



A LAND USE PLAN FOR THE TOWN OF TROY: 2020

WALWORTH COUNTY WISCONSIN

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Special acknowledgment is due David A. Schilling, SEWRPC
Senior Specialist, for his efforts in the conduct of this study
and in the preparation of this report.

**COMMUNITY ASSISTANCE PLANNING REPORT
NUMBER 229**

**A LAND USE PLAN FOR THE TOWN OF TROY: 2020
WALWORTH COUNTY, WISCONSIN**

Prepared by the

**Southeastern Wisconsin Regional Planning Commission
P. O. Box 1607
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916 N. East Avenue
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Chapter I

INTRODUCTION TO THE TOWN LAND USE PLANNING PROCESS

INTRODUCTION AND STUDY PURPOSE

Section 60.10(2)(c) of the Wisconsin Statutes provides that town boards may adopt village powers and thereby exercise the comprehensive planning powers delegated to cities and villages under Section 62.23 of the Statutes. The Troy Town Board adopted village powers on August 14, 1996, following a special Town meeting held on that date, during which the adoption of village powers was approved by Town residents. Pursuant to the State enabling legislation, the Town Board, on August 14, 1996, also adopted an ordinance formally creating the Town of Troy Plan Commission. The membership of the Town Plan Commission is listed on the inside front cover of this report.

One of the most important duties of a plan commission is to make and adopt a “master”—or comprehensive—plan to guide the physical development of the geographic area within its jurisdiction. A land use plan is the most basic element of a comprehensive plan. To help carry out its responsibilities in this respect, the Plan Commission and the Town Board of the Town of Troy requested the assistance of the Southeastern Wisconsin Regional Planning Commission. Work on a Town land use plan began in August 1996.

The land use plan for the Town of Troy is set forth in this report. The plan, upon adoption by the Town Plan Commission and Town Board, is intended to serve as a guide to the physical development of the Town of Troy, providing a basis upon which the Plan Commission and Town Board can make informed land use and zoning decisions over time. The plan, while primarily intended to identify local planning objectives and to provide a design which fulfills those objectives, is also intended to carry regional and County plan elements into greater depth and detail.

THE PLANNING AREA

The planning area, shown on Map 1, consists of the Town of Troy, which includes all of U. S. Public Land Survey Township 4 North, Range 17 East. The Town encompasses an area of about 35.5 square miles. Neighboring municipalities within Walworth County

include the Town of LaGrange to the west, the Town of Sugar Creek to the southwest, the Town of Lafayette to the south, the Town of Spring Prairie to the southeast, and the Village of East Troy and the Town of East Troy to the east. The Town of Troy is bounded on the north by the Town of Eagle in Waukesha County.

REGIONAL AND COUNTY PLANNING INFLUENCES

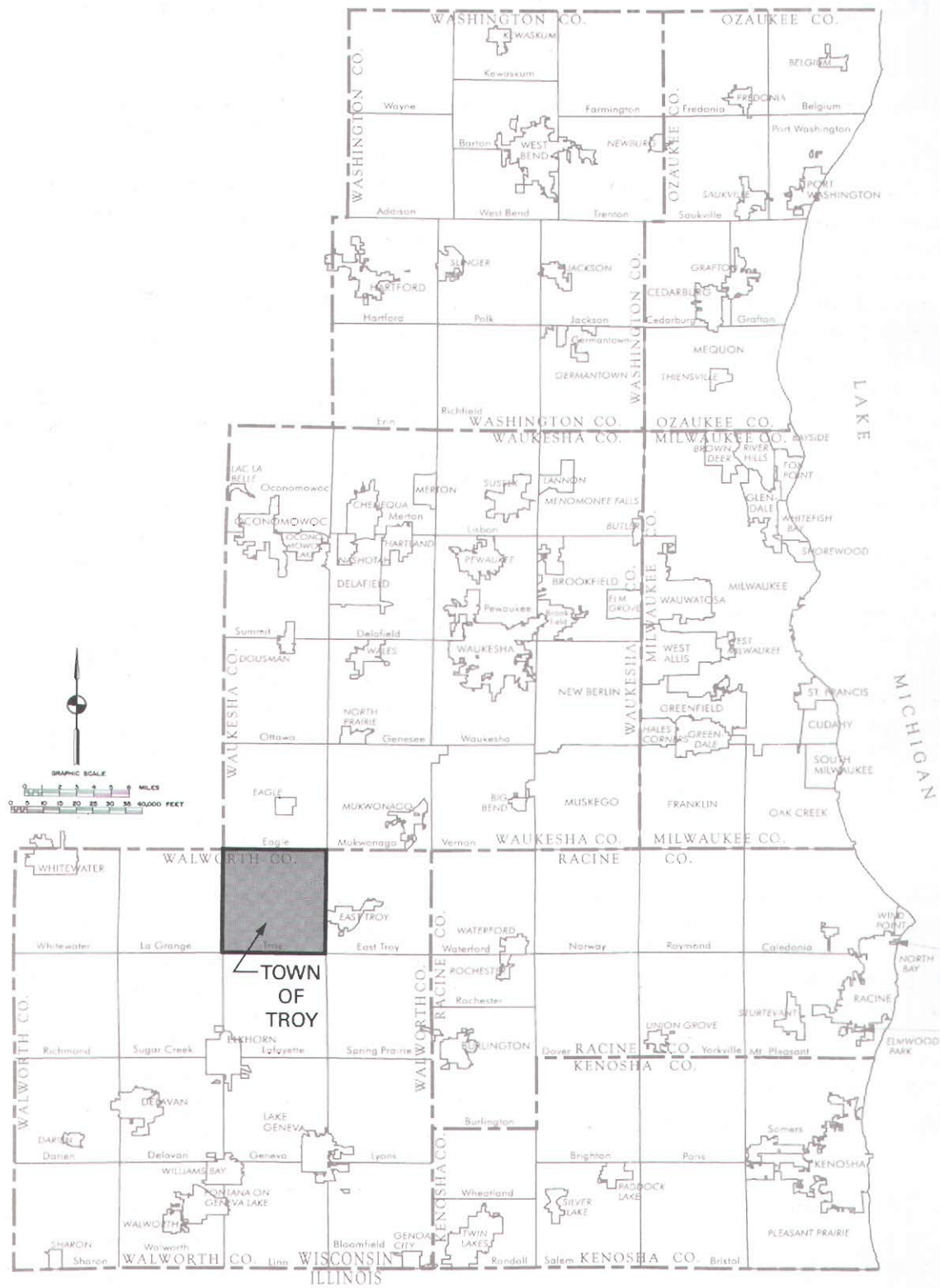
Sound planning practice dictates that local plans be prepared within the framework of broader areawide plans. The Southeastern Wisconsin Regional Planning Commission is the official areawide planning agency for the seven-county Southeastern Wisconsin Region, which includes Walworth County, and has prepared and maintains a comprehensive plan for the physical development of the Region. This plan, which is entirely advisory, consists of a number of elements. Of these elements, those most pertinent to the preparation of a land use plan for the Town of Troy include the regional land use, transportation, water quality management, and park and open space plans. These four regional plan elements are described below. The Walworth County farmland preservation plan, which serves to implement the regional land use plan, also affects land use planning within the Town, and is also described below.

Land Use Planning

The regional land use plan sets forth the fundamental concepts which are recommended to guide the development of the Region. The plan, the most recent version of which was adopted by the Commission in December 1997, is documented in SEWRPC Planning Report No. 45, *A Regional Land Use Plan for Southeastern Wisconsin: 2020*, December 1997. This plan was developed as an extension 10 years into the future of the year 2010 regional land use plan, which was adopted by the Regional Planning Commission in September 1992 and is documented in SEWRPC Planning Report No. 40, *A Regional Land Use Plan for Southeastern Wisconsin—2010*, January 1992. The Town of Troy adopted the year 2010 regional land use plan on December 9, 1992. On October 19, 1993, the Walworth County Board of Supervisors, upon recommendation of the County Park and Planning Commission, adopted the year 2010 regional land use

Map 1

LOCATION OF THE TOWN OF TROY IN THE SOUTHEASTERN WISCONSIN REGION



Source: SEWRPC.

plan as a County development plan. The plan serves as the basic expression of public policy intended to guide urban and rural development within Walworth County, and, in particular, in the unincorporated portions of Walworth County where the County and the 16 civil towns within the County, including the Town of Troy, share zoning jurisdiction. The year 2010 plan, as adopted by the Town and the County, is presented in graphic summary form on a map entitled "Year 2010 Regional Land Use Plan and Walworth County Development Plan." Map 2 depicts the adopted County development plan as it relates to the Town of Troy.

The land use plan for the Town of Troy was developed within the framework of the regional land use plan and the Walworth County development plan. The regional and County plans make four key recommendations: 1) that the primary environmental corridors within the Region and County be preserved in essentially natural, open uses; 2) that those areas of the Region and County that have been identified as prime farmlands be preserved in agricultural use to the greatest extent practicable; 3) that new urban development be encouraged to occur in compact areas that are covered by soils suitable for urban uses, that are not subject to special hazards such as flooding, and that can be readily served by essential urban services such as sanitary sewerage and public water supply; and 4) that remaining areas—those not located within environmental corridors, designated as prime farmland, or needed to accommodate anticipated future urban development—be maintained in agricultural or other rural uses.

Transportation Planning

A new regional transportation system plan designed to serve the adopted regional land use plan for the year 2020 was adopted by the Regional Planning Commission in December 1997 and is documented in SEWRPC Planning Report No. 46, *A Regional Transportation System Plan for Southeastern Wisconsin: 2020*, December 1997. This plan was developed as an extension 10 years into the future of the year 2010 regional transportation plan, which was adopted by the Walworth County Board on June 29, 1995, and by the Town of Troy on March 18, 1995. The year 2010 plan is documented in SEWRPC Planning Report No. 41, *A Regional Transportation System Plan for Southeastern Wisconsin: 2010*, December 1994. It should be noted that there is no difference between the year 2010 and year 2020 plans as they relate to the Town of Troy.

The regional transportation system plan consists of three major elements: transportation systems management; public transit maintenance and improvement; and

arterial street and highway maintenance and improvement. The Town of Troy is most directly affected by the arterial street and highway element, which is shown on Map 3 as it relates to the Town.

The regional transportation system plan recommends a change in jurisdiction for Booth Lake Road between CTH J and STH 20 from local to County jurisdiction, and a change in jurisdiction for Town Line Road between STH 20 and CTH ES from local to County jurisdiction. Changes in both functional and jurisdictional classification are recommended for two street segments: CTH N between STH 20 and CTH ES, from a County trunk highway to a local nonarterial, and Palmyra Road from the north Town line to STH 67, from a local nonarterial to a County trunk highway. No new arterial facilities, or widenings of existing arterial facilities, are proposed in the regional transportation system plan.

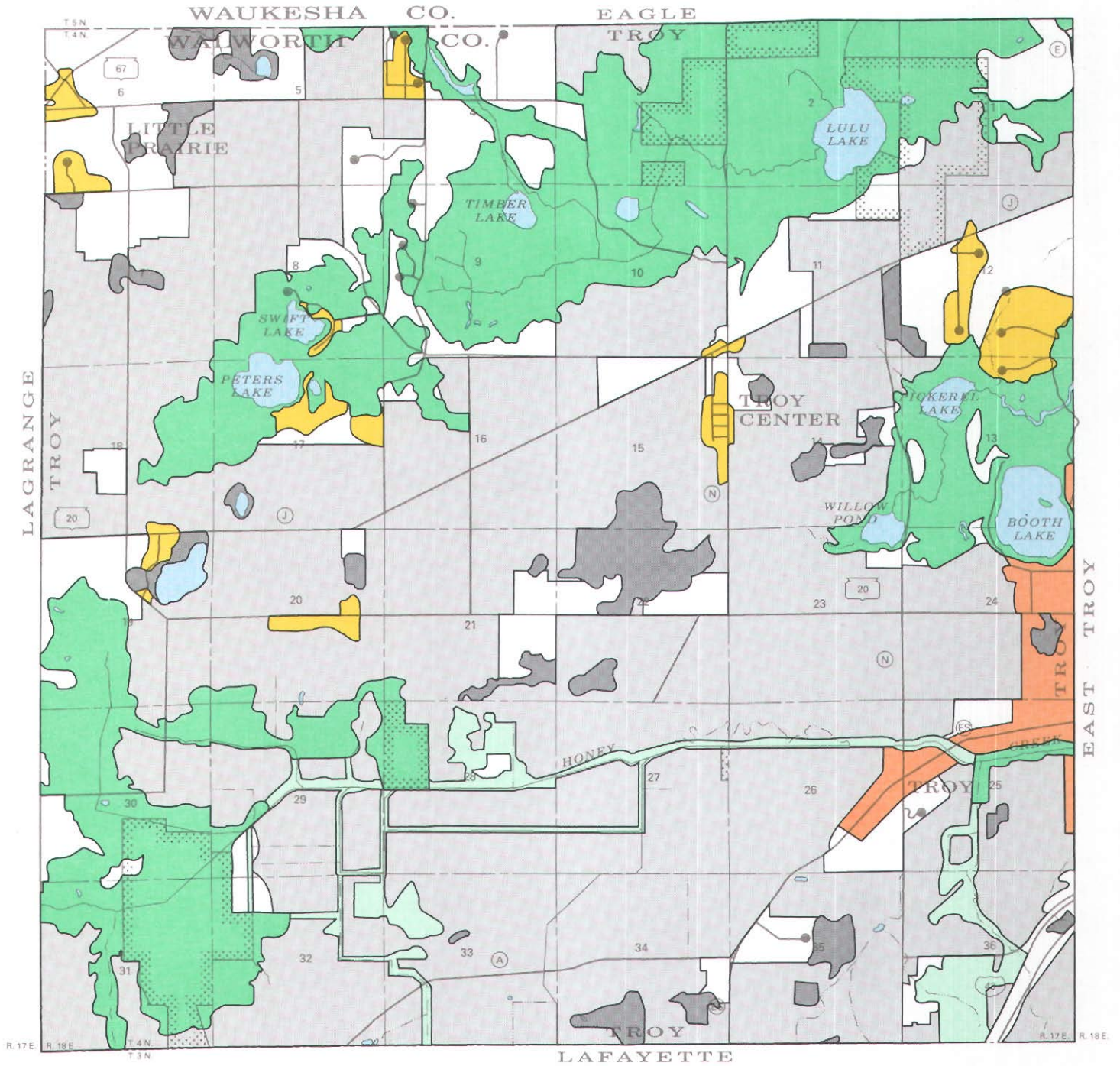
As part of the preparation of the land use plan for the Town of Troy, the Town Plan Commission requested that certain modifications be made to the arterial street and highway system element of the regional transportation system plan as it relates to the Town of Troy area. Specifically, the Town requested that consideration be given to the addition of CTH N from STH 20 to CTH ES and Bowers Road from CTH ES to IH 43 to the planned arterial street and highway system, and the removal of Town Line Road from the arterial street and highway system plan.









In response to requirements set forth in Federal transportation and clean air legislation enacted in 1990 and 1991, the year 2010 regional transportation system plan for Southeastern Wisconsin also included a bicycle and pedestrian element. That plan element is documented in SEWRPC Planning Report No. 43, *A Regional Bicycle and Pedestrian Facilities System Plan for Southeastern Wisconsin: 2010*, December 1994.

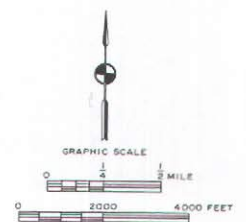
Map 4 shows the recommended bicycle-way system as it relates to the Town. The bicycle-way system plan recommends a combination of on- and off-street bicycle ways, including off-street trails recommended by the adopted County park and open space plan. As shown on Map 4, on-street bicycle ways are proposed to be located along a total of about seven miles of streets and highways in the Town of Troy, including about 0.5 mile along STH 20, an arterial highway under State jurisdiction; about 0.5 mile along Palmyra Road north of STH 67, a proposed County arterial; and about six miles along nonarterial streets under local jurisdiction, including that segment of Palmyra Road between STH 67 and Bluff Road, Bluff Road between

Map 2

YEAR 2010 REGIONAL LAND USE PLAN AND WALWORTH COUNTY
DEVELOPMENT PLAN AS THEY RELATE TO THE TOWN OF TROY



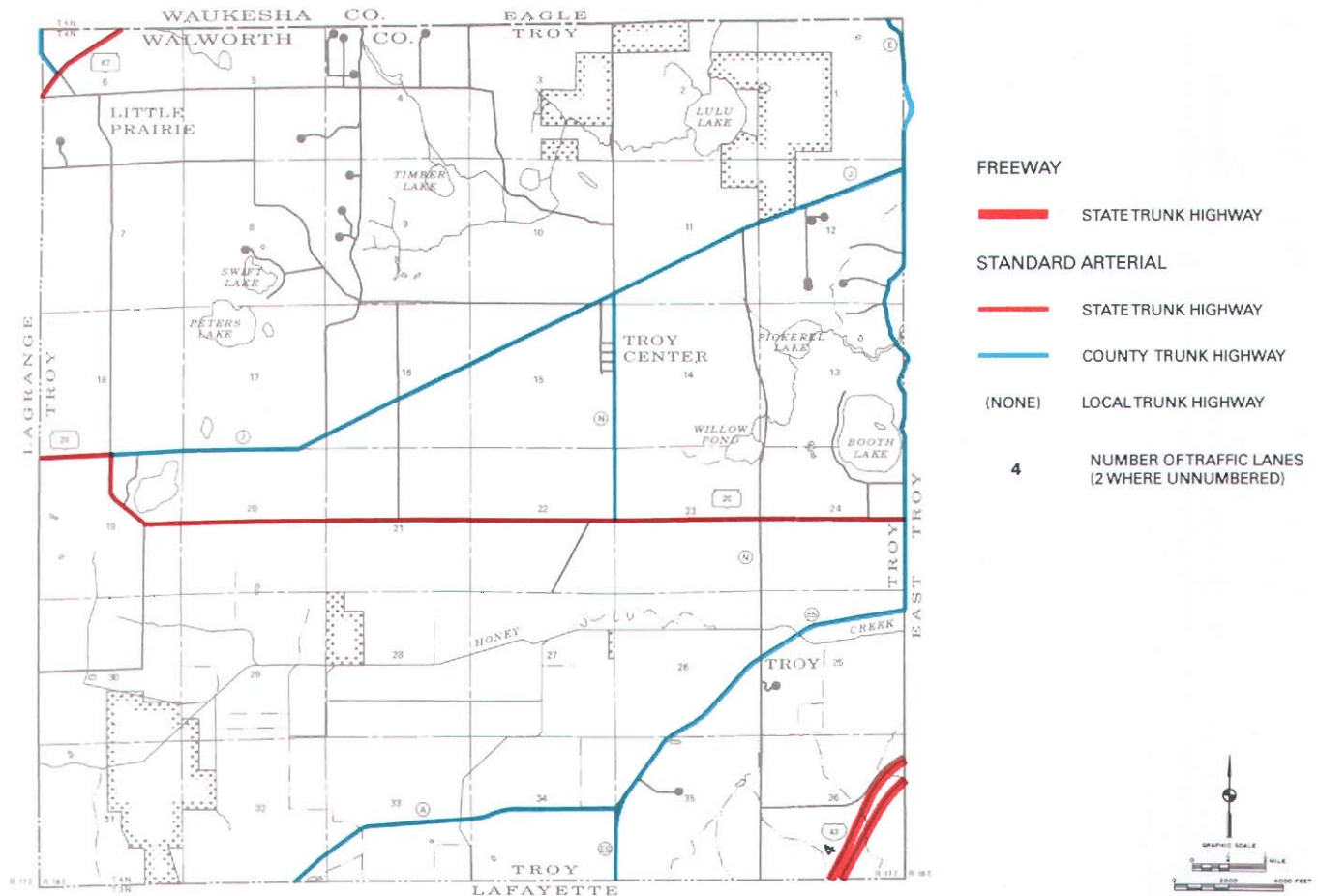
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|-------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------|
|  | PLANNED URBAN SERVICE AREA |  | PRIMARY ENVIRONMENTAL CORRIDOR |
|  | EXISTING URBAN LAND OUTSIDE OF PLANNED URBAN SERVICE AREA |  | SECONDARY ENVIRONMENTAL CORRIDOR |
|  | PRIME AGRICULTURAL LAND |  | ISOLATED NATURAL RESOURCE AREA |
|  | OTHER AGRICULTURAL, RURAL RESIDENTIAL, AND OPEN LAND |  | SURFACE WATER |



Source: SEWRPC.

Map 3

ARTERIAL STREET AND HIGHWAY ELEMENT OF THE YEAR 2020
REGIONAL TRANSPORTATION SYSTEM PLAN AS IT RELATES TO THE TOWN OF TROY



Source: SEWRPC.

Palmyra Road and Scout Road, Scout Road between Bluff Road and Little Prairie Road, and Pleasant Lake Road between Honey Creek and Pleasant Hills Lane in the Town of LaGrange. The bicycle and pedestrian plan also proposes a trail through the northern portion of the Town which would serve to connect the proposed Mukwonago River Trail in Waukesha County and the proposed Sugar Creek Trail in Walworth County. The plan also incorporates a recommendation from the Walworth County park and open space plan for a trail connecting the proposed Sugar Creek Trail and that portion of the Ice Age Trail located within the Southern Unit of the Kettle Moraine State Forest. A portion of the connecting trail traverses the southwestern portion of the Town of Troy. In all, about eight miles of off-street hiking and bicycling trails, to be developed by Walworth County, are proposed within the Town.

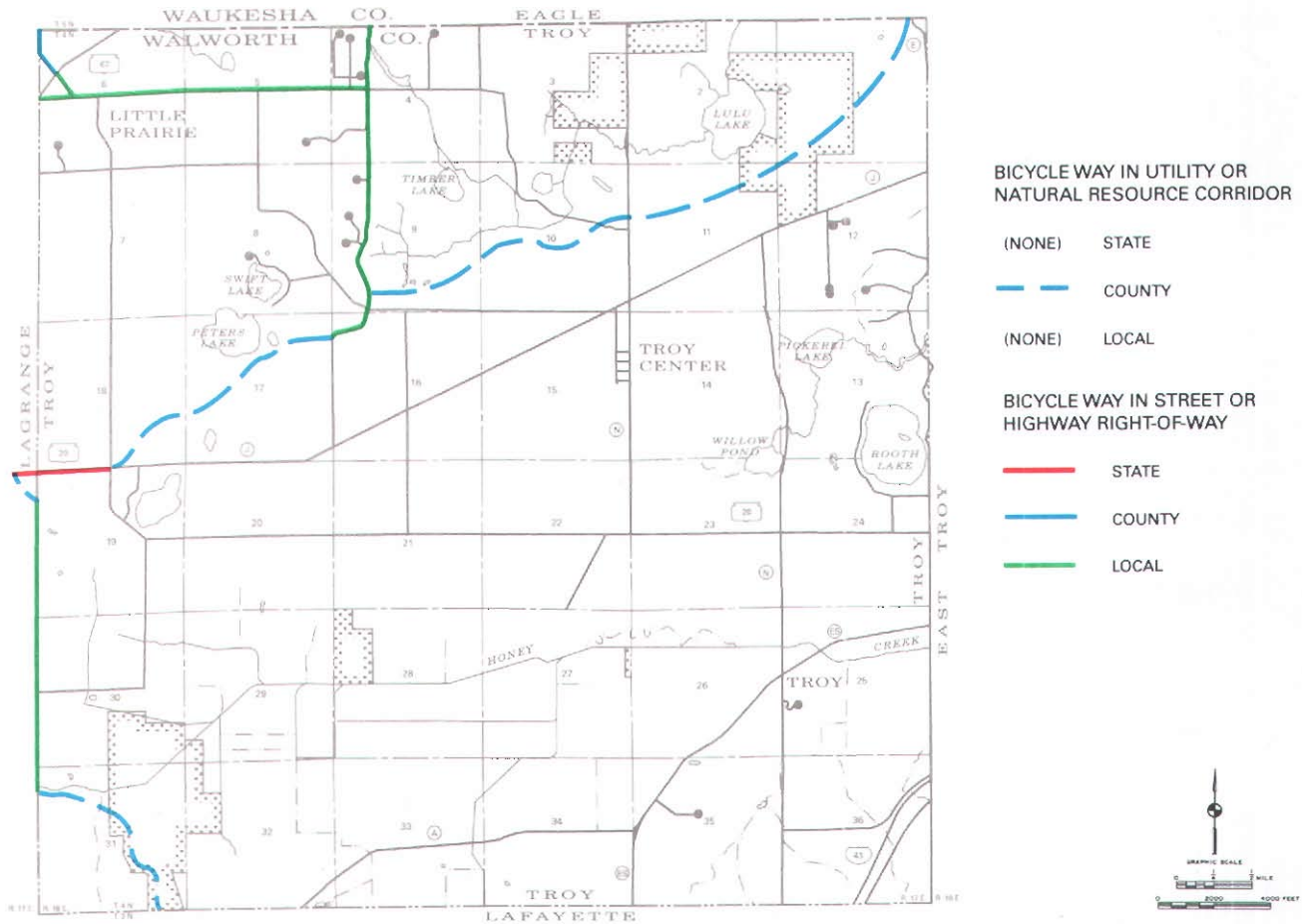
Water Quality Management Planning

In 1979, the Regional Planning Commission adopted an areawide water quality management plan for Southeastern Wisconsin. The adopted areawide water quality management plan is documented in SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*, Volume One, *Inventory Findings*, September 1978; Volume Two, *Alternative Plans*, February 1979; and Volume Three, *Recommended Plan*, June 1979.

The plan is intended to help achieve clean and wholesome surface waters within the seven-county Region, and provides the basis for the review of continued eligibility of local units of government within the Region for Federal and State grants in partial support of sewerage system development and redevelopment; for the issuance of

Map 4

**BICYCLE ELEMENT OF THE YEAR 2010 REGIONAL TRANSPORTATION
SYSTEM PLAN AS IT RELATES TO THE TOWN OF TROY**



Source: SEWRPC.

waste discharge permits by the Wisconsin Department of Natural Resources; for the review and approval of public sanitary sewer extensions by that Department; for the review and approval of private sanitary sewer extensions and large onsite sewage disposal systems and holding tanks by the Wisconsin Department of Commerce—previously the responsibility of the former Wisconsin Department of Industry, Labor and Human Relations; and for Federal and State financial assistance in support of local nonpoint source water pollution control projects.

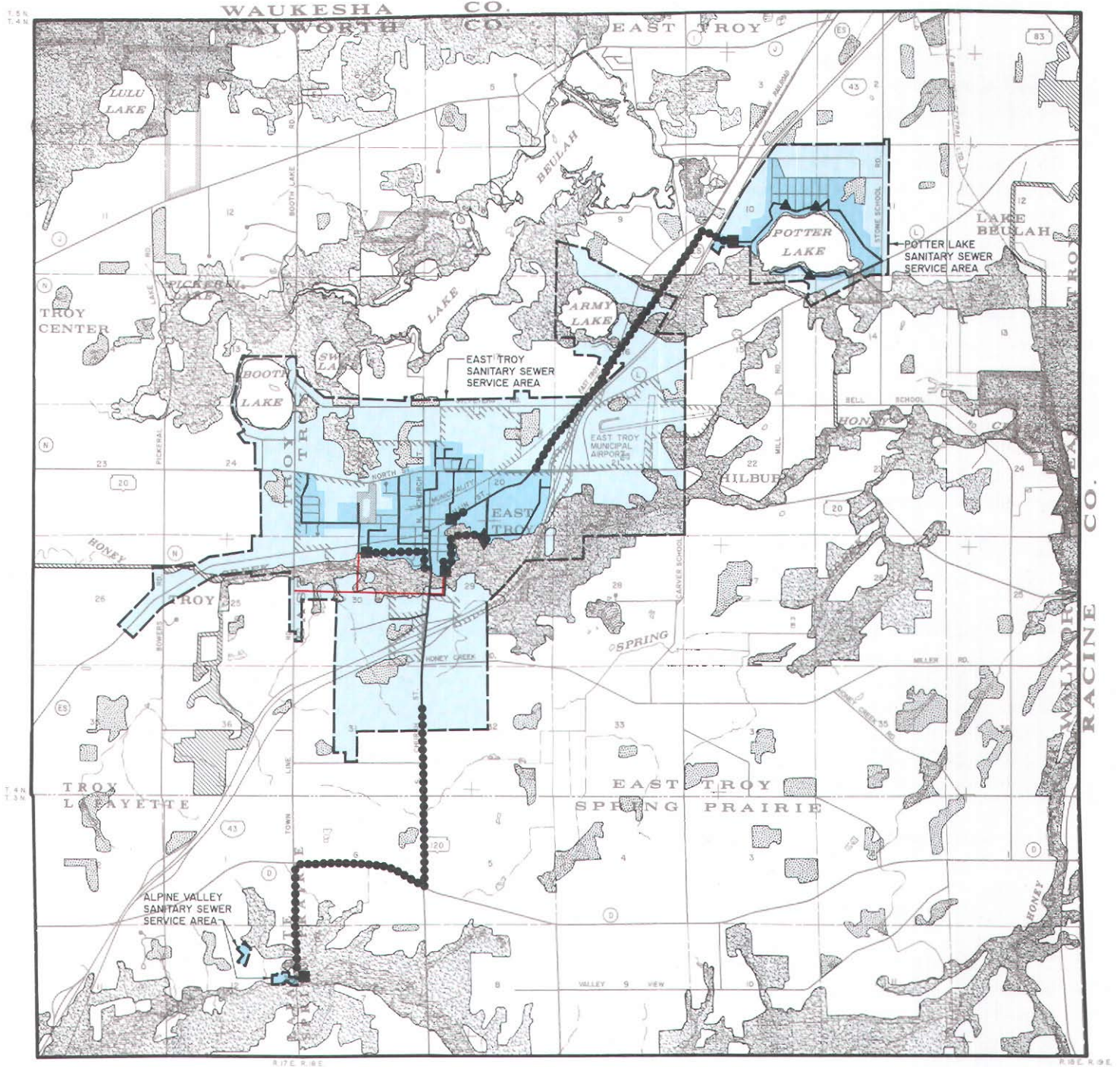
The adopted regional water quality management plan includes preliminary recommended sanitary sewer service areas tributary to each recommended public sewage treatment facility in the Region. A process for refining and detailing each of the preliminary sewer service areas, in cooperation with the local units of government concerned, is set forth in the adopted regional plan.

In accordance with the regional water quality management plan recommendation, a refinement of the recommended sanitary sewer service area tributary to the Village of East Troy sewage treatment plant was completed in 1984. The initial sewer service area plan was amended in 1993 at the request of the East Troy Village Board. The amended plan is documented in SEWRPC Community Assistance Planning Report No. 112 (2nd Edition), *Sanitary Sewer Service Area for the Village of East Troy and Environs, Walworth County, Wisconsin*, June 1993. The revised sanitary sewer service area for the Village of East Troy and environs is shown on Map 5.

As shown on Map 5, a portion of the Village of East Troy sewer service area extends into the Town of Troy. The location of the refined sewer service area has important implications for the Town, as it may be expected that future urban development with sewer service within the

Map 5

SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF EAST TROY AND ENVIRONS



Source: SEWRPC.

Town may be directed to the planned sewer service area. Such development could occur within the Town portion of the sewer service area upon annexation of identified areas to the Village, or by contractual agreement between the Village and the Town to provide sanitary sewer service to identified areas within the Town and within the refined sewer service area without annexation.

Park and Open Space Planning

The adopted regional park, outdoor recreation, and open space preservation plan, as documented in SEWRPC Planning Report No. 27, *A Regional Park and Open Space Plan for Southeastern Wisconsin: 2000*, November 1977, sets forth park and open space objectives and describes a plan intended to guide the preservation, acquisition, and development of lands needed for outdoor recreation and for protection of the natural resource base of the seven-county Southeastern Wisconsin Region to the year 2000. Following the completion of the regional plan, the Regional Planning Commission refined and detailed the regional plan as it relates to Walworth County. The refined and detailed County-level plan, documented in SEWRPC Community Assistance Planning Report No. 135, *A Park and Open Space Plan for Walworth County*, February 1991, was adopted by the County Board in January 1992. The County park and open space plan is concerned with the provision of major parks, which provide opportunities for such resource-oriented outdoor recreational activities as camping, picnicking, and swimming; the provision of recreation corridors, which provide opportunities for various trail-oriented recreational activities, including hiking, bicycling, and ski touring; and the preservation of important natural resource features.

Map 6 shows the Walworth County park and open space plan as it relates to the Town of Troy. Specifically, the plan recommends the development of a Mukwonago River trail in the northern portion of the Town and the development of a trail connecting the Sugar Creek and Ice Age Trails. As noted above in the description of the regional bicycle plan, a portion of the connecting trail would be located within the Town of Troy. The connecting trail and the Mukwonago River trail are to be developed by Walworth County.

The County park plan also recommends the continued maintenance by the Wisconsin Department of Natural Resources of four existing wildlife habitat areas in the Town; the maintenance of, and Department acquisition of additional lands associated with, the Lulu Lake State Natural Area; and the acquisition of a new State Natural Area in the vicinity of Pickerel Lake. The County plan further recommends development of a slow-boating-access facility by the Department at Peters Lake, and that the

existing boat launch at Booth Lake operated for Town residents be opened to the general public.

Farmland Preservation Planning

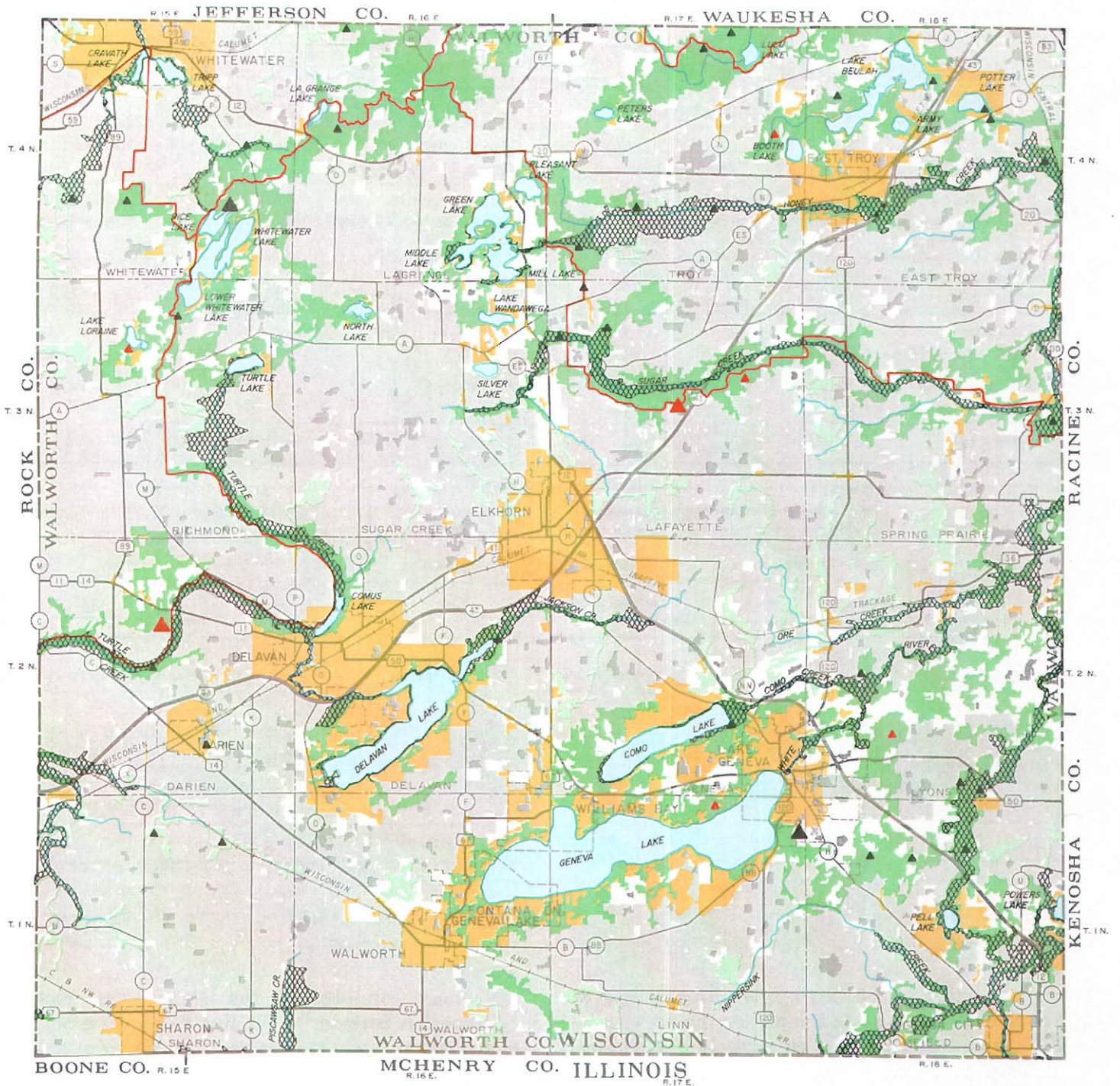
An important recommendation of the regional land use plan is the preservation in agricultural use of the most productive farmlands remaining in the Southeastern Wisconsin Region. Planning for the preservation of agricultural lands and protection of such lands through zoning received a major impetus in 1977 with the creation of the Wisconsin Farmland Preservation Program, a program that combines planning and zoning provisions with tax incentives for the purpose of ensuring the preservation of farmland. The program is intended to help counties and local units of government preserve farmland through local plans and zoning and to provide tax relief, in the form of State income-tax credits, to farmland owners who participate in the program.

