

Appendix D

COUNTY PLAN ADOPTION ORDINANCE AND RESOLUTION
AND MINUTES FOR COUNTY PUBLIC HEARING ON THE PLAN

ORDINANCE NO. 581-11/09

CREATING ARTICLE IV OF CHAPTER 74 OF THE WALWORTH COUNTY CODE
OF ORDINANCES RELATING TO THE WALWORTH COUNTY COMPREHENSIVE
PLAN

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

PART I: That Article IV of Chapter 74 of the Walworth County Code of Ordinances is
hereby created to read as follows:

“ARTICLE IV.

COMPREHENSIVE PLAN

Sec. 74-264. Plan adoption.

The Walworth County Board of Supervisors adopts the document entitled *A
Multi-Jurisdictional Plan for Walworth County: 2035*, modified as indicated in
Exhibit A, as the comprehensive plan for Walworth County, consistent with, and
addressing the requirements of, Section 66.1001 of the Wisconsin Statutes.”

PART II: This Ordinance shall become effective upon passage.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 10th day of
November, 2009.


Nancy Russell
County Board Chair


Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: November 10, 2009

This Resolution/Ordinance was:

Action Required: _____ Majority Vote 2/3 Vote

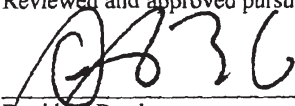
Adopted Roll Call/U.C./Voice
Rejected/Other/Referred/Laid Over

Ayes: _____ Noes: _____ Absent: _____

Policy and Fiscal Note is attached.

Date 11-10-09

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:


David A. Bretl
County Administrator/Corporation Counsel
Date 10/30/09


Nicole Andersen
Deputy County Administrator - Finance
Date 11/2/09

If unsigned, exceptions shall be so noted by the County Administrator.

Resolution No. 62 – 11/09
Approving the Walworth County Multi-Jurisdictional Comprehensive Plan

AMENDED - See attached.

1 Moved/Sponsored by: County Zoning Agency

2
3 **WHEREAS**, Wisconsin’s comprehensive planning law, set forth in Section 66.1001 of the
4 Wisconsin Statutes, requires County and local governments that enforce general zoning,
5 shoreland zoning, subdivision, or official mapping ordinances to adopt a comprehensive plan by
6 January 1, 2010; and,

7
8 **WHEREAS**, Walworth County, in cooperation with the Towns of Darien, Delavan, East Troy,
9 Geneva, LaFayette, LaGrange, Richmond, Sharon, Spring Prairie, Sugar Creek, Troy, Walworth,
10 and Whitewater, has developed a comprehensive plan that meets the requirements set forth in
11 Section 66.1001 of the Wisconsin Statutes; and,

12
13 **WHEREAS**, the comprehensive plan includes all nine elements specified in Section 66.1001 of
14 the Wisconsin Statutes; and,

15
16 **WHEREAS**, copies of the plan report were available for public review in the County Land Use
17 and Resource Management Department office, at public libraries in Walworth County, and on
18 the County’s comprehensive planning website; and,

19
20 **WHEREAS**, throughout the development of the plan Walworth County has solicited public
21 input consistent with the Public Participation Plan adopted in 2006 to ensure the public had
22 ample opportunity for involvement in the development of the comprehensive plan; and,

23
24 **WHEREAS**, each of the 13 participating towns has adopted the comprehensive plan, including
25 seven towns which adopted the plan with amendments affecting their respective towns only, as
26 indicated in Exhibit A; and,

27
28 **WHEREAS**, Walworth County has duly noticed a public hearing on the comprehensive plan and
29 held said public hearing on October 22, 2009, in accordance with Section 66.1001(4).

30
31 **NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Sections 59.69 and 66.1001(4) of
32 the Wisconsin Statutes, the Walworth County Board of Supervisors hereby approves the
33 comprehensive plan as set forth in a report entitled, *A Multi-Jurisdictional Comprehensive Plan*
34 *for Walworth County: 2035*, modified as indicated in Exhibit A.

35
36 **BE IT FURTHER RESOLVED** that the Walworth County Board of Supervisors enact an
37 ordinance adopting the comprehensive plan.

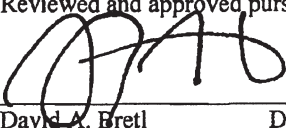

38
39 
40 _____
41 Nancy Russell
42 County Board Chair

43
44 

County Board Meeting Date: November 10, 2009

Action Required: Majority Vote X Two-thirds Vote Other

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

 _____ David A. Bretl County Administrator/Corporation Counsel	<u>12/30/09</u> Date	 _____ Nicole Andersen Deputy County Administrator-Finance	<u>11/2/09</u> Date
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If unsigned, exceptions shall be so noted by the County Administrator.

