

9 Implementation

9.1 Implementation Chapter Purpose and Contents

This element includes a compilation of regulatory and non-regulatory measures to implement the objectives of this comprehensive plan. The chapter also includes the process for adopting, monitoring, and updating the comprehensive plan.

The implementation of the Town of Leon comprehensive plan involves decision-making by both public officials and the citizens of the community. These decisions will be measured by the concern for the welfare of the general community, the willingness to make substantial investments for improvement within the community, and the realization that certain procedures must be followed and adhered to for the continued high quality environment found within the Town. Suggested implementation measures include:

- a. Continued utilization and enforcement of regulatory ordinances and non-regulatory activities based on the goals and objectives identified in the comprehensive plan.
- b. The development of programs and support systems that further the goals and objectives set forth by the Town in this plan.
- c. The establishment and support of a continued planning process providing for periodic review and updates to the plan and land use control measures.
- d. The support of committees and local, regional and state organizations to carry out specific objectives identified in the comprehensive plan.

9.2 Summary of Key Planning Issues and Opportunities

The following list summarizes some of the key issues and opportunities identified through public involvement activities and the Citizen Questionnaire (1999). Issues also reflect observed liabilities and comments made through the planning development process.

Preserve Agricultural Lands

A majority of the growth throughout the County is scattered rural residential development, or vacation homes, or seasonal conversions. These types of development can be inefficient to service, but they also compromise working lands. Agricultural preservation is a major priority including maintaining contiguous tracts of agricultural properties and reducing conflicts between farm and non-farm land uses. Support for regulating growth to preserve farmland was split between limiting housing development to land unsuitable for farming and limiting the number of lots a landowner could split and sell for residential development.

Economic Development

There is local desire to grow services, specifically grocery, retail and restaurants, with a preference for dispersal of said services throughout the town.

Environmental Protection

Preservation of rural character is a countywide initiative. Locally, preservation of wooded lots, meadows, viewsheds, surface waters and groundwater are issues of concern.

Balancing Public Interest and Private Property Rights

The need to balance public interest and private property rights is a goal stated within the state's comprehensive planning legislation. Land use decisions should consider equitable and defensible growth management strategies. Countywide, a reduction in scattered residential growth would decrease the inefficiency of providing local services and slow the depletion of working lands.

9.3/9.4 Implementation Tools

Implementation tools include the rules, policies, and ordinances used to facilitate or control for a desired outcome. Examples include zoning ordinances and official maps, or the availability of certain incentives. Sections 9.3 and 9.4 describe regulatory and non-regulatory measures to control growth and provide effective community management.

9.3 Regulatory Measures

The following regulatory measures can be used to guide development and implement the recommendations of a comprehensive plan. The town, county, or state authorities officially adopt these regulatory and land use control measures as ordinances or laws. For the purposes of this document, “regulatory measures” are those that must be adhered to by everyone if adopted. A brief description of each tool is provided below, followed by a specific action recommended for the Town of Leon.

9.3.1. Zoning Ordinance

Zoning is used to guide and control the use of land and structures on land. In addition, zoning establishes detailed regulations concerning the areas of lots that may be developed, including setbacks and separation for structures, the density of the development, and the height and bulk of building and other structures. The general purpose for zoning is to avoid undesirable side effects of development by segregating incompatible uses and by maintaining adequate standards for individual uses.

The establishment of zoning districts is generally conducted after careful consideration of the development patterns indicated in the comprehensive plan. Amending zoning district boundaries has the overall effect of changing the plan (unless amendments correspond to changes within the plan); therefore, it is reasonable to assume that indiscriminate changes may result in weakening of the plan. The Town of Leon utilizes the Waushara County Zoning Ordinance and takes an active role in its content and corresponding zoning map. These decisions are preceded by public hearings and plan commission recommendations.

An overlay district is an additional zoning requirement that is placed on a geographic area but does not change the underlying zoning. Overlay districts have been used to impose development restrictions or special considerations on new development. Waushara County provides an overlay district for groundwater protection.

Action: 5-acre lots throughout the town. Work with the County to determine applicability of zoning overlay to protect the environmentally sensitive areas of the town from development.

9.3.2 Official Maps

An official map shows the location of areas which the municipality has identified as necessary for future public streets, recreation areas, and other public grounds. By showing the area on the Official Map, the municipality puts the property owner on notice that the property has been reserved for a future public facility or purpose. The municipality may refuse to issue a permit for any building or development on the designated parcel; however, the municipality has one year to purchase the property upon notice by the owner of the intended development.

There are no immediate plans for the Town to draft an official map. However, should local officials want to ensure consistency of the Future Land Use Plan with capital improvements, an official map should be drafted.

Action: Adopt an official map at which time changes in the rate of development require increased long-term infrastructure planning.

