

Appendix A

RECOMMENDATIONS TOWARD AN IMPROVED SYSTEM OF INTERGOVERNMENTAL LAND USE POLICY COORDINATION AND PLANNING IN WISCONSIN

The following statement was approved by the governing board of the Association of Wisconsin Regional Planning Commission (AWROC) on May 1, 1998.

Introduction

The purpose of this paper is twofold:

- (1) To describe a function that is crucial to improving land use management in Wisconsin. That function is the integration of policies that are administered by various levels of government and that impact land use planning; and
- (2) To describe how integrated policies need to be translated into comprehensive land use plans at appropriate levels within the government hierarchy. This paper makes the case for state government leadership in intergovernmental policy integration, and regional-level leadership through regional planning commissions (RPCs) in creating framework plans reflecting integrated policies, and for more detailed planning by county and local governments consistent with the regional plans.

Coordination of Policy

It is recommended that the State identify the many State policies that relate to development in the State. Some policies are in statutes. Others are articulated in administrative rules and agency programs. Others will be found in agency and interagency strategic plans, policies, and programs.

Conscious focus is needed on the land use impacts of State policies that are not necessarily viewed as land use policies. Some activities of the State are expressly intended to have land use impacts. An example is farmland preservation. Many State policies, however, are single-purposed, with land use side-effects. Examples include the State's programs relating to on-site waste disposal and many economic development financial incentive programs.

It is recommended that these various policies and policy impacts that relate to land use and development in the State should be compiled and analyzed. As part of the analysis, instances of conflicts among State policies or conflicts between State policies and impacts of other State programs should be highlighted for reconciliation. Gaps within the fabric of policy should be identified and filled. The result of this process should be a set of documented State land use policies.

State land use policies should relate to issues including:

- Conservation and management of natural, cultural, historical, archeological, and environmental resources, including wetlands, woodlands, wildlife habitat, water resources, agricultural lands, and mineral resources;
- Definitions, as well as policies and criteria for location and design, of urban, suburban, and rural development patterns;
- The provision of an appropriated level of public facilities in support of rural and urban development, including transportation, sanitation, drainage and flood control, and water supply facilities.

The aforementioned is not an exhaustive or totally inclusive list, but is illustrative of the types of topics that should be covered by articulated State policies.

It is recommended that an entity such as the Wisconsin Land Council be responsible to coordinate the policy analysis and formulation process described above.

State land use policies should primarily concern themselves with the achievement of State-level objectives. However, to contribute toward the ultimate goal of intergovernmental coordination discussed in the remainder of this paper, the body that compiles the set of policies should include input from the State's regional planning commissions (RPCs), from counties and from local units of government.

Regional Framework Planning

The next set of needs is to make the State policies operational through the translation of the policies into framework plans for the many aspects of development in the State of Wisconsin, among them being land use, transportation, wastewater treatment and disposal, drainage and flood control, and parks and open space.

Framework plans should be relatively broad and general in scope, defining the location and approximate quantities of various land uses, intensities of use on an average basis, and identifying the approximate location and capacity of needed public facilities to address transportation, sanitation, drainage and flood control, and water supply needs. The framework plans should be sufficiently articulate to give a clear guide to the local planning work that will carry the framework to a level of detail that relates to individual communities and neighborhoods.

The appropriate vehicles for achievement of the framework plans are the State's Regional Planning Commissions (RPCs). The nine RPCs in Wisconsin have strong ties with county and local units of government through commission membership, participation on advisory committees, contractual relations, and funding for general regional planning work and specific projects in support of particular units of local government. Through the Wisconsin Land Council and participation by key individual State agencies within the advisory committee structures that are heavily used by RPCs, improved linkages should be established between regional planning commissions and State government.

RPCs have a strong, direct public and fiscal accountability to local governments due to the presence of local and county elected officials who serve on the RPC. Because of their size, structure, and diverse areas of responsibility, RPCs are able to address

* At that time, the AWRPC was known as CORPO, the Wisconsin Council of Regional Planning Organizations.

intergovernmental issues in a comprehensive, yet efficient and cost-effective manner. RPCs also recognize that counties and communities are very different from one another, each with its own unique set of challenges and opportunities. Although an RPC may not be able to address every

planning challenge facing its member governments, the benefits afforded the region by the existence of a strengthened RPC would be unmatched by any other governmental entity. Furthermore, the mission of the RPCs is crucial to the State's ability to implement sound policies successfully and cost-effectively.

