

## **9. Implementation**

### **9.1 Introduction**

The implementation section of this plan outlines the tools that are at the disposal of the Town in its efforts to achieve the goals and objectives stated in this plan. In addition, this section provides a basic description of what each of these tools can achieve for the Town. The manner in which the Town chooses to use each of these implementation tools will determine its effectiveness. Programs and specific actions are listed in this section in their intended order of completion.

### **9.2 Implementation Programs and Specific Actions**

#### **Town of Herman Zoning Ordinance**

Zoning is probably the single most commonly used legal device for controlling land uses in a community. A zoning ordinance should be designed to promote the health, safety, morals, prosperity, aesthetics, and general welfare of the community. Each regulation in the zoning ordinance must bear a reasonable relationship to these ends.

Wisconsin State Statute 66.0295 requires any community that engages in land use regulations, including zoning, to have an adopted comprehensive plan as defined by the State of Wisconsin by January 1, 2010. This Comprehensive Plan satisfies the State's requirements. As of January 1, 2010, all land use decisions, including rezonings, must be consistent with the comprehensive plan. Any decision inconsistent with the comprehensive plan may not be considered legally defensible under the statutes.

The first implementation action would involve amending the Town of Herman Zoning Map to be consistent with the Town's Future Land Use Map that is included in this plan:

Map 9-1, Appendix, shows the Town's existing zoning.

#### **Land Divisions**

Another method of regulating land uses is through regulating the division of land within the Town. The Town of Herman does not have a Land Division Ordinance. Therefore, all land divisions in the Town must be in conformance with the County's subdivision regulations. These regulations serve a wide range of purposes. In the interest of planning, they serve to control minimum lot sizes in the Town as well as the internal design of each new development so that the pattern of streets, lots, and public facilities will be compatible.

#### **Design Review Ordinances**

Chapter 7 of the Dodge County Land Use Code lays out the design standards that are required by the County. Design Review standards apply to any street, block, or lot designs which are

proposed to be built within the Town of Herman. Design review regulations are reviewed at the same time as a subdivision proposal.

### **Erosion/Storm Water Control Ordinances**

Section 7.9 of the Dodge County Land Use Code addresses soil erosion control and storm water management in the Town.

To help implement this plan, the Town could consider developing a storm water management plan to help address current problems and to prevent future storm water problems in newly developed areas.

### **Site Plan Regulations**

Contained within Section 2.3 of the Dodge County Land Use Code are the site plan requirements for submittal of rezoning requests, Land Use Permits, Conditional Use Permits, Planned Unit Developments, as well as land divisions.

### **Building Codes**

The State of Wisconsin has a uniform dwelling code which must be followed for the construction and inspection of all one and two-family dwellings. Local communities have certain responsibilities for enforcement of this code. The Dodge County Land Use Code does not reference these building codes; however it does require the submittal of a stamped copy of the State approved building plans for commercial development. The Town of Herman regulates the compliance of building codes in the Town.

### **Housing Codes**

The Dodge County Land Use Code does not address minimum standards for basic equipment, lighting, ventilation, heating, electrical service, or maintenance guidelines. These standards are enforced through the State of Wisconsin's Uniform Dwelling Code.

### **Sanitary Codes**

Dodge County's Sanitary Facilities Overlay District assists in guiding development to lands with appropriate soil conditions. The Sanitary Facilities Overlay District was originally adopted as the County Sanitary Ordinance in 1968 and is a state mandate in effect on all lands within Dodge County. This Overlay District regulates the location, construction, installation, alteration, design, and use of all private sewage disposal systems. Both the Town and the County require connection to public sewer in areas where the service is available.

### **Mechanical Codes**

Neither Dodge County's Land Use Code nor Herman's Zoning Ordinance contain sections pertaining to mechanical codes.

## **Sign Regulations**

Section 7.0 of the Town's Zoning Ordinance outlines the regulations for the placement of signs in the Town.

An implementation action in this case would involve the review of the sign regulations to ensure consistency with this plan.

## **Historic Preservation Ordinances**

In order to promote the use and preservation of historic sites, structures, landmarks, and districts within the County, Subsection 8.10 of the County's Land Use Code was created. There are no historic preservation regulations contained in the Town of Herman's Zoning Ordinance.

An implementation action may include the development of a historical preservation provision within the Town's Zoning Ordinance to ensure consistency with both the Dodge County Land Use Code as well as this plan.

## **Capital Improvement Program**

The Capital Improvement Program provides a systematic means for evaluating and scheduling the acquisition and development of community facilities, programs, and utilities over a period of years. The program is implemented through a yearly review and adoption of a one year capital improvement budget.

The recommendations specified in this plan should be prioritized. Once priorities have been established, a five year capital improvement program can be developed based on the priorities. This will allow the Town to carry out the activities proposed in this plan in an economically feasible manner. Furthermore, The Town is encouraged to apply for state and federal grant money available for certain programs such as the purchase of park land.

## **Official Map**

The official maps, including amendments, for the Town of Herman are on file in the Dodge County Planning and Development Department. Additionally, a certificate showing that the official map has been established is on file with the Dodge County Register of Deeds.

To ensure consistency with the Town's Future Land Use Map, the Town should amend the Town of Herman Zoning Map as necessary.

## **9.3 Integration and Consistency of Plan Elements**

Integration and consistency of the plan elements should be considered when reviewing development proposals. The nine elements of this plan should be used in conjunction with one another. A development proposal that may meet the goals and objectives of one element needs to meet the goals and objectives of all the other elements. The nine elements of this plan do not

operate independently, but rather complement one another. Any inconsistencies that are discovered between the elements of this plan should be addressed in future updates of the plan.

#### **9.4 Measurement of Plan Success**

Successful implementation of this Comprehensive Plan can be measured in several ways. The primary method for measuring success of the plan is through regular review and updating of the plan. Through this process, the errors, inconsistencies, and aspects of the plan that have not worked can be evaluated and changes can be made. Success of the plan can also be measured by tracking the number of changes to the plan that are granted by the Town Board each year. A large number of changes can indicate a problem with the plan that may need to be addressed. Comparing future population growth and the number of new housing units in the Town to the figures and projections presented in this plan can also aid in determining the success of this plan.

#### **9.5 Updating of the Plan**

This plan should be updated as needed to include any significant data changes such as Census data when they become available and should be reviewed, updated, or revised at least every ten years. However, various circumstances and certain opportunities may warrant changes to the plan prior to the next scheduled update or revision. Changes or amendments to this plan require a petition to the Town Board. The petition shall specify the change requested and reasons for the change. It should be noted that this plan should only be amended a maximum of two times per year in order to prevent an excessive number of changes to the plan. An excessive number of changes or amendments may lead to undesirable development within the Town.

The Town Board shall hold a public hearing upon publishing a Class I notice at least 30 days prior to the hearing after giving the Town Plan Commission an opportunity to review and comment on the petition. When deemed appropriate by the Town Board, written notification of the public hearing shall be sent to user groups, organizations, municipalities, or individuals believed to be directly or adversely affected by the proposed change.

After the public hearing and consideration of the comments of the Town Plan Commission, the Town Board shall vote on passage of the proposed change or amendment. The change or amendment shall be effective upon passage.