

COMMUNITY ASSISTANCE
PLANNING REPORT NO. 297

A COMPREHENSIVE PLAN FOR THE TOWN OF WAYNE: 2035

WASHINGTON COUNTY WISCONSIN

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WASHINGTON COUNTY, WISCONSIN**

Prepared by the

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Chapter I

INTRODUCTION AND BACKGROUND

INTRODUCTION

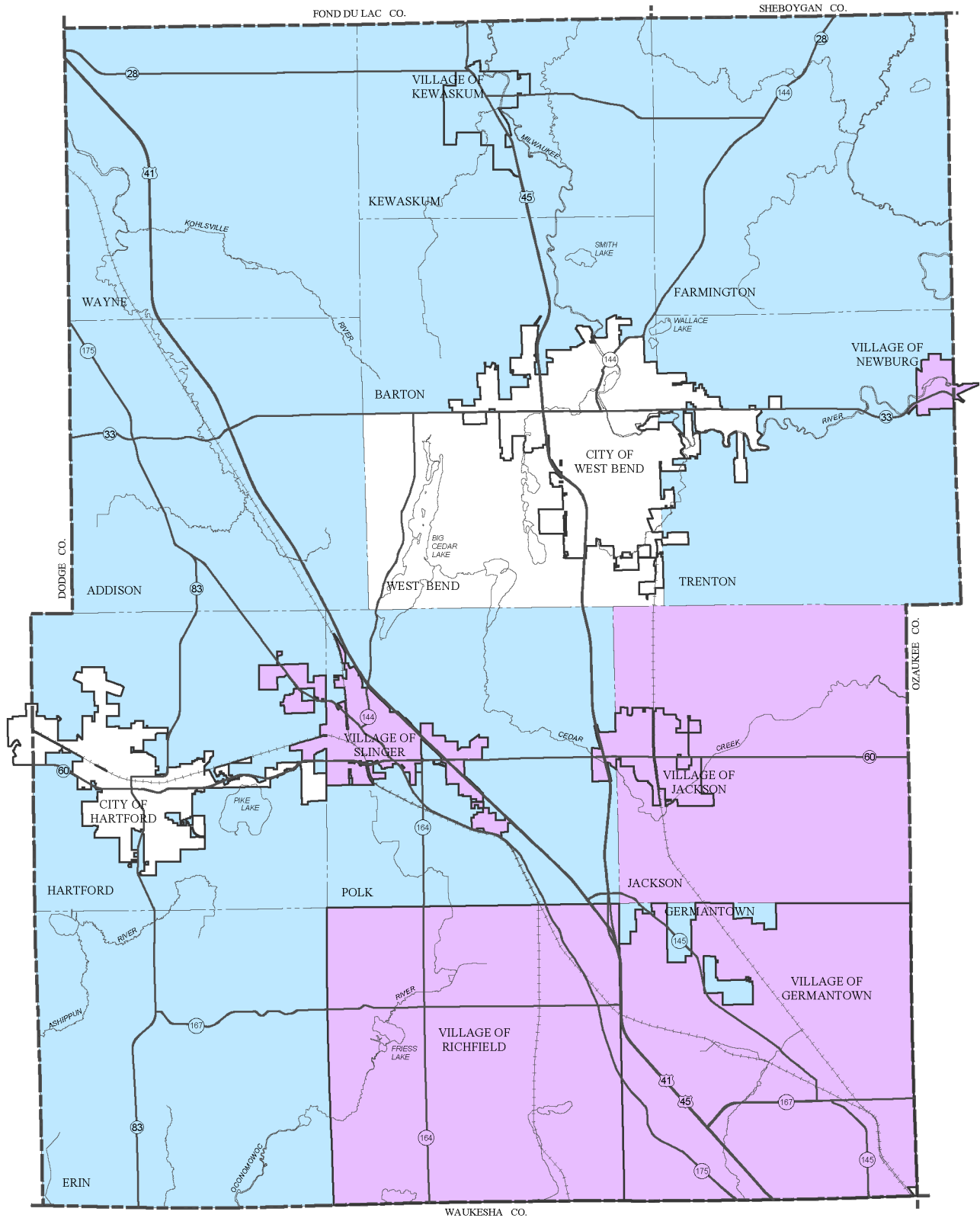
In 1999 the Wisconsin Legislature enacted a comprehensive planning law, set forth in Section 66.1001 of the *Wisconsin Statutes*. The requirements supplement earlier provisions in the *Statutes* for the preparation of county development plans (Section 59.69(3) of the *Statutes*) and local master plans (Section 62.23 of the *Statutes*). The requirements, which are often referred to as the “Smart Growth” law, provide a new framework for the development, adoption, and implementation of comprehensive plans in Wisconsin. The law includes a “consistency” requirement, whereby zoning, subdivision, and official mapping ordinances adopted and enforced by towns, villages, and cities must be consistent with the comprehensive plan adopted by the town board, village board, or common council, respectively. Zoning and subdivision ordinances adopted and enforced by a county, including shoreland zoning ordinances, must be consistent with the comprehensive plan adopted by the county board. The consistency requirement will take effect on January 1, 2010.

