

9 Implementation

The implementation of the Town of Brigham 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:

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

9.1 Summary of Key Planning Issues and Opportunities

The following list summarizes some of the key issues identified through public involvement activities and the Town Survey. Issues also reflect observed liabilities and comments made through the planning development process.

Development Controls

One of the most frequent responses during the Town Vision Forum (October 2006) and survey process was to preserve Brigham's natural resources, rural integrity, and beauty. Several implementation tools, programs, and ordinances are available and a key part of the process is to determine the extent of preservation areas and the most feasible tools to utilize.

Preserve Agricultural Lands and Economic Production

Currently, Building Site Regulations are the primary tool used to maintain the rural, agricultural aesthetic of Brigham and to reserve lands for active agriculture. The majority of Town residents surveyed agreed with this tool, and ninety-two percent expressed the desire to increase direct farm product sales in Brigham. Additionally, respondents listed cottage industries and other small business development as appropriate for Brigham.

Environmental Protection

There are numerous ordinances and programs that seek to protect the environmental resources in the Town. A review of these tools should take place to determine if any program or ordinance needs expansion based on confirmation of the plan's goals and objectives.

Better Intergovernmental Relationships and Planning

One of the key issues raised in each of the public meetings is improving cooperation between the communities, especially Barneveld and Brigham.

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.

9.2/9.3 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. This section includes both regulatory and non-regulatory measures.

9.2 Regulatory Measures

The following regulatory measures can be used to guide development and implement the recommendations of a comprehensive plan. The Town Board officially adopts these regulatory and land use control measures as ordinances (or as revisions to the existing ordinances). For the purposes of this document, "regulatory measures" are those that must be adhered to by everyone if adopted.

9.2.1 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 Brigham has adopted the Iowa 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. For the Town, these may include special requirements for commercial buildings along highway corridors or regulations to preserve "viewsheds".

Action: The existing Iowa County ordinance should be adapted to protect the integrity of Exclusive Agricultural (A-1) lands. The Town Board should work with Iowa County to clarify the rules for development of a second single-family home in exclusive agricultural districts. The Town should also eliminate the loophole in the current ordinance that may permit residential development on Class I, II, and III agricultural land. Additional amendments may become necessary to implement portions of this plan. Determine demand for additional regulations to control for or to relax standards within districts delineated on the Future Land Use Map.

9.2.2 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. For areas within the extraterritorial area of the Village of Barneveld, the official map must be developed jointly.

Action: Adopt an official map at which time changes in the rate of development require increased long-term infrastructure planning. Involve the Village of Barneveld for locations within the extraterritorial area.

9.2.3 Sign Regulations

Local 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 to a safe, healthful and attractive environment.

Brigham does not currently have local sign regulations, however within the county zoning ordinance there are provisions to regulate for type, bulk and setback. In the future, local regulations may need to be developed if the county regulations lack the specificity Brigham requires.

Action: Continue to utilize current standards. Monitor community desire for increased standards as determined through complaints or requests.

9.2.4 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 under Section 147.021 Wis, Stats.

There are requirements for an erosion and stormwater control plan in the Building Site Regulations (4.06) and some slope and site requirements in the Land Divisions (4.01) ordinance.

Action: Continue to utilize the existing ordinances until such time that more stringent requirements are preferred to control for increased stormwater pressures brought about by new development. Evaluate an Iowa County erosion and stormwater management ordinance if one is developed.

9.2.5 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.

Brigham enforces Wisconsin's Uniform Dwelling Code.

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

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

9.2.7 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.

Developments utilizing private sewage systems are required to obtain a permit and abide by regulations set forth in the Iowa County Sanitary Ordinance (400.06).

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

9.2.8 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 Town. The Town Board makes the final decisions on the content of the land division ordinance. These decisions are preceded by public hearings and recommendations of the Plan Commission.

Brigham has a locally adopted land division ordinance. It does not contain regulations for development of a conservation subdivision nor a property maintenance ordinance. The land division ordinance could also be utilized to help mitigate future conflicts between farmers and residential neighbors through the incorporation of minimum setbacks.

Actions: Review and update existing Town land division ordinances to reflect concepts outlined in this plan. Maintain the current five-acre lot minimum, but consider allowing up to four land divisions for residential use every five years.

9.2.9 Shoreland and Floodplain Zoning

Iowa 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 shore cover. Brigham is governed by Iowa County's Shoreland Zoning, and Floodplain ordinances.

Action: Continue to utilize county rules and regulations.

9.2.10 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. The Town of Brigham Building Site Ordinance protects public health, safety and welfare; preserves the rural character of the Town; sustains property values and the property tax base; and conforms to the Town's Land Use Plan. The Brigham Building Site Ordinance (4.06) prohibits development on lot sizes smaller than five acres, steep slopes, and Class I, II, and III soils, which are ideal for agriculture.

Action: Review and consider updating the existing Town Building Site Ordinance to reflect concepts outlined in this plan. In particular, consider amending the Building Site Ordinance to consider commercial development on Class I, II, or III soil where specifically identified on the Future Land Use Map.

9.3 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.

9.3.1 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 and can be modified to the community's changing needs.

Preparation of a Capital Improvement Program

The preparation of a Capital Improvement Program is normally the joint responsibility between 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 non-transportation related capital improvements. Consider combining already scheduled transportation improvements within this CIP (See 9.3.2 below).

