

9. Implementation

9.1 Introduction

The Implementation element includes a compilation of programs and specific actions to be completed in a stated sequence. These programs and specific actions will be used to implement the goals, objectives, policies, and recommendations contained within the earlier elements of this plan.

The Implementation element also includes a section on mechanisms to measure progress that will allow the community to determine if it is successfully implementing its comprehensive plan. In addition, this element also describes how all of the plan elements will be integrated and made consistent, as well as amendment and comprehensive plan update procedures.

Implementation Framework

Comprehensive plans establish the general policy framework for decision making. The Wisconsin comprehensive planning law defines the elements of a comprehensive plan and requires that if a local government engages in official mapping, subdivision regulation, zoning, or zoning of shorelands and wetlands then actions of that local governmental unit must be “consistent with” the comprehensive plan by January 1, 2010. Therefore, any local governmental unit that wants, for example, to regulate the subdivision of land or regulate land use through zoning or any other means is required to have a comprehensive plan. Adoption of this comprehensive plan meets the intent of the legislation.

Citizen Participation

Just as citizen participation is an important step required throughout the planning process, it is also an essential implementation tool. Citizens and local officials must be made aware of the goals of their comprehensive plan when they consider and make decisions such as reviewing a land division request. The more participation, the more ownership the plan or any implementation tool will likely receive. In addition, a public hearing is always required before an ordinance of any type can take effect.

9.2 Local Action Plan

An action plan is intended to jump start the implementation process and to provide continued focus over the long term. During the comprehensive planning process, a framework for implementation and necessary action items were identified which will serve to guide the many steps that must be taken to put the plan in motion. This action plan outlines those steps and recommends a timeline for their completion. Further detail can also be found within the respective planning element.

Planning and Implementation

Just as the comprehensive plan does not work independently of other community documents, the implementation element does not work independently of the other elements in the plan. In fact, the implementation element is one of the best ways to demonstrate the integration of all the elements. Through implementation, the connectivity among community issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural, and cultural resources, economic development, intergovernmental cooperation, and land use is realized. Decisions should be made based on the knowledge that one decision can affect all the elements involved and there are direct and indirect effects of all actions.

Plan Adoption and Update Actions

1. Task: Pass a resolution recommending adoption of the comprehensive plan by the Village Board (Implementation element).
Responsible Party: Plan Commission
Timing: Spring 2018
2. Task: Adopt the comprehensive plan by ordinance (Implementation element).
Responsible Party: Village Board
Timing: Spring 2018
3. Task: Review the comprehensive plan for performance in conjunction with the budgeting process (Implementation element).
Responsible Party: Plan Commission
Timing: Annually
4. Task: Conduct a comprehensive plan update (Implementation element).
Responsible Party: Plan Commission, Village Board
Timing: Every 10 years

Intergovernmental Cooperation Actions

1. Task: Review land divisions in the Woodville extraterritorial area and evaluate their impact on road connectivity (Transportation element).
Responsible Party: Plan Commission
Timing: On-going
2. Task: Review land divisions in the Woodville extraterritorial area and evaluate their impact on village sewer and water services (Utilities and Community Facilities element).
Responsible Party: Plan Commission
Timing: On-going
3. Task: Coordinate lot sizes, proposed density of development, and the use of lands in the Woodville extraterritorial area in accordance with the long term growth management strategy of the Village of Sherwood (Land Use element).
Responsible Party: Plan Commission
Timing: On-going

Ordinance Development and Update Actions

1. Task: Update Official Map. (Implementation Element)
Responsible Party: Village staff, Plan Commission and Village Board. Timeline: Within one year of plan adoption.

2. Task: Complete an assessment of the existing zoning ordinance and identify areas in the text and on the zoning map that need to be updated and revised in accordance with the goals of the Comprehensive Plan (Land Use element).
Responsible Party: Plan Commission and Village Board
Timing: Within two years of plan adoption.
3. Task: Complete a review of the subdivision ordinance to evaluate what is required of developers and ensure that the village is limiting its liabilities and costs in the development of new subdivisions (Land Use element).
Responsible Party: Plan Commission
Timing: Within two years of plan adoption.
4. Task: As part of ordinance review and update process create a site design review ordinance for multi-family residential, commercial, industrial, and institutional development that protects and enhances the visual quality of the community and establishes the desired characteristics (Land use element).
Responsible Party: Plan Commission
Timing: Within two years of plan adoption.

Strategic Planning Actions

1. Task: Consolidate and update an annual capital improvement plan for all village assets (Utilities and Community Facilities element).
Responsible Party: Village Staff and Village Board
Timing: Develop within one year of plan adoption, update annually.
2. Task: Update existing Outdoor Recreation and Open Space Plan (Land Use Element).
Responsible Party: Village Staff and Plan Commission
Timing: As needed.

