

## **ELEMENT 9 - IMPLEMENTATION**

### **9.1 INTRODUCTION**

The Implementation Element is the “how to” portion of the plan. It prescribes those actions and steps necessary to make the goals a reality over the next 20 years. This is achieved through a series of specific actions, including proposed changes to any applicable zoning ordinances. Each proposed action is included as part of an objective that has been developed to support a broad goal of the Town of Springbrook Comprehensive Plan. The concepts presented in this element will affect land use in the Town of Springbrook for the next 20 years and beyond.

### **9.2 CONSISTENCY AND RELATIONSHIP BETWEEN ELEMENTS**

The Implementation Element is required to describe how each of the elements of the comprehensive plan will be integrated and made consistent with other elements of the plan. By coordinating and developing each element simultaneously, the process ensured that the development and review of each element is consistent with the others. Based on the analysis, there are no known inconsistencies or conflicts between plan elements. The goals, objectives, and in some cases the actions provided in this chapter are interrelated. In several instances, a single objective or action may apply to more than one element of the plan.

### **9.3 PLAN UPDATES AND REVISIONS**

As is stipulated in Wisconsin's "Smart Growth" legislation, a comprehensive plan must be updated at least once every ten years. However, in order to ensure that the town's plan is an effective management tool, the Town of Springbrook Planning Commission will review the plan goals, objectives, and action-plans annually to track those activities that have been completed and to add additional objectives and actions as needed to accomplish the stated goals.

The Town of Springbrook should initiate its first major update of this plan by 2015. At this time, information from the 2010 census will be available to update tables, charts, graphs, and figures. This update will also involve a comprehensive review of the background information presented in each element. Furthermore, the town should coordinate with all partners identified in the *Intergovernmental Cooperation* element to understand any external changes that may impact the plan.

### **9.4 RESPONSIBILITIES**

Implementation of the Town of Springbrook Comprehensive Plan will be the primary responsibility of the Town of Springbrook Planning Commission. This will be achieved by the planning commission making recommendations pertaining to development issues, in accordance with this plan, for the town board and Washburn County to consider when making final decisions.

## 9.5 MEASURING PLAN PROGRESS

As part of the comprehensive planning process, a number of goals, objectives, and actions were developed that when implemented are intended to build stronger relationships and give direction to the town board and its residents. Many of the objectives and actions can be accomplished in the short term, while some will take longer to accomplish.

It is required to include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The task of developing a measurement tool to gauge the outcome of this plans' objectives and actions will be accomplished by the development of a timeframe for the identified objectives and activities. These targets will provide guidance to the plan commission and town board on when specific actions were to have been initiated. Based on the timeframe, the plan commission can then measure the progress of achieving implementation of the comprehensive plan. Many actions identified are continuous or ongoing steps that do not have an implementation target date. These actions may involve the town board and or the plan commission.

## 9.6 PLAN RECOMMENDATIONS

- A. Request that Washburn County amend zoning ordinances and decision-making procedures to ensure consistency with the Town of Springbrook Comprehensive Plan.
- B. Hold a periodic review of the comprehensive plan and revise the document as needed. Plan content should be reviewed for effectiveness and revised to meet the changing needs of the community.
- C. Continue to seek public involvement and input. Continue to monitor local issues and opportunities and incorporate these factors into the plan.
- D. Base all town land use decisions on the contents of the comprehensive plan.
- E. Make the Town of Springbrook plan accessible to town residents and visitors. Consider posting the future land use map and action plan in a location that allows public access. Also, consider using local events such as Springbrook Days to publicize the plan and educate citizens.

What follows is a list of the Town of Springbrook's goals, objectives, and actions as derived by the planning commission in a table format. The goals of the plan are the "purpose or end" and they provide direction for community decisions. Objectives are statements that are measurable benchmarks the community works to achieve, and the actions are more specific statements that set preferred courses of action to carry out the objectives in the foreseeable future.

