

## **CHAPTER X. IMPLEMENTATION**

The most important and difficult aspect of any planning effort is plan implementation. Successful implementation of a plan is especially difficult where it requires the cooperative action of multiple entities, some of which may have varying degrees of commitment to and responsibility for the success of the planning effort. Other common obstacles to successful plan implementation include funding constraints, insufficient access to needed technical support and resources, and conflicting interpretations of problems and needs. All of these impediments, to some degree, are relevant to comprehensive plan implementation in Sylacauga.

This plan acknowledges that the City of Sylacauga has limited resources and competing planning priorities. It is also acknowledged that Sylacauga, like most cities, needs additional staff, especially those who have the specialized technical expertise and capacity to react quickly to the complex issues affecting the city. Finally, Sylacauga must respond to a wide range of changing needs, all of which must be considered when determining priorities for local action. It is difficult to foresee today the critical issues that will arise tomorrow. The City of Sylacauga must retain the ability to establish its own priorities in any given year to satisfy its own needs. As a result, full implementation of this plan will not happen quickly and may take longer to achieve than initially expected.

The purpose of this chapter is to identify some of the optional strategies and resources at the disposal of the local governments to implement the general recommendations of this plan.

### **City Administration**

The City of Sylacauga has a full-time City Clerk and support staff to handle the City's daily administrative needs and a full-time planning department to guide the City's physical growth and development. The comprehensive plan can be used by the administrative staff as a general guide for coordinating expansion of the City's public facilities and services to address future growth needs. However, it must be recognized that, due to the city's relatively small size and funding constraints, the administrative staff's capacity to fully monitor and implement the plan is extremely constrained. Support and assistance from the City Council, Planning Commission, Zoning Board of Adjustment, Industrial Development Board, and other Boards and Authorities will be needed to ensure that the policies and programs recommended by this plan are fully implemented. The City can also seek assistance from support agencies—such as the Alabama Department of Economic and Community Affairs, the East Alabama Regional Planning and Development Commission, and USDA Rural Development—for technical assistance in implementing the goals and objectives of this comprehensive plan. Finally, the City should work to foster strong, productive relationships with area developers, working together to make the improvements needed to attract new commercial and residential development investment. Such improved relationships are needed to create local opportunities for private investment and to facilitate the City's future vision for the community.

### **Codes and Ordinances**

Basic local development codes include zoning ordinances, subdivision regulations, and building codes. These codes and regulations help local governments manage growth and development and



are important local tools to support plan implementation efforts. Local governments can and do adopt other special ordinances to address specific community needs, but such ordinances may require special legislation to implement. This section discusses in detail those development codes that municipalities are authorized to adopt and implement under existing State law.

### Zoning

Zoning ordinances are adopted by local governments to control the location, intensity, and character of land uses in the community. They also help communities prevent conflicts between neighboring property owners resulting from land development activities, and they help protect the public from any excessive environmental impacts that may result from private development activities. Local governments derive their zoning powers from the State through the Code of Alabama (Title 11, Chapter 52, Article 4). The primary purpose of local zoning ordinances is to promote public health, safety, and general welfare by fostering coordinated land development in accordance with the comprehensive plan. Adopting a zoning ordinance is an effective means of implementing land use and development recommendations contained in the comprehensive plan.

Generally speaking, zoning ordinances adopted by local governments must be prepared in accordance with a comprehensive plan, as required under Title 11, Chapter 52, Section 72 of the Code of Alabama, 1975. This plan acknowledges the need to update Sylacauga's zoning ordinance on a periodic basis. The City is doing so as part of the plan update process. Some provisions the City may wish to review regularly to insure compliance with new regulations and standards and to account for technological and other advances are:

1. Flood Hazard Area and Stormwater Management regulations, for compliance with current Federal Emergency Management Agency guidelines;
2. Business and industrial district and home occupation and/or cottage industry provisions, to facilitate the development of new small business opportunities; and
3. Basic requirements for manufactured homes, to promote compatibility with surrounding homes for manufactured homes on individual sites and to improve safety and appearance in manufactured home parks.

