

**AMENDMENT TO THE
REGIONAL WATER QUALITY
MANAGEMENT PLAN**

GREATER KENOSHA AREA



AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2018

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Greater Kenosha Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Kenosha, the City of Kenosha, the Town of Paris, the Village of Somers, and the Kenosha Water Utility

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held on the 12th day of September 2018, the Commission did by unanimous vote of all Commissioners present, being 15 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Greater Kenosha sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 13th day of September 2018.



Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:



Michael G. Hahn, Deputy Secretary

RESOLUTION NO. 2018-17

**RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING
COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY
MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN
FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE
COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH,
WASHINGTON AND WAUKESHA IN THE STATE OF WISCONSIN
(GREATER KENOSHA SANITARY SEWER SERVICE AREA)**

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Greater Kenosha sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 106, *Sanitary Sewer Service Area for the City of Kenosha and Environs, Kenosha County, Wisconsin*, November 1985, as amended; and

WHEREAS by letter dated November 13, 2017, the Kenosha Water Utility requested that the Commission amend the Greater Kenosha sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, “Response to Request by the Kenosha Water Utility—on behalf of the Village of Somers—to Amend the Greater Kenosha Sanitary Sewer Service Area,” attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Kenosha Water Utility and the Regional Planning Commission on July 30, 2018; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was subsequently amended to include the refined Greater Kenosha sanitary sewer service area, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Safety and Professional Services that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

RESOLUTION NO. 2018-17

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 12th day of September 2018, the vote being: Ayes 15; Nays 0.



Charles L. Colman, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:



Michael G. Hahn, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE KENOSHA WATER UTILITY—ON BEHALF OF THE VILLAGE OF SOMERS—TO AMEND THE GREATER KENOSHA SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated November 13, 2017, the Kenosha Water Utility, on behalf of the Village of Somers, requested that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) amend the Greater Kenosha sanitary sewer service area tributary to the City of Kenosha wastewater treatment plant. That area is currently documented in a SEWRPC report titled *Amendment to the Regional Water Quality Management Plan—Greater Kenosha Area*, dated December 2001, as amended. The basic purpose of the amendment would be to expand the sewer service area to include certain additional lands along the IH 94 corridor that were subject to the approved boundary agreement between the City of Kenosha, the Village of Somers, the Town of Paris, and the Kenosha Water Utility.

AREA DESCRIPTION

As shown on Map 1, the areas proposed to be added to the Greater Kenosha sanitary sewer service area encompass approximately 6.4 square miles located on the both sides of IH 94, north of CTH E. The proposed addition, as shown on Map 1, includes about 0.3 square mile of environmentally significant land, 0.5 square mile of existing urban land, and 5.6 square miles of agricultural and other open land. It is envisioned that upon full development, the subject site would be in industrial/business park, commercial, and residential uses. The areas proposed to be developed as residential use in local comprehensive plans would accommodate about 3,630 housing units with an estimated population of 8,930 persons.

The environmentally significant lands within the Greater Kenosha sewer service area are shown on Map 2. As shown on Map 2, under the regional plan, it is envisioned that certain floodplains within the planned sewer service area that are currently in agricultural and related uses would revert to a more natural condition and become part of the system of environmental corridors and isolated natural resource areas in the years ahead. However, in corridor areas such as this where the corridor boundary is based solely on the floodplain, such areas may be modified based upon engineering studies and detailed site planning in accordance with existing floodplain regulations to provide for a more suitable development area. A more detailed delineation of the amended sewer service area is shown on the aerial photographs reproduced as Maps 3 through 6. The environmentally significant lands shown on Maps 3 through 6 have been updated to reflect the Commission's 2010 environmental corridor mapping, the 2010 Wisconsin Wetland Inventory, and the 2012 Federal Emergency Management Agency digital flood insurance rate maps.

