

The implementation of the Town of Shelby comprehensive plan involves decision-making by both public officials and the citizens of the community. These decisions will be measured by the concern for the welfare of the general community; the willingness to make substantial investments for improvement within the community, and the realization that certain procedures must be followed and adhered to for the continued high quality environment found within the Town. Suggested implementation measures include:

- The implementation and enforcement of regulatory ordinances and non-regulatory activities based on the goals and objectives identified in the comprehensive plan.
- The development of programs and support systems that further the goals and objectives set forth by the Town in this plan.
- The establishment and support of a continued planning process providing for periodic review and updates to the plan and land use control measures.
- The support of committees and local organizations to carry out specific community improvements as identified in the comprehensive plan.

Summary of Key Planning Issues and Opportunities

The following list summarizes many of the key issues identified by the Visioning Forums and Town Survey. Issues also reflect observed liabilities and comments made through the planning development process.

Planning for “Agricultural Transition” Lands

“Agricultural Transition” refers to a zoning district in place in the Town. The purpose of this district is to provide the orderly transition of agricultural lands for eventual urban development. The purpose statement of the ordinance indicates that the suitability of any transition should be reviewed every five years and reflected in the Town’s land use policies. The current Town policy allows a set percentage to be developed at a time.

Implementing the Concept of “Green Space”

One of the most frequent responses during the Town Vision Forum was to preserve Shelby’s “green space”. A related response was to include additional open space in new development. Several implementing tools, programs, and ordinances are available. A key part of the process is to determine the extent of preservation areas and the most feasible tools to use.

Better Intergovernmental Relationships and Planning

One of the key issues raised in each of the public meetings is improving cooperation between the communities, especially La Crosse and Shelby.

Environmental and Bluff Land Protection

There are numerous ordinances and programs that seek to protect the environmental resources in the Town. A review of these tools should take place to determine if any program or ordinance needs expansion- based on confirmation of the plan’s goals and objectives.

Promote Regional Trail and Park Planning

The public input (gathered to date) indicates a need to better connect the region’s trail and park systems. Comments indicate that this needs to support both recreational and transportation needs.

Balancing public interest and private property rights

The need to balance public interest and private property rights is a goal stated by the State. Land use decisions should consider equitable and defensible growth management strategies.

9.0 Implementation Tools

Implementation Tools include the rules, policies, and ordinances used to facilitate or control for a desired outcome. Examples include zoning, subdivision, and official mapping, or the availability of certain incentives. This section includes both regulatory and non-regulatory measures.

9.1 Regulatory Measures

The following regulatory measures can be used to guide development and implement the recommendations of a comprehensive plan. The Town Board officially adopts these regulatory and land use control measures as ordinances (or as revisions to the existing ordinances). For the purposes of this document, “regulatory measures” are those that must be adhered to by everyone if adopted.

9.1.1 Zoning Ordinance

Zoning is used to guide and control the use of land and structures on land. In addition, zoning establishes detailed regulations concerning the areas of lots that may be developed, including setbacks and separation for structures, the density of the development, and the height and bulk of building and other structures. The general purpose for zoning is to avoid undesirable side effects of development by segregating incompatible uses and by maintaining adequate standards for individual uses.

The establishment of zoning districts is generally conducted after careful consideration of the development patterns indicated in the comprehensive plan. Amending zoning district boundaries has the overall effect of changing the plan (unless amendments correspond to changes within the plan), therefore, it is reasonable to assume that indiscriminate changes may result in weakening of the plan. La Crosse County controls the content of the zoning ordinance and the Town of Shelby along with the county determine the local district map. These decisions are preceded by public hearings and plan commission recommendations.

Action: The existing La Crosse County ordinance is sufficient for current usage. However, amendments may become necessary to implement portions of this plan.

9.1.2 Official Maps

An official map shows the location of areas which the municipality has identified as necessary for future public streets, recreation areas, and other public grounds. By showing the area on the Official Map, the municipality puts the property owner on notice that the property has been reserved for future taking for a public facility or purpose. The municipality may refuse to issue a permit for any building or development on the designated parcel; however, the municipality has one year to purchase the property upon notice by the owner of the intended development.