To address the State comprehensive planning requirements, a multi-jurisdictional comprehensive planning process was undertaken by Washington County; 11 local government partners, including the Town of Wayne; UW-Extension; and the Southeastern Wisconsin Regional Planning Commission (SEWRPC). The 11 local government partners are shown on Map 1.

As a result of the multi-jurisdictional process, comprehensive plans that satisfy the planning requirements set forth in Section 66.1001 of the *Statutes* have been developed for the County and each local government partner. The comprehensive plan for the Town of Wayne is documented in this report.

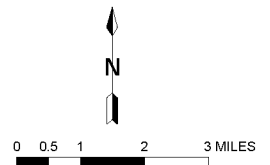
Although not all local governments partnered with Washington County to prepare a comprehensive plan, several local governments agreed to participate in the planning process by attending a series of regular intergovernmental meetings to discuss countywide issues of mutual concern. In addition, the Villages of Germantown, Newburg, and Slinger and the Town of Richfield acknowledged, through adoption of a resolution, that it was in their best interest to participate in the intergovernmental meetings for the general purpose of accomplishing coordinated, adjusted, and harmonious development within Washington County. The Village of Jackson and Town of Jackson also agreed to participate in intergovernmental meetings. The Village of Newburg, which is located partially in Ozaukee County, partnered with Ozaukee County in applying for a grant to prepare its local comprehensive plan, but also participated in the development of the Washington County plan by serving on the plan Advisory Committee. Local governments that are not full partners, but who agreed to cooperate in the planning process, are designated as “supporting local governments” on Map 1.

Map 1
PLANNING PARTNERS FOR THE
WASHINGTON COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN



- PARTNERING LOCAL GOVERNMENTS
- SUPPORTING LOCAL GOVERNMENTS

Source: Washington County and SEWRPC.



MULTI-JURISDICTIONAL PARTNERSHIP

A community workshop was sponsored by the Washington County Planning, Conservation, and Parks Committee on October 15, 2003, to discuss comprehensive planning efforts at the regional, county, and local levels. The concept of preparing a multi-jurisdictional comprehensive plan as a cooperative effort among all interested local governments, Washington County, and SEWRPC was discussed at that meeting as a way to meet the State comprehensive planning requirements in an efficient and cost-effective manner. Local governments interested in working with the County and SEWRPC were asked to notify the County by the end of 2003. Three villages and ten towns, including the Town of Wayne, indicated a willingness to cooperate with Washington County in preparing a multi-jurisdictional comprehensive plan.

A comprehensive planning workgroup made up of local government representatives, County officials, and County, UW-Extension, and SEWRPC staff was formed to establish a framework for preparation of the multi-jurisdictional comprehensive plan. Through a series of nine monthly meetings held between February and October 2004, the workgroup developed a work program, public participation plan, and an application for a comprehensive planning grant. The workgroup also developed a conflict resolution process for resolving disputes pertaining to the relationship between local plans and the County plan, including future plan amendments, which was approved by the County Board.

In the fall of 2004, the Washington County Board, the Kewaskum Village Board, and the Town Boards of the Towns of Addison, Barton, Erin, Farmington, Germantown, Hartford, Kewaskum, Polk, Trenton, and Wayne each adopted a resolution agreeing to participate in a multi-jurisdictional planning process and agreeing to submit an application to the Wisconsin Department of Administration (DOA) for a comprehensive planning grant to help fund preparation of the plan. A copy of the Town of Wayne resolution is included in Appendix A.

A grant was awarded in March 2005, and a grant agreement between Washington County and the DOA was signed on June 7, 2005. Prior to accepting the grant, Washington County and SEWRPC signed a three-party Cooperative Agreement with the Town of Wayne and with each of the other 10 local government partners. Each Agreement is a formal commitment among the local government, Washington County, and SEWRPC to participate in a coordinated, multi-jurisdictional comprehensive planning effort. The Town of Wayne agreement is available for review at the Town Hall or at the Washington County Planning and Parks Department office.

STATUTORY REQUIREMENTS

Requirements for the development and adoption of a comprehensive plan under the *Wisconsin Statutes* are summarized in this section. All of the requirements were met as part of the Town comprehensive planning process.

