

RECOMMENDATIONS

version 8/31/10

There is no agreement among various local units of government behind about increasing the authority of the Capital Area Regional Planning Commission (CARPC). Centralized authority is not favored in the U.S. historically, due to concerns regarding concentration of power and decision-making in one unit of government. (Can be deleted?)

There is clear evidence that fragmented local decision-making can result in adverse regional and inter-jurisdictional impacts. Fragmented local decision-making also results in duplication of effortswork, inter-jurisdictional competition, and inefficiencies and ineffectiveness in responding to large-scale problems and challenges. These shortcomings have resulted in In the Capital Region, interjurisdictional coordination has been shown to have some promise. With this approach, a regional entity performs comprehensive planning with participation from all units of government, and generates agreements and commitments on local implementation of these regional plans. This provides for both a comprehensive regional plan and local control. Unfortunately, unless this approach is pursued consistently, each regional issue becomes a reason to create a separate regional entity. The resulting “fragmented regionalism,” which seeks inadequately to address interrelated specific region-wide problems, and regionally but still because the efforts implementation will lack a comprehensive scope.

For example, there is no rReview of regional land use issues with a full comprehensive scope evaluating the interaction between land use, infrastructure and utility service delivery, resource use, and water quality does not currently occur in region-wide decision making in the region. Therefore, the CARPC, through its advisory goals and objectives, and through its quasi-regulatory water quality planning responsibilities (which include policies and criteria for the expansion of sewer service areas), may be the agency to address regional land use and planning issues on a comprehensive basis.

Therefore, the Policies and Criteria Advisory Group (PCAG) recommends the following recommendation:

1. *Develop a broad regional agreement for comprehensive objectives that are important for the well-being, sustainability, and vitality of the region. Generate implementation measures to achieve these objectives through a consistent process suitable for that allows for differing sizes and capabilities in local units of government.*

Details:

- *Create a workgroup of the CARPC and charge it with the task of building trust for the CARPC, and building support behind specific authority which might be added to the CARPC to enable it to address critical and strategic challenges facing the region in the next 50 years (this may require a process that first builds agreement behind what these critical and strategic challenges are).*

- *Build trust between CARPC and local units of government through collaboration and cooperation by:*
 - *Arranging bus tours for the CARPC to visit examples of development in the region*
 - *Commissioners attending local planning meetings*
 - *CARPC staff providing comments on proposed plans*
 - *CARPC staff providing consultant services to local units of government*
 - *Creating a venue for intergovernmental sharing and discussion of long-range growth plans*
 - *CARPC staff providing comments on long-range growth plans*
 - *CARPC staff increasing outreach and education activities*
 - *CARPC staff providing technical information and assistance to local units of government*
 - *Making reports available to units of government in advance of their planning activities*
 - *Holding work sessions and charrettes around the region (with Commissioners and Commission staff participating)*
 - *CARPC staff making presentations on specific subjects and issues around the region*
 - *Recognizing good projects in the newsletter and/or through awards*
 - *~~CARPC staff providing technical information and assistance to local units of government to allow these units to deal with regional issues and opportunities~~*
 - *Creating venues for the Commission to discuss its view of regional issues and opportunities with local units of government and other interested parties*

- *~~Blend~~ Harmonize regional authority with local authority:*

~~*There is a diversity of opinion regarding the duties, responsibilities, and authority of the CARPC. This diversity of opinion may be caused, in part, by misinformation and differing interpretations of the governing statutes and founding agreements which provide the basis for the duties and responsibilities of the CARPC.*~~

- *The Commission should undertake a detailed Legal and Institutional Analysis of the responsibilities and authority of ~~the~~ CARPC and other governmental jurisdictions in the region. ~~This analysis should result in~~ The final report should outline how the authority of various levels of government dovetail into one another, ~~and clarifying~~ and responsibilities, and ~~clearing up~~ clarifying any confusion in the delineation of authority. ~~Such a study~~ This report should ~~also result in~~ recommend a series of voluntary memoranda of understanding (MOUs) between ~~the~~ CARPC and the entities in charge of planning, review,*

implementation, and enforcement of regional issues, clearly outlining the role of each entity. ~~This would update and expand a similar study conducted as part of the Dane County Water Quality Plan in 1978.~~ MOUs should not be required for urban service area amendment requests or as conditions of approval.