There are no immediate plans for the Town to draft an official map. However, should local officials want to ensure consistency of the Future Land Use Plan with capital improvements, an official map should be drafted. For areas within the extraterritorial area of the City of La Crosse, the official map must be developed jointly.

Action: Adopt an official map at which time changes in the rate of development require increased long-term infrastructure planning. Involve the City of La Crosse for locations within the extraterritorial area

9.1.3 Sign Regulations

Local governments may adopt regulations, such as sign ordinances, to limit the height and other dimensional characteristics of advertising and identification signs. The purpose of these regulations is to promote the well-being of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding the rights of the people in the community to a safe, healthful and attractive environment.

Shelby does not currently have local sign regulations, however within the county zoning ordinance there are provisions to regulate for type, bulk and setback. In the future there may be need to develop local regulations if the county regulations lack the specificity Shelby requires. This is especially true for subdivision signage.

Action: Continue to utilize current standards. Monitor community desire for increased standards as determined through complaint or request basis.

9.1.4 Erosion/Stormwater Control Ordinances

The purpose of stormwater or erosion control ordinances is to set forth stormwater requirements and criteria which will prevent and control water pollution, diminish the threats to public health, safety, welfare, and aquatic life due to runoff of stormwater from development or redevelopment. Adoption of local ordinances for stormwater do not pre-empt more stringent stormwater management requirements that may be imposed by WPDES Stormwater Permits issued by the Department of Natural Resources under Section 147.021 Wis, Stats.

The Town of Shelby has adopted the La Crosse County Erosion Control Ordinance.

Action: Continue to utilize the county ordinance until such time that more stringent requirements are preferred to control for increased stormwater pressures brought about by new development.

9.1.5 Overlay Districts (Viewshed)

An overlay district is an additional zoning requirement that is placed on a geographic area but does not change the underlying zoning. Overlay districts have been used to impose development restrictions or special considerations on new development. For the Town of Shelby, these may include special requirements for commercial buildings along highway corridors or regulations to preserve “viewsheds”. No current overlays exist within the town.

Action: Determine demand for additional regulations to control for design within highway commercial areas and viewshed regulations.

9.1.6 Building/Housing Codes

The Uniform Dwelling Code (UDC) is the statewide building code for one- and two-family dwellings built since June 1, 1980. As of January 1, 2005, there is enforcement of the UDC in all Wisconsin municipalities. The UDC is primarily enforced by municipal or county building inspectors who must be state-certified. In lieu of local enforcement, municipalities have the option to have the state provide enforcement through state-certified inspection agencies for just new homes. Permit requirements for alterations and additions will vary by municipality. Regardless of permit requirements, state statutes require compliance with the UDC rules by owners and builders even if there is no enforcement.

Shelby enforces the states Uniform Dwelling Code.

Action: Shelby continues to require builders follow State building codes for all structures built within the jurisdiction.

9.1.7 Mechanical Codes

In the State of Wisconsin, the 2000 International Mechanical Code (IMC) and 2000 International Energy Conservation Code (IECC) have been adopted with Wisconsin amendments for application to commercial buildings.

Action: Shelby requires builders follow state building and mechanical codes for all structures built within the jurisdiction.

9.1.8 Sanitary Codes

The Wisconsin Sanitary Code (WSC), which is usually enforced at the county-level, provides local regulation for communities that do not have municipal sanitary service. The WSC establishes rules for the proper siting, design, installation, inspection and management of private sewage systems and non-plumbing sanitation systems.

Action: Work with developers and government agencies to explore alternative sanitary sewer technologies.

A portion of the Town of Shelby is within the City of La Crosse Sanitary District. Requirements for connection to this system are detailed in Chapter VI: Sanitary and Storm Sewers (C. La Crosse Municipal Code).

Action: No town action required within the district.

9.1.9 Land Division Ordinance

Land division regulations serve an important function by ensuring the orderly growth and development of unplatted and undeveloped land. These regulations are intended to protect the community and occupants of the proposed subdivision by setting forth reasonable regulations for public utilities, storm water drainage, lot sizes, street design open space, and other improvements necessary to ensure that new development will be an asset to the Town. The Town Board makes the final decisions on the content of the subdivision ordinance. These decisions are preceded by public hearings and recommendations of the plan commission.

