

Chapter 5

Plan Implementation

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TYPES OF PLAN IMPLEMENTATION TOOLS

A wide variety of tools including plans, programs, policies, guidelines, actions, budgets, and regulations are available to implement community plans. This chapter identifies six broad categories of tools including:

1. **Information** – tools for gathering or disseminating information.
2. **Cooperation** – tools that encourage intergovernmental cooperation or communication.
3. **Investment** – tools for investing or recovering public dollars.
4. **Incentive** – tools that encourage a desired behavior.
5. **Regulation** – tools that prescribe a required outcome.
6. **Design** – tools that encourage a particular pattern of development or design.

A description of each category and sample tools are provided below. The glossary at the end of this chapter provides additional resources on these and other tools.

► Informational Tools

Informational tools are used to gather or disseminate information. Tools designed to gather information include special purpose plans, studies and impact analyses. Tools designed to disseminate information include factsheets, brochures and educational campaigns. Just as public participation tends to result in plans that are more reflective of citizen desires, education can increase the rate of acceptance, participation and overall success of other plan implementation tools.

► Intergovernmental Tools

Intergovernmental tools are designed to foster cooperation and communication among two or more units of government. Intergovernmental efforts involve the coordination of plans,

policies and programs to address issues of mutual interest. Communities may also agree to enter into formal intergovernmental agreements. For example, communities may agree to consolidate services, share buildings or equipment, hire joint staff, share revenues, or address long-standing boundary issues.

► Public Investment Tools

Public investment tools are tools designed to invest or recover community dollars. The most common form of public investment is the construction of public facilities such as roads, trails, parks, government buildings, and public utilities. Many communities use capital improvement plans to identify and prioritize capital spending. Public investment tools designed to recover public dollars include impact fees, special assessment districts, and tax increment financing districts. Community decisions about public investment significantly impact the location, timing and rate of private development.

► Incentive-Based Tools

Incentive-based tools rely on the use of rewards or disincentives to encourage a particular type of behavior. While some tools use financial incentives to encourage a desired behavior, others rely on the intrinsic motivation of residents to take actions that benefit the community. Incentive-based tools are becoming popular for encouraging landowners and developers to conserve open space, develop away from sensitive areas, develop at higher densities, or provide other public benefits. Examples include conservation easements, purchase or transfer of development rights, density bonuses, tax incentives, and inclusionary housing.

► Regulatory Tools

Regulation is the most common form of plan implementation used by local government. Regulatory tools provide clear provisions about what can and cannot be done in a community. At the same time, they often lack

flexibility in dealing with unique development situations. The two most common regulatory tools in Wisconsin are zoning and subdivision regulations. Other tools include conservation subdivision regulations, planned unit developments, urban growth boundaries, and adequate public facilities ordinances.

Design-Based Tools

Design tools are used to encourage a particular pattern of development or design. While some design guidelines and policies can stand on their own, others need to be implemented through targeted public investment, regulations or incentives. Examples of design-based tools include low-impact development, transit-oriented development, conservation subdivision design, and transportation demand management.

Range of Plan Implementation Efforts

Plan implementation recommendations for two communities are shown below. The Town of Waubeek, located in rural Pepin County, chose to focus on just three plan implementation recommendations using a single tool, zoning. These recommendations reflect the limited resources and rural nature of the town. Standing in sharp contrast, the Town of Plymouth in Sheboygan County included well over 100 plan implementation recommendations in its plan. The town is located in close proximity to three major metropolitan areas and surrounds the City of Plymouth. Clearly, the issues and resources present in each town are different. These differences are reflected in the scope of their recommendations.

Recommendations for Plan Implementation

Immediate Recommendations
<p>Following is a prioritized list of items recommended by the Town of Waubeek Plan Commission for immediate implementation.</p> <ol style="list-style-type: none"> 1. Update the existing official zoning map adopted in 1978 to a digital format. Research all zoning land use changes that have been adopted by the Town Board and include them in the updated zoning map. 2. Establish a system to track and include future land use zoning changes approved by the Town Board into the official zoning map. 3. Review and update the current Town of Waubeek Zoning Ordinance to remove ambiguous language, unused land types and conflicting land use classifications.
Future Recommendations
<p>As the Town of Waubeek continues to develop and land use concerns change, the following items could be added to the Comprehensive Plan and Zoning Ordinance:</p> <ul style="list-style-type: none"> ▪ Additional subdivision requirements ▪ Purchase or Transfer of development rights ▪ Conservation subdivisions ▪ Cluster developments ▪ Planned urban developments ▪ Municipal sewer and water service ▪ Tax increment financing

Recommendations for Plan Implementation

The six categories of plan implementation tools are illustrated below. The party responsible for implementation and an expected timeline are provided along with each recommendation.

Activity	Lead Entity	Cooperators	Timeline
INFORMATION			
Develop a brochure or pamphlet to distribute to new residents considering building or moving into the Town of Plymouth. The brochure will describe farming conditions, the towns’ support of the agricultural atmosphere, and expectations of residents who build or move into the town.	Town Board	Plan Comm. Town Clerk	Mid-Term
COOPERATION			
Establish a formal policy to use the 20-Year Potential Land Use Maps contained in the City of Plymouth and Town of Plymouth comprehensive plans to provide official guidance for growth patterns in the transition area between the municipalities. These maps will be used in lieu of a formal boundary agreement.	Town Board	Plan Comm. C. Plymouth	Immediate
INVESTMENT			
Continue to utilize the WISLR pavement management system to monitor the physical condition of roadways. Tie this data into a long-term maintenance schedule, using a capital improvement program and outside funds to address ongoing needs.	Town Board	WisDOT Town Clerk	Ongoing
INCENTIVE			
Help landowners become aware of potential tax deduction options offered by local land trusts and conservation organizations for land preservation.	Town Clerk	Town Board Plan Comm. Land Trusts	Ongoing
REGULATION			
Consider maximum driveway lengths or maximum front yard setbacks for new residential and commercial development in rural areas in order to limit land fragmentation.	Plan Comm.	Town Board Cnty Planning	Ongoing
DESIGN			
Continue to work with developers to approve hours of operation, signage, lighting, parking, and landscaping requirements to meet the town’s desire for well planned growth and rural character preservation.	Town Board	Plan Comm. Town Clerk Developers	Ongoing

Adapted from Town of Plymouth Comprehensive Plan, 2009, Sheboygan County.
www.co.sheboygan.wi.us/html/d_planning_comp_T-Lima_Ply_Sheb_ShebFallsplangrp.htm

SELECTING TOOLS BASED ON AVAILABLE RESOURCES

Communities vary considerably in the ways that they implement their plans. The recommendations of a small town, village or county might look very different from those of a city, village or urbanizing town or county. Just as planning efforts should be scaled to the community, plan implementation efforts should reflect the overall vision for the community, available resources, and political will to implement the plan.

The glossary at the end of this chapter can be used by communities looking to identify potential plan implementation tools.

Questions are also provided below to help you assess your community's ability to implement each tool. After working through these questions, you should have a better idea of the human and financial costs associated with each tool, concerns regarding social or political support, and tradeoffs involved in selecting one tool over another.