9.3.3 Sign Regulations

Governments may adopt regulations, such as sign ordinances, to limit the height and other dimensional characteristics of advertising and identification signs. The purpose of these regulations is to promote the well-being of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding the rights of the people in the community for a safe, healthful and attractive environment.

Leon utilizes Waushara County's sign controls that regulate for type, bulk and setback.

Action: Continue to utilize current standards. Encourage the county to assemble a committee to review current sign controls, particularly for signs located along highways.

9.3.4 Erosion/Stormwater Control Ordinances

The purpose of stormwater or erosion control ordinances is to set forth stormwater requirements and criteria which will prevent and control water pollution, diminish the threats to public health, safety, welfare, and aquatic life due to runoff of stormwater from development or redevelopment. Adoption of local ordinances for stormwater do not pre-empt more stringent stormwater management requirements that may be imposed by WPDES Stormwater Permits issued by the Department of Natural Resources.

Erosion control plans are required to be submitted as part of the Waushara County subdivision ordinance (Chapter 42, Sec. 42-126) which controls for erosion controls during construction activities. County ordinances also promote reducing erosion through the Shoreland Zoning and Nonmetallic Mining Reclamation ordinances.

Action: Continue to utilize existing county ordinances.

9.3.5 Building/Housing Codes

The Uniform Dwelling Code (UDC) is the statewide building code for one- and two-family dwellings built since June 1, 1980. As of January 1, 2005, there is enforcement of the UDC in all Wisconsin municipalities. The UDC is primarily enforced by municipal or county building inspectors who must be state-certified. In lieu of local enforcement, municipalities have the option to have the state provide enforcement through state-certified inspection agencies for new homes. Permit requirements for alterations and additions will vary by municipality. Regardless of permit requirements, state statutes require compliance with the UDC rules by owners and builders even if there is no enforcement.

Waushara County enforces Wisconsin's Uniform Dwelling Code in Leon.

Action: Continue to coordinate with Waushara County to ensure builders follow state building codes for all structures built within the jurisdiction.

9.3.6 Mechanical Codes

In the State of Wisconsin, the 2000 International Mechanical Code (IMC) and 2000 International Energy Conservation Code (IECC) have been adopted with Wisconsin amendments for application to commercial buildings.

Action: Leon requires that builders follow state building and mechanical codes for all structures built within the jurisdiction.

9.3.7 Sanitary Codes

Sanitary codes, which are usually enforced at the county-level, provide local regulation for communities that do not have municipal sanitary service. These codes establish rules for the proper siting, design, installation, inspection and management of private sewage systems and non-plumbing sanitation systems.

To meet 2008 changes in state legislation (Comm 83), the County will have to complete an inventory of all existing septic systems by 2011. By 2013, all septic systems will need to be a part of a regular inspection program. Developments utilizing private sewage systems are required to obtain a permit and abide by regulations set forth in the Waushara County Private On-Site Wastewater Treatment Systems ordinance (Chapter 54).

Action: Continue to work with Waushara County for the issuance of permits and enforcement of established regulations.

9.3.8 Land Division Ordinance

Land division regulations serve an important function by ensuring the orderly growth and development of unplatted and undeveloped land. These regulations are intended to protect the community and occupants of the proposed land division by setting forth reasonable regulations for public utilities, storm water drainage, lot sizes, road design, open space, and other improvements necessary to ensure that new development will be an asset to the community.

Leon does not have a local land division ordinance and relies on Waushara County's Subdivision Ordinance (Chapter 42) to control design of new neighborhoods. The County ordinance does not contain specific provisions for conservation subdivisions, though the "planned residential unit design" (Sec. 42-87) provides a similar function by allowing for the grouping of lots below the minimum size specified under the zoning classification for the property.

Actions: Encourage Waushara County to review the existing subdivision ordinance to include additional design characteristics appropriate for conservation subdivisions.

9.3.9 Shoreland and Floodplain Zoning

Waushara County regulates shorelands and floodplains within its jurisdiction. The zoning code controls for water pollution, protects spawning grounds for fish and aquatic life, controls building sites including placement of structures and land uses, and preserves natural shoreline cover. Leon is governed by Waushara County's Shoreland Zoning, and Floodplain ordinances.

Action: Continue to utilize county rules and regulations.

9.3.10 Building Site Ordinance

Building site ordinances detail minimum regulations, provisions and requirements for development. The purpose of building site ordinances is to ensure development occurs consistent with municipal values. This tool can help preserve rural character, sustain property values and the property tax base, and help realize the objectives of a comprehensive plan.

The Town of Leon does not have a local building site ordinance. Siting of structures is controlled through Waushara County's subdivision and zoning ordinances.

Action: Continue to utilize county controls until additional regulation is desired.