Changes to Applicable Land Use Controls

The remainder of the Implementation element will review regulatory and non-regulatory implementation tools and review their current use in the community as well as provide recommendations for their use in the future. All of the community's existing land use controls are discussed and any recommended changes are provided.

9.3 Regulatory Land Use Management Tools

Regulatory tools stem from local government's responsibility and authority to protect public health, safety, and welfare. Most regulatory tools are in the form of ordinances. The following regulatory tools were reviewed and discussed as part of the comprehensive plan process:

Conventional Zoning

Under Wisconsin Statutes, counties, cities, villages, and towns with village powers are authorized to adopt zoning ordinances. Zoning is one method of implementing or carrying out the comprehensive plan. Zoning regulates the use of land, lot size, density, and the height and size of structures. A

conventional zoning ordinance is probably the most commonly used land use implementation tool, especially in villages and cities. Under conventional zoning, districts (defined areas of consistent use and density) are established which typically follow parcel boundaries and legal descriptions. Each district or zoning category contains a list of permitted and conditional uses which define “rights” within the district. In Wisconsin, towns are either “under” their respective county’s zoning ordinance, administer their own zoning ordinance, or do not administer zoning.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood administers a Village Zoning Code (Ordinance), adopted in 1998 and with several subsequent amendments, that outlines the purpose, rules, definitions, and provisions of the identified land use zoning districts. The districts are administered through the code and zoning map. Overall the code is performing reasonably well.

Recommendation(s): The Village of Sherwood should complete an assessment of its existing zoning ordinance and identify areas in the text and on the zoning map in which there is inconsistency to the Preferred Land Use map developed during the planning process. Priority areas where the village intends on being more proactive in preservation, development or redevelopment should be reviewed closely and possible amendments to the zoning ordinance and map should be completed as necessary.

Overall, the village needs to examine the current zoning designations for properties in the village to make sure they are appropriate and consistent with the current trends and needs of the village. For example, the village should evaluate regulations applicable to setbacks and lots sizes. As planning trends continue to change and design standards shift, it may be necessary to adjust these as well. Land use classifications need to be further developed to include development criteria, including appropriate densities.

Timeline: Within two years of plan adoption.

Land Division/Subdivision Ordinance

Achieving the goals, objectives, and policies of the comprehensive plan will be significantly influenced by how land will be divided and developed in the future. Pursuant to Section 236 of the Wisconsin Statutes, a community, by ordinance, could review the subdivision of land within its corporate limits. A land division ordinance is a tool to control how, when, and if rural farmland, woodlands, and open spaces will be divided and developed while protecting the needs and welfare of the community. It also regulates how new lots will be made ready for future development, such as providing for adequate access (required roads, driveways), wastewater treatment, and water supply.

The impact of land division regulations is more permanent than zoning (which regulates the type of development that takes place on a parcel) because once land is divided into lots and streets are laid out, development patterns are set. Local review and regulation of future divisions of land can therefore be effective tools to realize plan goals of maintaining agriculture as a strong part of the local economy, protecting natural resources, and retaining rural character.

A community can require a new land division be in conformance with its comprehensive plan as a basis of approval. The key to implementing this objective is twofold. First, the ordinance shall clearly state

that consistency with the community's comprehensive plan is a criterion of approval. Secondly, the ordinance shall contain a provision requiring the proponent for a land division to submit a clear and concise letter of intent as part of the land division application. The letter of intent submitted as part of the application record can be used to decide if the proposed lot will adequately accommodate the future use of the property.

Development of a local land division ordinance could also incorporate conservation design guidelines and standards to help implement the plan goals, objectives, and policies supporting protection of the community's agricultural lands and open spaces. Conservation subdivisions are intended to be an alternative approach to the conventional lot-by-lot division of land in rural areas which spreads development evenly throughout a tract of land without regard to the natural features of the area.

The development and ultimate success of a local land division ordinance in plan implementation will require the community to address regulatory, administrative, and intergovernmental considerations. Adoption of the local land division ordinance must be consistent with state statutes and will require local administration (e.g., application review, fee collection, public hearings, inspection, enforcement, etc.).

Many rural "unzoned" communities that do not want to pursue traditional zoning often adopt a land division ordinance as a baseline needed to manage future uses. However, communities must remember a land division ordinance only affects new development which requires a land division. New uses on existing parcels remain unregulated.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood administers a Subdivision Ordinance, adopted in 1998 and with several subsequent amendments, that outlines the requirements, design standards, and variance procedures for subdivisions and minor land divisions. Overall the code is performing reasonably well.