Nine Elements of the Comprehensive Plan

This plan contains the following nine elements, which are required by Section 66.1001(2) of the *Statutes*:

1. Issues and opportunities element
2. Land use element
3. Housing element
4. Transportation element
5. Utilities and community facilities element
6. Agricultural, natural, and cultural resources element
7. Economic development element
8. Intergovernmental cooperation element

Comprehensive Plan and Ordinance Consistency

Following adoption of this plan by the Town Board, the Town will amend its zoning, subdivision, and official mapping ordinances, as may be necessary, to bring those ordinances into compliance with the comprehensive plan. Under Section 66.1001 (3), zoning, subdivision, and official mapping ordinances adopted or enforced by the Town of Wayne must be consistent with the comprehensive plan adopted by the Town Board beginning on January 1, 2010. Recommended changes to the Town zoning and subdivision ordinances are summarized in Chapter XII.

Fourteen State of Wisconsin Comprehensive Planning Goals

The nine plan elements documented in this plan address the 14 planning goals set forth in Section 16.965(4) (b) of the *Wisconsin Statutes*. The 14 planning goals are:

1. Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
2. Encouragement of neighborhood designs that support a range of transportation choices.
3. Protection of natural areas; including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
4. Protection of economically productive areas, including farmland and forests.
5. Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
6. Preservation of cultural, historic, and archaeological sites.
7. Encouragement of coordination and cooperation among nearby units of government.
8. Building of community identity by revitalizing main streets and enforcing design standards.
9. Providing an adequate supply of affordable housing for individuals of all income levels throughout each community.
10. Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
11. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local level.
12. Balancing individual property rights with community interests and goals.
13. Planning and development of land uses that create or preserve varied and unique urban and rural communities.
14. Providing an integrated, efficient and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependant and disabled citizens.

Public Participation Plan

Section 66.1001(4) of the *Statutes* requires that the Town Board adopt written procedures that are “designed to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan.” Proposed plan elements must be widely distributed, and opportunities must be provided for written comments to be submitted by the public to the governing body. A procedure for the governing body to respond to those comments must also be identified.

The multi-jurisdictional comprehensive planning workgroup, with assistance from County and UW-Extension staff, developed a recommended public participation plan for the multi-jurisdictional plan and each local government plan. The public participation plan was adopted by resolution of the Wayne Town Board on September 15, 2004. A copy of the resolution is included in Appendix B. The public participation plan is available for review at the Wayne Town Hall, at the Washington County Planning and Parks Department or Washington County UW-Extension offices, and on the comprehensive planning website (www.co.washington.wi.us/smartgrowth).

Plan Review and Adoption

Section 62.23 (the local master planning *Statute*) and Section 66.1001 (the comprehensive planning *Statute*) require that the Town Plan Commission recommend to the Town Board a comprehensive plan or plan amendment prior to Town Board adoption of a plan or plan amendment. The plan commission recommendation must be in the form of a resolution adopted by a majority vote of the entire membership of the commission. The *Statutes* further require that the Town must adopt Village powers in order to establish a Plan Commission. The Town of Wayne adopted Village powers on April 2, 1963. A Town Plan Commission has been established.

Section 66.1001 (4) of the *Statutes* requires that a comprehensive plan or plan amendment be adopted by an ordinance enacted by a majority vote of the full membership of the Town Board. The law further requires that all nine elements be adopted simultaneously, and that at least one public hearing be held prior to adopting the plan. The *Statutes* require that an adopted comprehensive plan, or an amendment to a plan, be sent to all governmental units within and adjacent to the Town; Washington County; the Wisconsin Department of Administration; the regional planning commission (SEWRPC); and the public libraries serving the Town (the Kewaskum Public Library and the West Bend Community Memorial Library).

RELATIONSHIP BETWEEN COUNTY AND LOCAL COMPREHENSIVE PLANS

A great deal of discussion took place during the comprehensive planning workgroup meetings in 2004 to determine how the plans developed by cities, villages, and towns would relate to the Washington County comprehensive plan. Sections 59.69 (3) and 62.23 (2) of the *Wisconsin Statutes* explicitly require the County to “incorporate” into the County plan those comprehensive plans and official maps that have been adopted by a city or village. The Wisconsin Department of Administration has stated at comprehensive planning workshops that county plans need only incorporate city and village plans for the area within city and village limits.¹ Although State law does not require Town comprehensive plans and official maps to be incorporated into the County plan, Washington County incorporated adopted Town plans and maps into the County plan provided the land use element of the town comprehensive plan was in substantial agreement with the objectives, principles, and standards set forth in Chapter IV of the Regional Land Use Plan for Southeastern Wisconsin: 2020, as determined by the Washington County Planning, Conservation and Parks Committee. The Town of Wayne land use plan was found to be in substantial agreement with the regional land use plan, and was incorporated into the Washington County Multi-Jurisdictional Comprehensive Plan. The County comprehensive plan was adopted by the Washington County Board on April 15, 2008. Further information is included in the Intergovernmental Cooperation Element Chapter (Chapter XI).