This Resolution/Ordinance was:
Adopted Roll Call/U.C./Voice
Rejected/Referred/Laid Over
Ayes: Noes: Absents:
Date 11-10-09
As amended.

EXHIBIT A

The following revisions to the public hearing draft of the report entitled “A Multi-Jurisdictional Plan for Walworth County: 2035” were made by seven of the participating towns as part of their plan adoption ordinances:

Town of Darien

- The Town of Darien land use plan map will be revised as follows:
 - The portion of the Paziotopoulos property (Tax Key BD800002) in Section 8 not depicted as “Commercial” will be re-designated from “Other Agricultural, Rural Residential, and Other Open Land (5 to 34 acres per dwelling)” to “Urban Reserve”.
 - The portion of the Pounder property (Tax Key BD300002) in Section 3 that was recently rezoned from A-1 to C-2 will be re-designated as “Other Agricultural, Rural Residential, and Other Open Land (5 to 34 acres per dwelling).”

Town of East Troy

- The Wisconsin Department of Natural Resources landholding in Section 6 will be identified on the Town land use plan map as “Kettle Moraine State Forest Mukwonago River Unit”.
- The Town of East Troy land use plan map will be revised to re-designate part of Tax Key Parcel PET 1300002 from “Other Agricultural, Rural Residential, and Other Open Land (20 to 34 acres per dwelling)” to “Other Agricultural, Rural Residential, and Other Open Land (5 to 19 acres per dwelling)”.
- The second-last sentence on Page 6 of the Town Appendix will be revised to read as follows:

The Town of East Troy has a boundary agreement with the Village of Mukwonago, which is on file at the Walworth County Register of Deeds Office.
- The text on Page 14 in Chapter VI and Table VI-5 in Chapter VI will be revised to include the Town of East Troy in the list of communities which have an official map.
- The Town of East Troy Appendix will be revised as follows to incorporate the Town’s Official Map into the comprehensive plan:
 - The Town Official Map will be added as Map 3 in the Town Appendix.
 - The text on Page 6 of the Town Appendix will be revised to include the following:

Official Map:

The Town Official Map, adopted by the Town on November 12, 2007, and shown on Map 3 of this appendix, is incorporated into the Town comprehensive plan.

Town of LaGrange

- The following text will be added at the end of the section titled “Other Plan Elements” on Page 5 of the Town of LaGrange Appendix, as well as near the bottom of Page 8 of Chapter XII (“Transportation Element”) of the plan report:

The Town of LaGrange indicated that, at such time as the Wisconsin Department of Transportation decides to expand the capacity of U.S. Highway 12, the Town would support the freeway alignment of USH 12 between the Cities of Elkhorn and Whitewater, as shown on the year 2035 regional transportation plan, rather than a widening of USH 12 along its current alignment.

- The Town of LaGrange land use plan map will be revised to re-designate land in the northeast quarter of the northeast quarter of Section 20 from “Prime Agricultural” to “Primary Environmental Corridor”.

Town of Spring Prairie

- The Town of Spring Prairie land use plan map will be revised to re-designate land in Tax Key Parcel OA231800001 in Section 14 from “Other Open Land to Be Preserved” to “Other Agricultural, Rural Residential, and Other Open Land (5 to 19 acres per dwelling)”.

Town of Sugar Creek

- The first sentence in the third bullet point for the Town of Sugar Creek on Table XII-1 in Chapter XII will be deleted. The revised bullet point will read as follows:

The Town opposes the extension of the USH 12 freeway through the Town.

Town of Troy

- The Town of Troy land use plan map will be revised as follows:
 - An area encompassing 2.26 acres in the southwest quarter of Section 23 of the Town of Troy will be re-designated from “Agricultural Related Manufacturing, Warehousing, and Marketing” to “Prime Agricultural”.
 - An area encompassing 0.77 acre in the northeast quarter of Section 7 of the Town of Troy will be re-designated from “Prime Agricultural” to “Other Agricultural, Rural Residential, and Other Open Land (20 to 34 acres per dwelling)”.
 - An area encompassing 4.34 acres in the northeast quarter of Section 7 of the Town of Troy will be re-designated from “Prime Agricultural” to “Other Agricultural, Rural Residential and Other Open Land (5 to 19 acres per dwelling)”.

Town of Whitewater

The following text will be added as a new bullet point in the section titled “Agricultural, Natural, and Historical Resources” on Page 2 of the Town Appendix:

The Clover Valley Flowing Well on Clover Valley Road is identified as an important Community resource.

