

Chapter IX

LAND USE ELEMENT

INTRODUCTION

This chapter presents the land use element of the multi-jurisdictional comprehensive plan for Walworth County. Part One of this chapter provides background information on land use in the County and is strictly informational. Part Two presents the multi-jurisdictional land use plan and land use goal, objectives, policies, and programs. Land use regulations shall be consistent with Part Two of this chapter.

PART ONE: BACKGROUND INFORMATION ON LAND USE IN WALWORTH COUNTY

This section summarizes key background information that was considered in developing the land use goal, objectives, policies, and programs and the land use plan itself. It describes existing land use in Walworth County and outlines the public input received during the comprehensive planning effort.

Existing Uses and Emerging Trends

A detailed description of existing land use and trends in land use in Walworth County appears in Chapter IV of this report. A summary of key land use features follows:

- The historical growth and development of Walworth County is depicted on Map IV-1 in Chapter IV. As that map shows, small portions of the Cities of Delavan, Elkhorn, Lake Geneva, and Whitewater were developed by 1850. From that year to 1900, those communities grew, accompanied by the development of small urban centers in the Villages of Darien, East Troy, Genoa City, Sharon, and Walworth. By the 1920s lakeshore development was evident around several lakes, including Geneva Lake, Delavan Lake, and Lake Beulah. Development around these lakes and around many of the County's other lakes continued in the 1940s and 1950s. Now urban development in Walworth County remains concentrated in and around the County's incorporated cities and villages and lake communities. Some scattered isolated urban enclaves are evident. Large tracts of agricultural and other open space lands remain intact, relatively free of the impacts of urban development.
- In 2000, urban land uses encompassed 46,600 acres (13 percent of the total area of the County). Urban lands were comprised of the following: residential—20,300 acres (44 percent of the total); commercial—1,200 acres (3 percent); industrial—1,400 acres (3 percent); governmental and institutional—1,700 acres (4 percent); developed recreational land—4,300 acres (9 percent); transportation, communication, and utilities (including streets, railways, and airports and communication and utility facilities)—15,200 acres

(33 percent); and unused urban land¹—2,400 acres (5 percent). Existing land use in the County is shown on Map IV-2 in Chapter IV; county-level and community-level land use data are presented in Tables IV-1 and IV-2 in Chapter IV.

- From 27,600 acres in 1963 until 2000, urban land uses in the County increased by about 19,000 acres (69 percent). This includes increases of 9,900 acres between 1963 and 1980, and 9,100 acres between 1980 and 2000. Between 1963 and 2000, residential land increased by 9,670 acres (91 percent); commercial land increased by 590 acres (91 percent); industrial land increased by 1,040 acres (273 percent); transportation, communication, and utility land increased by 4,580 acres (43 percent); governmental and institutional land increased by 670 acres (64 percent); and recreational land increased by 2,270 acres (111 percent).
- Between 2000 and 2005, 55 residential subdivision plats of four or more lots were recorded in Walworth County, resulting in the creation of 1,742 residential lots (see Map IV-3 and Table IV-3 in Chapter IV). An additional 1,532 residential lots have been created through residential subdivision plats in the County since 2005—including 633 lots in 2006, 688 lots in 2007, and 211 lots in 2008.
- In 2000, non-urban lands encompassed about 322,400 acres (87 percent of the total area of the County). Nonurban lands were comprised of the following: agricultural lands—237,700 acres (74 percent of the total); wetlands, woodlands, and surface water—72,600 acres (23 percent); extractive and landfill—1,500 acres (less than 1 percent); and unused rural lands—10,600 acres (3 percent).²
- Non-urban lands in Walworth County decreased by about 19,000 acres (about 6 percent), between 1963 and 2000. Much of this decrease occurred through the conversion of agricultural land to urban uses.
- U.S. Department of Agriculture data indicate a steady increase in the price of land in Walworth County since 2000. The price per acre of agricultural land continuing in agricultural use approximately doubled between 2000 and 2007. The price per acre of agricultural land being diverted to other uses increased by a factor of two to three between the early 2000s and 2005-2007 (see Table IX-1).

The State comprehensive planning law requires that comprehensive plans include maps that show existing land use, productive agricultural soils, natural limitations for building development such as wetlands, floodplains, and other environmentally significant lands. Maps of all of these features are provided in Chapters III and IV of this report.

Public Input on Land Use

Most of the public input on land use in the County was obtained through the countywide public opinion survey and the SWOT exercises conducted as part of a series of public informational meetings held throughout the County in December 2007.

The countywide public opinion survey—a sample survey of resident households and non-resident owners of residential property in the County—included a number of questions pertaining to land use. A summary of the relevant findings from the survey follows:

- When asked to describe how they would like to see Walworth County 25 years from now, a majority of 71 percent indicated “mixed agricultural/residential.” Others cited “rural, agricultural community” (18 percent); “mixed residential/business” (9 percent); and “residential community” (2 percent).

¹Unused urban lands consist of open lands, other than wetlands and woodlands, that are located within urban areas but which were not developed for a particular use at the time of the land use inventory.

²Unused rural lands consist of open lands, other than wetlands and woodlands, which are located within rural areas but which were not in agricultural, pasture, or related use at the time of the land use inventory.

- The survey included several questions regarding whether policies should encourage, discourage, or remain neutral on development in Walworth County. When asked a general question as to whether development should be encouraged or discouraged in the County, 19 percent of all respondents said that development should be “encouraged;” 24 percent said “discouraged;” 55 percent said “allowed, but not encouraged;” and 2 percent had no opinion. A similar pattern of responses occurred when survey respondents were asked more specifically whether local officials should encourage, discourage, or remain neutral on industrial development, retail development, and residential development.³
- In a question directed toward those who feel that the County should continue to grow, respondents were asked which types of growth they would like to see. The top preferences were: single-family residential (57 percent of all survey respondents); family farms (50 percent); light industry (43 percent); rural residential (37 percent); and tourist–related business (35 percent).
- Respondents to the public opinion survey attached great importance to the preservation of farmland, with most saying that Walworth County should set agricultural land preservation as a goal and implement policies to achieve it. Most respondents indicated that the continued existence of family farms is important to the County’s future.
- Respondents to the countywide public opinion survey indicated that they very highly value the County’s natural resource features and strongly support their protection. Almost all respondents said that the natural environment positively influenced their decision to live, locate, or invest in the County, and most said that the County should actively pursue the protection of woodlands, wetlands, and other environmentally significant areas.