While all local comprehensive plans—cities, villages, and towns—were “incorporated” into the Washington County plan document to the extent practicable, it is recognized that Washington County may choose to disagree with one or more proposals included in a city, village, or town plan, with such disagreements relating to, for example, State mandated shoreland zoning requirements. Every effort was made to discuss and resolve issues between Washington County and the cities, villages, and towns in the County. Where conflicts could not be resolved, they were documented in the intergovernmental cooperation element of the County plan report. Washington County explicitly recognizes that cities, villages, and towns may choose to disagree with a position that the County may take. The County respects the rights of cities, villages, and towns to adopt plans that may differ from the County plan.

COMMITTEE STRUCTURE

The Town Plan Commission had the primary responsibility for reviewing this Town comprehensive plan and those aspects of the multi-jurisdictional plan that relate to the Town. Oversight was provided by the Town Board. The members of the Town Plan Commission and the Town Board are listed on the inside front cover of this report.

¹As of 2008, the State had not provided any written guidance on whether city and village plans for extraterritorial areas are required to be incorporated into a county comprehensive plan. However, the Washington County Attorney determined that the County’s Planning and Parks Department qualifies as a “regional planning department” under Section 62.23 (2) of the Wisconsin Statutes. As such, a city or village master plan cannot include unincorporated parts of the county, including extraterritorial areas, unless the full County Board has given permission.

A draft of the Town comprehensive plan was prepared for review under the guidance of the Town Plan Commission. The Town Board reviewed the draft plan and the recommendations of the Town Plan Commission. Following revisions made by the Town Board, the plan was adopted by an ordinance of the Town Board in accordance with the requirements of Section 66.1001 (4) of the *Wisconsin Statutes*.

The Town also participated in the development of the multi-jurisdictional comprehensive plan for Washington County by providing comments on draft plan chapters and other materials and by serving on the advisory committee and three element workgroups established to develop the County plan. Town representatives on the County advisory committee and workgroups are also listed on the inside front cover of this report.

THE PLANNING AREA

The planning area is composed of the Town of Wayne, which in 2007 encompassed a total of 22,903 acres, or about 36 square miles. The Town is located in the northwest corner of Washington County. It is bordered by the Town of Ashford in Fond du Lac County on the north; by the Towns of Kewaskum and Barton on the east and by the Town of Addison on the south, all located in Washington County; and by the Town of Theresa in Dodge County on the west.

REPORT FORMAT

This planning report consists of 13 chapters. Following this introductory chapter, Chapters II and III present inventory data about Existing Plans and Ordinances: 2007 (II) and Population, Household, and Employment Trends and Projections (III). Chapters IV through XII constitute the town comprehensive plan. Plan element chapters include: Issues and Opportunities (IV); Agricultural, Natural, and Cultural Resources (V); Land Use (VI); Housing (VII); Transportation (VIII); Utilities and Community Facilities (IX); Economic Development (X); Intergovernmental Cooperation (XI); and Implementation (XII). A summary of the plan is provided in Chapter XIII.

BENEFITS OF COMPREHENSIVE PLANNING

In addition to the need to address State planning requirements, there are general positive results of thoughtful comprehensive planning from which the Town of Wayne and other participants in the planning process may benefit, including the following:

- ***Planning Helps Define the Future Character of a Community***
The physical design, setting, and arrangement of land uses can make it possible for people to carry out their daily lives and activities in an attractive and safe community environment. Land use planning and design can foster a distinctive sense of place. Planning allows a community to identify, preserve, and build upon the defining features of the community.
- ***Planning Helps Protect Natural and Cultural Resources***
Planning can help protect environmental features like wetlands, woodlands, and stream corridors which provide important public benefits, such as stormwater storage and groundwater recharge areas and recreational opportunities. Such resources would be difficult and expensive to replace if lost or damaged. Planning can also help identify and preserve prime agricultural soils, nonmetallic mining resources, and historic, archaeological, and other important cultural structures and sites.
- ***Planning Can Provide a Rational Basis for Local Decisions***
Plans provide a factual and objective guide that can be used by public officials and citizens to make informed decisions about land use and development. Planning is a process that can help a community prepare for change rather than react to it.
- ***Planning Can Provide Certainty Regarding Future Development***
Plans and related maps show landowners and developers the location and type of development desired by the community, which can save them time and money in developing plans for future land uses. Planning can help

increase the consistency and fairness of the development review and approval process while protecting the established property interests of existing residents.

- ***Planning Can Save Money***

Well-planned, orderly, and phased development patterns are less expensive for a community to provide public services and infrastructure than low density and scattered development patterns.

- ***Planning Can Promote Economic Development***

Planning can provide information about existing businesses and industries and help determine desirable types of new businesses. Planning can also help determine if the existing work force is sufficient to staff particular employment sectors and whether local services and housing are adequate to handle the impacts of new economic development.

