

# **CHAPTER 9**

## **PLAN IMPLEMENTATION**

### **Introduction**

Once the Town of Barnes Comprehensive Land Use Plan is adopted, it can be implemented. Often the word “tools” is applied to the different methods that can be used to implement the plan. Implementation tools can be recommendations, educational pamphlets, committees, groups, local government, and ordinances.

The Plan Implementation chapter will present a wide arrange of tools the Town of Barnes may consider using to implement the prioritized goals, objectives, policies, programs, and actions of each chapter.

### **Survey Results**

In the 2004 Town of Barnes Community Survey, property owners and renters where asked two questions relating to plan implementation. Respondents indicated they were highly in favor of public education as a means of making sure the ordinances are used effectively while the implementation of impact fees was mixed.

Bayfield County or the Town of Barnes has ordinances regulating shoreland lighting, boat activity, and building construction (to name a few). What are the two best ways to make sure these ordinances are used effectively?

|   |              |
|---|--------------|
| Hire someone full-time to enforce ordinances. | <b>22.8%</b> |
| Consider stricter ordinances.                 | <b>12.1%</b> |
| Better educate the public.                    | <b>69.6%</b> |
| Ordinances need to be “loosened”.             | <b>9.0%</b>  |
| Use volunteers for enforcement.               | <b>21.0%</b> |
| Not sure.                                     | <b>10.3%</b> |

The Town of Barnes should consider implementing impact fees, which are assessed per lot on new developments because of their financial impact on the Town’s public facilities, utilities, and roads.

|                      |              |
|----------------------|--------------|
| I strongly agree.    | <b>16.8%</b> |
| I agree.             | <b>27.0%</b> |
| I disagree.          | <b>24.5%</b> |
| I strongly disagree. | <b>12.6%</b> |
| Not sure.            | <b>17.0%</b> |

## Potential Implementation Tools

Implementation tools can be grouped into regulatory and non-regulatory. Regulatory tools can be state, county, and town codes and ordinances the Town of Barnes uses to regulate it. Non-regulatory tools can be measures the Town government or residents voluntarily take to achieve a goal. Regulatory and non-regulatory tools can be used to do budgetary planning, public education, and preserve land.

| <b>Regulatory Tools</b> | <b>Brief Description</b>  | <b>Applicability</b>  |
|-------------------------|---|---|
| Zoning                  | Zoning regulates how a property owner's land may be used in respect to lot size, setbacks, and the size and height of structures. It provides standards for residential, commercial, and industrial development.              | <p>Cities and villages may adopt general zoning within their borders. They also have the authority to establish extraterritorial zoning in adjacent towns under the jurisdiction of a joint city, village, and town committee.</p> <p>Counties may adopt a general zoning ordinance covering all areas in the county outside cities and villages. The ordinance is only applicable in a town only if the town board approves the ordinance. A town may adopt only a part of the county zoning ordinance.</p> <p>In counties that have general county zoning, town zoning is possible only with the agreement of the county board. Town residents may vote to assume village powers. The town may then develop a zoning ordinance following the same procedures for cities and villages.</p> |
| Special Zoning          | Wisconsin has several special zoning programs with specific statutory requirements that distinguish them from general zoning. Special zoning includes exclusive agricultural zoning, floodplain zoning, and shoreland zoning. | <p>Cities, villages, and counties are all required to adopt floodplain zoning. Counties are required to adopt shoreland zoning for the towns. County shoreland and floodplain zoning are not subject to approval by the towns. Cities and villages are required to adopt zoning to protect certain wetlands.</p> <p>The Wisconsin Department of Natural Resources sets the minimum standards for floodplain and shoreland/wetland zoning; local communities have the right to be more restrictive in their regulations.</p> <p>Exclusive agriculture zoning allows communities to participate in the Department of Agriculture, Trade and Consumer Protection's Farmland Preservation Program. Farmers in counties not in this program may participate by agreement with DATCAP.</p>        |
| Subdivision Ordinances  | Subdivision ordinances pertain to the design of subdivided land. It specifies the subdivider's responsibility for installing curb, sidewalks, plant trees, and provide utilities.   | Counties, cities, villages, and towns can all adopt subdivision or land regulations. Towns do not need the approval of counties to adopt subdivision regulations and counties do not need the approval of towns for the county subdivision ordinance to apply within that town.   |

