

Chapter 11: Implementation Element

Credit to Sally Williams, who originally drafted and presented this element.

11.A. Introduction and Overview

Listed below is the sequence of steps necessary to implement the *Town of Concord Comprehensive Land Use Plan*.

- Adoption of the *Town of Concord Comprehensive Land Use Plan*
- Outline of programs and specific future actions to be completed in order to achieve the visions and to implement and integrate the strategies and recommendations contained in the other ten elements of the *Town of Concord Comprehensive Land Use Plan*
- Establishment of a process for measuring the Town's progress in achieving the objectives of the Comprehensive Plan
- Establishment of a process for updating the Comprehensive Plan

The above steps serve to integrate the visions, strategies, and recommended actions contained in the other ten elements of the Comprehensive Plan in a consistent manner. It is important to remember that integration will be an ongoing process that may take many months and perhaps a few years. As implementation proceeds, conditions may change. Changed conditions may require fine-tuning of the Comprehensive Plan to better integrate the various visions, strategies, and recommended actions in the other ten elements. This, in turn, may necessitate revisions to the implementation process.

11.B. Comprehensive Plan Adoption

A number of steps are necessary per Wisconsin State Statute 66.1001(4) to adopt the Comprehensive Plan. Upon adoption, the Comprehensive Plan becomes an official guide for the use of Town officials, citizens, and landowners as they make decisions concerning the Town's future character and development and its relationships with the surrounding municipalities and Jefferson County.

1. Pursuant to Wis. Stats. 66.1001(4)(a) the Town Board must adopt written procedures designed to foster public participation in the planning process. This step has already been taken. At the beginning of the planning process, the Town Board passed a *Public Participation Plan* at a regular board meeting on February 12, 2007. The text of the *Public Participation Plan* can be found in Appendix C.
2. Pursuant to Wis. Stats. 66.1001(4)(b), the Plan Commission is required to adopt, by majority vote of the entire commission, a resolution that "recommends" adoption of the plan to the Town Board.
3. Once the Plan Commission has recommended the Comprehensive Plan to the Town Board, the board must propose an ordinance to adopt the Plan. As required by Wis. Stats. 66.1001(d), prior to enacting the ordinance, the Town Board must pass a resolution to

hold a public hearing on the Comprehensive Plan and the proposed adoption ordinance. This hearing must be preceded by a class I notice that is published at least 30 days before the hearing is held. At a minimum the notice must contain the following:

- The date, time, and location of the hearing
- A summary of the proposed plan
- The local government staff that can be contacted for additional information
- Where to inspect and how to obtain a copy of the proposed plan before the hearing

Additionally, pursuant to Wis. Stats. 66.1001(4)(e), at least 30 days before the hearing described in par. (d), the Town Board must provide written notice of the hearing to the following: **(1)** any operator who has obtained or applied for a permit under s.295.12(3) (d), **(2)** any person who has registered a marketable non-metallic mineral deposit under s. 295.20, and **(3)** any property owner or leaseholder who has an interest in a property from which non-metallic minerals may be extracted if such person requests in writing that they be provided notice of the hearing in par. (d).

4. After the public hearing has been held, the Town Board must enact, by majority vote, the ordinance adopting the Comprehensive Plan as required by Wis. Stats. 66.1001(4)(c). Copies of the ordinance and adopted plan must then be distributed to the following communities and agencies:
 - The clerks of the Towns of Farmington, Jefferson, Ixonia, Sullivan, and Watertown in Jefferson County and the Towns of Oconomowoc and Summit in Waukesha County
 - The Village of Sullivan
 - The City of Oconomowoc
 - Jefferson County and Waukesha County
 - Wisconsin Department of Administration
 - Local public libraries and school districts (Johnson Creek, Oconomowoc, Watertown, and Jefferson)

11.C. Programs and Specific Actions

In each of the ten previous elements in the Comprehensive Plan, certain strategies were outlined to achieve the stated visions. Some of these strategies do not require specific action by the Plan Commission or Town Board at this time. Those strategies that do require specific action are outlined below. Following each action are the chapter numbers and sections of this plan that may be referenced for further information. Actions are broken into six categories with those categories being listed and detailed below in order of priority. Within each section, an approximate time frame and resource and personnel allocation are proposed. In some cases establishment of special work groups, committees, or citizen liaisons are recommended.

