

SECTION 20 PLAN IMPLEMENTATION

*“Communities can be shaped by choice, or they can be shaped by chance.
We can keep on accepting the kind of communities we get,
or we can start creating the kind of communities we want.”*
Richard Moe, President, National Trust for Historic Preservation

STRATEGIES TO REALIZE PLAN GOALS

For a comprehensive plan to be effective, it is essential that continuous implementation efforts are a community priority. The Plan is a statement of the community’s goals and values about growth. Diligent consideration of the Plan in making land use decisions is basic for implementation. Land use decisions that reflect the land use plan and the goals, objectives, and policies help to implement the Plan. This section discusses the various actions necessary for successful Plan implementation.

DEVELOPMENT EVALUATION:

Use of the Comprehensive Plan

It is likely that there will be development proposals which do not conform to the Comprehensive Plan. When development or other proposals are submitted for action to the Area Plan Commission, the City Council, or County Commission, they should be thoroughly evaluated for their consistency with the Plan. As a part of this evaluation, a thorough review and interpretation of the Plan is necessary with particular attention given to land use goals, objectives, and policies. The first step in this review involves a determination on whether the Plan provides relevant direction and whether the requested action is in conformance with the Plan. Proposals creating a more extensive impact will require a more detailed analysis and consistency determination. Based on the results of the review, consideration should be given to modification of development proposals that are predominantly inconsistent with the Plan. If modification of an inconsistent proposal is not a desirable option and the project is clearly beneficial to the community, the proposal should be approved. However, a Plan amendment should be considered for major projects when warranted by expected size or impacts.

The following criteria should be used to evaluate proposals:

- The suitability of the property for the uses allowed under the current zoning ordinance;
- The existing zoning and uses of surrounding properties;
- The existing and future character of the adjacent area;

- The type and extent of positive and/or detrimental impacts to adjacent properties or the community at large;
- The impact of the proposal on public services, utilities, and facilities;
- The benefits to the public health, safety and welfare, compared to any hardship imposed;
- The relative conformance of the proposal to the land use plan and the goals, objectives, and policies; and
- Consideration of responsible development and growth, and any other relevant information.

In planning, administrative, or legislative proposals (such as a subarea plan, capital improvement program, or a zoning ordinance amendment), a similar evaluation is required to identify potential conflicts between the proposal and the Comprehensive Plan. The Area Plan Commission's evaluation should include the following:

- Identification of sections in the Plan that would be negatively impacted by the proposal;
- Evaluation of the effects of the proposal on each Comprehensive Plan section, and identification of the specific goals, objectives, and policies of the Plan that the proposal is consistent with and conflicts with; and
- Identification of adjustments to the proposal that would reduce any noted conflicts or negative impacts, and if appropriate, revisions to the Plan that would be necessary to accommodate the proposal.

Use of the Zoning and Subdivision Ordinances

Zoning and Subdivision Ordinances have traditionally played a major part in the implementation of the Plan which is a long term process. The Plan establishes the legal framework for land development regulations, and these ordinances are tools to implement the Plan.

The Zoning Ordinance defines the use districts and establishes site development requirements such as required parking, setbacks, maximum lot coverage, and building height.

Pursuant to Indiana Code I.C. 36-7-4-603 concerning preparation and consideration of proposals under local zoning ordinances states:

*“...the plan commission and legislative body shall pay reasonable regard to:
the comprehensive plan;...responsible development and growth”*,

and other considerations.

The Subdivision Ordinance sets standards for land division and establishes the requirements for the plat recording process. The Subdivision Code for the City (Section 152.02) and County (Section 16.04.020) both state:

“The purpose and intent of these regulations is to serve as a guideline encouraging the proper planning and development of subdivisions in order to: ...Guide future growth and development in accordance with the comprehensive plan;....”

Even the first City Plan in 1925 discussed the need for the subdivision of land to be coordinated with an overall plan. This need was expressed as follows:

“The purpose of this requirement is not to restrict or handicap the man who wants to plat his property, but to bring his work into harmony with that of others by means of a broad city-wide plan.”

This historic plan continues by pointing out that developers’ efforts should be coordinated so that the platting of lots does not cost the community in health and well being, or create streets that are a public liability.”

