Chapter XIV

INTERGOVERNMENTAL COOPERATION ELEMENT

INTRODUCTION

The intergovernmental cooperation element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the Wisconsin Statutes. Section 66.1001(2)(g) of the Statutes requires this element to compile goals, objectives, policies, programs, and maps for joint planning and decision making between the County and other jurisdictions, including school districts and local governments, for the siting and building of public facilities and for sharing public services. The Statute also requires this element to:

- Analyze the relationship of the County to school districts, local governments, adjacent Counties, the Region, the State, and to other governmental units (such as lake districts and library boards).
- Incorporate any plans or agreements to which the County is a party under Sections 66.0301, 66.0307, or 66.0309 of the Statutes.
- Identify existing or potential conflicts between the County and local governments or the regional planning commission, and to describe the processes to resolve such conflicts.

In addition, the following comprehensive planning goals related to the intergovernmental cooperation element are set forth in Section 16.965 of the Statutes and were addressed as part of the planning process:

- Encouragement of coordination and cooperation among nearby units of government.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
- Providing an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependant citizens and persons with disabilities.

Cooperation between neighboring and overlapping units of government is one of the goals of the Wisconsin comprehensive planning law and is an important aspect of the Washington County comprehensive plan. The County plan was undertaken as a cooperative, multi-jurisdictional process that sought to involve all cities, towns, and villages in the County as either full partners or as cooperating partners (see Chapter I for additional

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1Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the Statutes.
information on local government partners). The planning process was also fully coordinated with Washington County; SEWRPC, the regional planning commission serving Washington County and its communities; and UW-Extension. School districts, lake districts, representatives from local fire departments, and representatives from State and Federal agencies were also involved in the planning process through membership on various work groups, subcommittees, and advisory committees, or were provided with plan materials and invited to submit comments and/or attend committee meetings. In addition, the County sponsored a workshop on Intergovernmental Cooperation, with a featured speaker from the Wisconsin Department of Administration’s Municipal Boundary Section, which focused on opportunities for boundary agreements and shared services. The County also co-sponsored an Implementation Workshop with Ozaukee County to discuss the consistency requirements and extraterritorial authorities with local governments, with featured speakers from UW-Extension’s Center for Land Use Education.

Washington County also worked with local governments to develop a dispute resolution process to provide a forum to address conflicts between local and/or County units of government arising from implementation of adopted comprehensive plans. The dispute resolution process, which is the first developed in the State for disputes relating to comprehensive plans, is described in Part 3 of this chapter.

Some of the benefits of Intergovernmental Cooperation include:

- **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. Examples include shared library services, police and fire protection, recycling of household hazardous waste, and shared government buildings (such as shared town and village halls).

- **Address Regional Issues**
  By communicating and coordinating their actions, and working with regional and State agencies, local communities are able to address and resolve issues which are regional in nature. Examples include the construction and maintenance of highways, provision of transit service, and planning and construction of facilities for stormwater management and water supply.

- **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 may be 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 and good working relationships 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 residents can appreciate their benefits, such as cost savings, provision of needed services, and a strong economy.

**PART 1: ANALYSIS OF INTERGOVERNMENTAL RELATIONSHIPS**

**Washington County**
All departments and services provided by Washington County are available to all residents of the County. The Utilities and Community Facilities Element (Chapter XII) provides a summary of the services and facilities provided by the County. The Transportation Element (Chapter XI) provides information on highway, transit, and other transportation facilities and services provided by Washington County. This section briefly highlights a few of the County departments that have entered into service agreements with or provide services to local governments and other units and agencies of government.

**Planning and Parks Department**
The Planning and Parks Department provides a number of services, including coordination of the multi-jurisdictional comprehensive planning process, administration of the dispute resolution process described in Part 3 of this chapter, GIS mapping services, maintenance of GIS mapping data on the County website, and administration of a bridge inspection program for the County and all local governments. The County also administers and enforces nonmetallic mining and stormwater management and erosion control ordinances for towns on request, regulations for private onsite waste treatment systems (POWTS) throughout the County; and shoreland and floodplain and land division regulations within the towns (see Chapter VI for information on County land use-related ordinances). The department is also responsible for the acquisition, development, and management of County parks and trails.

**Health Department**
The Health Department enforces public health regulations and provides services that may include, but are not limited to, surveillance, investigation, control, and prevention of communicable diseases; other disease
prevention; health promotion; human health hazard control; and development of a local community health improvement plan every five years. The Health Department regularly works collaboratively with other County departments, local units of government, and other local and State public health agencies to meet the needs of Washington County citizens.

**Highway Department**

The Washington County Highway Department constructs and maintains the County Trunk Highway system and helps maintain and plow highways under State jurisdiction, which includes State Trunk Highways and U.S. Numbered Highways (such as U.S. Highway 41). The Department also works with SEWRPC to plan and program construction and improvement projects on the County highway system, and oversees engineering and construction of improvement projects. The Department also cooperates with SEWRPC, WisDOT, the Federal Highway Administration, and local governments in the County to prepare, implement, and periodically update the County jurisdictional highway plan.

**Sheriff’s Department**

The Washington County Sheriff’s Department provides police protection for all towns in the County and to the Village of Richfield. The County Sheriff also provides service to the Village of Newburg during specified periods when there are no Village officers on duty.

**School Districts**

There were 36 public schools in five public high school districts in the County in 2006. There are also two institutions of higher learning in the County; Moraine Park Technical College and the University of Wisconsin-Washington County. Map 61 in Chapter V shows the location of public and private schools and colleges and universities in the County in 2006, and the boundaries of public high school districts. Chapter XII describes facilities planning by school districts to determine and provide for future needs.

Washington County can assist school districts and UW-Washington County, if requested, by providing information on projected population levels to assist in facilities planning, and by offering comments on proposed school locations. These services are also provided by SEWRPC if requested by a school district. Washington County regulations that affect the location of schools include the shoreland and floodplain zoning ordinance and sanitary regulations. County highways may also affect access to schools.

Each school district in Washington County includes all or portions of a number of local governments. Because none of the school districts serves only one local government, each school district must work with a number of local governments when proposing to construct new facilities or additions to existing facilities, or when proposing to abandon a school district facility. Schools and other district facilities are subject to local zoning regulations, and rely on local services such as sewer and water (where available), police and fire protection, and streets and highways.

Recreational sites and facilities present an opportunity for shared use of facilities between County and local governments and school districts. School districts may rely on the use of County or local parks for athletic events (such as the use of County parks for cross-country track); and play apparatus and playfields at schools may be
available for local residents to use when school is not in session. It may also be advantageous to locate schools and parks next to each other when possible, to maximize opportunities for shared use of recreational areas and facilities.

**Local Governments**

There are 20 local units of government in Washington County, including two cities, six villages, and 12 towns. There are also a number of special purpose units of government, which are government agencies authorized by the Statutes to carry out specific responsibilities. Examples of special purpose districts include sanitary districts, utility districts, lake districts, and school districts.

Situations often develop between units of government that could be handled in a cooperative manner that would be beneficial to both parties. Annexation of property from a town into a village or city remains one of the most contentious issues between neighboring communities. Wisconsin annexation law provides an advantage to cities and villages in that the law is designed to enable annexation to occur following a request by property owners. Nevertheless, towns want to preserve their borders and retain their existing and future tax base, and the incorporated communities want to be able to expand their boundaries into adjoining municipalities.

Although the Wisconsin Statutes provide cities and villages with the authority to accept annexations from town property owners, annexations oftentimes lead to lawsuits, court battles, and ultimately one “winner” and one “loser.” Cities, villages, and towns are encouraged to work together on annexation issues and enter into cooperative boundary plans and intergovernmental agreements with litigation as the last option.

Boundary plans and intergovernmental agreements can preserve lands for towns and allow them the ability to plan for future development without worrying about future annexation occurring. Depending on the agreements and plans developed, such devices also have the potential for revenue sharing or payments from incorporated areas, extension of municipal services to adjacent towns, and preservation of agricultural lands. Boundary agreements and annexation and extraterritorial issues are described in more detail in Parts 2 and 3 of this chapter.