## 9.7 PLAN IMPLEMENTATION - PLAN GOALS, OBJECTIVES, AND ACTIONS

### HOUSING

<b>Goal:</b> A range of housing opportunities to meet the varied needs of existing and future residents, while maintaining a predominantly rural atmosphere.			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Promote and enforce minimum lot size requirements.	Research the population statistics and inventory the housing needs to determine what is needed.	Plan Commission & Town Board	2006
2. Enforce minimum building setbacks from roads.	Research and develop an ordinance if needed to ensure minimum setbacks.	Plan Commission & Town Board	2006
	Investigate enforcement methods.	Same	2006
3. Encourage the use of secondary roads to eliminate individual entrances from homes to major highways.	Communicate with appropriate government levels to investigate possibilities for this objective.	Plan Commission, Town Board & County Highway Department	2007
	Communicate with developers to see that this goal can be realized in any development proposals.	Same	Ongoing
4. Have controls over the future expansion of homes and developments in the town.	New development will be examined for compatibility and shall be approved by the town board.	Plan Commission & Town Board	2006

## Transportation

<b>Goal: A safe and efficient multi-modal transportation system, which accommodates the movement of people and goods.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Continue to maintain and upgrade town roadways.	Follow road upgrade and maintenance plans developed by the town board.	Town Board	Ongoing
	Continue to monitor and update road improvement plan.	Town Board	Ongoing
2. Control the expansion of ATV traffic.	Work with county and other pertinent enforcement agencies to control and regulate ATV traffic.	Plan Commission, Town Board and County Forestry Department	2007
3. Enforce ATV regulations.	Investigate ordinances that might be of help in regulation of these vehicles.	Plan Commission, Town Board and County Forestry Department	2007
4. Regulate jet ski and large boat traffic.	Research present regulations and enforcements for these recreational vehicles.	Plan Commission & Town Board	2008
	Develop enforcement ordinances where necessary.	Plan Commission & Town Board	2008
5. Research senior transportation needs.	Communicate with local/regional transportation agencies to determine future plans and improvements for senior transport needs.	Plan Commission, Town Board & County Highway Department	2008

**UTILITY AND COMMUNITY FACILITIES**

<b>Goal: Support facilities and services that contribute to the overall well being of the community.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Have input into cell tower locations.	Begin discussions with utility agencies to determine levels of inputs that the town might have.	Plan Commission, Town Board & Utilities	2007
2. Create standards for billboards and signs on town roads.	Research actions taken by surrounding municipalities.	Plan Commission & Town Board	2006
	Develop ordinance addressing this issue on roads under local control.		
3. Improve access to community center and parks.	Survey and list access needs for town properties.	Plan Commission & Town Board	2006
	Investigate funding opportunities for access improvement work.		
4. Continue maintenance of town and community facilities.		Plan Commission & Town Board	2006
5. Ensure that adequate utilities are available for any new development.	Require new developers to demonstrate that utilities are adequate, both for the present and future of proposed developments.	Plan Commission, Town Board & Utility Companies	2006
	Develop a list of required utility infrastructure for new developments.		

6. Develop plans for rest rooms on the main floor of the community center to meet requirements of the Americans with Disabilities Act.	Determine any intermediate actions that can be taken now to ensure compliance with Act.	Plan Commission & Town Board	2006
	Investigate funding opportunities for such work.		

**Natural Resources**

<b>Goal: Conserve, protect, manage and enhance the town's natural resources.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Prevent the erosion of river banks in the town.	Have information available to river landowners.	Town Board & National Park Service	2007
	Communicate and demand involvement with appropriate agencies for assistance in disseminating this information	Plan Commission & Town Board	2007
2. Preserve public hunting and fishing and recreational areas.	Lobby appropriate agencies for the protection of these activities in the town.	Plan Commission, Town Board and Appropriate Agencies	2008
3. Keep county forest lands in county hands.	Maintain contact with county forestry department to make these views known.	Plan Commission, Town Board & County Forestry Department	2008
	Provide appropriate comments to county forest department during public hearing and comment periods.	Same	2008

4. Promote affordable septic systems.	Lobby for reasonable septic systems laws that are affordable to town residents.	Plan Commission & Town Board	2007
5. Allow WDNR to determine slot limits on lakes.	Relay support of these limit determinations to WDNR.	Plan Commission, Town Board & WDNR	2009

