

# A COMPREHENSIVE PLAN FOR THE CITY OF PORT WASHINGTON: 2035

## Chapter I

### INTRODUCTION AND BACKGROUND

#### INTRODUCTION

In 1999, the Wisconsin Legislature enacted a new comprehensive planning law, set forth in Section 66.1001 of the *Wisconsin Statutes*. The new requirements supplement earlier provisions in the *Statutes* for the preparation of county development plans (Section 59.69(3) of the *Statutes*) and local master plans (Section 62.23 of the *Statutes*). The new requirements, which are often referred to as the “Smart Growth” law, provide a new framework for the development, adoption, and implementation of comprehensive plans in Wisconsin. The intent of the comprehensive planning law is to require that comprehensive plans be completed and adopted by the governing bodies of counties, cities, villages, and towns prior to January 1, 2010, in order for county or local government to adopt or enforce zoning, subdivision control, or official mapping ordinances.

To address the State comprehensive planning requirements, a multi-jurisdictional comprehensive planning process was undertaken by Ozaukee County, 14 participating local governments, and the Southeastern Wisconsin Regional Planning Commission (SEWRPC). As a result of the multi-jurisdictional process, comprehensive plans that satisfy the planning requirements set forth in Section 66.1001 of the *Statutes* have been developed for the County and all participating local governments. The comprehensive plan for the City of Port Washington is documented in this report. The 14 local governments participating in the Ozaukee County Multi-Jurisdictional Comprehensive Planning Process are:

- Town of Belgium
- Town of Cedarburg
- Town of Fredonia
- Town of Grafton
- Town of Port Washington
- Town of Saukville
- City of Mequon
- Village of Belgium
- Village of Fredonia
- Village of Grafton
- Village of Newburg
- Village of Saukville
- Village of Thiensville
- City of Port Washington

#### MULTI-JURISDICTIONAL PARTNERSHIP

After meeting with each local unit of government wholly or partially located in Ozaukee County, hosting a countywide informational meeting on January 14, 2003, and obtaining a resolution from 15<sup>1</sup> local units of government, including the City of Port Washington, Ozaukee County proceeded with preparation of a multi-jurisdictional comprehensive planning grant application. On August 6, 2003, the Ozaukee County Board of Supervisors approved a resolution to submit a grant application to the Wisconsin Department of Administration

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<sup>1</sup> Including the City of Cedarburg, which subsequently decided not to participate in the multi-jurisdictional planning process. The Village of Bayside, which is located partially in Ozaukee County and partially in Milwaukee County, was asked to participate in the multi-jurisdictional planning process but declined.

(WDOA) under Section 16.965 of the *Statutes* to help fund preparation of the plan. A grant was awarded in February 2004. Prior to accepting the grant, Ozaukee County and SEWRPC signed a three-party Cooperative Agreement with each of the 14 participating local governments. Each Agreement is a formal commitment among the local government, Ozaukee County, and SEWRPC to participate in a coordinated, multi-jurisdictional comprehensive planning effort. The City of Port Washington agreement is available for review at the City Hall or at the Ozaukee County Planning, Resources, and Land Management Department. On May 5, 2004, the Ozaukee County Board of Supervisors approved a resolution accepting the awarded grant funds.

Ozaukee County has also worked cooperatively with the City of Cedarburg, the Village of Bayside (which is located partially in Ozaukee County and partially in Milwaukee County), adjacent local and county governments, affected State and Federal agencies, school districts and other special purpose units of government, and interested organizations to ensure that the concerns of all interested parties were considered as the plan was developed.

This multi-jurisdictional comprehensive planning effort is built upon the master and comprehensive plans adopted by cities, villages, and towns in Ozaukee County prior to the start of this comprehensive planning process. Existing plans were updated to reflect new inventory data and development conditions and supplemented as needed to include all of the nine elements required under the State comprehensive planning law. The preparation and adoption of the County and local comprehensive plans also met the procedural requirements set forth in State law, which require adoption and implementation of a public participation plan, adoption of a County or local comprehensive plan by an ordinance of the governing body, a public hearing prior to adoption, and distribution of the draft and final plan to adjacent communities and State and regional agencies.

## **STATUTORY REQUIREMENTS**

Requirements for the development and adoption of a comprehensive plan under the *Wisconsin Statutes* are summarized in this section. All of the requirements were met as part of the City comprehensive planning process.