**Adjoining Counties**

Washington County is bordered by Ozaukee County to the east, Dodge County on the west, Sheboygan and Fond du Lac Counties to the north, Waukesha County to the south, and Milwaukee County to the southeast. Washington County is part of the Milwaukee metropolitan area. As noted in Chapter XIII, many residents of Washington County work in Milwaukee County, and many of Washington County’s workers live in Milwaukee County.

Cooperative efforts between Washington County and other counties include:

- **Transit Marketing**: The Southeastern Wisconsin Transit Partnership includes Washington, Ozaukee, Waukesha, Racine, Kenosha and Milwaukee Counties. The purpose is to share resources so that each transit system can maximize the impact of marketing and advertising funds which promote public transit in Southeastern Wisconsin. The pooling of resources from these counties allows for purchasing television and radio advertising and promotional activities that would be cost prohibitive for each system alone.

- **Family Care Consortium**: The Family Care Consortium includes Dodge, Jefferson, Sheboygan, Ozaukee, Washington, Waukesha, Walworth, and Columbia Counties. The planning consortium was set up to plan across county lines for the implementation of Wisconsin’s Family Care program, including both Aging and Disability Resource Center activities and Managed Care activities. The planning consortium split into two clusters. Washington, Ozaukee, Sheboygan and Dodge counties are the first group of counties entering the Family Care program in early 2008. Planning efforts were crucial so that the Counties, State, and the Private Management Care Organizations could work together to make a

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\[2\] Town of Richfield residents voted to incorporate as a Village in fall 2007. Village status took effect on February 13, 2008.
smooth transition into the Family Care program. The involvement of the private sector through the Managed Care Organizations is a significant change in the delivery of Long Term Care Services in Washington County. The consortium was able to fund a position to assist the Counties in developing shared data bases and procedures to meet reporting requirements.

- **East Wisconsin Counties Railroad Consortium**: The railroad consortium includes Columbia, Dodge, Fond du Lac, Green Lake, Ozaukee, Sheboygan, Washington, and Winnebago Counties to facilitate discussion of rail service and facilities.

- **HOME Consortium**: Includes Jefferson, Ozaukee, Washington and Waukesha Counties. The purpose of the consortium is to advance homeownership opportunities and programs for households that earn 80 percent or less of the area’s median income. See Chapter X for additional information about the HOME Consortium and the programs it administers.

- **Quad Counties Public Health Consortium**: The health consortium includes health departments from Washington, Ozaukee, Sheboygan, and Fond du Lac Counties. The consortium plans, exercises and implements public health preparedness activities for health related community events such as pandemic influenza, smallpox, or anthrax emergencies.

**Regional Organizations**

**SEWRPC**

Washington County is served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Washington County contracted with SEWRPC to assist the County and 11 participating local governments to help prepare the County and local comprehensive plans. SEWRPC also prepares a regional land use plan, which includes population, employment, and household projections to assist in local and county planning efforts, and is the federally-designated transportation planning and programming agency for the seven-county region. SEWRPC is also the regional water quality management agency for the region, and is involved in many other aspects of land use planning and development. In addition to this comprehensive plan, major SEWRPC planning projects affecting the County include the update of the County jurisdictional highway system plan, the regional water supply plan, and the regional telecommunications plan. SEWRPC works closely with the County and local governments in the Region, as appropriate, when developing its plans.

**Milwaukee 7**

The Milwaukee 7 is a council of representatives from the seven Southeastern Wisconsin counties (same seven counties within the SEWRPC area). The council, made up of about 35 civic and business leaders, was formed with the idea that a regional approach is key to fostering economic growth. Additional information about the Milwaukee 7 is provided in Chapter XIII.

**Nonprofit Conservation Organizations**

Several nonprofit conservation organizations (NCOs) are active in the County. NCOs work to preserve lands with important natural resources, including prime farmlands, and educate citizens on the benefits of protecting natural resources. Washington County cooperates with the Ozaukee Washington Land Trust, the Cedar Lakes Conservation Foundation, and the Ice Age Park and Trail Foundation, among others, to prepare and implement plans for acquiring or otherwise preserving lands with important natural resources and for development of the Ice Age Trail.

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3The seven Counties in the SEWRPC region are Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.
State of Wisconsin

Wisconsin Department of Transportation (WisDOT)
In partnership with local governments, the County, and SEWRPC, WisDOT administers a variety of State and Federal programs to complete projects that enhance the transportation network within Washington County. Grant programs include the Surface Transportation Program, Congestion Mitigation and Air Quality, Local Transportation Enhancements, and a number of other programs that collectively provide funding for streets and highways, transit, bicycle and pedestrian improvements, and funding for railroad improvements.

WisDOT also administers the General Transportation Aids program, which returns a portion of the money collected through fuel taxes and vehicle registration fees to County and local governments to help offset County and local road construction and maintenance costs. WisDOT maintains the Wisconsin Information System for Local Roads (WISLR), which is an extensive map-based database, accessible to local and County officials and staff, of road conditions such as right-of-way and pavement width, shoulder width, number of driving and parking lanes, pavement condition, and other information.

Wisconsin Department of Natural Resources (DNR)
The Wisconsin Department of Natural Resources is dedicated to the preservation, protection, effective management, and maintenance of Wisconsin’s natural resources. It is responsible for implementing the laws of the State and, in some cases, the laws of the Federal government that protect and enhance the natural resources of the State, including wetlands, shorelands, floodplains, woodlands, and water quality. The DNR is charged with coordinating the many disciplines and programs necessary to provide a clean environment and a full range of outdoor recreational opportunities.

The DNR makes grants available to County and local units of government for park acquisition and development. Washington County has historically applied for grant funds through the DNR to improve recreational opportunities, to purchase land for parks and preservation of important natural resources, and to develop parks.

The DNR is also working with the Federal Emergency Management Agency and Washington County to update floodplain mapping within the County. The floodplain update is expected to be completed in 2008.

The DNR also identifies and monitors environmentally contaminated sites and administers grant programs to clean up such sites, which are commonly referred to as “brownfields.” Contaminated sites are identified in Chapter IV, and brownfield remediation grant programs are identified in Chapter XIII.

Department of Commerce
The Wisconsin Department of Commerce administers regulations for POWTS in the State of Wisconsin. The Washington County Planning and Parks Department works closely with the Department of Commerce to implement these regulations. The Planning and Parks Department enforces POWTS regulations in all local governments in the County, as described in Chapter V.

Department of Health and Family Services (DHFS), Division of Public Health (DPH)
In collaboration with DHFS/DPH, local health departments, community organizations, medical clinics operated by local governments, and Federal tribes make up the public health system in Wisconsin. Wisconsin’s Public Health Statutes include but are not limited to Chapters 250 through 255 and rules promulgated from them. The State supports local public health service capacity building through grants, consultation, and technical assistance. Local boards of health assure that measures are taken to provide an environment in which individuals can be healthy.

4 A County or local government must prepare and adopt a park plan to be eligible to receive recreational grant funds from the DNR.
Other Governmental Units
There are a number of “special purpose” units of government within the County. Special purpose units of government that are directly involved in land use planning and development include lake districts, sanitary districts, and utility districts. All three types of districts are authorized under the Statutes to provide sanitary sewer services. Sanitary and utility districts can also provide a variety of other governmental services, such as street lighting, public water, and trash pick up. Lake districts manage uses on, within, and adjacent to lakes, and may also acquire property to help protect water quality. Lake, sanitary, and utility districts are described in Chapter V. A list of lake management plans is included in Chapter VI. Services provided by other special purpose units of government, most notably school and library boards, are described in Chapter XII.

