its real value, however, will be measured in the results it produces. To accomplish the goals, objectives, and policies of the plan, specific implementation measures must be taken to ensure Stevens Point's actions meet the desires of the comprehensive plan.

Section 9.1 Comprehensive Plan Adoption Procedures

The Wisconsin State Statutes establish the manner in which a comprehensive plan must be adopted by a community:

66.1001(4) Procedures for adopting comprehensive plans. *A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:*

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments.

(b) The plan commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by a majority vote of the entire commission. The vote shall be recorded in the official minutes of the plan commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to all of the following:

- 1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.*
- 2. The clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described in [par. \(b\) \(intro.\)](#).*
- 3. The Wisconsin land council.*
- 4. After September 1, 2003, the department of administration.*
- 5. The regional planning commission in which the local governmental unit is located.*
- 6. The public library that serves the area in which the local governmental unit is located.*

(c) No comprehensive plan that is recommended for adoption or amendment under [par. \(b\)](#) may take effect until the political subdivision enacts an ordinance or the regional planning commission adopts a resolution that adopts the plan or amendment. The political subdivision may not enact an ordinance or the regional planning commission may not adopt a resolution under this paragraph unless the comprehensive plan contains all of the elements specified in [sub. \(2\)](#). An ordinance may be enacted or a resolution may be adopted under this paragraph only by a majority vote of the members-elect, as defined in [s. 59.001 \(2m\)](#), of the governing body. An ordinance that is enacted or a resolution that is adopted under this paragraph, and the plan to which it relates, shall be filed with at least all of the entities specified under [par. \(b\)](#).

(d) No local governmental unit may enact an ordinance under [par. \(c\)](#) unless the local governmental unit holds at least one public hearing at which the proposed ordinance is discussed. That hearing must be preceded by a class 1 notice under [ch. 985](#) that is published at least 30 days before the hearing is held. The local governmental unit may also provide notice of the hearing by any other means it considers appropriate. The class 1 notice shall contain at least the following information:

- 1. The date, time and place of the hearing.*
- 2. A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.*
- 3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.*
- 4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.*

As previously stated in this plan, the Stevens Point Comprehensive Planning process took place as part of a larger County-wide planning effort (see the Introduction section of this document). These concurrent and complimentary regional and local planning efforts began in June 2001. On July 25, 2001, the Portage County Comprehensive Planning Joint Steering Committee adopted the Portage County Comprehensive Plan Public Participation Plan. This extensive document detailed the many ways and opportunities that citizen input would be encouraged and facilitated throughout the formulation of the Comprehensive Plans across Portage County. On May 17, 2002, the City Common Council adopted the Portage County Comprehensive Plan Public Participation Plan as a model for their process. Beginning in February 2003, the City

Comprehensive Plan Committee held the following meetings to discuss the different elements that make up their Comprehensive Plan:

- August 6, 2001
- September 4, 2001
- November 5, 2001
- December 3, 2001
- February 4, 2002
- March 4, 2002
- April 1, 2002
- May 6, 2002
- February 24, 2003
- March 24, 2003
- April 28, 2003
- May 28, 2003
- June 30, 2003
- July 28, 2003
- August 25, 2003
- September 29, 2003
- November 24, 2003
- February 23, 2004
- March 29, 2004
- May 24, 2004
- June 28, 2004
- August 2, 2004
- August 23, 2004
- October 4, 2004
- October 25, 2004
- February 28, 2005
- April 25, 2005
- August 22, 2005
- September 26, 2005
- October 24, 2005
- November 28, 2005

Each of these meetings was officially noticed and open to the public, as well as posted in the Stevens Point Journal newspaper. The working committee recommended the preliminary draft of the Comprehensive Plan at their December 5, 2005 meeting; the Plan Commission adopted and recommended the Plan to the Common Council for consideration at the same meeting. An open house was held January 9, 2006, and a public hearing was held before the Common Council on January 16, 2006. Copies of the draft plan were made available for inspection at the City Hall, Main Branch of the Portage County Library, and Portage County Planning and Zoning offices during the required 30-day notice period, as well as being posted for viewing on the Portage County Comprehensive Planning website (www.co.portage.wi.us). The City Comprehensive Plan was officially adopted by unanimous vote at the January 16, 2006 City Council meeting.

Section 9.2 Comprehensive Plan Implementation

Wisconsin State Statute 66.1001(3) establishes the actions that must be based on the adopted comprehensive plan:

(3) Actions, procedures that must be consistent with comprehensive plans. Beginning on January 1, 2010, if a local governmental unit engages in any of the following actions, those actions shall be consistent with that local governmental unit's comprehensive plan, including the following: Official mapping established or amended under [s. 62.23 \(6\)](#); Local subdivision regulation under [s. 236.45](#) or [236.46](#); County zoning ordinances enacted or amended under [s. 59.69](#); City or village zoning ordinances enacted or amended under [s. 62.23 \(7\)](#); Town zoning ordinances enacted or amended under [s. 60.61](#) or [60.62](#); Zoning of shorelands or wetlands in shorelands under [s. 59.692](#), [61.351](#) or [62.231](#).

The City currently utilizes the following ordinances to direct development within Stevens Point: zoning ordinance, land division ordinance, building code, highway access control ordinance, and Historic Preservation Ordinance.

- City Zoning Ordinance: first adopted in 1930 and last updated in the year 2000.
- Land Division Ordinance: first adopted in 1940 and last updated in 1999.
- Building Code: first adopted in 1940 and last updated in 1998.
- Highway Access Control Ordinance: first adopted unknown.
- Sign Ordinance: first adopted in 1995.

