

CHAPTER 9 Implementation Element

66.1001 (2)(i) Wis. Stat:

Implementation element. A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinance, official maps, or subdivision ordinances, to implement the objectives, policies, plans and programs containing in par. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

66.1001 (1) Definitions. In this section:

(a) "Comprehensive Plan" means:

- 1. For a county, a development plan that is prepared or amended under s. 59.69(2) or (3)*
- 2. For a city or village, or for a town that exercises village powers under s. 60.22(3), a master plan that is adopted or amended under s. 62.23(2) or (3)*
- 3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0303 (8), (9) or (10)*

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

This Plan is intended to be used as the guide for future development decisions. Its real value, however, will be measured in the results it produces. Specific implementation measures must be taken to accomplish the goals, objectives and policies of the Portage County Comprehensive Plan.

Section 9.1 Comprehensive Plan Adoption Procedures

The Wisconsin State Statutes establish the manner in which a Comprehensive Plan must be adopted by a community:

66.1001(4) Procedures for adopting Comprehensive Plans. *A local governmental unit shall comply with all of the following before its Comprehensive Plan may take effect:*

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a Comprehensive Plan and shall provide an opportunity for written comments on the Plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments.

(b) The Plan Commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a Comprehensive Plan only by adopting a resolution by a majority vote of the entire commission. The vote shall be recorded in the official minutes of the Plan Commission or other

body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted Comprehensive Plan, or of an amendment to such a Plan, shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
2. The Clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described in [par. \(b\) \(intro.\)](#).
3. The Wisconsin Land Council.
4. After September 1, 2003, the Department of Administration.
5. The Regional Planning Commission in which the local governmental unit is located.
6. The public library that serves the area in which the local governmental unit is located.

(c) No Comprehensive Plan that is recommended for adoption or amendment under [par. \(b\)](#) may take effect until the political subdivision enacts an ordinance or the Regional Planning Commission adopts a resolution that adopts the plan or amendment. The political subdivision may not enact an ordinance or the Regional Planning Commission may not adopt a resolution under this paragraph unless the Comprehensive Plan contains all of the elements specified in [sub. \(2\)](#). An ordinance may be enacted or a resolution may be adopted under this paragraph only by a majority vote of the members-elect, as defined in [s. 59.001 \(2m\)](#), of the governing body. An ordinance that is enacted or a resolution that is adopted under this paragraph, and the plan to which it relates, shall be filed with at least all of the entities specified under [par. \(b\)](#).

(d) No political subdivision may enact an ordinance or no regional planning commission may adopt a resolution under [par. \(c\)](#) unless the political subdivision or Regional Planning Commission holds at least one public hearing at which the proposed ordinance is discussed. That hearing must be preceded by a class 1 notice under [ch. 985](#) that is published at least 30 days before the hearing is held. The political subdivision or Regional Planning Commission may also provide notice of the hearing by any other means it considers appropriate. The class 1 notice shall contain at least the following information:

1. The date, time and place of the hearing.
2. A summary, which may include a map, of the proposed Comprehensive Plan or amendment to such a Plan.
3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.
4. Information relating to where and when the proposed Comprehensive Plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.

As previously stated in this plan, the Portage County Comprehensive Planning process took place as part of a larger County-wide planning effort (see the Introduction section of this document). These concurrent and complementary County and local planning efforts began in June 2001. On July 25, 2001, the Portage County Comprehensive Planning Joint Steering Committee adopted the Portage County Comprehensive Plan Public Participation Plan. This extensive document detailed the many ways and opportunities that citizen input would be encouraged and facilitated throughout the formulation of the Comprehensive Plans across Portage County.