RPCs provide a forum and mechanism by which county and local governments can avoid or resolve interjurisdictional conflicts and by which county and local governments and property owners are able to address growth management issues and search out joint solutions. This forum assures collaborative efforts and cooperation among all affected parties – an approach that should prove more successful than State directives and mandates.

RPCs serve as a bridge between all levels and units of government. They serve as a bridge in the sense that the RPC is at the place where representatives of various entities of government meet on "neutral ground" to find common values and mutual needs. It also means that RPCs are often proactive in facilitating agreement. Governments of all sizes and types share the technical expertise of RPC staffs, providing for a high degree of cost effectiveness.

RPCs can provide a staff of professionals with technical and programmatic expertise. For county and local governments, RPCs serve as a link to State agencies and other organizations, as well as facilitating intra-regional communication.

RPCs have a reasonably high degree of interest and respect among people in the private sector, particularly private utilities and people in the real estate market place, for the quality and comprehensiveness of data and reports produced by the regional commissions. This role is reflected in RPC enabling legislation (see Wisconsin Statutes §6.945(8)(a)), as well as in practice throughout the state.

The necessary framework plans should be prepared at the intergovernmental, regional level. In many parts of the State, daily living and travel patterns and environmental problems extend over many local jurisdictions and across county boundaries. This reality means that in order to address these issues in the proper manner, counties and local governments must come together to create the appropriate geographic unit. Moreover, proper framework planning requires many different technical staff skills – not just land use and zoning – which generally cannot be cost-effectively acquired and maintained by individual counties. Hence, it makes both technical and financial sense to accomplish comprehensive framework planning through an intergovernmental regional approach.

Local Land Use Plans

It is intended that the regional framework plans which are cooperatively prepared with counties working through regional planning commissions, serve as county plans and be adopted by county boards. Those framework plans need to be carried to greater detail at the city, village and town levels, often with RPC and/or county assistance. Each of these local governments should be required to prepare plans consistent with the regional framework plans. Some flexibility needs to be maintained in how this more detailed planning workload is carried out. For example, in some areas it may be desirable for counties to help towns and smaller cities and villages to prepare the more detailed plans. Regardless of the approach taken all local plans need to be fully coordinated with and reflect the regional framework plans.

The process for comparing and coordinating plans should involve a combination of persuasion, incentive and disincentives preceding the possibility of more stringent compliance remedies.

To make the interrelated system function, there will need to be a certification process. The State Land Council, upon the review by key individual State agencies should certify the regional framework plan as consistent with the adopted State policies. Such certification should constitute a commitment on the part of the State agencies to support the regional framework plans through State programmatic actions.

Each local unit of government should prepare and adopt a plan that incorporates the framework plans and, thereby, the integrated land use policies. RPCs, with input from the State and local governments, should be responsible for certifying county, city, village and town plans as consistent with the regional framework plans.

As indicated at the beginning, this paper addresses a system for planning. In the Wisconsin tradition, plans contain implementation programs that are internally consistent with the plans themselves. A next stage will be to ensure enactment of these implementation measures and review and, ultimately, certification of their consistency with the approved plans. This paper does not address the details of implementation consistency.

Concluding Remarks

CORPO, the State association of the RPCs in Wisconsin, supports efforts to strengthen land use planning in Wisconsin. CORPO believes that State government must articulate State land use policies in a comprehensive and coordinated manner. Those policies should then be reflected statewide in intergovernmental, regional framework plans prepared by RPCs. Those framework plans should be adopted by county boards and be carried into greater detail at the county, city, village, and town levels of government.

CORPO acknowledges that there are some unresolved issues that will need to be addressed statewide.

They include the following:

- How to include Sauk, Columbia, Dodge, Jefferson and Rock counties into the regional planning system together with Dane County.
- How to achieve a stable and adequate fiscal base for the RPC and local government planning activities.