Participants in the SWOT exercises of 2007 attached much importance to the County’s open spaces, with many citing agricultural land and natural resource areas among the County’s greatest strengths and the potential loss or deterioration of these features among the County’s weaknesses/threats. A number of participants cited lack of industry, lack of high paying jobs, and “brain drain” as weaknesses/threats facing the County, possibly signaling support for industrial or commercial development in response to these perceived weaknesses/threats.

PART TWO: LAND USE PLAN AND LAND USE GOAL, OBJECTIVES, POLICIES, AND PROGRAMS

Countywide Land Use Plan

Map IX-1 presents a land use plan for the unincorporated areas of Walworth County looking ahead to the year 2035. The land use plan is essentially a compilation of town land use plans prepared as part of the multi-jurisdictional comprehensive planning process. The plan was prepared as follows:

1. A preliminary town land use plan map was prepared for each of the 13 participating towns under the guidance of the concerned town plan commission and/or town smart growth committee, with staff assistance provided by the County Land Use and Resource Management Department and SEWRPC. The new town land use plans were prepared based upon a consideration of any pre-existing town plans;⁴ the

³*With respect to industrial development, the responses were as follows: “encourage”—25 percent; “discourage”—26 percent; “remain neutral”—46 percent; “no opinion”—3 percent. With respect to retail development, the responses were as follows: “encourage”—27 percent; “discourage”—22 percent; “remain neutral”—49 percent; “no opinion”—2 percent. With respect to residential development, the responses were as follows: “encourage”—29 percent; discourage—18 percent; “remain neutral”—51 percent; and “no opinion”—2 percent.*

⁴*Ten of the 13 participating towns (Delavan, East Troy, Geneva, LaFayette, LaGrange, Sugar Creek, Sharon, Spring Prairie, Troy, and Whitewater) had prepared a land use plan prior to the start of the comprehensive planning effort. The Town of Delavan updated its existing land use plan during the comprehensive planning process, with the assistance of PDI-Graef, Inc., for inclusion in the multi-jurisdictional comprehensive plan.*

land use goal and objectives presented later in this chapter; the year 2020 Walworth County land use plan; the projections of population, households, and employment; and public input received during the course of the planning process.

2. The land use plans of the 13 participating towns were incorporated into the countywide land use plan map. For most of the towns, the land use categories shown on the respective town plans were transferred directly to the County plan map. For some towns, the land use categories shown on the town plan map were combined into more general categories on the countywide map. A correspondence table in this regard is presented as Table IX-2.
3. For the nonparticipating towns (Bloomfield, Linn, and Lyons), the land use plan maps included in their respective comprehensive plans were incorporated into the countywide land use plan map; town plan categories were converted to similar categories on the countywide plan map, as appropriate.⁵

The countywide land use plan map was developed in this manner in order to achieve basic consistency with the town land use plans, recognizing that the town plans may provide more detail than the County plan in certain areas.

The state planning law requires that a county comprehensive plan incorporate the master or comprehensive plans of its cities and villages. All land use plan maps that are now, or in the future may be, adopted by cities and villages in Walworth County under the state comprehensive planning law (*Wisconsin Statutes*, Section 66.1001) are incorporated by reference into the countywide land use plan—*within the corporate limits of those cities and villages*. As of mid-2009, a majority of the cities and villages in Walworth County had not yet adopted a comprehensive plan under Section 66.1001. Land use plan maps from city and village comprehensive plans adopted under Section 66.1001 available at the time of completion of this multi-jurisdictional plan were included in Appendix C of this report.

Description of the County Land Use Plan

Map IX-1 shows the recommended pattern of land use in the unincorporated areas of Walworth County through the year 2035. While the plan map was prepared via a “grass-roots” approach—that is, prepared by compiling plans developed by each of the County’s towns—the resulting plan is generally consistent with long-standing County planning objectives of protecting important natural and agricultural resources and preserving the unique characteristics of the County, while accommodating expected growth and development. A summary of the year 2035 County land use plan by major land use category follows:

Urban Density Residential Land⁶

Urban density residential land consists of residential development at a density of less than 5.0 acres per dwelling. The urban density residential areas shown on Map IX-1 encompass about 20,100 acres, or 6.0 percent of the County’s unincorporated area (see Table IX-3).⁷ Under the plan, much of the new urban density residential

⁵*These plans are documented in the following: Smart Growth Plan 2025—Town of Bloomfield, as amended February 4, 2008; Town of Lyons Comprehensive Plan Update 2025, dated October 2005; and Town of Linn Year 2025 Comprehensive Plan, dated June 2004.*

⁶*For purposes of this plan, “urban density residential land” is defined as less than 5.0 acres per dwelling, while “rural density residential land” is defined as at least 5.0 acres per dwelling. It should be noted that rural density residential land includes conservation developments in the C-2 Upland Resource Conservancy zoning district—where permitted—at slightly less than 5.0 acres per dwelling due to density bonuses that may be allowed under zoning.*

⁷*This figure does not include developed residential land on lots scattered throughout areas identified on the plan map as prime agricultural land; other agricultural, rural residential, and other open land; or environmental corridors.*

development would occur as infill in areas already committed to such use as well as adjacent to similar existing development. Determination of a specific density within the overall density range would depend upon the availability of sanitary sewer service and town and County goals and objectives for the area concerned.⁸

In unsewered areas, urban residential development would most commonly be accommodated through the R-1 Single-Family Residence zoning district (at least 40,000 square feet per dwelling), and, to a lesser extent, through the C-3 Conservancy-Residential zoning district (at least 100,000 square feet per dwelling) or R-5 Planned Residential Development zoning district (at least 40,000 square feet per dwelling). In sewerred areas, urban residential development could be accommodated through a number of residential zoning districts, the maximum single-family density allowed for new development (excluding legal substandard lots) being at least 15,000 square feet per dwelling, in the R-2 Single-Family Residence district.

Commercial Land

Commercial lands shown on Map IX-1 encompass about 1,600 acres (0.5 percent of the County's unincorporated area). Some towns have identified very little or no land for additional commercial development. Others have identified areas that would serve as neighborhood centers, town commercial centers, or commercial gateways to urban centers. Commercial development in the identified areas would generally be accommodated through the B-1 Local Business zoning district, B-2 General Business zoning district, B-3 Waterfront Business zoning district, or B-4 Highway Business zoning district.

Industrial Land

Industrial lands shown on Map IX-1 encompass about 900 acres (0.3 percent of the County's unincorporated area). None of the participating towns proposes a major expansion of manufacturing or other industrial activity. New industrial development would generally be limited to relatively small currently zoned industrial areas and small-scale infill of areas already in such use. Industrial development in the identified areas would generally be accommodated through the M-1 Industrial zoning district and, to a limited extent, the M-2 Heavy Industrial zoning district.