Recommendation(s): Although the ordinance is working relatively well, the Village of Sherwood should complete a review of the subdivision ordinance to evaluate what is required of developers and ensure that the village is limiting its liabilities and costs in the development of new subdivisions. The village should also consider adding standards for stormwater quality. There should be provisions added to strongly emphasize the need and desire for public green space. The village should evaluate the applicability of Wisconsin Act 477 regarding fees for park and recreation facilities through the subdivision process. Other aspects of the ordinance appear to meet the needs of the community for the future.

Timeline: Within two years of plan adoption.

Calumet County Growth Management Policy

The Growth Management Policy is housed within the Calumet County Subdivision Ordinance. The county utilizes the policy to effectively manage the rate of nonagricultural growth, promote more efficient growth patterns, minimize the public costs of non-agricultural growth in unincorporated areas by restricting the number and location of new buildable lots created by all forms of dividing land. The existing policy contains the following provisions:

1. No "Major Subdivision" of ten (10) or more lots in size shall be permitted beyond the corporate limits of any incorporated city or village.
2. "Major Subdivisions" of less than ten (10) lots in size may be permitted beyond municipal corporate limits, but not beyond the boundaries of any "Growth Service Area" shown on the Growth Management Policy map. Only "Minor Subdivisions" shall be allowed beyond any "Growth Service Area" boundary.
3. Under no circumstances shall any "Major Subdivision" be permitted, unless all the lots of such subdivision will either be served by State-Approved sanitary sewerage system, or contain sufficient area of soils, which are fully suitable for placement of on-site sewage disposal systems. Any subdivision plat located beyond a Growth Service Area boundary, as shown on the Growth Management Policy map, approved and recorded prior to the effective date of these regulations, may be further subdivided (one time only) subject to the following conditions:
 - a. That at least 75% of the lots comprising the pre-existing plat have been developed with permanent, residential primary structures, or
 - b. That such further land subdivision shall contain no more than nine (9) additional (new) lots.
4. Major subdivisions of ten (10) or more lots may be permitted beyond the corporate limits, but within Growth Service Areas, subject to the following conditions:
 - a. That such proposed new subdivision is contiguous to at least one other pre-existing subdivision of ten (10) or more lots in size; or
 - b. That state-approved sanitary sewerage facilities are first provided for all lots of the proposed new subdivision.

Farmland and Land Use

The development dynamic created between farms and rural residential development has impacts on land values, property taxes, and the overall development pattern. In Calumet County, 65.5% of land is either cropland or in some type of farm-related use. Calumet County utilizes the Growth Management policy to limit the number of rural land divisions in an effort to manage the rate of non-agricultural growth, to promote more efficient growth patterns, and to minimize public costs of non-agricultural growth in non-incorporated areas.

Village of Sherwood Status/Recommendation(s)

Status: While land within the corporate boundaries of the village is not affected by this policy, it does have significant effect on land divisions near village borders and the policy drives the location of development to municipalities in the county.

Recommendation(s): The *Calumet County Year 2025 Comprehensive Plan* recommends the policy be upheld and modified to include 'advocacy stimulants' when considering code modifications. With any situation, the best way to achieve results or come to an agreement is to have a win-win outcome for the developer or landowner and the public policy that is being implemented. The county can build such a win-win scenario when the codes and ordinances are modified by incorporating density bonuses to the tract being developed if that landowner/developer is willing to develop the property in accordance with defined principles.

For further detail on recommendation to this policy refer to the *Calumet County Year 2025 Comprehensive Plan*.

Timeline: Ongoing.

Official Maps

Cities, villages, and towns may adopt official maps. These maps, adopted by ordinance or resolution, may show existing and planned streets, highways, historic districts, parkways, parks, playgrounds, railroad rights of way, waterways, and public transit facilities. The map also may include a waterway only if it is included in a comprehensive surface water drainage plan. No building permit may be issued to construct or enlarge any building within the limits of these mapped areas except pursuant to conditions identified in the law.

Counties have limited official mapping powers. Counties may adopt highway-width maps showing the location and width of proposed streets or highways and the widths of any existing streets or highways that are planned for expansion. The municipality affected by the street or highway must approve the map. Counties may also prepare plans for the future platting of lands, or for the future location of streets, highways, or parkways in the unincorporated areas of the county. These plans do not apply to the extraterritorial plat approval jurisdiction of a city or village unless the city or village consents.

Official maps are not used frequently because few communities plan anything but major thoroughfares and parks in detail in advance of the imminent development of a neighborhood.

Village of Sherwood Status/Recommendation(s)

Status: The official map of the village is also its land use map. It is out of date and needs updating.

Recommendation(s): The village needs to update its official map to include transportation plans, park plans, stormwater management, and land uses.

Timeline: Within one year of plan adoption.

Sign Ordinances

A sign ordinance restricts the type, size, and location of signs within a community. It also often restricts the types of materials that can be used to construct signs. These ordinances can regulate signage to achieve a number of community values such as improved property values, public safety, and glare control. Counties, towns, cities, and villages may all adopt sign ordinances and billboard regulations.