RELATIONSHIP OF THE PROPOSED CHANGES TO THE EXISTING SANITARY SEWER SERVICE AREA

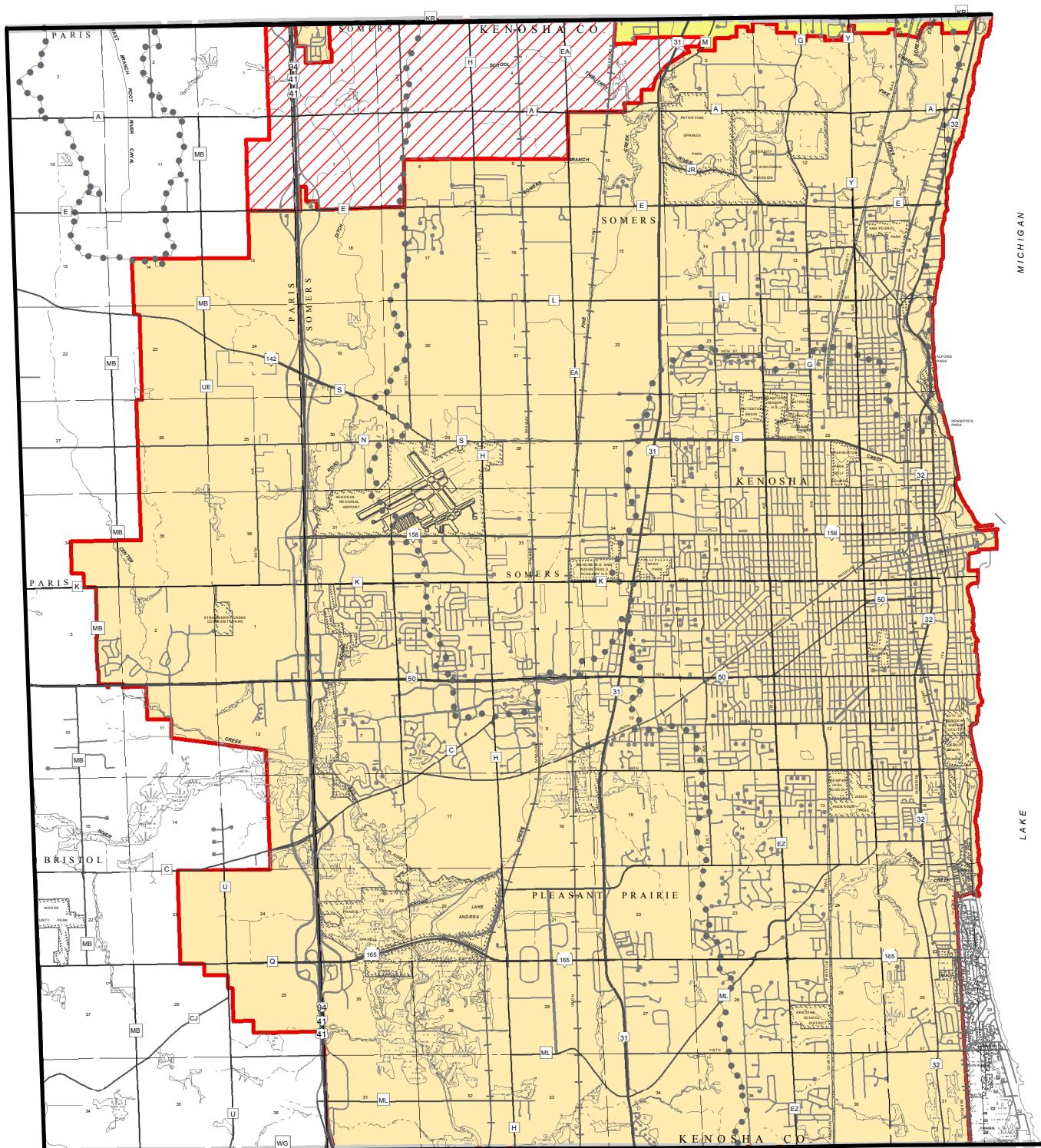
The proposed addition of 6.4 square miles to the Greater Kenosha sanitary sewer service area represents an increase in the planned sewer service area of about 7 percent.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the Greater Kenosha sanitary sewer service area plan, it is envisioned that all new urban development within the planned urban service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