A farmland preservation plan, documented in a report entitled *Walworth County Agriculture Preservation Plan*, was prepared for Walworth County by the County Park and Planning Commission and the Walworth County Agricultural Committee. The plan was approved by the Walworth County Board in January 1978. The County adopted and applied an exclusive agricultural zoning district to help implement the plan. That zoning district limits the use of land within the district to agricultural uses, specifies a minimum parcel size of 35 acres for a residence or farm operation, and prohibits structures or improvements on the land unless consistent with agricultural use. The Walworth County zoning ordinance, including the exclusive agricultural zoning district, is described in more detail in Chapter V of this report.

It is important to note that the exclusive agricultural zoning required as a condition for receipt of tax credits under the Wisconsin Farmland Preservation Program does not ensure the preservation of land held by participating farmers. Landowners can petition the concerned county or local unit of government for a change in zoning to accommodate development, although those who have claimed a tax credit would be liable to pay back a portion of the credit. Thus, even with the Wisconsin Farmland Preservation Program, the effectiveness of efforts to preserve farmland through exclusive agricultural zoning is dependent upon the level of commitment of the concerned county and local units of government to such zoning.

In 1995, the Wisconsin Legislature took an additional action to lessen the property-tax burden on farmers by mandating the "use-value" assessment of agricultural land. Under this system, agricultural land will be assessed

THE WALWORTH COUNTY PARK AND OPEN SPACE PLAN

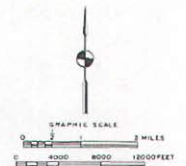


LEGEND

- URBAN DEVELOPMENT
- OTHER RURAL LAND
- COUNTY OR STATE PARK AND OPEN SPACE SITES
- EXISTING MAJOR PARK
- EXISTING OTHER PARK OR OPEN SPACE SITE
- PROPOSED MAJOR PARK
- PROPOSED OTHER PARK OR OPEN SPACE SITE
- RECREATION CORRIDOR (TRAIL)

NATURAL RESOURCES

- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL AREA
- SURFACE WATER
- FLOODLANDS
- PRIME AGRICULTURAL LAND



based solely on its value for farming, without regard for its development potential. The new legislation froze the assessed value of agricultural land at 1995 levels through 1997; after that, assessed values are to be reduced to "use" values, gradually, over a 10-year period.

Under the new legislation, all agricultural land will be assessed at use value, regardless of existing zoning. Landowners who sell their land after owning the land for less than five years will be required to pay a modest penalty to the Wisconsin Department of Revenue—an amount equal to 5 percent of the difference between the sale price and the use value during the last year of ownership. Thus, while the new program may be expected to provide substantial property-tax relief to owners of farmland, it will do so without attaching any additional restrictions to the land, so that there is no guarantee that the land will not be converted to urban use.

Rules intended to implement both the farmland preservation program and the use-value-assessment legislation are being developed by the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Revenue, respectively.

RELATIONSHIP TO COUNTY PLANNING AND ZONING AUTHORITY

Under Wisconsin law, the regulation of land use development and redevelopment, including zoning, is exercised jointly by Walworth County and its constituent towns. Under this joint approach, the zoning of land, the subdivision of land, the construction of private dwellings and other structures, and other actions related to land use development and redevelopment are regulated in the public interest. Since decisions concerning zoning should be based upon a land use plan, it is important that there be agreement between the Walworth County Park and Planning Commission and each town in the County concerning such a plan.

As noted above, the Walworth County Board in October 1993 adopted the year 2010 regional land use plan, as it pertains to the County, as the County development plan. In order to ensure that town land use plans are prepared within the framework of the County development plan, the Walworth County Park and Planning Commission has developed guidelines which it recommends be followed by towns preparing local land use plans.

The recommended guidelines, which are set forth in a memorandum from the Walworth County Park and Plan-

ning Commission dated May 23, 1995, are included in this report as Appendix A. In summary, the guidelines recommend that town land use plans be consistent with the objectives of the Walworth County development plan, the County agricultural preservation plan, the regional land use plan, and all Walworth County land use ordinances; that town plans be based upon analyses of land use patterns and trends and relevant demographic and economic information and forecasts; that town plans propose a spatial allocation of the various land uses and include a representation of such allocation on a plan map; and that town plans be documented in a report containing sufficient information to demonstrate that consideration was given to the various factors that may be expected to influence development and redevelopment in the town.

The guidelines also recommend that a town planning effort encourage the involvement of town residents in the preparation of a land use plan and that both the town plan commission and town board adopt the plan. The County memorandum further recommends that no land use categories be created in town plans which are not included in the County zoning ordinance.

THE COMMUNITY LAND USE PLANNING PROCESS

The land use plan presented herein was developed through a planning process consisting of the following steps: 1) inventory and analysis; 2) formulation of objectives; 3) identification of community land use requirements; 4) plan design and evaluation; and 5) plan refinement and adoption. Plan implementation, although a step beyond the foregoing planning process, was considered throughout the process so that realization of the plan could be fostered.

Inventory and Analysis

Inventory is the first operational step of the land use planning process. It includes both the collating of existing information and the collection of new information by direct measurement. For the purpose of the land use planning work in the Town of Troy, inventory data were grouped into four categories: 1) demographic and economic characteristics; 2) natural resource features; 3) existing land uses; and 4) existing land use regulations. Inventory data were analyzed to provide an understanding of existing conditions within the Town as well as the factors which influence changes in those conditions. The findings of the inventories and analyses conducted under the Town planning program are provided in Chapters II through V of this report.

Formulation of Objectives

Planning is a rational process for formulating and attaining objectives. Because objectives are essentially reflections of the values held by residents of a planning area, the formulation of objectives should involve the active participation of Town officials and citizens. Objectives must also be related to the physical development of the planning area. The objectives developed served as a guide to the preparation of the land use plan, and are presented in Chapter VI.

Identification of Community

Land Use Requirements

The future demand for land development and public facilities will depend primarily on the size of the future population and the nature of future economic activity within the Town and environs. The preparation of forecasts is therefore necessary to provide estimates of future population and employment levels. The relationships between population and economic activity levels and the need for land and supporting public facilities such as roads, parks, and sewer service facilities must be identified as an important part of this step. Population and employment forecasts and anticipated community land use requirements are presented in Chapter VI of this report.

Plan Design and Evaluation

After identifying the probable future demand for land use and facilities, a land use plan which meets these demands can be developed. The plan should be evaluated on its ability to meet the agreed-upon land use objectives. The land use plan for the Town of Troy is presented in Chapter VI of this report.

Plan Refinement and Adoption

The last step in the planning process involves the presentation of the plan at a public informational meeting and hearing; the refinement of the plan as necessary given the public comments received; and the adoption of the plan by the Town Plan Commission. Although adoption of

the plan by the Town Board is not legally required, it is a step recommended to demonstrate acceptance and support by the governing body. Upon adoption of the plan, it becomes a guide to local land use decision making. A summary of the public review and comment process, and the actions taken by the Town Plan Commission and Town Board in response to the public comments received, is provided in Chapter VI of this report.

Plan Implementation

Implementation of the adopted land use plan requires the use of several land use regulatory measures. A zoning ordinance and accompanying zoning map are used to legally assure that private development and redevelopment occur in conformance with the adopted plan. Zoning regulations govern not only the types of land uses permitted in various parts of the community, but the height and arrangement of buildings on the land, the intensity of the use of land, and the supporting facilities needed to carry out the intent of the land use plan. Land subdivision regulations should be applied to assure that any proposed land subdivision plats and certified survey maps conform to the plan with respect to the type, location, and extent of the land uses proposed to be accommodated. Recommended plan implementation measures are set forth in Chapter VII of this report.

SUMMARY

This chapter has served as an introduction to the land use plan for the Town of Troy and the planning process. It has cited the provisions of the Wisconsin Statutes which authorize the Town to engage in land use planning; described the location of the Town of Troy in a broader geographic setting; indicated that the Southeastern Wisconsin Regional Planning Commission and Walworth County have prepared comprehensive, areawide plan elements and land use control ordinances and policies having important implications for any local planning effort; and outlined each of the steps followed in the Town land use planning process.

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Chapter II

POPULATION, HOUSEHOLD, AND EMPLOYMENT INVENTORY, ANALYSIS, AND FORECAST

INTRODUCTION

Information on the size, characteristics, and distribution of the resident population, household, and employment levels and anticipated changes in these socio-economic factors over time is essential to the preparation of a sound land use plan. In the final analysis, the purpose of any local planning program is to benefit the resident population by maintaining and enhancing living conditions in the area. Moreover, certain of the land use requirements and needs that a land use plan seeks to meet are directly related to the existing and probable future population, household, and employment levels of the area.

EARLY TOWN HISTORY¹

In 1833, the Federal government employed John Brink and John Hodgson to conduct the U. S. Public Land Survey of lands in Southeastern Wisconsin. The survey, which was established by an act of the Continental Congress in 1785, formed an important basis for defining county and local government civil division boundaries and stands today as the basis for all division of land and for all real-property-boundary descriptions in the area. The U. S. Public Land Survey permitted the ready transfer of the ownership of land from the Federal government to private citizens, and was essential for settlement and private development of the area.

The survey of Southeastern Wisconsin was completed in 1836. Walworth County was formed in that same year and named for Reuben Hyde Walworth, an elected official in New York State, from which many of the early European settlers in the County had originated.

¹The description of the history of the Town of Troy set forth herein was derived, in part, from the February 1982 issue (Vol. 4, No. 3) and the December 1993 issue (Vol. 4, No. 6) of the SEWRPC Technical Record; from C. W. Butterfield's History of Walworth County, Wisconsin (1882); from Judy Hart, a member of the Town of Troy Plan Commission; and from Shirley Voght, a resident of the Town of Troy.

By an act of the Territorial Legislature on January 2, 1838, the civil Town of Troy was established, encompassing Township 4 North, Ranges 17 and 18 East, in the northeastern portion of Walworth County. The Town was named after the City of Troy in New York State. Much of the early development in the Town occurred in its eastern half, in which an inn, sawmill, and gristmill were constructed during 1836 and 1837, along Honey Creek in what is now East Troy.

The Meacham, Spoor, and Beadsley families were the first to settle in the western half of the Town. They arrived in 1836 and settled in Sections 24 and 25. The birth of William Pitt Meacham, on September 27, 1836, was the first recorded in the western half of the Town. The first recorded marriage took place on November 16, 1837, between Sylvanus Spoor and Caroline Goodrich. Sylvanus Spoor built a cobblestone house on what is now Town Line Road. The house still stands and is now the residence of the Maier family.

In 1838, a mail route was established on the territorial road between Milwaukee and Janesville, which passed through the Town of Troy. The Troy post office was also established in 1838, with Major Jesse Meacham serving as the first postmaster. That portion of CTH J within the Town generally follows the route of the Milwaukee-to-Janesville territorial road. Another early road was located along the route of what is now CTH ES within the Town.

The eastern half of the original Town of Troy was detached in 1843 to create the Town of East Troy. The first Troy Town meeting following detachment was held in May 1843, at which Jesse Meacham was elected Town Chairman. The center of the community of Troy was located near the intersection of what are now CTH ES and CTH N. The Greenwood cemetery at the southeastern corner of that intersection contains the remains of Jesse Meacham and many other early European settlers. A church and later a school were also located at the intersection.

In 1871, an Elkhorn-to-Eagle railway branch line was constructed from north to south through the Town of Troy. Ice from Lulu Lake and cattle were important

products shipped on the railway from Troy. Land adjacent to the railway line near the center of the Town was platted by the railway and named Troy Center. Early European settlers in Troy Center included J. A. Schwartz, who constructed a store in Troy Center. The settlement grew to include a railway depot, a lumberyard, a stockyard, a post office, two general stores, a feed mill, a creamery and cheese factory, a blacksmith shop, a church, two taverns, a coal yard, and a large icehouse at Lulu Lake. The railway line was abandoned in the early 1930s. The Town Hall, Town fire station, and a number of homes and commercial buildings are located in Troy Center today.

By 1880, post offices had been established in the Town at Adams, Little Prairie, and Mayhew in addition to Troy and Troy Center. Today, a cemetery, an abandoned school, and an abandoned church are all that mark the community of Adams, which is located on STH 20 near the western edge of the Town. A church, cemetery, and several homes and commercial uses still define the community of Little Prairie, located in the northwestern corner of the Town along STH 67. The community of Mayhew, located near the southern boundary of the Town south of CTH A, was established at the time the railway line was built in the early 1870s, when a railway station and warehouse were constructed by John Mather. Today, a small number of homes and farm buildings are all that remain of that settlement.

Map 7 shows the pattern of settlement and growth in the Town of Troy from 1880 through 1990.

HISTORICAL AND FORECAST POPULATION AND HOUSEHOLD LEVELS

The preparation of population, household, and employment forecasts for a community such as the Town of Troy, when set in a dynamic region such as Southeastern Wisconsin, is a particularly difficult task, fraught with uncertainties and subject to periodic revision as new information becomes available. The population, household, and employment forecasts presented in this land use plan were developed from regional- and County-level forecasts reflecting alternative futures for the Southeastern Wisconsin Region developed by the Regional Planning Commission and used by the Commission in its regional-, county-, and local-level planning efforts.

Two alternative future scenarios were prepared as a basis for the regional population, household, and employ-

ment forecasts: an intermediate-growth scenario with a centralized development pattern, and a high-growth scenario with a decentralized development pattern. Under each scenario, land use development patterns were developed which were believed to represent conditions that could occur in the Southeastern Wisconsin Region and the Town of Troy over the plan design period. These two alternative future scenarios were used as projections for consideration in the preparation of the land use plan for the Town because it was believed that these scenarios provided a realistic range of population, household, and employment levels for the Town over the plan design period. It should be noted that the intermediate-growth scenario with a centralized development pattern was used in the preparation of the year 2020 regional land use plan and the Walworth County development plan.

Population

Historical and forecast population levels for the Region, Walworth County, and the Town of Troy are set forth in Table 1. A review of Table 1 indicates that a significant increase in population occurred in Walworth County between 1850 and 1860, followed by relatively modest growth rates through 1940. Growth rates in Walworth County between 1940 and 1970 increased dramatically to above 20 percent in each decade before moderating to a level of about 13 percent between 1970 and 1980 and about 5 percent between 1980 and 1990.

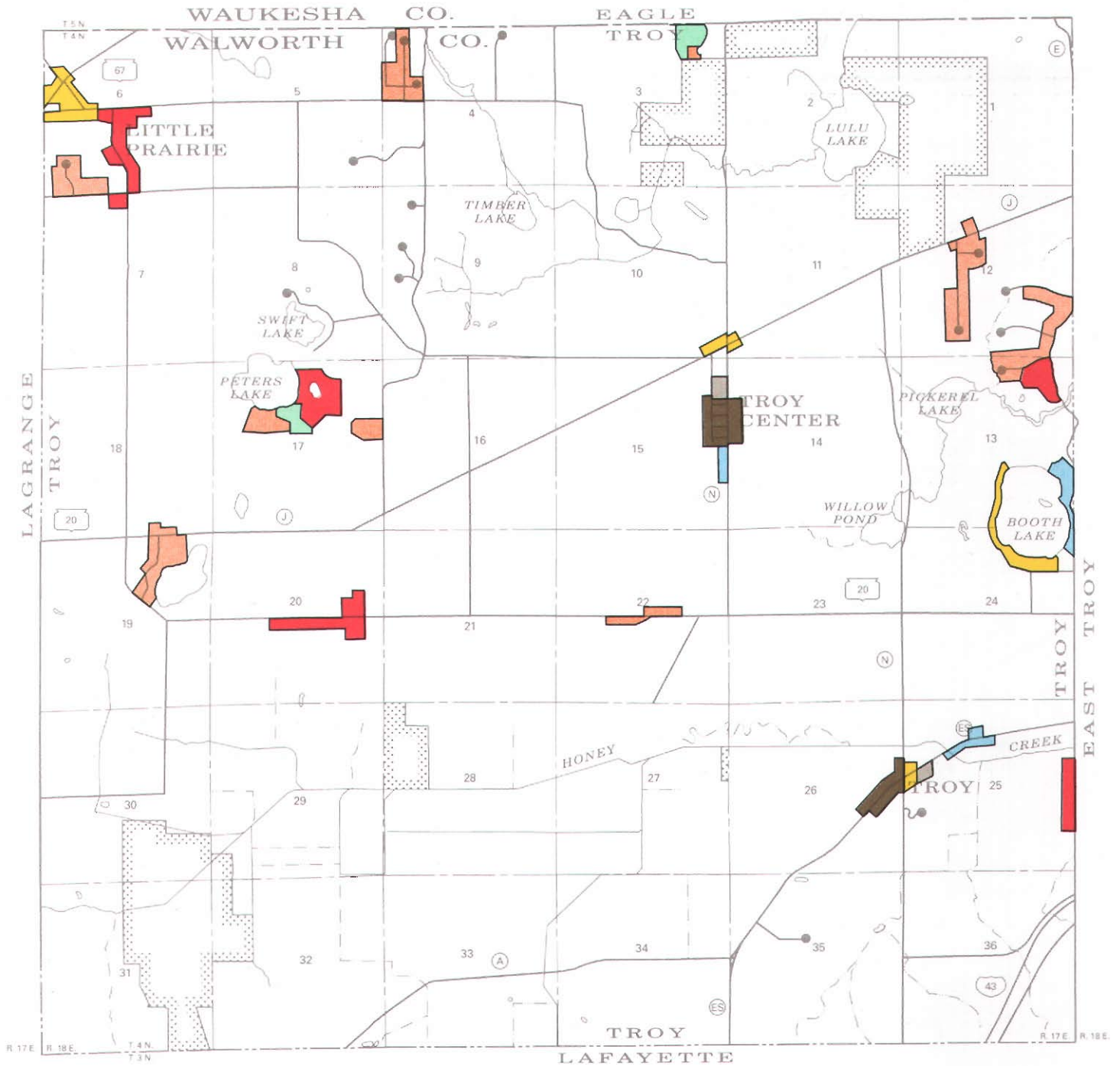
Population levels in the Town of Troy were somewhat erratic in the period from 1850 to 1950. The number of Town residents in 1960 was relatively unchanged from the number of residents in 1850, despite the changes from decade to decade during that period. The Town population began to increase steadily after 1940, with a particularly large increase occurring between 1970 and 1980. The large increase in Town population—about 42 percent—between 1970 and 1980 contrasts sharply with population increases in Walworth County—about 13 percent—and the Southeastern Wisconsin Region—less than 1 percent—during that period.

In 1990, the year of the most recent U. S. Census, the population of the Region was 1,810,364; of Walworth County, 75,000; and of the Town of Troy, 2,051. The Wisconsin Department of Administration, which develops annual estimates of population for communities within the State, estimated the 1995 resident population of the Town of Troy at 2,185, an increase of 134 persons, or about 7 percent, between 1990 and 1995.

As indicated in Table 1 and Figure 1, the recent trend of relatively high rates of population growth for the

Map 7

HISTORICAL URBAN GROWTH IN THE TOWN OF TROY: 1880-1990



- 1880
- 1920
- 1950
- 1963
- 1970
- 1980
- 1990

Source: SEWRPC.

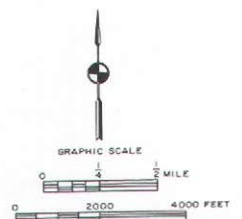


Table 1

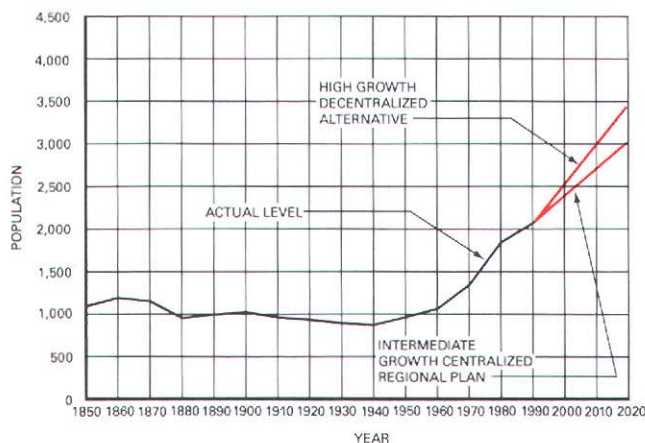
**HISTORICAL AND FORECAST POPULATION LEVELS FOR THE REGION,
WALWORTH COUNTY, AND THE TOWN OF TROY: 1850-2020**

Year	Region			Walworth County			Town of Troy		
	Total Population	Change from Previous Time Period		Total Population	Change from Previous Time Period		Total Population	Change from Previous Time Period	
		Number	Percent		Number	Percent		Number	Percent
1850	113,389	--	--	17,862	--	--	1,094	--	--
1860	190,409	77,020	67.9	26,496	8,634	48.3	1,238	144	13.2
1870	223,546	33,137	17.4	25,972	-524	-2.0	1,176	-62	-5.0
1880	277,119	53,573	24.0	26,249	277	1.1	964	-212	-18.0
1890	386,774	109,655	39.6	27,860	1,611	6.1	972	8	0.8
1900	501,808	115,034	29.7	29,259	1,399	5.0	1,018	46	4.7
1910	631,161	129,353	25.8	29,614	355	1.2	928	-90	-8.8
1920	783,681	152,520	24.2	29,327	-287	-1.0	888	-40	-4.3
1930	1,006,118	222,437	28.4	31,058	1,731	5.9	857	-31	-3.5
1940	1,067,699	61,581	6.1	33,103	2,045	6.6	842	-15	-1.8
1950	1,240,618	172,919	16.2	41,584	8,481	25.6	962	120	14.3
1960	1,573,614	332,996	26.8	52,368	10,784	25.9	1,060	98	10.2
1970	1,756,083	182,469	11.6	63,444	11,076	21.2	1,265	205	19.3
1980	1,764,796	8,713	0.5	71,507	8,063	12.7	1,794	529	41.8
1990	1,810,364	45,568	2.6	75,000	3,493	4.9	2,051	257	14.3
2020 Intermediate-Growth-Centralized Regional Plan	2,077,900	267,536	14.8	95,000	20,000	26.7	3,012	961	46.9
2020 High-Growth-Decentralized Alternative	2,367,000	556,636	30.7	131,600	56,600	75.5	3,431	1,380	67.3

Source: U. S. Bureau of the Census and SEWRPC.

Figure 1

**HISTORICAL AND FORECAST POPULATION
LEVELS FOR THE TOWN OF TROY: 1850-2020**



Source: U. S. Bureau of the Census and SEWRPC.

Town of Troy may be expected to continue under both the intermediate-growth-centralized regional plan and the high-growth-decentralized alternative. The Town of Troy is envisioned to grow by about 960 persons, or

by about 47 percent, under the intermediate-growth-centralized regional plan, and by about 1,380 persons, or by about 67 percent, under the high-growth-decentralized alternative.

Households

Historical and forecast household levels for the Region, Walworth County, and the Town of Troy are set forth in Table 2. All three areas have experienced significant gains in the number of households in the period between 1970 and 1990. In 1990, there were about 680 households in the Town of Troy, representing an increase of 300, or 79 percent, from the 1970 level.

The trend toward higher rates of growth in the number of households in the Town of Troy and Walworth County relative to the Region may be expected to continue under both the intermediate-growth-centralized regional plan and the high-growth-decentralized alternative. As indicated in Table 2 and Figure 2, the number of households in the Town of Troy may be expected to increase by about 380, or about 56 percent, from a level of about 680 in 1990 to about 1,060 in the year 2020 under the intermediate-growth-centralized alternative future. Similarly, the number of households in Walworth

Table 2

**HISTORICAL AND FORECAST HOUSEHOLD LEVELS FOR THE REGION,
WALWORTH COUNTY, AND THE TOWN OF TROY: 1970-2020**

Year	Region			Walworth County			Town of Troy		
	Households	Change from Previous Time Period		Households	Change from Previous Time Period		Households	Change from Previous Time Period	
		Number	Percent		Number	Percent		Number	Percent
1970	536,486	--	--	18,544	--	--	378	--	--
1980	627,955	91,469	17.0	24,789	6,245	33.7	576	198	52.4
1990	676,107	48,152	7.7	27,620	2,831	11.4	678	102	17.7
2020 Intermediate-Growth-Centralized Regional Plan	827,100	150,993	22.3	36,900	9,280	33.6	1,060	382	56.3
2020 High-Growth-Decentralized Alternative	905,100	228,993	33.9	49,500	21,880	79.2	1,186	508	74.9

Source: U. S. Bureau of the Census and SEWRPC.

County may be expected to increase by about 34 percent, while the growth rate for the number of households within the Region would approximate only about 22 percent, under this alternative future. Under the high-growth-decentralized alternative, the number of households in the Town of Troy may be expected to increase by about 510, or about 75 percent, from about 680 in 1990 to about 1,190 in the year 2020. Similarly, the number of households in Walworth County may be expected to increase by about 79 percent under this alternative. These rates of increase are significantly higher than the envisioned rate of increase of about 34 percent for the Region under this alternative.

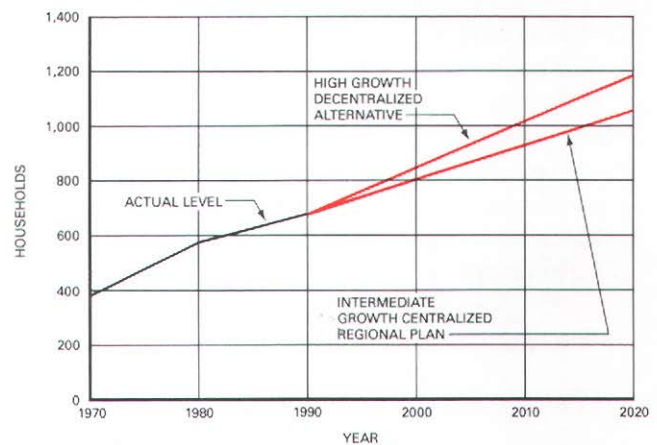
Average Household Size

While the number of households in the Town of Troy has increased, the average number of persons per household has decreased—a trend seen throughout the Southeastern Wisconsin Region. The decline in average household size reflects the fact that women are having fewer children and that unmarried persons have increasingly tended to live away from relatives. Trends in average household size in the Region, Walworth County, and the Town of Troy are indicated in Table 3. During the period from 1970 to 1990, the average household size in the Town decreased by over 9 percent, from 3.32 persons per household in 1970 to 3.01 persons per household in 1990. Although decreasing, the average number of persons per household in the Town is relatively high in comparison to those in the County and the Region, where the average numbers of persons per household in 1990 were 2.60 and 2.62, respectively.

The decline in average household sizes for the Region, Walworth County, and the Town of Troy may be expected

Figure 2

**HISTORICAL AND FORECAST HOUSEHOLD
LEVELS FOR THE TOWN OF TROY: 1970-2020**



Source: U. S. Bureau of the Census and SEWRPC.

to continue through the year 2020 under the intermediate-growth-centralized alternative future. Under the high-growth decentralized alternative, household size levels may be expected to remain relatively stable for the Region and Walworth County and to decline slightly for the Town of Troy.

HOUSING CHARACTERISTICS

This section of this chapter provides pertinent information concerning the characteristics of housing units in the Town of Troy, including information on residential building

Table 3

**AVERAGE NUMBER OF PERSONS PER HOUSEHOLD IN THE REGION,
WALWORTH COUNTY, AND THE TOWN OF TROY: 1970-2020**

Year	Region			Walworth County			Town of Troy		
	Persons per Household	Change from Previous Time Period		Persons per Household	Change from Previous Time Period		Persons per Household	Change from Previous Time Period	
		Number	Percent		Number	Percent		Number	Percent
1970	3.20	--	--	3.16	--	--	3.32	--	--
1980	2.75	-0.45	-14.1	2.74	-0.42	-13.3	3.11	-0.21	-6.3
1990	2.62	-0.13	-4.7	2.60	-0.14	-5.1	3.01	-0.10	-3.2
2020 Intermediate-Growth-Centralized Regional Plan	2.45	-0.17	-6.5	2.44	-0.16	-6.2	2.83	-0.18	-6.0
2020 High-Growth-Decentralized Alternative	2.56	-0.06	-2.3	2.56	-0.04	-1.5	2.88	-0.13	-4.3

Source: U. S. Bureau of the Census and SEWRPC.

activity, value of owner-occupied housing units, and characteristics of the housing stock.

Residential building activity in the Town of Troy during the time period from 1980 through 1996, as evidenced by the number of single-family housing units authorized by zoning permits, is set forth in Table 4. As indicated in this table, 216 zoning permits for single-family housing units were authorized during this 17-year time period, ranging from a low of four permits each in 1982 and 1983 to a high of 27 permits in 1993.

Table 5 sets forth the value of specified owner-occupied housing units in the Region, Walworth County, and the Town of Troy in 1990. The average value of specified owner-occupied housing units in the Town of Troy—about \$84,700—is about \$4,800, or about 5 percent, lower than the average value of about \$89,500 for Walworth County, and about \$1,000, or about 1 percent, lower than the average value of about \$85,700 for the Region. Slightly over 76 percent of the total number of the specified owner-occupied housing units in the Town of Troy were valued at between \$50,000 and \$124,999.

Selected housing characteristics for the Region, Walworth County, and the Town of Troy are set forth in Table 6. In 1990, about 90 percent of the total number of housing units in the Town of Troy were determined to be year-round housing units, compared to 98 percent and 79 percent, respectively, for the Region and Walworth County. This is due in part to the recreational resources present in Walworth County and in the Town of Troy. Of the approximately 700 housing units classified as year-round units in the Town, about 120—or about 17 percent of

Table 4

**RESIDENTIAL BUILDING ACTIVITY
IN THE TOWN OF TROY: 1980-1996**

Year	Number of Single-Family Housing Units Authorized by Zoning Permit
1980	8
1981	8
1982	4
1983	4
1984	8
1985	9
1986	6
1987	16
1988	14
1989	16
1990	16
1991	20
1992	19
1993	27
1994	13
1995	9
1996	19
Total	216
Mean Annual	13

Source: Walworth County Department of Planning, Zoning, Sanitation & Solid Waste Management; and SEWRPC.

year-round units and about 15 percent of all housing units—were renter-occupied, and about 560—or about 80 percent of the year-round units and about 72 percent of all housing units—were owner-occupied. The remaining

Table 5

**VALUE OF SPECIFIED OWNER-OCCUPIED HOUSING UNITS IN THE
REGION, WALWORTH COUNTY, AND THE TOWN OF TROY: 1990**

Range	Region		Walworth County		Town of Troy	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
Less Than \$15,000	1,263	0.4	48	0.3	2	0.6
\$15,000 to \$19,999	1,506	0.4	46	0.3	1	0.3
\$20,000 to \$24,999	3,092	0.9	119	0.8	3	0.8
\$25,000 to \$29,999	4,548	1.3	178	1.2	0	0.0
\$30,000 to \$34,999	8,719	2.5	359	2.5	3	0.8
\$35,000 to \$39,999	11,952	3.5	572	3.9	20	5.6
\$40,000 to \$44,999	14,254	4.1	839	5.7	10	2.8
\$45,000 to \$49,999	17,887	5.2	920	6.3	9	2.5
\$50,000 to \$59,999	45,791	13.3	2,236	15.3	47	13.2
\$60,000 to \$74,999	72,105	20.9	3,256	22.3	80	22.4
\$75,000 to \$99,999	80,918	23.5	3,080	21.1	86	24.1
\$100,000 to \$124,999	36,619	10.6	1,134	7.8	60	16.8
\$125,000 to \$149,999	19,829	5.8	587	4.0	12	3.4
\$150,000 to \$174,999	9,248	2.7	388	2.7	12	3.4
\$175,000 to \$199,999	5,446	1.6	206	1.4	3	0.8
\$200,000 to \$249,999	5,393	1.6	232	1.6	7	1.9
\$250,000 to \$299,999	2,527	0.7	133	0.9	2	0.6
\$300,000 to \$399,999	2,195	0.6	124	0.9	0	0.0
\$400,000 to \$499,999	708	0.2	54	0.4	0	0.0
\$500,000 or Greater	638	0.2	88	0.6	0	0.0
Total	344,638	100.0	14,599	100.0	357	100.0
Average Value	\$85,749	--	\$89,545	--	\$84,738	--

Source: U. S. Bureau of the Census.

Table 6

**HOUSING CHARACTERISTICS OF THE REGION,
WALWORTH COUNTY, AND THE TOWN OF TROY: 1990**

Characteristic	Region		Walworth County		Town of Troy	
	Number	Percent	Number	Percent	Number	Percent
Year-Round Housing Units						
Owner-Occupied	414,050	57.7	18,467	50.0	562	72.1
Renter-Occupied	262,057	36.5	9,153	24.8	116	14.9
Vacant	27,484	3.8	1,667	4.5	23	2.9
Subtotal	703,591	98.1	29,287	79.3	701	89.9
Seasonal Housing Units	13,584	1.9	7,650	20.7	79	10.1
Total Housing Units	717,175	100.0	36,937	100.0	780	100.0

Source: U. S. Bureau of the Census.

Table 7

**HISTORICAL AND FORECAST EMPLOYMENT LEVELS IN THE REGION,
WALWORTH COUNTY, AND THE TOWN OF TROY: 1970-2020**

Year	Region			Walworth County			Town of Troy		
	Employment (jobs)	Change from Previous Time Period		Employment (jobs)	Change from Previous Time Period		Employment (jobs)	Change from Previous Time Period	
		Number	Percent		Number	Percent		Number	Percent
1970	784,100	--	--	26,300	--	--	250	--	--
1980	945,200	161,100	20.5	33,400	7,100	27.0	290	40	16.0
1990	1,067,200	122,000	12.9	40,200	6,800	20.4	310	20	6.9
2020 Intermediate-Growth-Centralized Regional Plan . . .	1,277,100	209,900	19.7	59,900	19,700	49.0	350	40	12.9
2020 High-Growth-Decentralized Alternative	1,362,600	295,400	27.7	69,100	28,900	71.9	360	50	16.1

NOTE: Employment figures refer to the number of jobs located within each geographic area, as distinguished from the number of employed persons living in each area.

Source: U. S. Bureau of Economic Analysis and SEWRPC.

3 percent of year-round units in the Town were vacant at the time of the 1990 Census.

EMPLOYMENT TRENDS

Place-of-Work Employment Data

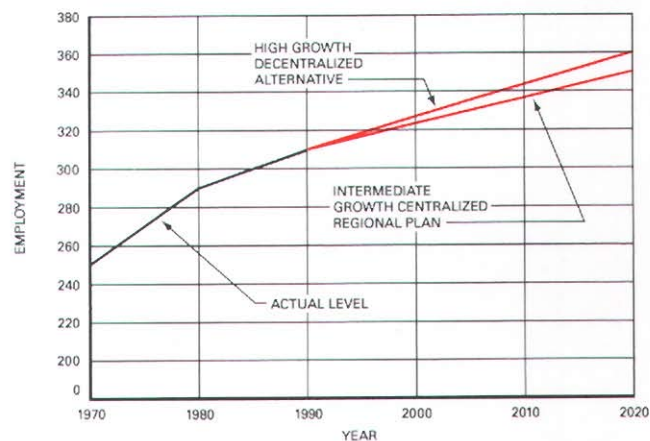
Trends in job growth in the Region, Walworth County, and the Town of Troy between 1970 and 1990 are set forth in Table 7. The data indicate the number of jobs within each geographic area, and do not refer to the residencies of persons holding particular jobs. Both part-time and full-time jobs are included in the table. There were about 310 jobs in the Town of Troy in 1990, representing an increase of 60 jobs, or 24 percent, over the 1970 level of jobs. As indicated in Table 7 and Figure 3, the employment level in the Town may be expected to increase by about 13 percent under the intermediate-growth-centralized alternative future, compared to employment increases of about 20 percent and about 49 percent envisioned for the Region and Walworth County, respectively, under this alternative. Under the high-growth-decentralized alternative, the employment level in the Town of Troy would increase by about 16 percent, compared to increases of about 28 percent and about 72 percent envisioned for the Region and Walworth County, respectively.