PART 2: EXAMPLES OF EXISTING SERVICE AND OTHER AGREEMENTS IN WASHINGTON COUNTY

The Statutes require that this element incorporate any plans or agreements to which the County is a party under the following:

- **Section 66.0301 – Intergovernmental Cooperation:** This section of the Statutes authorizes cooperation between local, County, and State government agencies and/or special purpose units of government for the receipt or furnishing of services or for the joint exercise of powers or duties required or authorized by law. The agreement is a contract between the cooperating entities and specifies the responsibilities of each, and the time period for which the contract is in effect. This Statute may also be used for boundary agreements between communities. The parties either commit to maintain existing boundaries or to allow the city or village to grow to the boundary specified in the agreement.

Washington County is a party to the following intergovernmental agreements:
- Intergovernmental agreements are in place among Washington County, SEWRPC, and each participating local government for development of the County and each local comprehensive plan.
- Intergovernmental agreement between the County and the Village of Richfield for Sheriff’s patrols.
- Intergovernmental agreement among Washington County, Village of Jackson, Town of Jackson, and Town of Polk regarding sewer and water services to Fair Park.
- Intergovernmental agreement for County financial support of the Cabela’s project among Washington County, the then-Town of Richfield, the Towns of Germantown and Polk, and the Wisconsin Departments of Commerce and Transportation.
- Intergovernmental agreements for administration of erosion control and stormwater management and nonmetallic mining reclamation ordinances (see Chapter VI for additional information).
- Intergovernmental agreement between Washington County and the towns for town enforcement of human health hazard violations under Chapter 8 of the County Code of Ordinances.

- **Section 66.0307 – Boundary Change Pursuant to Approved Cooperative Plan:** A cooperative plan may change boundaries between local governments. The cooperative plan must be approved by the DOA. The plan may establish ultimate city or village boundaries, zoning for the areas included in the agreement, and provide for revenue sharing. The major difference between a boundary agreement established under Section 66.0301 and one established under Section 66.0307 is that the latter supersedes the annexation Statute for attachment and/or detachment of property from one local government to another, provided the attachment or detachment is called for by the agreement. Washington County is not a party to any agreements established under Section 66.0307.
- **Section 66.0225 – Stipulated Boundary Agreement in Contested Boundary Actions:** Boundary agreements may also be established by a judicial order as part of a settlement of annexation litigation between a town and adjacent city or village. Boundaries are determined by mutual agreement of the parties. Washington County is not a party to any agreements established under Section 66.0225.

- **Local Government Boundary Agreements:** There are three boundary agreements in effect in Washington County; one between the City and Town of West Bend; one between the Village and Town of Jackson; and one among the City of Hartford and Towns of Erin, Hartford, and Richfield (the Town of Richfield subsequently incorporated as a Village). The agreement between the City and Town of West Bend was developed using Section 66.0307 of the *Statutes*. The agreements between the Village and Town of Jackson and among the City of Hartford, Village of Richfield, and Towns of Erin and Hartford were developed under Section 66.0225 of the *Statutes*. There are also intergovernmental agreements under Section 66.0301 of the *Statutes* between the City of Hartford and the Town of Erin, and the City of Hartford and Town of Rubicon (in Dodge County) for the purpose of orderly planned development and land preservation. The City of Hartford and Village of Slinger also have an intergovernmental agreement addressing various issues relating to community services, utilities, and extraterritorial jurisdiction, which is described in Chapter VI.

- **Section 66.0309 – Creation, Organization, Powers, and Duties of Regional Planning Commissions:** This section of the *Statutes* authorizes the Governor to establish regional planning commissions in response to petitions from County and local governments. A regional planning commission is charged by the *Statutes* to prepare and adopt a master plan for development of the region. Washington County is part of the SEWRPC region, which serves the seven counties and 147 cities, towns, and villages in the southeastern corner of Wisconsin. SEWRPC was established by then-Governor Gaylord Nelson in 1960 and is governed by a 21-member Commission. Chapter VI includes a summary of recent plans conducted by SEWRPC that affect Washington County. SEWRPC also assisted the County in the preparation of this comprehensive plan.

**Examples of Shared Services in Washington County**

There are many existing service agreements within Washington County between the County and local units of government, and between local governments. Several of the agreements are listed below. Agreements can take the form of intergovernmental agreements under the *Statutes*, memoranda of understanding between or among units of government, resolutions approved by governing bodies, or more informal written agreements.

**Shared Services and Equipment**

**Police/Fire Services**

- Certain EMS service providers in the County possess a higher level of training than others. In certain situations, a Basic Life Support (BLS) service can request an "intercept" from an Advanced Life Support (ALS) service to provide better care for their patient. An "intercept" involves two ALS trained responders coming to the scene in a vehicle (usually a car or van but not their ambulance) with their ALS equipment and they ride along in the BLS ambulance. This keeps the ALS service ambulance available for other calls.

- Training and equipping a hazmat team is a very expensive undertaking. No one fire agency in Washington County had the funds to do it on their own. A countywide team was formed using grants to pay for initial and ongoing training and the equipment the team utilizes. Presently, the team has members from eight of the 13 fire departments in the County.

- Agreement between Washington County and the Village of Richfield to provide police protection to the Village.

**Garbage Collection/Recycling**

- Joint garbage/recycling collection contract with the Village of Newburg and the Town of Trenton.

- Joint recycling drop-off point for residents of the Towns of Erin and Hartford.
Public Works

- The County Highway Department conducts routine summer maintenance for local governments for specific projects on a time and materials basis. Examples include pavement markings, mowing roadsides, grading gravel shoulders, replacing cross road culverts, and cleaning roadside ditches.

- The County currently provides bridge inspection and consultation services to all local governments. By having the County perform this service, the local government does not have to contract with an engineering firm every other year. The County tracks inspections, performs the inspections, and provides the local government with the results.

Shared Equipment

- When seal coating roads, Washington County leases a chip spreader from Ozaukee County and Ozaukee County leases Washington County’s trucks for hauling aggregate on their projects.

Shared Utilities and Community Facilities

- Shared electric utility between the Village of Slinger and City of Hartford. Electric power is provided to City and Village residents and to residents in surrounding portions of the Town of Hartford.

- The City of West Bend shares costs of building projects with the County for the University of Wisconsin-Washington County.

- The Village of Kewaskum shares recreational facilities with the Kewaskum school district (tennis courts, baseball/softball diamonds).

- Washington County partnered with the DNR in the design, construction, and maintenance of the Eisenbahn State Trail. The City of West Bend and the Village of Kewaskum, in cooperation with Washington County, have constructed further improvements to the trail.

- Joint planning and construction of the Ice Age Trail by the DNR, the Ice Age Park and Trail Foundation, Washington County, and the City of West Bend.

- The Town of West Bend, City of West Bend, Washington County, DNR, and the Cedar Lakes Conservation Foundation partnered to preserve Rolfs Park, a unique natural area, and provide recreational opportunities for the citizens of Washington County.

Shared Technologies

- Up until 2003 the City of Hartford completed parcel mapping for the City. In 2003, Washington County agreed to take over parcel mapping for the City. The County provides periodic updates of the data in the format the City requires. This has made available City staff time to devote to other priorities and makes City parcel information available in a format identical to other areas of the County.
• When the City of West Bend installed their Municipal Area Network (MAN) to connect City buildings and schools, they also provided a way for Washington County to connect. Although the final connection was made to satisfy the needs of the County Treasurer, other Washington County departments benefited. Washington County now has live access to the City’s GIS data and vice versa. This ensures both organizations have access to the most current version of the data and eliminates the need to store duplicate copies of the same data on both County and City servers.

• Washington County has been partnering with local governments (with funding contributions from the communities) to complete digital terrain modeling and update topographic mapping within the County.

• The importance of digital orthophotography in a variety of County applications continues to increase. SEWRPC coordinates Federal, State, regional and county government partners to acquire this valuable imagery. Each partner is able to get the imagery they need at a fraction of the cost they would have paid doing the project alone.

• Washington County and participating local governments have an agreement for the County to provide technical services for the Statewide Voter Registration System (SVRS).