1. **Resources** – Will the implementation strategy demand additional staff or funds? If so, what is the likelihood that staff or funds will be provided now and in the long-term?
2. **Public Support** – How is the implementation strategy perceived by the public? Was the public involved in selecting the strategy? Will they support the strategy through implementation?
3. **Political Support** – Who will be responsible for implementing the selected strategy? Were they involved in developing the strategy? Will they champion the selected strategy on to implementation?
4. **Equity** – How does the selected strategy affect various segments of the community (i.e. the general public, developers, interest

groups, etc.)? Do the public benefits of implementing the strategy outweigh individual costs? Can the strategy be implemented in a way that it is fair and equitable to most people involved?

5. **Administration** – How difficult is it to manage, monitor and enforce the tool? What is a realistic timeframe for implementation given existing budget and staff constraints? How will the tool work with other existing or proposed tools?

As communities grow and change, they will have to look to a variety of tools, old and new, to attain their respective community visions. Tool selection should be based on the goals and objectives outlined in the plan and an assessment of the community's available resources.

Implementation Tool Factsheets

The Center for Land Use Education has developed a series of plan implementation factsheets which are available online: www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/Plan-Implementation.aspx.

Each factsheet contains a brief description of the tool, instructions for adopting and administering the tool, and examples of Wisconsin communities that are using the tool. A report card also ranks the tool based on the assessment questions described on this page. While these factsheets can provide valuable insights on the strengths and weaknesses of each tool, the rankings should be considered in light of local resources and political realities. A sample report card for impact fees is shown on the next page.

Report Card: Impact Fees

Cost	Money or staff resources required to implement tool.
A	Staff and monetary resources are needed upfront to create an impact fee program. A consultant may be required to assist with creating the public facilities needs assessment, capital improvement plan, or fee schedule. Assessment of fees can be tied to an existing permitting process, thereby reducing staff time and costs. Impact fees pay for capital costs of public facilities but do not cover operation or maintenance costs.
Public Acceptance	The public's positive or negative perception of the tool.
B	Existing residents are generally supportive of impact fees because they limit tax increases due to new development. Developers, new homebuyers and businesses are generally less supportive because they must pay the impact fee. Those that feel the impact fees are too high could locate elsewhere.
Political Acceptance	Politician's willingness to implement tool.
B	Politicians that are faced with increasing development costs and limited revenues are generally willing to examine the use of impact fees. Approximately one hundred Wisconsin municipalities administer impact fee programs, showing they are well-accepted.
Equity	Fairness to stakeholders regarding who incurs costs and consequences.
A	Impact fees benefit local communities by providing income without raising local taxes. While they do not alter the total cost of providing services or infrastructure, they shift capital expenses from taxpayers-at-large to the developers and new homebuyers generating the costs. Depending on market conditions, studies show that impact fees can increase the cost of new housing or restrict housing supplies. However, state statutes allow communities to reduce or eliminate fees for low-cost housing. To be considered equitable, impact fees must be closely tied to development costs.
Administration	Level of complexity to manage, maintain, enforce, and monitor the tool.
A	The difficulty of administering an impact fee ordinance varies with the pace of new development, the clarity of local ordinances, and the reasonableness of local fees. Fees are generally considered reasonable if they are based on a needs assessment, bear a rational relationship to a need resulting from the development, and recover a proportional share of the capital costs of new facilities.
Scale	The geographic scale at which tool is best implemented.
Municipal	Only cities, villages and towns may use impact fees in Wisconsin. (2005 Wisconsin Act 477 prohibited county use of impact fees).

Graphic from *Planning Implementation Tools: Impact Fees*. Rebecca Roberts. 2008. Center for Land Use Education. www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/Plan-Implementation.aspx

DEVELOPING AN IMPLEMENTATION STRATEGY

Given the number of issues typically addressed in community plans, implementing a newly adopted plan can seem overwhelming. A well-written plan implementation strategy can help to ease these concerns. The strategy should identify plan implementation recommendations in order of priority, a realistic timeframe for completion, parties responsible for implementation, and potential funding sources.

► Timeline and Priorities

A sample plan implementation legend is shown at right. This example establishes priorities on the basis of short, medium, long-term and ongoing activities. Short-term priorities are defined as items that are either time-sensitive to address or relatively easy to implement and can be handled within one to three years. Medium-term priorities are not as time sensitive or may be more difficult to implement due to funding constraints or complexity. Long-term priorities are preceded by higher priorities and may be addressed as human, political or financial resources become available. Ongoing activities are continuing in nature or do not lend themselves well to target completion dates.

► Responsible Party

Parties responsible for implementation are also shown in this example. A local government does not need to rely solely on its own resources to implement a plan. In addition to local departments, boards and commissions, the plan commission should consider how to involve and leverage the resources of the broader community. For example, conservation organizations, lake districts, business associations, and other similar groups are often well-equipped and may be eager to assist with plan implementation. In most cases, responsibility for plan implementation should be divided among a number of entities.

Plan Implementation Legend

Timeline/Priority
<p>O - Ongoing 1 - Short Term (0 to 3 years) 2 - Medium Term (4 to 6 years) 3 - Longer Term (7 to 10 years)</p>
Responsible Party
<p>LG - Local Governing Body PC - Plan Commission P&Z - Planning and Zoning DEV - Community Development PARK - Parks and Recreation LCD - Land Conservation HWY - Highway Department HHS - Health and Human Services DPW - Public Works EMS - Emergency Services FIN - Finance Department/Committee LEG - Legal Counsel UWEX - University Extension LAKE - Lake Management District</p>

► Funding

An important, yet often overlooked part of preparing an implementation strategy is considering how the community will finance the recommendations included in its plan. Funding recommendations for an outdoor recreation plan are illustrated on the next page. Cost estimates are provided for each recommendation along with potential funding sources.

A variety of funding mechanisms are available to implement community plans, including taxes, fees, loans, grants and other programs. A good place to look for grants is the Wisconsin Catalog of Community Assistance. This online database provides a comprehensive description of all State of Wisconsin grant and loan programs: www.doa.state.wi.us/dir/wcca.asp.

Funding for Plan Implementation

The Village of Menomonee Falls Outdoor Recreation Plan provides cost estimates and potential funding sources for each plan implementation recommendation.

Action	Priority	Target Date	Cost	Funding Sources
Remove invasive species and stabilize shoreline at Village Park	High	Ongoing	Varies	Village funds, volunteers, partners
Develop new public plaza in main street revitalization area	Medium	2012-2020	\$423,735	TIF funds, Park impact fees, Land and water conservation fund, Stewardship grant
Install educational signs at Tamarack Preserve	Medium	2014	\$500/sign	Recreational trails program, Village funds, Non-profit groups
Develop Menomonee River Parkway Trail north of Arthur Avenue	Low	None	\$18-\$25/lineal foot	Recreational trails program, Village funds

Graphic adapted from Village of Menomonee Falls 2011 - 2015 Comprehensive Outdoor Recreation Plan. www.menomonee-falls.org/index.aspx?nid=100

IMPLEMENTING THE PLAN

▮ Involving the Public

Professional and citizen planners face challenges when implementing community plans. One of the greatest challenges is gaining acceptance of new codes, policies and other tools when the consequences of implementing the tools is unknown. Communities can ease these concerns by involving the public at the onset of the planning process, explaining the tools that will best serve the community, and showing real examples of where they have been successfully employed.