Occupational Characteristics

The numbers of employed persons 16 years of age or older in the Region, Walworth County, and the Town of Troy in 1990 are set forth by class of worker in Table 8.

Figure 3

**HISTORICAL FORECAST EMPLOYMENT LEVELS
FOR THE TOWN OF TROY: 1970-2020**



Source: U. S. Bureau of Economic Analysis and SEWRPC.

In this data set, employed persons are enumerated where they reside and, thus, the data are often referred to as "place-of-residence" employment data. In 1990, 819 persons, or about 76 percent, of the 1,073-person labor force in the Town of Troy were private-sector wage or salary workers; 148 persons, or about 14 percent, were Federal, State, or local government workers; and 106, or about 10 percent, were self-employed or unpaid family workers.

Table 8

**EMPLOYED PERSONS 16 YEARS OF AGE AND OLDER BY CLASS OF WORKER
IN THE REGION, WALWORTH COUNTY, AND THE TOWN OF TROY: 1990**

Class	Region		Walworth County		Town of Troy	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
Private-Sector Wage and Salary Workers	739,155	83.6	29,747	78.1	819	76.3
Federal Government Workers	15,469	1.8	338	0.9	16	1.5
State Government Workers	16,486	1.9	1,641	4.3	25	2.3
Local Government Workers	69,574	7.9	3,213	8.4	107	10.0
Self-Employed Workers	39,608	4.5	2,911	7.7	102	9.5
Unpaid Family Workers	2,424	0.3	243	0.6	4	0.4
Total	882,716	100.0	38,093	100.0	1,073	100.0

Source: U. S. Bureau of the Census.

Table 9

**EMPLOYED PERSONS 16 YEARS OF AGE AND OLDER BY OCCUPATION
IN THE REGION, WALWORTH COUNTY, AND THE TOWN OF TROY: 1990**

Occupations	Region		Walworth County		Town of Troy	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
Managerial and Professional Specialty						
Executive, Administrative, and Managerial	103,680	11.7	3,551	9.3	106	9.9
Professional Specialty	122,673	13.9	4,664	12.2	115	10.7
Technical, Sales, and Administrative Support						
Technicians and Related Support	31,301	3.5	902	2.4	19	1.8
Sales	103,033	11.7	4,051	10.6	91	8.5
Administrative Support, Including Clerical	150,205	17.0	5,288	13.9	136	12.7
Service						
Private Household	1,758	0.2	85	0.2	0	0.0
Protective Service	12,724	1.4	452	1.2	18	1.7
Service, except Protective and Household	98,458	11.2	4,884	12.8	117	10.9
Farming, Forestry, and Fishing	9,288	1.1	1,431	3.8	82	7.6
Precision Production, Craft, and Repair	103,690	11.7	4,976	13.1	165	15.4
Operators, Fabricators, and Laborers						
Machine Operators, Assemblers, and Inspectors	80,106	9.1	4,492	11.8	125	11.6
Transportation and Material Moving	32,522	3.7	1,610	4.2	53	4.9
Handlers, Equipment Cleaners, Helpers, Laborers	33,278	3.8	1,707	4.5	46	4.3
Total	882,716	100.0	38,093	100.0	1,073	100.0

Source: U. S. Bureau of the Census.

Table 9 shows a breakdown of the employed labor force by occupational group in the Region, Walworth County, and the Town of Troy. The distribution of employed persons in the Town among the various occupational groups is generally consistent with those observed in the County and Region. The occupa-

tional group employing the greatest number of Town of Troy residents can be characterized as technical, sales, and administrative support occupations. About 250 persons in the Town, or about 23 percent of its employed residents, are members of this occupational group.

SUMMARY

Population and Household Forecasts

Projections of population and household levels to be used in preparing forecasts for the preparation of a land use plan for the Town of Troy were based upon alternative future scenarios prepared by the Regional Planning Commission and used by the Commission in its regional-, county-, and local-level planning efforts. Two alternative population and household projections were considered, one based upon an intermediate-growth-centralized alternative future scenario, the alternative used in the preparation of the adopted design year 2020 regional land use plan and the Walworth County development plan, and one based on a high-growth-decentralized alternative. The Town of Troy population level, which stood at about 2,050 persons in 1990, may be expected to increase by about 960 persons, or by about 47 percent, to a level of about 3,010 persons under the intermediate-growth-centralized alternative future, and by about 1,380 persons, or about 67 percent, to about 3,430 persons under the high-growth-decentralized alternative. The number of households in the Town, which stood at about 680 in 1990, may be expected to increase by about 380, or by about 56 percent, to a level of about 1,060 under the intermediate-growth-centralized alternative future, and to increase by about 510, or by about 75 percent, to a level of about 1,190 under the high-growth-decentralized alternative.

Housing Characteristics

During the 17-year time period from 1980 through 1996, 216 zoning permits for single-family housing units in the Town of Troy were authorized, ranging from a low of four permits each in 1982 and 1983 to a high of 27 permits in 1993. The 1990 average value of specified owner-occupied housing units in the Town of Troy was about \$84,700, or about 5 percent lower than the average value of specified owner-occupied housing units in Walworth County. About 90 percent of the 780 housing units in the Town of Troy were classified as year-round. A relatively high percentage, about 10 percent, of the total housing units in the Town were classified as seasonal.

Employment Trends

The employment level in the Town of Troy, which stood at about 310 jobs in 1990, may be expected to increase by 40 jobs, or by about 13 percent, to a level of about 350 jobs under the intermediate-growth-centralized alternative future scenario, and to increase by about 50 jobs, or about 16 percent, to a level of about 360 jobs under the high-growth-decentralized alternative.

Of the 1,073 employed persons 16 years or older residing in the Town of Troy, about 820, or about 76 percent, are classified as private-sector wage or salary workers.

Chapter III

NATURAL RESOURCE BASE INVENTORY AND ANALYSIS

INTRODUCTION

The conservation and wise use of the natural resource base is vital to the sound physical, social, and economic development of an area and to the continued ability of an area to provide a pleasant and habitable environment for life. Any meaningful land use planning effort, therefore, must recognize the existence of a limited natural resource base to which urban and rural development must be properly adjusted so that the resource base is properly maintained and protected and so that serious environmental problems are avoided. A sound evaluation and analysis of the natural resource base is therefore particularly important to planning for the physical development of an area.

This chapter, then, presents the results of an inventory and analysis of the natural resource base of the Town of Troy. Included is descriptive information regarding soils, topography, water resources, vegetation, and natural areas and critical species habitat sites. Also included is a description of items closely related to the natural resource base, including outdoor recreation sites. This chapter also includes a description of the environmental corridors and isolated natural resource areas within the Town that have been identified by the Regional Planning Commission. The corridors represent concentrations of the most important remaining elements of the natural resource base.

SOILS

Soil properties exert a strong influence on the use of land and on the impacts of changes in land use. Soils are an irreplaceable resource, and mounting pressures upon land are constantly making this resource more and more valuable. A need therefore exists in any land use planning program to examine how soils can best be used and managed.

In order to assess the significance of the diverse soils found in Southeastern Wisconsin, the Regional Planning Commission in 1963 negotiated a cooperative agreement

with the U. S. Soil Conservation Service¹ under which detailed soil surveys were completed for the entire seven-county Region. The findings of the surveys were published in SEWRPC Planning Report No. 8 and in county soil survey reports subsequently prepared by the U. S. Soil Conservation Service.² The surveys provided sound, definitive data on the physical, chemical, and biological properties of the soils and interpretations of those properties for planning, engineering, agricultural, and resource conservation purposes.

General Soil Groups

Map 8 provides an overview of the pattern of soils that exists within the Town. As shown, five broad groups of soils, or soil associations, occur within the Town: the Casco-Fox association, Casco-Rodman association, Houghton-Palms association, Miami-McHenry association, and Plano, gravelly substratum-Warsaw association. The Casco-Fox association, Casco-Rodman association, and the Houghton-Palms association predominate.

The Casco-Fox association consists of well-drained soils that have a clay-loam subsoil. The soils are nearly level to steep and occur on outwash plains and stream terraces. Most of this association is well suited for farming, although the steeper slopes may erode if cropped.

The Casco-Rodman association consists of well-drained to excessively drained soils that have a clay-loam and gravelly sandy-loam subsoil. The soils are rolling to moderately steep and are characterized by the rough and broken topography of the Kettle Moraine area of Walworth County. Most of this association is poorly suited for farming, but may provide good sources of sand and gravel.

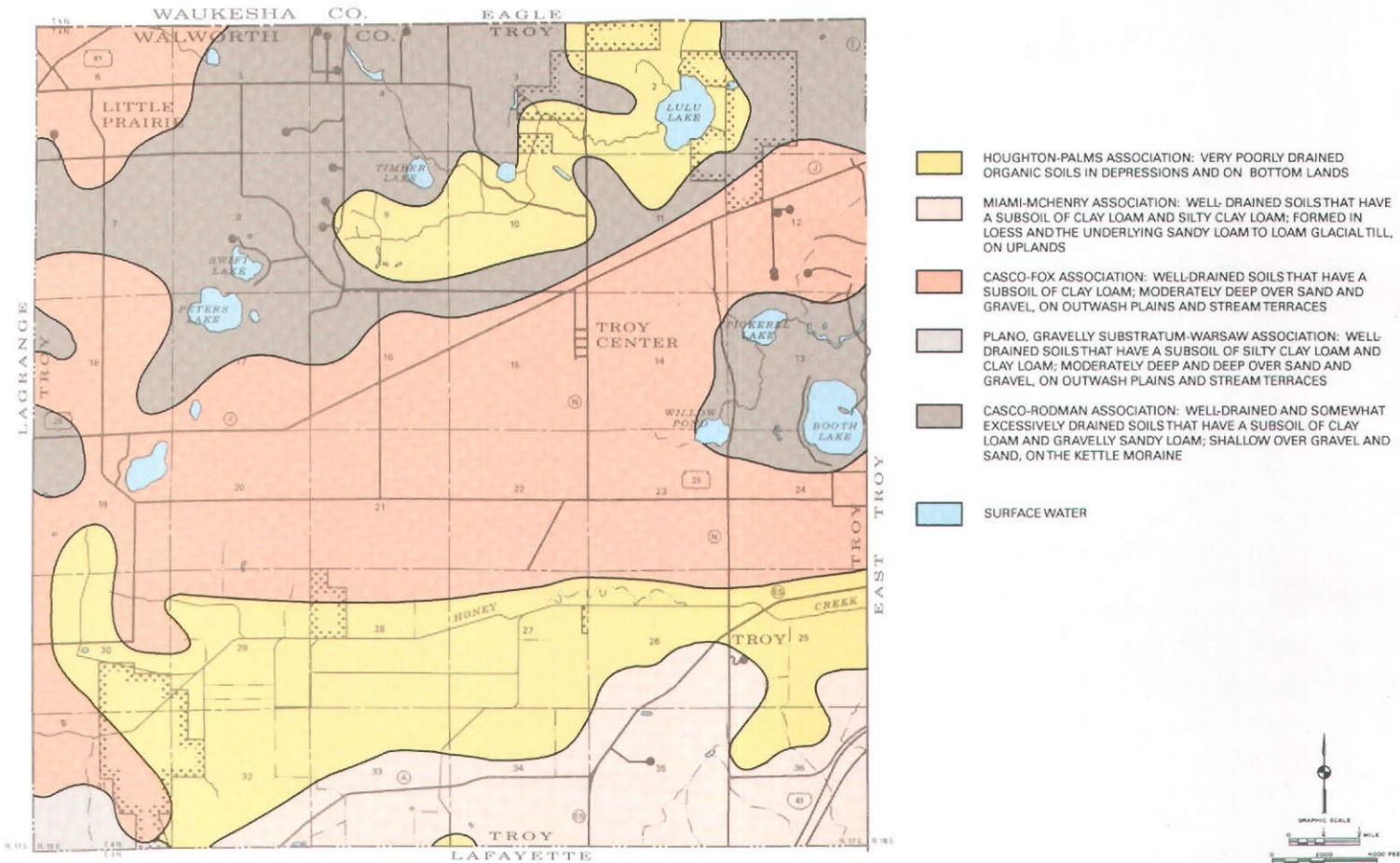
The Houghton-Palms association consists of very poorly drained organic soils in depressions and on bottom lands

¹Now known as the U. S. Department of Agriculture, Natural Resources Conservation Service.

²SEWRPC Planning Report No. 8, Soils of Southeastern Wisconsin, June 1966; and U. S. Department of Agriculture, Soil Conservation Service, Soil Survey of Walworth County, Wisconsin, 1971.

Map 8

GENERAL SOIL ASSOCIATIONS IN THE TOWN OF TROY



Source: U. S. Natural Resources Conservation Service and SEWRPC.

along streams. Most of this association is poorly suited for farming, unless drained.

Soil Suitability Interpretations

The soil surveys provide important information regarding the suitability of land for various urban and rural uses. Interpreting soil surveys in this manner involves evaluating those characteristics of a soil which influence the particular use and predicting the kinds and degrees of limitations which those soil properties and qualities, taken together, are likely to impose on the land use concerned. Of particular importance in preparing a land use plan for the Town of Troy are suitability interpretations for residential development with public sanitary sewer service, for residential development with onsite sewage disposal systems, and for agriculture.

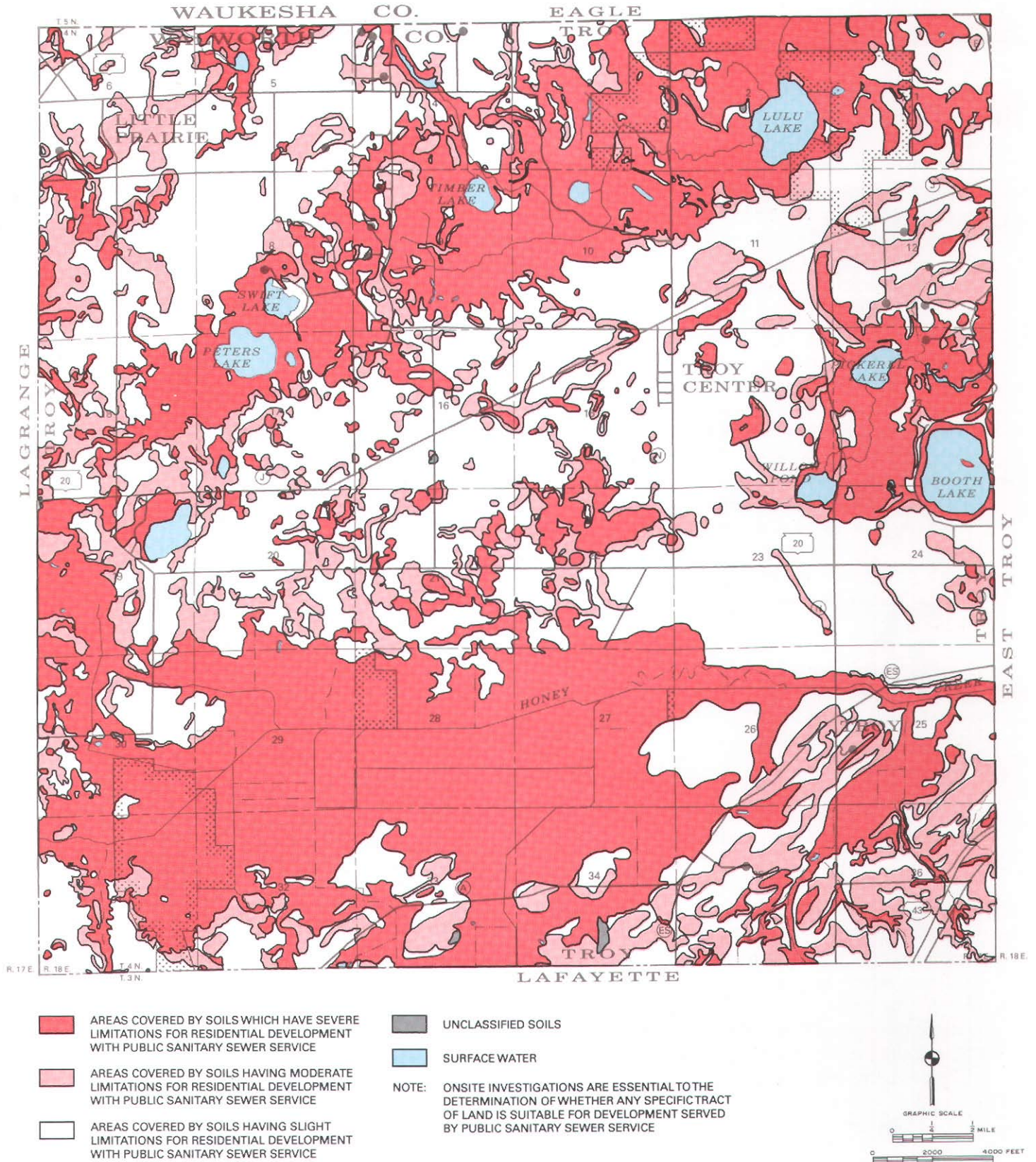
Soil Suitability for Residential Development Served by Public Sanitary Sewers

Because public sanitary sewer service is planned to be provided within a portion of the Town, it is important to

consider the suitability of the soils occurring within the Town for residential development served by public sanitary sewers. The soil survey indicates that about 13.3 square miles, or about 37 percent of the total area of the Town, are covered by soils that have severe limitations for residential development with public sanitary sewer service, or, stated differently, are poorly suited for residential development of any kind. Concentrations of these soils occur in the southern, northern, and east central portions of the Town. Smaller concentrations of these soils are widely dispersed and intermixed with other soils in other areas of the Town (see Map 9). Severe limitations are due to such soil properties as high water tables, slow permeability rates, erosive slopes, low bearing capacity, high shrink-swell potential, and frost-heave potential. These soils are found primarily in association with rivers, streams, floodlands, wetlands, and other low-lying areas. The development of these areas for residential use requires particularly careful planning and above-average design and management to overcome the limitations; such development may also be expected to be more costly

Map 9

SOIL SUITABILITY FOR RESIDENTIAL DEVELOPMENT WITH PUBLIC
SANITARY SEWER SERVICE UNDER CURRENT ADMINISTRATIVE RULES



Source: U. S. Natural Resources Conservation Service and SEWRPC.

and difficult than development in areas covered by more suitable soils.

Soil Suitability for Onsite Sewage Disposal Systems

The suitability of soils occurring within the Town for onsite sewage disposal systems is indicated on Maps 10 and 11. Map 10 indicates suitability for conventional onsite sewage disposal systems; Map 11 indicates suitability for mound sewage disposal systems. The suitability ratings are expressed in terms of the likelihood of meeting the criteria governing the siting of onsite sewage disposal systems set forth in Chapter Comm 83 of the Wisconsin Administrative Code. On these maps, areas shown as "suitable" have a high probability of meeting the code requirements for the system concerned, and areas shown as "unsuitable" have a high probability of not meeting the requirements. Areas shown as "undetermined" include soils having a range of characteristics which spans the applicable Wisconsin Administrative Code criteria, so that no classification can be assigned without more detailed field investigation. It should be noted that Maps 10 and 11 are intended to illustrate the overall pattern of soil suitability for onsite sewage disposal systems. Detailed site investigations based upon the requirements of Chapter Comm 83 are essential to any determination as to whether or not the soils on any specific tract of land are suitable for development served by onsite sewage disposal systems.

As indicated in Table 10, about 18.7 square miles, or about 53 percent of the Town, are covered by soils classified as suitable for conventional onsite sewage disposal systems; about 10.5 square miles, or about 30 percent, are classified as unsuitable; and about 5.1 square miles, or about 14 percent, are covered by soils of undetermined suitability. The remaining 1.2 square miles, or about 3 percent of the Town, are areas for which, because of disturbed condition, no soil survey data are available, or which consist of surface water. Table 10 and a comparison of Maps 10 and 11 indicate that the development of mound-type onsite sewage disposal systems and other alternative systems has only slightly increased the area of the Town which may be able to accommodate development served by onsite sewage disposal systems. In this regard, it should be noted that approximately 4.5 square miles, or about 13 percent of the Town, are covered by soils of undetermined suitability, that is, areas for which the suitability of mound-type systems can be determined only upon the completion of detailed field investigations.

Soil Suitability for Agriculture

Much of the Town is covered by soils that are well suited for agricultural use. Soil suitability for agricultural use

within the Town, based on the U. S. Natural Resources Conservation Service classification system, is shown on Map 12. Table 11 provides a description of each soil class. Generally, Class I and Class II soils are considered "National Prime Farmland" and Class III soils are considered "Farmlands of Statewide Importance."

Areas identified on Map 12 as Class I encompass about 1.7 square miles, or about 5 percent of the Town. Areas identified as Class II encompass about 14.4 square miles, or about 41 percent of the Town. Areas identified as Class III encompass about 3.5 square miles, or about 10 percent of the Town. Additional areas in the Town are covered by soils rated Class IV or lower if undrained and Class II or Class III if drained. Approximately 2.7 square miles, or about 8 percent of the Town, primarily in its southeastern corner, have been drained and therefore fall into the Class II or Class III rating. As a result, a total of about 22.3 square miles, or about 63 percent of the Town, are covered by Class I, Class II, or Class III soils.

The A-1, or Prime Agricultural Land, district of the Walworth County zoning ordinance was established to maintain, preserve, and enhance agricultural lands historically exhibiting high crop yields. Such lands are generally those covered by Class I, Class II, and/or Class III soils.

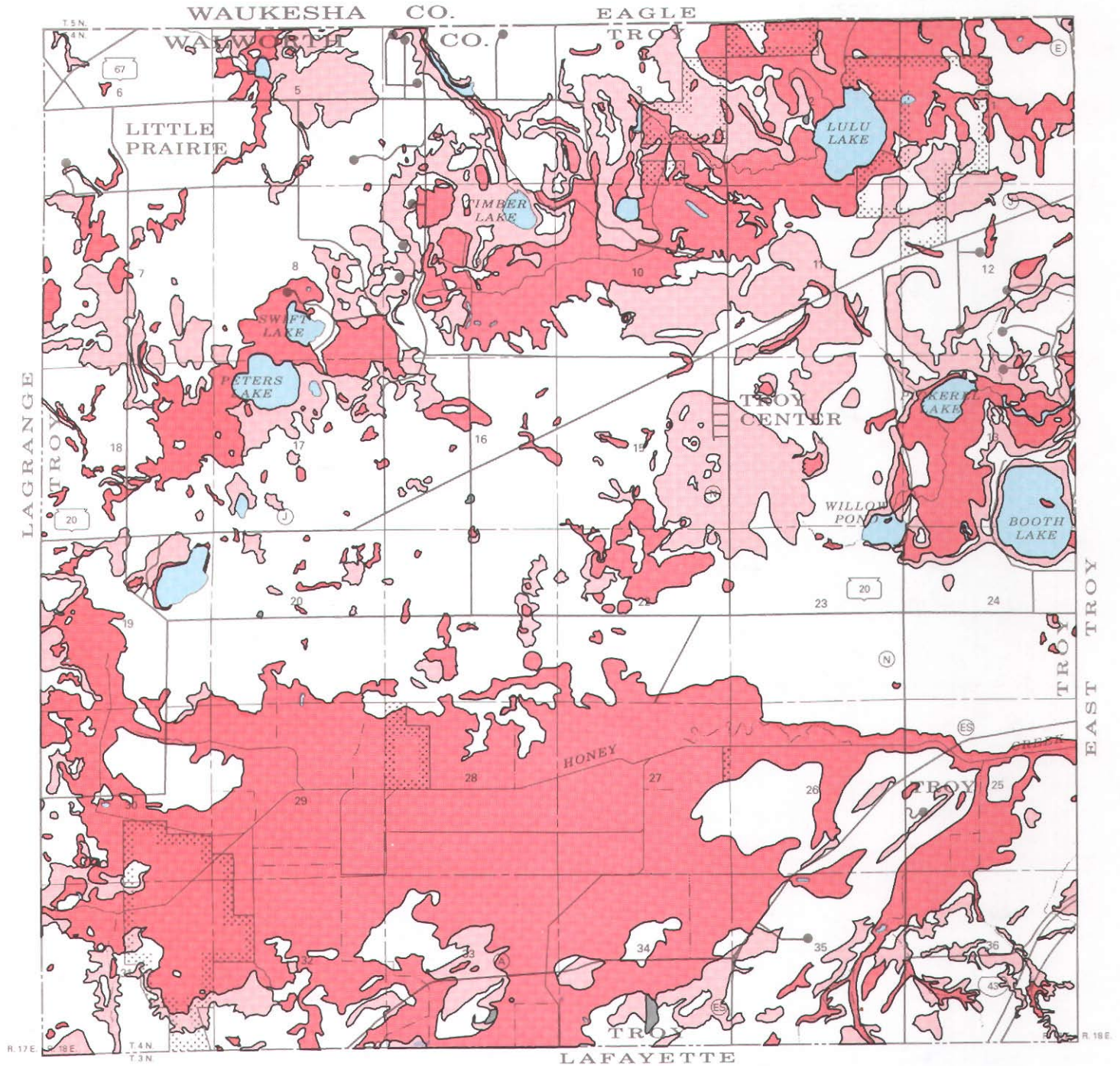
TOPOGRAPHIC AND TOPOGRAPHY-RELATED FEATURES

The topography, or the relative elevation of the land surface, in the Town of Troy is determined, generally, by the configuration of the bedrock geology and by the overlying glacial deposits. The topography of the Town ranges from nearly level in areas along Honey Creek to gently rolling and even hilly in areas associated with the Kettle Moraine.

Slope is an important determinant of the land uses practicable on a given parcel of land. Lands with steep slopes are generally poorly suited for urban development of any kind and for most agricultural purposes and, therefore, should be maintained in natural cover for water quality protection, wildlife habitat, and erosion control purposes. Lands with less severe slopes may be suitable for certain agricultural uses, such as pasture, and for certain urban uses, such as carefully designed low-density residential uses. Lands which are gently sloping or nearly level are best suited to agricultural production and to medium-density residential, commercial, or industrial uses. It should also be noted that stormwater runoff

Map 10

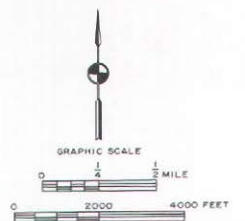
SOIL SUITABILITY FOR CONVENTIONAL ONSITE SEWAGE
DISPOSAL SYSTEMS UNDER CURRENT ADMINISTRATIVE RULES



- UNSUITABLE: AREAS COVERED BY SOILS WHICH HAVE A HIGH PROBABILITY OF NOT MEETING THE CRITERIA OF CHAPTER COMM 83 OF THE WISCONSIN ADMINISTRATIVE CODE GOVERNING CONVENTIONAL ONSITE SEWAGE DISPOSAL SYSTEMS
- UNDETERMINED: AREAS COVERED BY SOILS HAVING A RANGE OF CHARACTERISTICS AND/OR SLOPES WHICH SPAN THE CRITERIA OF CHAPTER COMM 83 OF THE WISCONSIN ADMINISTRATIVE CODE GOVERNING CONVENTIONAL ONSITE SEWAGE DISPOSAL SYSTEMS SO THAT NO CLASSIFICATION CAN BE ASSIGNED
- SUITABLE: AREAS COVERED BY SOILS HAVING A HIGH PROBABILITY OF MEETING THE CRITERIA OF CHAPTER COMM 83 OF THE WISCONSIN ADMINISTRATIVE CODE GOVERNING CONVENTIONAL ONSITE SEWAGE DISPOSAL SYSTEMS

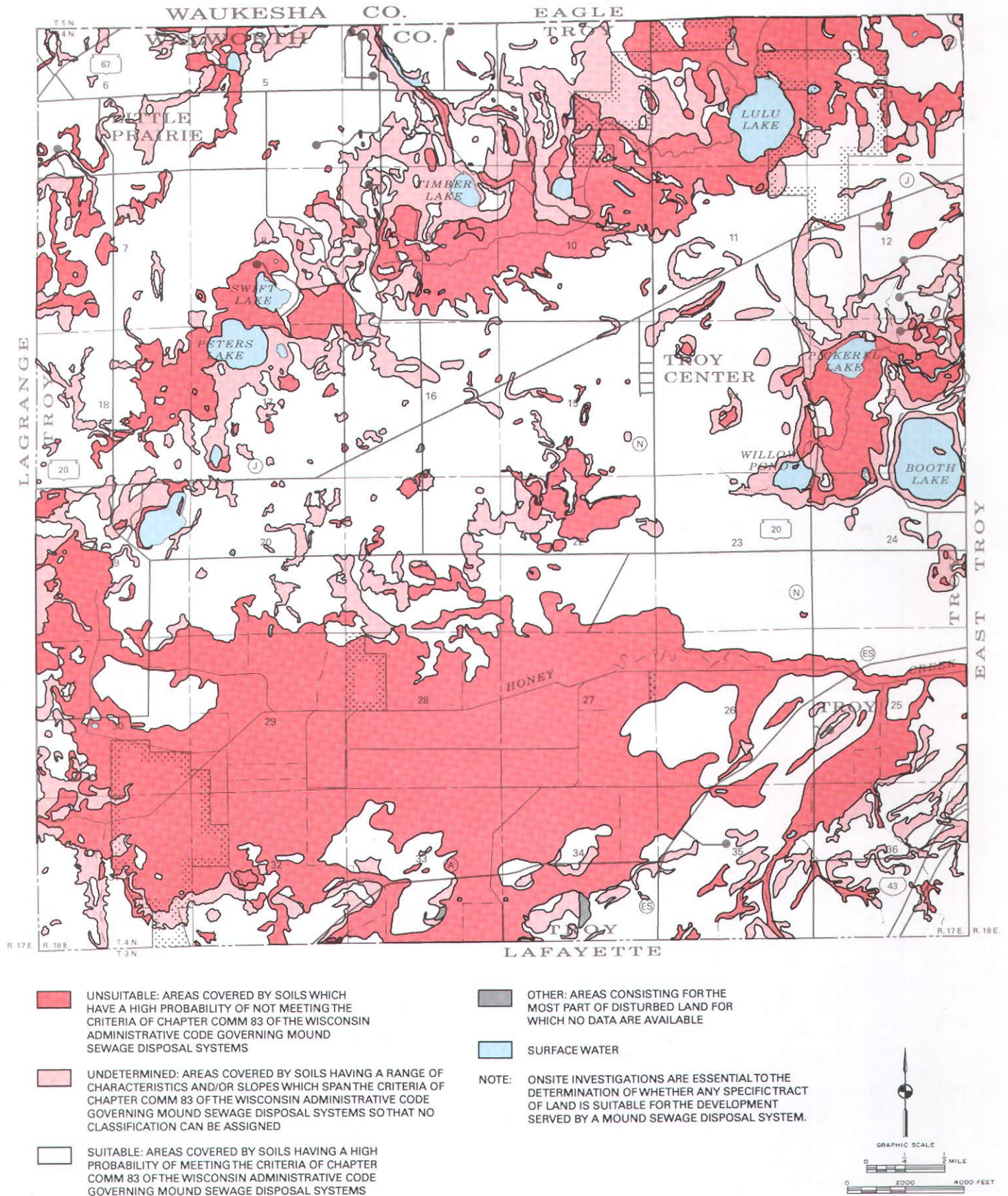
- OTHER: AREAS CONSISTING FOR THE MOST PART OF DISTURBED LAND FOR WHICH NO DATA ARE AVAILABLE
- SURFACE WATER

NOTE: ONSITE INVESTIGATIONS ARE ESSENTIAL TO THE DETERMINATION OF WHETHER ANY SPECIFIC TRACT OF LAND IS SUITABLE FOR THE DEVELOPMENT SERVED BY A CONVENTIONAL ONSITE SEWAGE DISPOSAL SYSTEM.



Map 11

SOIL SUITABILITY FOR MOUND SEWAGE DISPOSAL SYSTEMS UNDER CURRENT ADMINISTRATIVE RULES



Source: U. S. Natural Resources Conservation Service and SEWRPC.

Table 10

**SOIL SUITABILITY FOR ONSITE SEWAGE
DISPOSAL SYSTEMS IN THE TOWN OF TROY**

Classification	Conventional Systems		Mound Systems	
	Square Miles	Percent of Town	Square Miles	Percent of Town
Unsuitable Land	10.5	29.6	10.6	29.8
Undetermined Land	5.1	14.3	4.5	12.7
Suitable Land	18.7	52.7	19.2	54.1
Other Land ^a	-- ^b	-- ^c	-- ^b	-- ^c
Surface Water	1.2	3.4	1.2	3.4
Total	35.5	100.0	35.5	100.0

^aIncludes disturbed areas for which no soil survey data are available.

^bLess than 0.05 square mile.

^cLess than 0.1 percent.

Source: U. S. Natural Resources Conservation Service and SEWRPC.

and erosion hazards are directly related to slope; therefore, the type and extent of both urban and rural land uses should be carefully adjusted to the slope of the land. In general, slopes of 12 percent or greater should be considered unsuitable for urban development of any kind and for most types of agricultural uses, and thus should be maintained in essentially natural, open uses. As shown on Map 13, areas having a slope of 12 percent or greater encompass about six square miles, or about 17 percent of the total area of the Town.

WATERSHEDS, SUBWATERSHEDS, AND SUBBASINS

The Town of Troy lies entirely within the Fox River watershed, which is a part of the Mississippi River drainage system. The portion of the Fox River watershed in the Town can be divided into several subwatersheds, as shown on Map 14. These include the Honey Creek, the Mukwonago River, and the Sugar Creek subwatersheds. The subwatersheds, in turn, are further subdivided into individual drainage areas, termed subbasins, also displayed on Map 14.

SURFACE-WATER RESOURCES

Surface-water resources, consisting of lakes, rivers and streams, and associated floodlands, form a particularly important element of the natural resource base of the Town of Troy. Surface-water resources influence the physical development of an area, provide recreational opportuni-

ties, and enhance the aesthetic quality of the area. Lakes and streams constitute a focal point of water-related recreational activities; provide an attractive setting for properly planned residential development; and, when viewed in the context of the total landscape, greatly enhance the aesthetic quality of the environment.

Unfortunately, lakes and streams are readily susceptible to degradation through improper rural, as well as urban, land use development and management. Water quality can be degraded by excessive pollutant loads, including nutrient loads, from malfunctioning and improperly located onsite sewage disposal systems, urban runoff, runoff from construction sites, and careless agricultural practices. The water quality of lakes and streams may also be adversely affected by the excessive development of riverine areas combined with the filling of peripheral wetlands, which removes valuable nutrient and sediment traps and adds nutrient and sediment sources.

Lakes

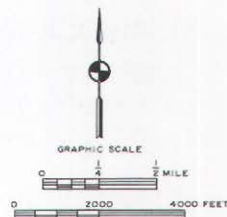
Lakes have been classified by the Regional Planning Commission as being either major or minor. Major lakes have 50 acres or more of surface-water area; minor lakes have less than 50 acres of surface-water area. Major lakes located within the Town include Booth Lake, a 113-acre lake located in the east central portion of the Town; Lulu Lake, an 84-acre lake located in the northeastern portion of the Town; and Peters Lake, a 64-acre lake located in the west central portion of the Town. The named minor lakes in the Town include Pickerel Lake and Willow Pond, located in the east central portion of the Town; Doyle's Lake and Swift Lake, located in the northwestern portion of the Town; and Timber Lake, located in the north central portion of the Town.

As shown on Map 14, there are, in addition, a limited number of smaller lakes and ponds in the Town.

Streams

Perennial streams are defined as watercourses that maintain, at a minimum, a small continuous flow throughout the year except under unusual drought conditions. The perennial streams in the Town of Troy are shown on Map 14. Perennial streams in the Town include Honey Creek and its tributaries, which traverse the southern portion of the Town in a generally east-west direction; Crooked Creek, in the northern portion of the Town, a stream which is tributary to the Mukwonago River in the Town of Eagle in Waukesha County; and an unnamed tributary to Pickerel Lake and to Lake Beulah in the Town of East Troy.