The most common way that the Comprehensive Plan is implemented is through the administration of the zoning and subdivision process and enforcement of these requirements. To assure conformity between zoning regulations and the Comprehensive Plan and to provide for an orderly and responsible sequence of development, the following principles should be employed:

- Zoning should be used to guide development activities into appropriate locations and to enforce development/redevelopment standards in accordance with the Plan; and
- Zoning districts should be designated and administered in such a way that protection is given to the existing and future use areas from encroachment by uses inconsistent with the Plan.

Rezoning requests and proposed subdivisions should be evaluated thoroughly using the criteria previously listed, especially the Plan’s goals, objectives, and policies. In some instances, certain conditions must be in place before land can be used as indicated in the Plan. For example, commercial, industrial and substantial residential uses should not be located in outlying areas until there is adequate infrastructure to support this development.

To promote a compact and efficient city, it is recommended that the Zoning and Subdivision Ordinances be modified as needed to implement the goals, objectives, and policies in the Comprehensive Plan. Modifications concerning the Zoning and Subdivision Ordinances that could be pursued include:

- Reviewing and as necessary amending to clearly reflect community needs and values;
- Evaluating and, where necessary, revising land development regulations to streamline the regulatory process so that the total project review time does not

- impede sound economic development;
- Managing development along thoroughfares, waterways and environmental corridors, using appropriate techniques (e.g. overlay zoning, right-of-way dedication, setbacks, access management, buffering and landscaping);
- Studying the feasibility of adopting the plan development district requirements and procedures as allowed by Indiana law; and
- Studying the establishment of a coordinated comprehensive land development code which would include all regulations relating to land use and subdivisions.

Use of the Thoroughfare Ordinance and Road Standards

The Thoroughfare Ordinance and official map were adopted by Area Plan Commission, City Council, and County Commissioners in 1984 to establish minimum setback requirements for development along major roads and streets within the Zoning Code. The thoroughfare regulations reflect public safety needs identified through traffic planning and analysis. Compliance with the thoroughfare regulations is addressed in the transportation action plan. Consistent right-of-way standards need to be adopted by the City and County for each type of functional road classification category. Modifications to the Thoroughfare Plan and regulations could then be made to reflect the standards for current and future public safety right-of-way setback needs.

The efficient and safe movement of traffic is largely dependent upon the type and volume of vehicular movement and specific road design features. The Access Management Manual was developed by EUTS to establish guidelines and standards for the review and approval of applications for access to public roads. Compliance with the Access Management Manual serves to implement the Comprehensive Plan and the Transportation Plan. The Manual was updated in 2002. It is recommended that the Manual be formally adopted by the Area Plan Commission; City Council; and County Commissioners.

INVESTMENT IN PUBLIC IMPROVEMENTS

To achieve the Comprehensive Plan goals, objectives, and policies, continual investment in public and private improvements will be necessary. These investments, guided by a strong capital improvements program, should direct development and redevelopment. By supporting redevelopment that upgrades streets, sidewalks, utilities and other public improvements in older areas, the City will benefit from a stronger Urban Core, as well as stimulate additional growth and investments.

Infrastructure investment in growth areas also impacts future development. Growth means additional houses, families, and traffic; expanded streets, water and sewer systems; and increased demand on schools, parks, and police and fire service. Evansville and Vanderburgh County have been successful in obtaining developers' assistance and cooperation in dedicating right-of-way and constructing new roads. These new roads improve access, thereby increasing land values and possibilities for additional development. Developer investments for roads also decrease the financial burden on the City and County.

Where appropriate, the Water and Sewer Utility Department encourages developers to construct water pump and sewer lift stations with extra capacity to serve adjacent developments or vacant areas in lieu of constructing several smaller stations. The Utility Department reimburses the developer for the cost of over-sizing the pump/lift stations. Infrastructure extensions necessary to service an individual development are not the responsibility of the public sector. However, when public infrastructure investment is feasible, properly located improvements can help direct growth into desired areas.

INCENTIVES AND COMPENSATION

Many of the Comprehensive Plan goals require coordinated efforts by both citizens and public agencies. This cooperation may frequently involve some cost or inconvenience. In extreme instances (where the public safety or welfare is concerned), it may be necessary to achieve some goals through the police power of condemnation or eminent domain. However, in most instances, the justification for the use of police power is not warranted, and routine enforcement of the zoning and/or subdivision regulations is adequate to achieve the desired results.