### Subdivision Regulations

While zoning ordinances control the nature and intensity of land uses, subdivision regulations govern the manner by which land is divided in preparation for development. Subdivision regulations contain standards for subdivision design, lot layout, and the placement and construction of public facilities within subdivisions. Although most subdivisions in small communities are residential in nature, the regulations should be developed to also address commercial or industrial subdivisions.

Municipal governments in Alabama are authorized to adopt and enforce subdivision regulations under Title 11, Chapter 52, Section 31 of the Code of Alabama, 1975. The Code further authorizes cities to enforce their local subdivision regulations within a planning jurisdiction in the surrounding



unincorporated areas, up to five miles beyond the city limits. In the East Alabama region, many municipalities exercising their extraterritorial subdivision powers do so only within their police jurisdiction boundaries, which may be either 1.5 or 3 miles from the city limits (depending on the population of the city).

Sylacauga has adopted subdivision regulations. The City has chosen to enforce the subdivision regulations within the city limits and within five miles beyond the city limits. Where Sylacauga's subdivision jurisdiction overlaps that of another municipality, such as Oak Grove or Childersburg, the municipalities divide that area evenly. The subdivision regulations should be reviewed periodically to ensure that they meet the community's development needs and comply with any new state or federal regulations. The City also should bear in mind that, according to the Code of Alabama, every time the Planning Commission approves a subdivision plat, it is also updating the comprehensive plan.

### **Building Codes**

Local building codes establish basic minimum construction standards for buildings, including homes and commercial and industrial buildings. The purpose of a building code is to ensure quality development and protect public safety. By adopting building codes, local governments can require developers and contractors to secure building permits before undertaking construction activities. Applicants for building permits also can be required to provide evidence that they have received Health Department approval for on-site septic systems, thereby providing an effective mechanism to ensure compliance with local health regulations. Cities and counties in Alabama are authorized, under Title 41, Chapter 9, Section 166 of the Code of Alabama, 1975, to adopt minimum building standards that have been adopted by the Alabama Building Commission.

Sylacauga has adopted local building codes, and the Building Inspector/Planning and Code Director enforces the building codes. Adoption and enforcement of a local building code is important to ensure that new construction is built to quality standards and that existing structures are properly maintained. Because the City has adopted and enforces specific building construction standards, it can take measures to force owners of unsafe and deteriorated structures to repair or demolish their buildings. Therefore, this plan recommends that the City make sure that it continues to adopt the most recent version of the local building codes and retains its code enforcement officer. The City can recoup a significant portion of the cost to administer and enforce local building codes through building permit fees and fines.

### **Intergovernmental Coordination/Cooperation**

Municipal governments rarely have the power to control their own destinies. Many of the factors that affect local growth and development are influenced by programs, services, and features that are beyond the direct control of a single governmental entity. For instance, local water quality can be adversely affected by the development decisions of upstream communities. Development capability in municipalities can be affected by the County Health Department, which permits on-site septic systems in areas that do not have access to municipal sewer. The U.S. and Alabama Departments of Transportation and the Talladega County Commission determine what improvements will be



made to some of Sylacauga's roads. Finally, Sylacauga's school system has to follow guidelines established by the U.S. and Alabama Departments of Education. On the other hand, the City of Sylacauga provides some services—such as municipal water, road maintenance, and police protection—that benefit residents of the county. These overlapping impacts and benefits indicate why intergovernmental coordination and cooperation are important aspects of effective plan implementation. Such cooperation is especially important to smaller communities, which often lack the financial resources to effectively address their own needs.

The City of Sylacauga should aggressively pursue cooperative efforts with Talladega County and its neighboring cities, especially in the areas of public safety, water and sewer service, annexation, subdivision development, industrial recruitment, and increasing tourism. Such cooperation already exists in many of these areas. In those cases, cooperative ties should be strengthened to ensure that Sylacauga can secure the improvements necessary to support its growth objectives.