**Agricultural Resources**

<b>Goal: Preserve productive farmland for the future.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Ensure that feedlot regulations are consistently enforced.	Develop or find brochure-type information that can be distributed to feedlot owners.	Plan Commission, Town Board and Appropriate Agencies	2008
2. Protect surface waters from surface run-off from present of future agricultural operations.	Communicate with appropriate agencies for help in educating landowners on this problem.	Plan Commission, Town Board and Appropriate Agencies	2007
	Have educational materials available addressing this issue.	Same	2008
3. Require a minimum five-acre parcel size for agricultural lands being broken up for residential development.	Develop an ordinance to this effect.	Plan Commission & Town Board	2006

**Cultural & Historic Resources**

<b>Goal: Preserve the historical and cultural resources located in the town.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Continue to identify historic sites and views.	Maintain inventory of such sites in the town and possibly develop brochure to highlight these areas.	Plan Commission & Town Board	2009
2. Preserve those sites and resources found.	Investigate funding sources for historic site preservation and maintain contact with historical society for help in this regard.	Same	2009

**Economic Development**

<b>Goal: Attract appropriate businesses that will provide good paying jobs for the residents of the town.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Promote industries and enterprises that are compatible with our rural and recreational atmosphere, keeping in mind noise, traffic, odor and utilities.	Develop guidelines and/or ordinance for town requirements regarding these issues.	Plan Commission & Town Board	2007
2. Encourage industrial development along county, state and federal roads.	Develop ordinance designating industrial areas, and note acceptable industrial land use areas on future land use map.	Plan Commission & Town Board	2007
3. Encourage utilities development as they become feasible.	Initiate communications with public utilities as to proposed future scheduling for such activities.	Plan Commission & Town Board	Ongoing

4. Promote employment opportunities that may lead to jobs that are better than entry-level positions.	Require that any new developers address the issue of what types of jobs will be produced and the types of positions/wages/benefits will be available to prospective employees.	Plan Commission & Town Board	Ongoing
5. Search for rail line development possibilities and commercial development around it.	Communicate with present rail operators and their plans for Springbrook's inclusion in rail line activities and the possibilities of developing a commercial infrastructure at the Springbrook stop to service tourism-related trips.	Plan Commission, Town Board & Rail Operators	2008

**Intergovernmental Cooperation**

<b>Goal: Maintain, improve, and develop productive relationships with surrounding towns and governments.</b>			
Objectives	Actions	Key Groups for Implementation	Timeframe
1. Investigate future possibilities of compensation from National Park Service for tax base lost in Scenic Riverway System.	Initiate discussions with appropriate agencies to determine if compensation is a possibility.	Town Board & National Park Service	2006
	Speak with other communities to see if such compensation issues have been successful in the past.	Same along with appropriate communities	2006
2. Maintain good relations with the county highway department, which presently provides road and snow services.		Plan Commission, Town Board & County Highway Department	Ongoing

3. Have more input into park service management methods in the Scenic Riverway System.	Communicate with agency and delineate concerns with regards to present-day management practices in the system.	Town Board, Plan Commission & National Park Service	Ongoing
4. Request better accounting from emergency services provided to town residents.	Set up meeting with emergency services agency to begin conversations on costs and accounting practices presently being used.	Town Board, Plan Commission & Emergency Services	2007
	Present suggestions where applicable to these practices.	Town Board, Plan Commission & Emergency Services	2007

**Land Use**

<b>Goal: Ensure a coordinated, planned and enforceable development pattern for the Town of Springbrook.</b>			
<b>Objectives</b>	<b>Actions</b>	<b>Key Groups for Implementation</b>	<b>Timeframe</b>
1. Open communication lines with the zoning committee of the county zoning department.		Town Board, Plan Commission & County Zoning Department	Ongoing
2. Monitor zoning committee decisions to ascertain consistency.	Appoint town representative to monitor decisions either through zoning committee attendance or thorough monitoring from other sources of activities and decisions put forth by zoning committee.	Town Board, Plan Commission & County Zoning Department	Ongoing