Sometimes an outside consultant can assist in this process by providing visual examples from a broad sample of work. Other communities may choose to host trips for the plan commission to see first-hand the results

of a particular planning tool in action in another community. Inviting municipal officials to speak from jurisdictions that have implemented the tool can also be helpful.

▮ Measuring Progress

Communities with successful plan implementation programs measure progress towards achieving their goals. Prior to adopting a plan, a community should discuss how it will measure success. Even if a particular goal cannot be precisely measured, the process of discussing how progress will be evaluated is extremely valuable.

Performance benchmarking is one technique for eliciting desired future conditions and measuring progress towards achieving those goals. Sample performance measures for a bicycle master plan are shown on page 9.

Plan Implementation Progress

The City of Austin Bicycle Master Plan includes target performance measures, an assessment of current progress, and a plan for future data collection.

Performance Measure	Baseline Data	Target Benchmarks	Data Collection Frequency
Percentage of bicycle network completed	34% of network currently exists as recommended	60% by 2015 70% by 2020 100% by 2030	Parks Department will provide annual report
Number of bicycle maps and safety brochures distributed each year	4,004 distributed in 2008	Distribute 5,000 each year	Parks Department will provide annual report
Percentage of all commute trips made by bicycle	Central City: 3.23% Citywide: 0.96%	Central City: 8% by 2015, 10% by 2020 Citywide: 2% by 2015, 5% by 2020	Transportation survey conducted every two years

Graphic adapted from City of Austin 2009 Bicycle Plan Update.
www.ci.austin.tx.us/publicworks/downloads/05_implementation_funding.pdf

Each measure includes baseline data, a target benchmark that is specific, measurable and objective, a data source, and a timeline for tracking progress.¹

An annual report may also be used to measure plan implementation progress. The report should document planning activities that took place over the past year, identify strengths and weaknesses of the planning program, and chart a course for future action. The report may be prepared by the plan commission, planning staff, or an oversight committee comprised of individuals responsible for plan implementation

If a community has made significant progress towards reaching its goals, it should take time to celebrate success. If not, the assessment process should be used as an opportunity to reenergize the community’s plan implementation efforts.

¹ Additional sample benchmarks may be found in the *Growing Smart Legislative Guidebook*, Chapter 7-504. www.planning.org/growingsmart/guidebook.

Sample Reporting Requirements

Within [3] months of the end of each fiscal year, the plan commission shall prepare an annual report to the legislative body and the chief executive officer. The report shall summarize actions taken by the plan commission during the preceding year, including the number of development proposals and plans reviewed. The report shall recommend programs, plans, and other measures for future action and shall monitor progress towards plan implementation. The report shall also provide other information that is relevant to the local plan commission's powers and duties. The local planning agency shall assist the plan commission in preparing the report which must be published and made available to the public.

Growing Smart Legislative Guidebook, Chapter 7-107, Annual Reports of Local Planning Agency and Local Planning Commission. Available: www.planning.org/growingsmart/guidebook.

GLOSSARY OF PLAN IMPLEMENTATION TOOLS

This glossary contains brief descriptions of tools and techniques commonly used for plan implementation in Wisconsin. Resources are cited at the end of each glossary entry for those interested in learning more.

Legend	
Information:	Tools for gathering or disseminating information. Examples: planning, analysis, and education tools
Cooperation:	Tools that encourage intergovernmental cooperation or communication Examples: boundary, revenue and service sharing agreements
Investment:	Tools for investing or recovering public dollars Examples: land acquisition, public construction projects, impact fees
Incentive:	Tools that encourage a desired behavior Examples: tax incentives, density bonus, conservation easement
Regulation:	Tools that prescribe a required outcome Examples: ordinances, policies and standards
Design:	Tools that encourage a particular pattern of development or design Examples: design standards, development techniques

Adequate Public Facilities Type: Regulation, Investment

An Adequate Public Facilities Ordinance (APFO) ties development approval to the availability and adequacy of public facilities such as roads, sewer systems, schools, and water supply and distribution systems. This tool can be used by any level of government but is most common among those experiencing high rates of development.

- Adequate Public Facilities Factsheet (CLUE, 2009) www.uwsp.edu/cnr-ap/clue

Active Living Type: Design

Active Living is a design approach that encourages the integration of physical activity into daily routines by providing walkable and bikeable neighborhoods, a variety of public transit options, accessible park and recreation facilities, and a safe and pleasant living environment.

- Wisconsin Department of Health Services, Active Community Environments Resource Kit www.dhs.wisconsin.gov/health/physicalactivity/Sites/Community/ACEs
- Model Ordinances for Active Communities (APA, 2006) www.planning.org/research/smartgrowth/pdf/section48.pdf



Image: Fit 2 Live, North Little Rock

Capital Improvement Plan

Type: Investment, Information

A Capital Improvement Plan (CIP) outlines major expenditures for the next five to ten years for the repair and new construction of streets, sewer and water lines, parks, and other public facilities. This budgetary tool can be used by any level of government but is most common among cities and villages.

- Capital Improvement Plan Factsheet (CLUE, 2008) www.uwsp.edu/cnr-ap/clue

Cluster and Conservation Development

Type: Design, Regulation

Cluster and Conservation Development techniques attempt to concentrate buildings on specific areas of a site to allow remaining land to be used for recreation, common open space, natural resources protection, farmland or other uses. Development standards are typically incorporated in a zoning or subdivision ordinance and may be required or encouraged through the use of a 'Density Bonus.' This tool may be used by any level of government that seeks to preserve open space or the natural features of a site.

- Conservation Design Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue
- Model Conservation Subdivision Ordinance (UWEX, 2000) <http://urpl.wisc.edu/people/ohm/consub.pdf>
- Model Zoning Ordinance For Rural Cluster Development (SEWRPC, 2002) www.sewrpc.org/SEWRPC/communityassistance/EducationalServices2.htm

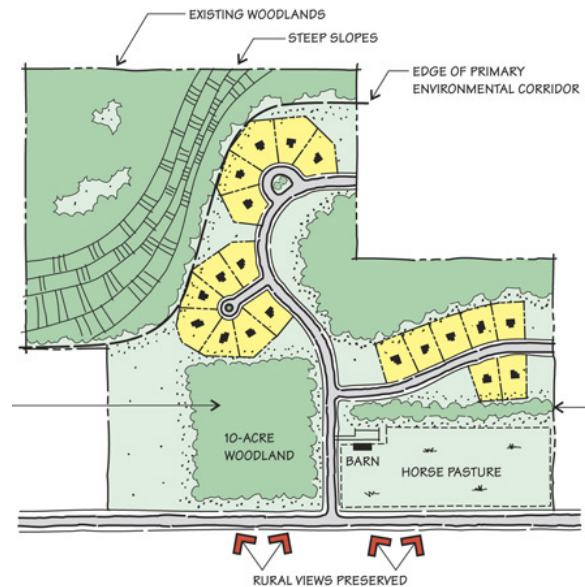


Image: Southeastern Wisconsin Regional Planning Commission

Compact Development

Type: Design

Compact Development promotes the development of buildings, parking areas, streets, driveways, and public spaces in a way that maximizes proximity and connectivity and facilitates alternative transportation options. This technique is most commonly used by cities and villages.