### **Financing**

Financial constraints can be the greatest obstacle to plan implementation in smaller communities. This issue could come to the forefront in Sylacauga, which is planning an aggressive annexation campaign. Property owners in newly annexed areas come into the city with certain expectations for infrastructure improvements and city services. Sometimes, in attempting to meet local demands, the City's budget can be stretched to the point where even a small project can place an overwhelming burden on local tax resources. Therefore, Sylacauga must continue its efforts to secure outside financial support for plan implementation. Fortunately, a number of sources of financial assistance exist, some of which have been discussed in other sections of this plan. The most significant sources include:

1. Community Development Block Grants (CDBG) administered by the Alabama Department of Economic and Community Affairs. The city as a whole is not eligible for CDBG funding due to its relatively high income level; however, low income areas within the city may be eligible for funding. Funds are available for plans, such as housing studies, downtown or neighborhood revitalization studies, housing rehabilitation, and water and sewer and other community facility improvements.
2. The Economic Development Administration, which provides grants for infrastructure improvements to support projects that will create new local jobs.
3. The Appalachian Regional Commission, which provides funding support for community improvement projects in distressed areas of the Appalachian Region.
4. The East Alabama Regional Planning and Development Commission (EARPDC), which offers revolving loan funds to provide gap financing for local businesses. The EARPDC also provides matching funds to communities that use the Commission's services for planning projects, such as the preparation of this plan, zoning ordinance preparation, and preparation of subdivision regulations. The EARPDC also currently

assists Sylacauga in providing services to the elderly and providing public transportation.

5. The Alabama Department of Transportation, which constructs new highways, offers special Transportation Enhancement Grants through the Intermodal Surface Transportation Efficiency Act, and runs a Safety Management Program.
6. The Alabama Historical Commission, which provides special grants to restore local historic buildings and structures and assists in conducting historic sites surveys and preparing applications for the National Register of Historic Places.
7. The Alabama Department of Environmental Management, which helps finance public water extensions through a special low-interest loan fund and finances special water and sewer demonstration projects.
8. The Small Business Administration, which provides technical assistance to entrepreneurs in rural areas through the local Small Business Development Centers.
9. USDA Rural Development, which offers a range of grant and loan programs to help finance housing improvement projects, economic development initiatives, and infrastructure improvement projects.
10. The local Community Action Agencies, which conduct a wide range of programs to assist low and moderate income households throughout the rural areas, such as heating assistance, Head Start, and weatherization programs.
11. The local Chambers of Commerce and Industrial Development Authorities, which sponsor and finance economic development efforts and initiatives within their jurisdictions.
12. Alabama Power, the Tennessee Valley Authority, and the Rural Electric Cooperatives, which finance and provide technical assistance for a wide range of local economic development initiatives.

Sylacauga should continue to explore project financing opportunities with all of these entities when undertaking projects to implement this comprehensive plan. The City also should consider developing public/private partnerships. Of course, outside financing usually will not cover all of the costs associated with a project. The City must be prepared to provide local matching funds, where needed to leverage outside grants, to cost share with private partners, and to undertake projects that cannot be funded by outside sources.

### **Plan Adoption and Amendment**

According to Title 11, Chapter 52, Section 8 of the Code of Alabama, 1975, the municipal Planning Commission is authorized to prepare and adopt a local comprehensive plan. The comprehensive



plan can be adopted by resolution in whole or in successive chapters or elements, as provided in Title 11, Chapter 52, section 10 of the Code of Alabama, 1975. However, prior to adoption or disapproval of the plan by the Planning Commission, the Planning Commission or the City Council must publish notice of and conduct a public hearing to solicit comments on the proposed plan from concerned citizens. State law does not specify the format to be used for notification or conduct of the required public hearing. However, common sense dictates that the hearing should be notified and conducted in accordance with the standard procedures used by the Planning Commission or City Council, as may be applicable.