The achievement of the goals in this Plan demands an elaborate and sensitive system of incentives and compensation. This approach must determine the costs and benefits involved in the achievement of public goals and distribute these in a manner that is equitable to all citizens.

A number of techniques have been developed which can be explored and employed, if appropriate, to facilitate the achievement of the goals in an equitable way. Measures which should be investigated are:

- Adjustment of the tax system to encourage the rehabilitation and redevelopment of older areas and discourage the holding of land for speculative purposes;
- Provide and/or subsidize public infrastructure improvements to support or attract commercial/industrial projects;
- Utilize available techniques to create easements (e.g. donation, transfer and purchase development rights, and purchase) or corridors with special regulations (e.g. overlay zoning districts) for environmental protection, recreational uses, and other purposes; and
- Provide compensation in the form of tax relief for agricultural land which is withheld from development through differential tax assessment.

FINANCING

Preceding discussions illustrate that many public goals can only be met through the expenditure of public funds. However, there are limited public funds available. If the Comprehensive Plan objectives are to be achieved, a wide variety of funding sources must be developed and utilized. A strong capital improvements program is of paramount importance

in supporting plan implementation.

FACTORS AFFECTING IMPLEMENTATION:

EDUCATION, PARTICIPATION, AND LEADERSHIP

Broad public support and involvement is required in creating public goals, objectives, and policies. For an effective Comprehensive Plan to be implemented, a vigorous and ongoing program of public discussion, education and participation is necessary. It is also important for people who are in decision making positions to understand the needs and values of the community and provide venues for expressing them. Community leaders must take the initiative and help stimulate the interest and understanding that is imperative for a successful comprehensive planning process.

Efforts should be initiated to increase citizen involvement in the development of the Evansville-Vanderburgh County Comprehensive Plan. Considerable discussion and consensus are required to develop the Plan's goals. This public participation creates an environment of understanding and of support for the implementation process.

REVIEW AND UPDATE OF THE PLAN

The Comprehensive Plan should be reviewed at least every five years. This review identifies any changes in conditions that require revisions to the information in the Plan and involves updating the Plan to reflect these changes.

SUBAREA PLANS

The development of subarea plans, such as corridor plans, and neighborhood plans, can further assist decision makers in the interpretation and the application of the goals, objectives, and policies of the Comprehensive Plan to specific areas and individual development requests. This is due to the localized nature of the document which allows more personal identification with the planning area and issues. Greater certainty for private and public investment can be achieved when plans such as these identify recommended land use at a more specific level, target the available undeveloped land, and address traffic circulation and the infrastructure improvements needed for further development. These subarea plans can also address where appropriate relationships between land uses, potential use conflicts, physical features, and urban design and open space needs.

The following guidelines should be used in determining areas that warrant these plans:

- where data and other information indicate the highest need for neighborhood revitalization and improved community facilities and services;
- where development trends suggest rapid growth is likely to occur in the future, and/or where major land use conflicts are projected; and

- where special regulations are in effect, such as floodplains, redevelopment areas, the airport, and historic district.

The following Growth Management Plans had been approved and incorporated by reference as part of the 2004 Comprehensive Plan:

- I-164
- State Road 62 and Red Bank Road
- North U.S. 41
- Covert Avenue east of Green River Road
- Division Street
- North Green River Road

The following land use analysis and recommendations report was accepted by the Area Plan Commission and City Council in public meeting:

- South Green River Road (Covert Avenue to I-164).

Areas for which future plans may need to be developed are the proposed I-69 corridor and the proposed Eickhoff-Koressel Road corridor. The adoption and revision process for subarea plans should be similar to the process used for the Comprehensive Plan.

COOPERATIVE MANAGEMENT AND JOINT DEVELOPMENT

Many of the objectives of the Comprehensive Plan cannot be achieved unless the efforts of two or more public agencies or private organizations can be coordinated. The trend in reducing government funds creates an even greater need for increased coordination and participation from the private sector. Examples of cooperative management in government are the joint Departments funded by both the City and County including: Area Plan Commission, Building Commission, Department of Metropolitan Development, Emergency Management Agency, and Health Department. Interagency agreements also help cooperative efforts such as the School Corporation and Parks Department agreement allowing public use of school playgrounds after hours. To maximize use of this strategy, every effort should be made to eliminate or reduce constraints to coordinated joint action.