Conservation Easement

Type: Incentive

A Conservation Easement is a recorded legal agreement between a landowner and a qualified conservation agency or unit of government to transfer development rights from the owner to the agency to protect natural, agricultural, cultural or historic features. A conservation easement is the principal legal mechanism in a 'Purchase of Development Rights' (PDR) program. See Wis. Stat. § 700.40.

- Conservation Easement Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue
- Gathering Waters Conservancy, statewide service center for Wisconsin land trusts www.gatheringwaters.org



Image: Ducks Unlimited

Cooperative Boundary Agreement

Type: Cooperation

A Cooperative Boundary Agreement is a formal, contractual agreement between two or more government entities to maintain or change boundaries over time. Boundary agreements are typically made by a city or village together with adjacent town(s). See Wis. Stat. § 66.0307.

- Wisconsin Dept. of Administration, Municipal Boundary Review <http://doa.wi.gov/municipalboundaryreview>
- Factsheet (LGC, 2000) -- note, statutory references are out of date <http://lgc.uwex.edu/program/pdf/fact14.pdf>

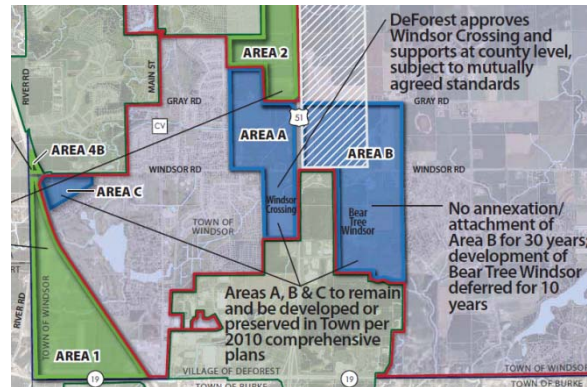


Image: Village of DeForest / Town of Windsor Cooperative Plan, 2010

Density Bonus

Type: Incentive

A Density Bonus is an incentive allowing developers to build more units or at a greater density than would otherwise be permitted by a local ordinance in exchange for open space preservation or other community goals. This tool can be used by any level of government but is most common among municipalities. See also 'Incentive Zoning.'

- Density Bonus Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue

Driveway and Road Access Standards

Type: Regulation

Driveway and Road Access Standards regulate the placement and construction of driveways in order to, minimize road access points, prevent dangerous driveway locations, maintain adequate emergency vehicle access, control drainage, and promote other public health and safety goals. Appropriate for use by all levels of government.

- Model Public Road Access Ordinance (Foth, 2003) www.co.clark.wi.us/SOPHOTOS/comp_planning/Model_Public_Road_Access_Ordinance.pdf

Extraterritorial Zoning

Type: Cooperation, Regulation

Extraterritorial Zoning (ETZ) refers to a city or village's authority to zone areas outside its boundaries. Under Wisconsin law, the extraterritorial jurisdiction of a 1st, 2nd, and 3rd class cities extends 3 miles beyond the municipality's corporate limits. The jurisdiction of a 4th class city or village extends 1½ miles. Adoption of an extraterritorial zoning ordinance and development proposals within the district must be approved by a joint extraterritorial zoning committee composed of three members from the city or village and three members from each town. See Wis. Stat. § 62.23(7a).

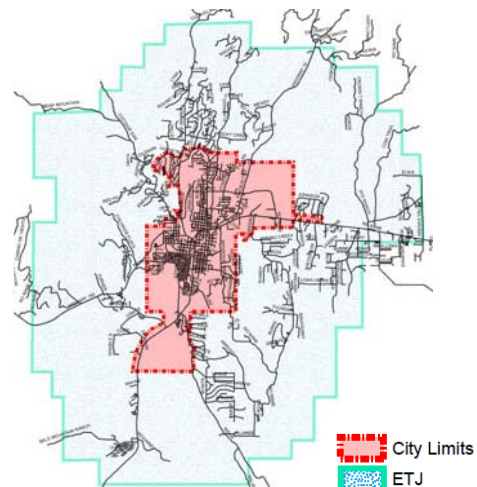


Image: Silver City ETJ Map

Floodplain Zoning

Type: Regulation

Floodplain Zoning creates development standards to protect human life, health and property from flooding. Floodplain zoning is required of Wisconsin counties, cities and villages that have been issued maps designating flood prone areas by the state. See Wis. Stat. § 87.30.

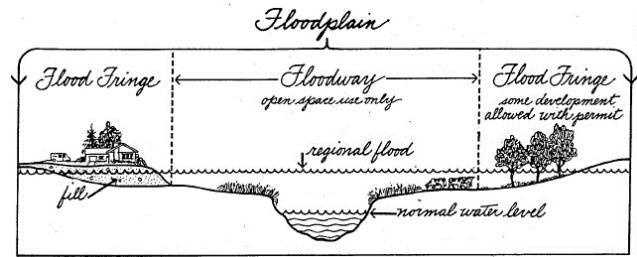


Image: Wisconsin DNR

- Wisconsin DNR, Floodplain Management Program <http://dnr.wi.gov/org/water/wm/dsfm/flood>
- Model Floodplain Zoning Ordinance (DNR, 2012) <http://dnr.wi.gov/org/water/wm/dsfm/flood/communities.htm>

Floating Zone

Type: Regulation

A Floating Zone is a zoning district that is described in a zoning ordinance but “floats” until an application is made to apply the new district to a certain parcel. Floating zones can be used to provide more flexibility in the zoning ordinance in terms of permissible densities, intensities, land uses and overall development design opportunities. See also ‘Planned Unit Development’ and ‘Zoning.’

Historic Preservation

Type: Design, Regulation

Historic Preservation involves the designation of an area, by ordinance, which possesses a historic character. Development approval in historic districts is subject to review by the plan commission or historic preservation commission. Cities, villages and towns with village powers are authorized to adopt historic preservation ordinances under Wis. Stat. § 62.23(7)(em). Counties and towns may also regulate historic resources using the general zoning authority outlined in Wis. Stat. §§ 59.69(4)(L) and 60.64.

- Wisconsin Historical Society, Historic Preservation Ordinances and Commissions in Wisconsin
www.wisconsinhistory.org/hp/handouts/hpordinances_commissions.pdf



Image: J K Janiga Architects

Housing and Building Codes

Type: Regulation

Housing and building codes specify allowable building construction methods and materials for new structures and maintenance standards for existing structures, including rental housing. Wisconsin provides minimum standards for the design, construction, maintenance and inspection of homes and buildings. See Wis. Stat. Ch. 101, and Wis. Admin. Code, Chs. SPS 320-325 (uniform dwelling code), 360-365 (commercial building code), and 375-379 (historic building code).

- Wisconsin Dept of Safety and Professional Services, Buildings Division <http://dsps.wi.gov/sb/SB-HomePage.html>

Impact Fee

Type: Investment, Regulation

An Impact Fee is a cash contribution, contribution of land or interests in land, or any other item of value that is imposed on a developer by a political subdivision to offset the community's capital costs resulting from the development. Only cities, villages and towns may use impact fees in Wisconsin. See Wis. Stat. § 66.0617.