Map 1

PROPOSED AMENDMENT TO THE GREATER KENOSHA SANITARY SEWER SERVICE AREA



GREATER KENOSHA SANITARY SEWER SERVICE AREA



CITY OF RACINE AND ENVIRONS SANITARY SEWER SERVICE AREA



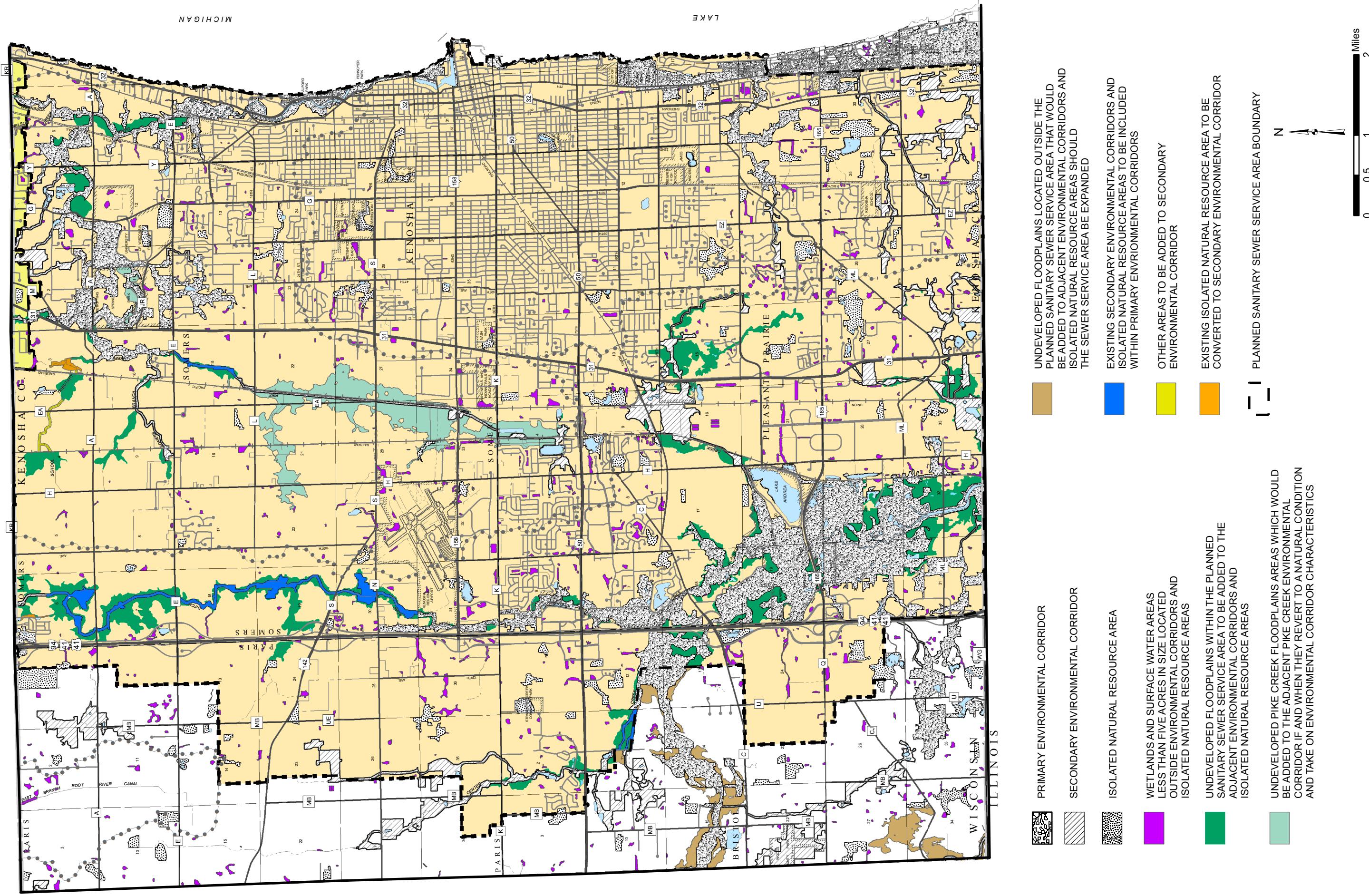