### **Nine Elements of the Comprehensive Plan**

This plan contains the following nine elements, which are required by Section 66.1001(2) of the *Statutes*:

1. Issues and opportunities element
2. Land use element
3. Housing element
4. Transportation element
5. Utilities and community facilities element
6. Agricultural, natural, and cultural resources element
7. Economic development element
8. Intergovernmental cooperation element
9. Implementation element

### **Comprehensive Plan and Ordinance Consistency**

Following adoption of this plan by the Port Washington Common Council, the City will amend its zoning, subdivision, and official mapping ordinances, as may be necessary, to bring those ordinances into compliance with the comprehensive plan. Under Section 66.1001 (3), zoning, subdivision, and official mapping ordinances adopted and enforced by the City of Port Washington must be consistent with the comprehensive plan adopted by the Common Council beginning on January 1, 2010. Recommended changes to the City zoning and subdivision ordinances are summarized in Chapter XIV.

### **Fourteen Comprehensive Planning Goals**

The nine plan elements documented in this plan address the 14 planning goals set forth in Section 16.965(4) (b) of the *Wisconsin Statutes*. The 14 planning goals are:

1. Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
2. Encouragement of neighborhood designs that support a range of transportation choices.
3. Protection of natural areas; including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
4. Protection of economically productive areas, including farmland and forests.
5. Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
6. Preservation of cultural, historic, and archeological sites.
7. Encouragement of coordination and cooperation among nearby units of government.
8. Building of community identity by revitalizing main streets and enforcing design standards.
9. Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.
10. Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
11. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local level.
12. Balancing individual property rights with community interests and goals.
13. Planning and development of land uses that create or preserve varied and unique urban and rural communities.
14. Providing an integrated, efficient and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependant and disabled citizens.

### **Public Participation Plan**

Section 66.1001(4) of the *Statutes* requires that the Common Council 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.” Proposed plan elements must be widely distributed, and opportunities must be provided for written comments to be submitted by the public to the Common Council. A procedure for the Common Council to respond to those comments must also be identified.

A public participation workgroup of the Ozaukee County Comprehensive Planning Citizen Advisory Committee, with assistance from County and UW-Extension staff, developed a recommended public participation plan for the multi-jurisdictional plan and each local government plan. The public participation plan was adopted by resolution of the Port Washington Common Council March 1, 2005. A copy of the resolution is included in Appendix B. The public participation plan is available for review at the Port Washington City Hall.

### **Plan Review and Adoption**

Section 62.23 (the local master planning Statute) and Section 66.1001 (the comprehensive planning Statute) require that the City Plan Commission recommend to the Common Council a comprehensive plan or plan amendment prior to Council adoption of a plan or plan amendment. The plan commission recommendation must be in the form of a resolution adopted by a majority vote of the entire membership of the commission.

Section 66.1001 (4) of the *Statutes* requires that a comprehensive plan or plan amendment be adopted by an ordinance enacted by a majority vote of the full membership of the Common Council. The law further requires that all nine elements be adopted simultaneously, and that at least one public hearing be held prior to adopting the plan. The *Statutes* require that an adopted comprehensive plan, or an amendment to a plan, be sent to all governmental units within and adjacent to the City; Ozaukee County; the Wisconsin Department of Administration; the regional planning commission (SEWRPC); and the public library serving the City (W.J. Niederkorn Library).

## **RELATIONSHIP BETWEEN COUNTY AND LOCAL COMPREHENSIVE PLANS**

Ozaukee County recognizes that cities, villages, and towns have complete approval authority of their local comprehensive plan. Ozaukee County, in preparing the County plan and readying it for adoption by the County Board, reviewed all local plans as they relate to County responsibilities to address areawide issues and comply with State mandates. An iterative feedback loop was used, whereby the County's regional data, resources, and existing plans were provided to all local governments for consideration of incorporation into local comprehensive plans, and the local plans were fed back into the County plan for incorporation. Every effort was made during the planning process to discuss and resolve issues between Ozaukee County and the cities, villages, and towns in the County. Through the use of this process, many of the issues between the County and local governments, and between cities, villages, and towns, were resolved. Where conflicts could not be resolved, they were documented in the intergovernmental cooperation element of this report and the appropriate "planning" element (for example, land use conflicts are documented both in the land use and intergovernmental cooperation elements).

Ozaukee County explicitly recognizes that cities, villages, and towns may choose, on certain matters and issues, to disagree with a position of the County. Similarly, the County may choose, on certain matters and issues, particularly related to County areawide issues and State mandates such as shoreland zoning requirements, to disagree with city, village, or town proposals for the County plan. The County respects the rights of cities, villages, and towns to adopt plans that may, in some respects, differ from the County plan.