AGRICULTURAL CAPABILITY OF CLASSIFIED SOILS IN THE TOWN OF TROY



30

Table 11

**AGRICULTURAL SOIL CAPABILITY
CLASSES ESTABLISHED BY THE U. S. NATURAL
RESOURCES CONSERVATION SERVICE**

Class	Qualitative Description
I	Soils have few limitations that restrict their use
II	Soils have some limitations that reduce the choice of plants or require moderate conservation practices
III	Soils have moderate or severe limitations that reduce the choice of plants, require special conservation practices, or both
IV	Soils have very severe limitations that restrict the choice of plants, require careful management, or both
V	Soils are subject to little or no erosion but have other limitations, impractical to remove, that limit their use largely to pasture, range, woodland, or wildlife food and cover
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife food and cover
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to grazing, woodland, or wildlife
VIII	Soils and landforms have limitations that preclude their use for commercial plant production and restrict their use to recreation, wildlife, water supply, or aesthetic purposes

Source: U. S. Natural Resources Conservation Service.

Floodlands

The floodlands of a river or stream are the wide, gently sloping areas contiguous to, and usually lying on both sides of, a river or stream channel. Rivers and streams occupy their channels most of the time. However, during even minor flood events, stream discharges increase markedly, and the stream channels may not be able to contain and convey all of the flow. As a result, water levels increase and the river or stream spreads laterally over the floodlands. The periodic flow of a river onto its floodlands is a normal phenomenon and, in the absence of costly structural flood control works, will occur regardless of whether or not urban development exists in the floodland.

For planning and regulatory purposes, floodlands are normally defined as those areas, excluding the stream channel, subject to inundation by the 100-year recurrence interval flood event. This is the event that may be expected

to be reached or exceeded in severity on the average of once every 100 years; or, stated more correctly in another way, there is a 1 percent chance of this event being reached or exceeded in severity in any given year. Floodland areas are generally not well suited to urban development, not only because of the flood hazard, but also because of the presence of high water tables and soils poorly suited to urban uses. Floodland areas, however, generally contain important elements of the natural resource base, such as woodlands, wetlands, and wildlife habitat, and thus constitute prime locations for needed park and open space areas. Every effort should be made to discourage incompatible urban development on floodlands while encouraging compatible park and open space use.

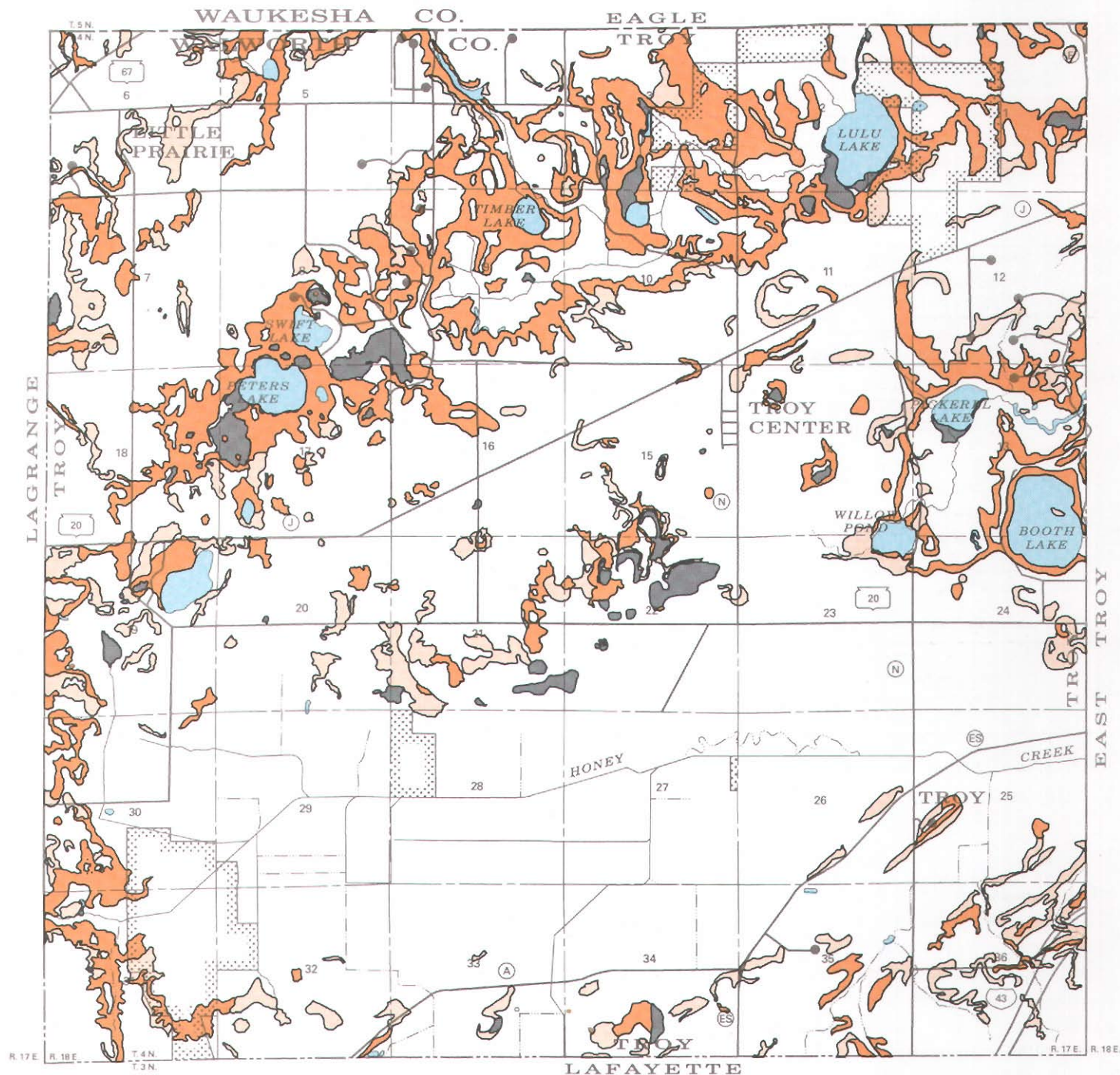
The identification of the 100-year recurrence interval flood hazard areas in the Town is important for the preparation of a sound land use plan. The Regional Planning Commission in 1970, under its Fox River watershed planning program, established flood flows and stages and delineated floodland areas in the Town along Honey Creek. Those floodlands, as refined by a Federal flood insurance study completed in 1983, are shown on Map 14. These floodlands encompass an area of about 2.6 square miles, or about 7 percent of the Town.

Wetlands

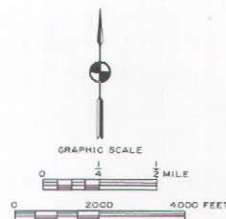
Wetlands are defined by the Regional Planning Commission as areas in which the water table is at, near, or above the land surface and which are characterized by both hydric soils and by the growth of sedges, cattails, and other wetland vegetation. Wetlands generally occur in depressions and near the bottom of slopes, particularly along lakeshores and stream banks, and on large land areas that are poorly drained. Wetlands may, however, under certain conditions, occur on slopes and even on hilltops.

Wetlands perform important natural functions. These functions include support of a wide variety of desirable, and sometimes unique, forms of plant and animal life; stabilization of lake levels and streamflows; entrapment and storage of plant nutrients in runoff, thus reducing the rate of enrichment of surface waters and weed and algae growth; contribution to the atmospheric oxygen and water supplies; reduction in stormwater runoff by providing areas for floodwater impoundment and storage; protection of shorelines from erosion; entrapment of soil particles suspended in runoff and reduction in stream sedimentation; provision of groundwater recharge and discharge areas; and provision to the population of opportunities for certain scientific, educational, and recreational pursuits.

SLOPE ANALYSIS IN THE TOWN OF TROY



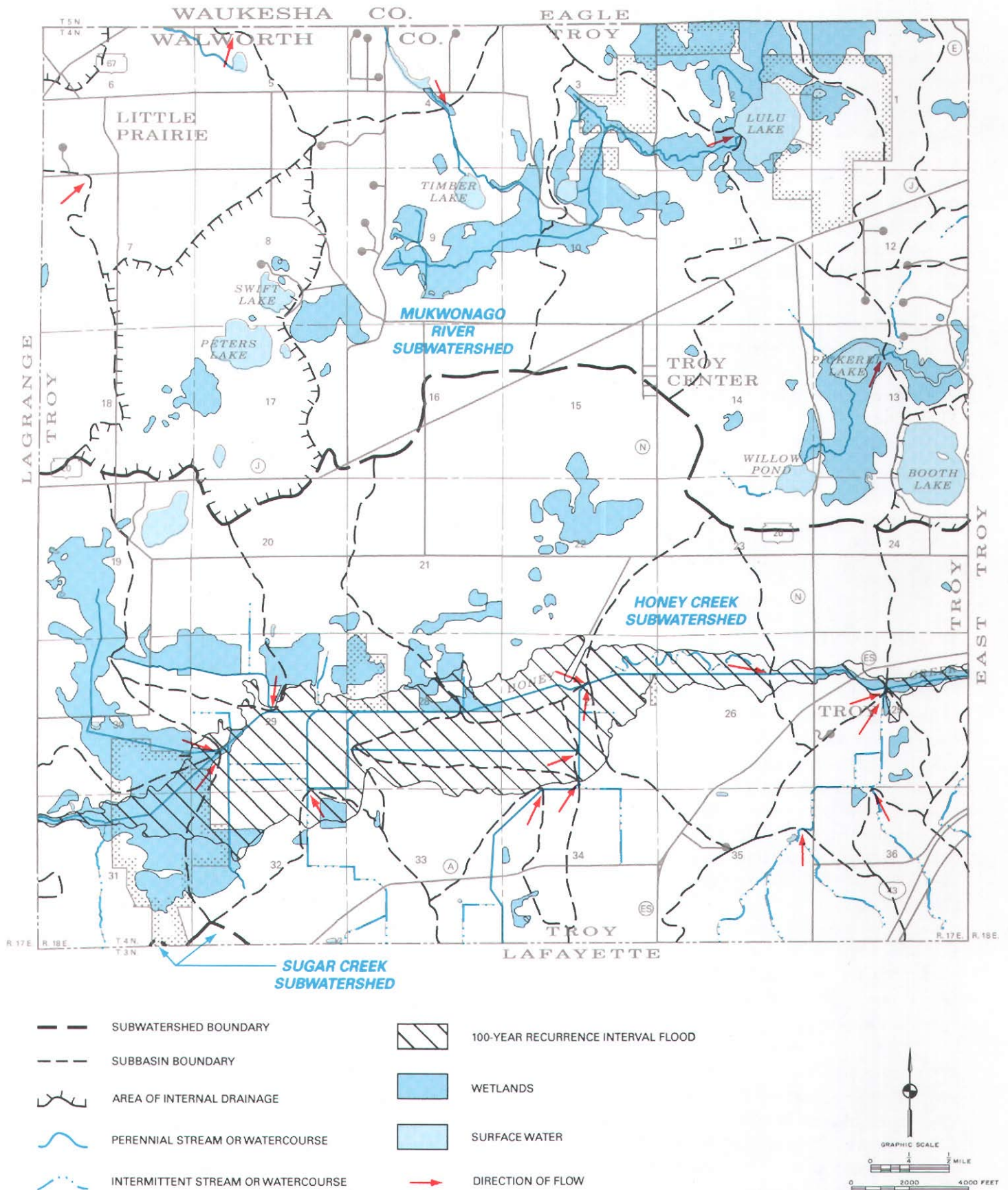
- SLOPES RANGING FROM 0 TO 12 PERCENT
- SLOPES RANGING FROM 12 TO 20 PERCENT
- SLOPES 20 PERCENT OR GREATER
- AREAS FOR WHICH SLOPE DATA ARE NOT AVAILABLE FROM THE SOIL SURVEY
- SURFACE WATER



Source: U. S. Natural Resources Conservation Service and SEWRPC.

Map 14

SURFACE DRAINAGE, WETLANDS, FLOODLANDS, AND WATERSHED FEATURES IN THE TOWN OF TROY



Source: SEWRPC.

Wetlands have severe limitations with regard to residential, commercial, and industrial development. Generally, these limitations are due to the erosive character, high compressibility and instability, low bearing capacity, and high shrink-swell potential of wetland soils, as well as the associated high water table. If ignored in land use planning and development, these limitations may result in flooding, wet basements, unstable foundations, failing pavement, and excessive infiltration of clear water into sanitary sewers. In addition, there are significant onsite preparation and maintenance costs associated with the development of wetland soils, particularly costs related to roads, foundations, and public utilities.

Recognizing the important natural functions of wetlands areas, continued efforts should be made to protect these areas by discouraging costly, both in monetary and environmental terms, wetland draining, filling, and urbanization.

Map 14 shows the location of wetlands existing in the Town of Troy in 1990. These areas encompass about 3.9 square miles, or about 11 percent of the Town. The largest concentrations of wetlands occur along the areas adjacent to the perennial streams in the Town.

WOODLANDS

Under good management, woodlands can serve a variety of beneficial functions. In addition to contributing to clean air and water and regulating surface-water runoff, woodlands contribute to the maintenance of a diversity of plant and animal life in association with human life. Unfortunately, woodlands which required a century or more to develop can be destroyed through misuse and mismanagement in a comparatively short time. The destruction of woodlands, particularly on hillsides, can contribute to increased stormwater runoff and soil erosion, the siltation of lakes and streams, and the destruction of wildlife habitat. Woodlands can and should be maintained for their total values—for scenery, wildlife habitat, open space, education, recreation, and air and water quality protection.

Woodlands encompassed about 3.7 square miles, or about 10 percent of the Town of Troy, in 1990. The distribution of these woodlands is shown on Map 18 in Chapter IV of this report (see page 44). As shown, the largest concentrations of woodlands occur in the Kettle Moraine area in the northern portion of the Town and in a scattered pattern throughout the remainder of the Town.

PRAIRIE VEGETATION

Prairies are open, generally treeless, areas in the landscape that are dominated by native grasses. Such areas have important ecological and scientific values. There are two known prairies within the Town of Troy: the Doyles Lake Prairie site and a prairie within the Lulu Lake and Eagle Spring Lake Wetland Complex and Adjacent Uplands site. These two sites have been identified, respectively, as a critical species habitat site and a natural area of statewide or greater significance. These site designations are described below.

NATURAL AREAS AND CRITICAL SPECIES HABITAT SITES

Natural Areas

Natural areas are tracts of land or water so little modified by human activity, or sufficiently recovered from the effects of such activity, that they contain intact native plant and animal communities believed to be representative of the landscape before European settlement. Natural area sites are classified into one of three categories: natural areas of statewide or greater significance (NA-1 sites), natural areas of countywide or regional significance (NA-2 sites), and natural areas of local significance (NA-3 sites). Classification of an area into one of these three categories is based upon consideration of the diversity of plant and animal species and community types present; the structure and integrity of the native plant or animal community; the extent of disturbance from human activity, such as logging, agricultural use, and pollution; the commonness of the plant and animal community; unique natural features; the size of the site; and the site's educational value.

A total of 10 such sites have been identified in the Town of Troy. These sites, which together encompass an area of about 1,600 acres within the Town, or about 7 percent of the area of the Town, are shown on Map 15 and described in Table 12.

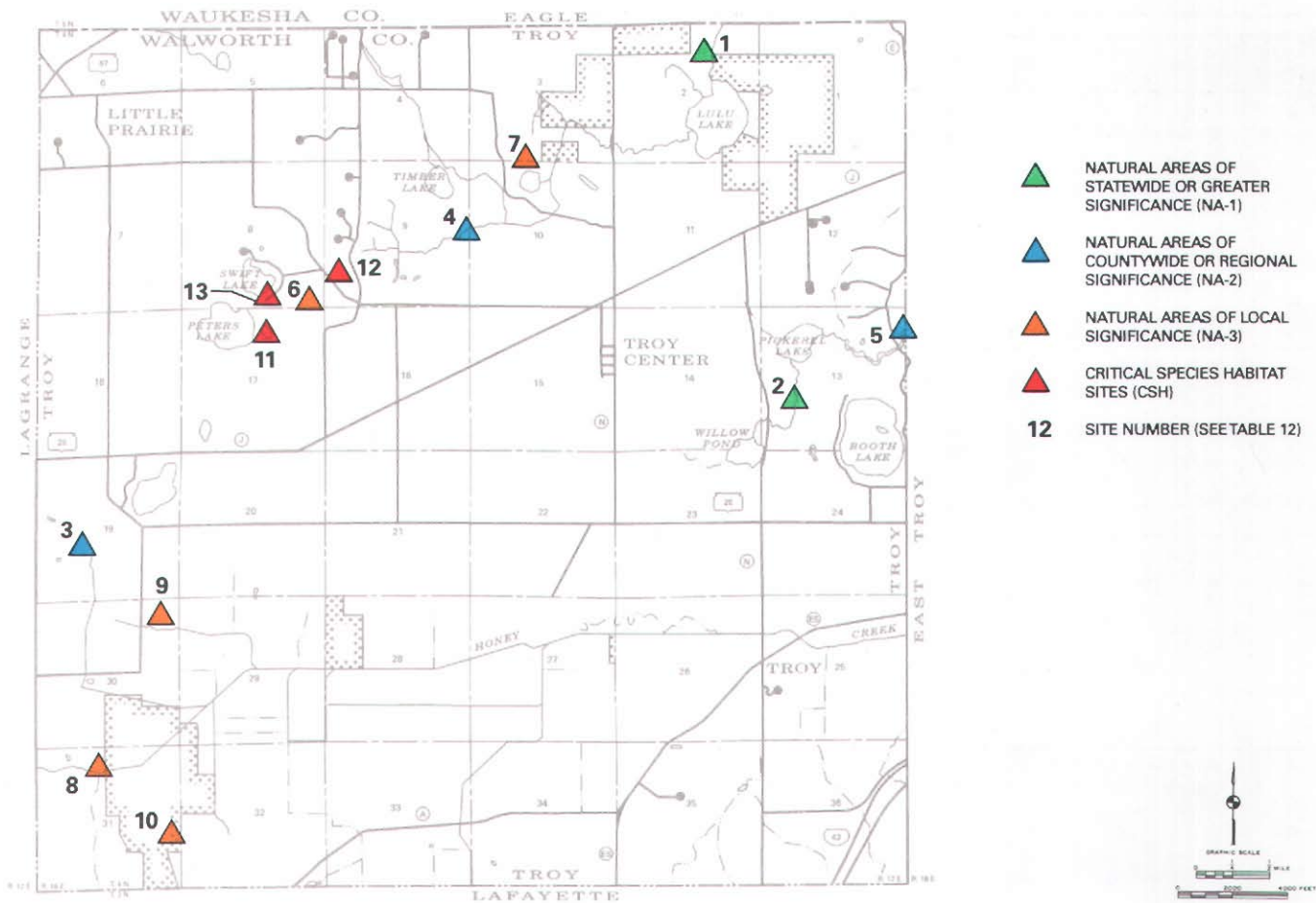
Critical Species Habitat Sites

Critical species habitat sites are those areas which, while located wholly or partly outside of designated natural areas, have their chief value in the fact that they support one or more rare, threatened, or endangered species. Such areas constitute "critical" habitat that is important to ensure survival of a particular species or group of species.

A total of three sites supporting threatened or rare plant species have been identified in the Town of Troy. These

Map 15

NATURAL AREAS AND CRITICAL SPECIES HABITAT SITES IN THE TOWN OF TROY: 1994



Source: Wisconsin Department of Natural Resources and SEWRPC.

sites, which together encompass an area of about 335 acres, or just over 1 percent of the Town, are shown on Map 15 and described in Table 12.

PARK AND OPEN SPACE SITES

Park and open space sites, while not part of the natural resource base, are closely linked to that base. Park and open space sites may be enhanced by the presence of natural resource features; conversely, the commitment of land to park and open space use contributes to the preservation of existing resource features.

Existing public and nonpublic outdoor recreation and open space sites in the Town of Troy are shown on Map 16 and described in Table 13. The Lulu Lake State Natural Area constitutes the largest public open space site in the Town. This site encompasses 847 acres, or about 4 percent of the total area of the Town.

The Town of Troy, in cooperation with the Village of East Troy and the Town of East Troy, maintains two park and open space sites. As shown on Map 16, these sites—Memorial Park and the Booth Lake Beach and Boat Launch—are located on the eastern shore of Booth Lake. In addition, as shown on Map 16 and in Table 13, a variety of private recreation sites are available to serve residents of the Town.

ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

One of the most important tasks completed by the Regional Planning Commission has been the identification and delineation of those areas of the Southeastern Wisconsin Region in which concentrations of the best remaining elements of the natural resource base occur.

Table 12

NATURAL AREAS AND CRITICAL SPECIES HABITAT SITES IN THE TOWN OF TROY: 1994

Number on Map 15	Area Name	Classification Code*	Location	Ownership	Size (acres)	Description and Comments
1	Lulu Lake and Eagle Spring Lake Wetland Complex and Adjacent Uplands	NA-1 (SNA, RSH)	T4N, R17E Sections 1, 2, 3, 10, 11 Town of Troy T5N, R17E Section 35 Town of Eagle	Department of Natural Resources, The Nature Conservancy, and other private	791 (plus 179 in Waukesha County)	Among the most valuable natural areas in the State, containing a large concentration of elements of natural diversity. Uplands support oak woods, oak openings, and dry prairie; lowlands contain one of the State's finest wetland ecosystems, including bog, springs, fen, deep and shallow marsh, sedge meadow, stream, and high-quality lake communities
2	Pickereel Lake Fen	NA-1 (SNA, RSH)	T4N, R17E Sections 13, 24 Town of Troy	The Nature Conservancy and other private	273	Large, high-quality calcareous fen and associated seepage springs bordering lake. A number of uncommon species are present, including a large population of the State-designated threatened beaked spike-rush (<i>Eleocharis rostellata</i>)
3	Adams Lake Fen and Marsh	NA-2 (RSH)	T4N, R17E Section 19 Town of Troy	Private	65	Good-quality calcareous fen and seepage springs located at base of uplands on east side of lake. Shallow marsh surrounds lake, on the west side of which is a tamarack relict. Uncommon plant species include swamp agrimony (<i>Agrimonia parviflora</i>), a State-designated special concern species
4	Upper Mukwonago River Wetland Complex	NA-2 (RSH)	T4N, R17E Sections 9, 10 Town of Troy	The Nature Conservancy and other private	338	A large, good-quality wetland complex that includes seepage springs, calcareous fen, sedge meadow, shrub-carr, shallow marsh, and tamarack relict. Disturbance has been minimal, mostly confined to the bordering wooded uplands
5	Swan Lake Wetland Complex	NA-2 (RSH)	T4N, R17E Sections 12, 13 Town of Troy T4N, R18E Section 18 Town of East Troy	Girl Scouts of Milwaukee Area, Inc., and other private	10 (plus 157 in Town of East Troy)	Good-quality wetland complex within an upland matrix of xeric oak woods. Lowland communities include bog, sedge meadow, shallow marsh, lake, and mature tamarack swamp. Contains a good population of showy lady's-slipper orchid (<i>Cypripedium reginae</i>), a State-designated special concern species
6	Doyles Lake Wetlands	NA-3	T4N, R17E Sections 8, 9, 16, 17 Town of Troy	Private	68	Undeveloped lake containing shallow marsh. Used by migrating waterfowl
7	George Williams Sedge Meadow	NA-3	T4N, R17E Sections 3, 10 Town of Troy	George Williams College	27	Sedge meadow-shallow marsh wetland disturbed by ditching along east edge
8	Honey Creek Fen	NA-3 (RSH)	T4N, R17E Section 31 Town of Troy	Department of Natural Resources and private	7	Moderate-quality wetland complex bordering Honey Creek, consisting of calcareous fen, sedge meadow, and shallow marsh. Contains beaked spike-rush (<i>Eleocharis rostellata</i>), a State-designated threatened species
9	Lein's Road Fen	NA-3 (RSH)	T4N, R17E Section 30 Town of Troy	Private	22	Degraded shrub-fen, disturbed by past grazing and groundwater-level changes from ditching
10	Troy Fen	NA-3	T4N, R17E Sections 31, 32 Town of Troy	Department of Natural Resources and private	13	Moderate-quality calcareous fen-shrub-carr-sedge meadow wetland. Disturbed by past ditching

Table 12 (continued)

Number on Map 15	Area Name	Classification Code ^a	Location	Ownership	Size (acres)	Description and Comments
11	Camp Timberlee	CSH-P	T4N, R17E Section 14 Town of Troy	Private	65	Supports swamp agrimony (<i>Agrimonia parviflora</i>), a species designated as rare in Wisconsin
12	Doyles Lake Prairies	CSH-P	T4N, R17E Sections 8, 9 Town of Troy	Private	200	Small prairie remnants among a mosaic of old fields and open woods support kittentails (<i>Besseyia bullii</i>), a species designated as threatened in Wisconsin
13	Harmony Hills Savanna	CSH-P	T4N, R17E Sections 17, 18 Town of Troy	Private	70	Supports torrey sedge (<i>Carex torreyi</i>), a species designated as rare in Wisconsin

^aNA-1 identifies natural area sites of statewide or greater significance

NA-2 identifies natural area sites of countywide or regional significance

NA-3 identifies natural area sites of local significance

SNA, or State Natural Area, identifies those sites officially designated as State Natural Areas by the State of Wisconsin Natural Areas Preservation Council

RSH, or rare species habitat, identifies those sites which support rare, threatened, or endangered animal or plant species officially designated by the Wisconsin Department of Natural Resources

CSH-P identifies critical plant species habitat sites

Source: Wisconsin Department of Natural Resources and SEWRPC.

These essentially linear areas, which occur particularly along streams, other watercourses, lakes, and in the Kettle Moraine area, have been termed "environmental corridors" by the Regional Planning Commission. The preservation of these corridors in essentially natural, open uses is considered essential both to the maintenance of the overall quality of the environment of the Region and to the continued provision of the amenities required to maintain a high quality of life for the resident population of the Region and its constituent communities.

Identification of environmental corridors and isolated natural resource areas is based upon the presence of one or more of the following important elements of the natural resource base: 1) rivers, streams, lakes, and associated shorelands and floodlands; 2) wetlands; 3) woodlands; 4) prairies; 5) wildlife habitat areas; 6) wet, poorly drained, and organic soils; and 7) rugged terrain and high-relief topography. The presence of elements that are closely related to the natural resource base, including park and open space sites, natural areas, historic sites, and scenic viewpoints, are also considered in the delineation of environmental corridors and isolated natural resource areas.

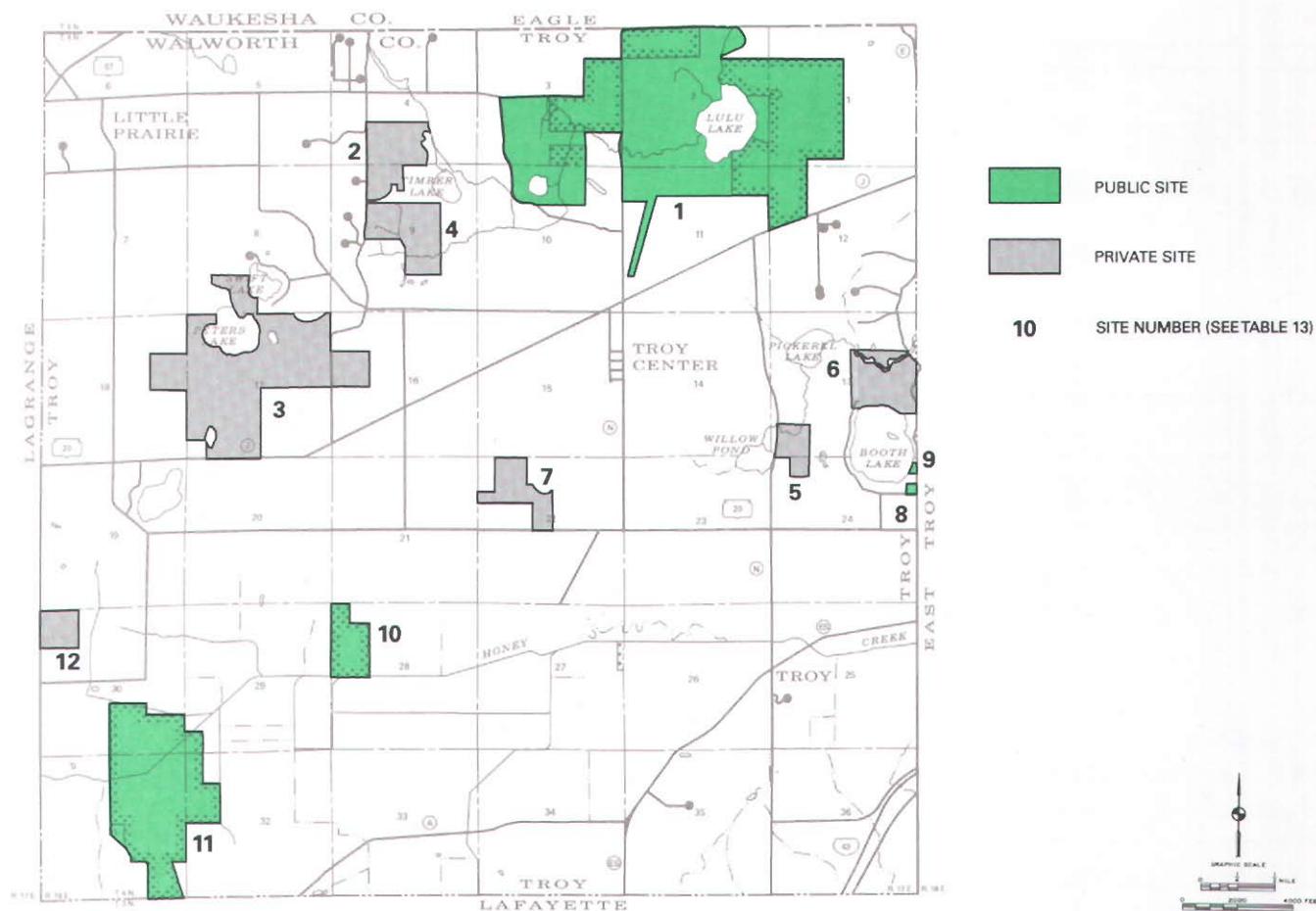
The environmental corridors and isolated natural resource areas of the Town of Troy were delineated using the

following methods and natural resource and natural resource-related element criteria:

1. Point values ranging from 1 to 20 were assigned to each applicable natural resource and natural resource-related element. These point values were based on the premise that those natural resource elements having intrinsic natural resource values and a high degree of natural diversity should be assigned relatively high point values, whereas natural resource-related elements having only implied natural values should be assigned relatively low point values. These values for each element are shown in Table 14.
2. Each natural resource element was mapped, and point values for overlapping resource elements in a given area were totaled.
3. Environmental corridors and isolated natural resource areas were then delineated on the basis of cumulative point values and the size of the areas containing natural resource and resource-related elements, as follows:
 - Primary environmental corridors include areas with a cumulative point value of 10 or more

Map 16

PARK AND OPEN SPACE SITES IN THE TOWN OF TROY: 1996



Source: SEWRPC.

that are at least 400 acres in area, two miles in length, and 200 feet in width.

- Secondary environmental corridors include areas with a cumulative point value of 10 or more that are at least 100 acres in area and one mile in length.
- Isolated natural resource areas also have a cumulative point value of 10 or more, with a minimum area of five acres. Isolated natural resource areas are generally separated physically from primary and secondary environmental corridors by intensive urban or agricultural land uses.

The preservation of the environmental corridors in essentially natural, open uses can assist in flood-flow

attenuation, water pollution abatement, noise pollution abatement, and air quality maintenance. Such corridor preservation is also essential to facilitate the movement of wildlife, especially in times of stress, and for the movement and dispersal of seeds for a variety of plant species. In addition, because of the many interacting relationships which exist between living organisms and their environment, the destruction or deterioration of one important element of the environment may lead to a chain reaction of deterioration and destruction of other elements. The drainage of wetlands, for example, may destroy fish-spawning areas, wildlife habitat, groundwater recharge areas, and natural filtration and floodwater storage areas of interconnecting stream systems. The resulting deterioration of surface-water quality may, in turn, lead to a deterioration of the quality of groundwater. Similarly, destruction of ground cover may result in soil erosion, stream siltation, more rapid runoff, and increased flood-

Table 13

PARK AND OPEN SPACE SITES IN THE TOWN OF TROY: 1996

Number on Map 16	Site Name	Ownership	Location ^a	Size (acres)
1	Lulu Lake State Natural Area ^b	Wisconsin Department of Natural Resources, The Nature Conservancy, and George Williams College	Sections 1, 2, 3, 10, 11, 12	847 ^c
2	Chapman Hills Girl Scout Camp	Private	Sections 4, 9	112
3	Timber Lee Church Camp	Private	Sections 8, 16, 17, 18	578
4	Upper Mukwonago River Natural Area	The Nature Conservancy	Section 9	120
5	Pickerel Lake Fen Natural Area	The Nature Conservancy	Sections 13, 24	39
6	Alice Chester Girl Scout Camp	Private	Section 13	120 ^e
7	Badger Girl Scout Camp	Private	Section 22	81
8	Memorial Park	Town of Troy	Section 24	5
9	Booth Lake Beach and Boat Launch ^d	Town of Troy, Town of East Troy, and Village of East Troy	Section 24	-- ^e
10	Wildlife Habitat Area	Wisconsin Department of Natural Resources	Section 28	70
11	Wildlife Habitat Area	Wisconsin Department of Natural Resources	Sections 29, 30, 31, 32	376
12	Potawatomi Hills Girl Scout Camp	Private	Section 30	38 ^e
Total	12 sites	--	--	2,386

^aLocation in U. S. Public Land Survey Township 4 North, Range 17 East.

^bThe Nature Conservancy and George Williams College portions of the Lulu Lake State Natural Area are closed preserves, with public access limited to scheduled tours.

^cIncludes only that portion of the site located in the Town of Troy.

^dUse of the beach and boat launch is limited to residents of the Town of Troy, Town of East Troy, and Village of East Troy.

^eLess than one acre.

Source: SEWRPC.

ing, as well as the destruction of wildlife habitat. Although the effects of any one of these environmental changes may not by itself be overwhelming, the combined effects may eventually lead to a serious deterioration of the underlying and sustaining natural resource base and of the overall quality of the environment for life.

In addition, the intrusion of intensive urban land uses into the environmental corridors may result in the creation of serious and costly problems, such as failing foundations for pavements and structures, wet basements, excessive operation of sump pumps, excessive clear-water infiltration into sanitary sewerage systems, and poor drainage. The need to maintain the integrity of the remaining environmental corridors and isolated natural resource areas in Southeastern Wisconsin should thus be apparent.

Primary Environmental Corridors

As shown on Map 17, the primary environmental corridors are located primarily in the southwestern portion of the Town, in the Kettle Moraine area of the Town, and around Booth and Pickerel Lakes. The primary environmental corridors include woodlands, wetlands, natural areas, and areas of steep slopes. The primary environmental corridors within the Town encompass a total of about 8.1 square miles, representing about 23 percent of the total area of the Town.

The primary environmental corridors include the best remaining woodlands, wetlands, and plant and wildlife habitat areas in the Town. These corridors have immeasurable environmental and recreational value. Their preservation in an essentially open, natural state will serve to

Table 14

**POINT VALUES FOR NATURAL RESOURCE BASE
AND NATURAL RESOURCE BASE-RELATED ELEMENTS**

Element	Point Value
Natural Resource Base	
Lake	
Major (50 acres or more)	20
Minor (five to 49 acres)	20
River or Stream (perennial)	10
Shoreland	
Lake or Perennial River or Stream	10
Intermittent Stream	5
100-Year Floodland	3
Wetland	10
Woodland	10
Wildlife Habitat	
Class I	10
Class II	7
Class III	5
Steep Slope	
20 Percent or Greater	7
12 Percent to 19 Percent	5
Prairie	10
Natural Resource Base-Related	
Existing Park or Open Space Site	
Rural Open Space Site	5
Other Park or Open Space Site	2
Potential Park Site	
High-Value	3
Medium-Value	2
Low-Value	1
Historic Site	
Structure	1
Other Cultural	1
Archaeological	2
Scenic Viewpoint	5
Scientific or Natural Area	
State Scientific Area	15
Natural Area of Statewide or Greater Significance	15
Natural Area of Countywide or Regional Significance	10
Natural Area of Local Significance	5

Source: SEWRPC.

maintain a high level of environmental quality in the Town. The protection of the primary environmental corridors from intrusion by incompatible uses should thus be one of the principal objectives of the Town land use plan.

