

12.0 IMPLEMENTATION

Introduction

The Implementation Element is the “how to” portion of the plan. It prescribes those actions necessary to realize the visions, including proposed changes to any applicable zoning ordinances, site plan regulations, design review ordinances and subdivision ordinances.

This chapter includes all of the goals, objectives and policies highlighted in previous chapters of the plan. In this way, this chapter serves as the master “to do” list for implementing the plan.

Relationship Between Elements

Throughout the plan, coordination between the nine (9) required elements has been highlighted as a special section of each element chapter. In several instances, a single objective applies to more than one element of the plan and was reprinted in several chapters.

Special attention has been given to the **milestone dates** (see definition in box) to ensure that individual objectives act in harmony with other stated goals and objectives. To ensure that the plan elements are understood in their totality over the life of the plan, the Town of Buffalo Plan Commission will annually review the goals and objectives. Part of this effort, will also include addressing conflicts which may arise between the nine elements.

Milestone Date

A specific date, after the adoption of the Comprehensive Plan, when the town will review the plan implementation action to see if the objective has been met and consider additional implementation strategies to achieve the stated goal.

Measuring Progress

To track planning progress and help to ensure that the plan is implemented, milestone dates are provided for each objective. The town has reviewed the milestone dates to ensure that they are feasible expectations for the town.

Responsibilities

The Town of Buffalo Planning Advisory Committee developed this plan. Implementation of the Town of Buffalo Comprehensive Plan will be the primary responsibility of the **Town of Buffalo Plan Commission**. The Plan Commission will make recommendations pertaining to development issues, in accordance with this Plan, for the Town Board and Marquette County to consider when making final decisions.

Updating the Comprehensive Plan

As is stipulated in 1999 Wisconsin Act 9, a comprehensive plan must be updated at least once every 10 years. However, in order to ensure that the town’s plan is an effective management tool, the Town of Buffalo Plan Commission will **review the plan goals and objectives annually** to track those activities that have been completed and add additional objectives as needed to accomplish the stated goals.

In 2004, based on current scheduled release dates, the town will review the population projection information available from the Wisconsin Department of Administration. Furthermore, any

mutually agreed upon annexation areas will also be updated on the *20-Year Future Land Use Map*.

The Town of Buffalo Plan Commission will initiate its **first major update of this plan by 2013**. At that time, information from the 2010 census will be available to update several tables. This update will also involve a comprehensive review of the inventory information presented in each chapter. Furthermore, the town will coordinate with all partners identified in the Intergovernmental Element Chapter to understand any external changes that may impact the plan. Finally, the Plan Commission will complete a comprehensive review of all visions/policies, goals, objectives and programs outlined in this plan to evaluate progress and consider additional opportunities.

Special Implementation Considerations

Over the course of the planning effort, some specific implementation considerations were raised. To adequately address these topics, information is provided in this section.

AGRICULTURAL COMMITTEE

Farmland preservation is a priority in the Town of Buffalo. The town realizes that development pressure is also great. To help minimize farmland conflicts, the Town of Buffalo will establish an agricultural committee. This committee would respond to concerns and or complaints of rural residents pertaining to farming operations. A similar committee was established in the Town of Freedom in Outagamie County. This committee has had success mitigating disputes between landowners. As a policy, if a farm operation is adhering to required ordinances and standard operating procedures, the Town of Freedom Agricultural Committee will not interfere with said farming operation.

PURCHASE OF DEVELOPMENT RIGHTS (PDR)

One of the most serious land use problems facing Wisconsin today is the accelerating rate at which prime farmland is being sold, subdivided and developed for non-agricultural use. Evidence of rural land conversion can be seen virtually everywhere, including the Town of Buffalo.

One way of protecting farmland is purchasing of development rights (PDR). PDR is a voluntary program, where a land trust or some other agency usually linked to local government, makes an offer to a landowner to buy the development rights on the parcel. The landowner is free to turn down the offer, or to try to negotiate a higher price.

When the development rights to a farm are sold, the farmer receives payment equal to the difference between the fair market value of the land a developer would pay if it could be developed and the price the land would command for agricultural use. In return for this payment, a conservation easement is recorded on the deed to the property. This easement stays with the land so it is binding not only on the current owner, but future owners of the property as well.