AREA PROPOSED TO BE ADDED TO THE GREATER KENOSHA SANITARY SEWER SERVICE AREA: SEPTEMBER 2018

N

0 0.5 1 Miles

Map 2

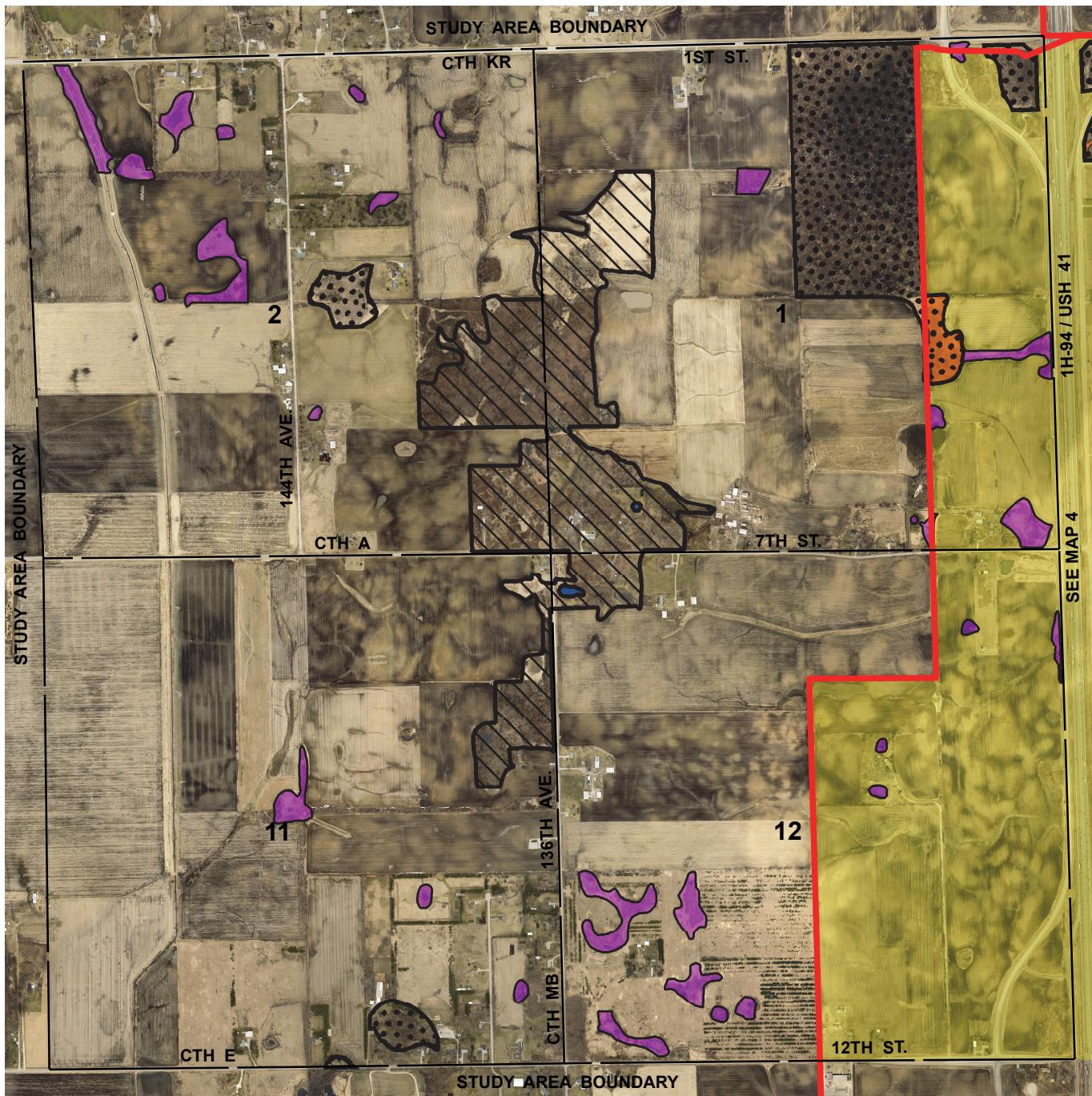
ANTICIPATED CHANGES TO THE ENVIRONMENTALLY SIGNIFICANT LANDS IN THE GREATER KENOSHA SANITARY SEWER SERVICE AREA