• Washington County provides the forms for the tax bills for all 20 local governments. Washington County provides the tax bills, tax rolls, and computer tax receipting for most of the local governments in the County.

• The Washington County Land Information Program and SEWRPC have acquired a great deal of base data. Parcel mapping, orthophotography, and topographic mapping are just a few examples of the data layers available. The resulting data is made available at no or little charge to other units of government, saving them the expense of acquiring the data themselves.

• In 2003, with a grant from the State, Washington County partnered with SEWRPC, the Town of Polk and the (then) Town of Richfield to complete a floodplain study and update the floodplain maps for the Oconomowoc River subwatershed.

• Development of a Countywide emergency radio system.

Cooperative Planning Efforts and Ordinance Administration

Cooperative Planning

• Washington County, in partnership with 11 local governments, SEWRPC, and UW-Extension, formally agreed to work together in a single planning effort to develop a multi-jurisdictional comprehensive plan. This joint planning process provided an opportunity for neighboring local governments to work through issues to provide for the future success, economic vitality, and quality of life in Washington County.

• Boundary agreement between the City of West Bend and Town of West Bend under Section 66.0307 of the Statutes.

• Boundary agreement between the Village of Jackson and Town of Jackson under Section 66.0225 of the Statutes.

• Boundary agreement between the City of Hartford, the then-Town of Richfield, and the Towns of Erin and Hartford under Section 66.0225 of the Statutes.

• The Village and Town of Kewaskum are working on extraterritorial zoning for the area around the Village.

• The Village of Newburg and Town of Trenton are working together on extraterritorial zoning.

• The Washington County Economic Development Corporation seeks to improve and enhance the economic vitality of Washington County and all its communities by serving as the central voice on economic development issues.
• Over the last two decades, the Land and Water Conservation Division has successfully partnered with the Big Cedar Lake Protection and Rehabilitation District and the Cedar Lakes Conservation Foundation in implementing several conservation practices throughout the Big Cedar Lake Watershed.

• Cooperative planning effort among Washington County, SEWRPC, and the City of West Bend for stormwater management and water quality improvements along Quaas Creek.

Ordinance Administration

• The County has several intergovernmental agreements with towns to administer the County’s erosion control and stormwater management ordinance on behalf of the towns.

• The County has several intergovernmental agreements with towns to administer the County’s nonmetallic mining reclamation ordinance on behalf of the towns, and also answers questions that any local governments may have with respect to nonmetallic mining reclamation.

• The County is responsible to perpetuate all public land survey system corners. By having local governments contact the County 30 days prior to any possible disturbance; thousands of dollars are potentially saved by both the County and the local government. Washington County’s Engineer/Surveyor works with adjoining county surveyors to ensure that the monuments on the county lines are perpetuated.

• The Village of Richfield has an intergovernmental agreement with the Village of Slinger related to building inspection services. This agreement provides both communities with full-time building inspection services even though both communities have only one person each. The Richfield inspector will cover for the Slinger inspector for vacations or illnesses, and vice versa. There is no cost for either community.

PART 3: INTERGOVERNMENTAL CONFLICTS AND DISPUTE RESOLUTION

Dispute Resolution Process

Section 66.1001(2)(g) of the Wisconsin Statutes requires that the Intergovernmental Cooperation Element identify existing or potential conflicts between the County and other governmental units, including school districts, and describe processes to resolve such conflicts.

Washington County encourages towns, villages, and cities to coordinate with each other and the County on planning efforts. The intergovernmental cooperation element is intended to avoid and minimize potential conflicts, but nevertheless, conflicts will continue to occur at the local and County levels. There are several techniques available for dispute resolution. Dispute resolution techniques can be broken into the following two categories:

• Alternative dispute resolution techniques such as negotiation and mediation.

• Judicial and quasi-judicial dispute resolution techniques such as litigation and arbitration.

Sources for this section include the publications Intergovernmental Cooperation, A Guide to Preparing the Intergovernmental Cooperation Element of a Local Comprehensive Plan, prepared by the Wisconsin Department of Administration, and Practices and Procedures for Dispute Review Boards, Dispute Resolution Boards, and Dispute Adjudication Boards, prepared by the Dispute Resolution Board Foundation.
In the event that a conflict does occur, utilization of an alternative dispute resolution process will be encouraged in an effort to avoid costly and lengthy litigation.

The alternative dispute resolution process is intended to provide a low-cost, flexible approach to resolving disputes between governmental entities arising from the adoption of the comprehensive plan. This process works to resolve actual and potential conflicts between governmental entities through open dialog and cooperative initiatives and is not intended to be used by parties dissatisfied with the appropriate application of local rules and regulations within a County or local government.

The principal benefits of government entities utilizing an alternative dispute resolution process to resolve conflicts include:

- Saving time and legal expenses
- Having greater control over the dispute resolution process
- Resolving conflicts in a more creative way than might be possible if it were left to a decision by a judge or jury
- Greater privacy in resolving disputes than is afforded in a courtroom
- Responding to conflict in a rational and courteous manner can increase communication, foster positive intergovernmental relationships, provide an opportunity for learning and broaden perspectives and solutions.

In general, the dispute resolution process involves multiple stages if a conflict is not immediately resolved. The process begins with alternative dispute resolution techniques, including informal negotiations among and between the disputing parties. If these efforts are unsuccessful, facilitated negotiation utilizing the Washington County Multi-jurisdictional Dispute Resolution Panel may be used, followed by mediation. Arbitration and litigation, more traditional dispute resolution techniques, are the remaining stages and tend to be slower and more costly than the foregoing stages. See Figure 17 for more details on typical dispute resolution stages. Washington County is only responsible for the administration of the Dispute Resolution panel utilized in facilitated negotiations.

County and local governments should select an authorized representative to be involved in the dispute resolution process. The designated representative should have the authority to act on behalf of the jurisdiction and will be responsible for maintaining communication with the jurisdiction throughout the process.

**Negotiation**

The first stage of the dispute resolution process is negotiation. Negotiation is a process involving an exchange of offers and counteroffers by the parties or a discussion of the strengths and weaknesses or the merits of the parties’ positions without the assistance of an impartial third party. Negotiation can be conducted directly between the parties.

There are two basic elements involved with negotiation: the process and the substance. The process refers to how the parties negotiate: the context of the negotiations, the parties to the negotiations, the relationships among these parties, the communication between these parties, the tactics used by the parties, and the sequence and stages in which all of these play out. The substance refers to the subject matter of the issue in dispute or the agenda, the issues, the options, and the agreement(s) reached at the end.
Facilitated Negotiation – Washington County Multi-jurisdictional Dispute Resolution Panel

At the request of local governments, the Washington County Board of Supervisors adopted 2004 Resolution 35 on August 10, 2004, which provided for the establishment of a fair and just quasi-judicial, multi-jurisdictional dispute resolution forum to resolve multi-jurisdictional conflicts regarding adopted comprehensive plans. Interested County and local governments would enter into an appropriate intergovernmental agreement to voluntarily participate in this dispute resolution process in an effort to reduce or avoid expenditures of valuable taxpayer dollars.

In 2007, a Dispute Resolution Forum Subcommittee (DRFS) was formed by the Multi-Jurisdictional Advisory Committee to develop the procedures and bylaws for the Multi-jurisdictional Dispute Resolution Panel. At this stage of dispute resolution, the DRFS concluded that if negotiation was unsuccessful, the disputing parties would have an opportunity to voluntarily present the disputed issue to a six-member panel of appointed or elected representatives from other County or local governments. The Panel would engage the parties in a discussion and negotiation of the dispute openly in an effort to reach a mutually agreeable solution. The DRFS named this stage “facilitated negotiation” to clearly differentiate it from the negotiation and mediation stages. The rules and bylaws governing the Washington County Multi-jurisdictional Dispute Resolution Panel are included in Appendix P.