9.3.11 Historic Preservation / Design Review Ordinances

Design guidelines are a set of standards that define general parameters to be followed for site and/or building design. Such standards do not prescribe architectural style or exact site layout. In many cases, design guidelines are used to preserve the historic or architectural character of an area. They may also be used to preserve important scenic corridors by requiring development to be integrated into the landscape.

The Town of Leon does not use any design guidelines to control the appearance of structural development or preserve unique structural elements within the community.

Action: Monitor local demand for structural design standards.

9.4 Non-regulatory Measures

The following non-regulatory measures can be used to guide development and implement the recommendations of a comprehensive plan. These measures often exist as policies or as special incentives available to willing participants. For the purposes of this document, “non-regulatory measures” are meant to encourage a particular practice, but not legislate it. A brief description of each tool is provided below followed by a specific action recommended for the Town of Leon.

9.4.1 Capital Improvement Plan

This is an ongoing financial planning program intended to help implement planning proposals. The program allows local communities to plan for capital expenditures and minimize unplanned expenses. Capital improvements or expenditures are those projects that require the expenditure of public funds for the acquisition or construction of a needed physical facility.

Capital improvement programming is a listing of proposed projects according to a schedule of priorities over a short time period. It identifies needed public improvements, estimates their costs, discusses means of financing them, and establishes priorities over a three-to-five year programming period. Improvements or acquisitions considered a capital improvement include:

- Public buildings (i.e. – fire and police stations)
- Park acquisition and development
- Roads and highways
- Utility construction and wastewater treatment plants
- Joint school and other community development projects
- Fire and EMS protection equipment

A capital improvement plan (CIP) or program is a method of financial planning for these types of improvements and scheduling the expenditures over a period of several years in order to maximize the use of public funds. Each year the capital improvement program should be extended one year to compensate for the previous year that was completed. This keeps the improvement program current; it can be modified to the community’s changing needs.

Preparation of a Capital Improvement Program

The preparation of a Capital Improvement Program is normally a joint responsibility of the community administrator or plan commission, various staff, governing body, and citizen commissions. The preparation of a capital improvement program may vary from community to community depending on local preferences, the local form of government and available staff. In communities that have a community development plan or comprehensive plan, a planning agency review of the proposed capital improvement program is desirable.

The Town has not implemented a Capital Improvement Plan.

Action: Utilize an annual system of funding allocation, such as capital improvement plan, to ensure adequate funding and programming for needed upgrades and repair of capital improvements.

9.4.2 Cooperative Boundary Agreements

These agreements attempt to facilitate problem solving through citizen involvement, negotiation, mediation, and other cooperative methods. Generally, boundary agreements help both an incorporated community and an unincorporated community forecast future lands for annexation so that infrastructure needs can be forecast and funded. They can also ease contentious relationships.

Action: At which time annexation becomes an issue, coordinate with the Village of Red Granite to establish a joint committee charged with preparing a boundary agreement.

9.4.5 Purchase of Development Rights

Purchase of Development Rights (PDR) is a land conservation tool that pays landowners to reserve their land for agricultural or natural preservation. PDR is a voluntary program whereby a municipality, land trust, or other entity buys development rights (also known as a conservation easement) from landowners for the purpose of preventing development on that land. The primary purpose of a conservation easement is to protect agricultural land, timber resources, and/or other valuable natural resources such as wildlife habitat, clean water, clean air, or scenic open space by separating the right to subdivide and build on the property from the other rights of ownership. The landowner who sells these "development rights" continues to privately own and manage the land.

The Town does not currently participate in a Purchase of Development Rights Program.

Action: Follow the progress of any state or regional efforts to develop a Purchase of Development Rights program.

9.5 Consistency Among Plan Elements

The State of Wisconsin planning legislation requires that the implementation element describe how each of the nine elements will be integrated and made consistent with the other elements of the plan. Since the Town of Leon completed all planning elements simultaneously, no known inconsistencies exist.

This Comprehensive Plan references previous planning efforts, and details future planning needs. To maintain consistency with the Comprehensive Plan, the Town should incorporate existing plans as components to the Comprehensive Plan, and adopt all future plans as detailed elements of this Plan.

Leon will continue to make educated decisions based upon available information and public input. Planning community resources will incorporate a comprehensive look at all elements to determine appropriate cohesiveness of the decision against stated visions.

9.6 Plan Adoption, Monitoring, Amendments and Update

9.6.1 Plan Adoption

In order to implement this plan it must be formally adopted by ordinance. This action formalizes the plan document as a frame of reference for general development decisions over the next 20 years. Once formally adopted, the plan becomes a tool for communicating the community's land use policy and for coordinating legislative decisions. Specific details for adopting a comprehensive plan can be found in Wisconsin Statutes 66.1001 Section 4. A generalized process is outlined below.