- ***Planning Can Promote Public Health***

Finally, well planned development patterns and transportation options can make recreational, educational, and commercial facilities accessible to pedestrians. The ability to safely walk or bike to these facilities promotes physical health and community interaction.

While planning provides many important public benefits, it is important to recognize that an adopted plan is not an “end result,” but rather provides recommendations for future action. Plan recommendations will be fulfilled over time in generally small, incremental steps. A comprehensive plan provides a foundation and guide for many implementing tools, including the Town zoning ordinance and map, subdivision ordinance, and official mapping ordinance, which are required under State law to be consistent with the comprehensive plan. Other possible implementation tools include capital improvements programming, plans for local parks, and other local ordinances, programs, and policies.

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Chapter II

EXISTING PLANS AND ORDINANCES: 2007

This comprehensive plan is intended to update existing land use-related plans adopted by the Town of Wayne to comply with the comprehensive planning law (Section 66.1001 of the *Wisconsin Statutes*) and to reflect changes that have occurred since earlier Town plans were adopted. This plan is also intended to identify changes to the Town zoning and subdivision ordinance needed to implement the comprehensive plan and to refine and detail the regional land use plan and other areawide plans adopted by SEWRPC and Washington County. Accordingly, an important step in the planning process was a review of the existing framework of areawide and local plans and related land use regulations. This chapter presents a summary of that review. Plans and ordinances described in this chapter summarize those documents as they existed in 2007. Plans summarized in this chapter are an inventory of plans and regulations adopted during or prior to 2007, and should not be confused with the recommendations developed and adopted as part of this comprehensive plan. Comprehensive plan recommendations are set forth in the following nine element chapters (Chapters IV through XII).

PART 1: AREA-WIDE PLANS

Regional Plans

For the past 40 years, SEWRPC has used a cooperative, voluntary approach to preparing regional comprehensive plans. That approach envisions a 10-year planning cycle, beginning with each Federal Census of population and housing. During the first several years of each decade, planning efforts at the regional level are focused on updating the comprehensive planning database (new orthophotography, updated census information, travel surveys, updated land use and environmental corridor inventories, and updated information on local plans and zoning regulations). Population, household, and employment projections for a new design year are also prepared. The next phase of activity involves the preparation, documentation, and adoption of updated regional plans, focusing in particular on the regional land use and transportation plans. The regional plans are prepared cooperatively, with the involvement of State agencies, county and local governments, and private sector interests.

The regional plan contains extensive and detailed inventory information relating to existing land use and natural resources; population and employment information and projections; and regional land use, transportation, and other plan elements that provide an areawide, or metropolitan, planning framework for the preparation of county and local comprehensive plans; although there is no requirement that County and local plans conform to regional plans. Plans prepared by SEWRPC are advisory to County and local governments; however, county and local plans often refine and detail the recommendations set forth in the regional plan. The recommendations and implementation actions related to county and local plans are taken into account when the regional comprehensive plan is updated every 10 years. As a result, there is a continuous feedback loop that seeks to fully integrate local, county, and regional planning in Southeastern Wisconsin.

Regional plans affecting the Town of Wayne include:

- The regional land use plan for 2035, adopted in June 2006 (the fifth-generation regional land use plan). The regional land use plan is the building block for all regional plans prepared by SEWRPC. The plan recommends that urban development occur in centralized, compact areas that can be served efficiently by public water, sewer, and other public facilities; that primary environmental corridors be preserved; and that prime agricultural lands outside planned urban service areas be protected. The regional plan recommends that each County identify prime agricultural lands through its Farmland Preservation Plan.
- The regional transportation system plan for 2035, adopted in June 2006 (the fifth-generation regional transportation plan) is intended to provide a vision for, and guide to, transportation system development in the Region. The plan consists of four principal elements: public transit, systems management, bicycle and pedestrian facilities, and arterial streets and highways. Future needs for transit, street and highway, and other transportation improvements identified through the regional transportation planning process are designed to serve the future growth proposed in the regional land use plan.
- The regional natural areas plan, adopted in September 1997, identifies the most significant remaining natural areas, critical species habitats, geological sites, and archaeological sites in the Region, and recommends means for their protection and management. The plan identifies potential sites to be placed in public or private protective ownership, and other sites to be protected, insofar as it is possible, through zoning or other regulatory means without protective ownership. It also recommends that a detailed management plan be prepared and implemented for each site placed under protective ownership. The recommendations of the regional natural areas plan were incorporated into the Town of Wayne 2020 land use plan. An inventory of natural areas, critical species habitat sites, and geological areas in the Town is included in Chapter V.
- The regional water quality management plan, adopted in 1979, is a guide to achieving clean and healthy surface waters within the seven-county Region. The plan has five elements: a land use element; a point source pollution abatement element; a non-point source pollution abatement element; a sludge management element; and a water quality monitoring element. The plan is currently being updated for the Milwaukee River watershed, wherein a portion of the watershed is located in the eastern portion of the Town. The point source pollution abatement element of the regional water quality management plan is of particular importance to land use planning. That plan element recommends major sewage conveyance and treatment facilities and identifies planned sewer service areas for each of the sewerage systems in Southeastern Wisconsin. Under Wisconsin law, major sewerage system improvements and all sewer service extensions must conform to the regional water quality management plan.
- A regional water supply plan is currently being conducted for the seven-county Region. The plan will include the following major components:
 - Water supply service areas and forecast demand for water use.
 - Recommendations for water conservation efforts to reduce water demand.
 - Evaluation of alternative sources of supply, recommended sources of supply, and recommendations for development of the basic infrastructure required to deliver that supply.
 - Identification of groundwater recharge areas to be protected from incompatible development.
 - Specification of new institutional structures necessary to carry out plan recommendations.
 - Identification of constraints to development levels in subareas of the Region due to water supply sustainability concerns.
- Telecommunications have become increasingly important in the local, national, and global economies. SEWRPC has undertaken a regional telecommunications planning effort to create a better understanding of telecommunications networks and the provision of services such as wireless and wireline telecommunications and high speed, broadband telecommunications throughout the Region. An inventory of wireless telecommunications providers and antennas providing cell phone service in