Secondary Environmental Corridors

As shown on Map 17, the secondary environmental corridors are generally located along Honey Creek and its tributaries. Together, these areas encompass a total of about 0.7 square mile, or about 2 percent of the Town.

Secondary environmental corridors facilitate surface-water drainage and provide corridors for the movement of wildlife and for the dispersal of seeds for a variety of plant species. Such corridors should be preserved in natural, open uses to the extent practicable.

Isolated Natural Resource Areas

Isolated natural resource areas in the Town consist largely of smaller pockets of wetlands or woodlands. As shown on Map 17, 27 such areas are scattered throughout the Town. In combination, these areas account for about 1.1 square miles, or about 3 percent of the Town.

Isolated natural resource areas maintain pockets of natural resource features, and may provide wildlife habitat and surface-water drainage areas. Isolated natural resource areas should also be preserved in essentially open, natural uses to the extent practicable.

SUMMARY

This chapter has presented the results of an inventory and analysis of the natural resource base of the Town of Troy undertaken in support of the preparation of a land use plan for the Town. The major findings of that inventory and analysis are described below.

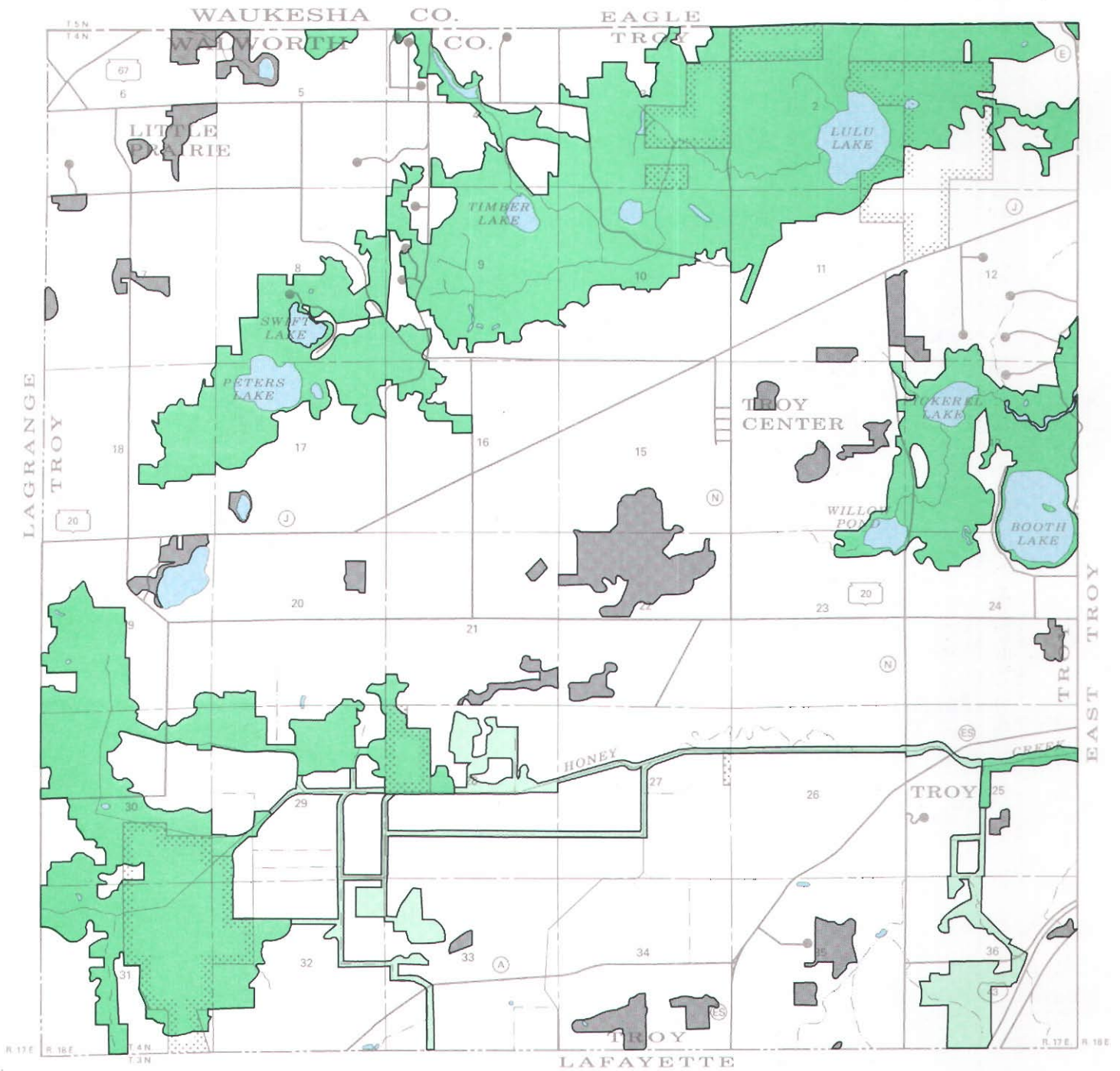
1. Soil limitations for various urban and nonurban uses are an important consideration in any land use planning effort. Detailed soil survey data indicate that about 13.3 square miles, or about 37 percent of the total area of the Town, are covered by soils that have severe limitations for residential development served by public sanitary sewer service, or, stated differently, are poorly suited for residential development of any kind.

With respect to development using onsite sewage disposal systems, the soil survey data indicate that about 18.7 square miles, or about 53 percent of the total area of the Town, are covered by soils classified as suitable for conventional onsite sewage disposal systems; about 10.5 square miles, or about 30 percent, are classified as unsuitable; and about 5.1 square miles, or about 14 percent, are covered by soils of undetermined suitability. Use of mound-type onsite sewage disposal systems or other alternative systems only slightly increases the area of the Town which may be considered suitable for development served by onsite sewage disposal systems.

Much of the Town is covered by soils that are well suited for agricultural use. About 22.3 square

Map 17

ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS IN THE TOWN OF TROY: 1990



Source: SEWRPC.

miles, or about 63 percent of the Town, are covered by Class I, Class II, or Class III soils. Generally, Class I and Class II soils are considered National Prime Farmland and Class III soils are considered Farmlands of Statewide Importance.

2. The Town is located entirely within the Fox River watershed, which is part of the Mississippi River drainage system. Areas of the Town lying within the 100-year recurrence interval floodplain encompass about 2.6 square miles, or about 7 percent of the Town.
3. The Town encompasses a number of significant natural resource base features, including wetland areas which total about 3.9 square miles, or about 11 percent of the total area of the Town, and woodlands encompassing 3.7 square miles, or about 10 percent of the total area of the Town. The Town also contains 10 sites identified as natural areas and three sites identified as critical species habitat sites.
4. The largest public open space site in the Town, the Lulu Lake State Natural Area, encompasses 847 acres, or about 4 percent of the total area of the Town.
5. The most important elements of the natural resource base and features closely related to that base—including wetlands, woodlands, prairies, natural areas, major lakes and streams and associated shorelands and floodlands, and outdoor recreation

sites—when combined, result in essentially linear patterns in the Town referred to by the Regional Planning Commission as environmental corridors. Primary environmental corridors include a wide variety of important natural resource and resource-related elements and are, by definition, at least 400 acres in area, two miles long, and 200 feet wide. Primary environmental corridors in the Town are primarily associated with the natural resources located in the southwestern portion of the Town, in the Kettle Moraine area of the Town, and around Booth and Pickerel Lakes. Together, these areas encompass a total of about 8.1 square miles, representing about 23 percent of the total area of the Town.

The primary environmental corridors include the best remaining woodlands, wetlands, and plant and wildlife habitat areas in the Town. These corridors have immeasurable environmental and recreational value. Their preservation in an essentially open, natural state will serve to maintain a high level of environmental quality in the Town. The protection of the primary environmental corridors from intrusion by incompatible uses should be one of the principal objectives of the Town land use plan.

Secondary environmental corridors and isolated natural resource areas facilitate surface-water drainage and provide wildlife habitat. Such corridors and areas should be preserved in natural, open uses to the extent practicable.

Chapter IV

BUILT ENVIRONMENT

INTRODUCTION

While the previous chapter of this report presented a description of the natural resource base of the Town of Troy, this chapter provides a description of the built environment of the Town. Specifically, this chapter presents information regarding the existing land use pattern and historical changes in the Town land use pattern; the existing transportation system; and the existing utility and community facilities systems. Definitive information regarding existing land use and other related aspects of the built environment is essential to any sound land use planning effort.

EXISTING LAND USE

The Regional Planning Commission periodically conducts inventories of existing land use in the Southeastern Wisconsin Region, providing definitive information on the type, amount, and spatial location of the major categories of land use within the Region. The first such inventory was conducted in 1963; the most recent inventory was conducted in 1990. The existing land use pattern in the Town of Troy, based upon the 1990 land use inventory, is shown on Map 18 and is quantitatively summarized in Table 15. Trends in land use development in the Town over the period from 1963 through 1990 are presented in Table 16.

As shown on Map 18, existing urban development within the Town of Troy includes a relatively densely developed residential area located along the shoreline of Booth Lake, and residential uses in the settlements of Little Prairie, Troy, and Troy Center. The Town encompasses a number of environmentally significant wetland and woodland areas. Despite the scattering of residential homesites that exist within the Town of Troy, the Town still contains a number of intact blocks of farmland.

Urban Land Uses

In 1990, urban land uses—consisting of residential, commercial, industrial, transportation, communication, and utility, governmental and institutional, and recreational uses—encompassed about 1,360 acres, or about 6 percent, of the Town of Troy. Lands devoted to these urban uses

increased by about 580 acres, or about 74 percent, between 1963 and 1990.

Residential land uses comprised the largest urban land use category in 1990, encompassing about 680 acres, or about 50 percent of all urban land in the Town, and about 3 percent of the Town as a whole. Residential lands occurred both in concentrated enclaves—as noted above—and as scattered homesites in many areas of the Town.

By 1990, 251 lots had been created through residential subdivision plats in the Town of Troy, with 53 remaining as undeveloped vacant residential lots at that time. It should be noted that the Four Lakes Beach and Swiftlake subdivisions, both of which were platted in 1927, are not included in the above total. Current zoning regulations require that multiple lots be combined in order for development to occur within these two subdivisions or prohibit development entirely.

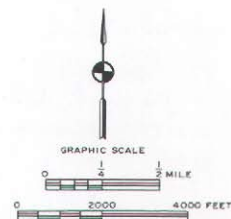
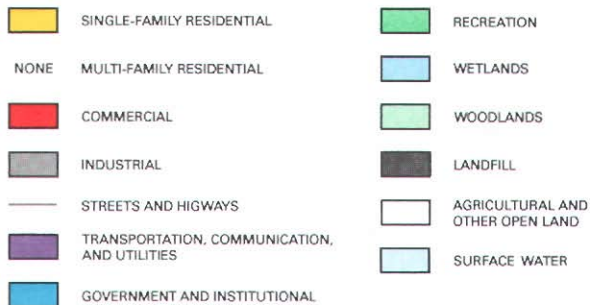
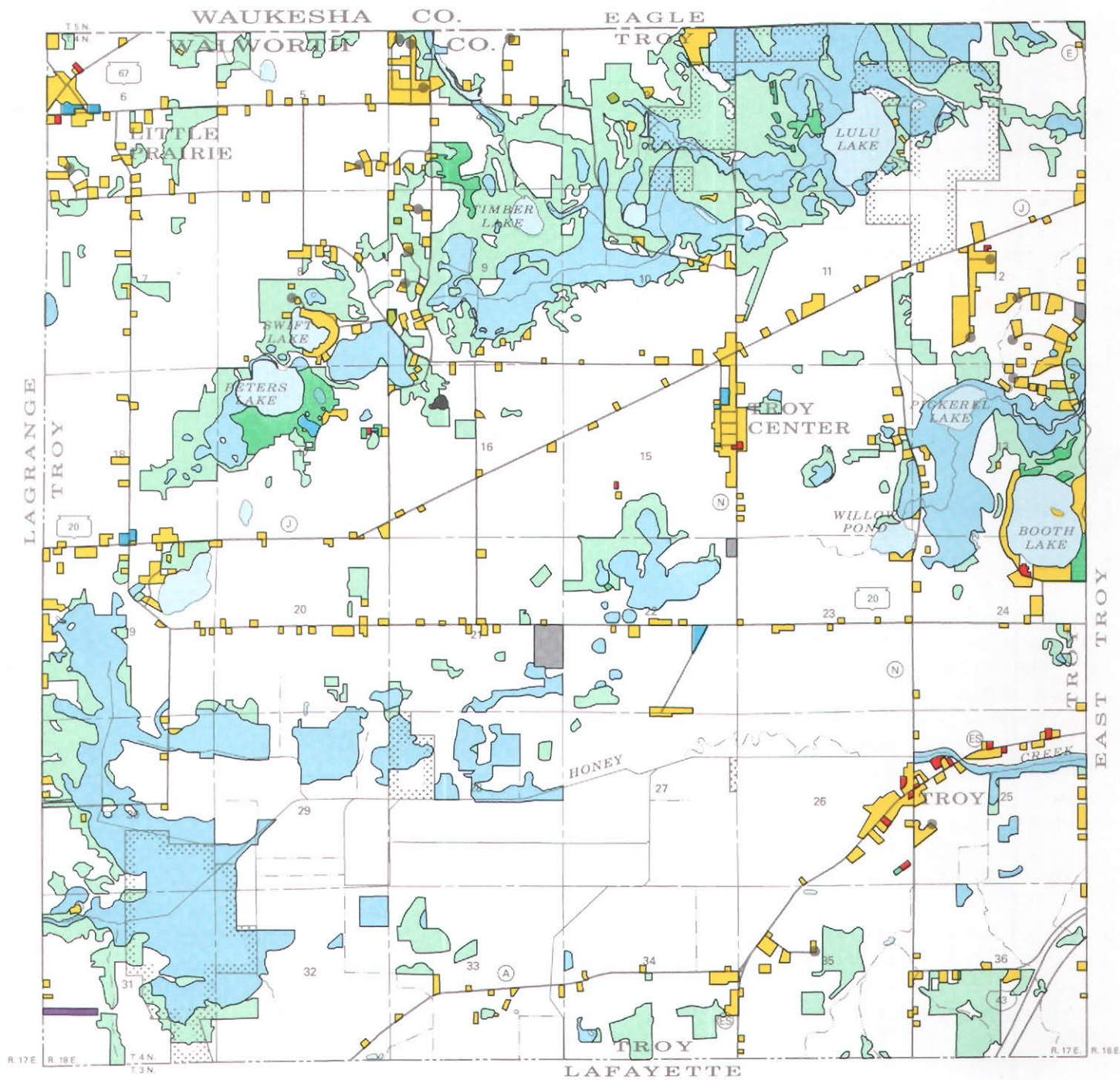
Nonurban Land Uses

In 1990, lands in nonurban uses—consisting of agricultural lands, woodlands, wetlands, other open lands, and surface water—encompassed about 21,400 acres, or about 94 percent of the Town. Lands devoted to nonurban uses decreased by about 580 acres, or by about 3 percent, between 1963 and 1990.

Agricultural lands encompassed about 15,100 acres in the Town in 1990, accounting for about 71 percent of all nonurban land in the Town, and about 66 percent of the Town as a whole. Woodlands, wetlands, and surface water together encompassed about 5,350 acres, or about 25 percent of all nonurban lands and about 24 percent of the Town.

Of the approximately 15,100 acres of farmland existing in the Town in 1990, about 12,700 acres, or about 84 percent, were identified as prime farmlands under the Walworth County development plan and the Commission's regional land use plan. Under those plans, prime farmlands were identified as consisting of farm units meeting the following criteria: 1) the individual farm unit must be at least 35 acres in area; 2) at least one-half of the individual farm unit must be covered by soils meeting U. S. Natural Resources Conservation Service criteria for National Prime

LAND USE IN THE TOWN OF TROY: 1990



Source: SEWRPC.

Table 15

EXISTING LAND USE IN THE TOWN OF TROY: 1990

Land Use Category ^a	Acres	Percent of Urban/Nonurban	Percent of Total
Urban			
Residential	684	50.2	3.0
Commercial	15	1.1	0.1
Industrial	29	2.1	0.1
Transportation, Communication, and Utilities	485	35.6	2.1
Governmental and Institutional	20	1.5	0.1
Recreational	129	9.5	0.6
Urban Subtotal	1,362	100.0	6.0
Nonurban			
Agricultural	15,109	70.7	66.4
Natural Areas			
Woodlands	2,389	11.2	10.5
Wetlands	2,488	11.6	10.9
Surface Water	476	2.2	2.1
Natural Areas Subtotal	5,353	25.0	23.5
Extractive and Landfill	3	- ^b	- ^b
Unused Land	922	4.3	4.1
Nonurban Subtotal	21,387	100.0	94.0
Total	22,749	- -	100.0

^aParking is included with each respective associated use.

^bLess than 0.05 percent.

Source: SEWRPC.

Farmland or Farmlands of Statewide Importance; and 3) the individual farm unit must occur in a farming area of at least 100 acres in area. Map 19 shows those lands which were identified as prime farmland under the County development plan and regional land use plan, and which still met the criteria and remained in agricultural use in 1990.

TRANSPORTATION FACILITIES

Arterial Streets and Highways

In 1995, the Town of Troy was served by a 61-mile network of streets and highways. Of this total, 24 miles, or about 39 percent, consisted of arterial streets and highways, which were under the jurisdiction of the Town, County, and State governments (see Map 20). About eight miles, or about 33 percent of the arterial street and highway network, consisted of State trunk highways; about 14 miles, or about 58 percent, consisted of County trunk

highways; and about two miles, or about 9 percent, consisted of local trunk highways.

PUBLIC UTILITIES

Public utility systems are among the most important and permanent elements influencing the growth and development of a community. Moreover, certain utility facilities are closely linked to surface-water and groundwater resources and may therefore affect the overall quality of the natural resource base. This is particularly true of sanitary sewerage, water supply, and stormwater drainage facilities, which are, in a sense, modifications or extensions of the natural lake, stream, and watercourse systems of an area and of the underlying groundwater reservoir. The provision of certain public utilities to a largely rural area is normally impractical. Conversely, the development of areas for intensive urban use without certain utilities may create serious and costly environmental and public health problems.

Table 16

LAND USE IN THE TOWN OF TROY: 1963 AND 1990

Land Use Category ^a	Acres		Change in Land Use 1963-1990	
	1963	1990	Acres	Percent
Urban				
Residential	308	684	376	122.1
Commercial	7	15	8	114.3
Industrial	10	29	19	190.0
Transportation, Communication, and Utilities	400	485	85	21.3
Governmental and Institutional	17	20	3	17.6
Recreational	43	129	86	200.0
Urban Subtotal	785	1,362	577	73.5
Nonurban				
Agricultural	16,136	15,109	-1,027	-6.4
Natural Areas				
Woodlands	2,196	2,389	193	8.8
Wetlands	2,716	2,488	-228	-8.4
Surface Water	392	476	84	21.4
Natural Areas Subtotal	5,304	5,353	49	0.9
Extractive and Landfill	7	3	-4	-57.1
Unused Land	517	922	405	78.3
Nonurban Subtotal	21,964	21,387	-577	-2.6
Total	22,749	22,749	--	--

^aParking is included with each respective associated use.

Source: SEWRPC.

Sanitary Sewer Service

In 1993, the Regional Planning Commission worked with the Village of East Troy to complete a sewer service area plan which identified lands anticipated to be tributary to the Village of East Troy sewage treatment plant. That plan is set forth in SEWRPC Community Assistance Planning Report No. 112 (2nd Edition), *Sanitary Sewer Service Area for the Village of East Troy and Environs, Walworth County, Wisconsin*, June 1993 (see Map 5 in Chapter I of this report, page 7).

The portion of the planned sewer service area located within the Town of Troy is shown on Map 21, and encompasses about 0.6 square mile of land, or about 2 percent of the Town. In 1995, none of these lands was provided with public sanitary sewer service. The plan identifies the area tributary to the treatment plant which could be served as urban development occurs. This is particularly important in lake areas where onsite sewage

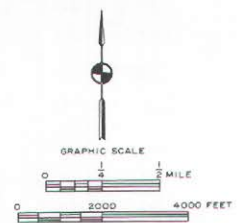
disposal systems no longer represent the most cost-effective, environmentally sound means of accommodating sewage disposal needs in a lake community.

Public Water Supply System

In 1995, Troy Center was served by a public water supply system operated by the Town of Troy Sanitary District No. 1. The District served approximately 150 persons in 1995. The remainder of the Town was not served by any public water supply system. Water for domestic and other uses was supplied to the remainder of the Town by groundwater through the use of private onsite wells.

Engineered Stormwater Drainage System

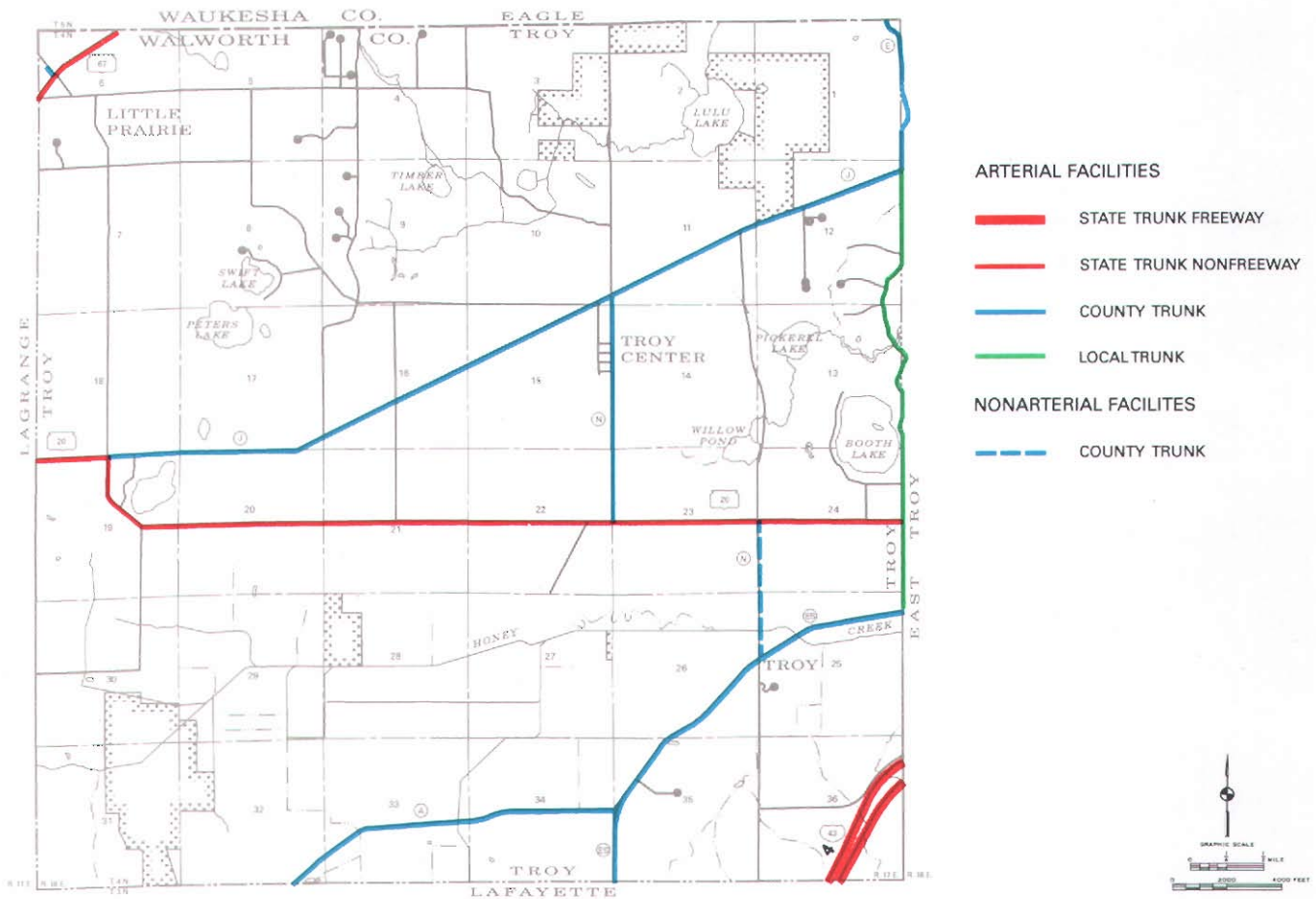
In 1995, the Town of Troy was not served by an engineered stormwater management system. Stormwater drainage was provided by roadside ditches and natural watercourses.



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Map 20

ARTERIAL STREET AND HIGHWAY SYSTEM IN THE TOWN OF TROY: 1995



Source: SEWRPC.

COMMUNITY FACILITIES AND SERVICES

Schools

In 1995, the Town of Troy was served by two public high school districts, the East Troy Community School District and the Elkhorn Area School District. The East Troy Community School District served virtually the entire Town and operated East Troy High School, a public high school located in the Village of East Troy. The Elkhorn Area School District served only a small area in the southwestern portion of the Town.

In addition to East Troy High School and East Troy Middle School, a number of public and nonpublic elementary schools also served the Town of Troy. These included Byrnes Elementary, East Troy Elementary, Stone Element-

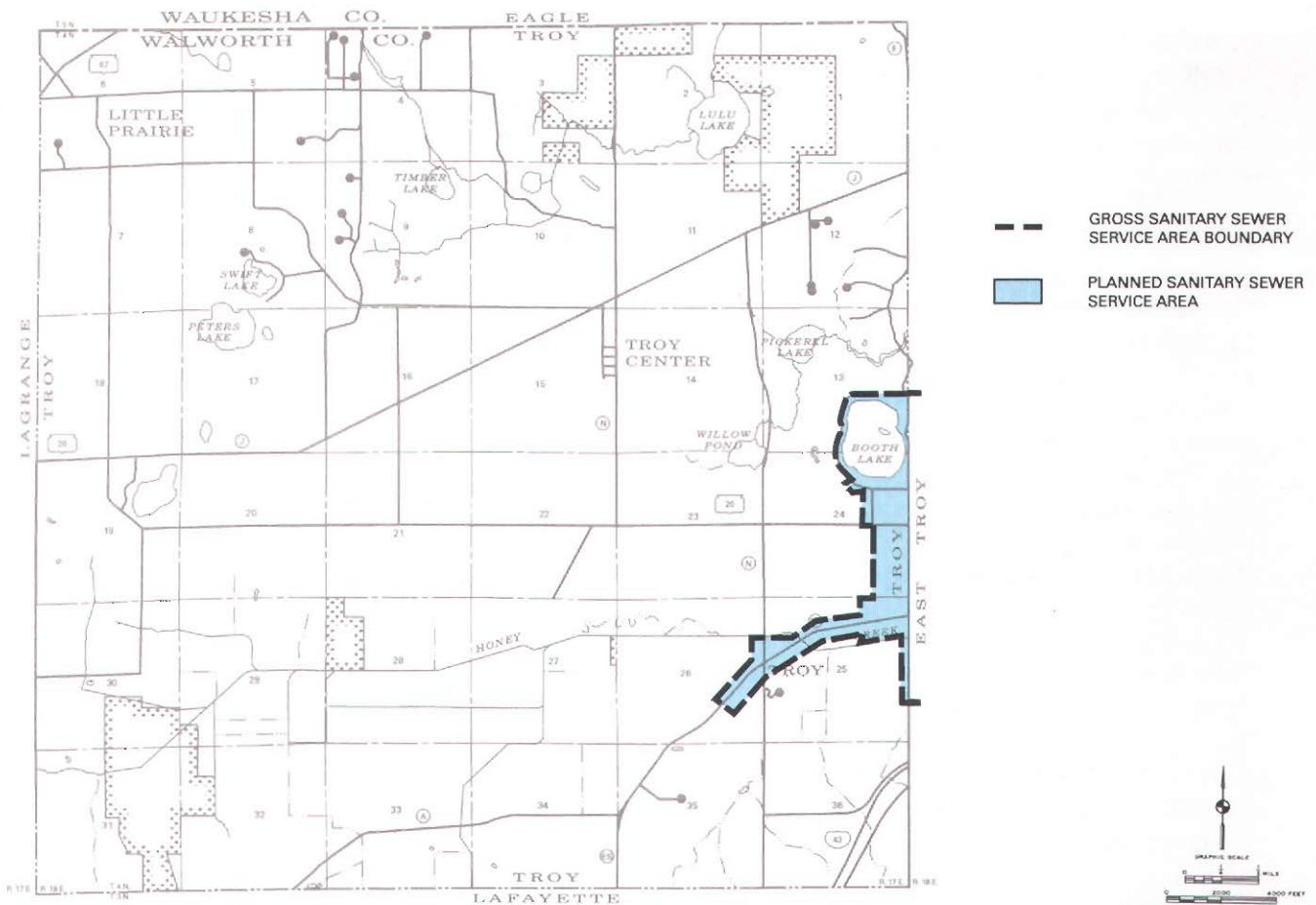
tary, Good Shepherd Lutheran Elementary, St. Paul's Evangelical Lutheran Elementary, and St. Peter's Catholic Elementary Schools, all located in the Village of East Troy.

Library Services

The Town of Troy is served by the East Troy Lions Public Library, located in the Village of East Troy. The building is owned by the Village of East Troy. A portion of the operating budget of the library is provided by the Town. A seven-member library board, which includes representatives from the Village of East Troy and the Towns of East Troy and Troy, oversees library operations. The Town of Troy is also served by the Lakeshore Library System. This system allows Troy residents to check out books and other materials from all public libraries in Walworth County.

Map 21

PLANNED SEWER SERVICE AREA IN THE TOWN OF TROY: 1995



Source: SEWRPC.

Fire Protection, Emergency Medical Services, and Police Service

In 1995, fire protection for the Town was provided by the Troy Center Fire Department, a nonprofit volunteer fire department. The Town owns the fire trucks and equipment, which are housed in a fire station also owned by the Town. The fire station is located adjacent to the Town Hall. Funding is provided through local property taxes.

Emergency medical services were provided to the Town through a contract with East Troy Emergency Services, operated by the Village of East Troy Fire Department.

In 1995, police protection within the Town was provided by the Walworth County Sheriff's Department.

Solid Waste Disposal

The Town maintains a solid waste recycling and transfer station located adjacent to the Town maintenance building in Troy Center. Town residents are responsible for conveying solid waste to this site for recycling and disposal. The Town relies on a private firm for removal and disposal of this waste. There are no active landfill sites in the Town.

SUMMARY

This chapter has presented the findings of inventories of the existing land use pattern and of other aspects of the built environment pertinent to land use planning for the Town of Troy. The most important findings of these inventories may be summarized as follows:

1. In 1990, existing urban development within the Town of Troy included a number of relatively densely developed residential areas located around Booth Lake and concentrations of residential uses in the old settlements of Little Prairie, Troy, and Troy Center. The Town also encompassed a number of environmentally significant wetland and woodland areas and a number of relatively large blocks of farmland.
2. In 1990, urban land uses—consisting of residential, commercial, industrial, transportation, communication, and utility, governmental and institutional, and recreational uses—encompassed about 1,360 acres, or about 6 percent of the Town. Lands devoted to these urban uses increased by about 580 acres, or about 74 percent, between 1963 and 1990. Residential land uses comprised the single largest urban land use category in 1990, encompassing about 680 acres, or about 50 percent of all urban land in the Town, and about 3 percent of the Town as a whole.
3. By 1990, 251 lots had been created through residential subdivision plats in the Town of Troy. Of these lots, about 53 remained vacant in 1990. Not included in this total are lots located in the Four Lakes Beach and Swiftlake subdivisions, where current zoning regulations significantly limit development.
4. In 1990, lands in nonurban uses—consisting of agricultural lands, woodlands, wetlands, other open lands, and surface water—encompassed about 21,400 acres, or about 94 percent of the Town. Nonurban lands decreased by about 580 acres, or about 3 percent, between 1963 and 1990. Agricultural lands encompassed about 15,100 acres in the Town, accounting for about 71 percent of all nonurban land in the Town, and about 66 percent of the Town as a whole. Of the approximately 15,100 acres of agricultural lands, about 12,700 acres, or about 84 percent, were identified as prime agricultural lands in the Walworth County development plan.
5. In 1995, the Town was served by a 61-mile network of streets and highways. Of this total network, 24 miles, or about 39 percent, consisted of arterial streets and highways which were under the jurisdiction of the Town, County, and State governments.
6. Essential community facilities and services were provided to the Town in 1995 by the East Troy Community School District, the East Troy Lions Public Library, the Troy Center Fire Department, the Village of East Troy Fire Department, and the Walworth County Sheriff's Department.

Chapter V

EXISTING LAND USE REGULATIONS

INTRODUCTION

Good community development depends not only on sound long-range planning at all levels of government, but on practical plan implementation as well. Zoning is one of the major plan implementation devices available to any community. The primary function of zoning should be to implement the community land use plan. A secondary function should be to protect desirable existing development. Zoning should be a major tool for the implementation of community plans and not a substitute for such plans.

ZONING

A zoning ordinance is a public law which regulates and restricts the use of private property in the public interest. A zoning ordinance divides a community into districts for the purpose of regulating the use of land and structures; the height, size, shape, and placement of structures; and the density of population. Zoning seeks to confine certain land uses to those areas of the community which are well suited to those uses, and seeks to set aside land for these particular uses, thereby encouraging the most appropriate use of land throughout the community. Zoning seeks to assure adequate light, air, and open space for each building; to reduce fire hazard; and to prevent the overcrowding of land, incidence of traffic congestion, and overloading of the utility systems. Zoning should also seek to protect and preserve the natural resource base.

A zoning ordinance typically consists of two parts: 1) a text setting forth regulations that apply to each of the various zoning districts, together with related procedural, administrative, and other legal provisions; and 2) a map delineating the boundaries of the various districts to which the differing regulations apply.

The Town of Troy is under the jurisdiction of the Walworth County zoning ordinance. This ordinance, containing both general and shoreland-floodplain zoning provisions, was adopted by Walworth County in 1974 and ratified by the Town in 1976. The general, or non-shoreland, provisions of the ordinance are jointly administered by Walworth County and the Town. The shoreland provisions, however, are administered solely

by the County. Amendments to the ordinance within shoreland areas¹ do not require the approval of, and are not subject to disapproval by, the Town Board. A description of the county-town zoning relationship in Walworth County, as specified in Section 59.97 of the Wisconsin Statutes, is provided in Appendix B of this report.

Existing zoning districts within the Town of Troy are shown on Map 22. The permitted principal and conditional uses and the lot size, width, and setback requirements for all of the various districts identified under the County zoning ordinance are summarized in Table 17. The 1996 acreages of the various districts are presented in Table 18.

As indicated in Table 18, agricultural zoning was in place for about 14,700 acres, about 23 square miles, or almost two-thirds of the Town. The A-1 Prime Agricultural Land zoning district, which establishes a minimum parcel size of 35 acres, has been applied to about 12,400 acres, about 19 square miles, or about 54 percent of the Town.

About 7,500 acres, about 12 square miles, or about 33 percent of the Town, have been placed in conservancy districts, generally to protect the underlying natural resource base.