1. Adopt a Public Participation Plan.
2. Plan Commission must recommend (with official Resolution by majority vote) the Plan to the governing body (Town/Village Board, City Council). Notice this meeting the same as any other Plan Commission meeting.
3. After Plan Commission approval, mail draft Plan copies to statutory list (RPC, County, DOA, adjacent governmental units, local library).
4. Publish Class 1 Notice at least 30-days prior to Public Hearing. *Jurisdictions that contain nonmetallic mineral extraction operations must mail written notice of the Public Hearing to the operator of the nonmetallic mineral extraction site. 66.1001 (4)(e)*

5. Approval by Board/Council (with Ordinance by majority vote of members elect) after Public Hearing. *The Public Hearing may take place at the regular Board/Council meeting, or be held separately on a different date.*
6. Mail final Plan copies to statutory list (#3 above).

9.6.2 Plan Use and Evaluation

The Town of Leon will weigh all of its land use decisions against this plan's goals, objectives, policies, and recommendations, including decisions on private development proposals, public investments, regulations, incentives, and other actions.

Although this plan has described policies and actions for future implementation, it is impossible to predict the exact future condition of the Town. As such, the goals, objectives, and actions should be monitored on a regular basis to maintain concurrence with changing conditions.

The plan should be evaluated at least every 5 years, and updated every 10 years. Members of the Town Board, Plan Commission, and any other decision-making body should periodically review the plan and identify areas that might need to be updated. The evaluation should consist of reviewing actions taken to implement the plan's vision, goals and objectives.

9.6.3 Plan Amendments

The Town of Leon Comprehensive Plan may be amended at any time by the Town Board following the same process to amend the plan as it originally followed when it was initially adopted, regardless of how minor the amendment or change.

Amendments may be appropriate throughout the lifecycle of the plan, particularly if new issues emerge or trends change. These amendments will typically be minor changes to the plan's maps or text. Large-scale changes or frequent amendments to meet individual development proposals should be avoided or the plan loses integrity. Any proposed amendments shall be submitted to the Plan Commission for their review and recommendations, prior to consideration by the Town Board for final action.

9.6.4 Plan Update

According to the State comprehensive planning law, the Comprehensive Plan must be updated at least once every ten years. Many towns discuss changes or revisions to the comprehensive plan at their annual meeting authorized under Wisconsin Statutes 60.10.

9.6.5 Enactment

Upon enactment of this plan, all zoning recommendations, official mapping and subdivision regulation decisions shall be consistent with this plan.

9.7 Ten-Year Action Plan

This 10-Year Action Plan provides a summary list and work schedule of short-term actions that the Town should complete as part of the implementation of the Comprehensive Plan. It should be noted that many of the actions require considerable cooperation with others, including the citizens of Leon, Town Committees, Town staff, and local/state governments. The completion of recommended actions in the timeframe presented may be affected and or impacted by competing interests, other priorities, and financial limitations facing the Town. This table should be reviewed every five years and updated every ten years. It should be used as a mechanism to measure progress toward achieving all aspects of the comprehensive plan and to provide direction to the implementation authority specified in the table.

Table 9.1: Action Plan

Action	Who is responsible?	Schedule
Housing		
Improve and then maintain the rural character of the existing housing stock.	Town Board	Ongoing
Encourage the development of various housing types to meet the needs of seniors and others Town residents.	Plan Commission	2012
Transportation		
Provide safe and adequate bicycle facilities for transportation and recreational bicycling.	Town Board	Ongoing
Encourage the County to add paved shoulders to highways when reconstructed.	Plan Commission/County Highway Department	Ongoing
Encourage increased mobility services for senior and disabled populations.	Town Board, Waushara County Aging and Disability Resource Center	2010
Community Facilities and Utilities		
Develop a Capital Improvements Plan (CIP).	Plan Commission	2010
Explore development of impact fees.	Plan Commission	2018
Minimize the adverse visual impact of new communication towers on the rural landscape.	Plan Commission	2012
Agricultural, Natural, and Cultural Resources		
Encourage the continued protection of our surface and groundwater resources.	Plan Commission	2010
Continue building setback enforcement near environmental resources.	Waushara County Zoning and Land Conservation	Ongoing

Encourage landowners to retain woodlots and forested areas to enhance the character and economy of the Town.	Town Board	Ongoing
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Economic Development

Maintain the viability of productive agricultural activities and enterprises as a component of the Town's economy.	Plan Commission, Town Board, Village of Redgranite	2010
Encourage development of statewide agricultural expansion programs.	Town Board, Waushara County Zoning and Land Conservation	Ongoing
Encourage best forestry management practices.	Town Board, Dept. Natural Resources	Ongoing

Intergovernmental Cooperation

Discuss the development of a Cooperative Boundary Agreement.	Plan Commission/Village of Redgranite	2015
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Land Use

Establish appropriate lot sizes for various land use applications per Exhibit 8-3.	Plan Commission	Ongoing
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