Washington County is included in SEWRPC Planning Report No. 51, *A Wireless Antenna Siting and Related Infrastructure Plan for Southeastern Wisconsin*, published in September 2006. In addition to presenting inventories of both infrastructure and performance for the existing cellular/PCS mobile wireless networks operating in the Region, the plan describes a recommended wireless telecommunications plan for the Region.

The wireless communications plan recommended in Planning Report No. 51 consists of two levels of wireless networks – a wireless backhaul¹ network plan and a community-level wireless access network plan. The plan sets forth an approach to implement both the regional wireless backhaul network and community level wireless network plans. The proposed plan implementation process is intended to influence, rather than replace, existing competitive private sector, market-driven planning in order to promote the public interest within the Region. The Towns of Addison and Wayne are both working with SEWRPC to develop and implement a community level wireless access network plan.

A regional broadband access plan, which built upon the wireless telecommunications plan, was completed in 2007.² Upon implementation, this plan will support a mix of wireline and wireless networks that will provide fourth generation (4G) video, voice, and data communications services to the entire Region. A central feature of the recommended plan is the potential for cooperative efforts between the public and private sectors in which infrastructure costs are shared between the public safety and commercial networks. Implementation of the recommended plan will require county or multi-county action, although partial implementation can be achieved at the community or multi-community level.

Wisconsin Department of Natural Resources Master Plans

Each property owned by the Wisconsin Department of Natural Resources (DNR) is required to have a "master plan" that establishes the goals and objectives for the property and identifies how the area will be managed and developed. These plans are designed to clearly communicate to the public how the property will "look" and what benefits the area will provide. The DNR has adopted master plans for the Allenton Wildlife Area, the Kettle Moraine State Forest – Northern Unit, the Kettle Moraine State Forest – Loew Lake Unit, and the Theresa Wildlife Area. The Wisconsin Natural Resources Board adopted a master plan in 1985 to guide management of the Theresa Wildlife Area, which lies in the Town of Wayne and in the north central portion of the Town of Addison. The plan recommends modifying the property boundary to encompass the wetland corridor of the Rock River between Allenton and the Theresa Marsh Wildlife Area, while deleting areas along the western boundary and east of USH 41. Development and management recommendations include the development of additional runoff ponds, maintaining six parking lots and three observation points, designation of alternate snowmobile routes, and stocking of pheasants and fish species. The plan will be updated when staff and other resources are available.

Ice Age Trail Corridor Plan

The Ice Age Trail, which is planned to extend approximately 1,000 miles across the State of Wisconsin along the terminus of the continental glacier, was designated as a National Scenic Trail by the U.S. Congress in 1980. The Trail is administered by the National Park Service in cooperation with the DNR and the Ice Age Park and Trail Foundation. A trail corridor was established by the National Park Service in 1995. About 27 miles of the proposed 37-mile length of the Trail within Washington County had been completed by 2006. Existing segments of the trail are open to pedestrian travel only, which includes hiking, snowshoeing, and limited cross-country skiing. Such uses as biking, horseback riding, and snowmobiling are not permitted.

