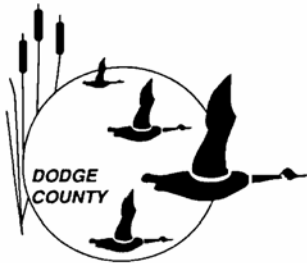




Town of Burnett Year 2030 Comprehensive Plan



Foth & Van Dyke



Ordinance No. 31

**AN ORDINANCE OF THE TOWN BOARD, TOWN OF BURNETT, TO ADOPT
THE TOWN OF BURNETT YEAR 2030 COMPREHENSIVE PLAN**

The Town Board of the Town of Burnett, Dodge County, Wisconsin, does ordain as follows:

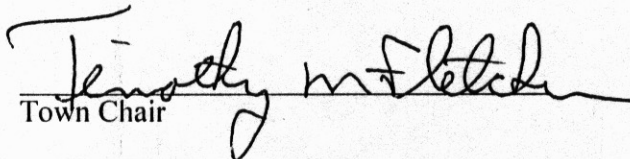
- SECTION 1. Pursuant to sections 60.22(3) and 62.23(2) and (3), Wisconsin Statutes, the Town of Burnett is authorized to prepare and adopt a comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2), Wisconsin Statutes.
- SECTION 2. The Town Board of the Town of Burnett has adopted written procedures designed to foster public participation during preparation of the comprehensive plan as required by section 66.1001(4)(a), Wisconsin Statutes.
- SECTION 3. The Town of Burnett Planning Committee, comprised of the Town Board, Plan Commission, and Board of Adjustment, by a majority vote of the Committee recorded in its official minutes dated March 8, 2005, adopted a resolution recommending to the Town Board that the document entitled "Town of Burnett Year 2030 Comprehensive Plan" containing all of the elements specified in section 66.1001(2), Wisconsin Statutes, be adopted subject to further plan revisions deemed necessary by the Committee following a public hearing of the recommended "Town of Burnett Year 2030 Comprehensive Plan".
- SECTION 4. The Town of Burnett has provided numerous opportunities for public involvement in accordance with the public participation strategy adopted by the Plan Commission including numerous public meetings with respect to preparation of the "Town of Burnett Year 2030 Comprehensive Plan", a public informational meeting on December 6th, 2004, and public hearings on April 11, 2005, October 11, 2005, and April 10, 2006, in compliance with the requirements of Section 66.1001(4), Wisconsin Statutes.
- SECTION 5. The Town of Burnett Planning Committee, by a majority vote recorded in its official minutes dated November 28, 2005, reaffirmed its' recommendation that the Town Board adopt the document entitled "Town of Burnett Year 2030 Comprehensive Plan" as amended (with a document date of November, 2005, for the Recommendations Report and a document date of March, 2005, for the Inventory & Trends Report).
- SECTION 6. The Town Board of the Town of Burnett did, on December 13, 2005, receive and consider the Planning Committee's recommendation and elected to send the "Town of Burnett Year 2030 Comprehensive Plan" back to the Planning Committee for reconsideration and action regarding proposed non-farm residential development density provisions.
- SECTION 7. The Town of Burnett Planning Committee, by a majority vote recorded at its meeting of February 27, 2006, revised portions of the "Town of Burnett Year 2030 Comprehensive Plan" pertaining to non-farm residential development density in the agricultural area.

- SECTION 8. The Town Board of the Town of Burnett did, on April 10, 2006, following a joint public hearing held with the Planning Committee, receive and accept the Planning Committee's revised recommendation regarding the "Town of Burnett Year 2030 Comprehensive Plan".
- SECTION 9. The Town Board of the Town of Burnett does, by the enactment of this ordinance, formally adopt the document entitled, "Town of Burnett Year 2030 Comprehensive Plan", as attached hereto by reference pursuant to Section 66.1001(4)(c), Wisconsin Statutes.
- SECTION 10. This ordinance shall take effect upon passage by a majority vote of the members-elect of the Town Board and publication/posting as required by law.

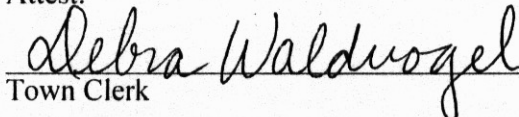
ADOPTED this 10TH day of April, 2006.

Voting: Aye 2 Nay 1

Published/Posted on: April 10, 2006.


Town Chair

Attest:


Town Clerk

RECOMMENDATION OF THE JOINT COMPREHENSIVE PLAN PLANNING
COMMITTEE TO ADOPT THE TOWN OF BURNETT YEAR 2030 COMPREHENSIVE
PLAN AS REVISED

WHEREAS, pursuant to sections 62.23(2) and (3), Wisconsin Statutes, for cities, villages, and those towns exercising village powers under section 60.22(3), the Town of Burnett is authorized to prepare and adopt a comprehensive plan consistent with the content and procedure requirements in sections 66.1001(1)(a), 66.1001(2), and 66.1001(4); and

WHEREAS, the Town of Burnett Town Board, Plan Commission, and Board of Adjustment, hereby called the Joint Planning Committee, were jointly responsible to prepare the *Town of Burnett Year 2030 Comprehensive Plan* in conjunction with a multi-jurisdictional planning effort to prepare the Dodge County Year 2030 Comprehensive Plan; and

WHEREAS, the Joint Committee has prepared the *Town of Burnett Year 2030 Comprehensive Plan* with assistance from the Dodge County Planning & Development Department and consultants Foth & Van Dyke; and

WHEREAS, pursuant to section 66.1001(4)(b) the Town of Burnett Plan Commission has the authority to recommend that the Town Board adopt an ordinance for the purpose of adopting the *Town of Burnett Year 2030 Comprehensive Plan* after the document has been publicly reviewed and a public hearing executed; and

NOW, THEREFORE; BE IT RESOLVED, THAT as a result of a third public hearing of the "Recommended Draft" (as revised) the Joint Planning Committee recommends that the Town Board adopt the document entitled "*Town of Burnett Year 2030 Comprehensive Plan*" with the any additional revisions included herein by motion of the Committee in accordance with section 66.1001, Wisconsin Statutes.

ADOPTED this 10th day of April, 2006.

Motion for adoption moved by:

Motion for adoption seconded by:

Voting Aye: 6

Voting Nay: 4

Duane Brannenborg

Brian Korth

Phil Waldvogel

Phil Waldvogel, Chairman Joint Planning Committee

ATTEST:

Debra Waldvogel
Debra Waldvogel, Town Clerk

RESOLUTION NO. 4504

TO THE HONORABLE TOWN BOARD OF THE TOWN OF Burnett, DODGE
COUNTY, WISCONSIN

Members:

WHEREAS, the Wisconsin Legislature has established a "Smart Growth Law" which requires a local governmental unit to develop a comprehensive plan in accordance with Chapter 66.1001 of the Wisconsin State Statutes, and

WHEREAS, the Town Board of the Town of Burnett has delegated the responsibility to develop a plan consistent with the requirements specified by law to the Town of Burnett Plan Commission, and

WHEREAS, The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation in every stage of the preparation of a comprehensive plan;

THEREFORE, BE IT RESOLVED that public participation in the development of the comprehensive plan shall include, but not be limited to the following activities: public input meetings, news releases, committee meetings, legal notices, posting of meeting notices at public places, and open meetings for which the public is entitled to have advanced notice. Additionally, all informational items used and produced by the Commission shall be made available for public review at the Town Hall. Written comments on all subjects pertaining to the development of this plan shall be encouraged. An address to forward written comments shall be provided in meeting notices and news releases. The Commission shall respond to written comments at public meetings.

All of which is respectfully submitted this 5 day of April, 2004.

John C. Paschke
Plan Commission Chairperson

Adopted this 14 day of April, 2004.

Kenneth E. Nitschke
, Town Chairman

Kenneth E. Wood
, Supervisor

John G. Mufil
, Supervisor

ATTEST:
Debra Waldvogel
Town Clerk

TOWN OF BURNETT DODGE COUNTY, WISCONSIN

COMPREHENSIVE PLAN

Adopted April 10, 2006

Town Board

Tim Fletcher, Chairman
Kenneth Woock, Supervisor
John Meylink, Supervisor
Debra Waldvogel, Clerk-Treasurer

Town Plan Commission

John Peachey, Chairman
Dale Braunschweig
Ray Butterbrodt
Don Luck
Wayne Moul

Town Board of Appeals

Philip Waldvogel, Chairman
Duane Brandenburg
Kenneth Nitschke
Ronald Woock
Brian Korth

This report was prepared by
Foth & Van Dyke and Associates, Inc.
under the Community Services Planning Program of the
Dodge County Planning, Development and Parks Department

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Town of Burnett

Year 2030 Comprehensive Plan

Recommendations Report

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1 Issues and Opportunities



1. Issues and Opportunities

1.1 Forward

The *Town of Burnett Year 2030 Comprehensive Plan* document is divided into two separate reports, the *Inventory and Trends Report* and the *Recommendations Report*. The *Inventory and Trends Report* contains the necessary background information and maps about the Town of Burnett and points out important trends. The *Recommendations Report* contains the policies, goals, and objectives of the Town and the recommendations for future action. All maps for the *Inventory & Trends Report* and the *Recommendations Report* are included in Appendix A.

The *Town of Burnett Year 2030 Comprehensive Plan, Recommendations Report* will help guide future development of the Town of Burnett for the decade or more. This document should be used in coordination with the *Town of Burnett Year 2030 Comprehensive Plan, Inventory and Trends Report*. These two documents together will meet the requirements of Wisconsin's comprehensive planning law, Wisconsin Statutes 66.1001.

The *Town of Burnett Year 2030 Comprehensive Plan, Recommendations Report* positions the community to guide future land development in a way that preserves the character of the community, protects natural resources, enhances economic and housing opportunities, and provides for efficient service delivery. More specifically, this document recommends how lands within the community should be used. The plan recommendations in this document are based on public input and involvement. Community goals, objectives, and policies are also based on and consistent with the recommendations. The recommendations should be used for development decisions in the community.

1.2 Demographic Trends Summary

The Town of Burnett had a 2000 population of 919 persons, which was a 0.4% increase from the 1990 population of 915. Burnett's population has experienced little growth as the population was 899 residents. The rate of population growth varied during that time, declining 0.2 percent during the 1980s but increasing 0.4 percent during the 1990s. Surrounding towns, except for Beaver Dam, experienced similar growth patterns.

The 2003 population estimate for the Town of Burnett was 931 residents, an increase of 1.3 percent from 2000. The 2003 estimate for Dodge County was 87,599 residents, an increase of 1.98 percent from 2000. The growth experienced in the 1990s was much slower than Dodge County (12.2%) and the 9.6% growth experienced by the State of Wisconsin. The population of the town is anticipated to continue to move into older age groups, a trend similar to the state and the nation.

1.3 Demographic Forecasts Summary

Population forecasts completed by the Wisconsin Department of Administration (WDOA) estimate that the town will have a population of 894 persons by the year 2025, an estimated

decrease of 2.7% from the year 2000 population count. From 1990 through 2003, the Town of Burnett had an estimated 0.12 percent annual population increase. According to that average yearly growth rate, the Town of Burnett will have 963 residents by 2030, a growth of 4.8%, or an additional 44 persons by 2030. Alternative population forecasts built by past building permit activity are the least reliable but allow an additional population projection. The Alternate Population Projection shows the Town of Burnett having a 27.3 percent increase in population between 2000 and 2030, an increase of 250 residents from 2000.

According to the WDOA, Dodge County is estimated to increase its 2000 population of 85,897 to 96,828 by 2025, an increase of 12.7%.

1.4 Smart Growth Local Comprehensive Planning Goals

Wisconsin's comprehensive planning law (smart growth) established 14 local comprehensive planning goals to guide state land use actions and local planning efforts. Specifically, local units of government and state agencies are encouraged to design their programs, policies, infrastructure, and investments to strike a balance between their individual missions and the local comprehensive planning goals. The following 14 local comprehensive planning goals were considered throughout the planning process.

1. Promote the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
2. Encourage neighborhood designs that support a range of transportation choices.
3. Protect natural areas, including wetlands, wildlife habitats, lakes and woodlands, open spaces, and groundwater resources.
4. Protect economically productive areas, including farmland and forests.
5. Encourage land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
6. Preserve cultural, historic, and archaeological sites.
7. Encourage coordination and cooperation among nearby units of government.
8. Build community identity by revitalizing main streets and enforcing design standards.
9. Provide an adequate supply of affordable housing for all income levels throughout each community.
10. Provide adequate infrastructure and public services and a supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.

11. Promote the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local levels.
12. Balance individual property rights with community interests and goals.
13. Plan and develop land uses that create or preserve varied and unique urban and rural communities.
14. Provide an integrated, efficient, and economical transportation system that provides mobility, convenience, and safety and meets the needs of all citizens including transit-dependent and disabled.

1.5 Town of Burnett Year 2030 Comprehensive Plan Goals

As part of the planning process, the Town of Burnett Joint Planning Committee generated the following goals to guide the process. Community goals are broad, value-based statements expressing public preferences for the long term (20 years or more).

Issues and Opportunities Element

Goal: Balance individual property rights with community interest and goals.

Goal: Preserve and enhance the rural and agricultural characteristics of the Town of Burnett by providing for planned and orderly growth consistent with the community's desires and concerns.

Housing Element

Goal: Provide a full range of housing opportunities for current and future residents of the town.

Transportation Element

Goal: Provide a safe and well-maintained transportation network.

Utilities and Community Facilities Element

Goal: Provide community services in an efficient and cost-effective manner.

Agriculture, Natural and Cultural Resources Element

Goal: Maintain, preserve and enhance the town's agricultural, natural, and cultural resources.

Goal: Maintain and preserve the integrity and viability of agriculture and preserve Burnett's rural character.

Economic Development Element

Goal: Enhance, and diversify the local economy consistent with other goals and objectives.

Goal: Encourage commercial development within designated areas.

Goal: Allow for industrial/manufacturing development within designated areas of the Town.

Intergovernmental Cooperation Element

Goal: Establish mutually beneficial intergovernmental relations with other units of government.

Land Use Element

Goal: Encourage planned growth that enhances the local economy, while protecting natural resources, recreational opportunities, and the rural character of the town.

Implementation Element

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

1.6 Issues and Opportunities Goals and Objectives

Wisconsin Statutes 66.1001 requires a statement of overall goals and objectives of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20-year planning period. The following are the goals and objectives developed by the Town of Burnett.

Goal 1: *Balance individual property rights with community interest and goals.*

Objectives

1. Utilize the town's comprehensive plan as a tool to guide town decision making.
2. Create opportunities for citizen participation throughout all stages of plan and ordinance development, amendment, and implementation.

Goal 2: *Preserve and enhance the rural and agricultural characteristics of the Town of Burnett by providing for planned and orderly growth consistent with the community's desires and concerns.*

Objectives

1. Reduce the number of minor land divisions in unsewered areas of the Town.

2. Encourage moderate population growth by discouraging residential development on prime agricultural lands.
3. Encourage residential development within the sanitary district.

1.7 Issues and Opportunities 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 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 directives using the word “should” are more advisory and intended to serve as a recommendation and guide.

Policies and Recommendations

1. The comprehensive plan shall be utilized as a tool to guide town decision-making in accordance with state statutes.
2. Property owners should be notified at least once a year of all pre-scheduled Town Board and Town Plan Commission meetings by various methods of public notice.
3. The town should identify and prioritize a list of ordinances it wants created or modified.
4. The town should continue to utilize and expand the town’s web site to increase public access and involvement with town activities, plans, and ordinances.
5. The Town Plan Commission should establish a development review process that objectively examines the type, location, and quality of the proposed development, and potential long-term impacts on the town.
6. Public participation shall be required as part of the development or amendment to any plans, ordinances, or programs.
7. Adequate funding and staffing should be maintained to properly administer town programs (i.e. permits, review applications, etc...)

1.8 Issues and Opportunities Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

AB608, Wisconsin Act 233 – Clarification of Smart Growth Law

This bill was signed into law in April 2004. This new law reduces the number of programs or actions with which a comprehensive plan must be consistent. Under the new legislation, the only

actions which must be consistent with a comprehensive plan are official mapping, local subdivision regulation, and zoning ordinances, including zoning of shorelands or wetlands in shorelands. The bill also reiterates that a Regional Planning Commission's comprehensive plan is only advisory in its applicability to a political subdivision (a city, village, town, or county), and a political subdivision's comprehensive plan.

Wisconsin Department of Administration, Demographic Services Center

The Demographic Services Center primary responsibility is to develop annual total population estimates for all Wisconsin towns, villages, and cities. It also makes annual estimates of the voting age population for all municipalities and total population estimates for Zip Code Areas. In addition, the Demographic Services Center develops population projections by age and sex for the counties, population projections of total population for all municipalities, and estimates of total housing units and households for all counties. For further information on the Service Center contact the WDOA or visit its web-site at www.doa.state.wi.us.

2 Housing



2. Housing

Housing is very important for Wisconsin and its communities. Housing costs are the single largest expenditure for most Wisconsin residents. For homeowners, their home is likely their most valuable asset and largest investment. Housing also plays a critical role in state and local economies. The housing in a community may be its largest asset. The construction industry and other occupations that support housing are a major portion of the economy. Residential development is also a major source of revenue for local communities in the form of property taxes. Beyond the financial aspects of housing, there are also social effects that are not so easily measured. People develop a sense a pride in their homes, which in turn creates a sense of community and a likely increase in participation in community activities.

Wisconsin's comprehensive planning law requires that a comprehensive plan include a housing element. The comprehensive planning process necessitates that each community analyze the impact of the local, state, and federal policies and regulations on the development of various types of housing. The analysis is intended to take into account the current and projected housing needs in the community. The analysis should result in policies that provide opportunities for the development of the types and amounts of housing expected to be needed over a 20-year planning horizon.

2.1 Housing Characteristics and Trends Summary

In 2000, the Town of Burnett 333 housing units, a 6.0% increase from 1990. Approximately 81% of housing units are owner-occupied while 13% are rented occupied, and six percent are rented. The majority of housing units in the town are single family structures. The median year in which structures were built in the town was 1940 while the majority of housing units, 52%, were built prior to 1939. The housing stock is 20 years older, on average, than in other Dodge County communities. The median value of housing units was \$109,40 in 2000, slightly higher than the county's median of \$105,800.

The Town of Burnett had its largest percentage (18.0 %) of homes valued between \$150,000 and \$199,999. Whereas Dodge County had the largest percentage (21.2 percent) of its homes valued between \$70,000 and \$89,999. The values reflect that recent housing development activity in the town which has occurred with larger homes on larger lots, mostly in areas outside of the Burnett Sanitary District.