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| Official Mapping                  | Official maps are an effective means to reserve land for future public use. The maps may include extraterritorial areas and show existing and planned public facilities. | Cities, villages, and towns can all adopt official maps. Cities and villages may make their official maps applicable in the extraterritorial area. County approval is not needed for towns to adopt official maps.  |
| Historic Preservation Ordinance   | Meant to protect historic buildings and districts in communities and enhance the character of the community.   | Counties, cities, villages, and towns can adopt historic preservation ordinances. Cities and villages that contain property listed on the state or federal register of historic places must enact and historic preservation ordinance.  |
| Design Review                     | Allows communities to establish their desired future appearance by controlling landscaping, architectural, signage and site design conditions.                           | Communities can adopt design review as part of a zoning ordinance and a community's statutory police power regulatory authority. Communities typically assign design review to the plan commission or a separate design review committee.   |
| Moratoria                         | A moratorium is used to temporarily limit issuance of permits while new regulations are being developed so that plan objectives are not undermined.                      | While there is no specific statutory moratorium authority, communities have relied upon general and implicit authority to impose moratoria while they update or develop a plan and implementation tools. Moratoria should be used only in good faith planning efforts and should be limited to scope and time.  |
| Stormwater Management Regulations | Stormwater management ordinances or plans are designed to address the quality and quantity of stormwater runoff and its impact on water resources.                       | Counties, cities, villages, and towns can adopt stormwater management plans or ordinances. The plans or ordinances are used to address erosion and stormwater runoff during construction and post-construction phases of development.<br><br>Communities also use these to address the quantity and quality of stormwater runoff and its impact on water resources. They can also be used to address flooding issues. |
| Conservation Subdivision          | Provides incentive for developers to cluster lots onto a percentage of their property and place the remaining land into a conservation easement.                         | Counties, cities, villages, and towns can adopt a conservation subdivision ordinance or make it part of their subdivision ordinance. A conservation subdivision allows for the protections of   |

| <b>Land Preservation &amp; Acquisition Tools</b> | <b>Brief Description</b>   | <b>Applicability</b>   |
|--|--|--|
| Purchase of Development Rights (PDR)             | Allows a group, government, or individual to purchase development rights on land to permanently preserve it.                               | Counties, cities, villages, and towns all have the authority to use PDRs. A conservation easement is recorded to indicate that the development rights have been removed from the land.                             |
| Conservation Easements                           | Voluntary preservation of land from development in perpetuity. A conservation easement is recorded in the county register of deeds office. | Counties, cities, villages, towns, and conservation groups can use conservation easements. Donated conservation easements that meet federal tax code requirements qualify as charitable deductions for landowners. |

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| Transfer of Development Rights (TDR) | Allows for the buying and selling of rights to develop property within designated sending and receiving areas. In general, it allows for development in rural areas while protecting agricultural lands or valuable natural resources through the use of conservation easements. | TDR is typically used in rural towns to allow development while protecting valuable natural resources and lands being used for agriculture. TDR is generally used in areas that are experiencing development pressure.<br><br>TDR is used to as an incentive to provide equity to landowners who want to preserve their land yet may be tempted to sell their land to developers in order to benefit from high land prices. |
| Donations                            | Land can be donated to communities by individuals or businesses.   | Counties, cities, villages, and towns can receive land at no cost to the public.  |
| Eminent Domain                       | Allows for government to take private property for public purposes, even without owner consent, granted that the government provides compensation to the property owner for their loss.  | Counties, cities, villages, and towns can condemn land using the power of eminent domain. This authority can also be used to take partial interests in land such as an easement.  |
| Reserved Life Estates                | Land owners can donate or sell their title land to a community or conservation group and continue to live on it.   | Counties, cities, villages, and towns can obtain parcels of land. The owner receives tax benefits but the management of the land may be restricted.   |
| Direct Purchase                      | Land is purchased by the public or a conservation group.   | Counties, cities, villages, and towns can get desirable land for parks, preserve historical and archeological sites, or protect unique natural resources.   |
| Land Trusts                          | Land Trusts are private non-profit organizations established to protect land and water resources. Generally, they are community-based organizations.   | Communities can work with land trusts for the long-term preservation of agricultural areas and important natural resources. Land trusts often seek the purchase or donation of land or conservation easements to limit harmful development.   |