Village of Sherwood Status/Recommendation(s)

Status: Regulations regarding signs are included in the village's zoning code. This seems to be working well for the village at the current time.

Recommendation(s): The sign ordinance should be maintained to reflect the 2015 Reed v. Town of Gilbert Supreme Court ruling and subsequent case law.

Timeline: Immediately.

Historic Preservation Ordinances

The objectives of a comprehensive plan that note the need to preserve important historic structures and sites can be implemented through the adoption of a historic preservation ordinance. These ordinances are meant to protect historic buildings and districts. Counties, towns, cities, and villages have express authority to enact historic preservation ordinances. In addition, the Wisconsin Legislature has determined that historic preservation is such an important objective that all cities and villages that contain any property listed on either the national register of historic places or the state register of historic places must enact a historic preservation ordinance to regulate historic or archeological landmarks and historic districts in an effort to preserve those landmarks.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood does not currently have a Historic Preservation Ordinance.

Recommendation(s): The Village should evaluate standard Historic Preservation Ordinances to see if they would be of value to the goals set forth in this plan. As conditions in the village change, it might be appropriate to consider adoption of this type of ordinance.

Timeline: On-going monitoring.

Design Review/Site Plan Regulations

Design review involves the review and regulation of the design of buildings and their sites. Design review standards are often included as part of zoning and subdivision ordinances. They seek to protect communities from multi-family, commercial, industrial, and institutional development that would detract from the appearance of the community and reduce property values. Such an ordinance is especially recommended for communities with buildings of historic or architectural importance and where tourism is a major economic activity.

Village of Sherwood Status/Recommendation(s)

Status: The village does not have any regulations specific to design review or site plan regulations. Parts of this are covered in the zoning ordinance but it is not adequate for the issues facing the village today.

Recommendation(s): Design review standards should be established by the village for multi-family, commercial, industrial, and institutional land uses. The ordinance is intended to protect and enhance the visual quality of the community and establish the desired characteristics of building layout and architecture, parking areas, green space and landscaping, lighting, signage, grading, driveway access, and internal traffic circulation. Public input should be sought on the establishment of these desired characteristics.

Timeline: The development of these standards should be incorporated into the recommend zoning review process. Within two years of plan adoption.

Building, Mechanical, Housing, and Sanitary Codes

Cities, villages, towns, and counties may enact building and sanitary codes. Building codes are sets of regulations that set standards for the construction of buildings in a community. Building codes ensure that new and altered construction will be safe. These codes must conform to the state building, plumbing, and electrical codes. Housing codes define standards for how a dwelling unit is to be used and maintained after it is built. To enforce the codes, inspections are required by the local municipality. This code is concerned with keeping housing from falling into dilapidation and thus keeping neighborhoods from falling into blight.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently uses the state codes for building, mechanical, housing, and sanitary.

Recommendation(s): None at this time.

Erosion/Stormwater Control Ordinances

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood is completing its stormwater management plan and will adopt a control and enforcement ordinance as part of this planning process.

Recommendation(s): Continue development of a working program of education and enforcement of stormwater quality regulations.

Timeline: Ongoing.

Extraterritorial Zoning

Any city or village that has a plan commission may exercise extraterritorial zoning power in the unincorporated areas surrounding the city or village. The extraterritorial zoning power may be exercised in the unincorporated areas located within three miles of the corporate limits of a first, second, or third class city, or within one and one-half miles of a fourth class city or village. Extraterritorial zoning may be initiated by a city or village adopting a resolution and providing notice of the extraterritorial area to be zoned. The city or village may unilaterally adopt an interim zoning ordinance to preserve existing zones or uses for up to two years while a comprehensive zoning plan is being prepared. A joint committee, consisting of three city or village plan commission members and three town members must approve of the plan and regulations by majority vote. Extraterritorial zoning is not commonly used in the state of Wisconsin.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood does not currently engage in any extraterritorial zoning agreements with its neighbors. It is unlikely that this will be a necessity within the planning period.

Recommendation(s): None at this time.

Planned Unit Developments (PUDs)

Planned unit developments (also sometimes referred to as “planned development districts”) allow developers to vary some of the standards in local zoning ordinances to provide for innovative approaches that may allow for better design and arrangement of open space to protect natural resources. PUDs require flexibility from both the developer and local government.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently does allow for the use of PUDs as a tool for land management in the development process and there is one at the present time.

Recommendation(s): The village should continue to evaluate the effectiveness of this tool in development opportunities and utilize if appropriate.

Timeline: On-going.