2.2 Housing Unit Forecasts Summary

Housing unit forecasts should be used as a guide to estimate required acreage to accommodate future residential development, as well as to prepare for future demands growth may have on public facilities and services. Both issues just discussed are very significant in the Town of Burnett.

Two housing unit forecasts were created for the town.

- ♦ According to the Linear Housing Unit Projection, the Town of Burnett will have 413 housing units by 2030 a growth of 17%, or 60 new units

The Alternate Housing Unit Projection shows the Town of Burnett with an additional 90 housing units in 2030. The Alternate Housing Unit Projection projects a 25.5 percent increase in housing units, which is 8.5 percent higher than the Linear Housing Projection.

The growth projections indicate that the town is to expect growth at similar levels as seen over the past decade. The last 10 years has seen an average of 3 new homes per year. The projections indicate the town can expect about the same level of growth. It is also anticipated that single family homes will continue to be the dominant housing type in the town.

2.3 Housing for All Income Levels

Traditionally, most rural towns and small cities have a high percentage of single-family homes, with few other housing types available. Larger communities generally can support and provide a greater variety of housing types, particularly for different income levels. Every community in Dodge County should assess if the cost of housing in the community matches the ability of residents to pay for it. This is the fundamental question to answer when determining housing affordability and the ability to provide a variety of housing types for various income levels.

Although there are many ways to answer this question, the Department of Housing and Urban Development (HUD) offers a common technique, which involves comparing income to housing costs. According to HUD, housing is considered affordable when it costs no more than 30% of total household income (including utilities). Per HUD standards, people should have the choice of having decent and safe housing for no more than 30% of their household income.

In the Town of Burnett, approximately 10.3% of those with a household mortgage paid 30% or more in monthly owner costs from their household income.

2.4 Housing for All Age Groups and Persons with Special Needs

As the general population ages, affordability, security, accessibility, proximity to services, transportation, and medical facilities will all become increasingly important. Many of these issues are already important to those with disabilities or other special needs. As new residents move into the area and the population ages, other types of housing must be considered to meet all resident needs. This is particularly true in communities where a large proportion of the population has been long-time residents, where there is a desire for these residents to remain in the area during their retirement years.

The age structure of Dodge County and the Town of Burnett is shifting to older age groups. For the Town of Burnett, the majority of the population was in the 35 to 44 age group in 2000. The median age of 37 is slightly below that of Dodge County. It is anticipated that there will be a shift in the town population to the next and older age group during the planning period. This age shift will require Burnett to further assess its ability of providing housing for all age groups and persons with special needs. As an example, there are currently no assisted living facilities in the

town. The aging population will demand that facilities and services be available to meet the aging population requirements. Typically the marketplace responds to the demands in concert with need; the town may have the issue of an assisted living or senior care facility sometime during the planning period. The facility should be located in the unincorporated Village of Burnett and be served by sanitary sewer.

2.5 Promoting Availability of Land for Development/Redevelopment of Low-Income and Moderate-Income Housing

Promoting the availability of underdeveloped or underused land is one way to meet the needs of low and moderate income individuals. The community needs to ensure there is an adequate supply of land that is planned or zoned for housing at higher density or for multi-family housing should demand warrant the need for such housing in the future. The community should also use this plan in coordination with developed policies, goals, and objectives to promote the availability of such housing if a need is present.

2.6 Maintaining and Rehabilitating the Existing Housing Stock

The maintenance and rehabilitation of the existing housing stock within the community is one of the most effective ways to ensure safe and generally affordable housing while not sacrificing land to development. Over the course of the planning period, the community should continually monitor local housing stock characteristics including, but not limited to, price, aesthetics, safety, cleanliness, and overall suitability with community character. The monitoring process will become important to ensure that steps are taken to preserve the current housing supply before allowing for new development, which has far greater impacts on community resources.

2.7 Housing Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett regarding housing.

Goal: *Provide a full range of housing opportunities for current and future residents of the town.*

Objectives

1. Promote single-family homes as the preferred type of housing supply in the town.
2. Encourage the use of cluster design in areas suitable for residential development to minimize impacts on farming areas.
3. Increase housing opportunities, such as apartments, by working with area cities and villages that have the services to accommodate such housing.
4. Limit multi-family developments in the town to designated areas located within the Sanitary District.

5. Direct development to areas that can be efficiently served with roads and public utilities where available.
6. Encourage a range of housing sizes and types so that a choice of housing is available.

2.8 Housing 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town will prohibit major land divisions (defined as 5 or more lots) outside of the Burnett Sanitary District.
2. The town will promote residential development in the sanitary district with reduced lot sizes and as the capacity of the sanitary district allows.
3. Housing within targeted agricultural preservation areas shall be minimized in accordance with recommendations within the Comprehensive Plan.
4. New housing in rural areas should be placed on the landscape in a fashion that reduces the impacts to natural vegetation, preserves quality farmland, reduces farmland fragmentation, preserves drainage patterns and does not block potential road extensions.
5. The town should continue the housing inspection program under the state’s Uniform Dwelling Code (UDC).
6. The town will encourage affordable housing opportunities where available.
7. Multi-family residential development should be developed in the sanitary district only and should be designed to minimize potential negative impacts on existing homes/neighborhoods.
8. No new developments will be approved on lands prone to flood, areas having poor soils, or wetland areas.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community’s policies, and therefore will help fulfill the comprehensive plan goals and objectives.

1. Ensure that the Burnett Zoning Ordinance addresses density and location standards for both single and multi-family housing to ensure that there is an adequate supply of residentially zoned land for future use.

2.9 Housing Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

Community Development Block Grant (CDBG) – Housing Program

The Wisconsin Community Development Block Grant (CDBG) program for housing, administered by the Wisconsin Department of Commerce, provides grants to general purpose units of local government for housing programs which principally benefit low- and moderate-income (LMI) households. The CDBG program is a federally funded program through the Department of Housing and Urban Development's Small Cities CDBG Program. CDBG funds can be used for various housing and neighborhood revitalization activities including housing rehabilitation, acquisition, relocation, demolition of dilapidated structures, and handicap accessibility improvements. The maximum grant to an applicant is \$500,000. Approximately 15 communities are awarded funds yearly in Wisconsin. For more information on this program contact the Wisconsin Department of Commerce, Bureau of Housing.

Wisconsin Housing and Economic Development Authority (WHEDA)

The Wisconsin Housing and Economic Development Authority serves Wisconsin residents and communities by working with others to provide creative financing resources and information to stimulate and preserve affordable housing, small business, and agribusiness. Visit the web-page at www.wheda.com for further information.

3 Transportation



3. Transportation

Broadly speaking, a transportation system can be defined as any means used to move people and/or products. A community relies on its transportation system daily to transport people and goods effectively and efficiently. It should also have the ability to link the community to neighboring communities and beyond. Additionally, the system should be able to accommodate a variety of transportation modes.

Roads and highways account for the majority of a transportation system and are the most common system used for transport of goods and people. Roads are not the only component, however. Rail lines, waterways, airways, and trails are all additional modes of transport that contribute to a community's ability to grow and serve its population. Taken together, these individual transportation options create a community's transportation system.

3.1 Existing Transportation Facilities and Trends Summary

The Town of Burnett transportation system consists of a state highway, county trunk highways, and local roads. The most significant transportation facility in the town is STH 26, which also acts as Burnett's "Main Street". This highway provides the primary route through the town and also accommodates the greatest traffic volumes. The town has six county highways located within town boundaries, which helps move a majority of local residents and helps reduce the local road budget. The town has several local town roads that typically serve the function of property access in conjunction with the county highways. Local road maintenance typically represents the highest local budget item on an annual basis, which focuses the correlation with land use policy.

The town does have an active rail line operated by the Wisconsin & Southern Railroad Company which has several at-grade crossings in the town. The Wild Goose State Trail provides a recreational and pedestrian corridor as it traverses the town on an abandoned rail corridor. The PASER program is used by the town to help plan for local improvements and to prioritize projects.

3.2 Planned Transportation Improvements

There are currently no planned transportation improvements for state or county facilities in the town. The town will continue to use its PASER program to plan transportation improvements for locally maintained facilities.

In terms of locally planned improvements, the town has plans for annual road maintenance in concert with their annual budget. The Future Land Use Map (Map 8-3) shows proposed road improvements for straightening a curve in County Highway I in sections 8 and 17 in Burnett. The County Highway Department has not budgeted for the improvement, but the town has gone on record of supporting the road improvement project in the event the project is authorized. In addition, the Future Land Use Map shows several proposed roads in the unincorporated Village of Burnett. The roads are displayed to represent planned location of new development and to

ensure road connectivity and area development planning takes place in the event of new development. Proposed road development in the unincorporated village area would be coordinated with private developers when development results in the need for new roads to service the development. The roads would need to be built to town standards and then dedicated to the town as part of a development agreement authorized by the Town Board.

3.3 Highway Access Management

Access management has been defined by the WDOT as “the process that provides (or manages) access to land development, while simultaneously preserving the flow of traffic on the surrounding road system in terms of safety, capacity, and speed.” This process is achieved through managing the design and location of driveways, median openings, and points of access to the state highway system. The level of highway access control is based on the importance of the highway to regional and statewide travel as determined through a functional classification system.

Highway access management will become increasingly important in the Town of Burnett as the community grows. It is anticipated that traffic volumes on STH 26 and county highways will remain the same or more likely increase over the planning period. This will have impact with planning as future points of access on state and county highways as newly developed areas will need to be planned and coordinated with access management plans by the WDOT and County Highway Department. Local development design will also need to consider access requirements. In areas where this may be an issue in the future, the town should coordinate with the Wisconsin Department of Transportation and County Highway Department as early in the development process as possible.

In terms of local roads, access management is a significant issue as the town road is community assets that require access and development management like any other community facility. The Town of Burnett needs to consider access requirements in conjunction with their zoning code, and should consider new lot design in context of the safety and utilization of the road.

3.4 Coordination with Existing Transportation Plans

The Town of Burnett has reviewed applicable state, regional, county, and local plans regarding transportation. This plan is currently consistent with existing transportation plans. As the community’s transportation system changes over time and as new transportation plans are created, the community should periodically review their comprehensive plan for continued consistency.

Coordination with transportation plans will be a priority if the Wisconsin Department of Transportation develops any plans for STH 26 corridor through the town. If this would occur during the planning period, the town should coordinate extensively with WDOT in order to facilitate opportunities for other improvements beyond just highway repair.

3.5 Incorporation of State, Regional, and Other Transportation Plans

All applicable state, regional, county and local transportation plans have been incorporated in the development of the *Town of Burnett Year 2030 Comprehensive Plan* as well as the *Dodge County Year 2030 Comprehensive Plan*.

3.6 Transportation Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett regarding transportation.

Goal: *Provide a safe and well-maintained transportation network.*

Objectives

1. Consider bicycle and pedestrian safety needs when new roads are proposed or when major roadway improvements are made.
2. Reduce accident exposure by improving deficient roadways and intersections.
3. Increase the use of the PASER evaluation rating system for road maintenance and project budgeting purposes.
4. Increase use of multi-use trails where appropriate.
5. When reviewing development proposals, consider future road connections, setbacks, access points, and other traffic impacts that the proposal may have on the existing transportation network.
6. New parcels requiring access to State and County Trunk Highways should be discouraged.
7. STH 26 should remain on its present alignment within the Town

3.7 Transportation 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. Bicycle and pedestrian safety needs should be considered when new roads are proposed, or when major roadway improvements are made by doing site reviews of these projects, and consider widening roadways to accommodate safe zones for bicycles and pedestrians.
2. Accident exposures should be reduced by improving deficient roadways and intersections by citing such deficiencies during the annual road inspection and funding their correction during the budgeting process.
3. The town should increase the use of the PASER evaluation rating system for road maintenance and project budgeting purposes by using PASER manuals, software, and guidelines.
4. When reviewing development proposals, the town may require the submittal of an Area Development Plan (ADP) in order to consider future road connections, setbacks, access points, and other traffic impacts that the proposal may have on the existing transportation network.
5. Dead end roads and cul-de-sacs should be avoided whenever possible.
6. Transportation issues that have effects on neighboring jurisdictions should be jointly discussed and evaluated with that jurisdiction and the Wisconsin Department of Transportation if necessary.
7. The construction and modification of driveways shall be regulated to ensure adequate emergency vehicle access, to maintain safe travel on town roads, to maintain safe entrance onto town roads, and to prevent damage to town roads caused by drainage impacts.
8. The existing road network and public facilities/services will be utilized to accommodate new development to the maximum extent possible.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community's policies, and therefore will help fulfill the comprehensive plan goals and objectives.

1. Utilize PASER in developing a Capital Improvement Plan that is updated annually for transportation improvements.
2. The town should execute the use of a Development Agreement in accordance with new development, especially larger commercial or industrial development, to address the construction of improvements, the phasing of construction, the timing, and the location and financing of infrastructure, ensuring adequate public facilities (including roads,

water, sewer, fire protection, and emergency medical services) will be available as needed to serve the development, and the mitigation of anticipated impacts of the development on the general public or the environment.

3.8 Transportation Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

Local Roads Improvement Program (LRIP)

Established in 1991, the Local Roads Improvement Program (LRIP) assists local governments in improving seriously deteriorating county highways, town roads, and city and village streets. A reimbursement program, LRIP pays up to 50% of total eligible costs with local governments providing the balance. The program has three basic components: County Highway Improvement (CHIP); Town Road Improvement (TRIP); and Municipal Street Improvement (MSIP). Three additional discretionary programs (CHIP-D, TRIP-D and MSIP-D) allow municipalities to apply for additional funds for high-cost road projects. For more information contact the WDOT.

Pavement Surface Evaluation and Rating (PASER)

PASER is a simple method of rating asphalt and concrete roads on a scale of 1 to 10 and gravel roads on a scale of 1 to 5, based on visual inspection. PASER manuals and a video explain how and why roads deteriorate, and describe proper repair and replacement techniques. PASER ratings can be put into PASERWARE, an easy to use pavement management software. PASERWARE helps to inventory roads and keep track of their PASER ratings and maintenance histories. It also helps to prioritize road maintenance and improvement needs, calculate project costs, evaluate the consequences of alternative budgets and project selection strategies, and communicate those consequences to the public and local officials. Both PASER and PASERWARE are available from the University of Wisconsin's Transportation Information Center at no charge. The Center also offers free training courses.

Incidental Improvements

Bicycle and pedestrian projects are broadly eligible for funding from most of the major federal-aid programs. One of the most cost-effective ways of accommodating bicycle and pedestrian accommodations is to incorporate them as part of larger reconstruction, new construction and some repaving projects. Generally, the same source of funding can be used for the bicycle and pedestrian accommodation as is used for the larger highway improvement, if the bike/ped accommodation is "incidental" in scope and cost to the overall project. Overall, most bicycle and pedestrian accommodations within the state are made as incidental improvements. For more information contact the Wisconsin Department of Transportation.

Transportation Economic Assistance (TEA) Program

The Transportation Economic Assistance program provides 50% state grants to governing bodies, private businesses, and consortiums for road, rail, harbor and airport projects that help attract employers to Wisconsin, or encourage business and industry to remain and expand in the state. Grants of up to \$1 million are available for transportation improvements that are essential for an economic development project. It must be scheduled to begin within three years, have the

local government's endorsement, and benefit the public. For more information about this program, contact the Wisconsin Department of Transportation, Division of Transportation Investment Management.

4 Utilities and Community Facilities



4. Utilities and Community Facilities

Addressing community service needs is becoming even more challenging for local governments. In this age of budget deficits and shrinking revenues, municipal governments are constantly looking for ways to provide needed and expected services with fewer resources. In order to facilitate wise decisions and policies, it is valuable to estimate the future utility and community facility needs of the community.

Not only do service provisions need to meet resident demands, the type and cost of community facilities and services affect property values and taxes and contribute to many aspects of the quality of life within a community. Quality of life is further attributed to local features such as parks, schools, utilities, and protective services. These services require substantial investment supported by local tax bases or user fees. The level of service is generally influenced by the users' ability or interest in paying for the service.

This element includes a summary of existing facilities and services and details future needs for services and facilities. Goals, objectives, policies, recommendations, and programs are also provided.

4.1 Existing Local Utilities and Community Facilities Summary

Primary utilities and community facilities available in the Town of Burnett include the town hall, fire department building and garages, a storage shed, and operates the Burnett Dump and Recycling Center. The town has the Burnett Fireman's Park and Karstedt Memorial Park, both located in the unincorporated village. Burnett operates administratively with a three member part-time Town Board, a three member Sanitary Commission, and a five member Plan Commission and Board of Adjustments. The town is served by the Dodge County Sheriffs Department for police services and the Burnett Volunteer Fire Department for fire and EMS protection. The town has its own zoning code and operates a sanitary district with approximately 320 customers. The 2004 tax levy for Burnett was \$1,083,001.

4.2 Expansion or Rehabilitation of Existing Utilities and Community Facilities Timetable

Wisconsin comprehensive planning statutes require that the utilities and community facilities element of a comprehensive plan identify the need for the expansion, construction, or rehabilitation of existing utilities and facilities.

The Town of Burnett has identified that the following utilities and facilities will need expansion, construction, or rehabilitation over the planning period. Projects are identified as short-term (1-5 years) and long-term (6-20 years).

Public Buildings and Administrative Facilities and Services

Short Term

- ♦ The Town Hall addition onto the existing fire station was completed in 1998 and will be sufficient to meet the needs of the Town for the foreseeable future. However, the town will need to maintain the existing town buildings and facilities as needed.

Long Term

- ♦ Evaluate the town hall facility on a regular basis to insure the facility is meeting the needs of the town residents.

Police Services

Short Term

- ♦ No recommendations.

Long Term

- ♦ Evaluate police services on a regular basis to insure the needs of the town residents are being met.

Fire Protection and EMT/Rescue Services

Short Term

- ♦ Continue intergovernmental agreements with surrounding cities to provide fire protection and EMS services.
- ♦ Construct a new high capacity well in 2005 for increased fire protection.
- ♦ Purchase a new tanker truck in the next five years in accordance with the Fire Department's Capital Improvement Plan and equipment maintenance schedule.
- ♦ Continue emergency government preparedness.
- ♦ Work with area departments to possibly reduce duplication of equipment where possible.
- ♦ Maintain adequate level of personnel and training.
- ♦ Maintain existing equipment.

Long Term

- ♦ Continue agreements with surrounding fire departments for service.
- ♦ Add new or improved technology when possible.
- ♦ Evaluate services and equipment available as community grows.

Libraries, Cemeteries, and Other Quasi Public Facilities

Short Term

- ♦ Work with local organizations where available to coordinate service needs on behalf of Burnett residents.

Long Term

- ♦ The long term recommendation is the same as the short-term recommendation.