In order to facilitate contact with Town residents regarding updates and amendments to the plan in the future, the Town will develop and maintain a list of mailing addresses of all Concord resid-

ences and non-resident property owners. This list should be kept by the Town Clerk and updated annually when the plan is reviewed.

Zoning Restrictions

Jefferson County has county-wide zoning administered through the County Zoning Office and County Zoning and Planning Committee. It does have a partnership with each of the 16 towns; however, the creation and administration of the County Zoning Ordinance is under the jurisdiction of Jefferson County. Therefore, the towns in Jefferson County are not able to create zoning ordinances. The towns may, however, institute policies which are more restrictive than Jefferson County in regards to zoning.

Upon passage of this plan, the following procedures will be followed to further restrict zoning and land use as permitted by Jefferson County under the 1999 *Jefferson County Agricultural Preservation and Land Use Plan* and the *Jefferson County Zoning Ordinance No. 11*.

1. Within “Chapter 2: Housing Element” and “Chapter 10: Land Use Element” there is a concern about the number of residential lot splits permitted under the Jefferson County Zoning Ordinance in the A-1 zoning district. Based on the results of the *Town of Concord Comprehensive Planning Questionnaire*, the Town will reduce the number of permitted residential lot splits on non-prime land.

The Town will use the procedure established by Jefferson County in the 1999 *Jefferson County Agricultural Preservation and Land Use Plan* pg. 88-94¹ to determine “parent parcels” and the number of potential A-3 building sites available. However, the Town will allow a maximum of only two A-3 lots to be created on a non-prime parcel as opposed to the three-lot maximum allowed by the County. The Town would allow a maximum of 6 total acres to be used for the two A-3 lots with the minimum lot size being one acre. Under this procedure, the Town Plan Commission would grant only two petitions for the creation of A-3 lots from a non-prime parent parcel. It will be the responsibility of the Plan Commission to contact the Jefferson County Zoning Department when a petition to create an A-3 parcel comes before them. If the Jefferson County Zoning Department already has two approved petitions for the creation of A-3 building sites on record for the parcel in question, the Plan Commission will reject the petition to approve a third A-3 building site (*also see sections 2.B., 2.C., 5.B., 10.B., 10.C., and 10.G.*).

2. The Town will develop a land use plan for the current rural hamlet area as required by the 1999 *Jefferson County Agricultural Preservation and Land Use Plan* which states: “Towns with designated rural hamlets should be required to prepare development or land use plans for the designated rural hamlets...”² This plan will include a revised list of conditional uses acceptable in the Community District which is the primary zoning for the rural hamlet area. The Town Board may establish an interim work group or designate the Town Plan Commission to be responsible for the development of a land use plan for the rural hamlet area. Once a plan has been developed, it will be presented to the Town Board for their approval (*also see sections 8.B, 8.C., and 10.E.*).

¹ A copy of these pages is found in Section E, Appendix B,

² *Jefferson County Agricultural Preservation and Land Use Plan* (Jefferson County, October 1999), pp. 99.

Transportation-Related Actions

Actions in this section are again listed in order of priority and will be the direct responsibility of the Town Board. Initial development of a short-term road plan as described in action one should take place prior to the next budget cycle following passage of this plan if at all possible. The Town Board may want to consider establishing a work group to assist in development of the road plan. Action point two should be completed within 12–18 months of passage of this plan. Action points 3 and 4 will necessarily depend on the time frame of the project in question.

