

Element 10 - Implementation Goals, Objectives and Policies

Implementation Goal 1: Identify Measurable Actions to Implement and Achieve the Goals, Objectives and Policies of the Town of Vienna Comprehensive Plan.

Objective 1.0:

Maintain and amend local ordinances and procedures where appropriate to address new objectives and policies of the Town of Vienna.³⁶

Policies/Actions:

1.01 Severability – In the event that a court should determine that a portion of this comprehensive plan is invalid, such invalidity shall not affect the other provisions of this comprehensive plan.

1.02 Update the Town Land Division and Subdivision Ordinance – Update the Town of Vienna Land Division and Subdivision Ordinance to reflect the 1 unit per 75 acres ratio as well as the ~~proposed~~ 20-year ownership requirements.

1.03 Coordinate on Updates to the Dane County Zoning Ordinance and Land Use Plan – Continue to work with Dane County to update the County Zoning Ordinance and Land Use Plan (including sign requirements) as necessary to ensure maximum applicability to the Town.

1.04 Maintain and Enforce the Town Driveway Ordinance – Maintain the Town’s Driveway Ordinance to ensure that residents have safe access to local roads and emergency vehicles have adequate access to developed parcels.

1.05 Coordinate on the Enforcement of Stormwater Management Regulations – Work with Dane County Land Conservation to assist in the enforcement of the Dane County Stormwater Management and Erosion Control Ordinance as necessary.

1.06 Town Discretion Over Unanticipated Land Use Decisions – To the extent allowed by law, the Town of Vienna preserves its discretion in evaluating unanticipated land use proposal scenarios not specifically addressed in this plan. The three primary alternative courses of action are: 1) The Town Plan Committee and Town Board may offer a recommendation or decision based on the key premises listed in this plan by applying them to the question at hand; 2) The Town may also amend this plan

through the procedures identified herein to address whatever unanticipated land use proposal has been put forth; or 3) Deny the request as it is not listed as an approved land use scenario in the Town Plan.

Objective 1.1:

Update the Town's development review procedure, fees, and requirements.

Policies/Actions:

1.11 Advance Submittal Requirement – Require all land divisions, subdivisions, re- zonings, and conditional use permits to have submitted a complete packet of materials as required by the Town at least 12 days in advance of the meeting date.

1.11.1 Agenda Requirement – Any item that requires action must have been posted on the published meeting agenda.

1.11.2 Completion of Submittal – Incomplete materials may result in removal of the item from the Plan Committee or Town Board agenda.

1.11.3 Exemptions - Exemptions from this policy will only be considered in emergency situations.

1.12 Development Agreements – Prior to review of any development presented to the Town, the petitioner must enter into a development agreement with the Town. This agreement will include the rates to be charged for review by the Town engineer, attorney, planner or other professional technical assistance required by the review.

1.13 Application Packets – Update the required application packet for land divisions, subdivisions, rezonings, and conditional use permits within the Town outside of the ETZ area including detailed site plan requirements—and make them available on the Town website and Town Hall.

1.14 Use of Common Application Review Requirements – Utilize the Village of DeForest application packet for reviewing any development proposals on parcels within the ETZ area—and make them available on the Town website and Town Hall.

1.15 Adjustment of Town Meeting Schedules – Require that the Town Board not take action on a particular item on the same evening as the Town Plan Committee but rather wait until the next regularly scheduled meeting. (This will allow the Board to review the Plan Commission minutes and to request a staff analysis should it so desire and allows for proper notification of proposed actions and hearings as well as time to contact neighboring property owners if necessary.)

1.16 Ordinance Updates for the DeForest ETZ Area – Adopt the updated Village of DeForest Zoning Ordinance for the Town’s share of the ETZ area to allow for the application of conditional use permits to restrict commercial and industrial uses subject to conditions recommended by the Town Plan Committee and Town Board based on analysis of the Town attorney, Town Engineer, and/or Town Planner.

1.17 Review of Application Materials by Plan Commission and Town Board – Ensure that the ETZ committee has all relevant information from both the Town Plan Commission and Town Board prior to making recommendations on proposed developments.

Objective 1.2:

Actively pursue boundary agreements or similar joint planning efforts with the Village’s of Dane, DeForest, and Waunakee.

Policies:

1.21 Proposed Planning Scope with DeForest – Work with the Village of DeForest to plan for specific land uses, utility service areas, public service boundaries, long- term growth boundaries, and annexation limits in the ETZ area around the I- 39/90/94 interchange as a part of the Village’s update of its comprehensive plan.

1.22 Proposed Planning Scope with Waunakee – Within the next three years, work on a similar agreement with the Village of Waunakee.

1.23 Proposed Planning Scope with Dane – Within the next five years, work on a similar agreement with the Village of Dane.

Implementation Goal 2: Identify Adoption and Amendment Procedures for Town of Vienna Comprehensive Plan.