Governmental and Institutional Land

Governmental and institutional lands shown on Map IX-1 encompass about 800 acres (0.2 percent of the County's unincorporated area). These areas are comprised for the most part of lands in the P-2 Institutional Park zoning district, and include areas that are wholly or partially developed as schools, churches, and government buildings such as town halls and fire stations, as well as cemeteries.

Transportation, Communication, and Utility Land

Transportation, communication, and utility uses are comprised of street and highway right-of-ways and railroad right-of-ways, as well as areas that are wholly or partially developed for communication or utility uses, such as transmission towers or sewage treatment plants. These uses encompass about 12,900 acres (3.8 percent of the County's unincorporated area).

Recreational Land

Recreational lands shown on Map IX-1 encompass about 1,900 acres (0.6 percent of the County's unincorporated area). These areas consist primarily of parks, golf courses, campgrounds, and similar outdoor recreation uses, and are generally accommodated in the P-1 Recreational Park zoning district. Wetlands and woodlands within such recreational sites are generally identified on the plan map as part of an environmental corridor or isolated natural resource area.

⁸The land use plans for five of the participating towns (Delavan, Geneva, LaGrange, Sugar Creek, and Troy) and two nonparticipating towns (Bloomfield and Lyons) divide the overall urban density range into three or more density ranges.

Commercial/Recreational Land

Commercial/recreational lands shown on Map IX-1 encompass about 2,300 acres (0.7 percent of the County's unincorporated area). These areas are characterized by commercial/recreational facilities, often with a residential component, and are typically accommodated through the B-5 Planned Commercial-Recreational Business zoning district. Large recreational-resort complexes, such as Grand Geneva and Geneva National, account for much of the identified commercial/recreational land. The Town of Geneva has identified significant additional areas for future commercial/recreational development.

Mixed-Use Land

Mixed-use areas have been identified in two towns—Richmond and Linn. Located near the intersection of STH 89 and CTH A, the mixed use area in the Town of Richmond would be further developed and redeveloped for a mix of business and residential uses. The mixed-use area in the community of Zenda in the Town of Linn would utilize traditional neighborhood development concepts to accommodate a mix of residential, commercial, recreational, and light industrial uses. Mixed-use areas encompass just over 100 acres (less than 0.1 percent of the County's unincorporated area).

Urban Reserve

The urban reserve category on Map IX-1 includes areas identified as “urban reserve” on town plans as well as areas variously identified on town plans as “agricultural holding,” “development reserve,” and “development holding area.” The urban reserve designation is an indication that towns recognize that the areas so identified may be developed at some point in time, but that specific future uses have not been determined. In many cases, the identified urban reserve areas are located adjacent to cities and villages, often being located wholly or partially within the planned sewer service areas of cities and villages, and could be annexed to cities and villages prior to development. In other cases, the urban reserve areas would remain part of the town concerned. Some towns envision a broad range of future land uses within the urban reserve areas, while others envision a narrower range of uses, as indicated in the town appendices. The types of uses that would be accommodated depend upon services available and town objectives for the areas concerned. The “urban reserve” designation is not to be construed as limiting future development to urban density residential (less than five acres per dwelling) or other urban use. Rural density residential development (five acres or more per dwelling) is an option for such areas. Urban reserve areas encompass about 5,500 acres (1.6 percent of the County's unincorporated area).

Prime Agricultural Land

Prime agricultural land consists largely of agricultural lands covered by Capability Class I, II, and III soils as identified by the U.S. Natural Resources Conservation Service. The prime agricultural lands shown on the land use plan map generally correspond to the County's A-1 Prime Agricultural Land zoning district with certain exclusions in areas where the respective town plans recommend future urban or rural development. The prime agricultural land area includes scattered homesites and vacant lots within essentially agricultural areas that have been “blended in” as a mapping convention. The prime agricultural land area shown on Map IX-1 encompasses about 171,400 acres (50.9 percent of the County's unincorporated area).

With certain exceptions, the lands identified as prime agricultural on the land use plan map will be retained in agricultural use and in related uses that are allowed as principal or conditional uses in the A-1 Prime Agricultural Land zoning district of the County zoning ordinance, with a minimum parcel size of 35 acres. The exceptions are:

- Areas which may in the future be found to meet the criteria for rezoning from the A-1 Prime Agricultural Land zoning district set forth in Table IX-4.
- Parcels which may be developed in accordance with the substandard lot provisions of the County Zoning Ordinance.
- Areas which are in the future proposed for agricultural manufacturing, warehousing, and marketing uses (uses permitted in the A-4 zoning district)—where the proposed use is compatible with adjacent agricultural areas and consistent with County and town goals and objectives. All such proposals will be

subject to the County zoning ordinance. Such areas would have to be rezoned into the A-4 Agricultural Related Manufacturing, Warehousing, and Marketing district and receive a conditional use permit. Such uses, if approved, will be accommodated without amending the comprehensive plan.

- Areas which are in the future proposed for mineral extraction use where the proposed use is compatible with adjacent agricultural use and consistent with County and town goals and objectives. Additional policies for extractive uses are presented later in this chapter.
- This plan specifically permits the development of lands identified as prime agricultural for any use allowed under the zoning in effect as to that parcel.

The criteria for rezoning land from the A-1 Prime Agricultural Land zoning district set forth in Table IX-4 were recommended by the Walworth County Smart Growth Technical Advisory Committee in recognition of the fact that there are some inclusions of Class IV-VIII soils in the prime agricultural land area which could potentially be diverted from agricultural use without jeopardizing the remaining prime agricultural land. Parcels that meet the criteria in Table IX-4 could be rezoned from the A-1 zoning district without amending the plan. These criteria are consistent with the County farmland preservation plan and State farmland preservation law, and they have long been used by Walworth County as a guide to decision-making on proposed rezones from the A-1 zoning district.

Other Agricultural, Rural Residential, and Other Open Land

Under the land use plan, areas which have been designated neither for future urban use nor for preservation as environmental corridors, isolated natural resource areas, or prime agricultural land are identified as “other agricultural, rural residential, and other open land.” Such lands encompass about 34,200 acres (10.1 percent of the County’s unincorporated area).

The overriding recommendation for these areas is that they be retained in rural use: agricultural use, other open use, or rural residential development. Rural residential development may be accommodated at densities indicated on the plan map—including five to 19 acres per dwelling, 20 to 34 acres per dwelling, or five to 34 acres per dwelling. Rural residential development would be accommodated through the C-2 Upland Resource Conservation zoning district or A-2 Agricultural Land zoning district as appropriate.