Mediation

If facilitated negotiation is unsuccessful, the disputing parties can enter the mediation stage. During mediation, the disputing parties meet in a “mediation session” to discuss ways to resolve their dispute, assisted by an impartial third party called a mediator. The mediator listens to each party’s side of the dispute and then helps them to communicate with each other to identify the issues that need to be decided and to reach a settlement that is satisfactory to each of them. Mediation is a confidential process. Statements made during a mediation session generally are not allowed to be revealed in any later court proceeding between the parties.

Although participating in mediation is voluntary, if a settlement results, it may by binding on all parties. Mediators are expected to be impartial and should neither advise the parties, who often are represented by their own lawyers, nor make any decision for them. Individuals who serve as mediators may or may not be lawyers, but may be specially trained to provide assistance in resolving disputes. Mediation can be structured to meet the needs of a specific dispute.

Arbitration

If the dispute is not resolved after the mediation stage, the arbitration process is available for the disputing parties. Arbitration is the stage most closely related to a lawsuit. In arbitration, a neutral decision maker, known as an “arbitrator,” is selected by the parties or by a neutral dispute resolution service provider. Sometimes arbitration takes place with a panel of three arbitrators, rather than a single arbitrator. Evidence is presented to the arbitrator(s) at a formal hearing similar to the presentation of evidence in a lawsuit, although the rules that apply in court are somewhat relaxed. Parties in arbitration may be represented by lawyers, who present evidence and legal arguments to the arbitrator(s) on behalf of their clients. The arbitrator(s) then make a decision, most often called an “award”. An arbitration award generally is a final decision, subject only to limited review by a court as allowed by law.

Litigation

In the event that a dispute is not resolved to the satisfaction of the parties involved, legal action can be pursued. Litigation is the final stage in which a dispute can be resolved. This is typically the slowest and most costly form of resolving disputes. This stage includes the dispute being heard and decided by a judge or jury in a court. Results of this stage are fully binding, although there are appeal rights that may be pursued. Any party wishing to pursue legal action against the other party should bring such action to the Circuit Court of Washington County, State of Wisconsin.
**Intergovernmental Conflicts**

Section 59.69(3)(b) of the *Wisconsin Statutes* explicitly requires that a county development (comprehensive) plan include, without change, the master (comprehensive) plan of a city or village adopted under Section 62.23(2) or (3), and the official map adopted by a city or village under Section 62.23(6) of the Statutes. Section 59.69(3)(e) of the Statutes further provides that a city or village master plan or official map adopted under Section 62.23 “shall control” in unincorporated areas of a county; however, Section 59.69(3)(e) does not specifically require that city and village plans for their extraterritorial areas be included in the County comprehensive plan. There is no Statute requiring a county to incorporate town plans into the county comprehensive plan. In addition, the comprehensive planning law did not alter any existing town, village, city, or county authorities or responsibilities with regard to planning, zoning, plat approval, extraterritorial authorities, annexations, or any of the other many Statutes and regulations that affect land use in Wisconsin. There has been no apparent attempt by the proponents of the comprehensive planning law or any State officials or agencies to address the many ambiguities between the comprehensive planning law and pre-existing Statutes.

The Statutes provide clear guidance that a county plan need not include city and village plans for extraterritorial areas where a county has established a regional planning department. In that case, Section 62.23(2) provides “that in any county where a regional planning department has been established, areas outside the boundaries of a city may not be included in the (city) master plan without the consent of the county board of supervisors.” The Washington County Attorney determined that the Washington County Planning and Parks Department is a regional planning department. Based on that determination, the Washington County land use plan map (Map 84 in Chapter IX) included city and village land use plan maps for the areas within city and village limits. However, each city and village land use plan map adopted as part of a city or village comprehensive plan included areas outside the limits of the city or village, with the exception of the Village of Germantown plan. This practice is part of good land use planning, because cities and villages typically annex land as they grow to accommodate population growth. The regional land use plan recommends that additional residential growth occur in a compact pattern within and adjacent to urban service areas at densities that can be cost-effectively provided with sewer and other urban services. The regional plan recommends that new urban development occur with sanitary sewer service; however, it is not necessary that such development occur only within cities and villages. Towns that have formed a sanitary or utility district to provide sanitary sewer services, or that have entered into a boundary agreement with an adjacent city or village that provides for urban development in the town and the extension of sewers to serve that development, is consistent with the regional plan.

Although many towns recognize the need for cities and villages to grow, there is often opposition to annexations when such annexations occur in prime farmland areas, particularly where alternatives are available; where a city or village annexes land without providing sewer and/or water services; and where annexations result in illogical city or village boundaries, including long, narrow “arms” of the city or village extending into the town or creation of small areas of the town completely surrounded by the city or village, except for a thin strip of land left to avoid creation of a town island. Irregularly-shaped annexations also create problems with street maintenance, due to alternating portions of a street being in a city or village and remaining portions in a town; half of a street being annexed and subject to city or village construction standards (which may, for example, require installation of curbs and gutters), while the other half remains developed to town standards, and/or has different speed limits posted for segments of the street under town versus city or village jurisdiction.

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6Section 66.1001(1)(a) of the Statutes defines a comprehensive plan as a county development plan prepared or amended under Section 59.69(2) or (3); a city or village master plan adopted or amended under Section 62.23(2) or (3); a town master plan adopted under Section 62.23(2), where the town exercises village powers under Section 60.22(3); and a master plan adopted by a regional planning commission under Section 66.0309(8), (9), or (10).

7In accordance with Section 61.35 of the Statutes, the same provision would apply to villages.

8The Village of Richfield comprehensive plan, which was adopted before the town incorporated as a village, does not include any area outside Village limits.
Many of these issues and disagreements could be resolved through the development of cooperative or boundary agreements between cities and villages and adjacent towns. Until such agreements are developed, disagreements will likely continue between cities and villages and adjacent towns as each unit of government develops in accordance with its land use plan, and cities and villages continue to exercise their extraterritorial authorities in adjacent towns (a summary of extraterritorial authorities is provided in Appendix H).

Opportunities to develop coordinated land use plan maps for the extraterritorial areas of cities and villages during this multi-jurisdictional planning process were limited due to the fact that only one village, the Village of Kewaskum, chose to join the process. The Town and Village of Kewaskum did conduct a joint planning process for lands on the periphery of the Village, as part of an extraterritorial zoning (ETZ) process initiated by the Village in November 2006. Although the ETZ process led to some tentative agreements between the Village and the Town on generalized land uses in the ETZ area, no formal agreement was reached and issues relating to residential densities and extension of sewer and water services remain unresolved. The Town did not approve the draft land use plan map prepared by the Village (see Map 104), and the Village did not approve the land use plan map adopted by the Town (see Map 102).

The County encourages cities and villages and adjacent towns to continue or to initiate cooperative planning following adoption of a comprehensive plan by each local government. The inventory information and recommendations developed as part of this multi-jurisdictional comprehensive plan should provide a good basis for the development of boundary agreements.

Maps 98 through 114 depict the land use plan map approved by each city, village, and town in the County. The maps include the full planning area where a city or village has planned for areas outside current corporate limits. Each of the maps includes the land use plan categories approved by the local government. The local land use plan categories were converted to County land use plan categories for inclusion in the County land use plan map (see Map 86 in Chapter IX). Appendix Q includes a table for each local government that lists each plan category shown on the local land use plan map, and the corresponding category on the County plan map (Map 86).

The following maps may be revised prior to adoption by the local governing body, and, once adopted, may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.

The following land use plan maps have been adopted as part of a local comprehensive or land use plan:

- City of West Bend (Map 98)
- Village of Germantown\(^9\) (Map 99)
- Village of Slinger (Map 100)
- Village of Richfield (Map 101)\(^10\)
- Town of Kewaskum (Map 102)
- Town of West Bend (Map 103)

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\(^9\)The Village of Germantown has approved three minor amendments to the land use plan map since adopting the plan, but has not updated the plan map to reflect them.