Once the plan has been adopted in accordance with State law, the Planning Commission is empowered to assume additional administrative authorities. These authorities are specified in Title 11, Chapter 52, Section 11 of the Code of Alabama, 1975. According to this statute, no street, square, public building or structure, park or other public way, ground or open space, or public utility can be constructed or authorized in the community without approval by the Planning Commission. The Planning Commission must review the proposed community facility improvement for consistency with the adopted comprehensive plan. If the Planning Commission determines that the proposed improvement is not consistent with the plan, it may disapprove the improvement. Such a vote can be overturned by a two-thirds majority vote of all City Council members.

As this provision of Alabama law illustrates, the comprehensive plan is an important document. It serves as a legal support for local zoning authority and it governs the expansion of public facilities and infrastructure in the community. Therefore, it is important to remember that the adoption of a comprehensive plan document is not the end of the planning process. It is merely the beginning of an ongoing dedicated planning effort. The local government must be committed to a plan monitoring, review, and implementation effort, if the plan is to achieve its stated objectives. In addition, the plan should be reviewed and revised periodically in response to growth and changing conditions in the community. While Alabama law does not prescribe a revision schedule for local government comprehensive plans, communities should update the plan at least once every ten years to incorporate more recent data from the latest U.S. Census. New census data is needed to readjust growth and population projections used by the plan. More frequent updates should be conducted if the community experiences rapid growth or change, or if the community proposes to undertake a significant public investment to stimulate future growth or change.

### **Implementation Schedule**

One way to promote plan implementation is to create a plan implementation schedule. An implementation schedule is a list of tasks or projects to be undertaken during a five year period. The schedule should identify in which year each task should be undertaken, which local entity is responsible for carrying out the task, and potential partners in implementing the task. For example, if a City wished to conduct a housing study, the following implementation schedule might be used:

<u>Year</u>	<u>Activity or Work Element</u>	<u>Implementing Agency</u>	<u>Potential Partners</u>
2003	Create Housing Committee	City Council	
2004	Apply for CDBG funds for neighborhood housing study	City Council	EARPDC, ADECA
2005	Conduct housing study	Housing Committee	EARPDC
2006	Present housing study findings/recommendations to City Council	Housing Committee	EARPDC
2007	Seek funds to implement housing study	City Council	EARPDC, USDA, ADECA

The Planning Commission and/or City Council, or a special committee, should review the comprehensive plan and identify any actions that need to be taken to implement the plan. Action items may require relatively little commitment of time and financial resources, such as updating certain provisions of the zoning ordinance or conducting seminars and round table discussions on topics important to Sylacauga's future. Other action items, such as sewer system expansions or constructing a new recreational facility, consist of multiple tasks and require financial planning. All of these items should appear in the Implementation Schedule. However, tasks requiring funding also should be compiled into a Capital Improvements Program. The Capital Improvements Program (CIP) requires that City officials examine recent revenue and expenditure trends and project revenues and expenditures over the next five years. The City also should assess its bonded indebtedness and legal debt limit. This evaluation will provide a year-by-year outlay of how much funding the City can commit to tasks identified in the Implementation Schedule. The City then can prioritize projects requiring financial investment, make a list of the prioritized projects and their associated tasks, and plug the estimated costs of those projects/tasks into a multi-year table. Such an activity will help the City insure that it does not over-commit its funds and addresses the most pressing needs first. Like the Implementation Schedule, the Capital Improvements Program covers a five year period. Both documents should be updated annually, to make any needed adjustments. For example, in fiscal year 2003, the City creates an Implementation Schedule and CIP for fiscal years 2004-2008. In the last quarter of fiscal year 2004, the City reviews these two documents, removing projects that have been completed, re-prioritizing projects if needed, shifting projects that have been delayed to later fiscal years, and adding projects to be undertaken in fiscal year 2009. The update is performed each year to ensure that the City has a current report on project status and is able to address unforeseen events.