Map 3

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

**U.S. Public Land Survey Sections 1, 2, 11, and 12
Township 2 North, Range 21 East**



SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

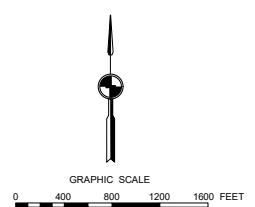
PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.

PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

Photography Date: April 2015



Source: SEWRPC.

NOTE: See Map 1 for the Area to be Added to the Planned Sanitary Sewer Service Area.

Map 4

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

**U.S. Public Land Survey Sections 5, 6, 7, and 8
Township 2 North, Range 22 East**



Photography Date: April 2015

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

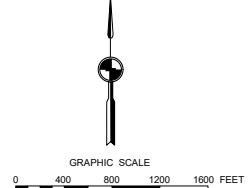
GROSS SANITARY SEWER SERVICE AREA BOUNDARY

PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.

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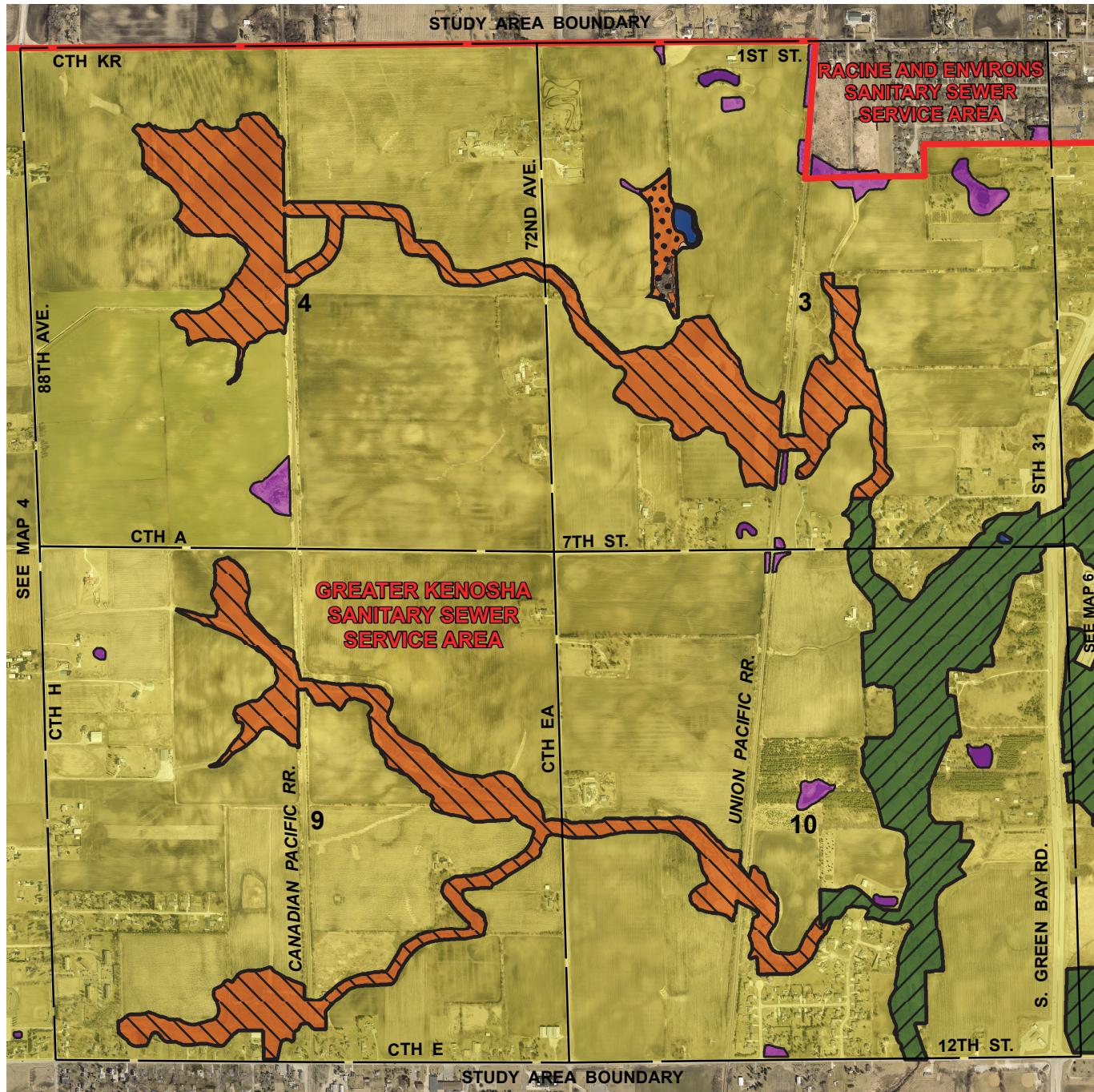