When the development rights to a farm are sold, the farm remains in private ownership. The private landowner still retains the right to occupy and make economic use of the land for agricultural purposes. The landowner gives up the right to develop the property for some other use in the future. Farmers are not compelled to sell their development rights. Participation in PDR programs is entirely voluntary.

Advantages and Disadvantage of PDR

Restrictions on land use, including zoning, have been used to protect agriculture for many years. One of the main benefits of PDR, is that it is completely voluntary. Under PDR, the landowner is not deprived of any of the value of the property. This is very important because many farmers rely on their property in order to fund their retirement. Simply depriving them of the opportunity to realize the full economic value of their property has important ethical, socioeconomic, and perhaps legal ramifications. Moreover, zoning regulations may be easily changed in the future.

The main advantage of PDR over other approaches to farmland preservation is that it offers a permanent, long-lasting solution. PDR virtually assures that land will remain forever in agriculture because it extinguishes the right to develop agricultural land for non-agricultural uses. Farmland preservation tax credits and use value assessment of agricultural land encourage farmers to keep their land in agricultural use somewhat longer than otherwise might be the case, but do not assure that land will remain in agricultural use.

Another major advantage of PDR is that it is perceived as an equitable, fair, and voluntary way to preserve agricultural land. A third advantage is that it provides a way to correct a major shortcoming of the current Farmland Preservation Program by targeting limited financial resources to preserve and protect agricultural land most worthy of preservation.

Another benefit of PDR is that it makes it much easier for a farmer to pass their farm on to an heir interested in farming the land. Once the development rights have been separated from the land, the value of the parcel typically declines to its agricultural value. This generally has an enormous effect on reducing the inheritance tax liability. If taxed at the full development value, many parcels are simply taxed out of agriculture, because the heirs are not able to pay the taxes without selling the land.

The main disadvantage of PDR is cost. Development rights can be expensive to purchase, and so funding for PDR needs to be selectively targeted to preserve and protect agricultural land that is most worthy of preservation. As a result, not every farmer who wants to sell his or her development rights will be able to do so.

How to Establish and Operate a PDR Program

The establishment of a PDR program would begin with the Town of Buffalo. The Agricultural Committee and Plan Commission would share the responsibility for the implementation of this program. The first step toward establishment of a PDR Program would be to raise the capital needed to purchase local development rights. This may

mean asking residents to consider a tax increase specifically dedicated to this program, or perhaps seeking foundation or grant funds to initiate the program.

Once the pool of funds has been established, the Plan Commission and Agricultural Committee would review applications of landowners who wish to sell development rights. This process would require obtaining appraisals, prioritizing parcels, negotiating agreements, and ensuring that deed restrictions are enforced.

Overall Policies

Rather than simply develop policy statements for each element, this plan also includes a series of vision statements. These visions represent the desired future and act as policy when considering proposals. To compliment these visions, additional policies are included in the plan. The policies developed for each element are provided on the pages that follow.

Housing Agenda

ELEMENT (S)	OVERALL GOALS
Housing Ag., Nat. & Cult.	Maintain the environmental assets and rural character of the community so that it continues to be an attractive place to live.
Housing	Conserve or improve the quality of existing single-family housing and maintain housing values.
Housing	Increase the supply of housing opportunities to serve residents of all ages.

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Housing Utilities & Community Facilities	Encourage future single-family residential developments where services are readily available, conflicts with agricultural uses are minimized, and efficient, cost effective development is most likely.	Continuous
Housing Ag., Nat. & Cult. Resources Land Use	Using the information provided in the Agricultural, Natural and Cultural Resources Element, identify and map areas for primary and secondary conservation in the Town of Buffalo.	2006
Housing Ag., Nat., & Cult. Resources Land Use	Develop a conservation subdivision ordinance to encourage the preservation of natural areas, buffers, and protect farmland in the town.	2007
Housing Ag., Nat. & Cult. Resources Land Use	Encourage “low impact” development within the town that can help reduce stormwater runoff and flooding.	Continuous

Housing Agenda, continued...