Parks and Recreation

Short Term

- ♦ The town needs to document desired park and facilities improvements and coordinate the information with Dodge County. The improvements list and schedule should be included in the *Dodge County Park, Outdoor Recreation and Open Space Plan*. The current county recreation plan was completed in 2003 and is scheduled for an update in 2008. The town needs to be included in the County's plan in order to maintain eligibility for state recreation grant funding.
- ♦ Establish a Park Fund through fees generated with the issuance of building permits for new residential construction to be used for town park improvements as necessary.
- ♦ Maintain existing park and recreation facilities.
- ♦ Try to link existing town parks with trails or other means of public access to the Wild Goose State Trail.

Long Term

- ♦ Encourage the Department of Natural Resources and U.S. Fish and Wildlife Service keep the existing recreation land currently owned in the town.
- ♦ Coordinate local recreational improvements in accordance with other plans. As an example:
- ♦ The Dodge County Bike and Pedestrian Plan identifies CTH E, Prospect Road, Swan Road in Burnett as bicycle routes to receive bicycle route improvements. Local road improvements on those facilities should consider the bicycle route improvement in accordance with construction.
- ♦ The Wild Goose State Trail plan proposes parking lot improvements in Burnett. The town should stay abreast of the project scope and timing as local improvements may be planned in accordance with the state to save on construction costs.
- ♦ Evaluate recreational and park facilities for meeting the needs of all members of the community.

Solid Waste and Recycling

Short Term

- ♦ Review the hours available to drop off recyclables on an annual basis.
- ♦ Maintain existing solid waste, yard waste, and recycling program.
- ♦ Renegotiate contracts for services as necessary.
- ♦ Increase information to residents on where to dispose of items like air conditioners, refrigerators, etc.

Long Term

- ♦ Work with the county and private providers on improving efficiency of services if necessary.
- ♦ Expand services to accommodate for town growth as needed.

Sanitary Sewer Service

Note to the reader: The existing conditions information was carried over from the *Inventory and Trends Report* section as the connection between the existing and proposed conditions are necessary to understand the recommendations listed in this section.

Existing Conditions: The Burnett Sanitary District owns a wastewater treatment plant and provides sewer service to residents in the unincorporated Village of Burnett. Map 4-8, Public Sewer and Water Facilities displays the general location of public sewer and water facilities in Dodge County. The Town of Burnett Sanitary District is shown on Map 4-9, Burnett Utilities and Community Facilities. Those in the Town that are not served by public sewer must rely on private onsite wastewater treatment systems.

The Burnett Sanitary District is approximately 100 acres of land located adjacent to STH 26. The Sanitary District was formed in the mid 1970's in response to eroding water quality due to the density of development in the unincorporated Village of Burnett. The Burnett Treatment Plant was constructed in the late 1970's and was designed with a 37,000 gallon per day (GPD) treatment capacity. Sewage treatment is provided through three aeration lagoons, with treatment being provided through a 20-30 day detention treatment process. The collection system serves approximately 300 residents, mostly on the east side of STH 26. Average daily flows range between 32,000 and 40,000 GPD, with the higher flows typically coinciding with storm events or wet season conditions. The higher flows in wet conditions may be an indication of clear water system infiltration or individual clear water connections to the collection system.

The entire collection system is served with one lift station that has two pumps. Scheduled maintenance has been performed in accordance with need. In terms of providing treatment, the system is currently operating within permitted discharge limits as established by the WDNR. A five year operating permit was issued by the WDNR in 2003 for discharge into Spring Brook, with an anticipated permit renewal in 2007. The sanitary district utilizes a private contractor to perform plant operations and system maintenance.

In terms of land use, most of the properties in the district are residential with relatively stable flow. Vacant lands are available for additional development that could be serviced with sewer.

The Treatment Plant is operating in accordance with its design. System maintenance and relatively little development in the Sanitary District have allowed the treatment system to adequately service existing users without much investment by the Town other than necessary maintenance.

Proposed Conditions and Recommendations: The Burnett Sanitary District will face some decisions in the near term, as the amount of clear water infiltration is a concern as the plant surpasses treatment capacity in certain wet conditions. Clearwater infiltration is a significant issue that must be addressed in concert with treatment capacity. The Treatment Plant is nearing capacity during extensive periods of wet weather, which will have the primary affect of potentially limiting growth within the Sanitary District.

The Town's long term growth strategy as presented in this plan is to steer new development to the Sanitary District by limiting the amount of non-Sanitary District land divisions. Expansion of land area within the Sanitary District may therefore be necessary assuming the Town is to attract new development. In parallel, infrastructure improvements will also need to be made during the planning period. The amount and type of improvements will need to be coordinated through an engineering analysis and a facility plan to determine how the improvements will be scheduled and financed.

The Town's Future Land Use Map shows additional residential and commercial uses within and adjacent to the existing Sanitary District. Anticipated growth will not be realized unless the long term sewer services are provided in accordance with updated treatment technology and collection system maintenance that will increase the efficiencies of the system. New growth can be accommodated on the south and west sides of the Sanitary District in terms of gravity flow collection; however, the new growth may require an additional lift station be constructed adjacent to the existing lift station to service the growth.

The following recommendations are provided. The Sanitary District Commission and Town Board will need to determine the timing and priority of the recommendations based on the proposed facilities plan.

- ♦ The Burnett Sanitary District will need to complete a Facilities Plan for sewage treatment in the near term to coordinate physical system improvements, investment, and financing of the infrastructure.
- ♦ The Burnett Sanitary District will need to update the Treatment Plant technology in accordance with Wisconsin Pollutant Discharge Elimination System (WPDES) requirements for ammonia and phosphorus.
- ♦ Collection system clearwater infiltration will need to be evaluated to determine cause and affect of the increased flow.

- ♦ The Burnett Sanitary District should initiate a household collection system inspection program for each metered customer to ensure sump pumps (clear water) is not discharged into the system, thereby contributing to the increased flow.
- ♦ Maintain existing collection and treatment system and buildings.

Private Onsite Wastewater Treatment Systems (POWTS)

Short Term

- ♦ Defer to recommendations in County plan.

Long Term

- ♦ Defer to recommendations in County plan.

Public Water

Short Term

- ♦ Evaluate the opportunity to provide public water in the unincorporated Village of Burnett. The town should study the feasibility of public water to discern the cost – benefit of the potential improvement.

Long Term

- ♦ Monitor the water quality in the unincorporated Village of Burnett.

Stormwater Management

Short Term

- ♦ Continue current maintenance and inspection of ditches and culverts, and improve existing ditches used for stormwater management as necessary.
- ♦ Work with Dodge County Emergency Management regarding flooding.
- ♦ Review current stormwater conditions in the unincorporated Village of Burnett and improve where necessary.
- ♦ Plan for necessary stormwater facilities prior to allowing future development.
- ♦

Long Term

- ♦ Continue current maintenance and inspection of ditches and culverts. Work with Dodge County Emergency Management regarding flooding.

Health Care and Child Care Facilities

Short Term

- ♦ Allow for licensed home-based day care allowing eight or fewer children with the possibility of increase, as permitted by state law.

Long Term

- ♦ Continue to examine home based day care as needs change/increase.

Local Roads and Bridges

Short Term

- ♦ Continue the use of PASER evaluation rating system for road maintenance and project budgeting.
- ♦ Utilize access management to coordinate development of homes along highways requiring individual driveways.
- ♦ In the pursuit of safety and maintenance of road functionality, encourage the use of one main entrance with private driveways off of a main drive (cluster homes) in the event of new development to limit individual driveway access

Long Term

- ♦ Evaluate the purchase of equipment in coordination with surrounding communities to leverage buying power and potentially reduce costs.
- ♦ Improve and upgrade street signage where necessary.
- ♦ Develop an action plan for improving Main Street and the downtown area.
- ♦ Continue to maintain and improve deficient roadways.

Additional Facilities, Programs, or Operations

Short Term

- ♦ Update and utilize the Town of Burnett Website to increase community awareness of local events, meetings, programs, etc.
- ♦ Develop a Capital Improvement Plan which is updated annually for all Burnett utilities and community facilities.

Long Term

- ♦ Pursue continued implementation of recommendations and update as necessary.

4.3 Future Needs for Government Services

While the previous section detailed infrastructure needs the community will deal with during the planning period, there are also service level needs that may arise in the community. For example, additional police or fire service, need for a building inspector, or additional park and recreation services.

- ♦ The town will find the need for additional administrative assistance. As the community grows and the town deals with increased demand for services, maintaining cost-effective and efficient services may require the assistance of a part – time administrator or staff. Particularly, Burnett will need to increase its level of administrative review of land divisions and rezonings due to the recommendations included in chapters eight (8) and nine (9) in this document. The level and process of review will be coordinated with the Plan Commission, Town Board, and Town Clerk. In addition to paid staff, the town will continue to rely on community volunteers to serve on local committees and boards and pursue town priorities.

4.4 Utilities and Community Facilities Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett regarding utilities and community facilities.

Goal: *Provide community services in an efficient and cost-effective manner.*

Objectives

1. Maintain public facilities and services to keep up with existing and anticipated population growth.
2. Evaluate impacts to community facilities and services when reviewing development proposals.
3. Increase cooperation in the planning and coordination of utilities with other agencies and jurisdictions in order to efficiently serve local and regional growth.
4. Increase coordination efforts with the School District in order to allow them to anticipate future growth and provide appropriate facilities.
5. Ensure proper disposal of wastewater to ensure the protection of public health and to protect the quality of ground and surface water.
6. Work with Dodge County and other jurisdictions to provide a variety of recreational opportunities.
7. Review proposals for stormwater management to ensure that roads, structures, and other improvements are reasonably protected from flooding.

8. Ensure that police, fire, and emergency services are appropriate to meet existing and future demands of the town.
9. Anticipate the need for changes in the level or type of services or facilities available in Burnett to allow adequate planning and study to leverage available resources and investment as necessary.
10. Develop a Town Land Division Ordinance to allow the Town the ability to collect a park fee to enhance outdoor recreational opportunity.

4.5 Utilities and Community Facilities 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town will increase cooperation in the planning and coordination of utilities with other agencies and jurisdictions by increasing communication efforts in order to efficiently serve local and regional growth.
2. Development should be focused into the Burnett Sanitary District to maximize capacity of the utility.
3. The town will work with Dodge County and other jurisdictions, where appropriate, to provide a variety of recreational opportunities by attending meetings concerning recreational opportunity, and where applicable assisting with projects planned in the town. Furthermore, the town shall make recommendations to the county for possible projects in the town for inclusion into the Dodge County Outdoor Recreation Plan.
4. The town should ensure that police, fire, and emergency services are appropriate to meet existing and future demands by doing an annual review of such services to determine if they are being provided efficiently, and by providing adequate funding.
5. Stormwater management should be addressed as part of the review of all development proposals to determine drainage capacity needs, and needs for construction site erosion control.

6. The town shall pursue opportunities to provide more cost-effective solid waste and recycling services.
7. All park facilities shall be in compliance with the American Disabilities Act.
8. The town should consider a parkland dedication fee in conjunction with a Land Division Ordinance to allow funds to be collected for park and recreation improvements.
9. Telecommunication towers and related facilities shall utilize existing structures whenever possible. New towers and related facilities shall be designed to be as safe and unobtrusive as possible.
10. The town may, depending on the situation, assess impacts to community facilities and services when reviewing development proposals.
11. The town should cooperate with the Dodge County Zoning and Sanitation Department to ensure proper disposal of wastewater to ensure the protection of public health and to protect the quality of ground and surface water by notifying the department of any “non-permitted” construction, or other activities that may result in improper disposal of wastewater.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community’s policies, and therefore will help fulfill the comprehensive plan goals and objectives. Refer to section 4.2 for a listing of recommendations for utilities and community facilities over the planning period.

4.6 Utilities and Community Facilities Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

Community Development Block Grant for Public Facilities (CDBG-PF)

The Wisconsin CDBG Public Facilities Program is designed to assist economically distressed smaller communities with public facility improvements. Eligible activities include, but are not limited to, publicly-owned utility system improvements, streets and sidewalk improvements, development of community centers. Federal grant funds are available annually. The maximum grant for any single applicant is \$750,000. Grants are only available up to the amount that is adequately justified and documented with engineering or vendor estimates. For more information on this program contact the Wisconsin Department of Commerce, Division of Community Development.

Community Development Block Grant Public Facilities for Economic Development (CDBG-PFED)

The CDBG Public Facilities for Economic Development Program helps underwrite the cost of municipal infrastructure necessary for business development that retains or creates employment opportunities. Eligible activities are improvements to public facilities such as water systems, sewerage systems, and roads that are owned by a general or special purpose unit of government, and which will principally benefit businesses, and which as a result will induce businesses to create jobs and invest in the community. The Wisconsin Department of Commerce, Bureau of Community Finance should be contacted for further information.

Public Service Commission of Wisconsin

The Public Service Commission of Wisconsin (PSC) is an independent regulatory agency dedicated to serving the public interest. The agency is responsible for the regulation of Wisconsin public utilities, including those that are municipally-owned. The Public Service Commission of Wisconsin is divided into several divisions and offers consumer information and technical assistance. The PSC can continue to provide the town with information and assistance in dealing with wind energy facility development in the area.

5 Agricultural, Natural, and Cultural Resources



5. Agriculture, Natural, and Cultural Resources

The natural resources of a community offer a clean and abundant supply of groundwater and surface water, assure safe air to breathe, and provide a natural landscape of terrestrial and aquatic habitats such as forest, prairies, and wetlands. Natural resources include the parks, trails, scenic areas, and other outdoor places people rely on for recreation. Natural resources are essential to a vibrant economy – measured in tourism revenues, enhanced property values, sustainable agriculture and wood products, low cost raw materials (such as sand, gravel, and stone), available water for manufacturing processes, etc.

There are many state and some federal regulations designated to protect Wisconsin's natural resources. Some state laws, including those for floodplains, shorelands, and wetlands, establish minimum use and protection standards that must be adopted and administered by local governments. But not all natural resources are protected by state law. Local governments throughout the state have the flexibility to plan for and develop their own local ordinances to deal with the unique land use issues/conflicts in their communities and to protect the natural resources they value most.

Development must be carefully adjusted to coincide with the ability of the agricultural, natural, and cultural resource base to support the various forms of urban and rural development. This balance must be maintained to prevent the deterioration of that underlying and sustaining base, because these resources make each community unique. These features promote civic pride and often create a sense of place.

The remainder of this element will provide a summary of features in the community and identify trends that are occurring. Goals, objectives, policies, recommendations, and programs are also provided.

5.1 Agricultural, Natural, and Cultural Resources Summary

The Town of Burnett has abundant agricultural, natural and cultural resources.

Agricultural:

- ◆ Over 90% of the soil in the Town of Burnett is considered prime agricultural soil.
- ◆ Burnett has 11 active dairy operations.
- ◆ Over 91% of total land use is either agricultural or resource lands.

Natural:

- ◆ About 4.2% (987 acres) of the town's surface area is in woodland use.
- ◆ The Horicon Marsh covers about 32,000 acres, making it the largest freshwater marsh in the upper Midwest. The marsh occupies over 6,000 acres in the town, about 28% of total land use.

- ♦ There are approximately 409 acres of surface water in the Town of Burnett, including Horicon Marsh and the ditches that run into the Marsh. As the Town does not have any named lakes, surface water accounts for only 1.7% of total land use.

Cultural:

- ♦ The Willard Greenfield farmstead is the one site in the Town of Burnett that is listed on the State and National Register and shown on Map 5-6, Historical, Cultural, and Archeological Resources.
- ♦ The Town of Burnett has 23 sites on the Wisconsin Architecture & History Inventory.
- ♦ The Nitschke Mounds Park is a 54 acre property located adjacent to Highway 26 and CTH E in the Town of Burnett. The park is home to one of the most famous and best surviving effigy mound groups in the world. Approximately 40 effigies, both linear and conical mounds, remain on the site.

5.2 Agricultural Analysis

According to the 2002 Census of Agriculture, the number of farms in Dodge County has decreased by 6% since 1997 while the average size of farms has increased by 4%. These trends are typical of many counties in Wisconsin. It is important to note that while these trends are occurring at the county level, some communities in the county have experienced little farmland loss and others have experienced more significant decreases. The characteristics unique to each community attribute in different ways to the overall agriculture industry of Dodge County.

In 1992, there were 15,108 acres of agricultural land and 299 acres of residential land in the Town according to the Wisconsin Department of Revenue, Bureau of Property Tax. In 2002, there were 11,783 acres of agricultural land and 626 acres of residential land. The Town lost 3,325 acres of land classified as agricultural over the 10 year period, or 22 percent. The amount of residential land increased by 327 acres or 109.3 percent. In 2003 there were 11 active dairy farms in the Town of Burnett, which was a 31.2 percent decrease in the number of active dairy farms since 1997. This decrease is similar to the 27.8 percent decrease of dairy farms in Dodge County during the same time frame.

It is anticipated that the number of farms will continue to decline in the future and there will be increasing pressure to convert farmland to other uses. The size of the average farm will show moderate increases and the number of large “commercial” type farming will increase, especially dairy. Interest in specialty farming will also increase. In addition, rapidly increasing land prices fuel the non-farm competition for land and development. About 10,750 acres of land is currently enrolled in the state Farmland Preservation program, which accounts for 46% of all lands in the town. The town’s policies for rural development as discussed in chapters eight and nine in this document will have direct correlation to the amount of agricultural land uses sustained in the future.

5.3 Natural Resources Analysis

The natural resources found in Dodge County contribute to the overall quality of life of residents and are a major influence on why some choose to live in the county. Forests, wetlands, wildlife areas, lakes, rivers, streams as well as many other features contribute to the natural resource base of the county. Many of these features cross municipal boundaries and require an integrated system of management and protection. Each community in the county can therefore influence not only its own natural resource base, but that of its neighbors or even the region.

In context to the agricultural discussions above, a significant natural resource for the Town of Burnett are the soils. Prime soil preservation and utilization for agricultural production will be an issue of importance in Burnett over the planning period. Relative to development, the use-value assessment program for agricultural lands has shifted the valuation from agricultural lands to woodlands and wetland areas. Not only will woodland areas be in prime demand for housing sites, the price of woodland and wetland acreage has increased at rates higher than any other land category in Burnett (and is anticipated to continue that trend). Water quality issues will become more prevalent over the planning period as groundwater resource demands will grow, especially in the Burnett Sanitary District. In addition, activity pressure will increase on public resource lands such as the Horicon Marsh that will focus the importance on land management and recreational opportunity in developing areas.

5.4 Cultural Resources Analysis

Dodge County is home to 29 historic sites that are listed on the state or national historic register. Dodge County is also home to nearly 3,800 sites that are listed on the Wisconsin Architecture & History Inventory and are considered sites that illustrate Wisconsin's or Dodge County's unique history. Cultural resources do not only include those features officially listed as historic or of local importance, but include features such as museums, libraries, historic homes, and simply features or characteristics that are unique to a community.