Extraterritorial Plat Review

Cities and villages that have adopted a subdivision ordinance or official map can exercise extraterritorial plat approval jurisdiction for three miles beyond the corporate limits of a first, second, or third class city and one and one-half miles beyond the limits of a fourth class city or village. Specifics relative to Extraterritorial Plat Review can be found under Wis. Stats. S.236.02(5).

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently uses extraterritorial plat review for land use control. Due to concern over the type and density of development adjacent to the village’s border in the unincorporated town, the use of this land use management tool should be utilized whenever possible. The use of this tool is customary by most Wisconsin cities and villages.

Recommendation(s): Continue to use plat review to ensure that development within the extraterritorial jurisdiction is happening in accordance with the goals and objectives of the village plan. Coordination of lot size, proposed density of development, and the use of lands in the extraterritorial area need to be considered within the context of Sherwood’s long term growth strategy as follows:

1. Sherwood should review the location via the review of land divisions in the existing extraterritorial area in accordance with the Comprehensive Plan.

2. For development proposals adjacent to the existing border and within reasonable proximity (suggested 1,000') of existing sewer or water services, the village should assess for the ability to be served by public services such as sewer and water in accordance with established engineering and feasibility studies.
3. Lands planned within the extraterritorial area should be protected from patterns of development that would impede efficient provision of municipal services. These areas should be planned and coordinated through an Area Development Plan or site plan to assess future development patterns and an efficient extension of urban services if possible.
4. Any non-farm development within these areas should be limited to low density uses and should consider clustering to minimize fragmentation if possible.

Timeline: On-going.

Driveway Ordinance

Driveway ordinances are developed to establish standards for driveways that will provide for safe and adequate access from private development to public right-of-ways, and also to maintain appropriate access spacing, access-point design, and total number of access points to public roads. In addition, a driveway ordinance provides an opportunity for local review to ensure that the driveway is providing proper access for such uses as a single-family residence which is consistent with the community's comprehensive plan. The term "driveway" is generally defined to mean private driveway, road, field road, or other means of travel through any part of a private parcel of land which connects or will connect with any public roadway. The ordinance typically only impacts new driveways or driveways which serve major land use modifications. Use of a driveway or "access" ordinance to regulate land use is limited, but a significant number of towns throughout the state, due to the requirement to service existing development for emergency purposes (i.e., fire, ambulance), have adopted driveway ordinances.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently has a driveway ordinance that seems to be adequate for the current needs of the community.

Recommendation(s): None at this time.

Cooperative Boundary Agreements

Cooperative boundary agreements can reduce some of the conflict regarding boundary issues, including annexation, that often arise between towns and their incorporated neighbors (cities and villages). The Legislature has provided express enabling authority for these agreements. The communities involved in such agreements undertake cooperative preparation of a plan for the areas concerned. The plan for changing or maintaining boundaries, and for controlling land use and services, is sent to the Department of Administration. If the plan is approved, a contract binding the parties to it is put into effect.

Village of Sherwood Status/Recommendation(s)

Status: The village does not currently have any cooperative boundary agreements.

Recommendation(s): None at this time.

Timeline: On-going.

Annexation

The state has granted cities and villages the power to annex. The power to extend municipal boundaries into adjacent unincorporated (town) lands allows a community to control development on its periphery.

Contrary to popular belief, annexation occurs at the request of town residents, not at the request of the incorporated municipality. Petitions for annexation are filed by the town landowners and the village or city acts upon the annexation petition.

Wisconsin Act 317 – Revisions to Annexation Procedures

Under this Act, which was enacted in April of 2004, no city or village may annex any territory if none of the city's or village's territory is in the same county as the territory to be annexed. The Act also requires cities and villages to make payments for five years to towns that lose territory due to annexations. Cities and villages will have to pay the town from which the land is annexed, the amount of the town tax for the annexed property. The Act gives an exemption from this payment for cities and villages that have boundary agreements with the neighboring towns.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently examines proposals for annexation.

Recommendation(s): The village should use the comprehensive plan to guide decisions for annexation issues.

Timeline: On-going.

Specialized Ordinances

Given specific issues and needs within a particular community, a number of "specialized" ordinances may be required to regulate local public health and safety concerns, protect private property, and avoid public nuisances. The following ordinances have received increased attention due to local issues.

Nuisance Ordinance

A nuisance can generally be defined as an action, or lack thereof, which creates or permits a situation that annoys, injures, or endangers the peace, welfare, order, health, or safety of the public in their persons or property. Nuisance ordinances can be defined in many ways, depending what issues are present in the community. Possible nuisances include noxious weeds, storage of vehicles, odors, noise, signs, obstruction of streets, animals, fireworks, and any number of related type nuisances.