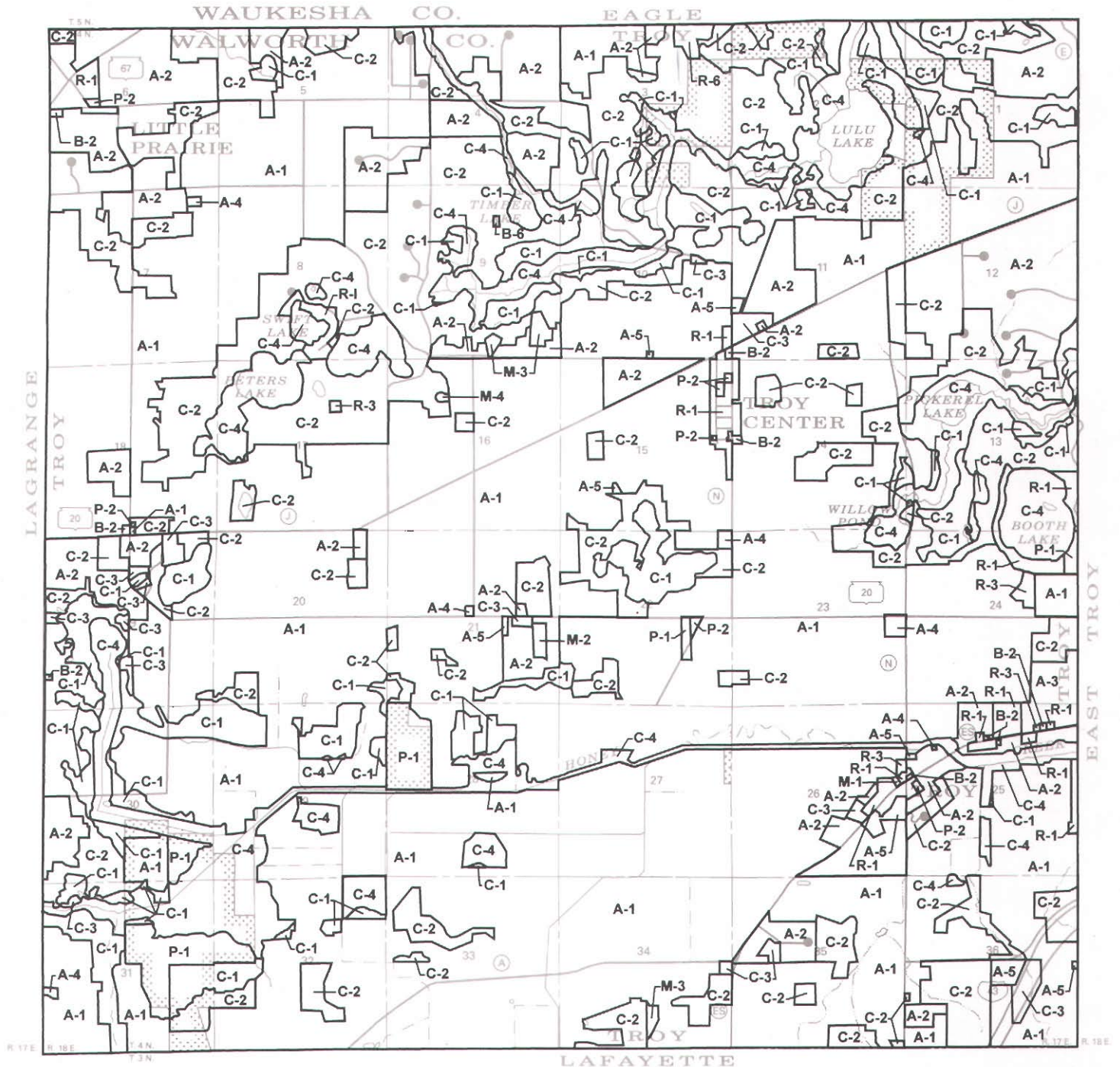
The remaining area, approximately 600 acres, about one square mile, or about 3 percent of the Town, has been placed in various residential, commercial, industrial, and institutional and park districts.

WALWORTH COUNTY SUBDIVISION CONTROL ORDINANCE

The division and improvement of lands in the Town is regulated by the Walworth County subdivision control ordinance. The ordinance sets forth requirements for the appropriate design of lots, subdivision access, and

¹Shoreland areas are defined in the Wisconsin Statutes as lands within the following distances from the ordinary high-water mark of navigable waters: 1) 1,000 feet from a lake, pond, or flowage; and 2) 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

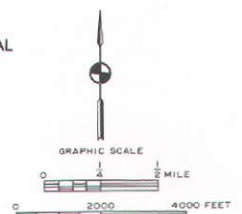
ZONING FOR THE TOWN OF TROY: 1996



- A-1 PRIME AGRICULTURAL LAND
- A-2 AGRICULTURAL LAND
- A-3 AGRICULTURAL LAND HOLDING
- A-4 AGRICULTURAL-RELATED MANUFACTURING WAREHOUSING AND MARKETING
- A-5 AGRICULTURAL-RURAL RESIDENTIAL
- C-1 LOWLAND RESOURCE CONSERVATION
- C-2 UPLAND RESOURCE CONSERVATION
- C-3 CONSERVANCY-RESIDENTIAL
- C-4 LOWLAND RESOURCE CONSERVATION (SHORELAND)
- P-1 RECREATIONAL PARK
- P-2 INSTITUTIONAL PARK

- R-1 SINGLE-FAMILY RESIDENCE (UNSEWERED)
- R-2 SINGLE-FAMILY RESIDENCE (SEWERED) (NONE)
- R-2A SINGLE-FAMILY RESIDENCE (SEWERED) (NONE)
- R-3 TWO-FAMILY RESIDENCE (SEWERED OR UNSEWERED)
- R-4 MULTIPLE-FAMILY RESIDENCE (SEWERED OR UNSEWERED) (NONE)
- R-5 PLANNED RESIDENTIAL DEVELOPMENT (NONE)
- R-6 PLANNED MOBILE HOME PARK RESIDENCE
- R-7 MOBILE HOME SUBDIVISION RESIDENCE (NONE)

- R-8 MULTIPLE-FAMILY RESIDENCE (SEWERED OR UNSEWERED) (NONE)
- B-1 LOCAL BUSINESS (NONE)
- B-2 GENERAL BUSINESS
- B-3 WATERFRONT BUSINESS (NONE)
- B-4 HIGHWAY BUSINESS (NONE)
- B-5 PLANNED COMMERCIAL-RESIDENTIAL BUSINESS (NONE)
- B-6 BED AND BREAKFAST
- M-1 INDUSTRIAL
- M-2 HEAVY INDUSTRIAL
- M-3 MINERAL EXTRACTION
- M-4 SANITARY LANDFILL



Source: Walworth County zoning ordinance and SEWRPC.

Table 17

WALWORTH COUNTY ZONING DISTRICTS: 1996

District	Typical Principal Uses	Typical Conditional Uses ^a	Minimum Lot Size		Minimum Yard Requirements			Maximum Building Height (feet)
			Total Area	Total Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
A-1 Prime Agricultural Land	Two single- or one two-family farm dwelling(s), farming, grazing, orchards, vegetable raising, dairying, equestrian trails	Housing for workers, commercial feedlots, fur farms and egg production, livestock sales facilities, land restoration, sewage disposal plants, governmental and cultural uses, schools, churches	35 acres	--	Varies ^b	20 ^{c,d}	100	45
A-2 Agricultural Land	All A-1 principal uses, except only one single-family farm dwelling is permitted	Housing for workers, commercial feedlots, fur farms, egg production, ski hills, recreation camps, riding stables, sewage disposal plants, airports, governmental and cultural uses, schools, churches	20 acres	300	Varies ^b	20 ^{c,d}	100	45
A-3 Agricultural Land Holding	All A-1 principal uses	Housing for workers, including mobile homes, commercial feedlots, livestock sales facilities, fur farms, egg production, sewage disposal plants, airports, governmental or cultural uses, schools, churches	35 acres	--	Varies ^d	20	100	45
A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing	All uses are conditional uses	Contract sorting, grading, and packaging, corn shelling, hay-baling and threshing services, milk production, production of flour and grain mill products, production of meat products, sales or maintenance of farm implements, sewage disposal plants, kennels, governmental and cultural uses, schools, churches	Sufficient area as required by ordinance	--	Varies ^b	75	75	70
A-5 Agricultural-Rural Residential	Single-family dwellings, home occupations, orchards, vegetable raising, plant nurseries, greenhouses, roadside stands	Sanitary sewage treatment plants, governmental and cultural uses	40,000 square feet	150	Varies ^b	15 ^d	25 ^d	45
C-1 Lowland Resource Conservation (nonshoreland)	Farming, boat landings, fish hatcheries, forest and game management, park and recreation areas, beaches, trails	Land restoration, golf courses, yachting clubs, recreation camps, campgrounds, sanitary sewage treatment plants	-- ^a	-- ^a	-- ^a	-- ^a	-- ^a	-- ^a
C-2 Upland Resource Conservation	Farming, forest preservation, hunting and fishing clubs, park and recreation areas, stables, single-family detached dwellings	Animal hospitals, golf courses, ski hills, camps, riding stables, planned residential developments, sewage disposal plants, governmental and cultural uses	5 acres	300	Varies ^b	20 ^d	100	45
C-3 Conservancy-Residential	Forest preservation, forest and game management, single-family detached dwellings	Animal hospitals, land restoration, planned residential developments, sewage disposal, and cultural uses	100,000 square feet	200	Varies ^b	20 ^d	50 ^d	45
C-4 Lowland Resource Conservation (shoreland)	Boat landings, fish hatcheries, forest and game management, park and recreation areas, beaches, trails	Land restoration, golf courses, yachting clubs, recreation camps, campgrounds, utilities	-- ^a	-- ^a	-- ^a	-- ^a	-- ^a	-- ^a
P-1 Recreational Park	Parks, forest preserves, boat rentals, golf courses, gymnasiums, ice skating, picnic grounds, playfields	Country clubs, ski hills, yachting clubs, cultural activities, archery ranges, firearm ranges, sports fields, governmental and cultural uses, schools, churches	Sufficient area as required by ordinance	--	Varies ^b	50 ^d	50 ^d	45
P-2 Institutional Park	Churches, convents, hospitals, schools, colleges, nursing homes, town buildings	Golf courses, public assembly uses, sports fields, airports, utilities, cemeteries, governmental and cultural uses	Varies ^f	Varies ^f	Varies ^b	25 ^d	25 ^d	45

Table 17 (continued)

District	Typical Principal Uses	Typical Conditional Uses*	Minimum Lot Size		Minimum Yard Requirements			Maximum Building Height (feet)
			Total Area	Total Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
R-1 Single-Family Residential (unsewered)	Unsewered single-family detached dwellings	Golf courses, country clubs, planned residential developments, sewage disposal plants, utilities, governmental and cultural uses, schools, churches	40,000 square feet	150	Varies ^b	15 ^d	25 ^d	45
R-2 Single-Family Residential (sewered)	Single-family detached dwellings served by public sanitary sewers	Golf courses, country clubs, planned residential developments, sewage disposal plants, utilities, governmental and cultural uses, schools, churches	15,000 square feet	100	Varies ^b	10 ^d	25 ^d	45
R-2A Single-Family Residential (sewered)	Single-family detached dwellings served by public sanitary sewers	Golf courses, country clubs, planned residential developments, sewage disposal plants, utilities, governmental and cultural uses, schools, churches	50,000 square feet	100	Varies ^b	10 ^d	25 ^d	45
R-3 Two-Family Residential	Single-family detached dwellings, two-family dwellings	Golf courses, country clubs, planned residential developments, sewage disposal plants, utilities, governmental and cultural uses, schools, churches	40,000 square feet per unit	150	Varies ^b	10	25	45
R-4 Multiple-Family Residential	All uses are conditional uses	One-, two-, and multi-family dwellings, golf courses, country clubs, planned residential development, utilities, schools, churches	40,000 square feet	Varies ^f	Varies ^b	10 ^d	25 ^d	45
R-5 Planned Residential Development	All uses are conditional uses	One-family detached, semi-detached, and attached dwelling units, two-family dwellings, multiple-family dwellings, all B-1 principal uses provided such uses do not occupy more than 15 percent of area, golf courses, home occupations, governmental and cultural uses, schools, churches	--	--	Varies ^b	10 (15 for multiple-family dwellings)	40	45
R-6 Planned Mobile Home Park Residential	All uses are conditional uses	Single-family detached dwellings, mobile and modular homes, home occupations, governmental and cultural uses, utilities, schools, churches	--	--	20	15 ^d	20 ^d	30
R-7 Mobile Home Subdivision Residential	Mobile and modular homes, single-family detached dwellings	Golf courses, country clubs, home occupations, sewage disposal plants, governmental and cultural uses, utilities, schools, churches	As required by ordinance for unsewered lot	As required by ordinance for unsewered lot	Varies ^f	10 ^d	25 ^d	45
R-8 Multiple-Family Residential	Multiple-family dwelling units	Golf courses and country clubs, single-family and two-family dwellings, home occupations, sewage disposal plants, governmental and cultural uses, parks and playgrounds	As required by ordinance for unsewered lot	As required by ordinance for unsewered lot	Varies ^f	10 ^d	25 ^d	45
B-1 Local Business	Bakeries, barber and beauty shops, business and professional offices, clinics, clothing, grocery, and liquor stores, lodges, restaurants	Residential dwellings, nursing homes, vehicle sales and service, governmental and cultural uses, schools, churches	Varies ^f	Varies ^f	Varies ^b	10 ^d	30 ^d	45
B-2 General Business	All B-1 principal uses, antique shops, furniture stores, hotels and motels, bars and taverns, private clubs and schools, boat and marine supplies, variety stores, gasoline service stations	Residential dwellings, public assembly uses, drive-in theaters, public parking lots, nursing homes, funeral homes, governmental and cultural uses, sewage disposal plants, utilities, schools, churches	Varies ^f	Varies ^f	Varies ^b	10 ^d	30 ^d	55

Table 17 (continued)

District	Typical Principal Uses	Typical Conditional Uses ^a	Minimum Lot Size		Minimum Yard Requirements			Maximum Building Height (feet)
			Total Area	Total Width (feet)	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)	
B-3 Waterfront Business	All uses are conditional uses	Boat rental, boat and marine supplies, bait shops, restaurants, bathhouses, dance halls, off-season storage, vehicle sales and services, drive-ins, public parking lots	Sufficient area as required by ordinance	Varies ^f	Varies ^b	10 ^d	50 ^d	45
B-4 Highway Business	All uses are conditional uses	Automobile retail and repair, bars and taverns, gasoline sales and service, hotels, motels, night-clubs, residential dwelling units	Sufficient area as required by ordinance	--	Varies ^f	40 ^d	40 ^d	45
B-5 Planned Commercial-Recreation Business	All uses are conditional uses	Amusement parks, boat rentals and access sites, campgrounds, recreational resorts, hotels, restaurants, retail stores, professional offices, personal services	--	--	25 ^g	15 ^{d,g}	40 ^{d,g}	85 ^h
B-6 Bed-and-Breakfast	Bed-and-breakfast establishments	None	Varies ^f	Varies ^f	Varies ^b	15 ^d	25 ^d	45
M-1 Industrial	Automotive upholstery, cleaning, pressing, dyeing, commercial bakeries, printing, trade and contractor, warehousing, wholesaling, food processing and packaging	Machine shops, automotive body repairs, manufacturing, fabrication, processing, governmental and cultural uses, recycling centers	Sufficient area as required by ordinance	--	Varies ^b	30 ⁱ	30 ⁱ	55
M-2 Heavy Industrial	All M-1 principal uses, freight yards, terminals, inside storage, breweries	All M-1 conditional uses, manufacturing, processing, stockyards, wrecking, demolition	Sufficient area as required by ordinance	--	Varies ^f	30 ⁱ	30 ⁱ	70
M-3 Mineral Extraction	All uses are conditional uses	Aggregate or ready-mix plants, clay, ceramic, and refractory minerals mining, crushed-stone and broken-stone quarrying, sand and gravel quarrying, processing of topsoil, governmental and cultural uses, utilities, recycling centers	--	--	-- ^j	-- ^j	-- ^j	--
M-4 Sanitary Landfill	All uses are conditional uses	Sewage disposal plants, governmental and cultural sites, utilities, sanitary landfill operations, recycling centers	--	--	-- ^k	-- ^k	-- ^k	45

^aMore restrictive lot area, width, and yard requirements may apply to conditional uses under Section 4.0 of the shoreland zoning ordinance.

^bFor a subdivision road—minimum 25 feet; town road—minimum 50 feet; County road—minimum 65 feet; State and Federal highways—minimum 85 feet.

^cExcept structures used for housing of animals must be a minimum of 100 feet from lot lines.

^dExcept shore yards must be a minimum of 75 feet.

^eNo requirements for principal uses, since no buildings or structures are permitted.

^fLot area and width as determined by Section 2.5 of the shoreland zoning ordinance.

^gExcept all perimeter yards must be a minimum of 100 feet.

^hExcept height of residential structures cannot exceed 45 feet.

ⁱFifty feet when abutting a residential district.

^jAll excavation must be a minimum of 200 feet from the right-of-way of any public or approved street, property line, or shoreline. All accessory uses, such as offices, parking areas, and stockpiles, must be a minimum of 100 feet from the right-of-way of any public or approved street, property line, or shoreline.

^kAll operations must be at least 200 feet from the right-of-way of any public or approved street, property line, or shoreline.

Source: Walworth County zoning ordinance and SEWRPC.

Table 18

BASIC ZONING DISTRICTS IN THE TOWN OF TROY: 1996

District Type	District Name	Acres	Percent of Total
Agricultural	A-1 Prime Agricultural Land	12,357	54.3
	A-2 Agricultural Land	2,189	9.6
	A-3 Agricultural Land Holding	75	0.4
	A-4 Agricultural-Related Manufacturing, Warehousing, and Marketing	22	0.1
	A-5 Agricultural-Rural Residential	42	0.2
	Subtotal	14,685	64.6
Conservancy	C-1 Lowland Resource Conservation (nonshoreland)	1,247	5.5
	C-2 Upland Resource Conservation	4,398	19.3
	C-3 Conservancy-Residential	109	0.5
	C-4 Lowland Resource Conservation (shoreland)	1,723	7.6
	Subtotal	7,477	32.9
Public	P-1 Recreational Park	230	1.0
	P-2 Institutional Park	12	0.1
	Subtotal	242	1.1
Residential	R-1 Single-Family Residential (unsewered)	259	1.1
	R-2 Single-Family Residential (sewered)	0	0.0
	R-2A Single-Family Residential (sewered)	0	0.0
	R-3 Two-Family Residential	19	0.1
	R-4 Multiple-Family Residential	0	0.0
	R-5 Planned Residential Development	0	0.0
	R-6 Planned Mobile Home Park Residential	20	0.1
	R-7 Mobile Home Subdivision Residential	0	0.0
	R-8 Multiple-Family Residential	0	0.0
	Subtotal	298	1.3
Commercial	B-1 Local Business	0	0.0
	B-2 General Business	10	-- ^a
	B-3 Waterfront Business	0	0.0
	B-4 Highway Business	0	0.0
	B-5 Planned Commercial-Recreation Business	0	0.0
	B-6 Bed-and-Breakfast	1	-- ^a
	Subtotal	11	-- ^a
Industrial	M-1 Industrial	1	-- ^a
	M-2 Heavy Industrial	9	-- ^a
	M-3 Mineral Extraction	24	0.1
	M-4 Sanitary Landfill	2	-- ^a
	Subtotal	36	0.1
--	Total	22,749	100.0

^aLess than 0.05 percent.

Source: SEWRPC.

necessary internal improvements, such as streets, drainage, and water and sewer facilities.

The Walworth County subdivision control ordinance requires the platting of land divisions when five or more parcels or building sites of 15 acres each or less in area or less are created. The ordinance also requires that a division

of land, other than a subdivision, resulting in the creation of fewer than five lots or building sites, any one of which is 15 acres or less in area, be surveyed and that a certified survey map be prepared and recorded.

As provided by the Wisconsin Statutes, the Village of East Troy may exercise extraterritorial subdivision plat

review authority over unincorporated areas within 1.5 miles of the corporate limits of the Village. Plats in the Town of Troy located in the extraterritorial platting jurisdiction of the Village are thus subject to approval by the Village.

WALWORTH COUNTY PRIVATE SEWAGE SYSTEM AND SANITATION ORDINANCE

The Walworth County private sewage system and sanitation ordinance contains general provisions regarding the design, installation, operation, and maintenance of private water supply systems, septic tanks, effluent disposal systems, holding tanks, and septic sludge disposal systems.

Most pertinent to land use planning and development are ordinance provisions regulating the location of private water supply and sewage disposal systems. The use of private sewage disposal systems in particular is restricted in floodland areas, in areas with steep slopes, and in areas with soil unsuitable for the operation of such systems. Map 10 in Chapter III of this report (see page 27) shows those areas with soils that present severe limitations with regard to the use of conventional onsite sewage disposal systems. The ordinance also regulates public assembly places, sanitary facilities, and medical facilities and services. It was adopted by the Walworth County Board of Supervisors in 1982 and has since been amended from time to time.

WALWORTH COUNTY CONSTRUCTION SITE EROSION CONTROL ORDINANCE

The Walworth County Board adopted a construction site erosion control ordinance in 1990. This ordinance applies in the unincorporated areas of the County, including the Town of Troy. The ordinance was enacted to protect the quality of waters in the County and the State by reducing the amount of sediment and other pollutants leaving construction sites during land development and land disturbance activities. The ordinance requires a landowner or tenant to get a permit before undertaking the construction of any building or other structure; removal of vegetation or ground cover, grading, excavation, or filling affecting 4,000 square feet or more; and construction or reconstruction of roads or bridges.

STATE RESOURCE REGULATORY PROGRAMS

Chapter NR 103 of the Wisconsin Administrative Code establishes water quality standards for wetlands. These standards, like the more general policies set forth for wetlands protection under Chapter NR 1.95, are applied by the Wisconsin Department of Natural Resources in all decision making under existing State authority. In cases where State certification of a wetland modification is denied, the necessary U. S. Army Corps of Engineers permit would also be denied.

Chapters NR 110 and Comm 82 of the Wisconsin Administrative Code require that the Wisconsin Department of Natural Resources, in its regulation of public sanitary sewers, and the Wisconsin Department of Commerce, in its regulation of private sanitary sewers, in each applicable case make a finding that all proposed sanitary sewer extensions conform with adopted areawide water quality management plans and the sanitary sewer service areas identified in such plans. If a locally proposed sanitary sewer extension is designed to serve areas not recommended for sewer service in an areawide water quality management plan, the State agency concerned must deny approval of the extension. The State agency must find that the area proposed to be served is located 1) within an approved sewer service area and 2) outside of areas having physical or environmental constraints which would entail adverse water quality impacts if such areas were developed.

FEDERAL WETLAND REGULATIONS

Section 404 of the Federal Clean Water Act requires the U. S. Department of the Army, Corps of Engineers, working in cooperation with the U. S. Environmental Protection Agency, to regulate the discharge of dredged and fill materials into waters of the United States, including lakes, rivers, and wetlands. In carrying out this responsibility, the Corps of Engineers determines when permits are required for the discharge of dredged and fill materials. Some silvicultural, mining, and agricultural activities in water and wetland areas may be exempt from the individual-permit requirement. Certain minor activities, such as boat-ramp construction and shore stabilization, may be undertaken under a preapproved general or nationwide permit. Section 401 of the Act requires that the issuance of Federal permits be consistent with state water quality policies and standards.

FARMLAND PRESERVATION

As described in Chapter IV of this report, the Walworth County development plan and the Commission's regional land use plan identify prime farmlands. Such lands consist of the most productive agricultural lands remaining in Walworth County. The preservation of such prime farmlands is important for a number of reasons, among them the following: 1) to ensure that productive farmland remains available for future generations; 2) to protect and enhance the agricultural sector of the County economy; 3) to help maintain the rural lifestyle evident throughout much of Walworth County; 4) to protect the scenic beauty and heritage of the landscape of the County; and 5) to avoid the creation of costly development and environmental problems attendant to the intrusion of urban uses into prime agricultural areas. The County development plan and the regional land use plan recommend that prime farmland be maintained in agricultural use.

The prime regulatory mechanism for ensuring such maintenance is the A-1 Prime Agricultural Land zoning district of the Walworth County zoning ordinance. As noted above in this chapter, this is the predominant zoning district applied in the Town of Troy and requires a minimum parcel size of 35 acres.

The preservation of farmlands through zoning received impetus in 1977 with the creation of the Wisconsin Farmland Preservation Program, a program that combines planning and zoning provisions with tax incentives for the purpose of ensuring the preservation of farmland. The program is intended to help counties and local units of government preserve farmland through local plans and zoning and to provide tax relief, in the form of State income-tax credits, to farmland owners who participate in the program. In the Town of Troy in 1995, about 30 landowners claimed farmland preservation tax credits on farmland encompassing a total of about 4,310 acres. These credits on average amounted to about 23 percent of the property taxes paid on the parcels concerned.

It is important to note that the exclusive agricultural zoning required as a condition for receipt of tax credits under the Wisconsin Farmland Preservation Program does not ensure the preservation of land held by participating farmers. Landowners can petition the concerned county or local unit of government for a change in zoning to accommodate development, although those who have claimed a tax credit would be liable to pay back at least a portion of the credit. Thus, even with the Wisconsin Farmland Preservation Program, the effectiveness of efforts to preserve farmland through exclusive agricultural zoning is depen-

dent upon the level of commitment of the concerned county and local units of government to such zoning.

In 1995, the Wisconsin Legislature took an additional action to lessen the property-tax burden on farmers by mandating the "use-value" assessment of agricultural land. Under this system, agricultural land will be assessed based solely on its value for farming, without regard for its development potential. The new legislation froze the assessed value of agricultural land at 1995 levels through 1997; after that, assessed values are to be reduced to "use" values, gradually, over a 10-year period.

Under the 1995 legislation, agricultural land will be assessed at use value, regardless of existing zoning. Landowners who sell their land after owning the land for less than five years will be required to pay a modest penalty to the Wisconsin Department of Revenue, an amount equal to 5 percent of the difference between the sale price and the use value during the last year of ownership. Thus, while the new program may be expected to provide substantial property-tax relief to owners of farmland, it will do so without attaching any additional restrictions to the land, so that there is no guarantee that the land will not be converted to urban use.

Rules intended to implement both the farmland preservation program and the use-value-assessment legislation are being developed by the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Revenue, respectively. Final rules had not been adopted at the time this land use plan was prepared, and it is not possible to predict what effect any new rules will have on farmland preservation efforts within the Town of Troy and Walworth County. Nevertheless, local units of government in Walworth County currently have the means to protect prime farmlands through the application of exclusive agricultural zoning districts. It is not anticipated that the new State rules would affect the zoning authority of local governments.

SUMMARY

This chapter has presented a description of the existing land use regulations that have a direct bearing on the physical development of the Town of Troy. A summary of the major findings of this chapter follows:

1. The Town of Troy is under the jurisdiction of the Walworth County zoning ordinance, which contains both general and shoreland-floodplain zoning provisions. The general provisions of the ordinance are jointly administered by Walworth County and the

Town. The shoreland provisions are administered solely by the County.

2. The division and improvement of lands in the Town of Troy is regulated by the Walworth County subdivision control ordinance. The ordinance sets forth requirements for the appropriate design of lots, subdivision access, and necessary internal improvements, such as streets, drainage, and water and sewer facilities. The ordinance requires the platting of land divisions when five or more parcels of 15 acres each or less in area are created. When fewer than five parcels, any one of which is 15 acres or less in area, are created by a division of land other than a subdivision, the ordinance requires that a certified survey map be prepared and recorded.
3. A series of County, State, and Federal ordinances, regulations, and laws regulate the use of waters

and wetlands as well as the potential water quality impacts of development. These ordinances, regulations, and laws include the Walworth County construction site erosion control ordinance, Chapters NR 103, NR 110, and Comm 82 of the Wisconsin Administrative Code, and Sections 401 and 404 of the Federal Clean Water Act.

4. The preservation of prime farmlands in Walworth County and the Town of Troy is an important issue. The prime regulatory mechanism for preserving such farmlands is the application of the A-1 Prime Agricultural Land zoning district of the Walworth County zoning ordinance. Other policies which could encourage the continued agricultural use of these farmlands are the Wisconsin Farmland Preservation Program and Wisconsin's recently enacted use-value-assessment legislation.

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Chapter VI

LAND USE PLAN

INTRODUCTION

A land use plan is an official statement setting forth a municipality's major objectives concerning the desirable physical development of the community. The land use plan for the Town of Troy, as set forth in this report, consists of recommendations regarding the type, amount, and spatial location of the various land uses required to serve the needs of the residents of the Town to the year 2020. The plan is intended to be used as a tool to help guide the physical development of the community into a more efficient and attractive pattern and to promote the public health, safety, and general welfare.

The land use plan for the Town of Troy represents a refinement of the adopted regional land use plan and the Walworth County development plan. The regional and County land use plans, and, as a consequence, the land use plan for the Town of Troy, recognize the effects and importance of the urban land market in shaping land use patterns, but also seek to influence the operation of that market in order to achieve a more healthful, attractive, and efficient settlement pattern. Thus, like the regional and County land use plans, the land use plan for the Town of Troy seeks to accommodate new intensive urban development only in those areas which are not subject to such hazards as flooding; which can be readily served by such essential public services as centralized sanitary sewer service; which lie outside of primary environmental corridors and other environmentally significant lands; and which, to the extent practicable, lie outside of the remaining prime agricultural lands in the Town.

The land use plan should promote the public interest rather than the interests of individuals or special groups within the community. The very nature of the plan contributes to this purpose, for it facilitates consideration of the relationship of any development proposal, whether privately or publicly advanced, to the overall physical development of the entire community.

The land use plan is a long-range plan, providing a means of relating day-to-day development decisions to long-range development needs in order to coordinate development

through time and to ensure that development decisions will be consistent with agreed-upon community development objectives. In the case of the Town of Troy, the land use plan is designed for a planning period extending to the year 2020. In this way, the plan is intended to provide for the future as well as present needs of the Town.

The land use plan, however, should not be considered as setting forth a rigid and unchangeable development pattern to which all development proposals must conform, but rather as a flexible guide to help local officials and other concerned citizens efficiently and effectively review development proposals. As conditions change from those assumed as the basis for the preparation of the plan, the plan should be revised. Accordingly, the plan should be reviewed periodically to determine whether the forecasts and land use development objectives on which the plan is based are still valid, as well as to determine the extent to which the objectives are being realized through plan implementation.

This chapter presents important determinants underlying the Town of Troy plan, including a set of development objectives intended to guide the preparation of the plan; presents a planned urban service area within the Town; and presents forecasts of resident population, household, and employment levels for the Town to the plan design year 2020. This chapter also presents a land use plan for the Town designed to meet the development objectives under the forecast population, household, and employment levels.

PLAN DETERMINANTS

Existing Conditions

Information regarding the natural environment, as well as the built environment, is essential to any sound land use planning effort. An analysis of the natural resource base and existing land uses of the Town of Troy has been provided in Chapters III and IV of this report. The land use plan for the Town of Troy properly takes into account the location of important natural features, such as wetlands, soils, and floodlands, as well as of areas already committed to urban development.

Objectives and Standards

The preparation of the land use plan for the Town of Troy was guided by the Town of Troy Plan Commission. The Plan Commission membership is set forth on the inside front cover of this report.

Land use concerns identified at a series of meetings of the Plan Commission were used to develop a set of land use development objectives for the Town. Such objectives relate to the allocation and distribution of the various land uses and the provision of community facilities and supporting services to meet the needs of the existing and probable future resident population, household, and employment levels in the Town to the plan design year 2020, as well as to protect the natural resource base of the Town and the remaining agricultural lands within the Town.

The land use plan for the Town of Troy is intended to achieve the following objectives:

- To provide a balanced allocation of space to each of the various land uses in order to meet the social, physical, and economic needs of the Town.
- To achieve a harmonious adjustment and logical relationship between existing and new land uses.
- To achieve a spatial distribution of the various land uses which is properly related to the existing and planned transportation, utility, and community facility systems in order to assure the economical provision of public services.
- To provide reasonable access through the appropriate components of the transportation system to community and regional facilities and services; to employment, commercial, industrial, cultural, and governmental centers; and to educational facilities.
- To preserve prime agricultural lands—that is, lands best suited to agricultural use—within the Town and thereby to provide an agricultural reserve for future generations, to protect the agricultural economy of the Town, and to preserve the rural character of its farming areas.
- To preserve the remaining primary environmental corridor lands in the Town and, to the extent practicable, to preserve the remaining secondary environmental corridor lands and isolated natural resource areas in the Town in order to maintain the overall quality of the environment; to provide

opportunities for recreational and educational activities; and to avoid the creation of serious and costly environmental and developmental problems.

- To accommodate new residential development outside of the planned urban area at rural densities—ranging from five to 35 acres per dwelling unit—in areas not identified as prime agricultural lands.

Table 19 presents a set of urban land use standards for the Town of Troy. These standards are intended to support the aforementioned land use development objectives. These standards were adapted from standards developed and used by the Regional Planning Commission in the preparation of the regional and Walworth County land use plans.

Delineated Village of East Troy Sanitary Sewer Service Area

The Town of Troy includes a portion of the planned sanitary sewer service area for the Village of East Troy as that area is identified in SEWRPC Community Assistance Planning Report No. 112 (2nd Edition), *Sanitary Sewer Service Area for the Village of East Troy and Environs, Walworth County, Wisconsin*, June 1993. Lands within the service area delineated in that report may in the future receive sanitary sewer service through extensions of the Village sanitary sewer system.

The land use plan presented in this chapter sets forth recommendations regarding land use development within the Town through the year 2020, including those lands located within the planned sanitary sewer service area for the Village of East Troy.¹ It is recommended that the Town and the Village take a cooperative approach to decision making regarding land use development in the sewer service area in order to achieve both Town and Village development objectives. That effort should be focused on the preparation of a detailed platting layout for the area, providing recommendations for the location and configuration of streets and for attendant land uses.

¹The currently adopted Village of East Troy sanitary sewer service area extends west of Honey Creek along CTH ES. The land use plan for the Town of Troy does not envision the Village of East Troy sewer service area to extend west of Honey Creek. This change should be taken into consideration in the next reevaluation of the Village's sewer service area plan.

Table 19

URBAN LAND USE STANDARDS FOR THE TOWN OF TROY

Land Use Category	Development Standard (gross acres) ^a
Residential	
Suburban-Density (0.2-0.6 housing unit per net residential acre)	183 acres per 100 housing units ^b
Low-Density (0.7-2.2 housing units per net residential acre)	115 acres per 100 housing units ^c
Medium-Density (2.3-6.9 housing units per net residential acre)	44 acres per 100 housing units ^d
Commercial	
Neighborhood Retail and Service Center	5-15 acres for population of 4,000 to 10,000 persons
Public Outdoor Recreation Sites	
State and County Sites	Sites to be provided in accordance with Walworth County park and open space plan
Town Park Site	25 acres

^aGross acreage in each case includes associated street rights-of-way and off-street parking. These standards are based upon existing land use studies of the Southeastern Wisconsin Region and are reasonably responsive to expected future conditions as well as to present conditions.

^bAssumes 1.5-acre residential lots.

^cAssumes 40,000-square-foot residential lots.

^dAssumes 15,000-square-foot residential lots.

Source: SEWRPC.

Future Population, Household, and Employment Levels

The range of resident population levels envisioned for the Town of Troy under the alternative future scenarios prepared by the Regional Planning Commission as part of its regional land use planning program is set forth in Chapter II of this report. Under the alternative scenarios prepared, year 2020 population levels for the Town would range from about 3,010 persons under an intermediate-growth-centralized scenario to about 3,430 persons under a high-growth-decentralized scenario. Current growth trends in the Town indicate that the year 2020 population in the Town would reach a level approximating that envisioned under the intermediate-growth-centralized scenario (see Table 20).

It is anticipated that approximately 400 additional housing units will have to be added to the 1990 stock of 678 housing units in the Town to accommodate the anticipated increases in population and households (see Table 20). These additional housing units can be accommodated on existing vacant lots, on developable lands

within the planned sanitary sewer service area, and, on a limited basis, through new rural residential development.

Under the intermediate-growth-centralized scenario, the employment level in the Town may be expected to rise slightly, by about 40 jobs, from 310 jobs in 1990 to about 350 jobs in 2020. This increase may be expected to be attendant to the expansion of existing commercial and industrial land uses and to some new development within the planned sanitary sewer service area.

PUBLIC INFORMATIONAL MEETING

The recommended land use plan for the Town of Troy was presented in preliminary form at a public informational meeting and open house held at the Town Hall on April 22, 1998. A public hearing on the plan was held at the Town Hall on June 3, 1998.

Based upon comments received at the open house and public hearing and upon the consideration of those

Table 20

POPULATION AND HOUSEHOLDS FOR THE TOWN OF TROY: 1990 AND 2020

Condition	Population	Households
Existing 1990	2,051	678
Planned 2020	3,012	1,060
Change: 1990-2020		
Number	961	382
Percent	46.9	56.3

Source: SEWRPC.

comments by the Town Plan Commission, the following changes to the preliminary plan were made:

- The recommended use of about three acres along Bluff Road was changed from governmental and institutional to low-density residential.
- The recommended use of about 75 acres along Little Prairie Road was changed from agricultural and open land to other agricultural, rural residential, and open land.
- The recommended use of about 12 acres along Pickerel Lake Road was changed from agricultural, rural residential, and open land to primary environmental corridor.
- The recommended use of about one acre along the south shore of Booth Lake was changed from primary environmental corridor to low-density residential.

These changes were incorporated into the recommended land use plan for the Town of Troy. The recommended plan is described in the following sections of this chapter.