From a cultural perspective, Burnett has both physical (such as buildings) and natural features (such as Nitschke Mounds Park) that are culturally important. The town's sites of historical significance should be protected, and the town should consider the use of implemental tools which can help maintain the historical and cultural features of the community.

5.5 Animal Waste Management

Because agriculture is so prevalent in Dodge County, one of the most significant potential groundwater contamination sources is animal waste. Both storage and spreading of animal waste can contaminate groundwater if not done properly.

Animal waste storage facilities currently in use may range from manure pits dug 50 years ago to newly engineered and installed storage structures. The Dodge County Land Conservation Department administers the Dodge County Manure Storage Ordinance. This ordinance was adopted in June of 1997, and requires anyone who is planning to build a new manure storage system, or anyone who is planning to modify an existing manure storage system in Dodge

County to obtain a permit from the Dodge County Land Conservation Department, and to do this construction work in compliance with construction standards. A nutrient management plan is also required for the first year.

The State of Wisconsin also regulates livestock operations with 1,000 animal units or more and those livestock operations with less than 1,000 animal units that have discharges that significantly affect water quality. Animal waste contains chlorides, nitrogen, and phosphorus, among other pollutants. The WDNR has recently codified statewide performance standards for agricultural operations of various types and sizes. These performance standards include:

- ♦ manure management prohibitions
- ♦ nutrient management
- ♦ manure storage
- ♦ soil loss from riparian fields

Implementation of the standards and prohibitions will occur primarily through the counties, although the department will be the main implementation authority for permitted facilities.

5.6 Agricultural, Natural, and Cultural Resources Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett _____ regarding agricultural, natural, and cultural resources.

Goal 1: Maintain, preserve and enhance the town's agricultural, natural, and cultural resources.

Objectives

1. Direct growth away from environmentally sensitive areas, such as wetlands and floodplains.
2. Identify and preserve environmental corridors within the Town of Burnett as delineated in the Dodge County Comprehensive Plan.
3. Preserve productive farmlands for continued agricultural use.
4. Encourage enrollment in Farmland Preservation, Conservation Reserve, Managed Forest Law, and other conservation programs.
5. Discourage the clear-cutting of any existing woodlands.
6. Work cooperatively with Dodge County, local historical societies, and other appropriate organizations to identify, record, and protect sites and structures that have historical or archaeological significance in the town.

7. Improve and maintain the Town Park and recreation system.

Goal 2: *Maintain & preserve the integrity and viability of agriculture and preserve Burnett’s rural character.*

Objectives

1. Encourage enrollment and participation in the State’s Farmland Preservation Program or tax incentive programs.
2. Limit the number of new non-farm residences outside of the sanitary district.
3. Limit the rezoning of land out of the Prime Agricultural Zoning District.
4. Direct new development to the least productive soils or other designated siting parameters and conserve remaining land for continued agricultural uses, whenever possible.
5. Plan preferred land uses in the event of agricultural transition to different uses.

5.7 Agricultural, Natural, and Cultural Resources 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town shall direct growth away from environmentally sensitive areas, such as environmental corridors, wetlands and floodplains by adopting ordinances that ensure their protection.
2. The town will work cooperatively with Dodge County, local historical societies, and other applicable organizations, where appropriate, to identify, record, and protect sites and structures that have historical or archaeological significance.
3. New development proposals shall consider impacts to wetlands, floodplains, & woodlands.
4. New development should not be allowed on productive agricultural land or on large contiguous forest tracts whenever feasible.

5. The town shall minimize the visual and agricultural impacts of new development by reviewing the design, layout, or site plan of all development proposals.
6. Manure storage facilities shall be sited as far away from neighboring residents as possible.
7. The town will continue to implement & enforce prime agricultural zoning in targeted agricultural preservation areas in accordance with the state Farmland Preservation Program.
8. The town should steer residential development to the Sanitary District.
9. The Burnett Zoning Ordinance should designate allowable density and development standards for agricultural areas in the town.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community's policies, and therefore will help fulfill the comprehensive plan goals and objectives.

1. Amend the town zoning ordinance to increase efforts to protect productive agricultural land.
2. Develop a right to farm ordinance.
3. Create and maintain an inventory of livestock farm operations, feedlots and manure storage facilities.

5.8 Agricultural, Natural, and Cultural Resources Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

Wisconsin Act 307 – Notification to Nonmetallic Resource Owners

This Act amends portions of the Wisconsin Comprehensive Planning Law to increase communication and notification of local planning with owners of nonmetallic mineral sites. Public participation procedures must now include written procedures describing the methods the local government will use to distribute proposed, alternative, or amended elements of a plan to owners of property, or to persons who have a leasehold interest in property, which may extract nonmetallic mineral resources on the property. This is only required if the comprehensive plan changes the allowable use or intensity of use of the given property. Wisconsin Act 307 also added provisions to the Comprehensive Planning Law detailing that prior to a public hearing written notice shall be provided to property owners or operators with an interest in nonmetallic mineral resources.

Wisconsin Historical Society, Office of Preservation Planning (OPP)

Whether you need information concerning state or federal laws and regulations that may be applicable in your case, whether you need information on grassroots strategies for preserving and protecting historic properties, or whether you need information on how you may protect and preserve your own historic property the Office of Preservation Planning of the Wisconsin Historical Society can assist.

Wisconsin Farmland Preservation Program

The purpose of the program is to help preserve farmland through local planning and zoning, promote soil and water conservation, and provides tax relief to participating farmers. Farmers qualify if their land is zoned or if they sign an agreement to use their land exclusively for agricultural purposes. Landowner must own 35 acres or more, and produce gross farm profits of \$6,000 in the previous year. Public access is not required. Contact: County Land Conservation Department, Wisconsin Department of Agriculture, or Dodge County Planning and Development Department.

Conservation Reserve Program (CRP)

Purpose is to reduce erosion, increase wildlife habitat, improve water quality, and increase forest land. Landowner sets aside cropland with annual rental payments based on amount bid. Practices include tree planting, grass cover, small wetland restoration, prairie and oak savannah restoration, and others. Eligibility varies by soil type and crop history. Land is accepted into program if bid qualifies. Continuous sign up open for buffers, waterways and environmental practices. Periodic sign ups announced throughout the year for other practices. Ten year or 15 year contract if planting hardwood trees is required and it is transferable with change in ownership. Public access not required. Contact: USDA Natural Resources Conservation Service or Farm Service Agency, or County Land Conservation Department.

Wisconsin Glacial Habitat Program

This program focuses on establishing a patchwork of restored wetlands and grasslands in combination with croplands to provide all of the elements necessary for the life cycle of waterfowl, wild pheasants and non-game songbirds. The goals of the program are to establish 38,600 acres of permanent grassland nesting cover and restore 11,000 acres of wetlands within Columbia, Dodge, Fond du Lac and Winnebago Counties. In order to achieve these goals, the DNR is purchasing, as well as securing perpetual easements, on properties ranging in size from 10 acres up to a few hundred acres. Only those properties purchased by the state become public property and are open to public hunting.

6 Economic Development



6. Economic Development

Economic development planning is the process by which a community organizes, analyzes, plans, and then applies its energies to the tasks of improving the economic well-being and quality of life for those in the community. This can be done by addressing issues such as enhancing a community's competitiveness, establishing industrial policy, encouraging sustainable development, creating jobs, increasing wages and enhancing worker training, and improving overall quality of life. All of these issues affect residents within a community and are addressed directly or indirectly in the comprehensive plan.

The reason to plan for economic development is straight-forward - economic development helps pay the bills. It requires working together to maintain a strong economy by creating and retaining desirable jobs, which provide a good standard of living for individuals. Increased personal income and wealth increases the tax base, so a community, county, or state can provide the level of services residents expect. A balanced, healthy economy is essential for community well-being. Economic development expenditures are a community investment. They leverage new growth and redevelopment to improve the area. Influencing and investing in the process of economic development allows community members to determine future direction and guide appropriate types of development according to their values.

Successful plans for economic development acknowledge the importance of:

1. Knowing your region's economic function in the global economy
2. Creating a skilled and educated workforce
3. Investing in an infrastructure for innovation
4. Creating a great quality of life
5. Fostering an innovative business climate
6. Increased use of technology to increase government efficiency
7. Taking regional governance and collaboration seriously

This section provides a summary of economic characteristics of the Town of Burnett, provides further detail about future economic development, and identifies goals, objectives, policies, recommendations, and programs with regard to economic development.

6.1 Economic Development Summary and Trends

The majority of residents of the Town of Burnett were employed in the manufacturing sector in 2000 (35.8%), followed by retail trade (15.7%). The median household income in the town for 2000 was \$55,000, significantly higher than the county's median of \$45,190. Relative to the Burnett workforce, 52% travel between 10 and 20 minutes to their respective places of employment.

6.2 Agriculture Industry Analysis

Agriculture is an important economic force in Dodge County which includes hundreds of family owned farms, related businesses, and industries that provide equipment, services, and other products farmers need to process, market, and deliver food and fiber to customers. Dodge County consistently ranks among the top five producers in the state for corn used for silage and grain, winter wheat, sweet corn, peas, soybeans, hogs and pigs, cattle and calves, and milk and cheese production. Agriculture provides jobs for approximately 9,500 Dodge County residents and accounts for \$1.41 billion in economic activity. Every community in the county is economically influenced by the agriculture industry and will likely continue to be for many years in the future.

The Town of Burnett is heavily influenced by the agricultural industry. Please see chapter five for additional information.

6.3 Employment Forecast

An important feature of determining the economic health and future of Dodge County and its communities is to determine the amounts and types of jobs currently available as well as to make predictions. Dodge County has unique economic features as well as similarities to the region in which it is located. The county not only has ties locally, but statewide and nationwide. Trends that occur in the United State or internationally affect the State of Wisconsin and eventually trickle down to local level economies.

In November of 2003, the Wisconsin Department of Workforce Development (WDWD) released a report titled *Wisconsin Projections 2000-2010: Employment in Industries and Occupations*, which examined jobs in over 70 industries and 750 occupations. Many of the projections and estimates provided in the report will affect local and/or Dodge County economies.

Overall, the number of jobs in Wisconsin is expected to grow by 9.6%. While employment in Wisconsin's manufacturing sector has shrunk in the past few years, this sector is anticipated to gain back some of the jobs lost since 2000. The manufacturing industries projected to add the most jobs are lumber and wood products, furniture and fixtures, and food and kindred products. The manufacturing industries expected to lose the most jobs are industrial machinery and equipment, primary metal, and electronic and other electrical equipment.

The services sector will be the job growth leader, spurred on by the aging of Wisconsin's population, technological innovations in health services and computer services, and continued outsourcing of business functions. Over 70% of the new jobs in the services sector will be in health, business, educational, or social services. Another sector expected to add numerous jobs is retail trade. This increase is expected due to population and tourism growth, and the likelihood that people will continue to prepare fewer meals at home.

6.4 Desired Business and Industry

Similar to most communities in Dodge County, the Town of Burnett would welcome most economic opportunities that do not sacrifice community character or require a disproportionate level of community services per taxes gained. The categories or particular types of new businesses and industries that are desired by the community are generally described in the goals, objectives, and policies. The marketplace typically determines the supply of goods and services based on demand imposed by regional markets. The Town of Burnett will need to establish a review procedure that establishes the appropriate context for evaluating whether a commercial development proposal is in the town's best interests. As an example, a proposed commercial use would bring 10 new jobs and offer a substantial tax payment. The proposed business may also need additional sewer service improvements (that may be a cost to the town) such as increased line capacity, or the proposed use may impact the treatment plant due to effluent content. The cost benefit should be evaluated before decisions are made in any respect.

6.5 Strengths and Weaknesses

A determination of the strengths and weaknesses of Dodge County and the Town of Burnett and its economy provide the basic planning steps for future economic development. Strengths should continue to be promoted and new development which fits well with these features should be encouraged. Weaknesses should be improved or further analyzed and new development which displays aspects similar to identified weaknesses should be discouraged. The economic strengths and weaknesses of the Town of Burnett are as follows:

Strengths

- ♦ Good access to a major highway.
- ♦ Small town quality of life.
- ♦ Sanitary District can provide sewer services to help attract new development
- ♦ Location with access to regional market locations such as Beaver Dam, Waupun, the Fox Valley and Madison.
- ♦ Affordable housing opportunities.
- ♦ Land available for economic growth.
- ♦ Strong established agricultural base.
- ♦ Large amount of productive agricultural land.

Weaknesses

- ♦ Over dependence on the manufacturing and agricultural sectors of the economy.
- ♦ The Burnett Treatment Plant needs to be updated in accordance with new effluent standards.
- ♦ The town does not have a water system to attract new commercial or industrial users who require the services.
- ♦ Limited revenue and financing options to support economic development.
- ♦ Lack of private and public partnership for promoting economic development.
- ♦ Decline in the agricultural industry.

6.6 Sites for Business and Industrial Development

Sites for business and industrial development within the Town of Burnett are detailed on the Future Land Use Map, located in the appendix.

6.7 Economic Development Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett regarding economic development.

Goal 1: *Enhance, and diversify the local economy consistent with other goals and objectives.*

Objectives

1. Increase efforts to promote the unique features of the town.
2. Promote opportunities for year-round recreational opportunities and tourism related business.
3. Accommodate home-based businesses that do not significantly increase noise, traffic, odor, lighting, or would otherwise negatively impact the surrounding area.
4. Increase town involvement, where appropriate, in supporting local, county, and regional economic development groups.
5. Support efforts that maintain agriculture as a major component of the local economy.

Goal 2: *Encourage commercial development within designated areas.*

Objectives

1. Designate areas adjacent to or within the town Sanitary District to be targeted for future commercial uses.
2. Actively encourage new commercial businesses to locate in the town.
3. Carefully evaluate and manage any potential future proposals for commercial development outside of the Town Sanitary District to ensure that the Town's best interests would be reasonably served and that its best/good quality farmland would be adequately preserved.
4. Modify the town commercial zoning districts in accordance with recommendations within the Comprehensive Plan.

Goal 3: *Allow for industrial/manufacturing development within designated areas of the Town.*

Objectives

1. Designate a preferred location(s) for future industrial/manufacturing that is adjacent to or within the sanitary district.
2. Restrict scattered industrial/manufacturing developments outside of designated areas.
3. Evaluate the feasibility of developing a water system in conjunction with sewer services as discussed in chapter four to potentially attract commercial and industrial development.

6.8 Economic Development 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. Commercial and industrial development should be focused to areas adjacent to or within the sanitary district as designated on the Future Land Use map.
2. Highway corridor development shall be directed to designated planned commercial areas and address building signage, lighting, service and land use standards.
3. The town should promote local tourism by providing information about local businesses and area attractions such as the Horicon Marsh & the Wild Goose State Trail.
4. The town will support economic development that provides services determined to be valuable to the town.
5. The town should support efforts to maintain agriculture as a major component of the local economy.
6. The town will, where appropriate, promote the unique features of the community by providing information and working with county economic development groups, committees, and other agencies.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community's policies, and therefore will help fulfill the comprehensive plan goals and objectives.

1. New commercial or industrial development should be reviewed by the town in accordance with site plan requirements and development standards. The standards and requirements should be written into the Burnett Zoning Ordinance when modified.

6.9 Economic Development Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

University of Wisconsin Extension – Dodge County

The purpose of the Community Resource Development Program (CRD), within the Dodge County UW-Extension, is to strengthen the ability of citizens, community and business leaders, and local government officials to identify and resolve crucial community needs and issues in three broad, interrelated areas--communities, natural resources, and economic development. For more information about Extension services visit www.uwex.edu/ces/cty/dodge.

Dodge County Economic Development Revolving Loan Program

The Dodge County Planning and Development Department operates a revolving loan program for local businesses and industry. The Revolving Loan Fund program provides low-interest loans for proposed projects that will create new jobs, help businesses maintain or expand existing operations, and advance the county's economic development goals and objectives. The Fund is intended to provide financial incentive for business and industries to invest in their own growth by providing "leverage". The funds, therefore, are meant to serve an important, secondary role to the private financing available. For further information contact the Dodge County Planning and Development Department.

Dodge County Business Retention Program

The Dodge County Planning and Development Department assists businesses in obtaining grant funding for business expansion and development. Activities that the grant money may be spent on include: feasibility studies, market research, attorney and accountant fees, business planning, engineering studies, developing training programs, and other required services.

Wisconsin Agricultural Development Zone Program

An Agricultural Development Zone has been established in five south central Wisconsin counties, including Dodge County. Agricultural related businesses are eligible for tax credits that can be applied against their state income tax liability. These credits are based on the number of new jobs that you create, the wage level, and the benefit package that you offer. Businesses may also be eligible for a 3% capital investment credit for real and personal property and a credit equal to 50% of your eligible environmental remediation costs.

Community Development Block Grant for Economic Development (CDBG-ED)

The CDBG-ED program was designed to assist businesses that will invest private funds and create jobs as they expand or relocate to Wisconsin. The Wisconsin Department of Commerce awards the funds to a general-purpose unit of government (community) which then loans the funds to a business. When the business repays the loan, the community may retain the funds to capitalize a local revolving loan fund. This fund can then be utilized to finance additional economic development projects within the community. For more information contact the Wisconsin Department of Commerce.

7

Intergovernmental Cooperation



7. Intergovernmental Cooperation

In general terms, intergovernmental cooperation is any arrangement by which officials of two or more jurisdictions coordinate plans, policies, and programs to address and resolve issues of mutual interest. It can be as simple as communicating and sharing information, or it can involve entering into formal intergovernmental agreements and sharing resources such as equipment, buildings, staff, and revenue. It can even involve consolidating services, jurisdictions, or transferring territory.

Many issues cross jurisdictional boundaries, affecting more than one community. For example, air, water, and wildlife pass over the landscape regardless of boundaries so that one jurisdiction's activities with regard to air, water, and wildlife impacts other jurisdictions downwind or downstream.

Today, increased communication technologies and personal mobility mean that people, money, and resources also move across jurisdictions, as quickly and freely as air and water. Persons traveling along roadways use a network of transportation routes, moving between jurisdictions without even realizing it.

Frequently, the action of one governmental unit impacts others. Increasingly, we have come to the realization that many vital issues are regional in nature. Watersheds, economic conditions, commuter patterns, housing, media markets, and effects from growth and change are all issues that spill over municipal boundaries and impact the region as a whole.