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Housing Intergovernmental	<p>Support existing efforts and consider new programs that provide needed assistance for elderly and disabled residents, who wish to stay in their own homes. This effort may include coordination with the City of Montello and Marquette County to direct alternative and multiple family developments to the City where appropriate services are available.</p> <ol style="list-style-type: none"> a. Develop articles for the town newsletter that describe available services and contact persons. b. Develop a brochure for interested residents in need of assistance programs available through the county and private organizations (i.e. home maintenance programs, transportation services, visiting nurses, meals on wheels, etc.) c. Coordinate with the local school districts to provide opportunities for students to volunteer time assisting seniors with special projects on occasions like “Make a Difference Day” or through other groups coordinated by the school district like the National Honor Society, Student Council, etc. 	<ol style="list-style-type: none"> a. continuous b. 2010 c. continuous
Housing	<p>Educate town residents about the importance of property maintenance.</p> <ol style="list-style-type: none"> a. Hold a special town meeting to discuss the issue with residents. b. Develop articles for the town newsletter that highlight property maintenance techniques and benefits. 	<p>Continuous</p>

Transportation Agenda

ELEMENT (S)	OVERALL GOALS
Transportation	To maintain and improve town roads in a timely and well planned manner.
Transportation	Seek to expand opportunities for alternative transportation in the Town of Buffalo.

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Transportation Utilities/Community Facilities	Develop a Capital Improvements Plan and Budget (CIP/B) to coordinate and plan for annual roadway improvements and maintenance as well as and other capital improvements.	2015
Transportation Intergovernmental	Coordinate with Marquette County to ensure that proposed trail routes, road improvements and other transportation facilities outlined in the Marquette County Transportation Element of the County Smart Growth Comprehensive Plan are completed in the Town of Buffalo in a coordinated fashion with the visions, goals and objectives expressed in this plan.	Continuous
Transportation Intergovernmental	Develop a local policy to support access control standards to limit ingress and egress from county roads in order to protect the function of these corridors.	2005
Transportation	Annually review accident reports for the town to identify priorities for town transportation improvements to protect public safety.	Continuous
Transportation	As part of the Town's effort to develop a subdivision ordinance, seek to ensure that the residential road design standards are adequate for legal speeds, sizes and weights of vehicles, but also consider ways to minimize overall road width to promote slower speeds, enhance rural character, minimize runoff and limit adverse impacts on natural areas.	2007
Transportation Land Use	Using the plan as a guide, seek to prevent the location of roadways through environmentally sensitive lands in the Town of Buffalo.	Continuous
Transportation	Seek to protect scenic areas when constructing new or improving existing transportation facilities. To support this effort develop an inventory or catalogue, including photos, of scenic areas to be protected in the Town of Buffalo.	2013
Transportation Ag., Nat., & Cult. Resources	Encourage the development of bicycle and pedestrian trails, in accordance with WisDOT recommendations and the <i>Transportation Plan Element of the Marquette County Comprehensive Plan</i> .	Continuous
Transportation Intergovernmental	To improve safety on town roads associated with potential vehicle and horse-drawn buggy conflicts: <ol style="list-style-type: none"> a. Work with the county to post traffic hazard and warning signs as needed b. Work with the county to consider lower posted speed limits in these areas as needed c. Maintain ditches to improve visibility. d. Coordinate with the Amish community leaders to ensure that they are aware of the dangers, minimize their travel at night, and use required reflectors as needed. 	Continuous

Utilities & Community Facilities Agenda

ELEMENT	OVERALL GOALS
Utilities & Comm. Facilities Intergovernmental	Support the continued operation of community facilities provided by Marquette County, the local school districts, private companies and neighboring communities, which serve residents of the Town of Buffalo.
Utilities & Comm. Facilities	Seek to ensure that all development is served by adequate utilities.