The Portage County Comprehensive Plan Rural Steering Committee held the following meetings to discuss the different elements that make up this Comprehensive Plan:

March 27, 2002	November 20, 2002	November 30, 2005
April 24, 2002	March 26, 2003	January 11, 2006
May 2, 2002	April 23, 2003	January 25, 2006
May 22, 2002	June 25, 2003	February 8, 2006
June 26, 2002	October 29, 2003	February 22, 2006
July 24, 2002	August 31, 2005	March 8, 2006
September 25, 2002	September 28, 2005	March 22, 2006
October 23, 2002	October 26, 2005	

Each of these meetings was open to the public and officially noticed, being posted at the Portage County Courthouse / Annex and listed in Stevens Point Journal newspaper. The Rural Steering Committee recommended the Plan to the Portage County Planning and Zoning Committee for consideration on March 22, 2006, with copies of the recommended draft made available for inspection at Portage County Clerks Office, Charles White Library in Stevens Point, Portage County Public Branch Libraries in the Villages of Plover, Almond, and Rosholt, the Lettie Jensen Library in Village of Amherst, and Portage County Planning and Zoning offices, as well as being posted for viewing on the Portage County Comprehensive Planning website. A public hearing was held before the Planning and Zoning Committee on April 27, 2006, and the Comprehensive Plan was officially adopted by the Portage County Board of Supervisors by majority vote at the May 16, 2006 County Board meeting.

Section 9.2 Comprehensive Plan Implementation

Wisconsin State Statute 66.1001(3) establishes the actions that must be based on the adopted comprehensive plan (2003 Wisconsin Act 233 revised the original list of items to meet the consistency requirement) to include:

(3) Actions, procedures that must be consistent with Comprehensive Plans. Beginning on January 1, 2010, if a local governmental unit engages in any of the following actions, those actions shall be consistent with that local governmental unit's Comprehensive Plan:

- (g) Official mapping established or amended under [s. 62.23 \(6\)](#).*
- (h) Local subdivision regulation under [s. 236.45](#) or [236.46](#).*
- (j) County zoning ordinances enacted or amended under [s. 59.59](#).*
- (k) City or Village zoning ordinances enacted or amended under [s. 62.23 \(7\)](#).*
- (l) Town zoning ordinances enacted or amended under [s. 60.61](#) or [60.62](#).*
- (q) Zoning of shorelands or wetlands in shorelands under [s. 59.692](#), [61.351](#) or [62.231](#).*

Portage County administers the Zoning Ordinance for 15 Towns. All Towns are also subject to the County's Shoreland and Floodplain Zoning, Subdivision, Private Sewage, Tower and Nonmetallic Mining Reclamation Ordinances.

Portage County shall undertake a review of these regulatory tools for compatibility and consistency with the various goals and policies of the adopted Comprehensive Plan, and identify any sections of the documents that may need updating. The review period shall commence within 12 months of the initial adoption of the plan. The County recommends revision and final approval for the updated regulatory tools to be completed within 24 months of the County Board adopting the Portage County Comprehensive Plan.

To ensure that this Plan will accomplish its intended goals, more steps will need to be taken beyond simply adopting this document. In general, the plans effectiveness depends upon the commitment of County officials and employees, as well as local residents, to follow through with the policies, recommendations and action plan contained herein.

Action Plan:

The following are specific steps that can be taken to begin the implementation of this Comprehensive Plan. Implementation will be an ongoing process, and with proper procedures put into place, can keep the Plan a current, useful document.

1. Update the County Zoning Ordinance and Map to reflect recommended changes.
 - a. Include a “two-tiered” approach to Conservancy zoning, with different levels of restrictions.
 - b. Develop a “forestry” district that would be similar in intent to that of the Exclusive Agricultural district.
 - c. Determine the need for County-wide sign/billboard ordinance.
 - d. Local municipalities should work with the County Planning and Zoning Department along with the Planning and Zoning Committee and County Board to identify ways to improve the zoning enforcement county-wide.
2. Update the County Subdivision Ordinance to reflect recommended changes.
 - a. Add a “density-based” option within the Subdivision Ordinance.
3. Work in close cooperation with local units of government to amend/update the County’s Zoning and Subdivision Ordinances.
4. The County needs to identify the future needs and alternative housing options for an aging population, and investigate avenues for those services to be provided.
5. The County needs to work with local municipalities to identify local issues regarding mobile homes, as well as strategies for addressing the issues.
6. A committee should be formed to identify and selectively look at County Roads and local roads when they are being upgraded or adding new, and if it is appropriate to include or enhance bike facilities and pedestrian trails. This is particularly important for Old Hwy 18, which is a major route for bicyclists to the east of Stevens Point. A joint effort between Portage County Departments, local municipalities, and private establishments is needed to provide these facilities
7. A study should be conducted to identify and define the needs for rural public transportation, and recommend actions necessary to meet the needs. This needs assessment should be periodically updated.
8. The Planning and Zoning Department will work with the Highway Department to draft an update of the Functional Classification Designations plan for County Board adoption.
9. The Portage County Groundwater Advisory Committee and the Portage County Water Quality specialist will continue to work with local municipalities to achieve the goals and recommendations from the Portage County Groundwater Management Plan
10. Reintroduce the Storm Water Management Ordinance for discussion and adoption. Additional education is needed for citizens regarding the potential problems of building in flood prone areas.
11. Update and study the permit activities and regulations of Portage County as well as review Portage County regulations to safe guard long-term septic system safety and maintenance.