| <b>Financial Tools</b>   | <b>Brief Description</b>   | <b>Applicability</b>  |
|--------------------------|--|---|
| Impact Fees              | Financial contributions imposed on new development to pay for capital improvements needed to serve the development.  | Counties, cities, villages, and towns can all impose impact fees for certain public facilities.   |
| Capital Improvement Plan | Help a community plan for the timing and location of capital improvements. Ensures proper local budgeting for capital improvements.                                      | Counties, cities, villages, and towns can all adopt capital improvement programs.   |
| Tax Increment Financing  | This tool is used by communities to capture future increases in property tax revenue and make these dollars available as a development incentive, subsidy or investment. | Cities, villages, and towns can create TIF districts to encourage economic development in distressed or underdeveloped areas where development would not otherwise occur. |

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| Stormwater Utility                            | Allows communities to add an additional charge to a utility bill that is used to maintain stormwater management facilities.   | Counties, cities, villages, and towns can assess a stormwater utility to maintain, operate, and construct new stormwater management facilities. The facilities are used to protect water resources and control water quantity and quality.<br><br>Projects can include the construction and maintenance of storm sewer, stormwater ponds, and swales. |
| Shared Service Agreements and Revenue Sharing | Many of the services provided by local governments to their citizens are also provided by neighboring communities. To address related coordination and funding issues, communities may enter into agreements with each other for shared service delivery in order to improve the economic health of all the communities involved. | Counties, cities, villages, and towns can enter into contracts to share the costs of services with neighboring communities. Services can include providing utilities, road maintenance, or the use of public facilities. Sharing services reduces the cost of providing these services to each community.   |
| Grants  | Free monies typically awarded by state agencies or private organizations. Often, there is cost sharing involved with the community. Grants can be awarded for many things such as education, protection of natural resources, and creating plans.   | Counties, cities, villages, towns, and organizations can all apply for grants. Grant monies do not have to be paid back.  |
| Forest Tax Laws                               | Encourages sustainable forestry on private lands by offering tax incentives.  | Managed Forest Law is available to private land owners with 10 or more acres of woodlands. It provides tax incentives for sustainable forestry. Land owners can receive higher tax breaks if the land is open to the public for hunting or other recreational uses.   |

| <b><i>Non-Regulatory Tools</i></b> | <b><i>Brief Description</i></b>   | <b><i>Applicability</i></b>  |
|------------------------------------|---|--|
| Cooperative Boundary Agreements    | Serve to abate or eliminate often long-standing conflicts with respect to planning, zoning, property tax base, and ultimately, future urban development patterns. | Any incorporated municipality and a town or towns can enter into cooperative boundary agreements. Cooperative boundary agreements are used for long range planning for certain areas where communities share borders.                                  |
| Performance Standards              | Limits land use changes that are incompatible with the plan by establishing criteria for development.   | Cities, villages, and towns can establish performance standards that development is encouraged to meet. These standards can be street design, types of homes, densities, and garage locations. Often, some incentive is given to meet these standards. |
| Educational Workshops or Materials | Used to provide useful information and educate the public.  | Communities can use educational workshops and materials to inform residents about local practices such as recycling, community character standards, how to reduce water use, volunteer opportunities, etc...   |
| Volunteer Groups and Organizations | Provide labor or services for local projects.   | Volunteer groups or organizations can be used to help plant flower beds, monitor invasive species, provide rides for the elderly, etc.   |

## Implementation Priorities and Schedule

There are numerous policies, programs, and actions recommended throughout the Town of Barnes Comprehensive Land Use Plan. Personnel and budget limitations make it difficult to address all of them in a short period of time. This section should be used as a practical guide to prioritize and schedule implementation policies.

