

9. IMPLEMENTATION

Introduction

The purpose of this element is to explain how this plan will be implemented to achieve the desired outcomes (goals, objectives, etc.) as set forth by the Town of Willard. The Town of Willard Comprehensive Plan addresses many important components critical to sustaining a healthy community. As change is inevitable, the plan may need to be amended to appropriately reflect those changes. This element includes a table of all the goals, objectives, and actions for each element of the plan, with a timeframe for those actions.

How to Use the Plan

This 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/policies for assisting the Town in attaining its goals. The Comprehensive Plan is not an inflexible or static set of rules. The objectives and actions are intended to allow flexibility in light of new information or opportunities. The plan guides considerations regarding not only land use but also addresses community issues such as housing, transportation, and economic development.

The Plan Commission, Town Board and citizens in reviewing all proposals pertaining to growth and development should utilize this document. Proposals should be examined to determine whether they are consistent with community wishes and desires as expressed in the plan. As part of the review, 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.

Consistency

Within this Implementation Element, it is required to “describe how each of the elements of the Comprehensive Plan will be integrated and made consistent with the other elements of the Comprehensive Plan.” As a result of the Comprehensive Plan being developed in a coordinated and simultaneous effort, the planning process has ensured that the development and review of each element is consistent with the others; and based on that analysis, there are no known inconsistencies between the planning elements.

In the future, as plan amendments occur, it is important that the Willard Plan Commission and Town Board both conduct consistency reviews. Those reviews will ensure the document continues to represent an integrated and forward approach to planning.

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, including year-round and seasonal.

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 actions. These timeframes will provide guidance to

the Plan Commission and Town Board on when specific actions should be initiated. Based on the timeframes, the Plan Commission can then measure the progress of achieving implementation of the Comprehensive Plan. Table 35 outlines the goals, objectives and actions/policies/recommendations for each element of the Comprehensive Plan as outlined by the Plan Commission.

Table 35 Town of Willard Implementation Schedule		
Housing		
Goals		
Discourage residential development in farmland areas.		
Allow adequate affordable housing for all individuals consistent with the rural character of the community.		
Objectives		
Discourage residential development in farmland areas.		
Ensure that local land use controls and permitting procedures do not discourage or prevent the provision of affordable housing opportunities.		
The Town of Willard will direct residential development away from existing agricultural areas to avoid conflicts.		
Policies	Responsible Parties	Timeframe
Work with developers to provide a variety of housing types for all income and age groups.	Town Board	Ongoing
Support development of senior and special needs housing within the Town by planning for areas that would best be suited for this type of development.	Plan Commission	Ongoing
Transportation		
Goal		
Provide a safe and efficient transportation system that meets the needs of multiple users.		
Objectives		
Support and maintain a safe and efficient town road system.		
Promote the development of multiuse trails, trail linkages, wide shoulders, or sidewalks as part of new development proposals, where appropriate.		
Support the Rusk County Transit System.		
Limit both town and private road development until existing infrastructure is brought up to a common level.		