The Town of Shelby has a locally adopted subdivision ordinance. It does not contain regulations for development of a conservation subdivision.

Action: Review and update existing Town subdivision ordinances to reflect concepts outlined in this plan.

9.1.10 Shoreland Zoning

La Crosse County regulates shorelands within its jurisdiction. The zoning code controls for water pollution, protects spawning grounds for fish and aquatic life, controls building sites including placement of structures and land uses, and preserves natural shore cover. The Town of Shelby has adopted La Crosse County's Shoreland Zoning Ordinance.

Action: Continue to utilize county rules and regulations.

9.2 Non-regulatory Measures

The following non-regulatory measures can be used to guide development and implement the recommendations of a comprehensive plan. These measures often exist as policies or as special

incentives available to willing participants. For the purposes of this document, “non-regulatory measures” are meant to encourage a particular practice, but not legislate it.

9.2.1 Capital Improvement Plan

This is an ongoing financial planning program intended to help implement planning proposals. The program allows local communities to plan for capital expenditures and minimize unplanned expenses. Capital improvements or expenditures are those projects that require the expenditure of public funds for the acquisition or construction of a needed physical facility.

Capital improvement programming is a listing of proposed projects according to a schedule of priorities over the next few years. It identifies needed public improvements, estimates their costs, discusses means of financing them, and establishes priorities for them over a three-to-five year programming period.

Improvements or acquisitions considered a capital improvement include:

- Public buildings (i.e. – fire and police stations)
- Park acquisition and development
- Roads and highways
- Utility construction and wastewater treatment plants
- Joint school and other community development projects
- Fire and police protection equipment

A capital improvement plan or program is a method of financial planning for these types of improvements and scheduling the expenditures over a period of several years in order to maximize the use of public funds. Each year the capital improvement program should be extended one year to compensate for the previous year that was completed. This keeps the improvement program current and can be modified to the community’s changing needs.

Preparation of a Capital Improvement Program

The preparation of a Capital Improvement Program is normally the joint responsibility between the community administrator or plan commission, various staff, governing body, and citizen commissions. The preparation of a capital improvement program may vary from community to community depending on local preferences, the local form of government and available staff. In communities that have a community development plan or comprehensive plan, a planning agency review of the proposed capital improvement program is desirable.

Shelby does prepare a CIP that is primarily used to schedule street repair.

Action: Continue to utilize an annual system of funding allocation, such as capital improvement plan (CIP), to ensure adequate funding and programming for needed upgrades and repair.

9.2.2 Cooperative Boundary Agreements

These agreements attempt to facilitate problem solving through citizen involvement, negotiation, mediation, and other cooperative methods. Generally, boundary agreements help both an incorporated community and an unincorporated community forecast future lands for annexation so that infrastructure needs can be forecast and funded. They can also ease contentious relationships.

A boundary agreement between the Town of Shelby and City of La Crosse has not yet been created.

Action: Contact the City of La Crosse about establishing a Joint Committee to negotiate the boundary agreement process.

9.2.3 Impact Fees

Impact fees are exactions levied to a developer or homeowner by a municipality to offset the community's costs resulting from a development. To set an impact fee rate an analysis called a Public Facilities Needs Assessment must be performed to quantify the fee. Although counties cannot charge impact fees, many municipalities in La Crosse County would benefit from the revenue created by these fees in implementation of their local plans (eg. paying for development of parks in new residential developments).

The Town of Shelby does not currently collect impact fees for new development.

Action: Determine the need for impact fee exactions over time and develop a Public Facilities Needs Assessment prior to development of the impact fee ordinance.

9.2.4 Site Plan Regulations

A site plan is a detailed plan of a lot indicating all proposed improvements. Some communities have regulations indicating that site plans may need to be prepared by an engineer, surveyor, or architect. Additionally, site plan regulations may require specific inclusions like: General Layout, Drainage and Grading, Utilities, Erosion Control, Landscaping & Lighting, and Building Elevations.

The Town of Shelby does not have sufficient site plan review processes in place. New standards should minimally include standards for applicant submission and review by the Plan Commission.