The timeframes used for the recommended actions are:

**Short Term:** 2006-2007  
**Mid Term:** 2008-2011  
**Long Term:** 2012 and beyond  
**Continuous:** Ongoing support/action

| Element  | Recommendation   | Group  | Timeframe  |
|--|--|--|------------|
| <b>NATURAL,<br/>CULTURAL,<br/>AGRICULTURAL<br/>RESOURCES</b> | Draft ordinance limiting or banning phosphate fertilizers.   | Plan Commission,<br>Town Board   | Short Term |
|  | Explore potential ordinances for stormwater management and erosion control.  | Plan Commission,<br>Town Board   | Short Term |
|  | Protect shorelands by creating incentives, providing workshops or educational materials, supporting enforcement of existing ordinances, and researching available grants for shoreline restoration and protection. | Lakes Committee,<br>Plan Commission,<br>Town Board                     | Short Term |
|  | Require permitted new construction and additions to have stormwater management plans for development within 1000' of shorelands.   | Town Board, Bayfield<br>County, Land<br>Conservation Dept.             | Short Term |
|  | Propose a "Slow No Wake" ordinance on all Class 3 Lakes and navigable rivers.  | Plan Commission,<br>Town Board, Bayfield<br>County, WDNR               | Short Term |
|  | Monitor boat house regulations and educate lake shore residents.   | Town wide, Bayfield<br>County Zoning                                   | Mid Term   |
|  | Request the DNR do sensitive area studies on all lakes in the Town and notify the Town when the studies are undertaken or completed.   | DNR, Lakes<br>Committee  | Mid Term   |
|  | Review setbacks on all lakes, rivers, and creeks and make recommendations for increases if needed.   | Lakes Committee,<br>Plan Commission,<br>Town Board, Bayfield<br>County | Mid Term   |

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|---|---|------------|
| Apply for grants to help monitor Aquatic Invasive Species at Town boat landings.  | Plan Commission, Town Board, Lakes Committee                  | Continuous |
| Create strategies to increase awareness of ordinances, support enforcement of these ordinances, and monitor their enforcement.                        | Bayfield County, Plan Commission, Town Board, Lakes Committee | Continuous |
| Work with Bayfield County to create a process to keep the Town informed on the progress and status of mitigation orders.                              | Plan Commission, Town Board, Bayfield County                  | Continuous |
| Use the Town web site and other mediums to inform residents and visitors of important issues.   | Town Staff  | Continuous |
| Collaborate with area ATV and snowmobile club members to create solutions to reduce soil erosion and noise pollution.                                 | Snowmobile & ATV Clubs, Plan Commission, Town Board           | Continuous |
| Educate property owners on options for preserving land through enrollment in open land management programs, conservation easements, land trusts, etc. | DNR, Plan Commission, Town Board, Private Land Owners         | Continuous |

| <b>Element</b> | <b>Recommendation</b>  | <b>Group</b>   | <b>Timeframe</b>       |
|----------------|--|--|------------------------|
| <b>HOUSING</b> | Review existing requirements and regulations on accessory buildings used for habitation.   | Plan Commission, Town Board  | Short Term             |
|                | Create educational brochures/packets for new property owners (local ordinances, shoreland protection, blending in with the natural environment, etc.). | Town Board, Town Staff, Ad-Hoc Committee                             | Short Term, Continuous |
|                | Review existing lake classifications and recommend reclassifications as needed.  | Lakes Committee, Eau Claire Lakes/Barnes Property Owners Association | Mid Term               |
|                | Create design standards for "developments" and general residential (buffers, etc).   | Plan Commission, Town Board, Ad-Hoc Committee                        | Mid Term               |

| <b>Element</b>              | <b>Recommendation</b>   | <b>Group</b>  | <b>Timeframe</b> |
|-----------------------------|---|---|------------------|
| <b>ECONOMIC DEVELOPMENT</b> | Create a “Main Street or Downtown Committee” to develop concepts for a future Main Street and parking requirements.   | Ad-Hoc Committee  | Long Term        |
|                             | Create an Economic Development Committee (beyond but including the Barnes Area Development Commission) to explore ideas for economic opportunities that are in line with the environmental goals of the Town and create a plan for responsible economic growth. | Town Board, Economic Development Commission, Northwest Wisconsin Regional Planning Commission, Bayfield County Economic Development Corporation | Continuous       |

| <b>Element</b>        | <b>Recommendation</b>   | <b>Group</b>   | <b>Timeframe</b> |
|-----------------------|---|--|------------------|
| <b>TRANSPORTATION</b> | Develop transportation alternatives for seniors, the elderly, and the disabled. | Plan Commission, Town Board, County Housing Commission | Mid Term         |