RECOMMENDED LAND USE PLAN FOR THE TOWN OF TROY

The recommended land use plan for the Town of Troy is presented graphically on Map 23. Quantitative data relative to the plan are provided in Table 21. The plan was developed to accommodate the envisioned increases in population, household, and employment levels in accordance with the previously identified plan determinants. The land use plan for the Town seeks to encourage new intensive urban development within the identified planned urban service area; it envisions that new resi-

dential development outside of the planned urban service area would occur primarily at rural densities; and it calls for the preservation of the primary environmental corridors and most of the prime agricultural lands remaining within the Town.

Urban Reserve

As noted above, the Town of Troy encompasses lands within the Village of East Troy planned sanitary sewer service area. The Town Plan Commission, recognizing the difficulty in developing a land use plan for areas which may not be under Town control in the future, determined that portions of this area should be identified on the plan as an "urban reserve" area. It is thereby intended that the development of this area would be subject to a cooperative planning effort by the Town and the Village. As set forth in Table 21 and shown on Map 23, this area encompasses approximately 130 acres, or about 1 percent of the total area of the Town. The specific identification of an urban development pattern for the urban reserve area would be dependent upon the envisioned cooperative planning effort. Regardless of what specific types of urban development might be accommodated in this area, the plan recommends that development should occur only with the provision of public sanitary sewer service.

Residential Development

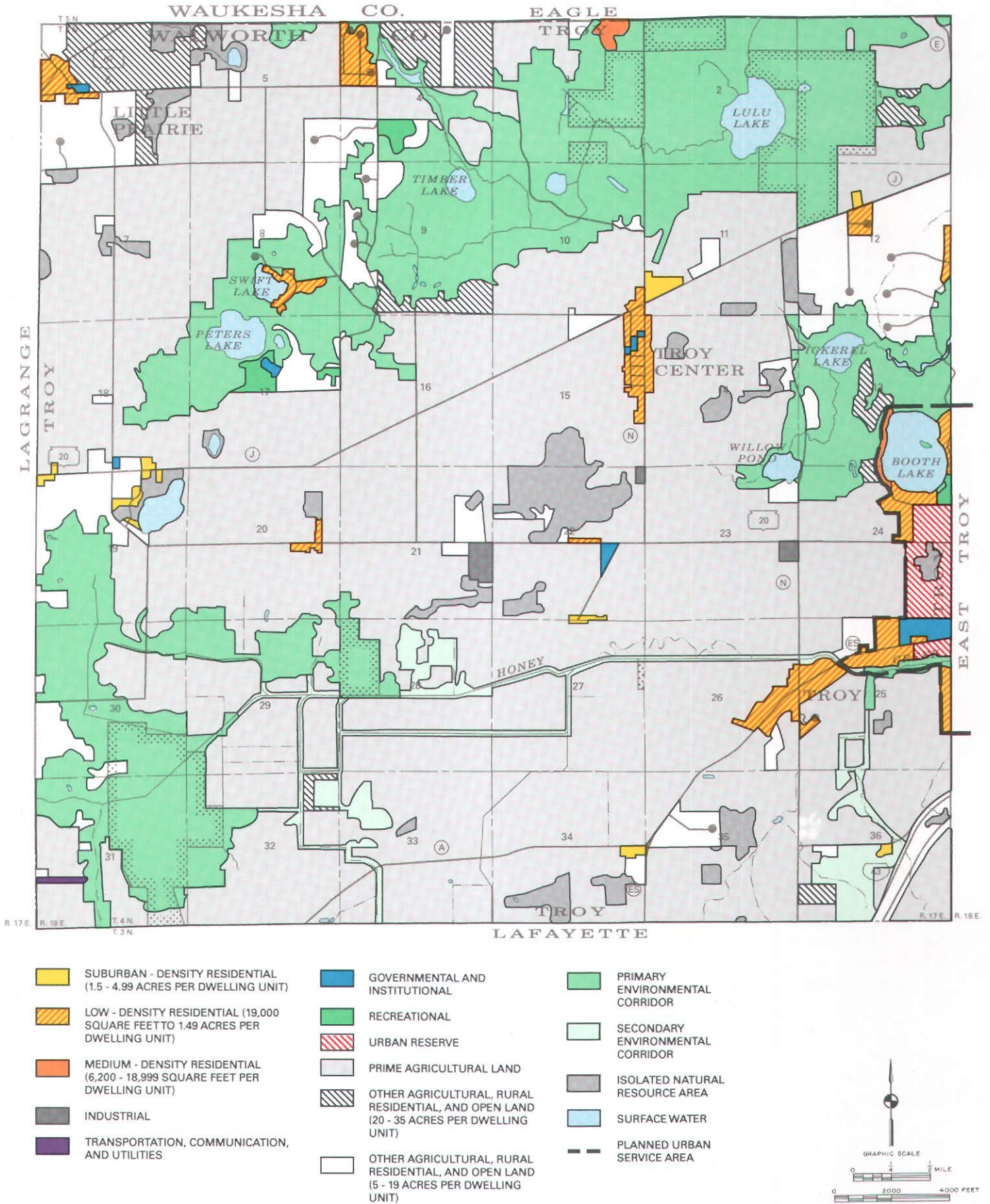
Proper consideration of the land use plan requires an understanding of the residential density concepts involved. For purposes of this planning effort, "urban" residential development was defined as development at gross densities of less than five acres per dwelling unit, while "rural" residential development was defined as development at gross densities of five acres or greater per dwelling unit. Urban residential development was further classified as "suburban-density" development, with lot sizes ranging from 1.5 acres to 4.99 acres per dwelling unit; "low-density" development, with lot sizes ranging from 19,000 square feet to 1.49 acres per dwelling unit; and "medium-density" development, with lot sizes ranging from 6,200 square feet to 18,999 square feet per dwelling unit.²

The land use plan envisions the following with respect to urban residential development within the Town:

²Urban residential development may also include "high-density" development, which envisions 2,400 to 6,199 square feet of lot area per dwelling unit. No high-density residential development exists, or is expected to exist, within the Town of Troy within the design period of this plan.

Map 23

RECOMMENDED LAND USE PLAN FOR THE TOWN OF TROY: 2020



Source: SEWRPC.

Table 21

PLANNED LAND USE IN THE TOWN OF TROY: 2020

Land Use Category ^a	1990		Planned Change 1990-2020		2020	
	Acres	Percent of Total	Acres	Percent	Acres	Percent of Total
Urban						
Residential						
Suburban-Density (1.5-4.99 acres per dwelling unit)	46	0.2	22	47.8	68	0.3
Low-Density (19,000 square feet to 1.49 acres per dwelling unit)	267	1.2	147	55.1	414	1.8
Medium-Density (6,200-18,999 square feet per dwelling unit)	29	0.1	3	10.3	32	0.1
Urban Residential Subtotal	342	1.5	172	50.3	514	2.2
Commercial	18	0.1	--	--	18	0.1
Industrial	37	0.1	2	5.4	39	0.2
Governmental and Institutional	19	0.1	38	200.0	57	0.2
Recreational	68	0.3	--	--	68	0.3
Other Urban	50	0.2	--	--	50	0.2
Urban Reserve	--	--	127	--	127	0.6
Urban Subtotal	534	2.3	339	63.5	873	3.8
Nonurban						
Prime Agricultural Land	13,452	59.2	-426	-3.2	13,026	57.3
Other Agricultural and Open Land (20-35 acres per dwelling unit)	587	2.6	-21	-3.6	566	2.5
Other Agricultural, Rural Residential, and Open Land (5-19 acres per dwelling unit)	1,825	8.0	-123	-6.7	1,702	7.5
Primary Environmental Corridor	5,170	22.7	231	4.5	5,401	23.7
Secondary Environmental Corridor	459	2.0	--	--	459	2.0
Isolated Natural Resource Area	722	3.2	--	--	722	3.2
Nonurban Subtotal	22,215	97.7	-339	-1.5	21,876	96.2
Total	22,749	100.0	--	--	22,749	100.0

^aStreet and parking areas are included in the respective associated land use categories.

Source: SEWRPC.

Additional urban residential land uses would be created through the infilling of existing vacant lots in areas already committed to such use in platted subdivisions, as well as on vacant developable land in areas located within the planned sanitary sewer service area. As set forth in Table 21, urban residential land uses in the Town of Troy encompassed about 340 acres, or 1.5 percent of the Town, in 1990. By the year 2020, urban residential lands within the Town are anticipated to increase by about 170 acres, or about 50 percent, and thus, by the year 2020, would total about 510 acres, or 2.2 percent of the total area of the Town. Additional development of new urban residential land necessary to accommodate the envisioned growth in the Town over the 1990-to-2020 time period

is—consistent with the plan objectives—anticipated to occur within the currently undeveloped lands within the planned sanitary sewer service area. Map 23 and Table 21 also indicate the amount and spatial distribution of urban residential land by residential density category. These residential density categories are intended to reflect the overall density within a given area. In the recommended cooperative planning of the development of lands located within the delineated urban reserve area, a specific residential density category identified could consist of an appropriate mix of housing types and styles, including single-family, two-family, and multi-family structures. That mix should be defined in the recommended platting layout that should be the focus

of the cooperative Town-Village planning effort for the urban reserve area.

Other Urban Development

Under the plan, increases in governmental and institutional land would occur primarily as a result of the proposed development of a new elementary school on a site located along CTH ES, adjacent to the Village of East Troy. Other urban land uses, namely, commercial, industrial, and park and recreational land uses, are generally not recommended to be increased over the plan design period under the land use plan for the Town. The areas envisioned to be in such uses in 2020, as shown on the plan map, represent a continuation of existing conditions in the Town. As alluded to above, such land uses could be accommodated in the urban reserve area if the Town and Village determine that such uses are deemed appropriate to provide an overall benefit to the communities.

Prime Agricultural Land

The land use plan envisions the following with respect to prime agricultural lands within the Town:

1. The existing prime agricultural lands located within the urban reserve area would, as market demand dictates, be converted to urban uses during the planning period in accordance with the detailed platting layout recommended to be made for the area jointly by the Town and Village.
2. The existing prime agricultural lands in the Town outside of the urban reserve area would be preserved in exclusive agricultural use. Only agriculture-related uses would be accommodated in those areas.

The plan seeks to preserve large blocks of productive farmlands within which farming operations can proceed with minimal intrusion from urban land uses. As shown on Map 23, these large blocks of farmland are located throughout the Town. It should be noted that in addition to maintaining agricultural resources for future generations, the preservation of prime agricultural land serves a number of other important public purposes. The preservation of farmlands helps to prevent the creation of scattered, incomplete urban residential neighborhoods which are difficult to provide with basic public services and facilities, and can thus help to control local public expenditures. The preservation of farmland, moreover, would help maintain the natural beauty and cultural heritage of the Town, and avoid the creation of certain serious and costly developmental and environmental

problems that are often attendant to scattered urban development.

As indicated in Table 21, prime agricultural lands in the Town of Troy totaled about 13,450 acres, or about 59 percent of the total area of the Town, in 1990. By the plan design year 2020, prime agricultural lands within the Town are anticipated to decrease by about 430 acres, or by about 3 percent. Thus, by the year 2020, prime agricultural lands would total about 13,020 acres, or about 57 percent of the total area of the Town.

Other Agricultural, Rural Residential, and Open Land

The "other agricultural, rural residential, and open land" category delineated under the plan encompasses agricultural lands which do not meet the definition of prime farmland; areas of rural-estate-density residential development; and other open lands, such as small wetlands and woodlands not included within an environmental corridor or isolated natural resource area.

The land use plan envisions the following with respect to the other agricultural, rural residential, and open lands within the Town:

1. Other agricultural and open lands in the Town within the urban reserve area would, as market demand dictates, be converted to urban uses during the planning period in accordance with the detailed platting layout recommended to be made for the area jointly by the Town and Village.
2. Other agricultural and open lands outside of the urban reserve area are intended to remain in agricultural or open uses, or could be converted to residential development at gross rural densities ranging from five to 35 acres per dwelling unit. Rural residential development can be accommodated in these areas without public sanitary sewer or water supply facilities. The recommended densities increase the likelihood that suitable areas, with good soils and level topography, can be provided on each building site for proper location of private sewage disposal systems, water supply wells, building pads, driveways, and other structures appurtenant to the basic residential use, without destruction or deterioration of the resource base or creation of environmental problems. Rural development should be carefully designed to avoid steep slopes, poorly drained soils, and other physical constraints.

It is important to recognize that rural residential development may occur in the form of individual lots five acres or greater in area or in the form of clustered development. In clustered development, the permitted housing units are concentrated in a portion of the parcel being developed, while the balance is held in open use, maintaining a gross rural density of no more than one dwelling unit for every five acres. The clustered units may be served 1) by individual onsite sewage disposal systems, in which case the individual lots must be large enough to accommodate a soil-absorption field and replacement area—or 2) by a community soil-absorption system located elsewhere on the parcel, in which case the individual lots may be smaller. Similarly, the clustered units may be served by individual onsite wells or by a common well and water supply system, including fire protection facilities.

As indicated in Table 21, other agricultural, rural residential, and open lands in the Town of Troy totaled about 2,410 acres, or about 11 percent of the total area of the Town, in 1990. By the year 2020, these lands within the Town are anticipated to decrease by about 140 acres, or by about 6 percent, and thus, by the year 2020, these lands would total about 2,270 acres, or about 10 percent of the total area of the Town.

Environmentally Significant Areas

Primary Environmental Corridors

As previously noted in this report, primary environmental corridors represent elongated areas in the landscape which contain concentrations of the most important remaining elements of the natural resource base. By definition, these corridors are at least 400 acres in area, at least two miles in length, and at least 200 feet in width. Primary environmental corridors within the Town of Troy are associated with the natural resources located in the southwestern portion of the Town, in the Kettle Moraine area of the Town, and around Booth and Pickerel Lakes. The preservation of these corridors in essentially natural, open uses is critical to the maintenance of the overall quality of the environment of the Town; and, conversely, since these corridors are generally physically unsuited for urban development, such preservation will help prevent the creation of costly developmental problems.

The land use plan envisions the following with respect to primary environmental corridors within the Town:

1. Existing primary environmental corridors would be preserved in essentially natural, open uses. Development within such corridors would be

limited to that needed to accommodate required transportation and utility facilities, compatible outdoor recreational facilities, and, on a limited basis, rural-density residential use.

Residential development at rural-estate densities could be permitted within environmental corridors, provided the development is carefully planned to protect the elements of the resource base found in the corridor. Such development should be carefully designed to avoid steep slopes, poorly drained soils, and other physical constraints. The larger lot sizes will protect the environmental corridor areas because they allow woodlands, wetlands, and wildlife habitats to be preserved and permit wildlife to sustain itself in the areas.

Cluster residential development is an alternative to conventional platting layouts in the environmental corridor areas. Clustering of housing units allows greater flexibility in residential development by allowing reduced lot sizes smaller than those normally required by the underlying zoning district, in order to concentrate the dwellings on a smaller part of the parcel being developed. The smaller area covered by buildings and appurtenances allows more land to be left as open space, protected from future development through dedication, common ownership, or deed restrictions. Open space in the cluster development provides common areas for recreational use by property owners in the development, and limits development on steep slopes, in wooded areas, in drainageways, and in other areas that should not be developed because of physical or environmental constraints.

Advantages of cluster development include preservation of open space, protection and conservation of natural drainageways and other environmentally sensitive areas in the development, reduction in impervious surfaces, and reduction in road and utility installation costs. Clustering of dwellings can also facilitate use of community sewage disposal and water supply systems. Effluent from individual septic tanks can be collected and transported to a community soil-absorption field located in the open area. Common wells and a water supply system constructed to good engineering standards will provide fire protection as well as a potable water supply. Cluster development is described further in the next chapter of this report, which deals with plan implementation.

2. The configuration of primary environmental corridors would, under 2020 plan conditions, be expanded to encompass agricultural lands within current State ownership of the Lulu Lake State Natural Area which lie within a proposed grassland restoration area, as those lands are restored and are allowed to revert, over time, to natural vegetation. It should be noted that the area of corridor lands could increase even further, depending upon the extent of the implementation of the proposed grassland restoration project discussed below in this chapter.

As indicated in Table 21, primary environmental corridor lands in the Town of Troy totaled 5,170 acres, or about 23 percent of the total area of the Town, in 1990. With the additions proposed in the plan, the primary environmental corridor acreage would increase by about 230 acres, or by about 4 percent. Thus, by the year 2020, primary environmental corridor lands within the Town would total about 5,400 acres, or about 24 percent of the total area of the Town.

Secondary Environmental Corridors and Isolated Natural Resource Areas

Secondary environmental corridors also contain a variety of resource elements, often being remnants of primary environmental corridors that have been partially converted to agricultural uses or to intensive urban uses. By definition, secondary environmental corridors are at least 100 acres in area and one mile in length. Secondary environmental corridors within the Town of Troy are generally located along the perennial streams within the Town. Secondary environmental corridor lands encompassed about 460 acres, or about 2 percent of the total area of the Town, in 1990.

Isolated natural resource areas consist of smaller pockets of wetlands, woodlands, or surface water that are isolated from the primary and secondary environmental corridors. By definition, isolated natural resource areas are at least five acres in area. Twenty-seven such areas, encompassing a total of about 720 acres, or about 3 percent of the total area of the Town, were identified in 1990. These areas are located throughout the Town.

The land use plan envisions the following with respect to secondary environmental corridors and isolated natural resource areas within the Town:

1. Secondary environmental corridors should be considered for preservation as the process of urban

and rural development proceeds based upon local needs and concerns. While such corridors may serve as an attractive setting for well-planned urban and rural residential developments, they also can provide cost-effective sites for drainage-ways and stormwater detention basins, and can provide needed open space in developing urban areas.

2. Isolated natural resource areas should be preserved in natural, open uses to the extent practicable.

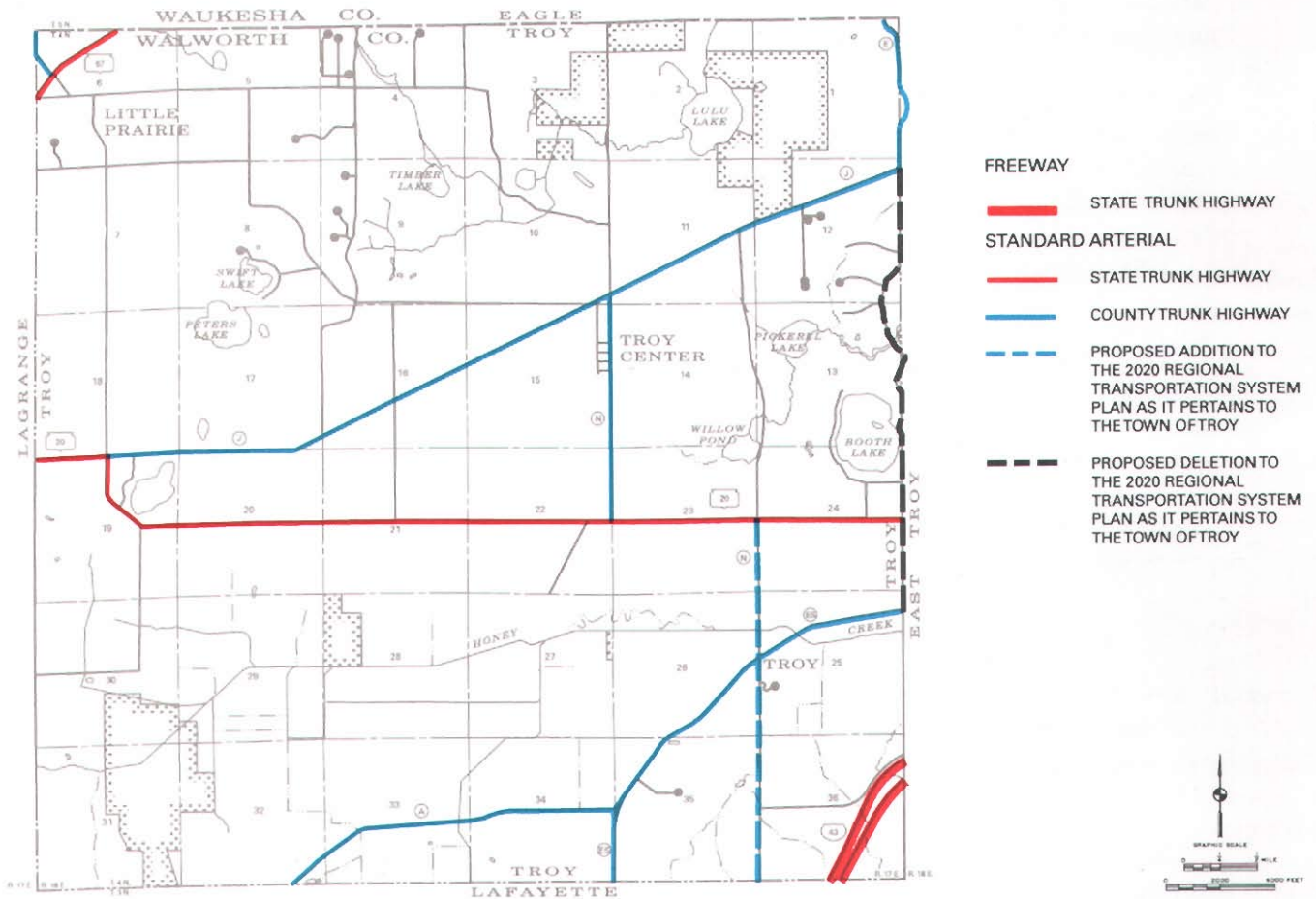
Open Space and Recreation Trails

The land use plan for the Town envisions implementation of the following recommendations included in the regional natural areas plan and County park and open space plan:

1. The regional natural areas plan, as documented in SEWRPC Planning Report No. 42, *A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin*, September 1997, recommends the protection and preservation of such areas within the Town of Troy (see Map 15 in Chapter III of this report, page 35) through appropriate State, County, or private agency ownership. In addition, that plan recommends the reestablishment of natural grassland habitat at three locations in the Southeastern Wisconsin Region. One such area is located in the Town of Troy. This 1,530-acre area is located within and adjacent to the Lulu Lake State Natural Area, and consists largely of land currently in agricultural use. Approximately 265 acres, or 17 percent of the area, are currently owned by either the Wisconsin Department of Natural Resources or The Nature Conservancy. The remaining 1,265 acres, or 83 percent of the area, are currently in private ownership and are proposed to be acquired by the Wisconsin Department of Natural Resources. As this recommendation is refined and implemented, it could result in an enlargement of the primary environmental corridor lands shown on the land use plan.
2. The Walworth County park and open space plan, as documented in SEWRPC Community Assistance Planning Report No. 135, *A Park and Open Space Plan for Walworth County*, February 1991, recommends the development of a Mukwonago River recreational trail in the northern portion of the Town and the development of a recreational trail in the southwestern portion of the Town

Map 24

ARTERIAL STREET AND HIGHWAY SYSTEM FOR THE TOWN OF TROY: 2020



Source: SEWRPC.

connecting the Sugar Creek and Ice Age Trails (see Map 6 in Chapter I of this report, page 9). Within the Town, these envisioned recreational trails would be approximately 5.7 miles and 1.4 miles long, respectively. The County park and open space plan recommends that both of these trails be developed by Walworth County.

RECOMMENDED ARTERIAL STREETS AND HIGHWAYS

The arterial highway network needed to serve the existing and probable future traffic demands in the Town through the year 2020 is shown on Map 24. As shown on this map, the recommended plan represents a modification of the highway system recommendations of the adopted year 2020 regional transportation system plan, as docu-

mented in SEWRPC Planning Report No. 46, *A Regional Transportation System Plan for Southeastern Wisconsin: 2020*, December 1997. Specifically, the modification involves the addition of CTH N from STH 20 to CTH ES and Bowers Road from CTH ES to IH 43 to the planned arterial street and highway system, and the removal of Town Line Road from the planned arterial street and highway system. The Town Plan Commission has requested that these modifications be taken into consideration in the next update of the County jurisdictional highway system plan.

SUMMARY

This chapter has presented a set of recommended land use development objectives for the Town of Troy, together with a recommended land use plan designed to achieve those objectives.

The principal function of this land use plan is to provide information that local officials can use over time in making decisions about growth and development in the Town of Troy. The plan recommends the preservation of existing environmentally sensitive areas and prime agricultural lands. At the same time, the plan provides for growth that is compatible with and reinforces the objectives of the land use plan. The plan takes into consideration the planned sanitary sewer service area associated with the Village of East Troy and recommends that a designated urban reserve area within the sanitary sewer service area be developed in accordance with a detailed platting layout, prepared jointly by the Town and Village.

The land use plan should not be considered as rigid or unchangeable. Such a plan is intended to be used as a guide in the public review of development proposals and a tool to help public officials make decisions concerning such proposals. As conditions change from those used as a basis in preparation of the plan, the plan should be revised. Accordingly, the plan should be reviewed

periodically to determine whether the objectives are still valid and the extent to which those objectives are being realized. The plan, when adopted, however, should represent a commitment by the Town Plan Commission and Town Board to achieve the agreed-upon land use development objectives.

The land use plan is shown graphically on Map 23, while associated tabular data relating to population, households, and land use are shown in Tables 20 and 21.

The recommended land use plan, together with the supporting implementation measures, provides an important means of promoting the orderly development of the Town of Troy, as well as of providing for a safe, healthful, attractive, and efficient environment. Consistent application of the plan will help assure protection of the natural resource base of the Town, including its remaining environmental corridors and prime agricultural lands, while providing for the needs of the existing and probable future resident population of the Town.

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Chapter VII

PLAN IMPLEMENTATION

INTRODUCTION

The recommended land use plan for the Town of Troy is described in Chapter VI of this report. In a practical sense, however, the plan is not complete until the steps to implement that plan are specified. After formal adoption of the land use plan, realization of the plan will require faithful, long-term dedication to the plan's underlying objectives by the Town officials concerned with its implementation. Thus, adoption of the plan is only the beginning of a series of required actions necessary to achieve the objectives expressed in this report. The plan is intended to be used as a guide when making decisions concerning land development in the Town. In addition to its regular use as a reference document, the plan should be reevaluated regularly to ensure that it continues to reflect current conditions properly. It is recommended that such reevaluation take place at 10-year intervals, or more frequently if warranted by changing conditions.

PLAN ADOPTION

An important step in plan implementation is formal adoption of the recommended land use plan by the Town Plan Commission and certification of the adopted plan to the Town Board pursuant to State enabling legislation. Upon such adoption, the recommended plan becomes an official guide for the use of Town officials as decisions are made concerning the development of the Town. While formal adoption of the plan by the Town Board is not legally required, that step is recommended to demonstrate acceptance and support by the governing body.

The Town of Troy Plan Commission adopted the recommended land use plan on June 3, 1998 (see Appendix C), and certified the plan to the Town Board. The Troy Town Board subsequently adopted the plan on July 8, 1998 (see Appendix D).

ZONING

Of all the means currently available to implement land use plans, perhaps the most important is the zoning ordinance. As indicated in Chapter V, land use regulation by zoning in the Town of Troy is under the jurisdiction

of Walworth County through the County zoning ordinance, which contains both general and shoreland-floodplain zoning provisions. The general, or nonshoreland, provisions of the ordinance are jointly administered by Walworth County and the Town. The shoreland provisions are administered solely by the County. Existing zoning district regulations in effect within the Town are summarized in Table 17 in Chapter V of this report (see pages 53 through 55). The current application of those zoning districts is shown on Map 22 in Chapter V of this report (see page 52).

The zoning district regulations established under the Walworth County zoning ordinance are generally well suited for implementation of the land use plan for the Town. In order to implement that land use plan, however, certain changes to the existing zoning district map may be required. It is thus recommended that the Town Plan Commission and Walworth County staff work together to carefully review the existing zoning district map for the Town to determine the map's level of consistency with the objectives of the land use plan. If it is determined that changes to the existing zoning map are warranted to implement the land use plan, then such changes should be made. It is anticipated that virtually all of the zoning map changes which may be required to implement the land use plan would be changes to avoid new residential development in areas proposed under the land use plan for continued agricultural use.

With such modifications to the zoning district map, the Town would be able to maintain existing land uses until such time as specific development proposals are advanced and the responsible Town and County officials determine that the proposals are consistent with the objectives of the land use plan. Over time, lands designated for future urban use under the plan may be rezoned into the appropriate residential, commercial, and other urban districts as development proposals are forwarded, provided essential services and facilities can be made readily available. In addition, areas identified in the plan as other agricultural and rural-density residential lands may be rezoned into the C-2 Upland Resource Conservation district, which allows residential development at a density of no more than one dwelling unit per five acres, as specific development proposals are advanced.

SUBDIVISION PLAT AND CERTIFIED SURVEY MAP REVIEW

Properly applied, land division regulations can be an important means of implementing a land use plan and of coordinating the layout, design, and improvement of private land development proposals within the Town. Land divisions in the Town of Troy are governed by the Walworth County subdivision control ordinance. Under that ordinance, a subdivision is defined as an act of land division which creates five or more parcels or building sites of 15 acres each or less in area; subdivision plats are required for all subdivisions. A minor subdivision is defined as an act of land division resulting in the creation of not more than four parcels or building sites, any one of which is 15 acres or less in area; certified survey maps are required for all minor subdivisions. Towns have approval authority over proposed subdivision plats and over the dedication to the Town of streets or other public areas proposed on certified survey maps.

Following the adoption of the land use plan for the Town, the plan should serve as a basis for the review of all preliminary subdivision plats and certified survey maps in the Town. The review process should ascertain that each proposed land division is properly related to existing and proposed land uses. Land divisions should consider the proper layout of streets, blocks, and lots as well as the topography, soils, and vegetation. The design should achieve internal unity by recognizing that the subdivision is an integral part of the larger community. Importantly, land divisions resulting in an average density of more than one dwelling unit per five acres should not be approved in areas recommended to remain in rural uses.

ADDITIONAL PLANNING AND DESIGN CONSIDERATIONS

Official Mapping

Following adoption of the recommended land use plan, the existing and proposed streets, highways, parks, parkways, and playgrounds shown on the plan should be incorporated into an official map of the Town. Section 62.23(6) of the Wisconsin Statutes provides that a town board acting under village powers may establish an official map. Such a map has all the force of law and is deemed to be final and conclusive with respect to the location and width of both existing and proposed streets, highways, and parkways and the location and extent of existing and proposed parks and playgrounds.

One of the basic purposes of the official map is to prohibit the construction of buildings or structures and associated improvements on land which has been designated for current or future public use. The official map is the only arterial street and highway system plan implementation device that operates on a communitywide basis in advance of land development. As such, it can effectively assure the integrated development of the street and highway system. Unlike subdivision control, which operates on a plat-by-plat basis, the plan, with the official map as one of its implementation instruments, can operate over a wide planning area well in advance of development proposals. The official map is a useful device for achieving public acceptance of long-range plans in that it serves legal notice of the government's intention to all parties concerned well in advance of any actual improvements. It thereby avoids the altogether too common situation of development being undertaken without knowledge or regard for the long-range plan, and thereby does much to avoid local resistance when plan implementation becomes imminent.

Detailed Platting Layout

The Town should consider the preparation of a detailed platting layout for specified lands within the planned sanitary sewer service area in the eastern portion of the Town. These lands are identified as urban reserve under the land use plan. Such a platting layout should be prepared cooperatively with the Village of East Troy and should refine and detail the recommendations of the land use plan for the Town regarding future residential, commercial, and recreational development in the urban reserve area, specifying precise locations for those uses, in order to achieve both Town and Village development objectives. The platting layout should designate the future streets, pedestrian paths and bicycle ways, and the configuration of individual blocks and lots. The platting layout should also precisely identify areas to be protected from urban development for environmental reasons and should indicate areas to be reserved for drainageways and utility easements. The street patterns and park and parkway sites shown on the completed platting layout should be incorporated into the Town of Troy and Village of East Troy official maps.

Rural Cluster Development

Under the land use plan for the Town, those areas which have been designated neither for future urban development nor for preservation as environmental corridors, isolated natural resource areas, prime agricultural land, or other agricultural and open land, are identified as "other agricultural, rural residential, and open land." The plan proposes that these areas, which are shown in white

on the land use plan map, be maintained in rural use. The plan encourages the continuation of agricultural activity in these areas and recommends that development there be limited to rural-density residential use.

Rural-density residential development is defined as residential development at a density of no more than one dwelling unit per five acres of land. While such development may take the form of development using large lots for single-family dwelling units, with each lot being five acres or more in area, the land use plan encourages the use of cluster designs to achieve the recommended rural density.

Clustering involves the grouping of dwellings on a portion of a development tract, preserving the remainder of the parcel in open space. Management options for the open space areas include, among others, preservation of existing natural features, restoration of natural conditions, and continued agricultural use. The open space may be owned by a homeowners' association, the local municipality, a private conservation organization, or the original landowner. Conservation easements and deed restrictions should be used to protect the common open space from future conversion to more intensive uses.¹

Cluster development offers many benefits over conventional development involving the same number of dwelling units. Cluster development can preserve the rural character of the landscape, preserve significant natural features, preserve agricultural land, and achieve better site design. Infrastructure installation costs borne by the developer and public infrastructure maintenance costs may be reduced due to shortened street and utility lengths.

Under the Walworth County zoning ordinance, rural cluster development may be accommodated in the C-2 Upland Resource Conservation district, which provides for "planned residential developments" as a conditional use. The planned-residential-development—conditional-use provisions allow cluster designs which maintain an average density no greater than that permitted in the basic zoning district. Under the planned-residential-development—conditional-use provisions, then, cluster designs which provide for an average, or overall, density

of no more than one dwelling unit per five acres may be accommodated in the C-2 Upland Resource Conservation district.

PURCHASE OR TRANSFER OF DEVELOPMENT RIGHTS

Open space preservation techniques referred to as "purchase of development rights" (PDR) or "transfer of development rights" (TDR) are based upon the premise that development rights are distinct attributes of land ownership which can be sold or otherwise transferred, similar to other rights associated with land, such as mineral rights or air rights. No widespread agreement exists regarding the nature or extent of development rights that may be inherent in fee simple ownership of land. There is general agreement that landowners have the right to use their land within the limits set by public regulations. Such regulations must be defensible from a constitutional law standpoint, leaving landowners a reasonable use of their land so as not to constitute a public taking of the land without payment of just compensation.

Some individuals maintain that since zoning ordinances and other land use regulations may legally be, and indeed historically have been, amended to become more restrictive, there are no development rights inherent in land ownership, the owner being entitled only to a continuation of the existing use. Others argue that where zoning and other public land use controls have been in place for a long period of time, a right to develop in accordance with such long-standing zoning regulations becomes effectively attached to the land and that removal of such development rights—rights which are commonly taken for granted by landowners—through "downzoning" would constitute a taking. While the latter position is frequently taken in a political context—as many local elected officials believe that such a position is fair and equitable—the Wisconsin Supreme Court has taken the position that a landowner has no vested right in zoning until proper development and/or building permit applications have been filed.

Ideally, land should be placed in zoning districts which allow urban development only where it is recommended in locally adopted land use plans and only at such time(s) as the area(s) concerned can be readily provided with basic urban facilities and services and a market demand for the proposed development is evident. Unfortunately, decades ago, many then-rural areas

¹See *SEWRPC Planning Guide No. 7, Rural Cluster Development Guide, December 1996, for additional information regarding the rural cluster development concept and the manner in which it may be applied as a planning and zoning technique.*

of the Southeastern Wisconsin Region, including Walworth County and the Town of Troy, were placed in residential zoning districts, even though such "pre-zoning" constituted poor planning and zoning practice at that time. Some argue that the use of PDR or TDR techniques represents an inappropriate response to such poor planning and zoning practice of the past and that, with respect to the purchase of development rights, government should not "buy back" rights to develop lands which were inappropriately held out under local zoning. Others view PDR and TDR as potential tools for dealing with expectations created by past zoning practice, particularly within areas that are experiencing significant market demand for development.

It should be noted that PDR programs may, but need not, involve government funding; they may be privately financed by land trusts or other private organizations having an interest in preserving agricultural and other open space lands. Arguments against government-funded PDR programs should not undermine privately financed programs. A description of these techniques is presented below, recognizing that ultimately their application, if permitted and encouraged by public actions, will be determined largely by the operation of the urban land market.

Purchase of Development Rights

Purchase-of-development-rights programs, or PDR programs, are intended to ensure the long-term preservation of agricultural lands. Under a PDR program, the owner of farmland receives a payment for relinquishing rights to development. Deed restrictions are used to ensure that the lands concerned remain in agricultural or other open use. Such restrictions are attached to the land and remain in effect regardless of future sale or other transfer of the land.