1. The Town will develop a reasonable and cost-effective approach to achieve the regular maintenance and resurfacing of Town roads. It would be beneficial, particularly in regards to developing the annual budget, if a short-term plan could be developed each July or August, well before the annual budget is set for the following year. This plan should specify the roads to be maintained or resurfaced in the upcoming budget cycle, the methods to be used, and the anticipated costs. The short-term plan could encompass a 2–3-year time span but should be updated and revised each year in July or August. The anticipated yearly budgetary costs for the road work should include funds being set aside annually for any scheduled high-cost road maintenance projects such as bridge repairs (*also see sections 3.B. and 3.C.*).
2. The Town will pursue written agreements with each community involved in a shared road maintenance effort. This would help to establish continuity as members of governing bodies change. These need not be legally binding documents but should at least serve to set down in writing the current verbal agreements (*also see section 9.B.*).
3. The Town will work with the Wisconsin Department of Transportation (DOT) through the *Local Bridge Assistance Program* to repair the bridge on River Road. The estimated Town portion of the shared costs is about \$85,000. The Town will set aside a portion of this estimated contribution on a yearly basis with a goal of accruing the necessary funds for repair by the year 2012 (*also see section 3.B. and 9.B.*).
4. The Town will work with the Wisconsin DOT under the *Town Road Improvement Program* to develop a shared-cost plan for the reconstruction or resurfacing of North Side Drive (*also see section 3.B. and 9.B.*).
5. The Town will maintain a policy of posting weight limits on the Town roads to prevent the untimely destruction of the roads and to reduce repair costs for the Town (*also see section 3.B.*).

Cooperation with Governmental and Private Land Preservation Agencies

Working with specific agencies to aid in placing farmland into preservation programs or to encourage conservation easements is of utmost importance in preserving farmland and retaining the rural character of the Town. Additionally, strategic conservation easements blocking annexation may give the Town more leverage in the negotiation of boundary agreements with neighboring municipalities.

1. Upon passage of this plan, the Town Board should consider establishing an “Agricultural Preservation Committee.” This committee should work closely with **Jefferson County Farmland Conservation Easement Commission** and would work to accomplish the following actions (*also see sections 5.B, 5.E., 9.B., 10.B., and Appendix B*):

- a) Work with the **Jefferson County Farmland Conservation Easement Commission** to identify and map strategic areas for conservation easements within the Town and to obtain necessary funding.
 - b) The established committee should undertake an effort to educate the public (especially those along borders at risk for annexation) about the role of land trusts. Education could take the form of mailings and/or informational meetings where members of area land trusts could be invited to speak to the citizens of the Town. Some area trusts include the **Natural Heritage Land Trust, Land Trust Network of Jefferson County, and Drumlin Area Land Trust.**
 - c) Seek to educate farmers regarding the benefits of participation in the **Wisconsin Farmland Preservation Program** and encourage their participation in the program.
 - d) **Land Trusts:** Work with the various land trusts that function in this area to preserve agricultural lands. The purpose here would be three-fold:
 - *to work with these land trusts to preserve the rural character of the Town by decreasing development*
 - *to preserve agricultural lands*
 - *to use conservation easements strategically as a buffer to development in neighboring communities and to make land in areas open to annexation less desirable for such a purpose.*
2. The Town of Concord will continue to participate in the Department of Natural Resources' Glacial Heritage Area (GHA) project. The Town may consider appointing a citizen liaison to collect input from the Town, attend the planning meetings, and keep the Town informed as to the status of the project. The Town may also undertake to inform town residents about the project either through information given at Town meetings or information included in mailings or in the annual Town newsletter (*also see sections 9.B. and 9.D.*).
 3. The Town of Concord will continue to work with Jefferson County to develop a *Natural Hazard Mitigation Plan*. The Town Board could appoint a citizen liaison to work with the County on behalf of the Town (*also see section 9.B.*).
 4. The Town of Concord will continue to support and work with the University of Wisconsin Extension and the Rock River Coalition to determine the existence and extent of water quality and supply problems and to educate the public on these issues. The Town Board will determine on a yearly basis if it wishes to continue monetary support of these efforts (*also see sections 4.B., 6.B., and 9.B.*).
 5. The Town will support Town residents' utilization of federal, state, and county programs that provide education on agriculture-related tourism, crop diversification, and carrying out promotional events and will provide information regarding such programs when available. This could include programs that provide education relating to direct farm marketing (and value-added products on a limited scale) (*also see 8.B.*).