The development of additional cooperative agreements permitting agency funds to be pooled in joint development or joint action projects/programs should be pursued. By consolidating additional City/County departments, more coordinated joint actions would occur. An Interdepartmental Committee composed of agencies involved in planning is also needed to coordinate planning efforts, share materials and avoid duplication of effort.

Another important example that relates directly to land use planning is the cooperative agreement between Vanderburgh, Gibson, and Warrick Counties, and the City of Evansville and Oakland City to maximize the economic and land-use development potential along the I-

69 corridor. INDOT established the I69 Community Planning Program, which includes financial resources, to help communities to manage the future growth which will occur along the corridor. Over the next several years, through this agreement the participating communities will meet the objectives of INDOT's program by applying for planning grants, undertaking a regional development study of the I69 corridor in Southwestern Indiana, and updating or developing comprehensive plans.

To clarify priorities and responsibilities for the coordination necessary to implement the Plan, Table 20-8 lists the policies from all the action plans that are expected to be completed within the first five years of the 20-year planning period. Although many of the policies will require action/cooperation of more than one agency, the Table also lists the lead agency (or agencies) to be responsible for completion of each policy statement. This list does not include the policies that require ongoing actions over time or those that will only be acted on in the long-term.

TABLE 20-8: POLICIES TO BE ACCOMPLISHED WITHIN FIVE YEARS

POLICIES	AGENCY
<p>I-69</p> <p>Coordinate with Warrick and Gibson Counties on establishing a regional strategy for planning and development of the I-69 corridor to prepare for the future and maximize the benefits this highway will provide to the region.</p> <p>Participate with our neighboring Counties/communities in the INDOT I-69 Community Planning Program by seeking grant funding for local planning activities to provide a vision for future development.</p> <p>Undertake a growth management report and, if necessary, sub-area transportation plans for the I69 corridor in Vanderburgh County to address the impacts of anticipated development and provide a plan for the future, local road network.</p>	<p>Co. Comm., Ci. Coun., APC</p> <p>Co. Comm., Ci. Coun., APC</p> <p>Co. Comm., Ci. Coun., APC</p>
<p>HAZARD MITIGATION</p> <p>Develop a City/County Disaster Recovery/Reconstruction Plan.</p>	<p>EMA</p>
<p>COMMUNITY RATING SYSTEM (CRS)</p> <p>Develop, adopt, and implement Floodplain Management Plans in the City/County.</p> <p>Create the capability to inventory structures and other physical features within the 100-year floodplain through the City and County's Geographic Information System (GIS).</p>	<p>EMA, BC, APC</p> <p>BC</p>

<p>FLOODPLAIN Update the City/County's Subdivision Ordinance so that new roads are designed to provide safe passage during a base flood event.</p>	APC
<p>TORNADO/ WIND Investigate options to eliminate gaps in the existing City warning system. Provide for effective emergency weather warning system (e.g. sirens) coverage for residential subdivisions in the County.</p>	EMA, APC EMA, APC
<p>GENERAL LAND USE Amend the Subdivision Ordinance to address off-site improvements warranted to mitigate substantial development impacts on community infrastructure and services.</p>	APC
<p>RESIDENTIAL Study the use of traffic calming devices to minimize through traffic in neighborhoods.</p>	CE, EUTS
<p>COMMERCIAL Develop Zoning Code standards to require landscaped islands within large parking lots.</p>	APC
<p>CENTRAL BUSINESS DISTRICT Convert one-way streets to two-way traffic. Identify a pilot project to rehabilitate structures within a designated block on Main Street.</p>	CE, BPW DMD
<p>CULTURAL Research funding for and establish criteria for the placement of art in public places.</p>	Arts Council of SW IN
<p>ENVIRONMENTAL Evaluate and select recommended techniques to minimize tree loss caused by construction activities and promote replacement planting. Make available a brochure explaining and illustrating the recommended construction techniques at the Area Plan Commission and Building Commission counters.</p>	Urb. Forestry Urban Forestry, APC, BC