NOTE: See Map 1 for the Area to be Added to the Planned Sanitary Sewer Service Area.

Map 5

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

**U.S. Public Land Survey Sections 3, 4, 9, and 10
Township 2 North, Range 22 East**



Photography Date: April 2015

PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

GROSS SANITARY SEWER SERVICE AREA BOUNDARY

PLANNED SANITARY SEWER SERVICE AREA

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GRAPHIC SCALE

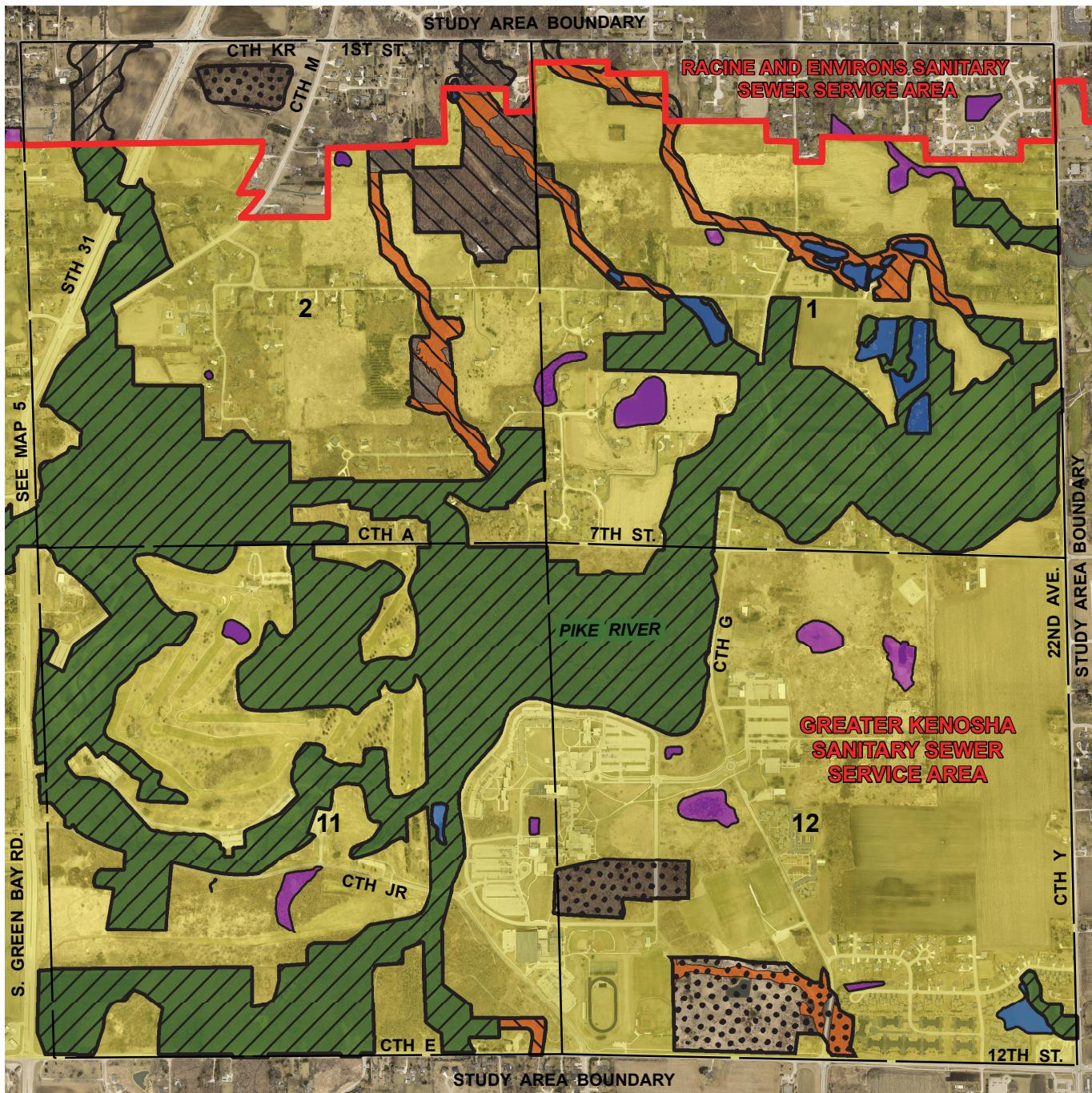
0 400 800 1200 1600 FEET

NOTE: See Map 1 for the Area to be Added to the Planned Sanitary Sewer Service Area.

Map 6

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

**U.S. Public Land Survey Sections 1, 2, 11, and 12
Township 2 North, Range 22 East**



PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

ISOLATED NATURAL RESOURCE AREA

WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

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GROSS SANITARY SEWER SERVICE AREA BOUNDARY

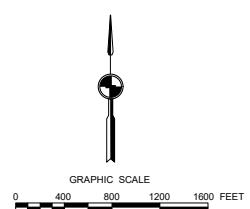
PLANNED SANITARY SEWER SERVICE AREA

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Photography Date: April 2015



NOTE: See Map 1 for the Area to be Added to the Planned Sanitary Sewer Service Area.

SEWAGE TREATMENT PLANT CAPACITY ANALYSIS

The City of Kenosha wastewater treatment plant has a capacity of about 28.6 millions of gallons per day (mgd) of wastewater on an average annual basis. The current hydraulic loading to the plant is about 22.8 mgd on an average annual basis. The proposed addition to the sewer service area would add about 1,530 acres of land planned for industrial/business park and commercial development and areas planned for residential development with an estimated population of about 8,930 persons. The anticipated flow to be generated from the development expected to be accommodated in the area to be added to the sewer service area is expected to be approximately 3.0 mgd on an annual average basis. Combining that additional flow with the addition over time of flows from development of other parts of the sewer service area could result in a total flow to the treatment plant that could approach or exceed the current plant capacity. Therefore, the Kenosha Water Utility Commission should consider initiating facility planning in the near future to address the potential need to add treatment capacity.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on July 30, 2018, at the Kenosha Municipal Building to receive public comment on, and reaction to, the proposed sewer service area amendment. The hearing was sponsored by the Kenosha Water Utility and the Regional Planning Commission. No objections to the proposed amendment were expressed at the hearing.

LOCAL ACTION ON THE PLAN AMENDMENT

The Board of Water Commissioners of the Kenosha Water Utility approved the sewer service area amendment on July 30, 2018, following the public hearing.

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE

Appendix A provides job/housing balance information for the Village of Somers and the City of Kenosha developed under the SEWRPC regional housing plan. The inclusion of information from the regional housing plan in sewer service area amendment reports is based upon a regional housing plan recommendation (one of 50 recommendations made under the plan) that 1) SEWRPC provide the findings of the approximate job/housing balance analysis conducted under the regional housing plan to communities requesting an amendment of their sanitary sewer service area and 2) for those communities with a job/housing imbalance, that recommendations be provided to the community for their future consideration in addressing that imbalance. However, it is important to note that job/housing balance is not intended to be a requirement to be met by any individual sewer service area amendment.

CONCLUDING RECOMMENDATION

The Regional Planning Commission's evaluation of proposed sanitary sewer service area amendments includes a consideration of whether the amendment is consistent with the land use component of the regional land use and transportation plan, the regional water quality management plan, and the provisions of the *Wisconsin Administrative Code* governing water quality management plans, and whether established procedures for amending sewer service areas have been followed.

- Consistency with the Land Use Component of VISION 2050: The Regional Land Use and Transportation Plan**

VISION 2050 recommends that, in addition to the infilling and redevelopment of existing urban centers, new urban development within the Region be accommodated through the orderly expansion of existing urban centers in locations which can be readily served by basic urban facilities, including sanitary sewer service, with the overall amount of new urban development consistent with projected growth in population and the economic base. VISION 2050 further recommends the preservation of primary environmental corridors and that consideration be given to the preservation of secondary environmental corridors and isolated natural resource areas. The proposed sewer service area amendment is consistent with these recommendations of VISION 2050.