Rationale: Many opinions regarding the duties, responsibilities, and authority of ~~the~~ CARPC exist within the regional community. This diversity of opinion may be caused, in part, by ~~mis~~lack of information and differing interpretations of the governing statutes and founding agreements of ~~the~~ CARPC. This study would update and expand a similar study conducted as part of the Dane County Water Quality Plan in 1978

- Regional actions have local impacts and many local actions have regional impacts. ~~The~~ CARPC should not get involved in local issues that do not have regional impacts. ~~The~~ CARPC should continue to provide flexibility for local management agencies in how regional goals and objectives are achieved through local action. ~~The~~ CARPC should clearly define the interrelationship between local actions and regional impacts to inform local and the regional decision-making. The FUDA planning process has ~~great~~ promise for providing a vehicle to blend local and regional needs and opportunities based on a collaborative, joint decision-making process. CARPC should continue to provide flexibility for local management agencies in how regional goals are achieved through local action. CARPC should clearly ~~define~~ work with local units of government to identify the interrelationship between local action and regional impacts to inform both local and regional decision-making.

☒ Increase Density:

Analyze each service area to determine an overall density target suitable to its location, and help the community to reach the community target.

☒ Intergovernmental Coordination:

~~Commission~~ CARPC should continue to provide intergovernmental coordination of planning between cities, villages, and towns as a routine part of planning. This seems weak-this is leave as is. Surely there are improvements that can be made in this area.

☒ Provide a Venue for Cooperation and Conflict Resolution:

~~The~~ CARPC should continue to act as the venue for intergovernmental and interjurisdictional coordination and

cooperation. If requested of CARPC, CARPC staff should be permitted to facilitate discussions between city, village, and town officials concerning planning issues. ~~The CARPC~~ should not insert itself in annexation, and border conflicts, or other issues where parties have not requested CARPC involvement. Intergovernmental cooperation should not be a *requirement or condition* for service area amendments, however, the CARPC should encourage conflict resolution wherever possible in its planning process.—I think we should add language here about providing a venue for intergovernmental conflict resolution for controversial USA amendment requests. CARPC, by state law, becomes an actor in this conflict by approving development on town lands by a city or village when town opposition is present. CARPC already uses this tool to encourage conflict resolution before deciding on a proposal and I do not think it should be left out.

□ CARPC should solicit and consider comments from affected towns regarding proposed service area expansions. Inform affected towns of proposed service area expansions as early in the process as possible.

- *Use joint fact-finding processes to promote consensus behind objective metrics and standards concerning relevant regional issues.* ~~Relevant issues related to are those having to do with~~ water quality and natural resources, rural and agricultural lands, growth, development, public participation, transportation, transit, regional waste management, and economic development.
- *Use the results of ~~the joint~~ fact-finding processes to promote a dialogue to inform all-stakeholders and to be informed of their concerns. ~~Ensure that the process is~~Be inclusive and respectful of ~~those entities that have~~with the statutory authority to implement the resulting plans and goals.*
 - *Solicit presentations from stakeholders*
 - *Hold joint meetings and encourage interaction with the Lakes and Watershed Commission*
 - *Hold joint meetings with the ~~MATB~~Madison Area Transportation Board (MPO)*
 - *Hold joint meetings with the Regional Transit Authority*
- *Implement measures to support participation by a broad segment of the residents and stakeholders of the region.*
 - *Defer action if more information is needed regarding a service area expansion or policy proposal*

- *Schedule regular Commission meetings ~~outside Madison~~ throughout the region*
 - *Develop stakeholder outreach and involvement policies, protocols, and programs (this may be coupled with the Institutional Analysis effort)*
 - *CARPC to provide leadership to build consensus among all the units of government in the region.*
 - *CARPC to undertake greater outreach activities and distribute its reports and issue papers more widely.*
2. *Improve the USA application process and promote good planning to focus on include adopted policies and criteria, broad regional vision and development goals, and good planning.*

Details:

- *Improve the USA application process*
 - *Publish a checklist document that clearly shows the minimum standards required for service area amendments (the advisory group explored a scoring approach and did not find it to be workable).*
 - *Produce a brochure concerning USA amendments outlining requirements, expectations, general time frame, standards, etc. (this brochure will include the checklist noted above).*
 - *Include town(s) plan review in the USA staff analysis*
 - *Implement an expedited process and delegate responsibility to process certain small, “no-brainer” applications to staff, with quick action by Commission.*
 - *Create a map that identifies permanent (long-term) preservation and conservation areas in the region.*
 - *Invite municipal planning commissioners to explain local plans and policies.*
 - *Develop mechanisms to ensure RPC commissioners understand the planning intent of local comp plans.*

The Policies and Criteria Advisory Group considered a scoring approach for reviewing proposed service area amendments and did not find it to be workable.

- *Provide Incentives for Promoting Good Planning:*
The Policies and Criteria Advisory Group considered a scoring approach for reviewing proposed service area amendments and did not find it to be workable.