PDR programs may be administered and funded by state, county, or local units of government, land trusts and other private organizations, or combinations thereof. The amounts paid to farmland owners under PDR programs may be calculated on the basis of the number of dwelling units permitted under existing zoning, on the basis of the difference between the market value of the land and its value solely for agricultural purposes, or on some other basis. The primary drawback of PDR programs is the potentially high cost entailed.

PDR programs can provide assurance that farmland will be permanently retained in open use. Landowners receive a potentially substantial cash payment while

retaining all other rights to the land, including the right to continue farming. The money paid to the landowner may be used for any purpose, such as debt reduction, capital improvement to the farm, or retirement income. Lands included in a PDR program remain on the tax roll and continue to generate property taxes. Since the land remains in private ownership, the public sector does not incur any land management responsibilities.

Transfer of Development Rights

Under transfer-of-development-rights programs, or TDR programs, the right to develop a specified number of dwelling units under existing zoning may be transferred from one parcel, which would be maintained in open space use, to a different parcel, where the number of dwelling units permitted would be correspondingly increased. When the parcels are held by the same owner, the development rights are, in effect, simply transferred from one parcel to the other by the owner; when the parcels are held by different landowners, the transfer of development rights involves a sale of rights from one owner to another, at fair market value. In any event, the result is a shift in density away from areas proposed to be maintained in farming or other open use toward areas recommended for development.

The transfer of development rights may be implemented only if authorized under county or local zoning. To enable the transfer of development rights, the zoning ordinance must establish procedures by which the TDR technique will be administered, including the formula for calculating the number of residential dwelling units which may be transferred from the "sending" area to the "receiving" area. The zoning district map must identify the sending and receiving areas, or at least identify the districts within which development rights can be transferred from one parcel to another.

While the creation and administration of a TDR program is somewhat complicated, the technique remains a potentially effective means for preserving open space and maintaining rural densities, while directing development to areas where it may best be accommodated.

INTERGOVERNMENTAL COOPERATION

The land use plan presented in this report includes land use recommendations for the entire Town of Troy. The Town abuts a portion of the Village of East Troy. Under Wisconsin law, cities and villages have been granted a considerable measure of influence over development

in adjacent town areas. Incorporated communities have extraterritorial subdivision plat approval authority; they may include adjacent unincorporated areas in their local master plans; they may administer extraterritorial zoning jointly with the adjacent town, where the incorporated community and adjacent town agree to such an arrangement; and ultimately, they may annex unincorporated areas.

It is recommended that the Town of Troy and the Village of East Troy take a cooperative approach to planning and decision making regarding future land use in areas of mutual concern. Activities in this respect could range from the cooperative preparation of a detailed platting layout for the urban reserve area noted previously in this chapter; to periodic meetings of Town and Village officials for the purpose of discussing land use matters; and to preparing and executing formal agreements regarding future boundaries and arrangements for the provision of public services, as provided for under Sections 66.023 and 66.30 of the Wisconsin Statutes. Such cooperative efforts increase the likelihood of coor-

ordinated development along the boundary areas, achieving, insofar as practicable, both Town and Village land use objectives.

SUMMARY

This chapter has indicated the major steps to be taken in order to implement the land use plan for the Town of Troy. Following formal adoption by the Town Plan Commission and, desirably, by the Town Board, important plan implementation measures include preparation of a detailed platting layout plan for the designated urban reserve area within the Town; subdivision plat review under the existing Walworth County subdivision control ordinance; and careful review of the zoning district map for the Town to determine if changes to that map are warranted to be consistent with, and to implement, the land use plan. It is anticipated that virtually all of the changes to the zoning district map which may be required to implement the land use plan would be changes to avoid new residential development in areas proposed for continued agricultural use.

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Chapter VIII

SUMMARY

INTRODUCTION

In 1996, the Town of Troy requested that the Southeastern Wisconsin Regional Planning Commission assist the Town Plan Commission in the preparation of a land use plan. The plan was requested to provide Town of Troy officials with a tool to help better guide and shape land use development in the Town. This report sets forth the findings and recommendations of the planning effort undertaken in response to that request.

The planning effort involved extensive inventories and analyses of the factors and conditions affecting the Town's land use development, including its population, economic base, natural resource base, land use, and land use regulations. The planning effort further involved the preparation of forecasts of future population, household, and employment levels; the formulation of land use development objectives and standards; and the design of a plan that may be expected to accommodate probable future population, household, and employment levels in a manner consistent with the Town's development objectives. The land use plan for the Town was prepared within the framework of the design year 2020 regional land use plan and the Walworth County development plan. The land use plan for the Town represents a refinement and detailing of the regional and County plans, and thus reflects regional, County, and Town development objectives.

PLANNING AREA

The planning area consists of the Town of Troy, which includes all of U. S. Public Land Survey Township 4 North, Range 17 East. The Town encompasses an area of about 35.5 square miles. The Town boundaries may be subject to change in the future as a result of annexations by abutting municipalities, specifically the Village of East Troy.

EXISTING CONDITIONS

A description of the population and employment levels, natural resources, land use, and land use regulations within the Town is presented in Chapters II through V

of this report. A summary of existing conditions in the Town follows.

Population and Employment Levels

The population of the Town in 1990, the year of the most recent U. S. Census, was 2,051. The population level increased by 134 persons, to a level of 2,185 persons, by 1995, about 7 percent greater than the 1990 level, according to State population estimates.

In 1990, there were about 680 households in the Town of Troy, representing an increase of 300, or 79 percent, from the 1970 level. The increase in the number of households has been accompanied by a decrease in the average household size in the Town, from about 3.3 persons per household in 1970 to about 3.0 persons per household in 1990.

There were about 310 employment opportunities, or jobs, in the Town in 1990. The Town did not experience a significant increase in employment over the 1970-to-1990 time period, with the number of jobs increasing by only 60, or 24 percent, during that time period.

Natural Resource Base

The location and extent of various elements of the natural resource base, including wetlands, woodlands, and surface-water resources and associated shorelands and floodplains, were inventoried and mapped under the planning program. The most significant of these features lie within areas referred to as environmental corridors and isolated natural resource areas.

Primary environmental corridors include a wide variety of important natural resource and resource-related elements and are, by definition, at least 400 acres in area, two miles in length, and 200 feet in width. Most of the primary environmental corridors within the Town are associated with natural resources in the southwestern portion of the Town, in the Kettle Moraine area of the Town, and around Booth and Pickerel Lakes. Such corridors in 1990 encompassed about 8.1 square miles, or about 23 percent of the total area of the Town. The preservation of these corridors in essentially natural, open use is important to the overall quality of the environment and natural beauty of the Town. Since these corridors

are generally poorly suited for urban development, their preservation also helps avoid the creation of new environmental and developmental problems.

Secondary environmental corridors, often remnants of primary environmental corridors which have been partially converted to agricultural or intensive urban uses, also contain a variety of resource elements. By definition, secondary environmental corridors are at least 100 acres in area and one mile in length. Secondary environmental corridors in the Town are generally located along Honey Creek and its tributaries. In 1990, these corridors encompassed about 0.7 square mile, or about 2 percent of the Town. Maintenance of these corridors in open uses can facilitate natural surface-water drainage and provide corridors for the movement of wildlife.

Isolated natural resource areas represent smaller concentrations of natural resource features that generally have been separated from the environmental corridors. Such areas, which are by definition at least five acres in area, in combination encompassed 1.1 square miles, or 3 percent of the Town, in 1990. These areas sometimes serve as the only available wildlife habitat in an area and provide surface-water drainage areas.

Land Use

In 1990, lands in urban uses—consisting of lands in residential, commercial, industrial, transportation, communication, and utility, governmental and institutional, and recreational uses—encompassed about 1,360 acres, or about 6 percent of the total area of the Town. Residential lands comprised the largest share of the Town's urban land area. Residential lands, excluding associated streets, encompassed about 680 acres, representing about 50 percent of all urban land in the Town and about 3 percent of the total area of the Town, in 1990.

In 1990, lands in nonurban uses—including agricultural lands, woodlands, wetlands, other open lands, and surface water—encompassed about 21,400 acres, or about 94 percent of the total area of the Town. Agricultural lands comprised the largest share of the nonurban land area. Agricultural lands, excluding associated streets, encompassed about 15,100 acres, accounting for about 71 percent of all nonurban land in the Town and about 66 percent of the total area of the Town, in 1990.

Land Use Regulations

The Town of Troy is under the jurisdiction of the Walworth County zoning ordinance, which includes both general and shoreland-floodplain zoning provisions. The general, or nonshoreland, provisions of the ordi-

nance are jointly administered by Walworth County and the Town. The shoreland provisions are administered solely by the County. Existing (1996) zoning district regulations in effect within the Town are summarized in Table 17 in Chapter V of this report (see pages 53 through 55). The current (1996) application of those districts is shown on Map 22 in Chapter V of this report (see page 52).

Land divisions in the Town of Troy are governed by the Walworth County subdivision control ordinance. Under that ordinance, the Town of Troy has approval authority over proposed subdivision plats and over the dedication to the Town of streets or other public areas proposed on certified survey maps.

A number of County, State, and Federal ordinances, regulations, and laws govern the use of waters and wetlands in the Town. These include the Walworth County construction site erosion control ordinance; Chapters NR 103, NR 110, and Comm 82 of the Wisconsin Administrative Code; and Sections 401 and 404 of the Federal Clean Water Act.

OBJECTIVES AND STANDARDS

The planning process included the formulation of a set of land use objectives and standards for the Town, as documented in Chapter VI of this report. Seven land use objectives were adopted by the Town Plan Commission to guide the preparation of the land use plan. The objectives relate to a balanced allocation of space to each of the needed land uses; the proper relationship among the various land uses; the proper location of development in relation to community and regional facilities and services; reasonable access to community and regional facilities and services through the transportation system; the preservation of prime farmland; the preservation and protection of the natural environment; and the maintenance of rural character outside the planned urban service area.

ANTICIPATED GROWTH AND CHANGE

The population, household, and employment forecasts used in preparing the land use plan for the Town are presented in Chapter II of this report. The forecasts were selected from a range of population, household, and employment projections reflecting alternative future growth scenarios for the Southeastern Wisconsin Region to the year 2020. Two alternative future scenarios—an intermediate-growth scenario and a high-

growth scenario—were considered. The population, household, and employment projections pertain to the area of the Town based upon 1996 civil boundaries.

Under the intermediate-growth scenario, the Town population would increase from about 2,050 in 1990 to about 3,010 in 2020; the number of households would increase from about 680 in 1990 to about 1,060 in 2020; and the number of jobs would increase from about 310 in 1990 to about 350 in 2020. Under the high-growth scenario, the Town population would increase to about 3,430 in 2020, the number of households would increase to about 1,190 in 2020, and the number of jobs would increase to about 360 in 2020. After careful review of the range of possible future conditions, the Town Plan Commission recommended that the land use plan be designed to accommodate population, household, and employment levels envisioned under the intermediate-growth scenario.

THE RECOMMENDED PLAN

The recommended land use plan for the Town of Troy represents a refinement and detailing of the regional land use plan and the Walworth County development plan, in accordance with the Town land use objectives and standards. The land use plan for the Town is presented graphically on Map 23 in Chapter VI of this report (see page 65), while associated data pertaining to planned population and household levels and to planned land use are presented, respectively, in Tables 20 and 21 in Chapter VI of this report (see pages 64 and 66, respectively). All plan data pertain to the area of the Town based upon 1996 civil boundaries.

The most important recommendations of the plan include the following: 1) that new urban development be encouraged to occur within the planned sanitary sewer service area within the Town, which includes a designated urban reserve area and is located in the east central part of the Town, adjacent to the Village of East Troy; 2) that primary environmental corridor lands generally be preserved in essentially natural, open use; 3) that prime agricultural land outside of the urban reserve area be preserved in exclusive agricultural use; and 4) that other agricultural, rural residential, and open land in the Town be maintained in rural use, with development limited to rural residential development, at gross densities ranging from five acres to 35 acres per dwelling unit.

Urban Residential Land Use

For purposes of the plan, “urban” residential development is defined as residential development at a density greater

than one dwelling unit per five acres. Under the plan, the area within the Town devoted to urban residential use, including associated streets, would increase by about 170 acres, or about 50 percent, from about 340 acres in 1990 to about 510 acres in the year 2020. Urban residential development would involve the infilling of existing vacant lots in areas already committed to such use in platted subdivisions, as well as on vacant developable land in areas located within the planned sanitary sewer service area. Additional increases in urban residential development necessary to accommodate the envisioned growth in the Town over the 1990-to-2020 time period are anticipated to occur within the currently undeveloped lands within the planned sanitary sewer service area.

Other Urban Land Uses

The land use plan recognizes the proposed development of a new elementary school on a site located along CTH ES, adjacent to the Village of East Troy. Other urban land uses, namely commercial, industrial, and park and recreational land uses, are, under the plan, generally not recommended to be increased over the plan design period.

Prime Agricultural Land

The plan recommends the preservation of most of the remaining prime agricultural lands in the Town. Conversion of prime agricultural land to urban use would be limited to land located within the urban reserve area. Prime agricultural lands encompassed about 13,450 acres, or about 59 percent of the total area of the Town, in 1990. The plan envisions that the prime agricultural acreage would be reduced by about 430 acres, or by about 3 percent, to 13,020 acres, by the year 2020.

Prime agricultural lands recommended for preservation are found throughout the Town. The preservation of the existing large blocks of farmland in the Town would ensure that farming operations can continue with minimal disturbance from urban land uses. Importantly, such preservation would help prevent the creation of scattered urban residential enclaves, which are difficult to provide with basic public services and facilities. Such preservation would thus help control local public expenditures. Such preservation would also serve to maintain the natural beauty and cultural heritage of the Town.

Environmental Corridors and Isolated Natural Resource Areas

The land use plan for the Town recommends the preservation of existing primary environmental corridors within the Town in essentially natural, open uses. Development within such corridors should be limited to necessary transportation and utility facilities, compatible

outdoor recreational facilities, and, on a limited basis, carefully sited residential development, at a density of no more than one dwelling unit per five acres.

Under the plan, secondary environmental corridors and isolated natural resource areas within the Town would be preserved in natural, open uses to the extent practicable, or possibly incorporated as drainageways or storm-water detention basins in developing areas.

Other Agricultural, Rural Residential, and Open Land

The balance of the Town—consisting of areas which have been designated neither for future urban use nor for preservation as environmental corridors, isolated natural resource areas, or prime agricultural lands—is identified as “other agricultural, rural residential, and open land.” The plan generally proposes that these areas be maintained in agricultural and open uses or could be converted to residential development limited to gross densities ranging from five acres to 35 acres per dwelling unit. The plan recommends the use of residential cluster designs to achieve the recommended rural density. Such designs involve the grouping of dwellings on a portion of a parcel, preserving the remainder of the parcel in open space. Cluster development can preserve the rural character of the landscape, preserve significant environmental features, preserve agricultural land, achieve better site design, and reduce street and other infrastructure installation and maintenance costs.

PLAN IMPLEMENTATION

Realization of the land use plan will require faithful, long-term dedication to its underlying objectives by the Town officials concerned with its implementation. Thus, the adoption of the plan is only the beginning of a series of actions necessary to achieve the plan objectives.

Chapter VII of this report indicates the major steps to be taken in order to implement the land use plan for the Town of Troy. Following formal adoption by the Town Plan Commission and by the Town Board, important plan implementation measures include preparation of a detailed platting layout for the lands within the urban reserve area of the Town; subdivision plat review under the existing Walworth County subdivision control ordinance; and careful review of the zoning district map for the Town to determine if changes to that map are warranted to render it consistent with, and to implement, the land use plan. It is anticipated that virtually all of the changes to the zoning district map which may be required to implement the land use plan would be changes to avoid new residential development in areas proposed for continued agricultural use.

CONCLUDING REMARKS

The principal function of the land use plan for the Town of Troy is to provide information that the responsible public officials can use and recommendations that such officials can consider over time in making decisions about growth and development in the Town. The plan also provides land developers and other private interests with a clear indication of Town land use objectives, enabling them to take those objectives into account in formulating development proposals.

The recommended land use plan, together with the supporting implementation measures, provides an important means of promoting the orderly development of the Town of Troy in the public interest. To the degree that the plan is implemented over time, a safer, more healthful and attractive, and more efficient environment for life will be created within the Town.

APPENDICES

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Appendix A

WALWORTH COUNTY PARK AND PLANNING COMMISSION
GUIDELINES FOR TOWN LAND USE PLANS



WALWORTH COUNTY
WISCONSIN

Department of Planning, Zoning and Sanitation

Lakeland Complex
Courthouse Annex
W3929 County NN
Elkhorn, WI 53121-4362
Telephone (414) 741-3394
FAX (414) 741-3266
Frank Dobbs - Director

TO: TOWN BOARDS AND TOWN PLANNING COMMISSIONS
FROM: WALWORTH COUNTY PARK AND PLANNING COMMISSION
SUBJECT: RECOMMENDED GUIDELINES FOR TOWNS PREPARING TOWN LAND
USE PLANS
DATE: MAY 23, 1995

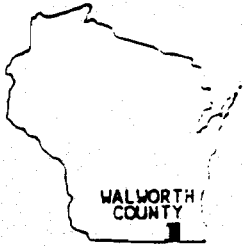
Please find enclosed a copy of Recommended Guidelines for Towns Preparing Town Land Use Plans. The Commission wishes to emphasize that these are guidelines, not mandates, for those towns who have chosen to do town land use plans.

Whether your town has a town plan or not, land use decisions made by the County Park and Planning Commission will still be strongly influenced by the adopted County Development Plan.

The Commission wishes that towns review and recommend changes to the County Development Plan when it comes up for renewal every five years. The next County Plan update will occur in 1998.

Enc.

NAF:mlh



WALWORTH COUNTY WISCONSIN

Department of Planning, Zoning and Sanitation

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Frank Dobbs - Director

Recommended Guidelines For Towns Preparing Town Land Use Plans

The Walworth County Park and Planning Commission recognizes that individual towns may wish to prepare and adopt town land use plans. In order for such plans to be useful and to serve as a basis for decision making relative to zoning and land use development the commission recommends that the town plans be prepared within the framework of the County Development Plan. The town plans should seek to refine and detail the County Development Plan, thereby supporting that plan and giving it greater meaning among town officials and residents.

The Walworth County Park and Planning Commission recommends that the following criteria be used during the preparation of a town land use plan.

1. Consistent with the Objectives of the Walworth County Development Plan, Agricultural Preservation Plan, Regional Land Use Plan, and all Walworth County Land Use Ordinances
A town land use plan should seek to preserve prime agricultural lands, preserve environmentally sensitive lands, and concentrate new urban development around existing urban centers and within urban service areas where applicable, and on land suitable for such development. See Appendix A.
2. Based upon Analysis of Relevant Data and Reasonable Forecasts
A town land use plan should be based upon analysis of land use patterns and trends and relevant demographic and economic information and forecasts. There must be a clear and reasonable relationship between the amount of land identified for future urban land use activities and forecast levels of population, households, and employment.
3. Spatial Allocation of Land Uses
The plan should propose a spatial allocation of the various land uses and include a representation of such allocation on a plan map. The plan should use the same categories as the Walworth County Development Plan. However the commission recognizes that towns may want to detail the broad "planned urban service area" category by specifying types of urban uses, e.g., residential, commercial, or industrial.
4. Documentation
The land use plan should be documented in a report containing sufficient

information to demonstrate that consideration in the preparation of the plan was given to the various factors that may be expected to influence development and redevelopment in the Town. The steps necessary to implement the plan should be specified.

5. Public Involvement

A town planning effort should encourage the involvement of town residents in the preparation of a land use plan. A town should hold at least one public meeting for the purpose of providing an opportunity for public review and comment on the findings and recommendations of the town planning process prior to the adoption of that plan by the Town Planning Commission.

6. Adoption of Plan by Town Planning Commission

It is recommended that before preparing a land use plan, a town adopt village powers and form a plan commission as required by state law. State law also requires that the plan commission adopt the town land use plan. Although town board adoption is not required by state law it is recommended that the town board also adopt the plan after town plan commission adoption.

7. Implementation Through Zoning

The Walworth County Zoning Ordinance is a key mechanism by which plans are implemented. Therefore, town plans should not create plan map categories that are not represented in the Walworth County Zoning Ordinance. Towns and individuals may submit petitions to amend the Walworth County Zoning Ordinance.

COUNTY PLAN ADOPTION AND ZONING CONSIDERATIONS

The Walworth County Park and Planning Commission will welcome input from the towns when the county updates the county development plans. This is the appropriate time for towns to recommend changes to the county land use plans. The county plan will be updated approximately every five years and in conjunction with the 10 year updates of the regional land use plan. The county plan may also need to be amended when required by changes in state administrative rules or state statutes. The county will continue to strive for consistent implementation of the adopted county development plan.

Proposed map amendments to the county zoning ordinance that result from town land use plan recommendations will require payment of the standard Walworth County rezoning fee, which fee will be applied for on an individual basis. The process to be followed when an amendment to the county zoning ordinance is sought is set forth in Wisconsin Statutes Section 59.97.

APPENDIX A

Objectives of the Walworth County Development Plan

On October 19, 1993, the Walworth County Board of Supervisors, upon recommendation of the County Park and Planning Commission, formally adopted the regional land use plan for Southeastern Wisconsin for the design year 2010. The regional plan was adopted as a county development plan and is graphically reflected on a map entitled, "Year 2010 Regional Land Use Plan and Walworth County Development Plan," on file in the offices of the County Park and Planning Commission. A detailed description of the plan is set forth in SEWRPC Planning Report No. 40, A Regional Land Use Plan for Southeastern Wisconsin: 2010. The plan will be referred to hereinafter as the Walworth County Development Plan. The plan serves as the basic expression of public policy intended to guide urban and rural development within Walworth County; and, in particular, in the unincorporated non-shoreland territory of Walworth County where the county and the 16 civil towns within the county share zoning jurisdiction.

Underlying the Walworth County Development Plan are the following major land use development objectives:

1. Preservation of Prime Agricultural Lands

The Walworth County Development Plan identifies prime agricultural lands. Such lands consist of the most productive agricultural lands remaining in Walworth County. As a matter of policy, the Walworth County Park and Planning Commission believes that preserving such prime agricultural lands is important for a number of reasons, among them: 1) to ensure that productive farmland remains available for future generations; 2) to protect and enhance the agricultural sector of the County economy; 3) to help maintain the rural lifestyle evident throughout much of Walworth County; 4) to protect the scenic beauty and heritage of the landscape of the county; and 5) to avoid the creation of costly developmental and environmental problems attendant to the intrusion of urban uses into prime agricultural areas. The County Development Plan and the County Agricultural Preservation Plan recommend that prime agricultural land be maintained in agricultural use. For an individual farm to be included in an area identified as prime agricultural land, the individual farm must be at least 35 acres in size, must occur in relatively homogenous concentrations of similar farms in an area at least 100 acres in size, and must be covered by soils meeting U.S. Soil Conservation Service criteria for national prime farmland or farmland of statewide importance. Existing substandard size parcels can also be included in the A-1 District if they are in a predominantly

agricultural area. The primary regulatory mechanism for ensuring such maintenance is a 35-acre farm size minimum in the A-1 Prime Agricultural Zoning District. Through such planning and zoning, owners of the prime agricultural lands have the opportunity to participate in the Farmland Preservation Program and take maximum advantage of available state income tax credits.

2. Protection and Preservation of Environmentally Sensitive Lands

The Walworth County Development Plan identifies lands and adjacent surface waters which contain significant concentrations of environmentally important natural resources, including lakes, rivers, streams, and associated floodlands and shorelands; wetlands; woodlands; wildlife habitat; and areas of steep slope and rough topography. As a matter of policy, the Walworth County Park and Planning Commission believes that preserving these corridors is essential to maintaining and enhancing the environmental quality of Walworth County, while protecting its natural beauty and providing for scientific, educational, and recreational opportunities. Moreover, by excluding such areas from urban development, developmental problems such as wet and flooded basements; failing building and pavement foundations; and excessive infiltration and inflow of clear water into sanitary sewer systems can be avoided. Finally, by preservation of such areas costly environmental problems such as soil erosion, stream siltation, increased stormwater runoff and flooding, loss of wildlife habitat, loss of scenic beauty and ground water contamination can be avoided. Through the planning process, environmentally sensitive lands have been mapped and classified according to the minimum area, width, and length criteria set forth below:

a. Primary Environmental Corridors

Primary environmental corridors contain significant natural resources encompassing an area at least 400 acres in size, at least two miles in length, and at least 200 feet in width. The county plan recommends that such corridors be protected and preserved in essentially natural, open uses to the greatest extent possible, permitting on the upland portions of such corridors rural residential uses at a maximum density of one residential unit per five acres of upland corridor.

b. Secondary Environmental Corridors

Secondary environmental corridors contain significant natural resources encompassing an area at least 100 acres in size and at least one mile in length. The plan recommends that such

corridors also be protected and preserved to the greatest extent possible in essentially natural, open uses, including rural residential use at a maximum density of one residential unit per five acres of upland resources.

c. Isolated Natural Resource Areas

Isolated natural resource areas contain significant natural resources encompassing an area at least five acres in size and at least 200 feet in width. Typically, such areas consist of woodlands and wetlands separated by farmland or urban development from primary and secondary environmental corridors. The plan recommends that such isolated natural resource areas also be protected and preserved to the maximum extent possible in essentially natural, open uses, including rural residential use at a maximum density of one residential unit per five acres of upland resources.

3. Planned Urban Service Areas

The Walworth County Development Plan seeks to promote urban development only in those areas covered by soils suitable for such development and which are not subject to special hazards, such as flooding and shoreline erosion. The planned urban service areas identified in the plan are intended to encompass a full range of urban land uses, including urban residential, commercial, industrial, institutional, and recreational land uses. The plan envisions that such areas ultimately would be provided with a wide range of urban services, including public sanitary sewer and water supply systems. The planned urban service areas are intended by policy to be fully consistent with the planned sanitary sewer service areas identified in the regional water quality management plan, as that plan is amended from time to time.

4. Other Urban Lands

The County Development Plan recognizes existing concentrations of urban type land use development located outside of the planned urban service areas. Such lands are generally served by private onsite sewage disposal systems and individual wells. The plan recognizes the need to accommodate infill type development within such areas. It is not intended in the plan, however, that such areas be substantially expanded, nor that new such areas be created.

5. Other Agricultural, Rural Residential, and Open Lands

The County Development Plan recognizes the existence of agricultural lands that are not prime in nature, as well as lands that are truly rural residential in nature, or which are simply in open space use. By definition, the plan accommodates within such areas all types of agricultural land uses, as well as rural residential development. Such development would have a maximum overall density of one residential unit per five acres of land.

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Appendix B

COUNTY-TOWN LAND USE ZONING RELATIONSHIPS IN WALWORTH COUNTY

GENERAL ZONING

There is a single general zoning ordinance in effect in the nonshoreland portions of the towns in Walworth County: the Walworth County zoning ordinance. The Walworth County zoning ordinance was adopted by the Walworth County Board in 1974 and subsequently ratified by each town in the County, as authorized by Section 59.97 of the Wisconsin Statutes. Consequently, town zoning operations are carried out under an intricate county-town zoning framework specified in that section.

Under this zoning framework, the Walworth County zoning ordinance remains in effect indefinitely. No town may adopt its own zoning ordinance unless the framework is changed. This zoning framework may be changed in only one of two ways. First, the County may decide to rescind its zoning ordinance, in which case a town may adopt a zoning ordinance under Section 60.61 of the Wisconsin Statutes, provided the County fails to adopt another County ordinance at the petition of a town. Second, the County may propose a substantial rewriting of its zoning ordinance, known as a comprehensive revision. Should this situation occur, a town must decide within one year whether to approve the revision or, by not approving it, withdraw from County zoning. After withdrawing from the County zoning ordinance, should a town wish to adopt its own zoning ordinance, it may adopt village powers and adopt a zoning ordinance under Section 61.35 of the Wisconsin Statutes. The enactment of this ordinance and any subsequent amendment, however, would be subject to the approval of the County Board.

Section 59.97 of the Wisconsin Statutes establishes the process that is followed when a map amendment to a county zoning ordinance, or a “rezoning,” is sought. The statutes indicate that a town has no power to bring about a zoning map change that the County does not favor and the County has no power to bring about a zoning map change that a town does not favor. Accordingly, zoning map changes that are found not to be in the best interest of both a town and the County cannot be effected. The process followed when responding to a proposed map amendment to the Walworth County zoning ordinance—that is, a proposed change in zoning districting attendant to a given parcel—is summarized below.

1. Notification: A petition for a zoning map change is filed with the County Clerk. The County Park and Planning Commission schedules a public hearing and notifies the affected town no less than 10 days before the hearing.
2. Town Consideration: The town board may consider the petition and if it disapproves, it may send a resolution stating its disapproval to the Park and Planning Commission prior to or within 10 days after the public hearing.
3. Commission Review: If the town board files a resolution disapproving the petition, the Park and Planning Commission may only recommend disapproval of the petition or approval of the petition with changes. It cannot approve the petition as submitted. If the town board does not disapprove the petition, the Commission may recommend approval to the County Board of the petition as filed, or with changes.
4. Commission Report: The Park and Planning Commission reports its recommendation to the County Board on the petition. If the Commission recommends approval, the Commission submits an ordinance to effectuate the petition to the County Board.
5. County Board Action: The County Board may decide to accept or reject an ordinance which would effectuate the petition. The County Board may also accept or reject a recommendation from the Commission for disapproval of the petition. If the County Board rejects a recommendation for disapproval, it is returned to the Commission,

which must then draft an ordinance to effectuate the petition. The ordinance is then subject to County Board rejection or adoption.

6. Town Action:

If the County Board, notwithstanding the town board's disapproval, adopts an ordinance that would effectuate the petition, the town board has 40 days to reject that ordinance and deny the zoning change. The ordinance takes effect within 40 days if the town board takes no action to reject it. If the town board files a resolution approving the ordinance, then the ordinance takes effect the day the resolution is filed with the County Clerk.

It is important to note that if the town board does not file a resolution with the Park and Planning Commission stating that it formally disapproves of the petition prior to the Commission's report to the County Board (Step 4), an ordinance approving a rezoning petition will become effective upon passage by the County Board. According to the Wisconsin Statutes, in order for a town to deny a rezoning, it must act to disapprove the petition prior to the initial public hearing or within 10 days after that hearing. The town board is authorized to extend this time for disapproving a petition by up to 20 days by passing a resolution and filing the resolution with the County Clerk.

In practice, this procedure permits a town to reject zoning changes and, in effect, to deny or restrict development it believes is not in accord with its development objectives. At the same time, the relationship established by this procedure requires that a town be able to convincingly demonstrate to the County that zoning changes it favors are consistent with town development objectives and are also in the best interests of the County. Important to this relationship is the preparation of a detailed town land use plan and the adoption of that plan by both the town and the County.

Section 59.97 of the Wisconsin Statutes also establishes the process to be followed when a zoning text amendment to the County zoning ordinance is sought. A text change may alter the definition of a permitted use or otherwise change the content of the ordinance. Text changes most often affect more than one town, if not all of the towns, operating under a county zoning ordinance. As with a zoning map change, a petition to amend the text of a county zoning ordinance may be made by a town board wherein the ordinance is in effect, any member of the county board, the county park and planning commission, or any private-property owner who would be affected by the amendment. The zoning text amendment process differs only slightly from the zoning map amendment process summarized above. The zoning text amendment process requires that a majority of towns affected by a potential amendment act in the same manner that a single town might act when a map amendment petition is filed.

SHORELAND ZONING

Section 59.971 of the Wisconsin Statutes requires Walworth County to enact an ordinance which zones the use of lands which are within unincorporated areas and which are within the following distances from the ordinary high-water mark of navigable waters: 1) 1,000 feet from a lake, pond, or flowage; and 2) 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater. Walworth County adopted such an ordinance in 1974.

County shoreland zoning ordinances and amendments do not require town approval, nor are they subject to town disapproval. A town may petition for an amendment to the county ordinance, and provided the amendment would make the ordinance more restrictive, the county may approve the town's request. The provisions for amending a county shoreland zoning ordinance are the same as the provisions for amending a general zoning ordinance. As indicated above, however, a town has no power to disapprove of or deny an amendment.

Appendix C

TOWN PLAN COMMISSION RESOLUTION ADOPTING THE TOWN OF TROY LAND USE PLAN

WHEREAS, the Town of Troy, pursuant to the provisions of Section 60.10(2)(c) of the Wisconsin Statutes, has been authorized to exercise village powers; and

WHEREAS, the Town of Troy, pursuant to the provisions of Section 62.23 of the Wisconsin Statutes, has created a Town Plan Commission; and

WHEREAS, it is the duty and function of the Town Plan Commission, pursuant to Section 62.23(2) of the Wisconsin Statutes, to make and adopt a master plan for the physical development of the Town of Troy; and

WHEREAS, the Town of Troy requested the Southeastern Wisconsin Regional Planning Commission to prepare a land use plan for the Town; which plan includes:

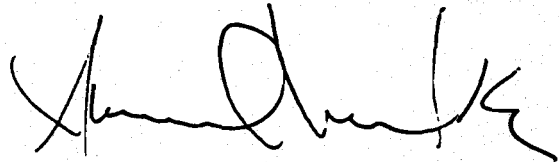
1. Collection, compilation, processing, and analyses of various types of demographic, natural resource, recreation and open space, land use, transportation and other information pertaining to the Town.
2. A forecast of growth and change.
3. A land use and arterial street system plan map.
4. Recommended activities to implement the plan; and

WHEREAS, the aforementioned inventories, analyses, objectives, forecasts, land use plan, and implementation recommendations are set forth in a published report entitled SEWRPC Community Assistance Planning Report No. 229, *A Land Use Plan for the Town of Troy: 2020*; and

WHEREAS, the Town Plan Commission considers the plan to be a valuable guide to the future development of the Town.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 62.23(3)(b) of the Wisconsin Statutes, the Town of Troy Plan Commission on the 3rd day of June, 1998, hereby adopts SEWRPC Community Assistance Planning Report No. 229, entitled *A Land Use Plan for the Town of Troy: 2020*, as a guide for the future development of the Town of Troy.

BE IT FURTHER RESOLVED that the Secretary of the Town of Troy Plan Commission transmit a certified copy of this resolution to the Town Board of the Town of Troy.



President
Town of Troy Plan Commission

ATTEST:



Secretary
Town of Troy Plan Commission

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Appendix D

TOWN BOARD RESOLUTION ADOPTING THE TOWN OF TROY LAND USE PLAN

WHEREAS, the Town of Troy, pursuant to the provisions of Section 60.10(2)(c) of the Wisconsin Statutes, has been authorized to exercise village powers; and

WHEREAS, the Town of Troy, pursuant to the provisions of Section 62.23 of the Wisconsin Statutes, has created a Town Plan Commission; and

WHEREAS, the Town of Troy Plan Commission has prepared, with the assistance of the Southeastern Wisconsin Regional Planning Commission, a plan for the physical development of the Town of Troy, said plan embodied in SEWRPC Community Assistance Planning Report No. 229, *A Land Use Plan for the Town of Troy: 2020*; and

WHEREAS, the Town Plan Commission on the 3rd day of June, 1998, did adopt SEWRPC Community Assistance Planning Report No. 229 and has submitted a certified copy of that resolution to the Town Board of the Town of Troy; and

WHEREAS, the Town Board of the Town of Troy concurs with the Town Plan Commission and the objectives and recommendations set forth in SEWRPC Community Assistance Planning Report No. 229.

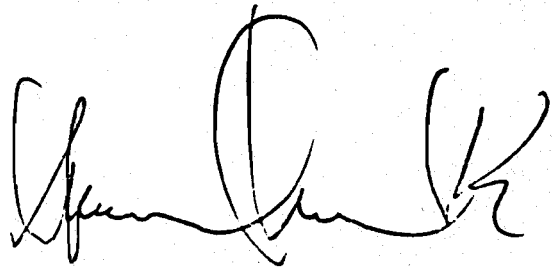
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Troy, on the 8th day of July, 1998, hereby adopts the Land Use Plan for the Town of Troy; and

BE IT FURTHER RESOLVED, that the Town Plan Commission shall review the Town land use plan every ten years, or more frequently if necessary, and shall recommend extensions, changes, or additions to the Plan which the Commission considers necessary. Should the Plan Commission find that no changes are necessary, this finding shall be reported to the Town Board.

ATTEST:



Clerk
Town of Troy



Chairman
Town of Troy