Intergovernmental Cooperation for Service Provision

The Town of Concord will continue to work with the surrounding municipalities and Jefferson County to ensure that its citizens receive adequate police protection and fire and emergency medical services (EMS) coverage as well as other shared services. Wis. Stats. Section 66.0305 permits two or more municipalities, including towns, villages, and cities, to enter into agreements to share revenues from taxes and special charges to efficiently and equitably pay for costs of shared services. The Town should explore entering into such agreements if the costs of shared services become prohibitive or inequitably distributed.

Organize and Carry Out Boundary Agreement Discussions

These actions will be carried out by the Town Board assisted by the Plan Commission. Action point number one should be achieved within the first year of this plan. Negotiation of boundary agreements discussed in action points two, three, and four should be carried out under the guidance of an attorney well versed in these types of agreements. The Town may want to identify and map areas targeted for preservation or for conservation easements as discussed above prior to negotiation of these boundary agreements. Therefore, a time frame for these negotiations could be established after work on conservation easements is under way. However, research and a basic outline of what the Town would like to accomplish with these agreements should be begun in the first year.

1. The Town of Concord will approach the City of Oconomowoc and the Village of Sullivan with the goal of developing a set of guidelines that are mutually acceptable to these municipalities, the Town of Concord, and Jefferson County as to what types of land divisions and development will be allowed in the areas of the Town in which these municipalities exercise **extraterritorial plat review**. At the very least, the Town could request written guidelines as to what these municipalities would approve or deny in those areas. This could serve to expedite future requests for plat review and decrease frustration on the part of landowners (*also see section 9.B. and 9.C.*).
2. As noted in “Chapter 9: Intergovernmental Cooperation Element,” the potential for land to be annexed into the neighboring incorporated municipalities from the Town of Concord creates a source of potential intergovernmental conflict. Additionally, there is the potential for land in the Town of Concord to be annexed into other currently unincorporated municipalities if and when these municipalities become incorporated.

Therefore, the Town will begin entering into discussions with the City of Oconomowoc, the Village of Sullivan, and the Town of Summit about potential intergovernmental boundary agreements that would guide future development, plat review, and annexations and set limits for public sewer and water extensions. As noted in Chapter 9, these agreements should follow the requirements of Wis. Stats. 66.0307 for cooperative boundary agreements as they are binding upon subsequent town, city, and village administrations. Section 66.0307 cooperative boundary agreements can be rather complex, as they require intermunicipal land use and infrastructure planning (*also see sections 4.B., 4.C., 9.B., and 9.C.*).

3. In addition to the above-named municipalities, the Town of Concord should consider establishing a written agreement with the Village of Dousman in regards to limiting future extension of Dousman’s public sanitary sewer service into the southwest corner of the Town. While the Village of Dousman does not directly abut the Town of Concord, it does

have a wastewater treatment facility and could extend sanitary sewer service through the Town of Summit and into the Town of Concord in the future (*also see sections 4.B., 4.C., 9.B., and 9.C.*).

4. While less pressing than establishment of boundary agreements with the municipalities named above, the Town of Concord will approach the Towns of Ixonia and Farmington with the goal of establishing boundary agreements as described above with these municipalities (*also see section 9.B.*).

Historic Preservation

The Town Board may ask the Concord Historical Society to serve as the work group to address the following actions. Once the work group is established, a time line should be developed. Any necessary funding could be requested from the Town Board.