Intergovernmental Cooperation Benefits

There are many reasons intergovernmental cooperation makes sense. The following are some examples:

- ♦ Cost savings – Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with services that would otherwise be too costly.
- ♦ Address regional issues – By communicating and coordinating their actions, and working with regional and state jurisdictions, local communities are able to address and resolve issues which are regional in nature.
- ♦ Early identification of issues – Cooperation enables jurisdictions to identify and resolve potential conflicts at an early stage, before affected interests have established rigid positions, before the political stakes have been raised, and before issues have become conflicts or crises.
- ♦ Reduced litigation – Communities that cooperate are able to resolve issues before they become mired in litigation. Reducing the possibility of costly litigation can save a community money, as well as the disappointment and frustration of unwanted outcomes.

- ♦ Consistency – Cooperation can lead to consistency of the goals, objectives, plans, policies, and actions of neighboring communities and other jurisdictions.
- ♦ Predictability – Jurisdictions that cooperate provide greater predictability to residents, developers, businesses, and others. Lack of predictability can result in lost time, money, and opportunity.
- ♦ Understanding – As jurisdictions communicate and collaborate on issues of mutual interest, they become more aware of one another’s needs and priorities. They can better anticipate problems and work to avoid them.
- ♦ Trust – Cooperation can lead to positive experiences and results that build trust between jurisdictions.
- ♦ History of success – When jurisdictions cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.
- ♦ Service to citizens – The biggest beneficiaries of intergovernmental cooperation are citizens for whom government was created in the first place. They may not understand, or even care about, the intricacies of a particular intergovernmental issue, but all Wisconsin residents can appreciate their benefits, such as costs savings, provision of needed services, a healthy environment, and a strong economy.

This element will contain information regarding existing plans or agreements, opportunities for the future, existing and potential conflicts, and identify goals, objectives, policies, recommendations, and programs for intergovernmental cooperation.

7.1 Intergovernmental Cooperation Summary

The Town of Burnett was a partner in facilitating intergovernmental cooperation by being an active participant in the Dodge County multi-jurisdictional comprehensive planning process. The Town of Burnett has ambulance service is provided by the City of Horicon, with the City of Juneau providing back-up service as required. The Dodge County Sheriff’s Department provides police protection to the Town of Burnett, as well as most other municipalities in the County. Burnett provides its own fire protection, but has mutual service agreements with adjacent communities in the event of need. The town has a direct relationship with Dodge County relative to road maintenance and land use regulation.

7.2 Opportunities for Shared Services and Intergovernmental Agreements

School Districts

The Town of Burnett is served by three school districts, with a majority of the town located within the Horicon School District. Beaver Dam (in the western portion of the town) and Waupun School Districts (in the northern portion of the town) serve the town as well.

Potential opportunities for cooperation include working with the school district to anticipate future growth, facility, and busing needs. In addition, school districts often provide recreational facilities for field or court sports which could be coordinated with the town.

Siting and Building Public Facilities

A community's public facilities and infrastructure is a major community asset that is not only a major financial commitment, but an influence on overall community design, land uses, and attractiveness to residents and businesses. In many cases a community requires facilities to meet the needs of its own residents. There are opportunities however in which facilities have excess capacity or could be more cost effectively utilized or constructed if shared with other communities. Facilities where this may occur include wastewater treatment facilities, parks, libraries, municipal buildings, and water storage to name a few.

The Town of Burnett does not currently share any public facilities with other governmental units. No plans exist to jointly own any public facility with another governmental unit.

Sharing Public Services and Equipment

Similar to public infrastructure and facilities, public services and equipment can be shared to increase cost effectiveness or efficiency. For example, a community may have an administrative or public works employee who is employed full time, but can not be fully utilized and kept busy full-time. The excess capacity of that position could be contracted via an intergovernmental agreement or other mechanism to be used by a neighboring community who may not be able to employ a similar position full-time. A similar strategy could also be applied to equipment owned by a community. Finding these opportunities requires communication between neighboring communities and a commitment to finding unique solutions.

In the Town of Burnett, there may be opportunities for shared use of a building inspector or zoning administrator. Sharing of equipment may be possible with regard to the Burnett Fire Department; however this would need to be coordinated by the Fire Department. Similar to public facility development, the town should continue to communicate with surrounding communities on public service and equipment needs or available capacity to identify opportunities for sharing.

7.3 Existing Opportunities and Potential Conflicts with Other Governmental Units and Strategies for Conflict Resolution

Opportunities

Numerous opportunities for service or program administration exist for cooperation with other units of government. Several opportunities are described as follows:

<u>Opportunity</u>	<u>Other Governmental Unit Assistance</u>
1. Assistance in rating and posting local roads.	Dodge County Highway Department
2. Update and amend town comprehensive plan and/or ordinances when applicable.	Dodge County Planning Department
3. Coordinated shared services or contracting such as police services, solid waste and recycling, recreation programs, etc.	Dodge County applicable departments, adjacent communities

Potential Conflicts and Resolutions

Several potential conflicts may develop through the course of the planning period. Potential conflicts can be most effectively addressed in a pro-active fashion. In other words, pursuing opportunities will often avoid future conflicts. Thus, several of the potential conflicts identified may be similar to the opportunities discussed earlier. Potential conflicts and the process to resolve the conflicts are summarized as follows:

<u>Potential Conflict</u>	<u>Process to Resolve</u>
1. Concern over too much intervention by Dodge County and state relative to local control of land use issues.	Town adopts local town comprehensive plan. Town takes responsibility to develop, update, and administer local land use ordinances and programs. Maintain communication with the Dodge County Planning Department on land use issues. Town provides ample opportunities for public involvement during land use planning and ordinance development efforts.
2. Concern over conflict between agricultural operations and new non-farm residences	Town adopts local town comprehensive plan. Town takes responsibility to amend or create zoning ordinance to resolve conflict.

7.4 Intergovernmental Cooperation Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett regarding intergovernmental cooperation.

Goal: *Establish mutually beneficial intergovernmental relations with other units of government.*

Objectives

1. Continue to develop the cooperative working relationships the town has established with neighboring communities and the county.
2. Increase cooperation with neighboring communities and Dodge County to provide efficient and effective emergency services, street maintenance, and other services when appropriate.
3. Support the Wisconsin Towns Association and be active in local, district, and state meetings.
4. Utilize county technical assistance to support town planning efforts.

7.5 Intergovernmental Cooperation 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town shall continue to develop the cooperative working relationship the town has established with neighboring towns by participating in an annual meeting for the purpose of identifying new ways in which the towns can cooperate.
2. In order to provide services more efficiently, the town should increase communication efforts and cooperative planning efforts with neighboring communities, the county, and other appropriate jurisdictions.
3. The town should support the Wisconsin Towns Association by being active and attending local, district, and state meetings.

4. The town will coordinate implementation of its comprehensive plan with Dodge County to avoid conflicting regulations, minimize the duplication of services by working with the county whenever possible.
5. Before the purchase of new town facilities or equipment, or the reinstatement of service agreements, the town should pursue options for trading, renting, sharing, or contracting such items from neighboring jurisdictions in order to provide services efficiently and save taxpayer's money.

Recommendations

Recommendations are specific actions or projects that the community should be prepared to complete. The completion of these actions and projects are consistent with the community's policies, and therefore will help fulfill the comprehensive plan goals and objectives. The policies stated above represent the actions and recommendations related to this section.

7.6 Intergovernmental Cooperation Programs

The following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

UW-Extension Local Government Center

The mission of the Local Government Center is to provide focus, coordination, and leadership to UW System educational programs for local government, and to expand the research and knowledge base for local government education. The Center conducts and coordinates educational programming in general local government, local government finance, growth management, and community planning and design. Additional programs are under development. Educational programs are delivered through the two-way audio Educational Telecommunications Network (ETN), satellite television, and state-wide and regional workshops. The Center supports the programming of county-based Extension faculty. A variety of resources regarding intergovernmental cooperation are available through the Local Government Center. For further information visit its web-site at www.uwex.edu/lgc/.

Wisconsin Towns Association (WTA)

Wisconsin Towns Association (WTA) is a non-profit, non-partisan statewide organization created under s. 60.23(14) of the Wisconsin Statutes to protect the interests of the state's 1,264 towns and to improve town government. In 2002 WTA celebrated its 55th year of service to town governments and the state's 1.6 million town residents. The association is organized into six districts and is headquartered in Shawano. WTA relies on regular district meetings, an annual statewide convention, publications, participation in cooperative training programs and other means to support the goal of keeping grassroots government strong and efficient in Wisconsin. For further information on the WTA, visit its website at www.wisctowns.com.

8 Land Use



8. Land Use

Land use is a means of broadly classifying how land is used and how it could be used in the future. Each type of use has its own characteristic that can determine compatibility, location, and preference to other land uses. The maps, especially existing land use, are used to analyze the current pattern of development, and serve as the framework for formulating how land will be used in the future. Land use regulations, private market demands, ownership patterns, and resource management programs all contribute to the character of the community as it is known today.

A primary function of this land use element is to help guide future land use in a way that is compatible, desirable, and accepted by the local community. This requires the consideration of a range of ideas and opinions relative to land use, property rights, and community values. The community can effectively manage land use through sensible land use controls and policies. Because land use is a people-oriented process, personal opinions, desires, and attitudes, and legal and political considerations all have land use impacts.

8.1 Projected Supply and Demand of Land Use During the Planning Period

Table 8-1 displays estimates for the total acreage that will be utilized by residential, commercial/industrial, institutional, and agricultural land uses through the year 2030 in the Town of Burnett. These future land use demand estimates are largely dependent on population increases and should only be utilized for planning purposes in combination with other indicators of land use demand.

Table 8-1, Projected Land Use Demand (acres), Town of Burnett
2010-2030

Year	Residential*	Commercial/Industrial*	Institutional*	Agricultural* (1)
2010	320.9	223.2	583.0	18,099.8
2015	322.9	224.7	586.7	16,651.9
2020	325.0	226.1	590.4	15,319.7
2025	327.0	227.5	594.2	14,094.1
2030	329.1	228.9	597.9	12,966.6

(1) Assumes 0.6% decrease of farmland per year, according to county trends.

*Residential includes single family, multiple family, multiple manufactured housing, primary farmstead, other farmstead, and seasonal structures.

*Commercial/Industrial includes commercial, industrial/manufacturing, and active quarries.

*Institutional includes transportation/communication/utility, government services, institutional, and public outdoor recreation.

*Agricultural includes cropped farmland.

Year 2010 to 2030 acreage calculations were projected by utilizing Census/Population Estimate population projections. Projected demand for residential, commercial/industrial, and institutional land use assume that the ratio of the community's 2000 population to current land area in each use will remain the same in the future. In other words, each person will require the same amount of land for each particular land use as they do today. The projected decline in agricultural land use is based on Dodge County trends from 1997 to 2002. Data from the 2002 Census of Agriculture indicated that farmland decreased by approximately 1.6% per year from 1997 to 2002. Projected agricultural land use acreages assume these trends will continue. However, it must be noted the projection is generated from a narrow time reference in which to base the future acreage projections. The data relative to the farmland conversion rates became available to allow the projection calculation as demonstrated in Table 8-1, and Dodge County staff felt the conversion trends were important to address in consideration of the trend results.

As indicated by Table 8-1, the town is projected to face minor increases in demand for residential, commercial/industrial, and institutional land uses. It should be noted that the projected increase in institutional land is influenced by the amount of state land (categorized as institutional in Table 8-1) currently located in the town. It is possible that a substantial increase in the amount of institutional land may occur during the planning period. Commercial/Industrial land demands are variable and depend on many factors outside of Burnett. Slight demands are projected for additional commercial land use acreage. There are a few existing areas that have vacant or underutilized commercial property, which may decrease the need for additional commercial land.

Demands for residential could be somewhat substantial assuming that population trends are an indicator of land use demand. Pressure for residential development will likely continue based on past building permit activity and will likely be the highest growth category in the town. The trends in farmland converting to other uses, with conversions to lands that will be developed and lands taken out of production but not developed, are projected to be the largest acreage change over the planning period. The Town's proposed agricultural policies discussed in the following section may have a significant impact to the agricultural land conversions. It will be interesting to analyze the agricultural land conversion rates over the next ten years comparing the projections in Table 8-1 to actual acreage conversions. The potential impact of the proposed Future Land Use Map and the associated agricultural development policies could potentially and significantly reduce the projected acreage loss of farmland.

The total land area that will ultimately need to be designated for future residential development is dependent on the how much the Town's population grows. Using the figures from the population and housing sections of this plan, an estimate of how much land must be set aside for residential development can be made. Using the projected figures from housing trends from 1990 to 2000, 20 new homes were constructed. Using the same trend (20 homes per decade, 2 homes per year on average) about 60 additional housing units will be needed between 2000 and 2030. The amount of land this development takes up is dependent on the approach the Town chooses. If, for example, the Town allows these homes to be developed on large five acre lots outside the sanitary district, 60 homes at five acres each equals 300 acres could be converted to residential uses. On the other hand, if the Town requires the 60 new homes to be located within the sanitary district on 1/2 acre lots, only about 30 acres would be needed for residential

development. As a result, the Town's sanitary facilities would be more efficiently utilized and numerous acres of agricultural land would continue to be available for agricultural production rather than used for home sites.

8.2 Future Land Use Plan (Categories)

The future land use plan is one of the primary components of the comprehensive plan that can be used as a guide for local officials when considering future development within the community. The plan is long-range and will need to be reevaluated periodically to ensure that it remains consistent with changing trends and conditions. A major component of the comprehensive plan is the Year 2030 Future Land Use Map and the associated future land use categories. According to Section 66.1001 Wis. Stats., Comprehensive Planning, the Land Use Element of a comprehensive plan must specify the general location of future land uses by net density or other classifications. To address this requirement, the following Future Land Use Categories have been developed to allow the Town of Burnett the opportunity to promote the desired features of the Town. The Future Land Use Categories are simply designated areas of consistent character, use, and density that share similar goals and objectives for future use.

To arrive at a workable plan that will be both effective and implemented, the plan must account for past development activity as well as current market factors, conditions, and trends that shape where and how land will be developed. Future land uses are developed to serve as a flexible guide to local officials regarding future development of the community. The Future Land Use Map is a roadmap used to guide and assist in growth management decisions and community development. Burnett's Future Land Use Categories are described below, and reflected in Table 8-2.

Conservancy (Dark Green)

Intent and Description

These mapped areas include wetlands as designated by the WDNR. The wetland areas are spread throughout the Town with significant concentrations in the eastern and northern sections of the Town.

Policies and Recommendations

- ◆ Agricultural activities such as crop harvesting, pasturing, and tree cutting are recognized as acceptable activities in the Conservancy category.
- ◆ Use of wetland areas and floodplains is encouraged for the purpose of outdoor recreation (public property), wildlife movement, and overall character enhancement.
- ◆ Development should not encroach on these areas other than for recreational purposes as allowed under applicable regulations.

Agriculture (Light Green)

Intent and Description

This category represents those areas where agricultural type uses such as dairy and crop farming are the anticipated predominant land use in the area. The town road network serves the majority of development. Farmsteads and growing numbers of residential dwellings are located in close proximity to the existing roads. Development trends in the town consist of scattered residential development, farm consolidations, and increases in larger, consolidated farming operations. The town also wants to stay a rural, predominantly agricultural community.

The intent of the Agricultural Category is to try and maintain the agricultural areas. Growth management is basically broken down into factors of time, duty, cost, and responsibility. In assessing the opinions of the town residents, understanding the trends and conditions of land use, and developing the ideas of long term planning and growth management, the Agricultural Category was developed to more specifically address preferred conditions in the town while not being administratively burdensome. The Management Area is broad in scope yet has several specific recommendations of how lands should be developed. The emphasis is to remain a rural, predominantly agricultural town.

Preservation of the Town of Burnett's agricultural areas and open spaces was identified by the residents of the Town to be a priority issue. Several strategies for achieving this goal have been identified and outlined in this plan. These strategies primarily include strengthening agricultural zoning and focusing development to the sanitary district. Success in preserving agricultural areas and open spaces rests solely on the ability and willingness of the Town to pursue the proposed avenues that will result in the long term preservation of this type of land use.

The year 2000 Land Use Plan showed two categories of agricultural land, Transitional Agriculture Areas and Agricultural Areas to be Preserved. The Future Land Use Map for the Town of Burnett designates one agricultural category. Major subdivisions (those with five or more lots) and other similar large scale developments are prohibited in these areas unless they are adjacent to the unincorporated village and can be served by sanitary sewer.

Policies and Recommendations

- ♦ This management area envisions the continued prominence of agricultural land, commercial agriculture, and wooded tracts intermixed with low-density residential development and possible intermixed, low-density commercial uses depending on the situation.
- ♦ The proposed density of non-farm residential development would be one unit per 75 acres (1 unit/75 acres) in accordance with the provisions for residential development discussed in Chapter 9, Section 9.1.
- ♦ The agriculture category proposes to limit residential development with a recommended low development density. Subdivisions would not be allowed.

- ♦ The category proposes to have both minimum (1 acre) and maximum (3 acres) for new lot development in the planned agricultural areas.
- ♦ Site plan requirements are proposed to minimize the potential impact to prime soils and production farmland in the event of land conversions in the agricultural areas.
- ♦ A minimal amount of other land uses, such as but not limited to wind energy systems, wireless communication facilities, veterinary clinics, mineral extraction, farmers markets, wildlife ponds, and businesses that primarily serve the agricultural industry may also occur in areas planned for agriculture, assuming all codes and ordinance requirements are met.
- ♦ The Town has several existing agri-commercial and rural commercial uses in the planned agricultural area. The uses should be allowed to continue. If the uses change or expand, it is recommended the Town Planning Commission authorize such modification through the issuance of a conditional use permit for the commercial use(s)/operation in the agricultural area, as applied through the Town of Burnett Zoning Ordinance. The Plan Commission should review the application and authorize provided that such conditional uses or structures are in accordance with the purpose and intent of the plan and are found not to be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the area.
- ♦ Utilize existing state and county regulations for large commercial dairy or feedlot operations to address such issues as operations, manure storage and handling, transportation and road impacts, residential conflicts, etc.

Recreation (Dark Blue)

Intent and Description

Communities are often evaluated on the quality of life opportunities they provide for residents and visitors. The community opinion survey also indicated a significant level of interest in expanding the facilities at the Town Park and recreational area. Many Town residents feel that additional recreational facilities are needed in the Town. In addition to the recreational value a park and recreational area provides, such facilities serve to provide open space in the Town. The plan focused on existing park, recreation, and resort facilities and maximizing the opportunities to connect the local parks in Burnett with pedestrian access to the Wild Goose Trail. Improvements and maintenance to the existing park and recreation facilities will be important in that facility demands will expand and maximum utilization of the facilities will be warranted. This category generally includes existing and future park and recreation land, and includes the Spring Brook Resort property. Local, county, state, and federal recreation areas as well as privately owned recreation areas (golf courses, gun clubs, etc.) are included in this category. Wetlands that were located within a public or private recreation area will be placed in the Recreation category as displayed with the Horicon Marsh area.