9.3.2 Transportation Improvement Plan

A transportation improvement plan (TIP) identifies and prioritizes highway and transit improvements. Adherence to a TIP ensures the most effective use of funding for transportation improvements. A transportation improvement plan is necessary for two other reasons. First, the TIP is a requirement of the transportation planning process as most recently legislated by the Transportation Eligibility Act for the 21st Century. Secondly, a transportation improvement is not eligible for federal funding unless it is listed in the TIP. Transportation improvement plans should be reviewed regularly in order to accurately reflect the region's changing priorities.

The Town currently updates a multi-year transportation plan annually.

Action: Continue to utilize an annual system to identify and prioritize short-term transportation improvement needs and funding sources. Coordinate and share the TIP with adjacent and overlapping jurisdictions to ensure regional consistency. Consider adding all capital improvements within a Capital Improvement Plan (see 9.3.1 above).

9.3.3 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.

A boundary agreement between the Town of Brigham and the Village of Barneveld has not yet been created.

Action: Contact the Village of Barneveld about establishing a Joint Committee to negotiate the boundary agreement process. Consider adding all other incorporated communities with overlapping extraterritorial jurisdictions in this process.

9.3.4 Impact Fees

Impact fees are levied to a developer or homeowner by a municipality to offset the community's costs resulting from a development. To set an impact fee rate an analysis called a Public Facilities Needs Assessment must be performed to quantify the fee. If Brigham wishes to develop and maintain a local park system, or offset costs for the improvement of transportation facilities to accommodate new populations it may benefit from collecting impact fees from new construction.

The Town does not currently collect impact fees from new development.

Action: Determine the need for impact fee exactions over time and develop a Public Facilities Needs Assessment prior to development of the impact fee ordinance.

9.3.5 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.

9.3.6 Tax Increment Financing District

Tax Increment Financing (TIF) is a development tool designed to help finance redevelopment and community improvement projects through new tax revenues generated by the project after completion. When a development project is carried out, the value of surrounding real estate usually increases translating into higher tax revenues. Tax Increment Financing dedicates that increased tax revenue to finance debt issued to pay for the project. TIF is designed to channel funding toward improvements in distressed or underdeveloped areas where development would not otherwise occur but is increasingly being used by communities hoping to spur local economic development efforts.

The Town has not established a Tax Increment Financing District. Although generally a tool for cities and villages, towns can develop these districts for limited purposes including agriculture, tourism, forestry, manufacturing, and limited residential or retail development subject to a primary agricultural, forestry, or manufacturing activity.

Action: Consider developing a TIF district or other economic development incentive program to fund public improvements if economic development develops into a primary objective. Consider subjecting this action to a referendum.

9.4 Consistency Among Plan Elements / 20-Year Vision

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 Brigham completed all planning elements simultaneously, no known inconsistencies exist.

This Comprehensive Plan references previous planning efforts, and details future planning needs. To keep 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.

Brigham will continue to make educated decisions based upon available information and public input. Planning will revolve around the **20-Year Planning Vision** (below) and decisions will incorporate a comprehensive look at all elements to determine appropriate cohesiveness of the decision against stated visions.

20-year Vision

Natural beauty, agriculture, recreational opportunities, rural atmosphere and a sense of community are some of the top reasons people choose to stay or move into Brigham. Therefore, many residents want to keep and improve their farms, maintain their homes and property and protect their investments. Existing structures will be improved and new buildings will be constructed. By achieving this future vision, Brigham will continue to appeal to residents and visitors, and in turn preserve much of its rural character. This will be accomplished by promoting orderly growth consistent with Brigham's present character, while being ever cognizant of balancing services and taxation.

9.5 Plan Adoption, Monitoring, Amendments and Update

9.5.1 Plan Adoption

In order to implement this plan it must be adopted by the Town Plan Commission. After the Commission adopts the plan by resolution, the Town Board must adopt the plan 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.

9.5.2 Plan Use and Evaluation

The Town of Brigham will base 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.

The Town can expect change in the years to come. 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 at least 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, its goals and objectives. The evaluation should also include an update of the 5-Year Action Plan located within this chapter.

9.5.3 Plan Amendments

The Town of Brigham 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 is.

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.

9.5.4 Plan Update

According to the State comprehensive planning law the Comprehensive Plan must be updated at least once every ten years.

9.5.5 Enactment

Upon enactment of this plan, all zoning recommendations, official mapping and subdivision regulation decisions shall be consistent with this plan. This statement reinforces the intent that the plan shall be followed regardless of how one interprets the "2010 clause" within statutes.

9.6 Five-Year Action Plan

This 5-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 Brigham, Town Committees, Town staff, and local/state governments. The completion of recommended actions in the timeframe presented may be affected and or impacted due to competing interests, other priorities, and financial limitations facing the Town. This table should be updated every five years.

<i>What</i>	<i>Who</i>	<i>When</i>
Review and update existing Town Building Site and Land Division Ordinances to reflect concepts outlined in this plan.	Plan Commission/ Town Board	2008
Consolidate all short-term public improvements funding into a capital improvements plan (replacing the transportation improvement plan).	Town Board	2008
Consider enabling overlay districts to delineate development zones or viewshed corridors.	Plan Commission/ Iowa County	2008
Discuss intergovernmental boundary agreement with the Village of Barneveld.	Town Board	2008-09