Rural Density Residential Land

Two towns, East Troy and Sugar Creek, specifically designate certain areas for future rural density residential use, with a maximum density of no more than one dwelling per five acres. Such development would be accommodated through the C-2 Upland Resource Conservation zoning district. The identified rural density residential land encompasses about 3,300 acres (1.0 percent of the County’s unincorporated area).

Agricultural Related Manufacturing, Warehousing, and Marketing

Lands in this category on Map IX-1 encompass about 500 acres (0.2 percent of the County’s unincorporated area). These lands are in the A-4 Agricultural Related Manufacturing, Warehousing, and Marketing zoning district, which is intended to accommodate manufacturing, warehousing, storage, and marketing activities that are dependent upon or closely allied to agriculture.

Extractive and Landfill

Extractive lands on Map IX-1 encompass about 1,700 acres (0.5 percent of the County’s unincorporated area). These lands were identified based largely on existing zoning. This plan recognizes that additional land for mineral extraction (sand, gravel, clay, stone) may be needed during the planning period, although the specific locations have not been determined. The County and the concerned town will consider proposals for new or expanded mineral extraction areas on a case-by-case basis, taking into account the impacts on adjacent land uses, impacts on the natural resource base, impacts on highways, and other factors. All such proposals will be subject to the County zoning ordinance and non-metallic mining reclamation ordinance. These areas will have to be rezoned into the M-3 Mineral Extraction zoning district and receive a conditional use permit. Such uses will be accommodated without amending the comprehensive plan. The property would be rezoned back to the original zoning following reclamation.

Areas identified as landfill on Map IX-1 encompass over 400 acres (0.1 percent of the County’s unincorporated area). This includes the Mallard Ridge landfill in the Town of Darien and two sites in the Town of East Troy.

Environmental Corridors and Isolated Natural Resource Areas

Environmental corridors, more fully described in Chapter III, are linear areas in the landscape that contain concentrations of wetlands, woodlands, wildlife habitat, surface water, and other natural resource features. Primary environmental corridors are the largest of these, by definition being at least 400 acres in area, two miles in length, and 200 feet in width. Secondary environmental corridors may have similar types of resources as primary environmental corridors but are smaller in size; they are by definition at least 100 acres in area and one mile in length. Primary environmental corridors shown on Map IX-1 encompass about 47,700 acres (excluding surface water), or 14.2 percent of the unincorporated area of the County. Secondary environmental corridors encompass about 8,500 acres (excluding surface water), or 2.5 percent of the unincorporated area of the County.

Isolated natural resource areas, also more fully described in Chapter III, are comprised of tracts of wetlands, woodlands, and surface water—by definition, at least five acres in area and 200 feet in width—that are separated from the environmental corridors. The isolated natural resource areas shown on Map IX-1 encompass about 7,700 acres (excluding surface water), or 2.3 percent of the unincorporated area of the County.

The environmental corridors and isolated natural resource areas were identified by the Regional Planning Commission as part of its continuing regional planning program. In the preparation of the land use element, the environmental corridors and isolated natural resource areas were refined to eliminate areas that are now known to be developed or have small platted lots that are zoned for residential development.⁹

The land use plan for these areas includes these provisions:

- Wetland and floodplain portions of the environmental corridors and isolated natural resource areas will be retained in open use, as allowed in the C-1 Lowland Resource Conservation zoning district, C-4 Lowland Resource Conservation (Shoreland) zoning district, and in 100-year recurrence interval floodplains.
- Upland portions of the environmental corridors and isolated natural resource areas (areas other than wetlands and floodplains) will accommodate any of the uses allowed as principal or conditional uses under the C-2 Upland Resource Conservation district of the County zoning ordinance. This includes single-family residential development on minimum five-acre lots—or, at a maximum density of one dwelling unit per five acres, in the case of conservation developments.¹⁰
- This plan specifically permits the development of lands identified as primary or secondary environmental corridor or isolated natural resource area for any use allowed under the zoning in effect as to that parcel.

⁹*It should be noted that environmental corridor refinements made in the comprehensive plan do not alter the environmental corridors delineations set forth in local sewer service area plans. Local sewer service area plans should be consulted to identify restrictions on the extension of sanitary sewers due to environmentally significant lands.*

¹⁰*It should be noted that while much of the area identified as environmental corridor and isolated natural resource area is in the C-1 Lowland Resource Conservation, C-4 Lowland Resource Conservation (Shoreland), and C-2 Upland Resource Conservation zoning districts, some of the area is in the A-1 Prime Agricultural Land (35-acre minimum parcel size), A-2 Agricultural Land (20-acre minimum parcel size), and P-1 Recreational Park zoning districts. The A-1, A-2, and P-1 districts are considered to effectively protect the environmental corridors and isolated natural resource areas.*

It is expected that in many cases, as specific development proposals arise, a field survey will be conducted to more precisely identify the boundaries of the environmental corridors and isolated natural resource areas in the area of the proposed development, effectively refining the corridor and isolated natural resource area delineations. The results of the field survey can be incorporated directly into the site design for the proposed development. The Regional Planning Commission conducts environmental field surveys for proposed developments without cost upon request by the County or by cities, villages, and towns. Landowners and their developers may also arrange to have environmental field surveys prepared through qualified consultants.

WDNR and WisDOT Lands Outside Environmental Corridors

The Wisconsin Department of Natural Resources owns large tracts of open space lands in Walworth County, and the Wisconsin Department of Transportation owns certain open space lands acquired for wetland mitigation purposes. Much of these lands consists of environmental corridors and isolated natural resource areas and are identified as such on the plan map. State-owned open space lands that do not have the resource features found in environmental corridors are identified on the plan map as “DNR/DOT land outside environmental corridors.” These lands encompass about 2,900 acres (0.8 percent of the County’s unincorporated area). Some of these lands may be expected to revert to more natural conditions, with the potential to become part of the environmental corridor network in the years ahead.

Other Open Land to be Preserved

This category is comprised of other small wetland and/or floodplain areas, typically located near planned urban or rural development, specifically identified in certain town plans as “other open land to be preserved,” thereby effectively designating such lands as unsuitable for development. These lands encompass about 400 acres (0.1 percent of the County’s unincorporated area).

Town Land Use Plans

As previously noted, a town land use plan map was prepared for each of the 13 participating towns during the multi-jurisdictional planning process. Those plans, which form the basis of the countywide land use plan map described above, are presented individually in Appendix A. Included for each participating town in Appendix A are the town land use plan map, appropriate tabular data, and any text needed to explain unique aspects of the respective town land use plans. **It is understood that, in adopting this multi-jurisdictional plan, each participating town is adopting its own land use plan map as set forth in the appendix.**

As also previously noted, a land use plan map has been prepared as part of the comprehensive plans that have been adopted by the three nonparticipating towns (Bloomfield, Linn, and Lyons). Those plans, which have also been incorporated into the countywide land use plan map, are presented in Appendix B.