<p>RECREATION Construct the Downtown to First Avenue, Sunrise Park to U.S. 41 and Hi-Rail sections of the Pigeon Creek Greenway</p>	Parks Dept.
<p>UTILITIES Revise the Water and Sewer Master Plan to guide the provision of these services.</p>	W&S Dept.
<p>STORMWATER DRAINAGE Adopt a City drainage ordinance that is consistent with the County ordinance.</p>	Ci. Coun., BPW, CE
<p>IMPLEMENTATION Every five years, conduct a review of the Comprehensive Plan, suggest revisions, and after appropriate evaluation, the Area Plan Commission and the elected executive bodies should take action to amend the Plan.</p> <p>Update the zoning, subdivision, and other regulations used to guide evaluation of development in accordance with the Comprehensive Plan.</p> <p>Develop capital improvements programs based on the Comprehensive Plan.</p> <p>Meet with local media representatives to encourage improved coverage of the comprehensive planning process.</p> <p>During the review of the Comprehensive Plan, measure community attitudes and evaluate and update the goals, objectives, and policies, according to community desires.</p> <p>Ensure that the Comprehensive Plan is available for review in various locations.</p>	<p>APC</p> <p>APC</p> <p>City/County</p> <p>APC</p> <p>APC</p> <p>APC</p>

CONCLUSION

The goals, objectives, and policies, in the Comprehensive Plan address the concerns of our community about the issues of orderly and responsible growth, equity, and quality of life. Substantial on-going debate and work with sustained public and private cooperation will be required to achieve them. The desired end result is to create and maintain an appealing living and working environment and quality of life in the community by faithful adherence to implementation of these goals, objectives, and policies. In closing, the following quote from the first City Plan developed in 1925 epitomizes the importance of implementation:

“Plans are of no value... if they are not carried out. A city plan, to be worth what it costs, must be followed. Its promises of benefit and advantages should be made so obvious and clear that demands will be heard for its execution.”

IMPLEMENTATION ACTION PLAN

GOAL

Ensure effective and equitable implementation of the Comprehensive Plan, and administration of the Zoning and Subdivision Ordinances.

OBJECTIVE

Maintain a strong Comprehensive Plan as an effective and clear guide for the future development of Evansville and Vanderburgh County to be used by government, private agencies and the general public.

POLICIES

Continue the direct involvement in the Comprehensive Plan review process of various jurisdictions and agencies that have planning responsibilities.

All entities that have jurisdiction over land use related issues should be encouraged to coordinate their programs and projects with the Plan.

Expand existing Area Plan Commission functions, develop new monitoring capabilities for development, improve data management capabilities through use of Geographical Information System (GIS) software, and provide special studies complementing the Comprehensive Plan and its implementation.

Every five years, conduct a review of the Comprehensive Plan, suggest revisions, and after appropriate evaluation, the Area Plan Commission and the elected executive bodies should adopt an updated Plan.

Update the zoning, subdivision, and other development regulations in accordance with the Comprehensive Plan.

Develop capital improvements programs based on the Comprehensive Plan.

OBJECTIVE

Develop and promote a community educational program on the need and value of comprehensive planning to increase public understanding and responsiveness in the planning process.

POLICIES

Meet with local media representatives to encourage improved coverage of the comprehensive planning process.

Encourage the School Corporation to include information in student curriculum about the need for and the public's role in comprehensive planning.

Meet with citizen and neighborhood groups to explain the planning process.

OBJECTIVE

The Comprehensive Plan should guide development and coordinate improvements constructed by the public and private sectors.

POLICIES

Support the continued participation of the Area Plan Commission in all future annexations and new incorporations.

OBJECTIVE

Community improvements should be funded through reasonable and equitable taxing and financing methods.

POLICIES

Evaluate current methods to increase the number of improvements financed through assessment and/or revenue bonds, while decreasing the number of improvements financed through operating funds.

Investigate alternative means of financing capital improvements.

OBJECTIVE

Increase community involvement in the comprehensive planning process and ensure that the Plan reflects community needs and values in growth and development.

POLICIES

During the review of the Comprehensive Plan, measure community attitudes and evaluate and update the goals, objectives, and policies, according to community desires.

Expand communications with neighborhood associations and other community groups to ensure increased citizen participation in the planning process.

Ensure that the Comprehensive Plan is available for review at locations throughout the City and on the internet.