12. The Emergency Management Committee should work with local municipalities to improve police services across the County, reduce response times and increase patrols/coverage, improve ambulance service, and improve radio communication for emergency response County-wide. County Emergency Management Department should periodically meet with local municipal officials to get feedback on emergency services performance.
13. The Portage County Parks Department and Portage County Park Commission must look at long-term County Park and Recreational needs and develop a long-term plan.
14. Educational programs should be developed to inform landowners and town officials of the issues related to ag use/non-ag land use conflicts.
15. Educational programs should be developed to inform landowners and town officials of the issues related to groundwater protection, particularly regarding nitrate and pesticide levels.
16. Pursue full implementation of water resource protection programs and regulations.
17. Portage County should convene an ad hoc group to discuss the locational characteristics of non-metallic resources within the County, the potential points of conflict between mines and surrounding land uses, the needs of the mining industry, and possible State intervention into the regulation of mining operations. This ad hoc group would make policy recommendations to the Portage County Planning & Zoning Committee.
18. Portage County Economic Development Committee to work with local municipalities, as well as the Portage County Business Council, to identify local needs for economic development and promote business development Countywide.
19. Work on public education of how County economic development works, what committees are working on and where residents can take their concerns to be addressed.
20. Define the roles between the Portage County Economic Development Committee, the Portage County Business Council, and different communities.
21. To assure that County ordinances, policies and procedures are updated in a more timely manner, establish a process for reviewing specific ordinances, policies and procedures and identify those that need to be updated. Work with those Portage County Committees and Departments that update the identified ordinances, policies, and procedures.
22. The Comprehensive Planning Rural Area Steering Committee should remain intact to function as a discussion group to forward recommendations on specific topics to the Planning and Zoning Committee or County Board.
23. Continue planning assistance from the County to municipal units of government.
24. Annual review Comprehensive Plan Goals, Objectives, and Policies.
25. Work in close cooperation with local units of government to amend/update various County planning documents.
26. Educational programs should be developed to inform landowners and loggers of the issues related to tree disease and invasive species management

Section 9.3 Integration, Amendment, and Update of Comprehensive Plan Elements

A. Integration

The goals and policies contained within the preceding eight elements (chapters) of this Comprehensive Plan, along with the accompanying inventory and analysis, have been thoroughly reviewed and approved by the Portage County Planning and Zoning Committee and Portage County Board. Throughout the drafting and review process, great care was taken to include all issues and concerns from Board and Committee members, as well as from the community at large. Special attention was then given to making sure that the policies required to address the individual issues or concerns did not conflict, either with each other within the chapter, or between the different chapters. The future revision of any Comprehensive Plan goal, objective, or policy shall receive the same level of deliberation and analysis as the original Plan; special attention shall be given so that the new adopted language does not create conflicts within or between chapters.

B. Plan Amendment and Update

As cited at the beginning of this chapter, State Statute section 66.1001(2)(i), states that the Comprehensive Plan shall be updated no less than once every 10 years. To comply with this requirement, the Portage County Board will need to undertake a complete update of this nine-chapter document and appendices by the year 2015. The County may commence the update at any time prior to 2015 as County conditions or needs change.

Smaller-scale amendments to portions of the Comprehensive Plan may also be considered by the County Board at any time. The public shall be notified of any proposed changes and allowed the opportunity to review and comment. The County should consider residents' opinions in evaluating a proposed change. The procedure for amendment and update will be the same as original Plan adoption outlined in Section 9.1 above, and as follows.