Land Use Projections

The State comprehensive planning law requires the land use element to include projections, in five-year increments, of future residential, commercial, and industrial land uses. Due to the uncertainty of predicting the rate of future development, it was assumed for the purpose of fulfilling this requirement that the same amount of growth would occur in each five-year period. Thus, the projection was made by estimating the total amount of residential, commercial, and industrial growth between 2000 and 2035 under the plan and dividing by seven. The land use projections are not to be construed as binding on towns. Rather, they indicate the amount of land that could potentially be converted to residential, commercial, and industrial use on average over the course of the planning period.

Estimates of the amounts of residential land that would be developed between 2000 and 2035 are presented in Table IX-5. For the unincorporated area of the County, it is estimated that about 6,700 acres of residential land would be developed between 2000 and 2035 in order to accommodate the projected increase in housing units intended for year-round occupancy (households). This assumes development at planned densities in the

designated urban-density residential areas and assumes one acre of land use conversion per dwelling for rural-density residential development.¹¹ Additional residential land may be developed to accommodate seasonal or second-home residences.¹²

It should be noted that each of the town land use plans would actually accommodate more new housing than is projected for the period 2000 to 2035. The right-hand column of Table IX-5 indicates the total additional housing that could be accommodated after the year 2000 assuming full development of all urban-density residential areas shown on the plan along with the rural-density residential development that the plan would allow.¹³ This “buildout” estimate of additional housing does not include housing that could potentially be accommodated in the designated urban reserve and mixed-use areas.

The additional commercial and industrial acreage which would be developed between 2000 and 2035 under the plan is indicated in Table IX-6. As that table indicates, about 895 acres of additional commercial land and 290 acres of additional industrial land would be developed in the unincorporated area of the County during the planning period. A number of towns have identified little or no land for new commercial or industrial development, having taken the position that most commercial and industrial development will occur in areas where public utilities are available, particularly cities and villages.

If all of the projected additional residential, commercial, and industrial land were converted from agricultural land—including an allowance for related new streets and highways—the agricultural land area of the County would decrease by about 9,300 acres.¹⁴ Some additional agricultural land could be converted to accommodate the development of other urban land uses as well as future development in identified urban reserve areas. It should be recognized, however, that a portion of the additional development will occur in open land not in agricultural use, including residential development that would occur in upland environmental corridors.

While this analysis has focused on the unincorporated areas of the County, it should be recognized that substantial additional residential, commercial, industrial, and other urban development in the coming decades will occur in the County’s cities and villages. The projections presented in Chapter VII indicate that cities and villages will account for 64 percent of the increase in population and 88 percent of the increase in jobs in the County between 2000 and 2035. As noted earlier in this chapter, a majority of the cities and villages in Walworth County had not yet adopted a comprehensive plan under *Wisconsin Statutes* Section 66.1001. Once completed, those plans will provide an indication of the increases in population, jobs, and urban land use which the cities and villages intend to accommodate.

Potential Land Use Conflicts

Land use conflicts between communities in Walworth County and throughout the State are most common in town areas adjacent to cities and villages. Under Wisconsin law, cities and villages may include town areas in their comprehensive plans. Town and city/village plans may recommend different types and intensities of land use for the same town areas. Under Wisconsin law, cities and villages have extraterritorial plat review and extraterritorial

¹¹*Rural residential development requires at least five acres—and, in some cases, 20 acres—per dwelling. Typically only a portion of this area is actually developed as a homesite.*

¹²*The residential projections prepared under the comprehensive plan and presented in Chapter VII pertain to year-round housing only.*

¹³*Rural density residential development could be accommodated in areas specifically identified for such development as well as in upland environmental corridors and in areas identified as other agricultural, rural residential, and other open land.*

¹⁴*This is the sum of projected increases in residential, commercial, and industrial land plus an allowance of 20 percent for associated streets.*

zoning powers in adjacent town areas and cities and villages may annex land from towns.¹⁵ The State comprehensive planning law of 1999 did not change the powers of cities and villages relative to towns. State law does, however, provide for boundary agreements and other forms of cooperative agreement between towns and cities/villages. Such agreements, which are described in Chapter XV (“Intergovernmental Cooperation Element”), provide the best means for the resolution of intergovernmental land use conflicts.

In addition to intergovernmental conflicts over land use, conflicts can occur between adjacent land uses within a community. Of particular concern in Walworth County, with its extensive agricultural base, are potential conflicts between agricultural activity and residential and other forms of urban development. New residents may find the noise, dust, and odors associated with some farm operations objectionable; farmers may face increased traffic on once little-traveled roads they rely on to move their farm machinery and equipment. The agricultural land component of the multi-jurisdictional land use plan seeks to preserve large blocks of farmland for agricultural use, and implementation of the plan should help minimize future conflicts along these lines.

Opportunities for Redevelopment

The greatest opportunities for redevelopment in the County are older urban centers served by existing infrastructure—primarily, the older central areas of the County’s cities and villages. Environmentally contaminated sites, which tend to be located in cities and villages (see Map XIV-2 in Chapter XIV), are also candidates for redevelopment. Within towns, opportunities for redevelopment consist, for the most part, of the potential re-use of vacant or underutilized buildings in their smaller-scale urban centers and in cross-road communities.

Various government programs available in support of redevelopment efforts and the cleanup of contaminated sites are referenced in Chapter XIV, “Economic Development Element.”

LAND USE GOAL, OBJECTIVES, POLICIES, AND PROGRAMS

Land Use Goal

- A sustainable land use pattern that meets the social, economic, physical, ecological, and quality-of-life needs of the County and all of its communities, maintaining a sense of place in urban and rural areas.

Land Use Objectives

- Land identified for future urban and rural uses that is properly related to anticipated growth in population and economic activity and that is consistent with the above goal.
- Spatial distribution of urban and rural development that is properly related to the natural and agricultural resource base.
- Spatial distribution of urban development land uses that is properly related to, and maximizes the use of, existing public utilities and facilities.
- Compact urban service areas, enabling the efficient provision of urban services and facilities and moderating the overall amount of open space developed for urban use.
- Conservation and revitalization, as appropriate, of existing urban areas.
- Maintenance of the rural character of areas of the County located beyond planned urban areas.
- Compatible relationship between urban and rural land uses.