## **COMMITTEE STRUCTURE**

The City Plan Commission had the primary responsibility for reviewing this City comprehensive plan and those aspects of the multi-jurisdictional plan that relate to the City. Oversight was provided by the Common Council. The members of the City Plan Commission and the Common Council are listed on the inside front cover of this report.

A draft of the City comprehensive plan was prepared for review under the guidance of the City Plan Commission. The Common Council reviewed the draft plan and the recommendations of the City Plan Commission. Following revisions made by the Common Council, the plan was adopted by an ordinance of the Common Council in accordance with the requirements of Section 66.1001 (4) of the *Wisconsin Statutes*.

The City also participated in the development of the multi-jurisdictional comprehensive plan for Ozaukee County by providing comments on draft plan chapters and other materials and by serving on the advisory committee and element workgroups established to develop the County plan. City representatives on the County advisory committee and workgroups are also listed on the inside front cover of this report.

## **THE PLANNING AREA**

The City of Port Washington planning area encompasses 9,816.78 acres, including a 173.37 acre shared planning area with the Village of Saukville. The City is located in the mid-eastern portion of Ozaukee County. The City is

partially surrounded by the Town of Port Washington, and is also bordered on the east by Lake Michigan, on the west by the Town of Saukville, and on the south by the Town of Grafton.

## **REPORT FORMAT**

This planning report consists of 15 chapters. Following this introductory chapter, Chapters II through V present inventory data. Inventory chapters include: Population and Employment Trends and Projections; Agricultural, Natural and Cultural Resources; Existing Land Uses, Transportation Facilities and Services, and Utilities and Community Facilities; and Existing Plans and Ordinances. Chapters VI through XII constitute the City's comprehensive plan. Comprehensive plan key planning element chapters include: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural, and Cultural Resources; and Economic Development. Chapters XIII and XIV include Implementation and Intergovernmental Cooperation elements, respectively. A summary of the plan is provided in Chapter XV.

## **BENEFITS OF COMPREHENSIVE PLANNING**

In addition to the need to address State planning requirements, there are general positive results of thoughtful comprehensive planning from which the City of Port Washington and other participants in the planning process may benefit, including the following:

- ***Planning Helps Define the Future Character of a Community***  
The physical design, setting, and arrangement of land uses can make it possible for people to carry out their daily lives and activities in an attractive and safe community environment. Land use planning and design can foster a distinctive sense of place. Planning allows a community to identify, preserve, and build upon the defining features of the community.
- ***Planning Helps Protect Natural and Cultural Resources***  
Planning can help protect environmental features like wetlands, woodlands, and stream corridors which provide important public benefits, such as stormwater storage and groundwater recharge areas and recreational opportunities. Such resources would be difficult and expensive to replace if lost or damaged. Planning can also help identify and preserve prime agricultural soils, non-metallic mining resources, and historic, archeological, and other important cultural structures and sites.
- ***Planning Can Provide a Rational Basis for Local Decisions***  
Plans provide a factual and objective guide that can be used by public officials and citizens to make informed decisions about land use and development. Planning is a process that can help a community prepare for change rather than react to it.
- ***Planning Can Provide Certainty Regarding Future Development***  
Plans and related maps show landowners and developers the location and type of development desired by the community, which can save them time and money in developing plans for future land uses. Planning can help increase the consistency and fairness of the development review and approval process while protecting the established property interests of existing residents.
- ***Planning Can Save Money***  
Well-planned, orderly, and phased development patterns are less expensive for a community to provide public services and infrastructure than low density and scattered development patterns.

- ***Planning Can Promote Economic Development***  
Planning can provide information about existing businesses and industries and help determine desirable types of new businesses. Planning can also help determine if the existing work force is sufficient to staff particular employment sectors and whether local services and housing are adequate to handle the impacts of new economic development.
- ***Planning Can Promote Public Health***  
Finally, well planned development patterns and transportation options can make recreational, educational, and commercial facilities accessible to pedestrians. The ability to safely walk or bike to these facilities promotes physical health and community interaction.

While planning provides many important public benefits, it is important to recognize that an adopted plan is not an “end result,” but rather provides recommendations for future action. Plan recommendations will be fulfilled over time in generally small, incremental steps. A comprehensive plan provides a foundation and guide for many implementing tools, including the City zoning ordinance and map, subdivision ordinance, and official mapping ordinance, which are required under State law to be consistent with the comprehensive plan. Other possible implementation tools include capital improvements programming, the City park plan, and other local ordinances, programs, and policies.