Policies and Recommendations

- ♦ Management Area is designed to include existing and planned park and recreation areas, as well as some “green space areas” generally associated with designated wetlands and floodplains.
- ♦ The Wild Goose Trail and any other proposed local trails should be connected to existing parks and recreation areas. The Town should also consider the potential to connect the ‘downtown’ area with any new business or industrial park areas.
- ♦ Trail development, if any, could use a combination of surfaces, and could consist of both shared roadway and separate pathways where possible.
- ♦ Existing park and recreation areas should be maintained and enhanced as necessary to contribute to overall community identity and outdoor recreation opportunities.
- ♦ Coordinate existing and planned recreational facilities through Dodge County’s Comprehensive Outdoor Recreation Plan.

Single Family Residential (Yellow)

Intent and Description

This category represents areas mostly located in and surrounding the unincorporated village area of Burnett, and those areas already developed with single family residential development. The category represents those areas where single family residential is planned to be the predominant land use. The density of residential development may vary, but only single family housing should be included in areas designated single family. Mobile home parks and attached condominiums would not be categorized as single family residential but as General Residential (see description below).

The unincorporated village area is served by sanitary sewer, is located in a rural area, and has immediate adjacency to STH 26. The Town’s focus for new residential development is intended to capitalize on those characteristics as a prime residential development area. Where agricultural uses occur in these areas that are mapped single family, it is anticipated that the area will transition to residential at some point in the future.

The composition and density of residential land uses in the Town of Burnett is an area of land use that has been clearly defined by the residents of the Town. According to the community opinion survey completed in the late 1990’s, it was widely agreed that single-family homes are the desired form of residential land use in the Town. However, there was also a significant amount of support for the development of duplexes in the Town. Other higher density multifamily residential developments were opposed by Town residents. Furthermore, most Town residents feel that new non-farm residential development should be located in areas adjacent to and serviceable by the Town’s sanitary district.

Policies and Recommendations

- ♦ Unincorporated village area designed to include existing and planned single family residential development served by municipal (public) sewer services.
- ♦ Densities will be regulated by the Town's respective zoning ordinance. The Town had discussed a minimum lot area of 40,000 sq. ft. and a minimum lot width of 125 feet at the building setback line. Lots served by public sanitary sewer could have a minimum lot area of 20,000 square feet and 100 feet of lot width at the building setback line. The parameters will need to be worked out in the *Burnett Zoning Ordinance*, and will likely range from one to three units per gross acre. One acre is 43,560 square feet.
- ♦ Direct new housing into areas which are already predominantly characterized by residential development, or located adjacent to such areas.
- ♦ Encourage higher density residential development in areas where public utilities are available or planned.
- ♦ Areas that are designated single family residential in the rural areas outside of the unincorporated village are to be treated with the same recommended density provisions as agriculture lands; existing residential lots in the agricultural areas should not be split for purposes of new residential development.
- ♦ Single family residential neighborhoods should contain some form of buffering between the residences and land uses such as commercial or industrial.
- ♦ New subdivisions should be designed with the future connectivity to additional developments in mind.
- ♦ The area included within the unincorporated village area should be included in the development of an Official Map as discussed in chapter nine, Implementation.
- ♦ The potential for sewer service should be evaluated and coordinated with the Burnett Sanitary District during development review.
- ♦ Limited two-family residential uses may be conditionally allowed in the single family future land use category assuming the town reviews the development application and conditions are applied to the satisfaction of the town and neighboring property owners.

General Residential (Orange)

Intent and Description

These areas include all types of residential use, other than single family residential. Multi-family structures including duplexes, attached condominiums, mobile home parks, and group living facilities (nine or more residents) are included in this category. The use of the Planned Unit

Development (PUD) provisions or site plan review may prove beneficial in this land use area if the Town is concerned with potential development conflicts. The Town does not have to pursue such a level of review, but the opportunity exists to have the applicant submit a site plan which would include the location of existing buildings and drives; location of proposed new principal and accessory buildings; location of proposed driveways and access points to public streets; and location of proposed sewer lines or septic systems, landscaping, parking, recreation areas or trails, and a myriad of other requirements depending on the proposal. Multi-family developments are commonly created with condominium ownership and can be a valued development and housing opportunity. The main issue becomes how the development is approved and under what conditions it is allowed.

Policies and Recommendations

- ♦ The plans could provide for a combination of both single and multi-family residential development and should be evaluated as a neighborhood, not as an individual development.
- ♦ Duplex lots should be identified during review of a subdivision or land division to assess location and impact to neighborhood.
- ♦ The potential for sewer service should be evaluated and coordinated with the Burnett Sanitary District during development review.
- ♦ Densities will be regulated by the Town's respective zoning ordinance. The Town had discussed a minimum lot area of 40,000 sq. ft. and a minimum lot width of 125 feet at the building setback line. Lots served by public sanitary sewer could have a minimum lot area of 20,000 square feet and 100 feet of lot width at the building setback line. The parameters will need to be worked out in the zoning code and will likely range from one to three units per gross acre. One acre is 43,560 square feet.

Commercial (Red)

Intent and Description

These mapped areas represent where commercial type land uses are anticipated in the future. Examples of uses found in this category include retail sales and services, eating and drinking establishments, financial institutions, professional offices, service and repair businesses, visitor accommodations, entertainment businesses, parking lots and day care facilities.

Commercial land use in the Town of Burnett is also an area with strong resident opinions. Opinions expressed at public meetings indicated Burnett residents feel that additional commercial businesses are needed in the Town to increase the availability goods and services (such as a convenience store). The plan does designate several areas that are both developed and vacant as commercial, concentrated primarily along or immediately adjacent to planned light industrial areas along the STH 26 corridor. The STH 26 corridor also has existing Wisconsin Department of Transportation access restrictions along the highway frontage, so access may need to be coordinated through local street access. The bottom line is the STH 26 corridor is the

Town's 'MainStreet', and potential future uses and development processes should be coordinated to address both what is being proposed and how the development will impact the community. In any case, the town does not have extensive administrative processes or growth management tools to address these issues immediately and will need to build the land division requirements and administrative processes to coordinate the development.

Policies and Recommendations

- ◆ Designed to include existing and planned commercial development served by municipal (public) sewer and water systems and by private, non-sewered development, depending on the location of the development.
- ◆ Densities will be regulated by the Town's respective zoning ordinance. The Town had discussed a minimum lot area of 40,000 sq. ft. and a minimum lot width of 125 feet at the building setback line. Lots served by public sanitary sewer could have a minimum lot area of 20,000 square feet and 100 feet of lot width at the building setback line. The parameters will need to be worked out in the *Burnett Zoning Ordinance*, and will likely range from one to three units per gross acre. One acre is 43,560 square feet.
- ◆ The Town should assess the use of some minimum design standards which promote quality and aesthetics and do not detract from the community.
- ◆ Individual lot sizes may vary depending on the location and the services available. All commercial developments should be reviewed as part of a planned development area, including review of parking and access control.
- ◆ Intensive commercial activity in close proximity to residential development should be avoided. However, neighborhood convenience stores or services should be allowed in residential areas where precautions such as vegetative buffering are used to ensure that the quality and character of the neighborhood are upheld.
- ◆ Discourage the proliferation of large billboards in favor of smaller, less obtrusive signage.
- ◆ The potential for sewer service should be evaluated and coordinated with the Burnett Sanitary District during development review.

Industrial (Purple)

Intent and Description

These mapped areas represent where industrial type land uses are anticipated. Manufacturing and production facilities, resource extraction and processing, warehousing, transportation terminals, feed mills, and wholesale establishments are some of the examples of uses included in this category.

Industrial land uses in the Town of Burnett are currently quite limited. A significant issue relative to potential industrial development is that it should be located within an area serviceable by the Town Sanitary District.

Policies and Recommendations

- ◆ New industrial development should occur exclusively in the planned Industrial areas.
- ◆ New developments could be subject to minimum building and site design, landscaping, signage, and outdoor storage provisions to encourage community character and sustainable developments.
- ◆ Proper access by industries to and from major traffic routes should be provided. Industrial development should also maintain adequate off-road employee parking, loading and unloading facilities, and should be buffered from intensive residential areas to reduce potential land use related conflict.
- ◆ Reuse of existing vacant industrial property should be a priority when assessing new potential industrial uses.
- ◆ The potential for sewer service should be evaluated and coordinated with the Burnett Sanitary District during development review.
- ◆ Commercial uses may be allowed in the Light Industrial category dependent on the location (lot configuration will not impeded future lot layout or development of adjacent lands) and type of proposed use.

Utilities and Community Services (Brown)

Intent and Description

This category includes all public and private utility facilities as well as those uses which provide a service to the community except parks. Land uses such as churches, cemeteries, post offices, libraries, nursing homes, assisted living facilities, prisons, airports, hospitals, town halls, police and fire stations, museums, and schools are some examples of community services.

Utilities would include uses such as electrical substations, water wells, water towers, natural gas regulator stations, and waste water treatment facilities. The Town did identify a new fire well is scheduled to be constructed in the spring of 2005. The well will be located in the unincorporated village and will bolster fire protection services through immediate high pressure water access for the tanker equipment. The well is being constructed for fire protection only, but may be able to function in some capacity for public water in the future is the Town decides to move in that direction. There are currently no apparent needs for expansion of quasi-public facilities in the Town, such as churches or cemeteries. The Town completed a Town Hall addition onto the existing fire station in 1999. The building will be sufficient to meet the needs of the Town for the foreseeable future. Town sanitary facilities are currently operating within authorized limits, but will be facing some facility upgrades in the near future (as discussed in chapter four, Utilities and

Community Facilities. The Sanitary District is also somewhat limited in its ability to accommodate new development, depending on the type, based on current treatment limitations at the plant and on capacity.

The Town's Future Land Use Map shows additional residential and commercial uses within and adjacent to the existing Sanitary District. Anticipated growth will not be realized unless the long term sewer services are provided in accordance with updated treatment technology and collection system maintenance that will increase the efficiencies of the system. New growth can be accommodated on the south and west sides of the Sanitary District in terms of gravity flow collection; however, the new growth may require an additional lift station be constructed adjacent to the existing lift station to service the growth.

Policies and Recommendations

- ◆ Development within the unincorporated village area is somewhat limited by flow limitations due to the current service areas and use of gravity flow for sewerage. It is recommended the Town of Burnett and the Burnett Sanitary District cooperatively fund an engineering study (sanitary sewer feasibility study) to determine the most advantageous locations for new development based on current system design. The study could help the Town and Sanitary District evaluate potential development costs for both residential and commercial development, and allow educated estimates about long term system viability in respect to the planned development and opportunity to capture and potentially service commercial or industrial development.
- ◆ The town should create an official map in conjunction with an engineering plan to coordinate growth and address the long-term street pattern and provision of public services.
- ◆ Within the unincorporated village area, long term evaluation for developing a public water system should be assessed during the planning period.

Table 8-2
Future Land Use, Town of Burnett

Future Land Use Category	Acres	% of Total
Single Family Residential	774.3	3.3%
General Residential	2.0	0.0%
Commercial	45.9	0.2%
Industrial	209.7	1.0%
Utilities & Community Services	67.8	0.3%
Transportation	489.3	2.1%
Parks & Recreation	6,568.9	28.1%
Conservancy	2,457.8	10.5%
Water Features	409.5	1.8%
Agricultural	12335.6	52.7%

Total	23,386.4	100.0%
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8.3 Designation of Smart Growth Areas

A Smart Growth Area is defined as “An area that will enable the development and redevelopment of lands with existing infrastructure and municipal, state and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development at densities which have relatively low municipal, state governmental and utility costs.”

The arrangement of incorporated municipalities scattered throughout Dodge County’s rural landscape creates the perfect situation to practice “Smart Growth” (Directing growth into areas served with adequate utility and service infrastructures.) The Dodge County planning process and subsequently the *Town of Burnett Year 2030 Comprehensive Plan* is based on the following six principles as identified by the American Planning Association:

Principle 1: Efficient Use of Land Resources

Good planning and efficient development supports the preservation of both land and natural resources. Approximately 75% of future land use within the Town of Burnett is designated either Agriculture or Conservancy (environmentally significant lands such as wetlands and floodplains). Within these designations residential development is limited, environmentally sensitive areas are protected, and future development will utilize the existing street network to minimize additional local road development and maintenance costs. In addition, the plan supports in-fill within the unincorporated village. The Town is also proposing very low density in conjunction with a maximum lot size in the planned agricultural areas to discourage inefficient use of land. The plan also supports small lot sizes and maximum utilization of its public sewer system to accommodate new development.

Principle 2: Full Use of Urban Services

Smart development means creating neighborhoods where more people will use existing services like water lines and sewers, roads, emergency services and schools. The Dodge County planning process has identified areas within the county’s cities and villages to accommodate growth and development.

In terms of sewer, subdivisions are only allowed to locate in the sanitary district. For the Town of Burnett, many urban services are available through the three nearby Cities of Waupun, Fox Lake, and Beaver Dam. The support function of Dodge County’s cities and villages as service centers to the surrounding rural farming area supports this principle.

Principle 3: Mix of Uses

Compact neighborhoods that contain a mix of residential, commercial, and recreation spaces within walking distance of each other promote a reduction in auto use, community identity, a variety of housing types and a safe environment for all age groups.

The unincorporated area of Burnett is planned to have higher density and contain a mix of residential and commercial uses while also being served by parks, trails, and public utilities. A greater challenge for Dodge County communities, including Burnett, is the promotion of growth in an attempt to create jobs through new industry and businesses.

Principle 4: Transportation Options

A well designed transportation network promotes safety, alternative modes of transport, and less traffic congestion and air pollution.

The rural development pattern in Burnett does not allow for a sufficient density to support a wide variety of specialized alternative modes of transportation. However, Burnett has five County highways and STH 26 that create an effective road transportation network. In addition, Burnett, as part of Dodge County's rural landscape supports miles of snowmobile and ATV trails, which although are used primarily for recreational, do provide alternative forms of travel for local rural residents.

Principle 5: Detailed, Human Scale Design

In human-scale neighborhoods, a wide mix of housing types are clustered around one or more well-defined neighborhood centers which support jobs, commercial activity, and a range of services.

This principle was of limited importance in the Town of Burnett planning process due to the smaller size and the rural, agricultural nature of the Town. However, this principle can be utilized when creating small areas of clustered residential development as planned in the unincorporated village area.

Principle 6: Implementation

A community's ability to adopt smart development principles will, of necessity, require intergovernmental cooperation to apply the principles. This plan has worked to avoid duplication of services and the creation of additional layers of government by coordinating the development of its comprehensive plan and administration of various ordinances, such as subdivision and zoning, with Dodge County. The town has thoroughly evaluated the implications and opportunities of coordinated growth management and understands the administrative and financial responsibilities of managed growth. The implementation strategy allows for local control and implementation of this comprehensive plan while coordinating growth and development with the neighboring jurisdictions.

8.4 Existing and Potential Land Use Conflicts

The following list represents existing and potential land use conflicts in the Town of Burnett:

- ♦ Increasing pressure to convert farmland to residential use.

- ♦ An increase in the number of large animal confinement operations may have a negative impact on nearby non-farm residences.
- ♦ Farm consolidation will be experienced in the town, resulting in fewer, but larger farms, and the potential for large scale feedlot and dairy operations will increase due to the current economic conditions of farming.
- ♦ The prices of land for residential and recreational uses will outpace the price of land continuing in agriculture.
- ♦ Recreational property demands will continue to increase, placing higher values on woodland and wetland areas.
- ♦ The town will continue to experience increased traffic volumes on all local, county, and state roads which will in turn require additional local road maintenance and construction costs.

8.5 Land Use Goals and Objectives

Because land use is a people-oriented process, personal opinions, desires, attitudes, and legal and political considerations all have land use impacts and play significant roles in land use decisions. Initiated from issue identification, the following goals and objectives were developed by the Town of Burnett regarding land use.

Goal: *Encourage planned growth that enhances the local economy, while protecting natural resources, recreational opportunities, and the rural character of the town.*

Objectives

1. Encourage an efficient development pattern that utilizes the existing road network.
2. Retain prime farmland.
3. Preserve natural environments and environmentally sensitive areas.
4. Maintain a low density in the development pattern, which is characteristic throughout the majority of the town, except for the unincorporated village area.

8.6 Land Use 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town will encourage an efficient development pattern that utilizes the existing road network through the constructive use of land ordinances to guide growth and development in the town.
2. The town will maintain a low density of development in the rural areas outside of the Sanitary District, which is characteristic throughout the vast majority of the town by adopting land use ordinances that are consistent with plan recommendations.
3. Additional policies are included within each Future Land Use Classification as detailed on the Year 2030 Future Land Use map.

Recommendations

The recommendations and specific actions or projects that the Town of Burnett should pursue relative to land use are in the section 8.2 of this document, as well as in sections 9.1 – 9.3 in the Implementation element. The completion of these actions and projects are consistent with the community's policies, and therefore will help fulfill the comprehensive plan goals and objectives. The recommendations related to land use are discussed in section 8.2 of this document and on the other chapters as applicable.

8.7 Land Use Programs

The developed Future Land Use Categories and Future Land Use Map will be utilized as the primary land use program within the Town of Burnett. In addition, the following programs are currently utilized by the community or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.

Office of Land Information Services (OLIS), Wisconsin Department of Administration

OLIS provides staff support to the Wisconsin Land Council, and it administers the Wisconsin Land Information Program in conjunction with the Wisconsin Land Information Board. It also houses Plat Review and Municipal Boundary Review, both of which have statutory authority for approval of specific land use related requests, and the GIS Services, dedicated to the efficient use of geographic information systems. For further information about OLIS visit its web-site via the WDOA web-site at: www.doa.state.wi.us.

UW-Extension Center for Land Use Education

The Center for Land Use Education uses a team-based approach to accomplish its dual missions in campus based undergraduate and graduate education and Extension outreach teaching related to: land use planning, plan and ordinance administration, project impact and regional trends analysis, and public involvement in local land use policy development. For more information on the Center for Land Use Education visit its web-site at www.uwsp.edu/cnr/landcenter/.

Wisconsin Farmland Preservation Program

The purpose of the program is to help preserve farmland through local planning and zoning, promote soil and water conservation, and provides tax relief to participating farmers. Farmers qualify if their land is zoned or if they sign an agreement to use their land exclusively for agricultural purposes. Landowner must own 35 acres or more, and produce gross farm profits of \$6,000 in the previous year. Public access is not required. Contact: County Land Conservation Department, Wisconsin Department of Agriculture, or Dodge County Planning and Development Department.