3. Research the possibility of developing a town ordinance regarding billboards.	Research billboard ordinance activity undertaken by other municipalities in the area.	Plan Commission & Town Board	2006
4. Ensure that county and state regulations regarding billboards are enforced.	Ask for copy of regulations – determine who is in charge of enforcement, and ask how enforcement actions are undertaken.	Plan Commission & Town Board	2006
5. Develop standards across municipalities for town road billboards.	Initiate conversations with other municipalities, possibly through town association’s meetings or other forums, to discuss uniform billboard standards and enforcement actions.	Plan Commission & Town Board	2006
6. Require adequate building setbacks from roads (150 feet). Variances should be considered depending on topography of land.	Ordinance dealing with requirements of setbacks and extenuating circumstances that may part of an ordinance.	Plan Commission & Town Board	2006
7. Develop service roads with one entry/exit.	Contact appropriate agencies as to the legality and design of service road construction.	Plan Commission & Town Board	2006
8. Develop setback requirements based on five-acre minimum lots to eliminate multiple access roads.	Design ordinance to include design specifications for all development with regards to property access.	Plan Commission & Town Board	2007
9. Cut trees all the way to the road to eliminate trees from falling on roads and to provide better vision.	Consult with forestry departments as to their policies in this regard. Write letter to these departments explaining concerns.	Plan Commission & Town Board	2007

<p>10. Promote coordinated and consistent land uses throughout the town, making sure proposed adjacent users are compatible with existing or anticipated future development.</p>	<p>Attempt to consistently adhere to town comprehensive plan wherever possible to maintain consistency in land use development. Refer to document to indicate to developers the town's desire to avoid incompatible neighboring land use developments.</p>	<p>Plan Commission &amp; Town Board</p>	<p>2005</p>
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## 9.8 FUTURE LAND USE MAP

The Future Land Use Map (FLUM) incorporates the realities, ideas, goals, and visions explained in Elements 1-9 and is depicted in Map 9.1. The FLUM is probably the most important feature of the Town of Springbrook Comprehensive Plan. The map presents the town's vision for growth and development through the next 20 years. When making land use recommendations and decisions, the town planning commission and town board will use it extensively.

In order for the FLUM to be an effective tool for local decision-making, it is important that the FLUM be regarded as general in nature and should not be used for site-specific decisions. It is for this reason that only general locations for various land uses are shown on the map. The Town of Springbrook FLUM was built from the Existing Land Use Map. Therefore, the Existing Land Use Map is the foundation of the plan. It represents the beginning point from which to build the future. As a result, areas that are not proposed for future development are represented by their existing land use in order to promote stability in the Town of Springbrook. The FLUM has several areas delineated for future development and protection. The paragraphs below describe the key components of the Town of Springbrook FLUM.

The FLUM designates areas for future residential, commercial, agriculture, industrial, parks and recreation, governmental/institutional and forestry. However, it is quite possible that these particular locations may shift over the life of the plan. The Town of Springbrook Planning Commission will try to direct appropriate development in these areas, minimize strip residential development along road frontages and along the County Forest, and encourage cluster development to appropriate areas of the town to concentrate residential development and concentrate service needs. However, as proposals are presented, amendments may be necessary to reflect forces that change or shift local land use patterns and demand. Overall, the Town of Springbrook would like to have the following recommendations included as part of the future Washburn County Zoning Ordinance revision.