¹*A backhaul network is designed to convey wireless communications data from multiple users in a relatively small service area to a centralized access point. Multiple access points in a larger service area in turn transmit wireless data to a cable Internet connection (gateway) maintained by a local exchange company. Information is also disseminated from the Internet to the access network, then to local users through the backhaul network.*

²*Documented in SEWRPC Planning Report No. 53, A Regional Broadband Telecommunications Plan for Southeastern Wisconsin, October 2007.*

PART 2: WASHINGTON COUNTY PLANS AND ORDINANCES

Washington County Land Use-Related Plans

- **Washington County Park and Open Space Plan.** An updated County park and open space plan with a design year of 2020 was adopted by the Washington County Board in March 2004. That plan consists of both an open space preservation element and an outdoor recreation element, intended to, respectively, protect areas containing important natural resources and to provide major parks, areawide trails, and resource-oriented recreational facilities.
- **Washington County Farmland Preservation Plan.** Farmland preservation areas in Washington County were identified by the Washington County farmland preservation plan, which was adopted by the Washington County Board in August 1981. That plan defined farmland preservation areas as contiguous blocks of farmland at least 640 acres in size that were relatively uninterrupted by conflicting uses, with at least 50 percent of the soils on each farm meeting Soil Conservation Service (now the USDA Natural Resources Conservation Service) criteria as “Prime Farmland” or “Farmland of Statewide Importance.” Generally, prime farmlands are Class I or II soils and farmlands of statewide importance are Class III soils. The plan was amended in 2004 to update farmland preservation areas for the Towns of Hartford and Kewaskum, and to revise advisory guidelines for secondary farmland areas to discourage residential development not associated with farming.

At the time this comprehensive plan was being prepared, the State of Wisconsin was considering changes to the State Farmland Protection Program as part of its “Working Lands Initiative.” The Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) launched the Working Lands Initiative in 2005 and established a steering committee to develop a consensus vision on managing Wisconsin’s farm and forest lands. The Working Lands Initiative Steering Committee issued a report in August 2006 with a set of recommendations intended to update and expand policies and programs affecting Wisconsin farmlands and forests. The report recommends an update to the Wisconsin Farmland Preservation Program, which would include setting a flat per-acre tax credit for landowners instead of basing the credit on household income; requiring all land in the program to be zoned for exclusive agricultural use; and streamlining the process of applying for the program and claiming the tax credits. Proposed changes to the Farmland Preservation Program were included in DATCP’s 2007-09 budget request. The Committee’s report also recommends establishing a number of programs, including a Working Lands Enterprise Areas program, a purchase of development rights program, and a beginning farmer/logger program. Any new State laws and regulations resulting from the Working Lands Initiative will likely require a new Farmland Preservation Plan to be prepared by the County.

- **Farmland and Open Space Preservation Tools.** In 2004 the Washington County Planning, Conservation, and Parks Committee requested the Planning and Parks Department to study various means of preserving farmland and open space in Washington County. This study’s goal was to objectively research and analyze different tools and funding sources that could be used in Washington County for farmland and open space preservation. The preservation tools described and analyzed represent existing and potential strategies for the protection of farmland and open space within Washington County. Preservation tools are grouped into three categories:
 - Regulatory Based Tools – These tools control or define the activities or modifications that a landowner may conduct on his or her land through ordinances.
 - Incentive Based Tools – These tools support or encourage a specific activity or modification that a landowner may conduct on his or her land and, although some of these tools may be incorporated into an ordinance, they are voluntary.
 - Economic Viability Tools – These tools focus on improving/enhancing the economic environment for the agricultural industry.
- **Land and Water Resources Management Plan.** An updated land and water resources management plan was adopted by the County Board in December 2005. The plan identifies eight priority issues related to

County land and water resources. These issues include development, fertilizer and pesticides, stormwater, animal waste, groundwater, soil sustainability and sedimentation, nonmetallic mining, and waste management. To address these issues the plan identifies the following goals: improve and implement planning strategies that protect/preserve land and water resources; improve and protect surface and ground water through the proper use of fertilizers and pesticides; reduce the quantity and improve the quality of stormwater runoff from developed and developing areas; reduce the human and environmental risks posed by animal waste; protect and improve the quality and quantity of groundwater; protect and enhance the productivity and sustainability of all cropland; reduce sediment delivery into streams, lakes, and wetlands; assure reclamation of mines when operations are terminated; and reduce the human and environmental risks posed by hazardous waste. The plan defines a work plan. The work plan sets forth the objectives and actions that will be carried out in order to achieve the goals associated with each issue and identifies the agency or organization responsible for carrying out the listed action steps.