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Utilities & Community Facilities	As desirable, issue permits for innovative waste treatment systems (pursuant to the requirements of COMM 83) that will provide safe and effective results for commercial development opportunities along STH 22.	Continuous
Utilities & Community Facilities Intergovernmental	Work with Marquette County, and if necessary adopt a town policy and supporting zoning requirements, to encourage developers to consider alternative waste treatment systems in support of innovative subdivision designs (i.e. cluster and conservation subdivisions)	2009
Utilities & Community Facilities	Seek to educate residents of the Town of Buffalo about available community facilities and services in the area through a community newsletter and web site, particularly to ensure that populations with special needs (i.e. seniors and disabled) can obtain services.	Continuous
Utilities & Community Facilities Intergovernmental	Coordinate with Marquette County to ensure that the county cellular tower ordinance provides adequate protection and provisions for the Town of Buffalo. If deemed necessary, develop a town cellular ordinance to further encourage co-location, stealth technologies, and other techniques to minimize the visual impact of cellular towers. Furthermore, the ordinance should address policies with respect to the location of towers on town property.	2007

Agricultural, Natural & Cultural Resources Agenda

ELEMENT (S)	OVERALL GOALS
Ag., Nat. & Cult. Resources Land Use	Preserve agricultural operations and natural areas in the Town of Buffalo to maintain the town's rural character.
Ag., Nat. & Cult. Resources	Enhance recreational opportunities in the Town of Buffalo.
Ag., Nat. & Cult. Resources	Protect stream banks, wetlands and floodplains from harmful uses.

Agricultural, Natural & Cultural Resources Agenda, continued...

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Ag., Nat. & Cult. Resources Land Use	Identify and protect areas of prime agricultural land in the town through appropriate land use controls, cluster developments and conservation subdivision designs. Coordinate these efforts through Marquette County and, as necessary, develop local subdivision regulations to further the town's vision.	2007
Ag., Nat., & Cult. Resources Land Use	Seek to identify land trusts in the area that may be interested in protecting farmland and other natural areas. Provide contact information to local farmers who desire this information.	Continuous
Ag., Nat., & Cult. Resources Land Use Intergovernmental	Explore the potential for establishing a PDR Program. This effort may be coordinated with neighboring towns and Marquette County.	2012
Ag. Nat., & Cult. Resources Economic Development Land Use	Educate local farmers and builders about the potential for conservation subdivisions, cluster development and mixed-use development in the Town of Buffalo.	Continuous
Ag., Nat., & Cult. Resources Intergovernmental	Continue to support the local use of <u>effective</u> county and state farmland and woodland preservation programs (i.e. Managed Forest Law).	Continuous
Ag., Nat., & Cult. Resources	Support the efforts of Marquette County to enforce stream and lake setback requirements and policies established in the <i>Marquette County Land and Water Resource Management Plan</i> .	Continuous
Ag., Nat., & Cult. Resources	Educate developers and landowners about the "right-to-farm." Coordinate with local realtors and builders associations to disseminate information. Possibly develop a brochure. If, in the future, the town decides to develop a web page or town newsletter include information there as well.	Continuous
Ag., Nat., & Cult. Resources Intergovernmental	Create, maintain and enhance natural buffers along stream banks and the lakeshores. Work with Marquette County and the Wisconsin DNR and DATCP to promote and help fund buffer strips along streams and the lakeshores.	Continuous
Ag., Nat., & Cult. Resources Intergovernmental	Participate in the planning efforts of Marquette County to ensure that the county comprehensive plan represents the interests, visions, and expectations of the Town of Buffalo.	Through 2010
Ag., Nat., & Cult. Resources Land Use Intergovernmental	To protect wildlife habitat areas in the town, beyond regulated wetlands, floodplains and shorelands, identify natural areas in the town. Using this information: a. Seek grant-funding sources available through the WDNR and other agencies to help protect wildlife habitat areas for future generations to enjoy. b. Build partnerships with local habitat conservation organizations (ducks unlimited, trout unlimited, etc.) to help with wildlife protection and education. c. Seek to prevent fragmentation of these habitats by encouraging cluster and conservation-based development.	Continuous

Economic Development Agenda

It is the policy of the Town of Buffalo to support local farmers and protect farming operations from development pressures.

It is the policy of the Town of Buffalo to support the establishment of home occupations, provided such uses do not constitute a nuisance to neighboring properties (i.e. excessive noise, traffic, odors, vibration, etc.) or deter from the rural character of the area (i.e. signage, lighting, etc.).