## **Residential**

**Forestry/Agricultural Residential** – 5-acre minimum lot

**Shoreland Residential** – As required by state law

**Medium-Density Residential** – To be determined by Town Board based on individual circumstances

## **Forestry**

To be determined by Town Board based on individual circumstances

## **Commercial**

To be determined by Town Board based on individual circumstances

## **Industrial**

To be determined by Town Board based on individual circumstances

## **Governmental/Institutional**

To be determined by Town Board based on individual circumstances

## **Parks & Recreation**

To be determined by Town Board based on individual circumstances

## **9.9 PLAN IMPLEMENTATION POLICIES & PROGRAMS**

The primary tool for the implementation of the Town of Springbrook Comprehensive Plan will be zoning. The Town of Springbrook has previously adopted the Washburn County Zoning Ordinance, with zoning districts and associated requirements being administered by the county. The Town of Springbrook would like to continue to be included under Washburn County Zoning jurisdiction over the next 20-year planning horizon. The Town of Springbrook does have the ability to adopt and enforce its own zoning, although this action would require County Board approval. It should be noted that these regulations could be costly to develop and administer. The following is a list of programs and strategies that the town could implement or utilize in order to achieve plan goals and objectives, in conjunction with zoning.

As part of the overall comprehensive planning process, the identification of issues and desires of citizens and property owners of the town assisted in developing a future land use scenario covering a 20-year planning horizon. The future land use map is intended to assist the town in directing land use activities to areas best suited for such development and is based on

background data, future projections, local issues and opportunities, natural resource constraints, and public input.

The goals, objectives, and actions of the comprehensive plan include specific statements or references to promoting the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial sites and structures. In implementing the comprehensive plan, redevelopment of land versus new development of greenfields is encouraged, where applicable.

### **Purchase of Development Rights Program (PDR)**

This technique is currently in use in some southern counties of Wisconsin and elsewhere in the United States and has proven to be effective for preserving farmland in areas adjacent to cities. The purchase of development rights is a *voluntary* protection technique that compensates the landowner for limiting future development on their land. The programs are primarily used for retention of agricultural lands, but the concept can be applied to all types of land use scenarios. Under a PDR program, an entity such as a town, county, or private conservation organization purchases the development rights to a designated piece of property. The land remains in private ownership, and the landowner retains all the other rights and responsibilities associated with the property.

### **Transfer of Development Rights (TDR) Program**

The TDR program is a non-regulatory (voluntary) approach that allows the right to develop property to be transferred from one parcel (or zoning district) to another. Under a TDR program, development rights to parcel of land are transferred from a “sending area” to another parcel referred to as the “receiving area”. Sending areas are typically those areas where development is discouraged or limited, and receiving areas are areas where growth and development are encouraged. Under some TDR programs, local government awards development rights to each parcel of developable land in the community or in selected districts on the basis of the land's acreage or value. Landowners can then sell the development rights on the open market. The TDR program has been widely implemented at the local level due to the fact that it requires no major financial contribution by local government.

Benefits of the TDR program include:

- ▶ The public benefits from the conservation easements, which protect and preserve sensitive natural features and wildlife habitat.
- ▶ Owners of sending area properties receive economic compensation for their properties where development would normally be precluded due to sensitive natural features or zoning restrictions.
- ▶ Owners of receiving area properties can increase their development density, accommodating a greater number of uses or tenants.
- ▶ Little financial contribution on behalf of local government.

### **Acquisition**

This type of land preservation tool involves the direct purchase of land for the purposes of preservation and protection. This tool should be used in cases where other protective

mechanisms fail to meet objectives and/or in cases of high-priority acquisition lands. Acquisition efforts should be coordinated with other local, state, and national acquisition initiatives (lake associations, environmental groups, USFS, WDNR, etc.)

### **Conservation Easements**

When a landowner sells their development rights, a legal document known as a conservation easement is drafted. The easement restricts the use of the land to agricultural use, open space, or other desired use in perpetuity. A conservation easement permanently limits residential, commercial, or industrial development to protect its natural attributes or agricultural value. The conservation easement becomes a part of the landowner's deed and remains on the deed even if the land is sold or passed through inheritance thereby ensuring the development will not occur on the property.

The conservation easement does not automatically allow public access to the land; the land remains in the hands of the owner, as only the right to develop it has been purchased. All remaining rights of property ownership remain with the landowner including the right to transfer ownership, swap, deed, or sell the land. A purchase of development rights program works to ensure that incompatible development will not take place; the PDR becomes a part of the deed and keeps the land in its agricultural or natural state in perpetuity. An effective purchase of development rights program requires initial financial support and on-going administration. Additionally, the program requires a county review board to assess the lands of landowners requesting entry of their parcel into the PDR program.