1. Encourage the preservation of the Town's older houses and structures in consideration of the role these structures play as part of the character and heritage of the Town of Concord. It would be helpful to identify and map these resources and seek to educate the owners of such resources regarding historic preservation (*also see sections 2.B., 7.B., and 9.B.*).
2. Work with organizations established to aid in historic preservation to maintain and protect historic resources and to educate the public. These resources may include the following: the National Trust for Historic Preservation, the BARN AGAIN! Program, the Wisconsin Barn Preservation Initiative, and the Wisconsin Historical Society (*also see sections 7.B. and 7.E.*).
3. The Town will support the Concord Historical Society in its effort to preserve the old Town Hall. The Historical Society could present a written action plan to the Town Board regarding preservation of this building (*also see section 4.B.*).
4. Develop or obtain a set of guidelines for the Town to follow to preserve and maintain the Town cemeteries in a responsible and respectful manner (*also see section 4.B. and 4.D.*).
5. The Town may consider working with the Jefferson County Parks Department to purchase land with the goal of preserving more local historical rural resources (*also see section 7.B.*).
6. The Town may consider developing guidelines to encourage Historic Preservation (*also see section 7.B.*).

11.D. Measuring Progress with the Comprehensive Plan

Below are recommended procedures for measuring the Town's progress in meeting the visions, strategies, and recommended actions of the Comprehensive Plan.

- Once special committees and citizen liaisons have been appointed pursuant to passage of this plan, the Town Board, Plan Commission, appointed committees, and work groups will meet to ensure smooth implementation of the actions in the plan. This meeting should take place within 4 months of the passage of the plan.
- The Town Board, together with the Plan Commission, work groups, and other committees and citizen liaisons appointed to carry out the actions in this plan, will hold an annual

Progress Meeting. This includes, among other things, evaluating progress on revision of zoning districts, ordinance development, land preservation initiatives, and negotiation of cooperative boundary agreements. Specifically, the Town Board must ascertain whether these actions are meeting the goals and objectives outlined in the various elements of the Comprehensive Plan and whether or not they are meeting the established time frames. Some actions that were of lower priority initially may subsequently be tied to specific time frames.

- The Town Board should monitor the number of amendments made to the Comprehensive Plan. Such amendments tend to provide a clue as to how well the Comprehensive Plan is functioning as a guide. Frequent amendments suggest the need for broader Comprehensive Plan review.

Under the Smart Growth law, the Comprehensive Plan must be updated no less than every ten years. Monitoring of the Comprehensive Plan, as recommended above, will help the Town ascertain whether it needs to be updated sooner than once every ten years.

11.E. Amending the Comprehensive Plan

In the event that an amendment to this plan would be desirable, a rigorous plan amendment process will be followed to ensure thorough consideration and a high degree of public involvement. While state statutes do not specify exact procedures for a municipality to follow, the amendment process should include a procedure similar to that used to initially adopt the Comprehensive Plan. At a minimum, adoption of any amendment to this plan must go through the following steps:

1. Any proposed amendment to the *Town of Concord Comprehensive Land Use Plan* must be submitted sixty (60) days in advance of its first consideration by the Plan Commission. If applicable, the proposed change will include a property survey, a graphical depiction of any proposed development or site improvements, a letter of intent, and description of the requested plan amendment.
2. The Plan Commission must then adopt, by majority vote of the entire commission, a resolution that “recommends” adoption of the proposed amendment to the Town Board.
3. Once the Plan Commission has recommended the amendment to the Town Board, the board must propose an ordinance to adopt the amendment. Prior to enacting the ordinance, the Town Board must hold a public hearing on the amendment and the proposed adoption ordinance. This hearing must be preceded by a class II notice that is initially published at least 30 days before the hearing is held. Additionally, a good-faith effort must be made to notify all residences and non-resident property owners by mail post-marked at least 30 days prior to the public hearing. At a minimum the notice must contain the following:
 - The date, time, and location of the hearing
 - A summary of the proposed amendment
 - The local government staff that can be contacted for additional information

- Where to inspect and how to obtain a copy of the proposed amendment before the hearing
4. After the public hearing has been held, the Town Board must enact, by majority vote, the ordinance adopting the amendment. Copies of the ordinance and adopted amendment must then be distributed to the same communities and agencies to which the original adopted plan was sent (see list in 11.B.4.).