Table 35 Town of Willard Implementation Schedule (continued)		
Policies	Responsible Parties	Timeframe
Continue to prepare and update a 5-year Road Improvement Plan.	Town Board	Ongoing
Utilize PASER to inventory and rate local town roads.	Town Board	Ongoing
Work with the county on any project that affects the Town.	Town Board	Ongoing
Land uses which generate heavy traffic volumes will be discouraged on local roads that have not been constructed or upgraded for such use.	Plan Commission	Ongoing
Roadway access will be better spaced along the existing town road network to increase safety and preserve capacity.	Town Board	Ongoing
Future road locations, extensions or connections will be considered when reviewing development plans and proposals.	Plan Commission	Ongoing
All town roads must accommodate access requirements for emergency services (fire, EMS, ambulance, etc.) as well as school bus and snowplows.	Town Board	Ongoing
Develop standards for new roads.	Town Board	Ongoing
Establish a maximum number of miles of paved roads that can be maintained, based upon existing tax base and projected growth of the Town.	Town Board	Ongoing
Widen and improve existing roads before constructing new roads.	Town Board	Ongoing
Attend county meetings when road projects that may affect the Town are discussed.	Town Board	Ongoing
Utilities and Community Facilities		
Goal		
Providing adequate infrastructure, public services and developable land to meet existing and future market demand.		
Objectives		
Make information available to residents on the proper maintenance of septic systems.		
Consider the potential impacts of development proposals on groundwater quality and quantity.		
Explore opportunities to develop integrated, multi-use trail systems and recreational facilities.		
Continue to provide ambulance, volunteer fire and first responder services to residents.		
Encourage recycling by residents.		
Agricultural Resources		
Goals		
Protect economically productive areas that are farmlands and commercial forests		
Respect farms by allowing farming to continue without residential intrusion nearby.		
Objectives		
Support diversification of farming types and practices to maintain agriculture as a viable economic activity.		
Existing agricultural uses and buildings should be taken into consideration when locating new development to avoid conflicts.		
Preserve productive farmland for long-term agricultural uses.		

Table 35 Town of Willard Implementation Schedule (continued)		
Agricultural Resources (continued)		
Policies	Responsible Parties	Timeframe
Non-farm development, particularly subdivisions, will be encouraged in areas away from intensive agricultural activities, in order to minimize farm and non-farm conflicts due to noise, odors, nitrates in well water, pesticides, farm/vehicle conflicts on roadways, late night plowing, etc. of development.	Plan Commission	Ongoing
Consider the use of such tools to protect sensitive areas, such transfer rights (TDR) or purchase of development rights (PDR).	Town Board	Ongoing
Encourage landowners to develop forest management plans and enroll in the managed forest law program.	Plan Commission	Ongoing
Inconveniences, such as aerial spraying, irrigation, dust, noise, odors and vehicle traffic, etc. that result from agricultural operations that are not a major threat to public health, should not be considered a nuisance.	Town Board	Ongoing
Identify and map all current farms in the Town	Plan Commission	Ongoing
Natural Resources		
Goals		
Protect natural areas, including wetlands, wildlife habitats, ponds, woodlands, open spaces and groundwater resources.		
Protection of economically productive areas, including farmland and forests.		
New development in the Town should not negatively impact natural resources.		
Objectives		
Minimize impacts to natural resources in the Town from non-metallic mineral mining.		
Encourage and support the preservation of natural open spaces that minimize flooding such as wetlands and floodplains.		
Promote development that minimizes groundwater impacts from on-site septic systems and other sources.		
Discourage the draining or filling of wetlands.		
Policies	Responsible Parties	Timeframe
New development should be discouraged from areas shown to be unsafe or unsuitable for development due to flood hazard, potential groundwater contamination, loss of farmland, highway access to problems, incompatibility with neighboring uses, etc.	Plan Commission	Ongoing
Expansion of existing non-metallic mining operations or development of new sites should be allowed only on lands where the expansion will not conflict with preexisting development.	Plan Commission	Ongoing
Reclamation of non-metallic mining sites should conform to the land use plan map in regard to the reclaimed use.	Plan Commission	Ongoing

Table 35 Town of Willard Implementation Schedule (continued)		
Cultural Resources		
Goals		
Preserve cultural, historic and architectural sites.		
Objective		
Work with the Rusk County Historical Society and others to provide guidance in the identification and protection of historic and cultural resources.		
Policies	Responsible Parties	Timeframe
Development proposals should be reviewed relative to the potential impacts to the historical and cultural resources of the Town.	Plan Commission	Ongoing
Economic Development		
Goals	Responsible Parties	Timeframe
1. Build community identity by revitalizing community character and enforcing building standards		Ongoing
2. Promote the stabilization of the current economic base.		Ongoing
Objectives		
1. Discourage retail commercial use that may create excessive traffic flow through the Town.		
2. Encourage new retail, commercial and industrial development to locate in designated area and adjacent county highways.		
3. Encourage businesses that are compatible in a rural setting.		
4. Industrial development must not negatively impact environmental resources or adjoining property values.		
Policies	Responsible Parties	Timeframe
Encourage home-based businesses that do not significantly increase noise, traffic, odors, lighting or would otherwise negatively impact the surrounding areas.	Plan Commission	Ongoing
Review the costs and benefits of a proposed development project prior to approval.	Plan Commission	Ongoing
Commercial and industrial development will be directed to designated areas consistent with the Future Land Use Map.	Plan Commission	Ongoing
Steer intensive industrial uses to areas that have the service capability to support that development.	Plan Commission	Ongoing
Develop new ordinances that establish minimum aesthetic standards to eliminate commercial, industrial and agricultural property with excessive debris, blighted property and dilapidated buildings.	Town Board And Plan Commission	Ongoing