### **Land Trusts**

Land trusts are non-profit voluntary organizations that work with landowners to use a variety of tools to help them protect their land. Such organizations are formed with the purpose of protecting open space, scenic views, wildlife, etc. and they use a variety of techniques to raise money for operating expenses and the acquisition of easements. Land trusts also provide adequate monitoring and stewardship. In the United States, land trusts can hold conservation easements, which means that the organization has the right to enforce the restrictions placed on the land.

### **LESA Farmland Preservation Tool**

LESA is an acronym for Land Evaluation and Site Assessment, a program that assists in the evaluation of land based on its suitability for agricultural use and value for non-farm uses. This system, developed by the Soil Conservation Service in 1981, has been routinely adopted and implemented for use by local government throughout the nation. The system involves a two-part process, the land evaluation component (LE) and site assessment component (SA). The LE portion involves assessment of soil conditions as they relate to the production of food and fiber products. Site assessment typically involves an analysis of the non-soil variables which effect the property's use such as municipal services available, adjacent land uses, development suitability, compatibility with land use plans, and distance from populated areas (expansion areas). A point system is often used in order to quantify the variables of the LE and SA components. Points are assessed based on whether or not the property meets the guidelines of the community and then totaled to achieve a composite score. A threshold score then determines

whether or not the property would be an appropriate residential development area or whether the land should remain in agricultural use.

<b>Land Protection Tool</b>	<b>Pro</b>	<b>Con</b>
<b>Donated Conservation Easements</b>	Permanently protects land from development pressures. Landowners may receive income, estate, and property tax benefits. No or low cost to local unit of government. Land remains in private ownership and on the tax rolls.	Tax incentives may not provide enough compensation for many landowners Little local government control over which areas are protected.
<b>Purchase of Development Rights</b>	Permanently protects land from development pressures. Landowner is paid to protect their land. Landowners may receive estate and property tax benefits. Local government can target locations effectively. Land remains in private ownership and on the tax roles.	Can be costly for local unit of government.
<b>Transfer of Development Rights</b>	Permanently protects land from development pressures. Landowner is paid to protect their land. Landowners may receive estate and property tax benefits. Local government can target locations effectively. Low cost to local unit of government. Utilizes free market mechanisms. Land remains in private ownership and on tax roll	Can be complex to manage Receiving area must be willing to accept higher densities.

**Conservation Design Subdivisions**

The conservation design subdivision concept is an alternative development design to the conventional residential subdivision. Conventionally designed subdivisions are typically characterized by land divided into house lots and streets, with minimal (if any) open space. Usually, the remaining open space lands consist of the undevelopable portion of the subdivision

(steep slopes, wetlands, floodplain, etc.). The conventional subdivision lacks communal open space, community woodlands, or other open areas where people can meet and interact.

The purpose of a conservation design subdivision is to provide opportunity for development while maintaining open space characteristics, encouraging interaction among residents through site design, and protection of habitat and environmental features. A typical conservation design subdivision contains the same number of lots that would be permitted under a conventional design. The lots are typically smaller than conventional lots and are designed for single-family homes reminiscent of traditional neighborhoods found in small towns throughout America.

The compact design of a conservation subdivision allows for the creation of permanent open space (typically 50 percent or more of the buildable area). This undeveloped land typically serves as community open space land and provides recreational, aesthetic, and social benefits to subdivision residents.