The City shall undertake a review of these regulatory tools for compatibility and consistency with the various goals, objectives and policies of the adopted comprehensive plan, and identify

any sections of the documents that may need updating to accomplish this. The review period shall commence within 12 months of the initial adoption of the plan. Revision and final approval for the updated regulatory tools shall be completed within 36 months of initial plan adoption. For subsequent amendments or modifications to the Comprehensive Plan, the review of regulatory tools shall commence within 3 months of adoption, with revision and final approval to be completed within 18 months of plan adoption.

Section 9.3 Integration, Amendment, and Update of Comprehensive Plan Elements

A. Integration

The goals, objectives, and policies contained within the preceding eight elements (chapters) of this Comprehensive Plan, along with the accompanying inventory and analysis, have been thoroughly reviewed and approved by the City Plan Commission and Common Council. Throughout the drafting and review process, great care was taken to include all issues and concerns from Council and Commission members, as well as from the community at large. Special attention was then given to making sure that the policies required to address the individual issues or concerns did not conflict, either with each other within the chapter, or between the different chapters. The future revision of any Comprehensive Plan goal, objective, or policy shall receive the same level of deliberation and analysis as the original Plan; special attention shall be given so that the new adopted language does not create conflicts within or between chapters.

B. Plan Amendment and Update

As cited at the beginning of this chapter, State Statute section 66.1001(2)(i), states that the comprehensive plan shall be updated no less than once every 10 years. To comply with this requirement, the City of Stevens Point will need to undertake a complete update of this nine-chapter document and appendices by the year 2016. The City may commence the update at any time prior to 2016 as City conditions or needs change.

Smaller-scale amendments to portions of the Comprehensive Plan may also be considered by the Common Council at any time. The public should be notified of any proposed changes and allowed the opportunity to review and comment. The City should consider residents' opinions in evaluating a proposed change. The procedure for amendment and update will be the same as original Plan adoption outlined in Section 9.1 above.

1. Amendment Initiation

The following may submit an application for a Comprehensive Plan amendment:

- City Common Council
- City Plan Commission
- Any City resident
- Any person having title to land within the City
- Any person having a contractual interest in land to be affected by a proposed amendment
- Any agent for the above

The applicant that proposes an amendment to the Future Land Use Map shall have the burden of proof to show that the proposed amendment is in the public interest and internally consistent with the remainder of the Plan.

2. Application and Review Procedure

The amendment process described in Section 9.1 shall also include the following steps:

- a. Submittal of Application. The applicant shall submit a complete application to the City Clerk, along with any applicable application fees. A copy of the application shall be forwarded by the Clerk to each member of the Plan Commission.
- b. Application Review. The Plan Commission shall review the application at a regular or special meeting for compliance with the Comprehensive Plan. Upon conclusion of its review, the Plan Commission shall make a written recommendation to the City Council for either approval or denial. This recommendation shall include findings of fact to justify the recommendation.
- c. The City Council shall hold a public hearing on the request, per State Statute requirements. After reviewing the application, Plan Commission recommendation, and comments from the public hearing, the City Council shall make a decision to deny the proposed amendment; approve the proposed amendment; or approve the amendment with revision(s) that it deems appropriate. Such revisions to the proposed amendment shall be limited in scope to those matters considered in the public hearing.
- d. Update History of Adoption and Amendment. The Plan Commission shall establish a table entitled "History of Adoption and Amendment" for the purpose of keeping records on Plan amendments.

3. Application Requirements

- a. An application submitted by a resident/landowner/agent to amend the Future Land Use Map shall include the following:
 - A scaled drawing of the subject property,
 - A legal description of each of the parcels in the subject property,
 - A map of existing land uses occurring on and around the subject property,
 - A written description of the proposed change,
 - A written statement outlining the reason(s) for the amendment,
 - Other supporting information the City or applicant deems appropriate.
- b. Other Amendments. For all other types of amendments, the application shall include the following:
 - A written description of the proposed change,
 - A written statement outlining the reason(s) for the amendment,
 - Other supporting information the City or applicant deems appropriate.

4. Special Considerations for Plan Amendments

- a. Internal Consistency. Amendments shall be made so as to preserve the internal consistency of the entire Comprehensive Plan.
- b. Granting Special Privileges or Placing Limitations Not Permitted. No amendment to change the Future Land Use Map shall contain special privileges or rights or any conditions, limitations, or requirements not applicable to all other lands in the district.

- c. The amendment shall not create an adverse impact on adjacent land/land uses.
- d. The amendment shall not create an adverse impact on public facilities and services.

Section 9.4 Monitoring/Formal review of the Plan

To assure that this Comprehensive Plan will continue to provide useful guidance regarding development within the City, the Stevens Point Plan Commission must periodically review and amend the Plan to ensure that it remains relevant and reflects current City attitudes.

In order to achieve this, the City Plan Commission shall once each year place the performance of the Comprehensive Plan on the agenda for discussion and recommendation to the City Common Council. Discussion should include a review of the number and type of amendments approved throughout the previous year, as well as those that were denied. This information serves to gauge the adequacy of existing policies; multiple changes indicate policy areas in need of re-assessment. Other topics would include changes to either the development market or resident attitudes toward different aspects of City life. As a result of this discussion, the Plan Commission would recommend either no change to the Plan, or one or more specific changes that should be addressed. At this point the process detailed in Sections 9.3 and 9.1 above would commence.