~~Publish a checklist document that clearly shows the minimum standards required for service area amendments (the advisory group explored a scoring approach and did not find it to be workable).~~

~~An Create an Advanced Planning Guidebook featuring best planning practices beyond the minimum standards. ~~may also be helpful if it.~~ The Guidebook is not intended to replace minimum standards. ~~doesn't replace required minimum standards.~~ Such a guidebook would require careful evaluation by A technical group should be formed to research, evaluate, and publish information about implementing specific best planning and design practices fit for local and regional ~~the application conditions on the ground.~~ The Guidebook is not intended to replace minimum standards.~~

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~~o Produce a brochure concerning USA amendments outlining requirements, expectations, general time frame, standards, etc. (this brochure will include the checklist noted above).~~

~~o Recognize good projects in newsletter or through awards. (this should go under incentives)~~

~~o Create a clearing-house for information on grants available for local units of government~~

~~Include town(s) plan review in the USA staff analysis~~

~~Implement an expedited process and delegate responsibility to process certain small, "no-brainer" applications to staff, with quick action by Commission.~~

~~Create a map that identifies permanent (long term) preservation and conservation areas in the region.~~

~~Invite municipal planning commissioners to explain local plans and policies.~~

~~Develop mechanisms to ensure RPC commissioners understand the planning intent of local comp plans.~~

3. CARPC to use approaches that incorporate both education/encouragement and standards/enforcement, in that order. Use voluntary MOUs in areas where CARPC does not have clear enforcement authority, and monitor compliance with MOUs.
4. CARPC should encourage applicants to ~~give~~ give a one-time, voluntary presentation of development concepts to CARPC in the beginning stages of neighborhood planning or other development planning. CARPC staff should prepare summary reports to inform the commission of issues and opportunities related to the location and development concept The Commission should use these consultative sessions to provide guidance and substantive feedback to

applicants regarding information that should be provided and issues that need to be addressed, at these consultative sessions. ~~CARPC staff should prepare summary reports to inform the commission of issues and opportunities related to the location and development concept, so these can be frankly discussed by the Commission, in the providing substantive feedback to the applicant for use in finalizing the neighborhood plan, and for potential developing service area amendment proposals.~~

Suggestions needing decision/detail:

1. Ideas for the identification of resilience factors and “no regrets” strategic planning decision items that would allow long range planning on these items. For example 2050 and 2100 are important thresholds concerning climate change and oil production decline.
 - Dependence on unsustainable sources of energy
 - Limiting the natural attenuation capability of environmental systems
 - Fragmentation of environmental interconnections
 - Fragmentation of structural and institutional capabilities
 - Others?
2. When should planning for urban expansion occur? Prior to annexation or after annexation. Back to “what is the RPC role in intergovernmental agreements/relations?”
 - If the CARPC is to stay out of boundary conflicts, it would have to stay out of this as well. It has been argued that USA amendments encourage annexation. We have experimented with this, and the two appear not to be related, other than in people’s perception.
3. Ideas on approaches to assess the balance between economic development and conservation/environmental protection.
 - NR 121 speaks to this in general terms. WDNR includes this in its review and approval. Perhaps include a section in the USA review that show critical economic resources and opportunities. This would be useful for FUDA and could compliment number 2 of this section. This seems especially important for joint planning.
4. Approach to organically changing conservation standards
 - The water quality standards that the RPC is supposed to use in its work are related to stream classification and use. These change according to ever evolving research where new threats to a current use are shown. The Commission cannot turn a blind eye on these findings. THIS IS ALSO RELATED TO #8 BELOW. Maybe

make advancements in significant standard increases or policy changes more eventful so it comes off in a more positive light...more like a rolling it out then a hammering down. And be ready with the strategies to back it up or a call to action/rfp to help facilitate the process.

5. Approaches to balance the need for more prescriptive development standards with the need for flexibility to maximize creative, innovative solutions to problems.
 - The RPC has used performance standards. The DNR is moving towards performance standards. The value of performance standards is that they provide flexibility for creating the best fit with the same outcome, and sometimes with better outcomes. I think the guide-book is useful for this also.
6. What is the place for market driven, opportunistic development planning? Ideas for standards and approaches.
7. What is the intent for the criteria? Strict standards vs. guidelines vs. guarantees of approval. What process should the RPC use in the exercise of its policy prerogative?
8. Approach to the use of site specific information in decision-making vs. region-wide minimum standards that are not protective of specific resources. Mitigation standards vs. minimum standards.
9. Recommendations on how specific and detailed amendment proposals should be.
 - Currently, there is enough specificity to allow an evaluation of the impacts of the proposal
10. Rule-making process
11. Consistency in applying rules in decision-making by CARPC