Objective 2.0:

Ensure consistency across the required nine elements of the Wisconsin Smart Growth legislation.

Policies/Actions:

2.01 Review of Plan Document by Town Planner – Require the Town Planner to conduct a review of the draft plan document prior to submittal to the Town Plan Committee to check for any identifiable inconsistencies or at any other time the Town Plan Committee or Town Board requires clarification on a policy or issue in the plan.

2.02 Review of Plan Document by Town Plan Committee – Require the Town Plan Committee to review a draft version of the proposed plan document and to identify any inconsistencies.

2.03 Review of Plan Document by Town Board – Require the Town Board to review a draft version of the proposed plan document and to identify any inconsistencies.

2.04 Review of Plan Document by Public – Request that members of the public who review the draft also check for any inconsistencies prior to adoption.

2.05 Correction of Inconsistencies – Should any inconsistencies be identified after the plan has been adopted, the Town Plan Committee and the Town Board shall utilize the amendment procedure identified in this plan to correct the inconsistency.

Objective 2.1:

Follow statutorily required adoption procedures as identified in s. 66.1001 (4)

Policies/Actions:

2.11 Compliance Criteria – A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:

2.11.1 Public Participation Procedures – 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.

2.11.2 Solicitation of Public Comments – 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.

2.11.3 Plan Commission Recommendation – 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.

2.11.4 Distribution of Adopted Plans – One copy of an adopted comprehensive plan or of an amendment to such a plan shall be sent to all of the following:

- a) Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.

- b) The clerk of every local governmental unit that is adjacent to the local governmental unit, which is the subject of the plan that is adopted or amended.

- c) The Wisconsin Land Council.

- d) The Department of Administration (After September 1, 2003).

- e) The regional planning commission in which the local governmental unit is located.

- f) The public library that serves the area in which the local governmental unit is located.

2.11.5 Date of Effectiveness – No comprehensive plan that is recommended for adoption or amendment may take effect until the local governmental unit enacts an ordinance that adopts the plan or amendment.

2.11.6 Conditions for Enacting the Adoption Ordinance – The local governmental unit may not enact an ordinance under s. 66. 1001, Wis. Stats unless the comprehensive plan contains all of the elements

specified in s. 66. 1001, Wis. Stats. An ordinance may be enacted 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 under this paragraph, and the plan to which it relates, shall be filed with at least all of the entities specified under s. 66. 1001, Wis. Stats.

2.11.7 Public Hearing Requirements - No local governmental unit may enact an ordinance under s. 66. 1001, Wis. Stats 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:

a) The date, time and place of the hearing.

b) A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.

c) The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.

d) 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.

Objective 2.2:

Establish and consistently follow a formal procedure for amendments to the Town Comprehensive Plan.

Policies/Actions:

2.21 Annual Review – This Comprehensive Plan shall be reviewed annually by the Town Plan Commission to review progress on achieving goals, objectives and policies of this plan, and to evaluate any proposed amendments to the plan.

2.22 Amendments to the Plan – The Town Board may amend this Comprehensive Plan at any time. The procedure for amending text and/or maps is as follows:

2.22.1 Persons Eligible to Request an Amendment – Any person owning land in the Town of Vienna may request an amendment to the Comprehensive Plan.

2.22.2 Plan Commission Consideration of the Request and Public Hearing Requirement – The Town Plan Commission shall consider the request for an amendment and forward a recommendation to the Town Board if it deems the amendment should be formally proposed. At such time, the Town will notify Town residents through a newspaper notice and other means as deemed effective by the Town and shall conduct a public hearing to gather and present information on any proposed amendment to the Comprehensive Plan.

2.22.3 Plan Commission Action – Following the public hearing, the Town Plan Commission shall make a recommendation to the Town Board. The Town Plan Commission’s recommendation is only advisory and is not binding on the Town Board.

2.22.4 Town Board Action – The Town Board, at a regular meeting, shall act on the Town Plan Commission’s recommendation and shall approve, deny or amend the proposed amendment to the Comprehensive Plan.

2.22.5 Coordination with Dane County – Approved amendments will be transmitted to the County Board for adoption as part of the Farmland Preservation Plan.

2.22.6 Amendments Affecting USA Boundaries – Plan Amendments that include proposed amendments to the urban service area boundary also require approval of the WDNR and the Dane County Regional Planning Commission (or currently designated agency.)

2.22.7 Applicability of Public Notice and Public Hearing Requirements – All hearings and notices required for the original plan adoption are also applicable for any amendments to the Comprehensive Plan.

Objective 2.3:

Ensure that all application and contractual and requirements of the Wisconsin Smart Growth Planning Grant program are met.

Policies:

2.31 Required Documentation – A completed grant checklist to document this plan’s compliance with Wisconsin state statutes shall be included in the appendix of this Comprehensive Plan.