The conservation design subdivision has proven economic, environmental, and social advantages over conventionally designed subdivisions<sup>1</sup> including:

*Economic Advantages*

- ▶ Lower infrastructure and design (engineering) costs
- ▶ Attractiveness of lots for home development
- ▶ Reduction in demand for public parklands

*Environmental Advantages*

- ▶ Protection of conservation areas and upland buffers (which would normally be developed)
- ▶ Reduced runoff due to less impervious surface cover
- ▶ Improved water filtration due to presence of vegetation and buffers
- ▶ Opportunities for non-conventional septic system design

*Social Advantages*

- ▶ Opportunities for interaction among residents (common open space)
- ▶ Pedestrian friendly
- ▶ Greater opportunity for community activities

**Best Management Practices (BMP)**

Best management practices describe voluntary procedures and activities aimed at protection of natural resources. BMPs are described in detail in the Wisconsin Department of Natural Resources publications titled “Wisconsin Construction Site Best Management Practice Handbook”, and “Wisconsin’s Forestry Best Management Practices for Water Quality”. Shoreland BMPs are a set of specific actions that landowners can take to help protect and preserve water quality. Detailed information on the use and implementation of shoreland BMPs is available from the University of Minnesota Extension (UM-EX).

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<sup>1</sup> Randall Arendt, *Conservation Design for Subdivisions*, (Island Press, Washington D.C., 1996), pp 3-16.

## **9.10 ADDITIONAL PLAN IMPLEMENTATION TOOLS**

The following is a partial list and description of additional plan implementation tools available to local government to assist in achieving the goals and objectives of a land use plan.

### **Special Plans**

Special plans may arise through the planning process to address other specific issues. These plans often supplement the master plan and are important implementation tools. Some examples might include a downtown design plan, neighborhood plans or waterfront development plans.

### **Eminent Domain**

Eminent domain allows government to take private land for public purposes, even if the owner does not consent, as long as the government compensates the landowner for their loss. The legislature has delegated the power of eminent domain to local government for specific purposes.

### **Annexation/Incorporation**

Cities and villages have the power to annex lands within their extraterritorial boundaries. The power to extend municipal boundaries into adjacent unincorporated land allows a community to control development on its periphery, therefore, minimizing land use conflicts.

As an alternative to annexation, an unincorporated area may incorporate as a city or village, provided the unincorporated area meets certain statutory criteria.

### **Building Codes**

Municipalities may choose to enact building codes as part of their ordinances. Building codes are sets of regulations that set standards for the construction and maintenance of buildings in a community, which ensures that these buildings are safe. The codes are usually concerned with maintaining buildings in order to keep them from becoming dilapidated and/or rundown.

### **Moratoria**

Then enactment of a moratorium temporarily stops all development in a specified area in order to plan for growth. This includes identifying and protecting sensitive lands and other community resources. Local units of government can enact this tool.

### **General Zoning**

Zoning is a tool that gives governmental bodies the power to intervene in the lives of private citizens for the protection of public health, safety, and welfare. Zoning separates conflicting land uses and ensures that development is directed in certain areas that can accommodate that particular land use. Several different types of specialized zoning exist.

- **Floodplain Zoning** - Floodplain zoning ordinances are required by Wisconsin law and pertain to cities, villages, and towns. The Wisconsin DNR specifies minimum standards for development in floodplains, but local ordinances may be more restrictive than these rules.

- **Shoreland Zoning** - Wisconsin law requires that counties adopt zoning regulations in shoreline areas that are within 1,000 feet of a navigable lake, pond, or flowage or 300 feet of a navigable stream or the landward side of the floodplain, whichever distance is greater. Minimum standards for shoreland zoning ordinances are specified in rules developed by the Wisconsin DNR, while local standards may be more restrictive than these rules.
- **Exclusive Agricultural Zoning** - Municipalities may adopt exclusive agricultural zoning for farmland under the Farmland Preservation Program. For farmers to be eligible for income tax credits, they must meet standards that require a minimum parcel size of 35 acres limit the use of the land to those that are agriculturally related. The ordinance must comply with the county farmland preservation plan.
- **Extraterritorial Zoning** - Any city or village that has a plan commission may exercise extraterritorial zoning power in the unincorporated areas surrounding the city or village. The extraterritorial zoning power may be exercised in the unincorporated areas located within three miles of the corporate limits of a first, second, or third class city, or within 1 ½ miles of a fourth class city or village.
- **Performance Zoning** - Performance zoning uses performance standards to regulate development. Performance standards are zoning controls that regulate the effects or impacts of a proposed development, instead of separating uses into various zones. The standards often relate to a sites development capability. For example, in agricultural areas, performance zoning could be used to limit development on prime agricultural soils and allow development on lower quality soils.
- **Bonus and Incentive Zoning** - Bonus or incentive zoning allows local governments to grant a bonus, usually in the form of density or the size of the development, in exchange for amenities such as parks or walking paths for example.
- **Overlay Zoning** - Overlay zones are designed to protect important resources and sensitive areas. The underlying zoning regulates the type of uses permitted, while the overlay zone imposes specific requirements to provide additional protection.
- **Mixed-Use Zoning** - Mixed-use zoning is an effective way to enhance existing urban and suburban areas and encourage infill development. Mixed-use zoning recognizes the existing mixture and encourages its continuance and may offer an alternative to struggling with nonconforming use complexities.
- **Inclusionary Zoning** - Inclusionary zoning provides incentives to developers to provide affordable housing as part of a proposed development project. For example, in exchange for higher density, a developer would have to build a specified number of low and moderate income dwelling units.