It is the policy of the Town of Buffalo to support the use of COMM 83 to promote business and residential development opportunities.

ELEMENT	OVERALL GOALS
Economic Development Ag., Nat. & Cult. Resources	Support local farmers and farm operations as the primary economic activity in the town.
Economic Development	Support additional business development along the highway corridors.
Economic Development	Encourage local entrepreneurs who seek to expand and diversify the town's economy by opening home occupations

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Economic Development Land Use	Through appropriate zoning and communication with local realtors, seek to concentrate new commercial and industrial development around existing development in areas identified on the <i>Future Land Use Maps</i> . a. A copy of this plan will be available upon request and available at the nearest public library for local businesses. b. Establish and enforce zoning code requirements to adequately permit commercial and industrial uses with appropriate signage, lighting, and landscaping.	Continuous
Economic Development	Develop a guide for local property owners who wish to establish home occupations. Include criteria for site development and zoning approvals.	2009
Economic Development	Coordinate with county and regional organizations to market the Town of Buffalo for economic growth opportunities. a. Develop a web site to provide demographic, market, site locations, cost, and other information about the community for prospective entrepreneurs. b. Maintain the list of current businesses on the web site.	2010
Economic Development	Improve communication with local businesses owners to remain aware of local economic conditions and challenges. a. Through the establishment of a web page, provide business owners with the opportunity to interact more directly with the town to express questions, concerns, and comments. b. Host a meeting with local business owners once every 5 years to discuss local business concerns in the context of this chapter. This meeting should coincide with the town's annual review of implementation strategies.	2010

Economic Development Agenda, continued...

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Economic Development	Seek to ensure that the town's development is distinguishable from development in adjacent communities. <ol style="list-style-type: none"> a. Create a town logo for use on letterhead, etc. b. Seek to integrate the town logo on road signs. c. Locate directional signage at prominent locations along STH 22. 	2011

Intergovernmental Cooperation Agenda

The Town of Buffalo will seek to cooperate with all neighboring municipalities, the county, state agencies, and school districts for mutual benefit.

ELEMENT(S)	OVERALL GOALS	MILESTONE DATES
Intergovernmental	Improve lines of intergovernmental communication.	Continuous
Intergovernmental Land Use	Continue to seek new ways to coordinate and share community facilities and services with neighboring communities and Marquette County whenever efficient.	Continuous

ELEMENT(S)	OBJECTIVES	MILESTONE DATES
Intergovernmental	Host a bi-annual summit to discuss concerns, plans, exchange ideas and report implementation achievements.	Even Years beginning in 2004
Intergovernmental	Participate in the "Smart Growth" planning activities of neighboring communities, Marquette County, Columbia County, Green Lake County and the ECWRPC.	Through 2010
Intergovernmental Utilities & Comm. Facilities	Notify the appropriate school district about proposed residential developments so the districts may plan for additional school children.	Continuous
Intergovernmental Transportation	Notify WisDOT of proposed development projects near STH 22 so WisDOT may plan accordingly for access and required improvements (i.e. acceleration lanes, turn lanes, shared driveways, etc.).	Continuous
Intergovernmental Transportation Land Use	Coordinate with WisDOT and WDNR to ensure transportation facilities are safe and natural features are protected.	Continuous
Intergovernmental Land Use	Expand and continue to explore the potential for mutual services with neighboring towns (including road development and maintenance, garbage collection, etc.).	Continuous

Land Use Agenda

The Town of Buffalo will encourage landowners and developers to use conservation-based approaches.

ELEMENT	OVERALL GOAL
Land Use	Protect the town's abundant and high quality natural resource areas to maintain the town's rural atmosphere and community character.