Concisely defining nuisances as well as enforcement, abatement, and recovery of costs for abatement are very important in the creation of a nuisance ordinance. A nuisance ordinance provides landowners and residents with a mechanism for identifying and preventing non-compliant situations. Authority for a town to engage in action to recover damages or abate a public nuisance is granted under Chapter 823 of the Wis. Stats. Although a town may pursue action through the State Department of Justice to prosecute the action, most Wisconsin municipalities pursue developing a local public nuisance ordinance because the statute does not specifically address all potential nuisance situations. Further, there are some practical but nevertheless important reasons for developing a local ordinance. They include: 1) the ability to set a minimum and a maximum forfeiture amount; 2) the ability to decide a protocol for providing notice and the time to cure or abate the nuisance; and 3) the ordinance can state that the unpaid bill for the cost of abating the nuisance can be placed on the tax bill as a special charge. Most public nuisance ordinances cover five broad areas. They include:

1. Noxious weeds
2. Environmental health
3. Morality (sexually oriented businesses)
4. Public safety and peace
5. Junk vehicles or equipment

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently has regulations in place to cover public nuisances. They are adequate for the needs of the village at this time.

Recommendation(s): None at this time.

Other Ordinances

The Wisconsin Towns Association also recommends that all towns, villages, and cities should strongly consider adopting the following “basic” ordinances. Most of these ordinances are considered nuisance type ordinances. They include:

1. An ordinance to regulate specific operations (e.g., nude dancing).
2. An ordinance to regulate mobile homes and mobile home parks .
3. An ordinance on town and city/village board/council meeting procedures and town board and village/city administration of the community.
4. An ordinance regulating billboards.
5. An ordinance regulating events and large assemblages.
6. An ordinance to regulate fire control and reimbursement for fire costs.
7. An ordinance to regulate vehicle road weight limits, truck routes, and other road uses.
8. An ordinance to regulate use of roadways by snowmobiles, ATVs, and horses.
9. An ordinance to regulate dogs running at large.
10. An ordinance to regulate unlicensed motor vehicles.
11. An ordinance to regulate land spreading of certain wastes.

Village of Sherwood Status/Recommendation(s)

Status: The village has many of the above listed ordinances in place as independent ordinances. Other issues are regulated through zoning or nuisance ordinances.

Recommendation(s): Given the recreational nature of the community, the village might want to consider the adoption of an ordinance that would regulate the use of roadways by golf carts, snowmobiles, ATVs, and horses. In addition, the village should continue to monitor the needs of the community and amend or adopt ordinances as necessary.

Timeline: On-going.

Intergovernmental Agreements

Any municipality may contract with other municipalities to receive or furnish services or jointly exercise power or duties required or authorized by law. The term “municipality” is defined to include the state, counties, cities, villages, towns, school districts, sanitary districts, public library systems, regional planning commissions, and other governmental and quasi-governmental entities. The requirements and procedures set forth for intergovernmental agreements are minimal. Such arrangements can prove useful in the implementation of a plan by facilitating efficient provision of public facilities and services. In Calumet County, intergovernmental agreements have been used to execute cooperation between communities for services such as fire and emergency rescue.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood currently has intergovernmental agreements in place as outlined in Chapter 7 of this document.

Recommendation(s): The village should continue to evaluate current agreements to ensure that they are of benefit to the village and should pursue new opportunities as they arise if they are consistent with the goals of the comprehensive plan.

Timeline: On-going.

9.4 Non-Regulatory Land Use Management Tools

There are several non-regulatory options available to local municipalities to influence local land use. The following tools were considered as part of the planning process.

Acquisition Tools

Land Acquisition

Communities and non-profit conservation organizations can acquire land for conservation purposes simply by purchasing it outright. This is recommended when public access to the property is required.

Village of Sherwood Status/Recommendation(s)

Status: The village has not purchased land for conservation purposes but it does have an informal partnership with the Friends of High Cliff State Park, a group that is “organized for

the charitable and educational purpose of supporting, assisting and promoting High Cliff State Park with interpretative, historical, educational, and related visitor services at the park”.

Recommendation(s): None at this time.

Conservation Easements

Conservation easements limit land to specific uses and thus protect it from development. These voluntary legal agreements are created between private landowners (grantors) and qualified land trusts, conservation organizations, or government agencies (grantees). Conservation easements may be purchased but are frequently donated by conservation-minded landowners. Grantors can receive federal tax benefits as a result of donating easements. Grantees are responsible for monitoring the land and enforcing the terms of the easements. Easements can be tailored to the unique characteristics of the property and the interests of the landowner. Easements may apply to entire parcels of land or to specific parts of a property. The easement is recorded with the deed to the property to limit the future uses of the land as specified in the easement. Land protected by conservation easements remains on the tax roll and is privately owned and managed.

Village of Sherwood Status/Recommendation(s)

Status: The Village of Sherwood does not currently use conservation easements.

Recommendation(s): It is suggested that the village investigate the use of conservation easements to protect the fragile environmental areas of the village particularly those along the Niagara Escarpment.