**Planned Unit Developments (PUDs)**

Planned Unit Developments (PUDs) are planned and built developments that create a variety of compatible land uses. These developments vary in densities and are subject to more flexible setbacks, design, and open space requirements than are afforded by traditional or general zoning.

**Reserved Life Estates**

This is a tool in which a landowner has the opportunity to sell or donate his or her land to a conservation organization but is able to continue living on and managing the property until there death.

**9.11 FISCAL TOOLS**

**Capital Improvement Program (CIP)**

Capital Improvement Programs are a fiscal tool that can help communities plan for the timing and location of community facilities and utilities (such as municipal sewer and water service, parks or schools). CIPs ensure that proper budgets are allocated for future developments or improvements to community infrastructure.

**Impact Fees**

Impact fees are financial contributions imposed on new developments to help pay for capital improvements needed to serve the development. Local governments can impose impact fees to finance highways, other transportation facilities, storm water facilities, solid waste and recycling facilities, fire and police facilities etc.

**Tax Increment Financing (TIF)**

Cities and villages may designate tax increment financing districts to finance public improvements through the property taxes generated on future increases in the value of taxable properties in the district. Under TIF, the overlying taxing jurisdictions do not receive any tax revenues based on the increase in property valuation in a district until all improvement costs are paid. In this way, the TIF district assures that all taxing jurisdictions benefiting from development pay a share of the costs.

**9.12 HOW TO USE THE PLAN**

The Town of Springbrook Comprehensive Plan is intended to help guide growth and development decisions within the town. The plan is an expression of the town’s wishes and desires and provides a series of actions for assisting the community in attaining its goals. The Comprehensive Plan is not an inflexible or static set of rules. Rather, it is fluid and dynamic. The objectives and actions are intended to allow flexibility in light of new information or opportunities. The Plan is not an attempt to predict the future; it is an attempt to record the fundamental community values and philosophy that citizens of the Town of Springbrook share and to use them as benchmarks in future decisions concerning growth, development, and town improvement. The plan guides considerations regarding not only land use but also addresses community issues such as housing, transportation and economic development.

To assist in reviewing all proposals pertaining to growth and development, the town planning commission, town board, and citizens should utilize this document. Proposals should be examined to determine whether they are consistent with community wishes and desires, as expressed in the plan. A thorough review of the plan is necessary with particular attention given to the goals and objectives. Where the impact of a proposed development is minimal, the evaluation may simply be a determination of whether or not the plan provides relevant direction and whether the requested action is in conformance with the plan. Development proposals with significant potential impacts will require a more detailed analysis in order to determine consistency.

### **9.13 CONCLUSION**

The Comprehensive Plan for the Town of Springbrook is intended to be a dynamic, evolving document. Periodic revision and update of the plan will ensure that it is accurate and consistent with the wishes and desires the town. Plan recommendations in this document provide the basis for evaluation of development proposals, and give the community a means for achieving their community vision. The specific action statements are meant to serve as the mechanisms for achieving the goals and objectives, which were defined throughout the planning process. Ultimately the success of the planning process will be measured by the future quality of life experienced by both residents and visitors.