Conservation Reserve Program (CRP)

Purpose is to reduce erosion, increase wildlife habitat, improve water quality, and increase forest land. Landowner sets aside cropland with annual rental payments based on amount bid. Practices include tree planting, grass cover, small wetland restoration, prairie and oak savannah restoration, and others. Eligibility varies by soil type and crop history. Land is accepted into program if bid qualifies. Continuous sign up open for buffers, waterways and environmental practices. Periodic sign ups announced throughout the year for other practices. Ten year or 15 year contract if planting hardwood trees is required and it is transferable with change in ownership. Public access not required. Contact: USDA Natural Resources Conservation Service or Farm Service Agency, or County Land Conservation Department.

Wisconsin Glacial Habitat Program

This program focuses on establishing a patchwork of restored wetlands and grasslands in combination with croplands to provide all of the elements necessary for the life cycle of waterfowl, wild pheasants and non-game songbirds. The goals of the program are to establish 38,600 acres of permanent grassland nesting cover and restore 11,000 acres of wetlands within Columbia, Dodge, Fond du Lac and Winnebago Counties. In order to achieve these goals, the DNR is purchasing, as well as securing perpetual easements, on properties ranging in size from 10 acres up to a few hundred acres. Only those properties purchased by the state become public property and are open to public hunting.

9 Implementation



9. 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.

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.

Coordination of Land use Regulations in Dodge County

The Dodge County Comprehensive Plan was designed to allow for communities to have choice in the administration of local land use related ordinances and regulations as long as the implementation strategy was coordinated with Dodge County. The Town of Burnett chose to exercise their local control authority upon which the comprehensive plan and the implementation strategy were developed. In Burnett's case, the primary regulatory tools proposed for plan implementation are coordinated application of town administered zoning and land division ordinances. Most of the regulatory options that town assessed for plan implementation are in the form of ordinances. The town realizes local control of land use and planning requires town investment of both cost and staff time, which is why the town chose to plan for its future in the first place. The costs are worth local control, and will be initially experienced through ordinance modifications, additions to town codes, and coordination with development review with Dodge County.

Primary Implementation Strategy

- ◆ Maintain local control of land use
- ◆ Revise the Town Zoning Ordinance to implement future land use recommendations
- ◆ Develop a Town Land Division Code to coordinate new land divisions, density of new developments, and zoning
- ◆ Develop zoning and land division application and development review procedures
- ◆ Balance property rights with community interest and goals of protecting the town's farm land, natural resources and rural character.

Land development and building activity in the Town of Burnett is subject to both Town and County regulations. Land use within the Town is regulated by the *Town of Burnett Zoning Ordinance* as well as the *Dodge County Land Use Code*. The zoning ordinance is administered by the Town of Burnett and the Dodge County Land Use Code is administered by the Dodge County Planning and Development Department. Both the Town and the County potentially have jurisdiction or approval authority depending on the type of land use and/or the location of the property in question. The County Land Use Code includes several provisions that apply within the Town of Burnett including: the Floodplain Overlay District, the Shoreland-Wetland Overlay District, the Subdivision Design and Improvement Regulations, and the Sanitary Facilities Overlay District. Due to the amount of shared jurisdictional responsibility, the information you read in this chapter has been coordinated in concept between Dodge County and the Town of Burnett during the planning process to discuss the potential impact of the Town's proposed implementation strategies, the potential for shared services and processes, and the preliminary coordination of development review.

The Town and County land use regulations, both existing and proposed, are described in more detail below. The coordination of regulations between the Town of Burnett and Dodge County is very important to limit duplication of services and streamline the development review procedures that typically accompany local ordinance administration.

9.1 Proposed Updates to Existing Ordinances

The following sections detail proposed updates and recommendations to existing ordinances affecting the Town of Burnett. A brief description of the ordinance is provided as well as a description of its applicability to Dodge County

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.

Dodge County Status

Dodge County has adopted a Land Use Code which contains zoning regulations for those towns that choose to adopt county zoning. The Dodge County Land Use Code was adopted by the Dodge County Board in March of 2000. The code combines into one document the nine separate land development ordinances previously adopted by the County Board as previously discussed.

Town of Burnett Status/Recommendation(s)

Status: Burnett adopted the *Burnett Zoning Ordinance* in 1981, and therefore regulates land use in the town in accordance with those standards and provisions. Dodge County zoning regulations are also in effect within the shoreland areas of the Town. The town also has ordinances regulating exotic dancing and unlicensed vehicles.

After Burnett completed the *Town of Burnett Land Use Plan* in 2000, the Town began working on an update to the zoning ordinance, which was out of date and in need of modernizing. The Comprehensive Planning law, State Statute 66.1001, became law just prior to Burnett completing the *Land Use Plan*. The comprehensive planning law 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. The *Burnett Land Use Plan, 2000* did not meet the State's requirements. Furthermore, all land use decisions, including rezonings, made by the Town must be consistent with the comprehensive plan. Several of the recommendations developed in the *Burnett Land Use Plan, 2000* affected the town zoning code, including: reducing the number of zoning districts from 15 to eight districts due to duplication and lack of necessity; updating the lists of permitted and conditional uses allowed in each respective district, and updating the zoning map to reflect changes as adopted.

Based on the *Land Use Plan, 2000* recommendations, the Town Board, Plan Commission, and Board of Adjustments met jointly to update the zoning code. The zoning update process was ongoing when the Town accepted the opportunity to cooperate in the Dodge County Comprehensive Plan process. The Town had developed a preliminary draft of the updated zoning code, but decided to put the zoning revision process aside until the comprehensive plan was completed and the associated recommendations could be rolled into the zoning ordinance where required. The Town wanted to also capitalize on the opportunity to address the statutory consistency requirements while involving the public to shape the plan implementation recommendations, mostly of which related to zoning. The *Town of Burnett Year 2030 Comprehensive Plan* was then set up with a parallel approach, with the future land use classifications and the proposed density of future agricultural areas working in tandem, but not dependant on the other. The plan was set up that way so the future land use classifications could be separated from the density issues (and the proposed zoning district modifications) without detriment to the validity of plan itself. The proposed density of the agricultural areas was the central issue in the planning process. The plan can and should proceed regardless of what is decided on the agricultural density issue. However, what exactly the plan recommendations will be will in large part depend on the next issue.

Recommendation(s): There are several recommendations that were developed in the planning process that directly relate to the *Burnett Zoning Ordinance*. The recommendations are broken down by category as follows:

Consistency between the Comprehensive Plan and the Zoning Ordinance

1. Adopt the Burnett Year 2030 Comprehensive Plan. The proposed changes to the zoning code, along with a revised zoning map, should follow the adoption of this comprehensive plan.
2. The proposed regulations in the zoning ordinance need to bear a reasonable relationship to the intent of the Future Land Use Classifications as described in the comprehensive plan. The Future Land Use Classifications and Future land Use Map was built to accomplish consistency and promote administrative efficiency.
3. The Burnett Zoning map needs to be updated based upon the Future Land Use Map as illustrated in Map 8-3 in this document. All future amendments (rezonings) to the zoning map should be in conformance with the Future Land Use Map and the recommendations and policies set forth in this plan.

Proposed Zoning District Modifications

1. Reduce the number of zoning districts in the current ordinance and coordinate the intent of the new zoning districts with the Future Land Use Classifications as indicated in this document. Similar to recommendations in the *Burnett Land Use Plan, 2000*, the town has already developed a preliminary draft of the proposed zoning district changes, which will need to be modified based on the plan recommendations as adopted. The town had drafted potential districts, which were used to help develop the Future Land Use Map.
2. Consolidate the two agricultural zoning districts into one agricultural district. The planning process spent several meetings discussing this issue. The Burnett Joint Planning Committee recommended the consolidation as public feedback supported the intent of farmland preservation and reducing the amount of rural residential development.
3. Add provisions in the zoning code that address conditional uses for resort activity in the proposed recreational zoning district.

Non-Farm Residential Development Recommendations

1. Adopt a provision allowing non-farm residential development in the consolidated Agricultural District based on a “flat” density rate of one (1) unit per 75 acres and in accordance with the following provisions. The current Burnett Zoning Ordinance has an A-2 district that allows 1 unit/35 acres. The 1 unit/35 acres would be eliminated from the ordinance and all agricultural areas would have the same requirements.
 - a. The intent of the non-farm residential development provision will be to allow the creation and development of a limited number new, non-farm parcels in the agricultural district based on a system of “Residential Development Rights” assigned to lands outside the Burnett Sanitary District.

- b. A "Residential Development Right" is defined as the right to create one (1) non-farm lot for residential development and use purposes from an existing parcel of land known as a "parent tract". The number of development rights assigned to each parent tract will be determined as of the effective date of the ordinance adopting the comprehensive plan (The Town of Burnett would need to change and adopt these proposes revisions in the Burnett Zoning Code for this to occur).
 - i. Construction of new or replacement barns, granaries, corn cribs, machine sheds, or similar structures that are typical of agricultural activities are not affected by this Rule and do not count against a "Residential Development Right".
 - ii. All existing residential developments and active residential building permits that already exist at time of ordinance adoption are allowed to proceed as "grandfathered", and do not count against a "Residential Development Right".
- c. A **'Parent Tract'** is defined as the entire or total amount of land owned jointly or in common by an individual or entity.
 - i. A 'Parent Tract' includes all contiguous and non-contiguous lands, in total, at the time of ordinance adoption.
 - ii. The number of "Residential Development Rights" is established at time of ordinance adoption. Upon ordinance adoption, the Town of Burnett will create a 'Residential Development Rights' index to allocate development rights to each 'Parent Tract', and will maintain records of land transactions.
 - iii. The "Residential Development Rights" allocated to the 'Parent Tract' remain attached to the respective 'Parent Tract' until such time that the land owner either utilizes or sells them through a land division. Once all of the allocated "Residential Development Rights" for a particular parent-tract are used up, no more lots can be created from any portion of that 'Parent Tract' by the initial owner or by any future owners.
- d. Lot splits intended for residential development shall be included in a certified survey map (CSM) approving such division. The remaining land area of a parent tract may be required to be included in a CSM, plat of survey, or other land record that is agreeable to the Town to allow a proper record of transactions. The land division may require language be placed upon said CSM or plat of survey to ensure compliance with the provisions of this section.

- e. Use of a “Residential Development Right” for a new residential dwelling from a Parent Tract are subject to the following requirements:

Parent Tract Size (Total Acres)	Total “Residential Development Rights”
0 - 74.9	0
75 – 149.9	1
150 – 224.9	2
225 or more	3 (maximum)

- i. No more than three (3) “Residential Development Rights” shall be allocated to any given ‘Parent Tract’ regardless of acreage ownership.
- f. Except for pre-existing lots, new residential lots created by division from a parent tract shall be limited in size with the intent to maintain large agricultural parcels while having sufficient parcel size to accommodate efficient septic system locations, vehicle access, and logical land divisions:
1. Minimum Lot Size: 1.0 acres
 2. Maximum Lot Size: 3.0 acres
- ii. The maximum lot area requirement may be increased up to five acres where the creation of a lot equal or less than the three acre maximum requirement would result in the creation of an outlot(s) that cannot be logically included as part of the original agricultural land and used for agricultural purposes, or where, in the opinion of the Plan Commission, an increase in the maximum area will result in a more logical layout or parcel configuration.
- g. Where and when practical, non-farm lots should be located on that area of a parent tract that is less suitable for agricultural uses than other areas within the parent tract by virtue of wooded areas, topography, shape of the parcel, and soil characteristics and where residential uses and residents will not limit nor adversely affect agricultural operations and where agricultural operations would not adversely affect residential uses and residents.
- h. The configuration and layout of non-farm lots should follow existing tree lines, stone fences, and similar features, preserve such features as a natural buffer between said lots and agricultural uses of adjacent areas, and, where necessary, accommodate existing buildings and structures. The length of shared property lines between farm and non-farm lots shall be minimized.

- i. CMS's creating non-farm lots pursuant to this section shall contain an "agricultural nuisance disclosure" stating similar language such as: "the owners and/or residents of such non-farm lots may be subjected to the inconvenience, discomfort and possible damage to property and health resulting from normal and accepted agricultural practices and operations including, but not limited to noise, odors, dust, the operation of farm machinery, the storage, disposal and application of manure and fertilizer, herbicides, and pesticides."
2. Minimum lot area and width requirements need to be updated in *the Burnett Zoning Ordinance* for parcels outside of the agricultural areas. It is recommended the minimum lot size shall be 40,000 sq. ft. and a minimum lot width of 125 feet at the building setback line and 125 feet at the water's edge along a navigable waterway. Lots served by public sanitary sewer shall have a minimum lot area of 20,000 square feet and 100 feet of lot width at the building setback line.

Requirements for Site Plan Provisions

Site plan review involves the review and regulation of new buildings and their building sites. Site plan review standards are often included as parts of building permit regulation, or zoning and subdivision ordinances. It seeks to require the review of proposed developments to ensure conformance with plans and ordinances. Site plan review would be required prior to the issuance of a building permit for a new structure, and could be written into the proposed subdivision ordinance. In most cases, it is not what the proposed development is, but how the proposed development impacts surrounding development that people care about

The following site plan requirements need to accompany a development application when there is a new development proposed in the town, regardless of the location or zoning district. The application needs to be submitted to the Plan Commission prior to development review, in conjunction with administrative procedures, to allow Plan Commission review relative to the following items. The following recommendations either need to be established, utilized, or both:

1. Proposed minimum and maximum lot sizes in the Agricultural District need to be established. Assuming a new house is built in the Agricultural District, the minimum lot size should be one (1) acre, and the maximum lot size should be three (3) acres. Another way of stating this provision is to say a house shall be allowed to use between one and three acres in the Agricultural District to minimize impact to the surrounding agricultural operations.
2. The proposed residential uses will not adversely affect agricultural operations.
3. Proposed building sites for new residential uses should be located in areas not well suited for agriculture.
4. The building location should be displayed on the parcel.

5. The proposed site plan should display existing topography and site characteristics that assist the Plan Commission in development review.
6. Soil types should be included in the application to assess development impact on prime agricultural soils.
7. Lot and driveway access to public road needs to be assessed for safety and emergency service provisions.
8. The type of use needs to be in conformance with the Burnett Zoning Ordinance.

Timeline: The timing of the proposed zoning modifications are relevant to how the plan adoption process goes. As discussed prior, the plan must be adopted first and then the zoning code modifications can be implemented. Modifications to the zoning ordinance require a separate review and public hearing process. Therefore, the proposed density of the agricultural area could be pulled out” of the plan recommendations and handled in the near future if the Town feels additional public input is required.

9.2 Proposed Regulatory Land Use Management Tools

Regulatory tools stem from local government’s responsibility and authority to protect public health, safety, and welfare. In addition to the proposed updates to existing ordinances discussed in section 9.1, the following regulatory tools were reviewed and discussed as part of the comprehensive plan process. This section outlines the tools that are at Burnett’s disposal in its efforts to achieve its land use objectives. In addition, this section provides a basic description of what each of these tools can achieve for the Town.

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, communities, 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 provisions 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 an effective tool to realize plan goals to maintain agriculture as a strong part of the local economy, protect natural resources, and retain rural character.

A community can require a new land division be in conformance with their comprehensive plan as a basis of approval. The key to implementing this objective is twofold. First, the ordinance should clearly state that consistency with the community’s comprehensive plan is a criteria of approval. Secondly, the ordinance should 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 lot proposed to be created 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, administration, 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.).

Dodge County Status

Subdivision/land division regulations are contained in the County Land Use Code and are in effect in all unincorporated areas of the County. These regulations control the divisions of land within unincorporated areas (all of Town of Burnett) for the purpose of; facilitating provision of public services, facilitating orderly divisions and developments, and to restrict building sites in environmentally sensitive areas or on lands poorly suited for development.

Town of Burnett Status/Recommendation(s)

Status: Burnett has not adopted its own Subdivision Ordinance. The County subdivision regulations apply in the Town. Under these regulations, the County requires the recording of approved certified survey maps for minor subdivisions which create less than five parcels, and subdivision plats in major land divisions (with 5 or more lots created). Minor subdivision approval begins with the filing of a letter of intent. The County Planning and Development Committee decides whether to grant or deny the proposal. Upon approval by the Committee, a certified survey map or plat is submitted for final approval and recorded.

Recommendation(s): It is recommended that the Town develop and adopt its own subdivision ordinance following the adoption of this comprehensive plan. It is very important to adopt a land division ordinance to create the administrative process and review procedures when parcels are created to allow the town to implement plan recommendations. The regulations contained in the Town subdivision Ordinance should be consistent with the recommendations and policies in the Comprehensive Plan. The ordinance would also need to be consistent with the Town Zoning Ordinance.

When developing a Town Subdivision Ordinance there are some key provisions that should be also be considered:

1. Provisions for Area Development Planning should be incorporated, especially in the unincorporated village area. Area Development Plans (ADP) should be

required to display the potential for road connectivity in accordance with the Future Land Use Map and Burnett Road Ordinance. The Area Development Plans should consist of a map which displays the potential layout and connectivity of roads on parcels, especially adjacent to a permanent or temporary cul-de-sac.

2. Another provision of the ordinance might be a mandatory dedication of recreation fees for the Town Park when developing a new residential parcel. Such a provision would allow for adequate funding for the continued development and maintenance of the Town Park and recreation area. A significant level of support for improving and expanding the Town Park system was indicated in the community opinion survey completed in 1999.

Timeline: The Town should develop and adopt the land division ordinance in conjunction with the revisions to the zoning ordinance. Both ordinances work as a development review package and should be built in conjunction with plan recommendations. If the Town does not have the resources to develop both ordinances simultaneously, the modifications to the zoning ordinance should be completed first followed by the land division code. Both really need to work together to operate efficiently. The project should start immediately after the plan is adopted.

Town Administration

Plan implementation will take resources to adopt the procedures and recommendations into administrative procedure. There are two primary differentiators between just having a plan and having a plan that works. The first is successfully building and adopting a plan premised on community values and a belief that the chosen direction is best for long term success and viability of the community. The second is possessing or developing the ability to leverage the administration and enforcement of plan policy with limited financial and operational resources. This process is difficult and challenging to say the least. As there are both town and county ordinances (such as zoning and land division ordinances) that apply in the town, both town and county level administration needs to be coordinated with Burnett's comprehensive plan. Implementing the plan recommendations, in effect, will require consistent use of plans as a guide in decisions regarding land use and will begin a coordinated effort to manage growth efficiently at all levels of government.

The implementation section of this plan outlines the tools that are at the disposal of the Town in its efforts to achieve its land use objectives. 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.

Town of Burnett Status/Recommendation(s)

Status: Burnett uses an elected clerk to coordinate most of the development activity in conjunction with the Town Board and Plan Commission. All positions are part time.