¹⁵The extraterritorial plat review and zoning power of cities and villages in Walworth County extends 1.5 miles from city/village boundaries. A map of the city/village extraterritorial jurisdiction area is presented in Chapter XV.

Land Use Policies and Programs

Land use policies are inherent in the description of the land use plan presented earlier in Part Two of this chapter. In addition, the following land use policies and programs are established:

County and Towns

1. Walworth County and its towns should cooperatively administer the County Zoning and Shoreland Zoning Ordinances in a manner that is consistent with the recommended land use plan. Existing zoning remains in effect until there is a petition for, and adoption of, a zoning change that is in accordance with the plan, following the procedures specified in the County Zoning and Shoreland Zoning ordinances.¹⁶
2. Walworth County, with input from its towns, should administer the County Subdivision Control Ordinance in a manner that is consistent with the recommended land use plan.
3. Those towns which have adopted, or may in the future adopt, a town subdivision control ordinance should administer that ordinance in a manner that is consistent with the recommended land use plan.
4. Towns should encourage the maintenance and revitalization of their older developed areas (residential enclaves, commercial clusters) as appropriate.
5. With regard to subdivision design, this comprehensive plan recognizes conservation development as an alternative to conventional development and recommends a flexible approach to the choice of design options, with decisions on the use of conservation development designs and other design options made on a case-by-case basis, taking into account topography, existing natural features, and other site characteristics.¹⁷ This case-by-case approach applies to all participating towns other than the Towns of LaGrange and Spring Prairie.¹⁸ The Town of LaGrange requires the use of conservation development designs as part of residential subdivisions; the Town of Spring Prairie opposes the use of conservation development designs. The Town of Lyons requires the use of conservation development designs for subdivisions in certain residential, conservancy, and agricultural zoning districts.

Cities and Villages

1. Cities and villages are encouraged to develop and implement their comprehensive plans in a manner that promotes the development of compact urban areas that allows for the efficient provision of public utilities and services.

¹⁶*The State comprehensive planning law requires that certain actions—including zoning and subdivision regulation—shall be consistent with the comprehensive plan. With respect to zoning, in order to meet this requirement, rezonings to achieve consistency between the zoning map and the comprehensive plan map will be considered upon petition by the landowner. Changes to achieve such consistency may also be initiated by the concerned town board, the County Board, or County Zoning Agency.*

¹⁷*The Walworth County Zoning Ordinance provides for the use of conservation developments—often referred to as “conservation subdivisions”—on a voluntary basis in the C-2 Upland Resource Conservation zoning district, C-3 Conservancy-Residential zoning district, and A-2 Agricultural Land zoning district and in certain residential zoning districts. Conservation developments permit the clustering of housing units on smaller lots than allowed under conventional zoning, holding the surrounding areas in open use, thereby achieving the permitted density for the site overall.*

¹⁸*The Town of Delavan restricts new residential subdivisions to its sanitary sewer service area.*

2. Cities and villages are encouraged to promote infill development, along with the revitalization and renewal of their older urban areas, as part of their overall approach to meeting future development needs.
3. Cities and villages are encouraged to include towns in planning future development in areas that border on, or potentially extend into, town areas. Coordination of planning can probably best be achieved through boundary agreement efforts. Cities and villages are also encouraged to consult with towns when making decisions on annexations and the exercise of extraterritorial powers.