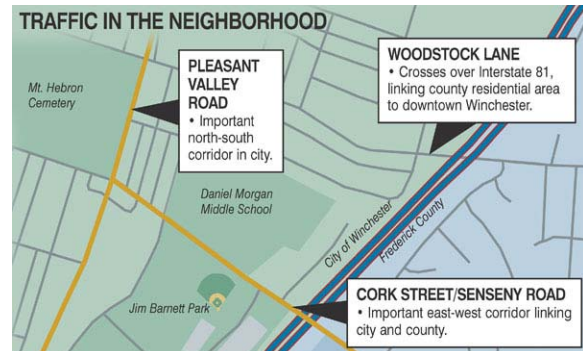
- Impact Fee Factsheet (CLUE, 2007) www.uwsp.edu/cnr-ap/clue

Impact Analysis

Type: Information

An Impact Analysis is a study that provides additional information about the potential social, economic, environmental, fiscal, traffic or other impacts associated with a proposed development.

- Community Guide to Development Impact Analysis (Edwards, 2000) www.lic.wisc.edu/shapingdane/facilitation/all_resources/impacts/analysis_background.htm

Image: www.nvdaily.com

Incentive Zoning

Type: Incentive

Incentive Zoning provides incentives to developers on the condition that specific physical, social or cultural benefits will be provided to the community. Incentives might include an increase in the permissible number of building units or square footage of development, or waivers of the height, setback, use or area provisions of a zoning ordinance. Public benefits might include affordable housing, recreational facilities, open space, or other infrastructure. See also 'Density Bonus.'

Inclusionary Housing

Type: Incentive

Inclusionary Housing aims to provide a certain number of "affordable" rental or owner-occupied units in a new development. Housing goals may be encouraged on a voluntary incentive basis or specified in an ordinance. Note: the provisions of the Madison, Wisconsin inclusionary zoning ordinance related to rental housing were struck down by the Court of Appeals because they were considered a form of rent control which is prohibited by state statute.

- Model Affordable Housing Ordinance (APA, 2006) www.planning.org/research/smartgrowth/pdf/section44.pdf

Infill Development

Type: Design, Investment

Infill Development takes place on vacant or underutilized parcels within an area that is already developed and has access to existing urban services.

- Infill Development Strategies (MRSC, 1997) www.mrsc.org/publications/textfill.aspx
- Wisconsin DNR, Remediation and Redevelopment Program <http://dnr.wi.gov/org/aw/rr/index.htm>



Image: Scott Webb Architect

Land Acquisition

Type: Investment

Land Acquisition involves the acquisition of land or limited rights in a property for a public purpose. Land may be acquired for new infrastructure, new development, redevelopment, conservation, recreation, or other objectives. All levels of government can become involved in land acquisition.



Images: University of Minnesota, Metropolitan Design Center Image Bank



Take a Closer Look: Land Acquisition Techniques

Land acquisition can be used to acquire land outright (e.g. land for public parks, buildings or airports) or to acquire limited rights in land (e.g. air rights in an airport approach zone, or development rights that permanently protect open space). A variety of acquisition techniques used by state and local governments are described below:

Fee Simple Acquisition: outright purchase of land in which the landowner is given a sum of money for all rights to the land.

Dedication: donation of land to a local government for parkland, school sites, roads, etc., usually in connection with the development of a subdivision. The governing body must formally accept the dedication for the transaction to be complete.

Easement: written and recorded authorization by a property owner for the use of a designated part of a property by others (for example, access to water, trails, driveways, utilities, etc.). Easements may be purchased or donated.

Eminent Domain: the right of a government unit to “take” private property for public use with appropriate compensation to the owner. The most frequent use of this authority is the act of condemnation. See Wis. Stat. Ch. 32.

Bargain Sale: sale of land at less than fair market value. When a bargain sale takes place to a land trust or charitable organization, the difference between the sale price and the market value can be claimed as a charitable deduction. Local governments can also sell land to developers at a bargain rate to promote certain types of development.

Land Banking: the purchase and subsequent sale or lease of lands by a local government to promote specific conservation or development goals.

Livestock Facility Siting

Type: Regulation

Livestock Facility Siting guidelines at the state and local level govern the review and approval of new or expanded livestock operations with 500 or more animal units. Counties and towns may adopt zoning or licensing ordinances provided they follow state standards. See Wis. Stat. § 93.90 and Wis. Admin. Code, Ch. ATCP 51.

- Wisconsin Department of Agriculture, Trade and Consumer Protection, Livestock Siting Information datcp.wi.gov/Environment/Livestock_Siting/Fact_Sheets_and_Information/index.aspx
- Model Zoning Ordinance <http://datcp.wi.gov/uploads/Environment/pdf/ModelZoningOrdinance.pdf>
- Model Licensing Ordinance <http://datcp.wi.gov/uploads/Environment/pdf/ModelLicensingOrdinance.pdf>

Low-Impact Development

Type: Design

Low-Impact Development (LID) is a design approach that emphasizes the use of on-site natural features and conservation to manage stormwater runoff and protect water quality. A variety of high and low-tech solutions including grassed swales, rain barrels, rain gardens, permeable pavers, and green roofs make this approach suitable for any level of government.

- Low Impact Development Center www.lowimpactdevelopment.org; www.lid-stormwater.net

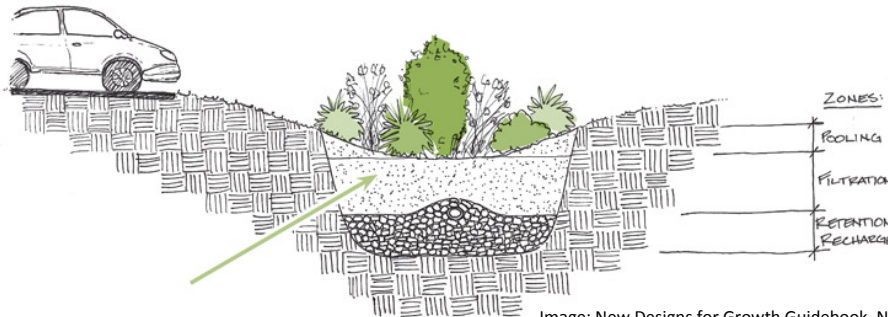


Image: New Designs for Growth Guidebook, NWMCOG

Mixed-Use Development

Type: Design

Mixed-Use Development encourages multiple compatible uses to be located in close proximity to one another. This design technique is most common among municipalities.

- Model Mixed-Use Zoning District (APA, 2006) www.planning.org/research/smartgrowth/pdf/section41.pdf

Moratorium

Type: Information, Regulation

A Moratorium freezes the right of property owners to obtain development approval while the local government takes time to consider, draft, and adopt a comprehensive plan or land use regulation designed to respond to new or changing circumstances in the community. Wisconsin cities, villages and towns with village powers have authority to place a development moratorium on the approval of rezones, land division plats and certified survey maps. However, the municipality must obtain a written report from a registered engineer or public health professional stating that the moratorium is needed to prevent a shortage in public facilities or a significant threat to public health and safety (Wis. Stat. § 66.1002). Cities, villages and towns with village powers also have authority to adopt an interim zoning ordinance – essentially freezing existing uses – while preparing an initial zoning ordinance, extraterritorial zoning ordinance, or annexing land (Wis. Stat. §§ 62.23(7)(da), 62.23(7a)(b) and 66.0219(6)).