Recommendation(s): It is recommended that the future land use decisions should be based upon the plan and zoning ordinance. The key ingredient will be how the development applications are reviewed. Listed below are strategies that may be

implemented through town policy and administrative actions. The primary responsible party is the Town Board, which typically delegates the review and coordination responsibilities to the Plan Commission. The Town Board may also seek advice from appointed advisory bodies or technical advisors.

1. Adopt the Town of Burnett Year 2030 Comprehensive Plan in its entirety. The Comprehensive Planning statutes require adoption of the plan by the Town Board by ordinance. The Plan Commission recommends approval to the Board by resolution.
2. Get Organized. The Implementation chapter has been set up as an action plan for the Town to follow. The Plan Commission and Town Board will need to prioritize the actions. The general function of the Plan Commission will be to assist and advise the Town Board with ordinance development and amendment; review of land division, development, or zoning proposals. It is desirable to have a cross-section of interests on the Plan Commission to best represent the different viewpoints and opinions in the town.
3. Create a development review process. This should be done and coordinated within development of the subdivision ordinance and update(s) to the zoning ordinance.
4. Plan and budget for Plan implementation and maintenance. Successful implementation may require the town to invest both time and money into ordinance development, administration and enforcement; intergovernmental coordination, community education; and plan maintenance.
5. Burnett should contract for services of a land use administrator to expedite the development review process and to coordinate local zoning and land use permits.
6. Work with Dodge County to clarify and balance roles and responsibilities for planning and regulation within the Town of Burnett. As an example, when a land division is submitted at the county, make sure the county knows to tell the applicant that the Town of Burnett will need to review the land division and the applicant must contact the town clerk to get on the Plan Commission agenda. The same scenario applies for rezonings, conditional uses, and commercial permit applications.
7. Provide a local point of contact to respond to inquiries related to town planning and development regulations (typically the Plan Commission or Town Clerk).
8. Ensure that town policies, ordinances, and decisions are made in conformance with the Town of Burnett Year 2030 Comprehensive Plan.
9. Monitor the effectiveness of the Town of Burnett Year 2030 Comprehensive Plan by reporting annually (at annual meeting for example) to town residents on plan implementation. At a minimum, the report should include: an update on completed and unfinished action plan items; annual work schedule for plan implementation; and summary of town development activity (e.g., land divisions, building permits, zoning permits, etc.).
10. Develop a Town of "Burnett Procedures Manual" which establishes policies relative to processing of town permits and approvals, intergovernmental coordination, bidding etc. When a new Town Board or Plan Commission member is appointed/elected, the procedures help explain how the town manages its business.
11. Conduct a comprehensive review of the land use plan every two years, or as necessary as conditions warrant.

Timeline: The items above are numbered by relative importance to the timeline for implementing the administrative components of development review.

9.3 Additional Implementation Tools for Town Consideration

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.

Dodge County Status

There is a Planned Unit Development Overlay District within Dodge County Land Use Code.

Town of Burnett Status/Recommendation(s)

Status: Planned Unit Developments are considered a conditional use in most zoning districts.

Recommendation(s): PUD’s should be allowed as conditional uses in all zoning districts except any proposed Agricultural District or Conservancy District. PUD is intended to permit the development of planned developments containing not less than ten (10) contiguous acres under one ownership or control. Within such planned communities, the location of all residential, commercial, industrial, governmental uses, school sites, parks, playgrounds, recreation areas, parking areas and other open spaces shall be indicated on a site plan and controlled in such a manner as to permit a variety of housing accommodations and land uses in orderly relationship to one another. The PUD provisions should be completed in conjunction with zoning ordinance updates.

Building and Housing 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.

Dodge County Status

The County has not adopted a building code or housing code.

Town of Burnett Status/Recommendation(s)

Status: Burnett is required by state statute to enforce the uniform dwelling code and has hired building inspector services for residential inspection services.

Recommendation(s): It is recommended the Town monitor the building inspection and enforcement process.

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.

Dodge County Status

The Dodge County Land Use Code contains provisions that regulate the width and spacing of driveways.

Town of Burnett Status/Recommendation(s)

Status: The Town Zoning Ordinance contains provisions that regulate the width and location of driveways.

Recommendation(s): Driveway provisions should be assessed when the zoning ordinance is updated and should consider adding minimum driveway construction and design standards.

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 which are planned to be expanded. 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.

Dodge County Status

The Dodge County Comprehensive Plan shows the location of future roads and parks.

Town of Burnett Status/Recommendation(s)

Status: Burnett has not adopted an official map. However, the Burnett Future Land Use Map shows the location of future roadways in the unincorporated village area.

Recommendations: The Town may want to consider an official map to generally designate future roadway locations. The Town should also use Area Development Plans submitted during development review to assess future road layouts.

Overlay Zoning

Overlay zones allow special regulations within all or a portion of a zoning district or several districts. This type of zoning can be helpful if there is one particular resource that needs to be protected a consistent way, regardless of what district it is located in.

Dodge County Status

The Dodge County Land Use Code contains 11 Overlay Zoning Districts. The Overlay Districts are as follows: Shoreland Wetland; Floodplain; Environmental Protection; Airport; Highway Setback; Planned Unit Development; Land Spreading of Petroleum Contaminated Soil; Wireless Communication Facilities; Sanitary Facilities; Wind Energy System; and Nonmetallic Mining Reclamation.

Town of Burnett Status/Recommendation(s)

Status: Burnett has adopted the Highway Setback, Wireless Communication Facilities and Land Spreading of Petroleum Contaminated Soil Overlay Districts from the Dodge County Land Use Code.

Recommendation(s): It is recommended the Town continue to utilize the County Land Use Code where possible.

Extraterritorial Plat Review

State Statutes allow an incorporated village or city to extend Extra Territorial Plat Review over surrounding unincorporated areas. The extra territorial area extends for one and one-half miles for Villages and Cities with a population under 10,000. For cities over 10,000 the area extends to three miles. 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).

Dodge County Status

The cities and villages in Dodge County utilize extraterritorial plat review.

Town of Burnett Status/Recommendation(s)

Status: In the Town of Burnett the two municipalities with extra territorial jurisdiction are the City of Beaver Dam and the City of Horicon. Due to proximity to the Town, land division review is not exercised by either city.

Recommendation(s): Monitor the activity of land division review by Beaver Dam and Horicon. This should not be an issue assuming the density provisions are adopted in the agricultural area as the lot size and density will alleviate any potential issues.

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.

Dodge County Status

In Dodge County, the only cooperative boundary agreement in effect is between the City of Watertown and the Town of Emmet.

Town of Burnett Status/Recommendation(s)

Status: There is no extraterritorial review currently applied in Burnett.

Recommendation(s): In the event the surrounding cities start to review land divisions in Burnett, the Town may want to consider developing an agreement that addresses land use regulations between the jurisdictions. The priority of this activity is very low and is not anticipated to be an issue over the planning period.

Specialized Ordinances

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

Right-To-Farm Ordinance

Right-to-farm laws are designed to accomplish one or both of the following objectives: 1) to strengthen the legal position of farmers when neighbors sue them for a private nuisance; and 2) to protect farmers from anti-nuisance ordinances and unreasonable controls on farming operations. Most laws include a number of additional protections. Right-to-farm provisions may also be included in state zoning enabling laws, and farmers with land enrolled in an agricultural

district may have stronger right-to-farm protection than other farmers. A growing number of counties and towns are passing their own right-to-farm legislation to supplement the protection provided by state law.

The common law of nuisances forbids individuals from using their property in a way that causes harm to others. A private nuisance refers to an activity that interferes with an individual's reasonable use or enjoyment of his or her property. A public nuisance is an activity that threatens the public health, safety or welfare, or damages community resources, such as public roads, parks, and water supplies.

Right-to-farm laws are intended to discourage neighbors from suing farmers. They help established farmers who use good management practices prevail in private nuisance lawsuits. They document the importance of farming to the state or locality and put non-farm rural residents on notice that generally accepted agricultural practices are reasonable activities to expect in farming areas. Some of these laws also limit the ability of newcomers to change the local rules that govern farming. Local right-to-farm laws often serve an additional purpose: They provide farm families with a psychological sense of security that farming is a valued and accepted activity in their town.

Dodge County Status

The Dodge County Land Use Code contains a right-to-farm section that is intended to protect and encourage the continued use and improvement of agricultural land.

Town of Burnett Status/Recommendation(s)

Status: The Town has not adopted a right-to farm ordinance.

Recommendation(s): The need for adopting local regulations was discussed during the planning process. The Town felt the right to farm was inherent in the agricultural density provisions proposed in this document. However, the Town may want to consider the need to establish local regulations or guidelines.

Telecommunications Ordinance

Ordinances can be used to minimize the visual effects of towers, maximize the capacity of existing towers and reduce impacts to adjacent properties. Local governments cannot unilaterally prohibit cell towers by ordinance, zoning or any other means. However, local governments can enact ordinances to prohibit towers from certain specially identified areas, regulate tower height, specify minimum setbacks, require collocation strategies, and encourage landscaping and disguising techniques. An important benefit of having a telecommunications ordinance is that it provides decision-making consistency and decreases the chances of discrimination against a particular company. The ordinance provides a basis for conditional use provisions or denials. The Telecommunications Act of 1996 requires all denials to be in writing and supported by sufficient evidence. Telecommunication ordinances seek to balance business and industry needs with community character, aesthetics and resident needs.

Dodge County Status

The Wireless Communication Facilities Overlay District within the County Land Use Code regulates telecommunication towers.

Town of Burnett Status/Recommendation(s)

Status: Burnett has adopted the County's Wireless Communication Facilities Overlay District.

Recommendation(s): It is recommended the Town continue to utilize the County code.

Utility Accommodation Ordinance

The state, county and local governments operate road systems to provide a safe and convenient means for the vehicular transportation of people and goods, and utility companies provide essential services to the public. Both the governments and utility companies typically provide facilities which consider present as well as future needs. Cooperation between these two entities is essential if the public is to be served at the lowest possible cost. Although the governments should strive to accommodate utility facilities whenever possible, the permitted use and occupancy of the road right-of-way for non transportation purposes is subordinate to the primary interests and safety of the traveling public. The purpose of a utility accommodation policy or ordinance is to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy any road right-of-way or bridge within the government's jurisdiction. The policy should apply to all public and private utilities.

Dodge County Status

The County utilizes a permitting procedure for any construction or use of County Right-of-Way.

Town of Burnett Status/Recommendation(s)

Status: There is no overriding County code that applies in the Town of Burnett, and the Town does not have a utility permit for Town Right-of-Way.

Recommendation(s): The Town may want to consider adopting provisions of this idea into the local zoning code or land division ordinance when developed or updated.

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 (5) broad areas. They include:

- ♦ Noxious weeds.
- ♦ Environmental health.
- ♦ Morality (sexually oriented businesses).
- ♦ Public safety and peace.
- ♦ Junk vehicle or equipment.

Dodge County Status

The County Land Use Code contains a section on operational compatibility standards and also regulates junk vehicles.

Town of Burnett Status/Recommendation(s)

Status: Burnett has adopted a noxious weeds ordinance. Junk vehicles and equipment are regulated through the zoning ordinance.

Recommendation(s): The nuisance ordinance should be evaluated when the Town is updating the zoning code. Enforcement of such provisions typically is the key ingredient to having a useful ordinance. The Town should also evaluate the capacity to enforce local ordinance regulations and create the mechanism to enforce violations as necessary.

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.

Dodge County Status

Signs are regulated through the Dodge County Land Use Code.

Town of Burnett Status/Recommendation(s)

Status: Signs are regulated through the zoning ordinance.

Recommendation(s): The Town should evaluate the sign ordinance provisions as part of the zoning code update.

Historic Preservation Ordinances

The objectives of a comprehensive plan which 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 an historic preservation ordinance to regulate historic or archeological landmarks and historic districts in an effort to preserve those landmarks.

Dodge County Status

Dodge County has not adopted a historic preservation ordinance.

Town of Burnett Status/Recommendation(s)

Status: Burnett has not adopted a historic preservation ordinance.

Recommendation(s): The Town should encourage historic preservation for applicable buildings as preservation can be an important element to sustaining a community's character.

Design Review

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 which 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.

Dodge County Status

Design review standards are included as part of the County Land Use Code.

Town of Burnett Status/Recommendation(s)

Status: Design review standards are included as part of the zoning ordinance.

Recommendation(s): The Town should consider reviewing building design as part of the site plan requirements for new commercial or industrial development. Design should be compatible with the surrounding architecture. Typically a town like Burnett may not care about internal layouts, but may have some concern over building materials, color, or height. Burnett should discuss the importance of this issue and incorporate design provisions as locally desired into the revised zoning code.

Other Ordinances

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 in fire regulation 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 snowmobile, 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 landspreading of certain wastes.

Dodge County Status

The Dodge County Land Use Code regulates billboards, mobile home parks, meeting procedures, large events, and landspreading of petroleum contaminated soils.

Town of Burnett Status/Recommendation(s)

Status: Burnett has regulations in the zoning code regarding billboards & mobile home parks. The Town also has stand alone ordinances for meeting procedures, landspreading of petroleum contaminated soils, weight limits on town roads, and dogs running at large.

Recommendation(s): The Town should evaluate the need or additional ordinances, if any, in terms of ordinance administration and enforcement.

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 Dodge County, intergovernmental agreements have been used to execute cooperation between communities for services such as fire and emergency rescue.

Dodge County Status

Mutual aid agreements exist between communities throughout the county to address police, fire, and ambulance service. Other informal and formal agreements exist between communities to address sharing services and facilities such as parks, road maintenance, snowplowing, and library funding.

Town of Burnett Status/Recommendation(s)

Status: Ambulance service is provided by the City of Horicon, with the City of Juneau providing backup service.

Recommendation(s): Continue to monitor the effectiveness of the existing intergovernmental agreements.

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.

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 which 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 over the next few years, usually 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.

Dodge County Status

The County adopts a five year capital improvement program annually.

Town of Burnett Status/Recommendation(s)

Status: Burnett does not prepare a capital improvement program.

Recommendation(s): 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. The Town is also encouraged to research and apply for

state and federal grant money where available as determined by the applicable Capital Improvement Plan.

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.

Dodge County Status

The County charges a park and recreation fee (\$200 as of January, 2005) for each new residential lot or new housing unit created.

Town of Burnett Status/Recommendation(s)

Status: Burnett does not charge any type of impact fee.

Recommendation(s): This provision could be included in the proposed subdivision ordinance as discussed in section 9.2 for parks and recreation. The Burnett Sanitary District also has a connection fee. The use of impact fees can be very beneficial but needs to be directly related to an established provision in a town ordinance.

Tax Increment Financing Districts (TID)

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 village 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, improved rail connections, and more are needed to create new or expanded tourism, agricultural, and forestry projects. An example of the type of project this tool could be used for is 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 towns similar authority for tax incremental financing as cities and villages, but 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 a part of the “Grow Wisconsin” efforts of the current Administration and the Assembly Republican “Agriculture Renewal” initiative.

Dodge County Status

Not applicable.

Town of Burnett Status/Recommendation(s)

Status: Burnett has not established a Tax Increment Financing District.

Recommendation(s): It is recommended this tool be evaluated for applicability in the event the town has a large development proposal or can justify the need.

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.

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.

Purchase of Development Rights (PDR)

The purchase of development rights is a land conservation tool that communities can use to protect important natural resources such as farmland, hillsides, and wetlands. Under a PDR program, a unit of government (city, village, town, county, or state) or a nonprofit conservation organization (such as a land trust) purchases a conservation easement that limits the use of the land to accomplish a certain purpose, including protecting the land from development. The rights purchased are recorded in a conservation easement. PDR programs are voluntary and participants retain ownership of their land. They can sell or transfer their property at any time; but, because of the easement, the land is permanently protected from certain types of development.

9.5 Integration and Consistency of Comprehensive Plan 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 *Town of Burnett Town of Burnett Year 2030 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 condition will increase, therefore requiring amendments and/or updates to be made. Over time, additional plans regarding specific features within the community may also be developed (i.e. outdoor recreation plan, farmland preservation plan, and downtown development plan). The process used to develop any further detailed plans should be consistent with this *Town of Burnett Year 2030 Comprehensive Plan*.

9.6 Mechanisms to Measure Comprehensive Plan 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 to measure progress toward achieving all aspects of the comprehensive plan is to evaluate two primary components. The two components, policies and recommendations, 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, Burnett has listed a policy under Section 4, Utilities and Community Facilities element, which states, “Development should be focused into the Burnett Sanitary District to maximize capacity of the utility”. 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 how many new houses or businesses were built in the Town, and how many of those structures have been constructed in the sanitary district since the plan’s adoption. 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

The Town of Burnett Plan Commission should regularly evaluate its progress towards 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 planning tool upon which decisions are based.

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

9.8 Comprehensive Plan Updates

Comprehensive planning statutes require that the comprehensive plan be updated at least once every ten years. An update requires revisiting the entire planning document. Unlike an amendment, an update is often a substantial re-write of the text, 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, new or removed language.

9.9 Implementation Goals and Objectives

The following are the goals and objectives developed by the Town of Burnett Joint Planning Committee regarding implementation.

Goal: 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, Town Board, and other jurisdictions with the administration of the comprehensive plan.
2. Encourage citizen participation in order to increase local input in the decision making process.
3. Modify and tailor the Town Zoning Ordinance to implement the Comprehensive Plan.
4. Consider adopting a Town Land Division Ordinance that supports the spirit and intent of the Burnett Comprehensive Plan.

5. Create an encompassing implementation strategy that prioritizes Town actions and provides a full complement of resources for consideration.

9.10 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 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 that direct action using the word “should” are advisory and intended to serve as a guide.

Policies

1. The town will utilize the “Action Plan” as part of the Implementation element to identify and prioritize short and long-term work tasks that will contribute to fulfillment of the plan.
2. The town will encourage citizen input in the decision-making process by considering alternatives to traditional posting methods, such as a newsletter or official town website.
3. Land use controls, such as land division ordinance or zoning ordinance, shall be consistent with the policies and recommendations of the comprehensive plan.
4. The Plan Commission shall have the responsibility to make recommendations to the Town Board regarding land use and development proposals.
5. The town will implement a land division ordinance to regulate and control the division of land within the limits of the town.
6. The Town Board and Plan Commission shall enforce plan goals, objectives, policies, recommendations, and programs.

Recommendations

The recommendations and specific actions or projects that the Town of Burnett should pursue are listed in the sections 9.1 -9.3 in this document. The completion of these actions and projects are consistent with the community’s policies, and therefore will help fulfill the comprehensive plan goals and objectives.

9.11 Implementation Programs

The programs listed in Sections 9.1 – 9.3 are currently utilized by the Town of Burnett or are available for use by the community to implement the goals, objectives, policies, and recommendations identified.