1. Amendment Initiation

The following may submit an application for a Comprehensive Plan amendment:

- Portage County Board
- County Planning and Zoning Committee
- Any person having title to land within the County
- Any person having a contractual interest in land to be affected by a proposed amendment
- Any agent for the above
- Any County resident **

** The Planning and Zoning Committee must then determine if the request is in the County's best interest; if so, the Planning and Zoning Committee would move forward with the request; if not, then the Planning and Zoning Committee would deny it. **Any request changes to future land use designations must be processed and acted upon by the specific Town Plan Commission and Board prior to submittal to Portage County.**

The applicant that proposes an amendment to the Future Land Use Map shall have the burden of proof to show that the proposed amendment is in the public interest and internally consistent with the remainder of the Plan.

2. Application and Review Procedure

The amendment process described in Section 9.1 shall also include the following steps:

- a. **Submittal of Application.** The applicant shall submit a complete application to the Portage County Planning and Zoning Department, along with any applicable application fees. A copy of the application shall be forwarded by Planning and Zoning Department staff to each member of the County Planning and Zoning Committee.
- b. **Application Review.** The Planning and Zoning Committee shall hold a public hearing on the request, per State Statute requirements. The Committee shall then review the request for compliance with the Comprehensive Plan. Upon conclusion of their review, Planning and Zoning Committee shall make a written recommendation to the County Board for either approval or denial. This recommendation shall include findings of fact to justify the recommendation.
- c. The Portage County Board, after reviewing the request, Planning and Zoning Committee recommendation, and comments from the public hearing, shall make a decision to deny the proposed amendment; approve the proposed amendment; or approve the amendment with revision(s) that it deems appropriate. Such revisions to the proposed amendment shall be limited in scope to those matters considered in the public hearing.
- d. **Update History of Adoption and Amendment.** The Planning and Zoning Department staff shall establish a table entitled “History of Adoption and Amendment” for the purpose of keeping records on Plan amendments.

3. Application Requirements

- a. An application submitted by a resident/landowner/agent to amend the Future Land Use Map shall include the following:
 - A scaled drawing of the subject property.
 - A legal description of each of the parcels in the subject property.
 - A map of existing land uses occurring on and around the subject property.
 - A written description of the proposed change.
 - A written statement outlining the reason(s) for the amendment.
 - Other supporting information the County or applicant deems appropriate.
- b. **Other Amendments.** For all other types of amendments, including requests from Town Boards, the application shall include the following:
 - A written description of the proposed change.
 - A written statement outlining the reason(s) for the amendment.
 - Other supporting information the County or applicant deems appropriate.

4. Special Considerations for Plan Amendments

- a. **Internal Consistency.** Amendments shall be made so as to preserve or enhance the internal consistency of the entire Comprehensive Plan.

- b. Granting special privileges or placing limitations is not permitted. No amendment to change the Future Land Use Map shall contain special privileges or rights or any conditions, limitations, or requirements not applicable to all other lands in the district.
- c. The amendment shall not create an adverse impact on adjacent land/land uses.
- d. The amendment shall not create an adverse impact on public facilities and services.

Section 9.5 Monitoring/Formal Review of the Plan

To assure that this Comprehensive Plan will continue to provide useful guidance regarding development within the County, the Portage County Planning Department along with the County Planning and Zoning Committee must periodically review and amend the Plan to ensure that it remains relevant and reflects current County values and priorities.

In order to achieve this, the County Planning and Zoning Committee Chair shall request, at least once every year, to place the performance of the Comprehensive Plan on the agenda of a regular or special Planning and Zoning Committee meeting for discussion and recommendation to the County Board. Discussion should include a review of the number and type of amendments approved throughout the previous year, as well as those that were denied. This information serves to gauge the adequacy of existing policies; multiple changes indicate policy areas in need of re-assessment. Other topics would include changes to either the development market or residents' attitudes and values toward different aspects of County life. As a result of this discussion, the Planning and Zoning Committee would recommend either no change to the Plan, or one or more specific changes that should be addressed. At this point the process detailed in Sections 9.1 and 9.4 above would commence.