Action: Create a site plan review procedure that is utilized by the Plan Commission for review of all development applications.

9.3 Consistency Among Plan Elements / 20-Year Vision

The State of Wisconsin planning legislation requires that the implementation element describe how each of the nine-elements will be integrated and made consistent with the other elements of the plan. Since the Town of Shelby completed all planning elements simultaneously, no known inconsistencies exist.

This Comprehensive Plan references previous planning efforts, and details future planning needs. To keep consistency with the Comprehensive Plan the Town should incorporate existing plans as components to the Comprehensive Plan, and adopt all future plans as detailed elements of this Plan.

The Town of Shelby will continue to make educated decisions based upon available information and public opinion. Planning will revolve around the **20-Year Planning Vision** (below) and decisions will incorporate a comprehensive look at all elements to determine appropriate cohesiveness of the decision against stated visions.

20-year Vision

The Town of Shelby will continue to be a community of distinct urban, suburban, and rural areas. Shelby's quality of life is defined by its agricultural resources, natural resources, access to urban amenities, varied neighborhoods, and by its people.

9.4 Plan Adoption, Monitoring, Amendments and Update

9.4.1 Plan Adoption

In order to implement this plan it must be adopted by the Town Planning Commission. After the Commission adopts the Plan by resolution, the Town Board must adopt the plan by ordinance. This action formalizes the plan document as a frame of reference for general development decisions over the next 20 years. Once formally adopted, the Plan becomes a tool for communicating the community's land use policy and for coordinating legislative decisions.

9.4.2 Plan Use and Evaluation

The Town of Shelby will base all of its land use decisions against this Plan's goals, objectives, policies, and recommendations including decisions on private development proposals, public investments, regulations, incentives, and other actions.

The Town of Shelby can expect gradual change in the years to come. Although this Plan has described policies and actions for future implementation, it is impossible to predict the exact future condition of the Town. As such, the goals, objectives, and actions should be monitored on a regular basis to maintain concurrence with changing conditions.

The Plan should be evaluated at least every 5 years, and updated at least every 10 years. Members of the Town Board, Plan Commission, and any other decision-making body should periodically review the plan and identify areas that might need to be updated. The evaluation should consist of reviewing actions taken to the implement the plan visions, goals and objectives. The evaluation should also include an update of the 5-Year Action Plan located within this chapter.

9.4.3 Plan Amendments

The Town of Shelby Comprehensive Plan 2025 may be amended at any time by the Town Board following the same process to amend the plan as it originally followed when it was initially adopted (regardless of how minor the amendment or change is).

Amendments may be appropriate throughout the lifecycle of the Plan, particularly if new issues emerge or trends change. These amendments will typically be minor changes to the plan’s maps or text. Large-scale changes or frequent amendments to meet individual development proposals should be avoided or the plan loses integrity. Any proposed amendments should be submitted to the Planning Commission for their review and recommendations prior consideration by the Town Board for final action.

9.4.4 Plan Update

According to the State comprehensive planning law the Comprehensive Plan must be updated at least once every ten years. As opposed to an amendment, the plan update is a major re-write of the plan document and supporting maps.

9.5 5-Year Action Plan

This 5-Year Action Plan provides a summary list and work schedule of short-term actions that the Town should complete as part of the implementation of the Comprehensive Plan. It should be noted that many of the actions require considerable cooperation with others, including the citizens of Shelby, Town Committees, Town staff, and local/state governments. The completion of recommended actions in the timeframe presented may be affected and or impacted due to competing interests, other priorities, and financial limitations facing the Town. This table should be update every five years.

<i>What</i>	<i>Who</i>	<i>When</i>
Develop Town site plan development guidelines	Planning Commission	2008
Continue to investigate alternative sanitary sewer technologies	Planning Commission	2008-2010
Initiate discussion of a bike/pedestrian trail system	Planning Commission	2008
Consider “view shed” regulations	Planning Commission	2008
Discuss intergovernmental boundary agreement with the City of La Crosse	Town Board	On-going
Review and update existing Town subdivision ordinances to reflect concepts outlined in this plan.	Plan Commission/	2008-2010

	Town Board	
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