\(^10\)The Richfield comprehensive plan was adopted as the Town of Richfield plan prior to the Town’s incorporation as a village.
NOTE: This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local and land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.
VILLAGE OF GERMANTOWN 2010-2020 FUTURE LAND USE PLAN

Future Land Use Categories

- Agricultural/Open Space
- Agricultural/Conservation Residential
- Estate Residential (5 Ac. Min. Lot Size)
- Rural Residential (1 Ac. Min. Lot Size)
- Low Density Residential (2 DU/Acre)
- Medium Density Residential
- High Density Residential
- Elderly Residential
- Commercial
- Village Mixed Use
- Mixed Use
- Industrial/Office
- Mineral Extraction
- Institutional/Governmental
- Park/Recreation Area
- Rivers, Lakes and Streams
- Environmental Corridors/Isolated Natural Areas
- 2010 Sanitary Sewer Service Area
- 2020 Sanitary Sewer Service Area Extension
- Municipal Boundary

NOTE: This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local and land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.

2010-2020 Future Land Use

Comprehensive Plan
Village of Germantown, Wisconsin
NOTE: This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local and land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.
VILLAGE OF RICHFIELD 20-YEAR FUTURE LAND USE (WITH POTENTIAL HAMLET AREAS SHOWN)

Legend

- Walkable Hamlets as shown on plan
- Single Family
- Townhomes
- Agriculture / Rural Residential
- Wetlands / Environmental Corridors
- Recreation
- Commercial
- Industrial
- Business Mixed Use
- Office/Light Industrial Mix
- Walkable Hamlet Mixed Use
- Neighborhood Hamlets
- Neighborhood Activity Center
- Quarries / Potential Redevelopment Areas
- Institutional
- Cemeteries
- Utilities
- Water
- Existing & Proposed Right-of-Way
- Railroad Corridors
- Rivers / Streams
- Future Frontage Road
- Future Town Park Site
- Future Park & Ride Location

NOTE: This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local and land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.

CRISPPELL-SNYDER, INC.
PROFESSIONAL CONSULTANTS

January 24, 2010 | Project No. 14767 | Document No. 101 | CRISPPELL-SNYDER, INC.
This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.


Source: Town of Kewaskum and SDWPC.
Map 103

TOWN OF WEST BEND LAND USE PLAN: 2025

NOTE: This map may be amended at any time. Landowners, business owners, and other citizens should review the currently adopted local and land use plan map and comprehensive plan at the local municipal hall as the first step when undertaking any development project.

1 inch equals 2,500 feet

data source: Washington County/Town of West Bend
Map 105
PRELIMINARY VILLAGE OF NEWBURG SMART GROWTH FUTURE LAND USE PLAN

Legend
Smart Growth Future Land Use Categories
- Village Residential (1,015 ac)
- Rural Residential (1,771 ac)
- Agricultural (7,356 ac)
- Village Commercial (28 ac)
- Highway Commercial (61 ac)
- Industrial (15 ac)
- Village Parks and Open Space (873 ac)
- Environmental Corridor, Natural Areas, Floodplain, Private Open Space and Proposed Open Space (5,068 ac)

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALLAS THE FIRST STEP WHEN UNDERTAking ANY DEVELOPMENT PROJECT.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF ADDISON: 2035

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Addison, Washington County, and SEWRPC.
NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Barton and SEWRPC.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF ERIN: 2035

Map 108

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Erin, Washington County, and SEWRPC.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF FARMINGTON: 2035

EXISTING (2006) LAND USE CATEGORIES
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL/MODULAR HOMES
- COMMERCIAL
- INDUSTRIAL
- EXTRACTIVE
- GOVERNMENTAL, INSTITUTIONAL, AND UTILITIES
- AGRICULTURAL AND OPEN LANDS
- WOODLAND
- WETLAND
- SURFACE WATER

FUTURE LAND USE CATEGORIES
- NORTH BRANCH MILWAUKEE RIVER WILDLIFE AND FARMING HERITAGE AREA
- HAMLET GROWTH AREA
- COUNTRY ESTATES GROWTH AREA
- FUTURE COMMERCIAL AREA
- FUTURE INDUSTRIAL AREA

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Farmington, Washington County, and SEWRPC.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF GERMANTOWN: 2035

NOTE: SEE MAP K-1 (PAGE 847) FOR THE ADOPTED TOWN OF GERMANTOWN LAND USE PLAN MAP.

Source: Town of Germantown, Washington County, and SEWRPC.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF HARTFORD: 2035

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Hartford, Washington County, and SEWRPC.
PRELIMINARY LAND USE PLAN FOR THE TOWN OF POLK: 2035

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Polk, Washington County, and SEWRPC.
Map 113

PRELIMINARY LAND USE PLAN FOR THE TOWN OF TRENTON: 2035

COUNTRY ESTATES
RURAL DENSITY RESIDENTIAL
SUBURBAN DENSITY RESIDENTIAL
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
COMMERCIAL
INDUSTRIAL
GOVERNMENTAL, INSTITUTIONAL, AND UTILITIES
RECREATIONAL
STREET AND HIGHWAY RIGHTS-OF-WAY
PRIME AGRICULTURAL

PRIMARY ENVIRONMENTAL CORRIDOR
SECONDARY ENVIRONMENTAL CORRIDOR
ISOLATED NATURAL RESOURCE AREA
OTHER LANDS TO BE PRESERVED
WETLAND OUTSIDE OF ENVIRONMENTAL CORRIDOR / INRA
SURFACE WATER

NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Trenton, Washington County, and SEWRPC.
NOTE: THIS MAP MAY BE REVISED PRIOR TO ADOPTION BY THE LOCAL GOVERNING BODY AND, ONCE ADOPTED, MAY BE AMENDED AT ANY TIME. LANDOWNERS, BUSINESS OWNERS, AND OTHER CITIZENS SHOULD REVIEW THE CURRENTLY ADOPTED LOCAL LAND USE PLAN MAP AND COMPREHENSIVE PLAN AT THE LOCAL MUNICIPAL HALL AS THE FIRST STEP WHEN UNDERTAKING ANY DEVELOPMENT PROJECT.

Source: Town of Wayne, Washington County, and SEWRPC.
Maps for the following communities were prepared as part of this multi-jurisdictional planning process. All of the maps have received conceptual approval by the local government concerned, but have not been formally adopted by the local government. Formal adoption of the maps is anticipated to occur in the Spring of 2008 as part of the adoption of each local comprehensive plan:

- Village of Kewaskum (Map 104)
- Village of Newburg\(^{11}\) (Map 105)
- Town of Addison (Map 106)
- Town of Barton\(^{12}\) (Map 107)
- Town of Erin (Map 108)
- Town of Farmington (Map 109)
- Town of Germantown (Map 110)
- Town of Hartford (Map 111)
- Town of Polk (Map 112)
- Town of Trenton (Map 113)
- Town of Wayne (Map 114)

The following communities have not yet adopted a local land use plan map:

- City of Hartford
- Village of Jackson
- Town of Jackson

Map 115 graphically summarizes conflicts between city and village land use plans and adjacent town land use plans. In cases where a conflict exists between a city or village plan and a town plan, there is also a conflict between the city or village plan and the county land use plan, since the county land use plan included town land use plan recommendations for areas outside city and village limits.

Conflicts between local and/or local and County plans are categorized as follows on Map 115:

- **City/Village and Town/County land use plan maps both show residential uses, but at different densities:**
  - Village of Kewaskum and Town of Kewaskum: The Town of Kewaskum designates areas surrounding the Village for residential development at a density of one home per 40,000 square feet.\(^{13}\) The Village plan recommends densities equivalent to one home per 20,000 to 30,000 square feet north of the Village up to four homes per acre (about 10,000 square foot lots) on the west and south sides of the Village. In addition, the Village plan anticipates that new homes adjacent to the Village would be provided with sanitary sewer and public water services, and most of the area designated for one-acre development by the Town is located in the Village of Kewaskum sewer service area. It would be cost-prohibitive to provide sewer and water services to areas developed at the one home per acre density recommended by the Town land use plan.