- **Consistency with the Regional Water Quality Management Plan**
The regional water quality management plan recommends that new urban development within the Region be provided with centralized sanitary sewer service. The plan designates a wastewater treatment plant to serve each of the urban centers within the Region that are identified in VISION 2050. In the case at hand, the regional plan recommends that wastewater from the Greater Kenosha urban service area be conveyed to, and treated at, the City of Kenosha wastewater treatment plant. The proposed sewer service area amendment is consistent with these recommendations of the regional water quality management plan.
- **Consistency with Chapter NR 121 of the Wisconsin Administrative Code**
Chapter NR 121 of the *Wisconsin Administrative Code* governs the preparation of areawide water quality management plans, including the component sewer service area plans. The code requires that sewer service areas be determined in a way that promotes cost-effective and environmentally sound wastewater collection and treatment and that is consistent with 20-year population projections. Under the code, sewer service area plans must identify lands that are to be excluded from sewer service because of physical or environmental constraints or potential adverse water quality impacts. The proposed sewer service area amendment is consistent with these provisions of the *Wisconsin Administrative Code*.
- **Consistency with Procedural Requirements**
As carried out by the Regional Planning Commission, the sewer service area amendment process must begin with a request to the Commission from the appropriate local unit of government or government agency to process the amendment. A public hearing must be held on the proposed amendment; the hearing is jointly sponsored by the Regional Planning Commission and the requesting agency or unit of government. Subsequent to the public hearing, the requesting agency or unit of government must act to approve the amendment as presented at the hearing, approve a modified amendment, or deny the amendment. Only after approval by the requesting agency or unit of government will the proposed amendment be considered for adoption by the Regional Planning Commission as an amendment to the areawide water quality management plan. All of the Commission's procedural requirements have been met for this amendment.

Given all of the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Greater Kenosha sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 106, as amended, in the manner shown on Map 1. It is also recommended that the Wisconsin Department of Natural Resources approve this sewer service area plan amendment and transmit the plan amendment to the U.S. Environmental Protection Agency for certification.

Appendix A

Appendix A

REGIONAL HOUSING PLAN: JOB/HOUSING BALANCE ANALYSIS

On March 13, 2013, the Regional Planning Commission adopted a regional housing plan for the seven-county Southeastern Wisconsin Region. That plan is documented in SEWRPC Planning Report No. 54, *A Regional Housing Plan for Southeastern Wisconsin*, dated March 2013. The plan addresses a range of housing issues and concerns, including the balance between jobs and housing throughout the Region. The plan includes a generalized analysis of the “job/housing balance” for subareas of the Region. The regional housing plan recommends that the findings of the job-housing analysis be provided to communities seeking to amend their sanitary sewer service areas, with the intent to inform communities of any job/housing imbalance, and to encourage them to consider addressing the imbalance when they review and update their community comprehensive plan and zoning ordinance. Accordingly, the findings of that analysis are summarized in this appendix.

The job/housing analysis conducted under the regional housing study examined the relationship between jobs and housing that would exist in areas planned by local governments to be served by a public sanitary system, assuming implementation of adopted long-range comprehensive plans for those areas. For each sewered community, the analysis compared the projected relative shares of lower-cost, moderate-cost, and higher-cost housing¹ with the projected relative shares of lower-wage, moderate-wage, and higher-wage jobs,² respectively. Job/housing imbalances identified under this analysis are indicated on Map A-1. A “lower-cost” job/housing imbalance indicates a community projected to have a higher percentage of lower-wage jobs than lower-cost housing. A “moderate-cost” job/housing imbalance indicates a community projected to have a higher percentage of moderate-wage jobs than moderate-cost housing.

Map A-1 shows the City of Kenosha and the Village of Somers are projected to have no shortage of affordable housing compared to job wages. The regional housing plan would encourage the City and Village to consider conducting a more detailed job/housing analysis specific to their community, with the community-level analysis considering community-specific wage data and housing price data. The community-specific analysis could also consider the effect of multiple workers in a household, which was not incorporated in the regional-level analysis.

The regional housing plan further recommends that communities which are demonstrated to have a job/housing imbalance following a community-specific analysis consider making changes to their comprehensive plan and zoning ordinance, as appropriate, to enable the provision of housing suitable for the people holding jobs in their community. Actions to address a moderate-cost job/housing imbalance could include modifying the comprehensive plan to permit some single-family residences on smaller lots (1/4 acre or less) and of modest square footage (1,200 square feet). Actions to address a lower-cost job/housing imbalance could include modifying the comprehensive plan to permit some modest multi-family housing (density of about 10 housing units per acre and 800 to 850 square feet per two bedroom apartment).

Additional information about the housing plan and the job/housing balance analysis is available on the SEWRPC website (www.sewrpc.org/sewrpc/housing.htm) or by contacting the SEWRPC staff.