Official Map

Type: Investment, Regulation

An Official Map is a legally adopted map that shows the location and width of existing and proposed streets, public facilities, parks, open space, and drainage rights-of-way. Cities, villages and towns may adopt official maps. See Wis. Stat. §§ 62.23(6) and 60.61(2)(e).

- Official Mapping Guide and Model Ordinance (SEWRPC, 1996)
www.sewrpc.org/SEWRPC/communityassistance/EducationalServices2.htm

Overlay Zone

Type: Regulation

An Overlay Zone is a mapped zoning district that imposes a set of requirements or restrictions in addition to those of the underlying zoning district (base zone). Land is developed under the conditions and requirements of both the base zone and overlay zone. Examples of overlay zones include historic districts, wellhead protection districts, airport overlay districts and shoreland zoning districts.

- Overlay Zoning Factsheet (CLUE, 2006)
www.uwsp.edu/cnr-ap/clue

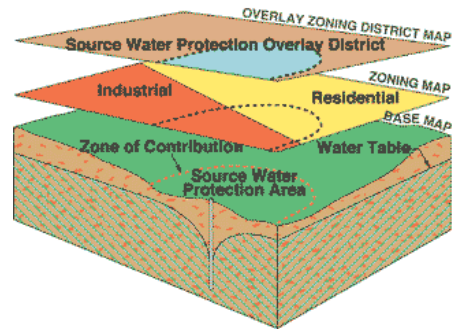


Image: www.planning.org/thecommissioner/2001/win.htm

Planned Unit Development

Type: Design, Regulation

A Planned Unit Development (PUD) allows land to be approved and developed as a package or in a programmed series of phases. This development technique often allows for a mix of uses, densities, and lot dimensions that would otherwise be prohibited or cumbersome if the rules of a standard zoning district were followed. PUDs are commonly used in larger municipalities.

- Planned Unit Development Factsheet (CLUE, 2006)
www.uwsp.edu/cnr-ap/clue



Image: Compass Pointe Development, LLC

Public Construction

Type: Investment

Public construction projects are undertaken by local government to provide the general public with facilities that are not provided by private enterprise. Projects typically include roads, transit systems, public buildings, and water treatment and supply systems. This technique is appropriate for use by all levels of government.

Public Participation and Education

Type: Information

Public participation and education efforts are used to inform and involve citizens and local decision makers in the process of planning, policy-making and decision-making. This technique is recommended for use by all levels of government.

Purchase of Development Rights

Type: Incentive, Investment

Purchase of Development Rights (PDR) is a voluntary program in which a land trust or unit of government offers to purchase the development rights to a piece of private property, thereby limiting development and preserving agricultural, natural or open space features. The landowner retains ownership of the land but is restricted from developing the land in the manner negotiated. A conservation easement is recorded on the property. At the local level, PDR programs are typically operated at the county level.

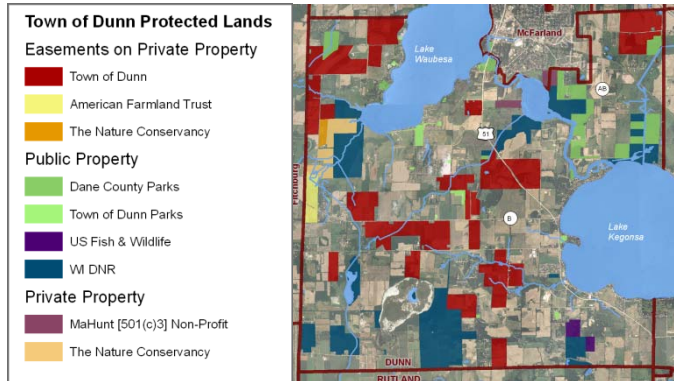


Image: Douglas Miskowiak, Center for Land Use Education

- Purchase of Development Rights Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue

Revenue Sharing Agreement

Type: Cooperation

A Revenue Sharing Agreement is a formal, contractual agreement between two or more government entities to share taxes or fees. See Wis. Stat. §§ 66.0305 (Revenue Sharing) and 66.0307 (Cooperative Boundary Agreements).

- Wisconsin Dept. of Administration, Municipal Boundary Review <http://doa.wi.gov/municipalboundaryreview>
- Factsheet (LGC, 2000) <http://lgc.uwex.edu/program/pdf/fact14.pdf> (note, statutory references are out of date)

Sanitary Codes

Type: Regulation

Sanitary Codes at the state and local level regulate public water, sewer and wastewater treatment systems. Counties are required to enact private sewage system ordinances which regulate the proper siting, design, installation, inspection and maintenance of private on-site sewage systems. See Wis. Stat. Ch. 145, and Wis. Admin. Code, Chs. Comm 81-87 and 91.

- Wisconsin Dept of Safety and Professional Services, Buildings Division <http://dsps.wi.gov/sb/SB-HomePage.html>

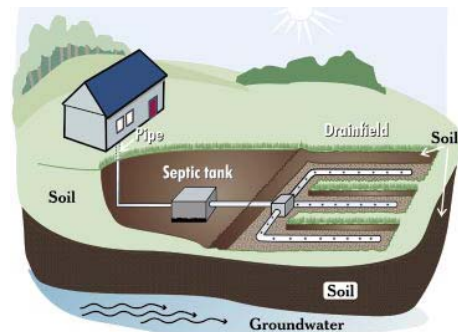


Image: Wisconsin Onsite Water Recycling Association

Service Sharing Agreement

Type: Cooperation

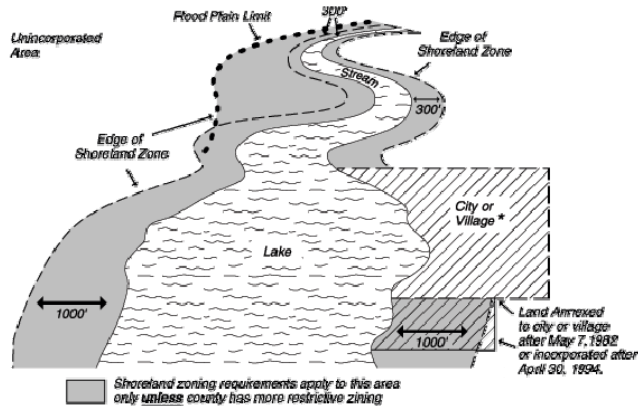
A Service Sharing Agreement is a formal, contractual agreement between two or more government entities to contract for or provide joint services. See Wis. Stat. §§ 66.0301 (General Agreements) and 66.0307 (Cooperative Boundary Agreements).

- Wisconsin Dept. of Administration, Municipal Boundary Review <http://doa.wi.gov/municipalboundaryreview>
- Merger of City/Village Services: Best Practices (LGC, 2003) <http://lgc.uwex.edu/intergovt/bestpracticesbook.pdf>
- Sharing Government Services (UWEX, 1998) <http://learningstore.uwex.edu/Assets/pdfs/G3677.pdf>
- Wisconsin Case Studies from the Local Government Institute <http://localgovinstitute.org/casestudies>

Shoreland Zoning

Type: Regulation

Shoreland Zoning provides development standards that apply within 1,000 feet of the ordinary high-water mark of a lake, pond or flowage and within 300 feet of the ordinary high-water mark or the floodplain of a river or stream. Counties are required by the state to administer shoreland zoning in unincorporated areas. Municipal land may also be subject to shoreland zoning if a city or village annexed unincorporated shorelands, if an official state map describes wetlands within shoreland areas, or if the municipality voluntarily adopted an ordinance. See Wis. Stat. § 59.692.