* * *

Amendment to Resolution No. 62-11/09 – Amended on the Board floor at the November 10, 2009 County Board meeting.

Supervisor Kilkenny stated that he was the Chair of the Smart Growth Committee and a representative from the Town of Spring Prairie had requested that a small remnant of a bike trail in the southeast corner of the Town of Spring Prairie be removed. He said that the Smart Growth Committee did not have an objection. On motion by Supervisor Kilkenny, seconded by Supervisor Bromley, Resolution No. 62-11/09 was amended as follows: a small remnant of a bike trail in the southeast corner of the Town of Spring Prairie be removed.

County Zoning Agency
MINUTES
October 22, 2009 Meeting – 7:00 p.m.
100 West Walworth Street
Elkhorn, Wisconsin

Chairman Rick Stacey called the meeting to order at 7:00 p.m.

Roll call - Committee members present were Chairman Rick Stacey, Vice Chairman Jim Van Dreser, Supervisors Dave Weber, Claudia Holst, and Mark Bromley, and Citizen Member Greg Holden. A quorum was present.

County staff present – Land Use and Resource Management Department Director Michael Cotter, Senior Planner Neal Frauenfelder, and County Board Chair Nancy Russell

Southeastern Wisconsin Regional Planning Commission staff present
Bill Stauber, Laura Burgbacher

Others present – Smart Growth Technical Advisory Committee Members Bob McIndoe, Frank Jones, and Ron Fero; Dave Kilkenny, and William Melendez, and others in the audience who did not sign in

A motion and second to APPROVE the agenda was made by Supervisors Weber and Bromley. The motion carried 6 – 0.

Presentation of the Walworth County Multi-Jurisdictional Comprehensive Plan (7:03:40 – 7:36:36) Neal Frauenfelder stated that the Walworth County Smart Growth Technical Advisory Committee has completed the Multi-Jurisdictional Comprehensive Plan for Walworth County to the year 2035. He thanked the Technical Advisory Committee and the town boards for their dedication through this process. He said the process began in 1999 when the State Legislature created and the Governor signed the Comprehensive Planning Law. The law requires that towns, cities, villages and counties that wish to implement land use regulations such as zoning ordinances and subdivision ordinances prepare and adopt a Comprehensive Land Use Plan prior to the end of 2009, and that land use decisions made after the adoption of the plan be consistent with the comprehensive plan. To satisfy the State law requirements the County Board created a Technical Advisory Committee of 18 members comprised of one representative from each of the 13 participating towns and five at-large County Board members. It was determined from the beginning of this process that this was to be a community-based plan, starting with citizens' input and input from the 13 participating towns and also non-participating local units of government. The input from all of the public participation was used by the Smart Growth Technical Advisory Committee to develop the goals and objectives set forth in the plan. Some of the key goals of the plan were: Preservation of the agricultural resource base of the County; Preservation of the County's natural resources including woodlands, wetlands, and waters; Adequate housing to accommodate projected population growth. Each of the 13 participating towns developed a Town Land Use Plan which was used to create the overall County Land Use Plan Map. The three non-participating Town Plan Maps were also incorporated into the overall

County plan map. Those towns were Bloomfield, Linn, and Lyons. All city and village plans are also incorporated (up to their corporate limits) into the County Plan by reference, as required by State law. There is an amendment process that has been prepared by the TAC. The plan can be amended annually. The amendment process must begin from the town level up. Staff has provided guidelines to the participating towns for the amendment process to the plan. Amendments outside of the annual process can be considered if there are extraordinary circumstances affecting the public welfare.

Bill Stauber, from the Southeastern Wisconsin Regional Planning Commission, described the land use component and summarized the nine elements that had to be addressed in developing this plan. He said the plan becomes the basis for decisions on rezones and land divisions.

Public hearing on the Walworth County Multi-Jurisdictional Comprehensive Plan (7:36:36 – 7:40:30) Mr. Frauenfelder said he received two emails regarding tonight’s hearing from Ken Knuteson and Jim Simons. They were read into the record. There was no one to speak for or against this plan. **A motion and second to APPROVE the plan was made by Supervisors Van Dreser and Weber. Supervisor Bromley recommended amending the original motion to state, ‘approve the Smart Growth Plan as amended by the townships through the seven town amendments and also moved that a resolution and ordinance be forwarded to the County Board for their approval’. The first and second agreed. The motion as amended carried 5 – 0 with Chairman Stacey abstaining.**

Adjournment – **A motion and second to adjourn was made by Supervisors Bromley and Weber. The motion carried 6 – 0. The meeting was adjourned at 7:40 p.m.**

Submitted by Marie Halvorson, Recording Secretary. Minutes are not final until approved by the Committee at its next meeting.