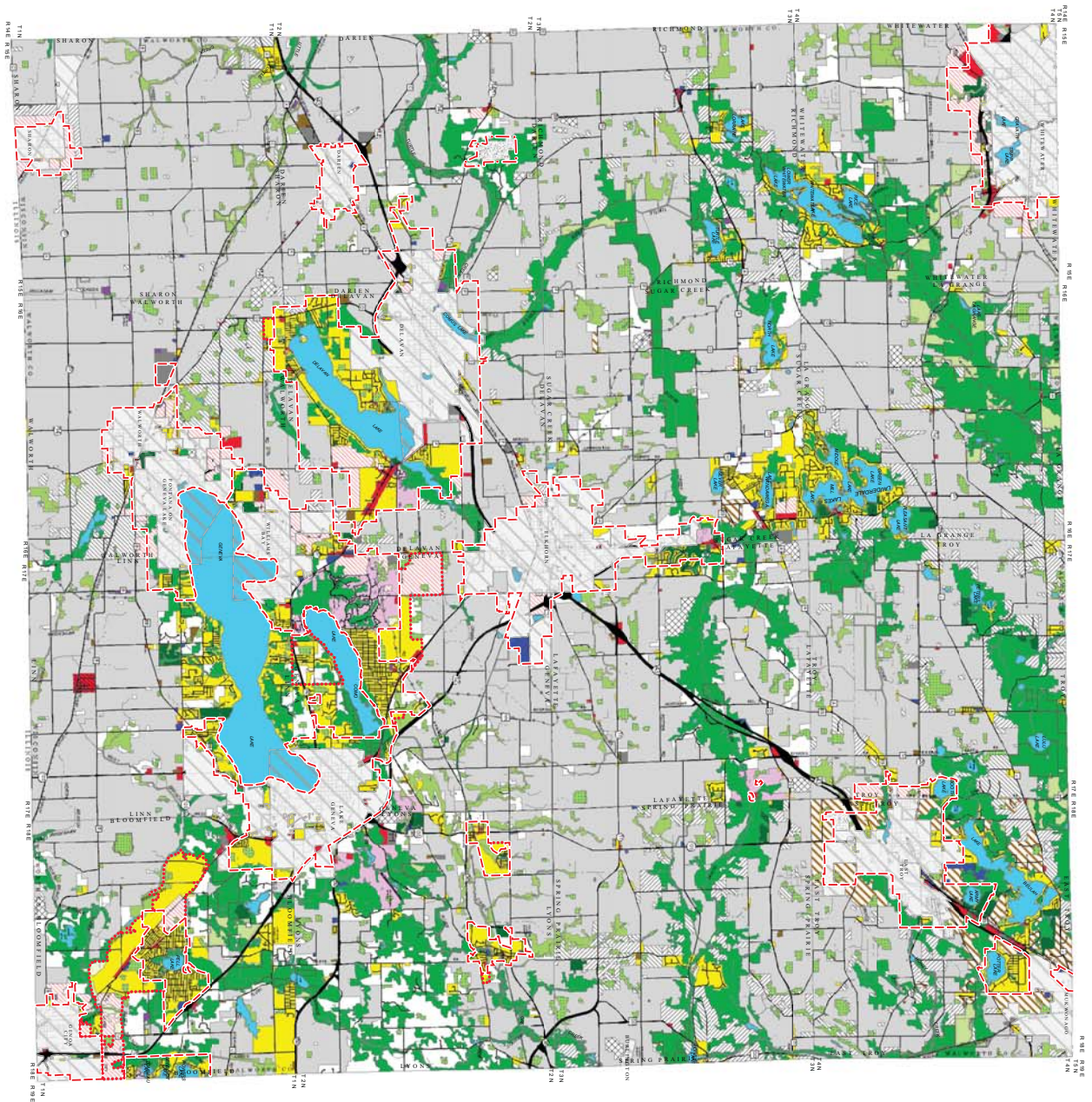
Table IX-1

AGRICULTURAL LAND SALES IN WALWORTH COUNTY: 2000-2007

Year	Agricultural Land Continuing in Agricultural Use			Agricultural Land Being Diverted to Other Uses			Total of All Agricultural Land		
	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre	Number of Transactions	Acres Sold	Dollars per Acre
2000	25	1,810	3,203	11	468	5,208	36	2,278	3,615
2001	21	1,627	3,273	6	437	6,564	27	2,064	3,970
2002	21	2,080	3,402	7	409	5,311	28	2,489	3,715
2003	18	1,390	4,420	9	359	11,603	27	1,749	5,894
2004	24	2,474	5,014	6	501	9,802	30	2,975	5,820
2005	13	1,277	5,414	14	1,318	12,638	27	2,595	9,083
2006	15	1,271	6,449	14	873	21,401	29	2,144	12,537
2007	12	898	6,050	4	411	18,709	16	1,309	10,025

NOTE: Includes "arm's length" transactions only.

Source: U.S. Department of Agriculture, National Agricultural Statistics Service.



MAP IX-1

LAND USE PLAN FOR WALWORTH COUNTY, 2035

- URBAN DENSITY RESIDENTIAL (LESS THAN 5.0 ACRES PER DWELLING)
- RURAL DENSITY RESIDENTIAL (AT LEAST 5.0 ACRES PER DWELLING)
- COMMERCIAL
- COMMERCIAL/RECREATIONAL
- MIXED USE
- INDUSTRIAL
- GOVERNMENTAL AND INSTITUTIONAL
- RECREATIONAL
- TRANSPORTATION, COMMUNICATION, AND UTILITIES
- AGRICULTURAL RELATED MANUFACTURING, WAREHOUSING, AND MARKETING
- STREETS AND HIGHWAYS
- URBAN RESERVE
- EXTRACTIVE
- SANITARY LANDFILL

- PRIME AGRICULTURAL (MINIMUM PARCEL SIZE: 35 ACRES)
- OTHER AGRICULTURAL, RURAL RESIDENTIAL, AND OTHER OPEN LAND (5 TO 34 ACRES PER DWELLING)
- OTHER AGRICULTURAL, RURAL RESIDENTIAL, AND OTHER OPEN LAND (5 TO 19 ACRES PER DWELLING)
- OTHER AGRICULTURAL, RURAL RESIDENTIAL, AND OTHER OPEN LAND (20 TO 34 ACRES PER DWELLING)
- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- DNRODOT LAND OUTSIDE ENVIRONMENTAL CORRIDORS
- OTHER OPEN LAND TO BE PRESERVED
- SURFACE WATER
- PLANNED SEWER SERVICE AREA
- TOWN PROPOSED ADDITION TO SEWER SERVICE AREA
- SPECIAL SEWER SERVICE AREA (MALLARD RIDGE)
- INCORPORATED AREA

ADOPTED BY WALWORTH COUNTY BOARD OF SUPERVISORS: 11/10/2019

Source: Walworth County, Towns in Walworth County, and SEMRPC.

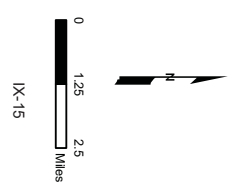


Table IX-2

CORRESPONDENCE BETWEEN TOWN LAND USE CATEGORIES AND LAND USE CATEGORIES SHOWN ON THE COUNTYWIDE LAND USE MAP FOR SELECTED TOWNS

Town	Category Shown on Town Land Use Plan	Corresponding Category Shown on County Land Use Plan Map	
Towns of LaGrange, Sugar Creek, and Troy	Suburban Density Residential (1.5 to 4.9 acres per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Low Density Residential (19,000 square feet to 1.4 acre per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Medium Density Residential (6,200 square feet to 18,999 square feet per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
Town of Geneva	Suburban Density Residential (2.3 to 4.9 acres per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Low Density Residential (40,000 square feet to 2.2 acre per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Medium-Low Density Residential (15,000 to 39,999 square feet per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Medium Density Residential (7,500 to 14,999 square feet per dwelling)	Urban Density Residential (less than 5.0 acres per dwelling)	
	Development Reserve	Urban Reserve	
Town of Delavan	Traditional Lakefront Residential	Urban Density Residential (less than 5.0 acres per dwelling)	
	Residential	Urban Density Residential (less than 5.0 acres per dwelling)	
	Residential Development	Urban Density Residential (less than 5.0 acres per dwelling)	
	Recreation Residential Development	Urban Density Residential (less than 5.0 acres per dwelling)	
	Lakefront Commercial	Commercial	
	Roadside Development	Commercial	
	General Commercial	Commercial	
	Future Commercial	Commercial	
	Light Industrial	Industrial	
	Park	Recreation	
	Development Holding Area	Urban Reserve	
	Agricultural	Prime Agricultural	
		Other Agricultural, Rural Residential, and Other Open Land	
Agricultural Related Manufacturing, Warehousing, and Marketing.			
Town of Richmond	Agricultural Holding	Urban Reserve	

Note: This table indicates the correspondence between the land use categories shown on the town land use plan maps and the more generalized land use categories shown on the countywide land use plan map. In all other cases, land use categories on the town land use plan map and County land use plan map are the same.

Source: Towns of LaGrange, Sugar Creek, Troy, Geneva, Delavan, and Richmond; Walworth County; and SEWRPC.