*Cities and villages are required to zone wetlands within the shoreland. Contact your zoning administrator. Image: Wisconsin DNR

- Wisconsin DNR, Shoreland Zoning Program <http://dnr.wi.gov/waterways/shoreland/purpose.htm>
- Model Shoreland Zoning Ordinance (DNR, 2010) <http://dnr.wi.gov/waterways/shoreland/local.htm>
- NR 115 Guidebook (WCCA, 2011) www.ncwrpc.org/NR115

Sign Ordinance

Type: Regulation

A Sign Ordinance regulates the erection and maintenance of signs and outdoor advertising with respect to size, color, appearance, movement, illumination, and placement. A local government may enact sign regulations under its general zoning authority (See Wis. Stat. §§ 59.69, 60.61, 60.62, 61.35 and 62.23(7)) or using specific billboard and outdoor advertising provisions (See Wis. Stat. §§ 59.70(22), 60.23(29) and 84.30).

- Model Sign and Billboard Ordinances (Citizens for a Scenic Wisconsin, 2008) <http://scenicwisconsin.org/resources/model-ordinances.html>



Image: <http://libertywebmarketingandseo.com>

Site Plan and Design Review Guidelines

Type: Design, Regulation

Site Plan and Design Review Guidelines require the submittal and review of detailed building, site plan, utility, landscaping, drainage and engineering plans to evaluate the appropriateness of a proposed development on a site. Guidelines are typically included in a zoning or subdivision ordinance and are most common in larger municipalities.

- Site Plan Review Handbook and Model Ordinance (Maine State Planning Office, 1997) – note, this is a good reference but is not specific to Wisconsin www.maine.gov/spo/landuse/docs/siteplanhandbook/index.htm



Image: New Designs for Growth Guidebook, NWMCOG

Special Assessment District Type: Investment

A Special Assessment District is an area designated by a taxing authority to be assessed for tax purposes on a scale that differs from the rest of the jurisdiction. Unlike impact fees, special assessments can be applied to existing development and used to finance public works or improvements that benefit the district. Cities, villages and towns have general authority to levy special assessments under Wis. Stat. §§ 66.0701-66.0733. Additional authority includes but is not limited to town sanitary districts (Wis. Stat. § 60.71), municipal utility districts (Wis. Stat. § 66.0827), business improvement districts (Wis. Stat. s. 66.1109), and lake protection districts (Wis. Stat. § 33.21).

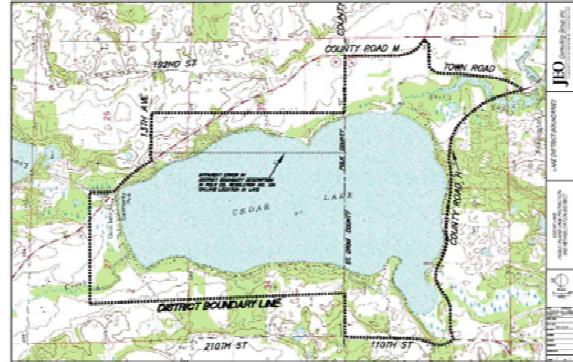


Image: Cedar Lake Protection and Rehabilitation District

- Special Assessments in Wisconsin: Manual and Model Ordinance (LWM, 2001) www.lwm-info.org

Special Purpose Planning Type: Information

Special purpose plans identify issues, illustrate concepts and provide data for decision-making, typically in more detail than what is provided in the comprehensive plan. Examples include park and recreation plans, neighborhood plans, downtown design plans, waterfront development plans and transportation plans. Special purpose planning may be used by any level of government.

Subdivision Ordinance Type: Regulation

Subdivision regulations provide procedures and standards for dividing larger parcels of land into smaller parcels. State subdivision regulations apply when 5 or more parcels of land of 1½ acre or less are created within a 5 year period by the same owner. Cities, villages, towns and counties may also have land division regulations that are more restrictive than state standards. Local standards may govern any aspect of a subdivision, such as lot size and shape, access, road widths, tree plantings, and sidewalk placement. Counties and towns have authority to review subdivision plats that fall within unincorporated areas. Cities and villages have authority to review plats that fall within the municipality or its extra-territorial plat approval jurisdiction. See Wis. Stat. Ch. 236.

- Land Division Factsheet (CLUE, 2008) www.uwsp.edu/cnr-ap/clue
- Model Ordinance (SEWRPC, 2001) www.sewrpc.org/SEWRPC/communityassistance/EducationalServices2.htm
- Model Ordinance for Towns (WTA, 2010) www.wisctowns.com/uploads/ckfiles/files/Subdivision.doc

Image: www.wibuilder.com/election-2004/city-lights.html

Tax Increment Financing

Type: Incentive, Investment

Tax Increment Financing (TIF) is a public finance tool used by municipalities to spur the development or redevelopment of a particular area. As property values increase, the resulting tax 'increment' is captured to repay the municipality's original investment. Cities, villages (and towns as part of an annexation agreement) are authorized to use TIF for blight, rehabilitation, conservation, and industrial, and mixed-use development (Wis. Stat. § 66.1105). Towns are authorized to use TIF for agricultural, forestry, manufacturing and tourism development (Wis. Stat. § 60.85). All levels of government, including counties, are authorized to use TIF for environmental remediation (Wis. Stat. § 66.1106).

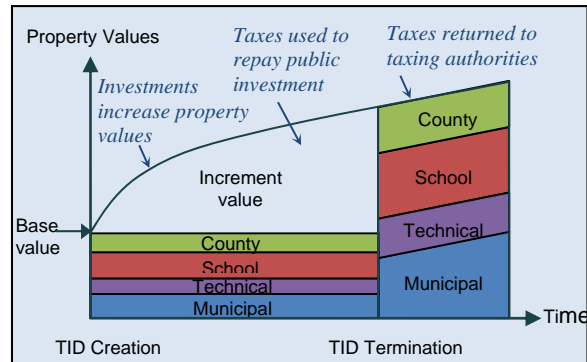


Image: Rebecca Roberts, Center for Land Use Education

- Tax Increment Financing Factsheet (CLUE, 2009) www.uwsp.edu/cnr-ap/clue

Transfer of Development Rights

Type: Incentive

A Transfer of Development Rights (TDR) program guides growth away from sensitive areas by transferring development rights from one area (sending zone) toward another (receiving zone). An easement may be placed on land in the sending zone to prevent further development. A density bonus may also be offered in the receiving zone to encourage growth in controlled development centers. A TDR program may be administered by any level of government but works best over an area that includes both rural and urban areas.