Timeline: Investigate within two years of plan adoption, use as needed.

Fiscal Tools

Capital Improvements Program (CIP)

The capital improvements program is a way of implementing issues related to capital facilities specified in a plan. Capital improvements are those projects that require the expenditure of public funds for the acquisition, construction, or replacement of various public buildings such as police and fire halls, schools, and city/village/town halls, roads and highways, water and sewer facilities, and parks and open space.

A capital improvements program is a listing of proposed public projects according to a schedule of priorities, usually over a five year programming period. A CIP allows local communities to plan for capital expenditures and minimize unplanned expenses. Sources of funding for capital improvements include impact fees, subdivision requirements, special assessments, and revenue or general obligation bonding.

The usefulness of the CIP depends upon the community properly budgeting for expenditures as part of the community’s annual capital improvements budget.

Village of Sherwood Status/Recommendation(s)

Status: The village has the elements of a CIP in place.

Recommendation(s): None at this time.

Timeline: Update annually.

Impact Fees

Cities, villages, towns, and counties may impose impact fees. Impact fees are financial contributions imposed on developers by a local government as a condition of development approval.

Impact fees are one response to the growing funding gap in infrastructure dollars between revenues and needs. Impact fees help shift a portion of the capital cost burden of new development to developers in an effort to make new development responsible for serving itself rather than raising taxes on existing development. Local governments can use impact fees to finance highways and other transportation facilities, sewage treatment facilities, storm and surface water handling facilities, water facilities, parks and other recreational facilities, solid waste and recycling facilities, fire and police facilities, emergency medical facilities, and libraries. Impact fees cannot be used to fund school facilities. Furthermore, counties cannot use impact fees to fund highways and other transportation related facilities.

Village of Sherwood Status/Recommendation(s)

Status: The village currently utilizes impact fees for future projects. The village also employs developer agreements to ensure certain development and service provisions are addressed.

Recommendation(s): Review periodically for future implementation possibilities.

Timeline: On-going.

Tax Increment Financing Districts

Wisconsin towns recently gained a new tool to help promote rural development in Wisconsin with passage of new legislation in 2004. This new legislation provides towns the authority to use the tax incremental financing authority that cities and villages have been using for years, to provide infrastructure for tourism, agriculture, and forestry projects in towns.

The new law will give an optional tool to help site projects in towns across the state when special infrastructure needs such as all-weather roads, power lines, or improved rail connections are needed to create new or expanded tourism, agricultural, and forestry projects. As an example, this tool could be used to provide a town highway that could carry heavy truck traffic to such a facility as an ethanol production plant or large livestock facility. A new or improved town highway could be constructed to allow the new facility to be located in more remote areas of the state, thus reducing potential land use conflicts with neighbors, yet avoiding placing the burden of the new improvement on the remainder of the town taxpayers.

This new legislation gives town's similar authority for tax incremental financing to that of cities and villages, but it is limited to the type of rural development in tourism, agriculture, and forestry that does not compete with cities and villages. According to the Wisconsin Towns Association, this bill helps promote rural development as part of the "Grow Wisconsin" efforts of the current Administration and the Assembly Republican "Agriculture Renewal" initiative.

Village of Sherwood Status/Recommendation(s)

Status: The village utilizes TIF districts which are performing adequately.

Recommendation(s): None at this time.

9.5 Integration and Consistency of Planning Elements

Comprehensive planning legislation requires that the Implementation element describe how each of the nine elements of the comprehensive plan will be integrated and made consistent with the other elements of the plan. The planning process that was used to create the *Village of Sherwood Year 2040 Comprehensive Plan* required all elements of the plan to be produced in a simultaneous manner. No elements were created independently from the other elements of the plan, therefore eliminating the threat of inconsistency. There are no known inconsistencies within the plan or individual elements or between goals, objectives, policies, and recommendations.

Over time, the threat of inconsistency between the plan and existing conditions will increase, requiring amendments and/or updates to be made. Over time, additional plans regarding specific features within the community may also be developed (e.g., outdoor recreation plan, downtown development plan). The process used to develop any further detailed plans should be consistent with this *Village of Sherwood Year 2040 Comprehensive Plan*.

9.6 Mechanism to Measure Progress

Comprehensive planning legislation requires that the Implementation element provide a mechanism to measure community progress toward achieving all aspects of the comprehensive plan. An acceptable method is to evaluate two primary components, policies and recommendations. Both are listed within each identified plan element (usually the last sections within each element).