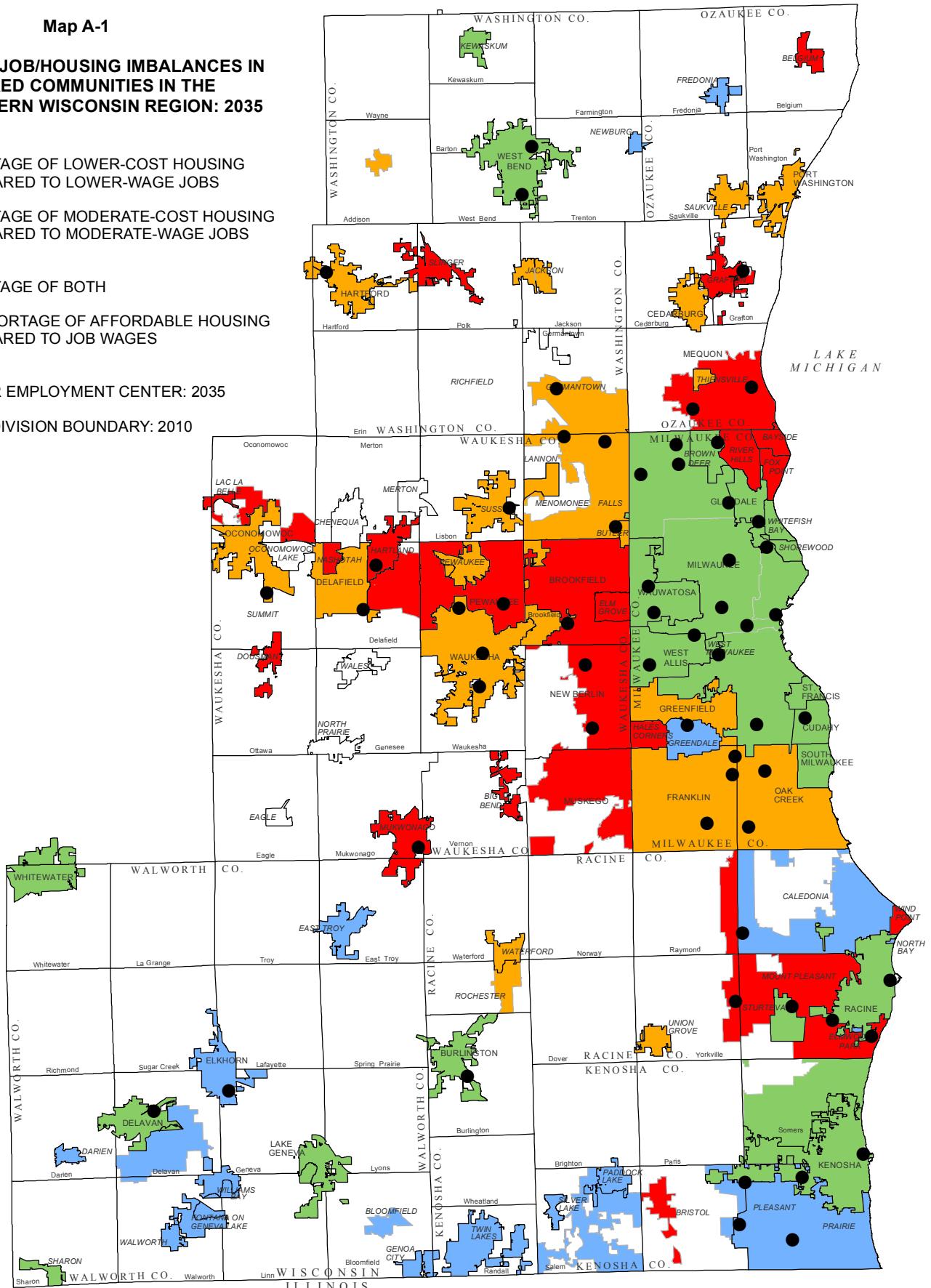
¹ For purposes of the analysis, lower-cost housing generally includes multi-family dwellings and single- and two-family dwellings at densities of 6,000 square feet or less per dwelling unit; moderate-cost housing includes single- and two-family dwellings at densities of one dwelling per 6,000 to 20,000 square feet for homes constructed prior to 2000 and at densities of one dwelling per 6,000 to 10,000 square feet for housing constructed after 2000; and higher-cost housing includes the balance of the housing stock.

² For purposes of the analysis, lower-wage jobs include those with an average annual wage that is 80 percent or less than the average annual wage for all jobs in the county; moderate-wage jobs include those with an average annual wage between 80 percent and 135 percent of average annual wage for all jobs in the county; and higher-wage jobs include those with an average annual wage that is 135 percent or more of the annual average wage for all jobs in the county.

Map A-1

PROJECTED JOB/HOUSING IMBALANCES IN SEWERED COMMUNITIES IN THE SOUTHEASTERN WISCONSIN REGION: 2035

- SHORTAGE OF LOWER-COST HOUSING COMPARED TO LOWER-WAGE JOBS
 - SHORTAGE OF MODERATE-COST HOUSING COMPARED TO MODERATE-WAGE JOBS
 - SHORTAGE OF BOTH
 - NO SHORTAGE OF AFFORDABLE HOUSING COMPARED TO JOB WAGES
 - MAJOR EMPLOYMENT CENTER: 2035
 - CIVIL DIVISION BOUNDARY: 2010



Source: Local Government Comprehensive Plans and SEWRPC.