| <b>Element</b>  | <b>Recommendation</b>   | <b>Group</b>                                       | <b>Timeframe</b> |
|-----------------|---|--|------------------|
| <b>LAND USE</b> | Create a Lakes and Rivers Issues Committee that would make recommendations on ordinances for more protective zoning within the 1000' shoreland zone (with and without lake access) and other lake issues. | Lakes Committee, Plan Commission, Town Board       | Short Term       |
|                 | Review and adopt the Eau Claire Lakes Lake Management Plan  | Lake Issues Committee, Plan Commission, Town Board | Short Term       |
|                 | Work with Bayfield County to reduce dwelling densities allowed in planned unit developments and other multiple unit developments.   | Bayfield County, Plan Commission, Town Board       | Short Term       |
|                 | Develop an option for land zoned F-2 to allow one lot up to 4.5 acres in size for one home or one cabin per 40 acres or quarter-quarter section.  | Bayfield County, Plan Commission, Town Board       | Short Term       |
|                 | Work with Bayfield County to create a new Forestry zoning classification that allows 10 acre lot minimums to provide greater protection of the natural environment.                                       | Bayfield County, Plan Commission, Town Board       | Short Term       |

| Element                                   | Recommendation  | Group   | Timeframe |
|---|---|---|-----------|
| <b>UTILITIES AND COMMUNITY FACILITIES</b> | Develop a plan for extending opportunities for recreation that is in line with the environmental goals of the Town.       | Recreation Committee, Lakes Committee, Clubs, DNR, Resort Owners            | Mid Term  |
|   | Create an Ad-Hoc Committee to study need for future locations and financial issues related to future Town facility needs. | Town Board, Ad-hoc Committee  | Mid Term  |
|   | Research and submit grants to expand opportunities for quiet sports (land purchases, design, and development).            | Recreation Committee, Bayfield County, DNR, Paper/Land Management Companies | Mid Term  |

| Element                              | Recommendation  | Group                                 | Timeframe  |
|--------------------------------------|---|---------------------------------------|------------|
| <b>INTERGOVERNMENTAL COOPERATION</b> | Actively promote cooperation to achieve goals and objectives set forth in Comprehensive land use Plan and maximize human and financial resources. | See each area above for opportunities | Continuous |

## **Roles and Responsibilities**

**Residents and Property Owners:** The Town of Barnes encourages continuous input from its Residents and Property Owners. Throughout the planning process, public participation has been encouraged through the Citizen Advisory Board and monthly Comprehensive Land Use Planning Committee meetings. This process does not end with the adoption of the Comprehensive Plan. Views change and new ideas evolve and with this, the Comprehensive Plan will need to be updated. Therefore, public participation will always be needed and encouraged.

**Planning Commission:** The Town of Barnes Plan Commission's role in the planning process is to review all pertinent information, give input, and act as advisory to the Town Board. The Plan Commission will use the Comprehensive Plan as a guide for making decisions and will recommend revisions and updates as needed.

**Town Board:** In order for the Comprehensive Plan to be implemented, the Town Board must formally adopt the Plan. Upon this happening, the Comprehensive Plan becomes the official guide for decision-making by Town officials. As chief policy makers, the Board is also responsible for establishing and actively supporting a continuing planning program.

## **Plan Updates**

Ongoing evaluation of the Town of Barnes Comprehensive Land Use Plan is important. The needs of the community today may be different in the future. Revisions and amendments to the Town's Comprehensive Land Use Plan can be done at any time by following the procedures for adopting a Comprehensive Plan required by state statutes. These include publishing a Class I notice, having the plan available for the public to review for 30 days, and holding a public hearing.

The Town of Barnes Comprehensive Land Use Plan Implementation chapter should review the progress of the Plan Implementation recommendations and report to the Town Board. At a minimum, the Plan is required to be updated every 10 years.

## **Plan Implementation Goals, Objectives, and Policies, Programs, and Actions**

**Goal 1:** Maintain an effective Comprehensive Land Use Plan.

### **Objectives**

1. Ensure the Plan is relevant to the Town's needs.

### **Programs, Policies, and Actions**

1. Revise and amend the Town of Barnes Comprehensive Land Use Plan as needed.
2. Review the Implementation Priorities and Schedule section to gauge implementation progress.