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Land Use Intergovernmental	Adopt a Town Subdivision Ordinance , including conservation/cluster provisions, minimum lot size requirements and road standards that are more restrictive than area currently included in the Marquette County Land Division Ordinance. Use the principals outlined in this plan as a guide in this effort. a. Coordinate with local resources to assist in this effort, including Marquette County Planning Staff and the UW-Extension. b. Review the Model Conservation Ordinance developed by the UW-Extension as a resource when initiating this effort.	2007
Land Use Intergovernmental	Seek to adopt a Zoning Ordinance , in accordance with the ideas presented in Chapter 9. Provide requirements to establish a minimum percentage of areas to be preserved in every development, landscape buffers/screens along roads, managed roadway access and desired areas for protection (i.e. steep slopes, wooded areas, wetlands, floodplains, meadows, etc.).	2006
Land Use	Work with the UW-Extension, Marquette County Zoning Department, and other experts to develop and enforce a Town Site Plan Review Ordinance . The purpose of this ordinance is to present a positive image of the community and provide guidelines for developers related to the appearance of commercial and industrial development in the town. The ordinance should require developers and landowners to discuss ideas with Plan Commission before go to expense of developing engineered plans.	2008
Land Use Utilities & Comm. Facilities	Coordinate with electric, natural gas and other utility providers to ensure that adequate utilities will be made available for cost effective future growth and development in the town.	Continuous
Land Use	Minimize the disturbance to the natural environment when new development occurs. a. Roads should be constructed to follow contours. b. Disturbance for the construction of roads, basins and other improvements should be kept at a minimum by clustering homes together to prevent disturbance to an entire property. c. Disturbance on individual lots should be limited by restricting development to occupy only a portion of a lot.	Continuous

Land Use Agenda, continued...

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Land Use	<p>Minimize the visual impact of development to maintain the town’s rural character. These objectives can be enforced through the local zoning regulations, once established.</p> <ol style="list-style-type: none"> a. When individual lots (not subdivisions) are proposed, new homes should not be placed in the middle of open farm fields. b. Individual residences (not part of subdivisions) should be located adjacent to tree lines and wooded field edges, if available. If not, homes should be clustered on the edges of farm fields and undeveloped areas to retain as farmland and open views. c. Where clustering of homes will yield open space that can remain actively farmed or protect vital wildlife habitat/corridors, its use should be explored and possibly required. d. Stone rows and tree lines should be preserved. e. Homes should not be located on hilltops in order to maintain rural, undeveloped views. Homes should be placed on the sides of hills, such that, rooftops do not protrude to or over the top of the hill. 	Continuous

Implementation Agenda¹

ELEMENT	OVERALL GOAL
Implementation	To ensure that the <i>Town of Buffalo Comprehensive Plan</i> is an effective tool for making local land use decisions.

ELEMENT (S)	OBJECTIVES	MILESTONE DATE
Implementation	Establish a Plan Commission. The first action of the Plan Commission should be to formally adopt the Town of Buffalo Smart Growth Plan as its own and reaffirm the Town Board's adoption by forwarding a motion to the Town Board supporting the Town's adoption of the Smart Growth Plan.	2004
Implementation	Annually review the goals and objectives presented throughout this chapter to assess implementation success and consider additional objectives.	Annually
Implementation	As available, provide updated information to supplement the plan information (i.e. updated county zoning map, updated population projections, U.S. Agricultural Census Data, future local survey results, etc.)	Annually
Land Use Implementation	<p>Consider developing a town PDR program.</p> <ul style="list-style-type: none"> • Investigate potential funding sources • Provide residents with additional information about the benefits and limitations of PDR programs. • Coordinate with Winnebago County to determine potential for shared funding and shared administration of such a program. 	2014
Land Use Ag., Nat. & Cult. Resources	<p>Establish and Agriculture Preservation Committee to:</p> <ol style="list-style-type: none"> a. Educate local farmers and builders about the potential for conservation subdivisions, land trusts and purchase of development rights in the town. b. Coordinate with the Plan Commission to explore the potential for establishing a town purchase of development rights program. c. Coordinate with the Plan Commission to identify and seek to protect areas of prime agricultural land in the town through appropriate land use controls and cluster/conservation subdivision design options. Coordinate these efforts through Winnebago County. d. Mitigate disputes between residents living adjacent to farmland. e. Generally seek to preserve farmland in the town. 	2005

¹ As part of this element, the town determined no changes were needed to existing building, mechanical, housing, and sanitary codes to implement this plan. Existing code requirements are consistent with the recommendations of this plan.