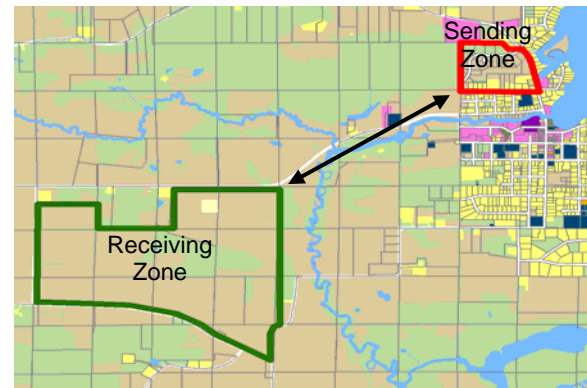


Image: Douglas Miskowiak, Center for Land Use Education

- Transfer of Development Rights Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue
- Model Ordinance (APA, 2006) www.planning.org/research/smartgrowth/pdf/section46.pdf

Tax Incentives

Type: Incentive, Investment

Tax Incentives can be used by any level of government to recruit, attract, retain or expand desirable businesses or land uses. Various mechanisms are available including tax exemptions, tax credits and tax abatements.

Traditional Neighborhood Development

Type: Design

Traditional Neighborhood Development (TND) is a design concept that promotes compact, mixed-use neighborhoods where residential, commercial, and civic buildings are in close proximity. This tool is commonly used by cities and villages. See Wis. Stat. § 66.1027.

- Traditional Neighborhood Design Factsheet (CLUE, 2006) www.uwsp.edu/cnr-ap/clue
- Model Ordinance (UWEX, 2001) <http://urpl.wisc.edu/people/ohm/tndord.pdf>

Transit-Oriented Development Type: Design

A Transit-Oriented Development (TOD) is a mixed use residential or commercial area designed to maximize access to public transportation. Common design features include high-density development clustered around transit centers, narrow streets, reduced parking for personal vehicles, and high quality pedestrian and bicycle facilities. This type of design is typically implemented in larger cities and villages.

- Center for Transit Oriented Development www.ctod.org/portal



Image: Kenosha Streetcar by Zephyr Rocket

Transportation Demand Management

Type: Investment, Design, Incentive,

Transportation Demand Management (TDM) programs are designed to reduce the use of single-occupant vehicle trips particularly during periods of peak travel. TDM strategies provide travel options that reduce and spread demand by travel destination, mode, route, and time of day to most efficiently utilize transportation system infrastructure and resources. Examples include ridesharing, preferential parking, telecommuting, transit improvements, traffic signal optimization, and traffic calming.

- Online TDM Encyclopedia, Victoria Transport Policy Institute www.vtpi.org/tdm

Traffic Calming

Type: Design, Investment

Traffic Calming involves the use of physical devices such as speed bumps, raised intersections, road narrowing, medians, and central islands to slow traffic speeds near schools and residential areas.

- “Traffic Calming,” Online TDM Encyclopedia, Victoria Transport Policy Institute www.vtpi.org/tdm

Urban Growth Boundary

Type: Regulation

An Urban Growth Boundary (UGB) designates areas that are appropriate for development and places restrictions on the amount and type of development that may take place outside the boundary. The goal is typically to protect natural resources, farmland, open space or other features. An Urban Service Area Boundary, shown at right, is a similar concept that guides growth through the provision of public services in planned phases.

- UGB Factsheet www.in.gov/indot/div/projects/i69planningtoolbox/_pdf/Urban_Growth_Boundaries.pdf

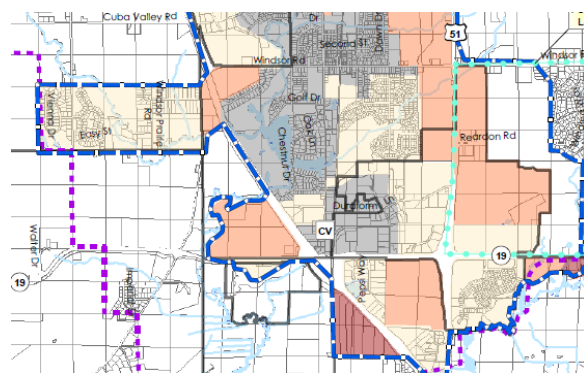
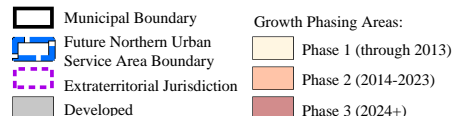


Image: Village of DeForest Growth Phasing Map



Zoning Ordinance

Type: Regulation

Zoning regulates the use of land within districts (i.e. residential, commercial, agricultural, etc.), the size and shape of lots, and the density, bulk and placement of structures. General zoning may be adopted by any level of government in Wisconsin. See Wis. Stat. §§ 59.69, 60.61, 60.62, 61.35 and 62.23(7). See also 'Shoreland Zoning,' 'Floodplain Zoning,' and 'Extraterritorial Zoning.'

- Zoning Factsheet (CLUE, 2007)
www.uwsp.edu/cnr-ap/clue

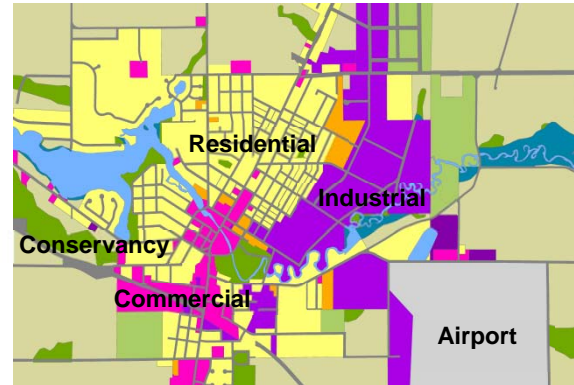


Image: Douglas Miskowiak, Center for Land Use Education



Take a Closer Look: Variations on Traditional Zoning

Zoning codes have evolved over the years to reflect changes in political priorities, legal constraints, and urban planning theories. Three distinct forms of zoning are described below including: Euclidian, performance, and form-based zoning.

Euclidian Zoning: characterized by the segregation of land uses into specified geographic districts and dimensional standards limiting development in each type of district. Euclidian zoning forms the basis for most zoning codes.

Performance Zoning: regulates the effects of land uses through performance standards. These standards might concern traffic flow, density, noise and access to light or air. Performance standards have been incorporated into many traditional zoning codes.

Form-Based Zoning: takes the focus off of land use by controlling the physical form of development. Places more emphasis on the form and scale of buildings and their placement along and within public spaces such as sidewalks, street trees and street furniture. Very few communities have adopted pure form-based codes. However, some are exploring 'hybrid' codes which incorporate elements of form-based zoning.

Portions of this glossary were adapted from *Land Use Lingo: A Glossary of Land-Use Terms*. Timothy A. Holveck. 2001. Wisconsin Department of Natural Resources, PUB-SS-956 2001. www.dnr.state.wi.us/org/es/science/publications/Land_Use_Lingo.pdf

PLAN IMPLEMENTATION WORKSHEETS

The worksheets at the end of this chapter can be used by communities developing a plan implementation strategy. Each worksheet can also be downloaded in Word format from the Center for Land Use Education website: www.uwsp.edu/cnr-ap/clue/Pages/publications-resources/PlanCommissions.aspx



Worksheet 1: Resources for Plan Implementation

Use this worksheet to select plan implementation tools based on available resources.



Worksheet 2: Plan Implementation Strategy

Use this worksheet to develop a strategy for plan implementation.



Worksheet 3: Measures of Success

Use this worksheet to evaluate progress towards plan implementation.