To measure the effectiveness of an adopted policy, the community must determine if the policy has met the intended purpose. For example, the Village of Sherwood has listed a policy under Section 6, Economic Development chapter, Policy #15 which states, "The development of economic area plans will be pursued within the planning period, for example; downtown redevelopment plans, highway commercial corridor plans, etc." To determine whether the policy is achieving the community's intention, a "measure" must be established. In the case of this policy, the measure is simply to look at whether or not plans that are able to assist with community goals have been developed within the planning period. Each listed policy within each element should be reviewed periodically to determine the plan's effectiveness.

Likewise, recommendations listed within each element can be measured. For recommendations, the ability to “measure” progress toward achievement is very straight forward in that the recommendations have either been implemented or not.

To ensure the plan is achieving intended results, periodic reviews should be conducted by the Plan Commission and results reported to the governing body and the public.

9.7 Comprehensive Plan Amendments and Updates

The Village of Sherwood should regularly evaluate its progress toward achieving the goals, objectives, policies, and recommendations within the comprehensive plan. It may be determined that amendments are needed to maintain the effectiveness and consistency established within the plan. Amendments are minor changes to the overall plan and should be done after careful evaluation to maintain the plan as a tool upon which decisions are based.

According to comprehensive planning legislation, the same process that was used to adopt the plan shall also be used when amendments are made. The village should be aware that as more compliant plans are developed, the amendment procedure may be clarified or changed and should therefore be monitored.

Comprehensive planning statutes require that the comprehensive plan be updated at least once every 10 years. An update requires revisiting the entire planning document. Unlike an amendment, an update often includes a substantial re-write of the text, an updating of the inventory and tables, and substantial changes to maps, if necessary. The plan update process should be planned for in a similar manner as was allowed for the initial creation of this plan, including similar time and funding allotments. State statutes should also be monitored for any changes and new or removed language.

9.8 Implementation Goals and Objectives

Following are the goals and objectives developed by the Village of Sherwood regarding implementation.

Goal II: Promote consistency between plan recommendations, ordinances, and other land use regulations.

Objectives

1. Develop an “action plan” as part of the Implementation element to assist the Plan Commission, Village Board, and other jurisdictions with the administration of the comprehensive plan.
2. Support increased enforcement of existing ordinances as necessary.
3. Encourage citizen participation in order to increase local input in the decision making process.

4. Conduct annual reviews of the comprehensive plan for consistency with the goals, objectives, maps, policies and programs contained within and amend when appropriate.

9.9 Implementation Policies and Recommendations

Policies and recommendations build on goals and objectives by providing more focused responses and actions to the goals and objectives. Policies and recommendations become the tools that the community should use to aid in making land use decisions. Policies and recommendations that direct action using the words “will” or “shall” are advised to be mandatory and regulatory aspects of the implementation of the comprehensive plan. In contrast, those policies and recommendations that direct action using the word “should” are advisory and intended to serve as a guide.

1. All proposed development shall be reviewed for consistency with the Comprehensive Plan.
2. The Plan Commission shall have the responsibility to make recommendations to the Board regarding land use and development proposals.
3. The Plan Commission has the responsibility to review and make a recommendation on any proposed amendments to the zoning ordinance, official map, shoreland zoning ordinance and subdivision ordinance, etc. affecting the community.
4. The action plan located within the comprehensive plan will be updated when tasks are accomplished and new items will be added when appropriate.
5. The annual review of the comprehensive plan will be done in a committee format with public involvement including citizens, landowners, community officials and staff to evaluate the plan in an un-biased manner.
6. When the comprehensive plan is updated with new census data, data that indicate significant change within the ten year period will be re-examined and evaluated and necessary strategies to address the issue will be amended to the plan.
7. Elements of the plan which later may be found to be vague or unscientific will be adjusted to ensure the plan’s effectiveness and reduce possibilities of litigation.
8. Areas of the plan that are likely to be disputed or litigated in the future will be reviewed by the community attorney to ensure his/her knowledge of the plan and offer suggestions to reduce conflict.
9. Unique or community specific implementation strategies, which prove to be effective in their goals, will be discussed with neighboring communities.
10. State of Wisconsin Smart Growth statutes will be monitored by a assigned community official to ensure that statute changes, additions, or deletions are appropriately accounted for with respect to the village comprehensive plan.

11. If the village should experience substantial land use or land use regulation changes within the planning period, maps which represent these features will be updated to ensure the most accurate information is utilized in community decision making.
12. Maps will be used in coordination with established community goals and objectives to ensure the consistency between the comprehensive plan's text as well as maps and/or other graphics.
13. Every five years the community will evaluate the availability of funds for updating the comprehensive plan. If adequate funds are not available, then a strategy will be developed to ensure that sufficient funds are available for a comprehensive plan update.
14. State statutes, regulations, and administrative codes that change over the planning period will be evaluated against the comprehensive plan for consistency.

9.10 Implementation Programs

Programs that are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified within this plan are provided at the end of each planning element. Tools are also listed in section 9.3 and 9.4 of this element.