Plan Updates

The purposes of this land use plan are to balance individual private property rights with the Town's need to protect property values community-wide, minimize the conflicts between land uses and keep the cost of local government as low as possible. An essential characteristic of any planning program is that it be ongoing and flexible. Periodic updates by the Town Plan Commission to this plan are necessary to reflect current trends. This is intended to be a living document. Over time, social and economic conditions and values tend to change. The Comprehensive Plan should be updated periodically to reflect these changes. Systematic, periodic updates will ensure that not only the statistical data is current but also the plan's goals, objectives, and actions reflect the current situation and modern needs. Under current law, it is required that an update of the plan be undertaken every ten years. However, it is recommended the plan be reviewed for consistency at least once every five years. This will ensure that any changes in the social and economic conditions or community values are reflected within the plan. To ensure that both year-round and seasonal residents are involved in plan amendments, the following process and protocol should be followed to allow public involvement and comment. The Town of Willard Plan Commission shall undertake a review of the plan at five-year increments from the time of formal adoption by the Town Board and shall consider necessary amendment(s) to the plan resulting from property owner requests and changes to social and economic conditions. Upon Plan Commission review, recommended changes to the plan shall be forwarded to the Town Board. The Willard Town Board shall call a public hearing to afford property owners time to review and comment on recommended plan changes. The public hearing shall be advertised using a Class I notice. Based on public input, Plan Commission recommendations, and other facts, the Town Board will then formally act on the recommended amendment(s). During plan amendments, it is important that the Public Participation Plan be utilized to ensure public input.

Implementation Tools

The Town of Willard implementation tools available to them that could be used to implement some of the recommendations from the Comprehensive Plan. Those tools include such things as purchase of land or easements, subdivision ordinance, mobile/manufactured home restrictions, nuisance regulations, design review for commercial and industrial developments, infrastructure improvements, road construction and maintenance, and public services, among others. The following lists some of the more common tools used by communities in Wisconsin.

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.

Table 36 LESA Farm Preservation Tool		
Tool	Pro	Con
Donated Conservation Easements	Permanently protects land from development pressures.	Tax incentives may not provide enough compensation for many landowners. Little local government control over which areas are protected.
	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.	
Purchase of Development Rights	Permanently protects land from development pressures.	Can be costly for local unit of government.
	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 rolls.	
Transfer of Development Rights	Permanently protects land from development pressures.	Can be complex to manage. Receiving area must be willing to accept higher densities.
	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.	

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% 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 subdivisions¹ 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. BMP's 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 BMP's 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 BMP's is available from the University of Minnesota Extension (UM-EX).

¹ Randall Arendt, Conservation Design for Subdivisions, (Island Press, Washington D.C., 1996), pp 3-16. [55]

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.

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. Landowners who claim a farmland preservation tax credit must comply with Wisconsin soil and water conservation standard. Counties develop farmland preservation plans. Local governments can develop farmland preservation zoning districts; the ordinance must comply with the county farmland preservation plan. Landowners and local governments together form Agricultural Enterprise Areas. Landowners meet soil and water conservation standards to become eligible to claim an income tax credit.

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 (PUD's)** - Planned Unit Developments (PUD's) 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 their death.
- **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). CIP's 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, villages and towns 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.