Table IX-3

PLANNED LAND USE IN THE UNINCORPORATED AREA OF WALWORTH COUNTY: 2035

Land Use Category	Acres	Percent of Unincorporated Area
Urban		
Urban Density Residential (less than 5.0 acres per dwelling) ^a	20,132	6.0
Commercial	1,605	0.5
Industrial	887	0.3
Governmental and Institutional	840	0.2
Transportation, Communication, Utilities ^b	12,892	3.8
Recreational	1,936	0.6
Commercial/Recreational	2,303	0.7
Mixed-Use	131	-- ^c
Urban Reserve	5,545	1.6
Urban Subtotal	46,271	13.7
Nonurban		
Prime Agricultural (minimum parcel size: 35 acres)	171,406	50.9
Other Agricultural, Rural Residential, and Other Open Land:		
5 to 34 acres per dwelling	15,947	4.7
5 to 19 acres per dwelling	10,490	3.1
20 to 34 acres per dwelling	7,716	2.3
Rural Density Residential (at least 5.0 acres per dwelling)	3,259	1.0
Agricultural Related Manufacturing, Warehousing, and Marketing	540	0.2
Extractive	1,725	0.5
Landfill	452	0.1
Environmental Corridors and Isolated Natural Resource Areas:		
Primary Environmental Corridor	47,681	14.2
Secondary Environmental Corridor	8,531	2.5
Isolated Natural Resource Area	7,743	2.3
DNR/DOT Lands Outside Environmental Corridor	2,858	0.8
Other Open Land to Be Preserved	399	0.1
Surface Water	12,085	3.6
Nonurban Subtotal	290,832	86.3
County Total	337,103	100.0

^a Does not include residential land on lots scattered throughout areas identified on the plan map as prime agricultural land; other agricultural, rural residential, and other open land; or environmental corridors.

^b Includes streets, railways, and other transportation, communication, and utility uses.

^c Less than 0.1 percent.

Source: Walworth County, Towns in Walworth County, and SEWRPC.

Table IX-4

CRITERIA FOR REZONING LAND FROM THE A-1 PRIME AGRICULTURAL LAND ZONING DISTRICT

1. The proposed rezone should be consistent with the Walworth County and Town comprehensive plans and the Walworth County agricultural preservation plan. Rezones shall be considered to be consistent with these plans if the following standards are met:
 - 1a. Less than 50 percent of the parcel should be covered by soils in agricultural capability Classes I, II, and III. Areas that are mapped as Class I, II, or III soils but which are demonstrated to be unsuitable for agriculture due to erosion or other factors, should not be “counted” as Class I, II, or III farmland. Such determinations should be made by a qualified soil mapping technician.
 - 1b. The proposed land use should be compatible with remaining prime agricultural land in the vicinity.

Note: Standard “1a” is quantifiable and measureable. Standard “1b” is more a matter of judgment. In making a determination regarding compatibility, the County and concerned Town should consider the location of the parcel (for example, is it located on the periphery of a block of prime farmland or in the middle of a block?) and the type of use envisioned (for example, is it a low intensity use, such as residential lot, or a more intensive use, such as a multiple lot residential subdivision?)

2. In accordance with the Wisconsin Farmland Preservation Law (sec 91.77(1)), the proposed rezone may be approved by the County and Town only after findings are made based upon consideration of the following:
 - 2a. Adequate public facilities to accommodate development either exist or will be provided within a reasonable timeframe.
 - 2b. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
 - 2c. The land is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion, or have an unreasonably adverse effect on rare or irreplaceable natural areas.

Note: Standards “2a” and “2b” involve an evaluation of the availability of public facilities—recognizing that public facility needs vary with the type of development. Standard “2c” can be expected to be met provided that the proposed development is consistent with the County’s environmental ordinances.

Source: Walworth County, Towns in Walworth County, and SEWRPC.

Table IX-5

ESTIMATED ADDITIONAL RESIDENTIAL ACRES TO BE DEVELOPED IN THE UNINCORPORATED AREA OF WALWORTH COUNTY UNDER THE LAND USE PLAN: 2000-2035

Town	Estimated Additional Residential Acres to Accommodate the Projected Increase in Year-Round Housing Units ^a		Projected Increase in Year-Round Housing Units Between 2000 and 2035 ^b	Potential Increase in Housing Units After 2000 Assuming Plan Buildout Conditions ^c
	Total Acres Between 2000 and 2035	Acres Per Five-Year Period		
Bloomfield	1,230	176	1,482	2,890
Darien	125	18	138	360
Delavan.....	507	72	755	1,860
East Troy	497	71	525	740
Geneva	826	118	1,112	1,950
LaFayette.....	266	38	275	410
LaGrange.....	185	26	193	710
Linn	211	30	218	880
Lyons	670	96	980	1,420
Richmond.....	352	50	350	580
Sharon	102	15	103	140
Spring Prairie.....	110	16	109	410
Sugar Creek.....	764	109	803	1,060
Troy.....	379	54	363	470
Walworth.....	305	44	350	1,010
Whitewater.....	204	29	210	620
Total Unincorporated Area	6,733	962	7,966	15,510

^aAssumes development at planned densities in urban-density areas and assumes one acre of land use conversion per dwelling for rural-density residential development. Rural-density residential development requires at least five acres—and, in some cases, 20 acres—per dwelling. Typically only a portion of this area is actually developed as a homesite.

^bProjection selected by each town from Chapter VII.

^cEach of the town land use plans would actually accommodate more new housing than projected for the period between 2000 and 2035. This column indicates the total additional housing units that could be accommodated after the year 2000 assuming full development of all urban-density residential areas along with the rural-density residential development that the plan would allow.

Source: Walworth County, Towns in Walworth County, and SEWRPC.

Table IX-6

ESTIMATED ADDITIONAL COMMERCIAL AND INDUSTRIAL ACRES TO BE DEVELOPED IN THE UNINCORPORATED AREA OF WALWORTH COUNTY UNDER THE LAND USE PLAN: 2000-2035

Town	Estimated Additional Acres of Commercial Land to be Developed Under the Plan		Estimated Additional Acres of Industrial Land to be Developed Under the Plan	
	Total Acres Between 2000 and 2035	Acres Per Five-Year Period	Total Acres Between 2000 and 2035	Acres Per Five-Year Period
Bloomfield	83	11.9	17	2.4
Darien	5	0.7	42	6.0
Delavan.....	198	28.3	13	1.9
East Troy	53	7.6	0	0.0
Geneva	55	7.9	4	0.6
LaFayette.....	45	6.4	42	6.0
LaGrange.....	2	0.3	0	0.0
Linn	32	4.6	0	0.0
Lyons	40	5.7	2	0.3
Richmond.....	6	0.9	0	0.0
Sharon	0	0.0	0	0.0
Spring Prairie.....	0	0.0	0	0.0
Sugar Creek.....	62	8.9	60	8.6
Troy.....	0	0.0	0	0.0
Walworth.....	90	12.9	94	13.4
Whitewater.....	224	32.0	16	2.3
Total Unincorporated Area	895	128.1	290	41.5

Note: This table does not include land in the agricultural related manufacturing, warehousing, and marketing land use plan category.

Source: Walworth County, Towns in Walworth County, and SEWRPC.