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\(^{11}\)The Village of Newburg prepared an updated land use plan map for inclusion in its comprehensive plan, which was being prepared concurrently with comprehensive plans for Ozaukee and Washington Counties. Newburg is participating in the multi-jurisdictional plans for both Counties, since it straddles the County line.

\(^{12}\)Map 107 reflects Phase 3 (2025 to 2035) of the Town land use plan. See the Land Use Element chapter of the Town of Barton Comprehensive Plan for more information (documented in SEWRPC Community Assistance Planning Report No. 290, A Comprehensive Plan for the Town of Barton: 2035, April 2008).

\(^{13}\)One acre is 43,560 square feet.
SUMMARY OF CONFLICTS BETWEEN CITY/VILLAGE AND TOWN/COUNTY LAND USE PLAN MAPS

VILLAGE OF GERMANTOWN
COMPREHENSIVE PLAN: 2020

VILLAGE OF JACKSON
BOUNDARY AGREEMENT WITH THE TOWN OF JACKSON: 2015

VILLAGE OF KEWASKUM
EXTRATERRITORIAL AREA: 2006-2008

VILLAGE OF NEWBURG
COMPREHENSIVE PLAN: 2035

VILLAGE OF SLINGER
COMPREHENSIVE PLAN: 2036

CITY OF HARTFORD
PLANNED SEWER SERVICE AREA: APPROVED 9/2006

CITY OF WEST BEND
PLANNED URBAN SERVICE AREA: 2020

VILLAGE OF RICHFIELD

Source: Local Governments and SEWRPC.
- City of West Bend and Town of Trenton: The Town of Trenton designates areas on the east side of West Bend, within the City’s sewer service area, for residential development at a density of one home per 40,000 square feet. The City plan recommends densities ranging from the equivalent of one home per 7,200 to 20,000 square feet. The City of West Bend also anticipates that new homes within the sewer service area would be provided with sanitary sewer and public water services.

- Village of Slinger and Town of Polk: The Town of Polk designates much of the Town for continued agricultural use or for residential development at a density of one home per five acres. The Village of Slinger land use plan has designated areas around the Village for residential development at a density of one home per acre. The Village has been accommodating residential development at a one-acre density in newly annexed areas on the periphery of the Village without extending Village sewer and water services to such development. The Town of Polk is not against annexation, provided it is orderly and sequential and the Village provides sewer and water to the areas it annexes.

- City/Village and Town/County land use plan maps both show urban uses, but proposed uses are different: In most cases where this situation occurs, one local government land use plan map recommends future residential development at an urban density on a particular parcel, and the adjacent local government recommends commercial, industrial, or institutional uses.

- City/Village land use plan map shows an urban use, and Town/County land use plan maps show a rural use: In most cases where this situation occurs, the city or village land use plan map proposes commercial, industrial, or urban-density residential uses, and the town (and therefore county) land use plan maps recommends either rural-density residential development or agricultural use of the parcel. There are also three existing extractive areas shown on the map that are designated for continued extractive uses on the town and county land use plan maps, but are shown for urban use (industrial or residential) on the city or village map. These plans are not necessarily in conflict, as extractive areas will be reclaimed and developed for another use in the future.

- City/Village land use plan map shows a rural use, and Town/County land use plan maps show an urban use: In most cases where this situation occurs, the city or village land use plan map proposes either rural-density residential development or agricultural use of a parcel, and the town (and therefore county) land use plan maps recommend commercial, industrial, or urban-density residential uses.

- City/Village land use plan map shows agricultural use, and Town/County land use plan maps show a rural residential use: This conflict occurs between the Village of Newburg and the Town of Trenton land use plan maps.

Because the City of Hartford and Village of Jackson have not yet adopted land use plan maps, no analysis could be conducted of conflicts between land use plan maps prepared by the City and Village and the adjacent towns.

Maps 89 and 90 in Chapter XI summarize the recommendations of the Washington County Jurisdictional Highway System Plan. Local government concerns with those recommendations are documented on the maps, and include:

- The Town of Barton expressed opposition regarding the planned extension of N. River Road on a new alignment and to the planned extension of 18th Avenue, Schuster Drive, and Kettle View Drive in the Town of Barton.

- The Towns of Barton and Trenton expressed opposition to the planned east-west arterial between Trenton Road and N. River Road on an entirely new alignment.

- The Towns of Addison and Hartford expressed opposition regarding the planned east-west arterial route located north of the Hartford and Slinger areas.

- The Village of Richfield and the Town of Erin expressed opposition regarding the planned east-west arterial route located south of the Hartford and Slinger areas.
• The Village of Richfield expressed opposition regarding the planned widening of STH 164 between CTH Q and STH 167, and to any potential future widening of STH 164 north of STH 167 to Pioneer Road.

• The Village of Germantown expressed opposition to Division Road being proposed as a local arterial facility between CTH Q and STH 145 rather than as a county arterial facility and to any other planned jurisdictional responsibility that differs from their comprehensive plan.

• The alignment for the planned north-south extension of Kettle View Drive between CTH H and STH 28 is conceptual. The actual alignment may be expected to differ from the alignment shown on Maps 89 and 90 in Chapter XI and will be determined cooperatively by the Village and Town of Kewaskum and Washington County.

• The Village of Kewaskum expressed opposition to CTH H being proposed as a local arterial facility between Kettle View Drive and USH 45 rather than as a county arterial facility.

• The Village of Kewaskum expressed opposition regarding the planned alternative route of USH 45 within the former railway right-of-way in the Village.

• The Town of Erin expressed opposition to CTH Q being proposed as a local nonarterial facility between CTH K and STH 83 rather than a county nonarterial facility, CTH O being proposed as a local arterial facility between STH 83 and the Dodge County line rather than a county arterial facility, and CTH CC being proposed as a local arterial facility between STH 167 and STH 60 rather than a county arterial facility.

Disagreements related to the construction or widening of a street or highway will be addressed if and when a proposed highway improvement advances to the preliminary engineering phase, or may be addressed through the conflict resolution process. Changes in jurisdictional responsibility recommended by the jurisdictional highway plan can only occur if both units of government involved agree to the transfer.

The dispute resolution process established as part of this comprehensive planning process can be used to resolve conflicts between the comprehensive plans adopted by adjacent local governments, and conflicts between local governments and Washington County, if conflicts cannot be resolved using more informal means. Boundary agreements between towns and the adjacent city and village offer another means of resolving conflicts between local governments, particularly when disputes are based on conflicting recommendations for future land uses or residential densities within a city or village’s extraterritorial area and/or sewer service area. In addition to establishing future city and village boundaries, such agreements can also establish future land uses and provide for the extension of city or village sewer and water services to portions of the town.

PART 4: INTERGOVERNMENTAL COOPERATION
GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

This section sets forth intergovernmental cooperation goals and objectives. Policies, which are steps or actions recommended to be taken to achieve land use goals and objectives; and programs, which are projects or services intended to achieve land use policies, are also identified. Goals and objectives were developed using the results of the SWOT analysis, public opinion survey, and countywide design workshop; and based on input from the Multi-Jurisdictional Advisory Committee and the Technical Advisory Committee. Suggestions for local governments are also included, for consideration as local comprehensive plans are prepared.

The goals, objectives, policies, and programs are organized under the following issues:

• Shared Services and Facilities Issue
• Cooperative Planning and Ordinance Administration Issue
• School District Cooperation Issue
Any new program recommended in this plan must be individually reviewed and approved by the appropriate County Board liaison committee and County Board of Supervisors through the annual budget process prior to implementation.

General Intergovernmental Cooperation Goal and Objectives (from Issues and Opportunities Element)

- **Goal:** Encourage intergovernmental coordination and cooperation.
- **Objective:** Provide a structure for continuing dialog about land use regulation issues and boundary issues between local governments.
- **Objective:** Encourage shared services between all units of government.
- **Objective:** Encourage intergovernmental cooperation when selecting sites for locating public facilities such as police and fire stations and libraries, and quasi-public facilities such as hospitals, clinics, and skilled nursing, assisted living facilities, and independent living centers for the elderly and disabled.
- **Objective:** Encourage open communication between units of government, health care providers and citizens to improve overall health and well-being of County residents.
- **Objective:** Become a regional leader in the development of coordinated transportation while placing more emphasis on the surrounding areas of Milwaukee County in regional issues and concerns.

Shared Services and Facilities Issue

- **Goal:** Encourage shared services and facilities between units and levels of government.
- **Objective:** Cooperate with other units and agencies of government, where appropriate, to provide cost-effective government services.
  - **Policy:** Implement cooperative programs to reduce the human and environmental risks posed by household and agricultural waste, including hazardous waste.
    - **Program:** Continue to apply for grants to conduct household and agricultural chemical hazardous waste Clean Sweep programs. Partner with local communities during implementation of the programs.
    - **Program:** Continue to study the feasibility of providing permanent household hazardous waste drop-off sites in the County for use by all County residents.
    - **Program:** Work with pharmacies, medical centers, health care providers, hospice providers, and veterinarians in Washington County to develop a Countywide recycling program for unused pharmaceuticals.
    - **Program:** Explore regional partnership options for recycling programs and facilities.
  - **Policy:** Continue to provide adequate police, criminal justice, and rescue services to Washington County communities and residents.
    - **Program:** Continue to promote shared services and equipment between the Washington County Sheriff’s Department and city, town, and village police departments.
    - **Program:** Develop methods to study possible cost savings and service efficiencies of shared police and fire and rescue services between cities, towns, villages, and the County Sheriff’s Department.
    - **Program:** Continue to incorporate the Mutual Aid Box Alert System (MABAS) into fire dispatching.
    - **Program:** Continue to study the development of an integrated County emergency call dispatch center.
- **Policy:** Continue to provide assistance and share equipment, as appropriate, for local public works projects.
  - **Program:** Continue the countywide bridge inspection program in cooperation with local governments.
  - **Program:** Continue to cooperate with local governments to provide construction and maintenance services for local transportation facilities, provided County funding and staffing levels allow.
  - **Policy:** Continue to coordinate and provide technical services as appropriate.
  - **Program:** Continue to provide technical services that benefit the public and other units and agencies of government, such as updating and maintaining GIS data and assistance with tax bills and the voter registration system.
  - **Program:** Continue to maintain the County website to provide information to the public and other units and agencies of government.
  - **Program:** If requested by local governments, provide technical assistance and data to assist in the development of boundary agreements.

- **Objective:** Work with other units and agencies of government and private entities, where appropriate, to construct and/or operate community facilities in a cost-effective and efficient way through joint service agreements.
  - **Program:** Cooperate with local governments and private service providers, if requested, to help determine suitable locations for public and quasi-public facilities.
  - **Program:** Continue to work with local governments and private service providers, on request, to explain the type of permits required from Washington County before selecting and buying a site.
  - **Program:** Continue to work with DNR, NCOs, and local governments to acquire and develop parks, trails, and other recreational facilities as called for in County or local park and open space plans.
  - **Program:** Continue to provide GIS and other data to assist local governments and private service providers to find suitable locations for proposed facilities.
- **Program:** Continue to provide GIS and other data to assist local governments and private service providers, on request, help determine suitable locations for public and quasi-public facilities, subject to County staff availability.

- **Suggestions for Local Governments:** Local governments should work with the County, neighboring cities, towns, and villages, and other government agencies and service providers to ensure that public services are offered in the most efficient and cost-effective manner possible. Possible partnership opportunities include shared fire, public works, and municipal halls and offices with neighboring communities. Local governments should also work with Washington County on services that both the local government and County may help to administer or fund, such as stormwater management facilities, library services, and parks. Specific programs outlining possible utilities and community facilities partnerships with the County, other local governments, and other governmental agencies and service providers should be set forth in the utilities and community facilities or intergovernmental cooperation element of the local comprehensive plan. Towns may wish to pursue a boundary agreement with a neighboring city or village. In addition to setting long-range boundaries, a boundary agreement may allow the provision of utilities such as sanitary sewer service or public water supply to areas of the town envisioned for possible commercial or industrial land uses.

**Cooperative Planning and Ordinance Administration Issue**

- **Goal:** To promote better understanding among all levels of government on the roles and responsibilities of each.

- **Objective:** To continue cooperative planning efforts between local governments, the County, and SEWRPC.
  - **Policy:** Provide opportunities for continuing dialog with local governments about land use issues.
  - **Program:** Study the establishment of a forum, to be held on a regular basis, to provide information and discuss issues related to land use within the County.
  - **Policy:** Encourage comprehensive water resource management of surface water, groundwater, and water dependent natural resources.
  - **Program:** Work with DNR and SEWRPC to establish a cooperative process, involving local governments as appropriate, to develop a framework for coordinated planning of land use, sewage treatment and disposal, and water supply facilities and services.
  - **Policy:** Continue to work with DNR, NCOs, and local governments to protect important natural resources.
  - **Program:** Continue to participate in on-going cooperative planning efforts such as the Mid-Kettle Moraine and North Branch Milwaukee River projects.
  - **Policy:** Continue to work with SEWRPC on regional plans and issues affecting Washington County.
  - **Program:** Continue working with SEWRPC and WisDOT on regional transportation planning and programming efforts and to develop methods to promote interconnection between all transportation modes and systems available within the County and the Region.
  - **Program:** Continue working with SEWRPC to update Washington County transportation plans, such as the jurisdictional highway plan and the transit development plan.
  - **Program:** Continue working with SEWRPC to prepare new and updated elements of the regional plan, such as the regional water quality, water supply, natural areas, and telecommunications plans.

- **Objective:** Reach out to local governments to provide information on land use-related ordinances.
  - **Policy:** Continue to provide information on land use-related ordinances and programs to local governments.
- **Program:** Continue to develop and distribute educational information and conduct educational programs related to County ordinances and programs.

- **Program:** Work with SEWRPC to develop model ordinances for use by local governments as recommended in other element chapters, such as model ordinances for property maintenance, planned unit developments, and accessory apartments.

- **Program:** Continue to provide updated shoreland/floodplain zoning maps to local governments when floodplain boundaries are changed or other significant amendments are made.

- **Program:** Continue to involve local governments when County land use ordinances are comprehensively updated.

- **Program:** Continue to assist local governments in the administration of stormwater management ordinances and nonmetallic mining ordinances, based on a cooperative agreement between the County and each interested local government.

- **Program:** Continue to provide information to local governments on the general requirements of the County sanitary ordinance.

- **Program:** Continue to provide technical assistance to towns on request to develop local farmland protection tools, such as transfer of development rights (TDR) and exclusive agricultural zoning.

- **Suggestions for Local Governments:** Local governments should provide Washington County with current copies of zoning, subdivision, and official mapping ordinances and amendments to such ordinances so the County is aware of local regulations affecting development projects. Local governments should coordinate the review of proposed land development projects with Washington County if a project requires approval under both a local and a County ordinance (such as approval under a Town zoning ordinance and the County shoreland/floodplain zoning ordinance).

**School District Cooperation Issue**

- **Goal:** To coordinate with school districts as they plan and locate school facilities, as appropriate.

- **Objective:** To provide land use-related data to help school districts plan for the future.
  - **Policy:** Encourage school districts to consult with local governments and Planning and Parks Department staff when initiating facilities planning or when planning locations of new schools or recreational facilities.
  - **Program:** Work with school district officials, on request, to explain the type of permits required from Washington County before selecting and buying a site, and encourage districts to meet with local governments for the same purpose.
  - **Program:** Provide population projection data, including age composition and demographic projections to school districts for use in preparing facilities plans, or suggest that school districts contact SEWRPC for this information.

- **Suggestions for Local Governments:** Local governments should work with their local school district, if requested, to help determine suitable sites for new school buildings and other facilities. Communities should also consider the development of joint school and park sites and/or opportunities for joint use of recreational facilities, and work with school district officials to develop joint facilities where appropriate.
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