- ***Jurisdictional Highway System Plan.*** In 1975 the Washington County Board of Supervisors adopted an initial jurisdictional highway system plan. That plan, with a design year of 1990, was intended to help provide the County with a highway transportation system that would serve and promote a desirable land use pattern in the County, abate traffic congestion, reduce travel time and costs, and reduce accident exposure. The initial plan has been amended periodically to cope with growing traffic demands and adjust the existing highway system to serve changes in traffic patterns taking place within the County, and achieve an equitable distribution of arterial street and highway development and maintenance costs and revenues among the various levels and units of government. The 2035 regional transportation plan, described earlier in this chapter, recommends updates to the current jurisdictional highway system plan for Washington County. Recommendations for the maintenance, improvement, and expansion of arterial streets and highways from the Regional Transportation System Plan were refined in 2007 and 2008 during the preparation of an updated Washington County Jurisdictional Highway System Plan for the year 2035.³ The updated County jurisdictional highway system plan is described in Chapter VIII.
- ***A Public Transit Plan for Washington County.*** The current public transit plan for Washington County, adopted in 1996, sets forth the findings and recommendations from a study of transit service needs in Washington County and the means by which those needs might best be met. The primary focus of the plan was to provide transit service for Milwaukee County residents to jobs in Washington County through the establishment of the Washington County Commuter Express Service (described in Chapter VIII). The service has evolved over time to primarily provide traditional work commute trips from Washington County to downtown Milwaukee, Wauwatosa, and West Allis. The transit plan also recommended the establishment of shared-ride taxicab services, which are currently provided by Washington County and the Cities of Hartford and West Bend.

Washington County Land-Use Related Ordinances

- ***County Shoreland and Floodplain Zoning Ordinance.*** Under Section 59.692 of the *Wisconsin Statutes* and Chapter NR 115 of the *Wisconsin Administrative Code*, counties are responsible for regulating shoreland areas within unincorporated (town) areas. Shorelands are defined as all lands lying within 1,000 feet of the ordinary high-water mark of navigable lakes, ponds, and flowages; or within 300 feet of the ordinary high-water mark of navigable rivers and streams or to the landward side of the floodplain, whichever distance is greater. The Washington County shoreland, wetland, and floodplain zoning ordinance is set forth in Chapter 23 of the Washington County Code of Ordinances and applies to shorelands, shoreland-wetlands, and floodplains in all towns within the County, including the Town of Wayne⁴.

³*Documented in SEWRPC Planning Report No. 23, 2nd edition, A Jurisdictional Highway System Plan for Washington County: 2035, July 2008.*

⁴*Shoreland zoning maps are available for review at the office of the Washington County Planning and Parks Department.*

The shoreland zoning ordinance includes restrictions on uses in wetlands of two acres or more located within the shoreland, and limits the types of uses that can occur within the 100-year floodplain zoning district to prevent damage to structures and property and to protect the floodwater conveyance and storage capacity of floodplains. The ordinance also includes restrictions on the removal of vegetation and filling, grading, and excavating within a shoreland area. Most structures must be set back a minimum of 75 feet from the ordinary high-water mark if adjacent to a Class 3 waterbody, 100 feet if adjacent to a Class 2 waterbody, and 125 feet if adjacent to a Class 1 waterbody, although the setbacks along Class 1 and 2 waterbodies may be reduced to 100 feet and 75 feet, respectively, subject to approval of mitigation measures. Minimum requirements for uses in unincorporated shoreland areas are set forth in Chapter NR 115 of the *Wisconsin Administrative Code*. Minimum floodplain requirements are set forth in Chapter NR 116.

Under Chapter NR 117 of the *Administrative Code*, cities and villages are required to restrict uses in wetlands located in the shoreland area. The provisions of NR 115, which regulate uses in unincorporated portions of the shoreland, apply in cities and villages in shoreland areas annexed to a city or village after May 7, 1982. The same floodplain regulations set forth in NR 116 for unincorporated areas also apply within cities and villages. Each city and village administers the floodplain regulations within its corporate limits.

- **County Land Division Ordinance.** Washington County adopted a Land Division Ordinance on June 12, 1972 which is updated periodically. The ordinance regulates land divisions in towns that initially or by subsequent divisions create five or more lots of five acres each or less in area within a five-year period. In addition, the Washington County shoreland and floodplain zoning ordinance includes land division regulations for areas located in the shoreland area. As required by Chapter NR 115 of the *Wisconsin Administrative Code*, the ordinance regulates land divisions in the shoreland that create three or more lots of five acres or less within a five-year period.

PART 3: TOWN LAND USE-RELATED PLANS AND ORDINANCES

Town of Wayne Land Use Plan

An updated *Land Use Plan for the Town of Wayne: 2020* was adopted by the Town Plan Commission on November 17, 1998 and by the Town Board on November 18, 1998. The plan acknowledges the preservation of agricultural lands as an important factor to maintain the Town's rural character. It recommends that continuation of farmland preservation agreements between the State and individual farmers and the implementation of other farmland preservation initiatives at the local level to help slow the conversion of farmland to other uses. The plan limits urban density (greater than one housing unit per acre) residential development to infilling existing vacant lots. The plan further recommends that most future residential development in the Town occur at rural densities (equal or less than one housing unit per five acres). A residential density of one home per three acres is recommended in the hamlets of Wayne, Kohlsville, and St. Kilian.

This comprehensive plan revises and replaces the Town land use plan to reflect changing conditions in the Town, and to meet State comprehensive planning requirements.

Broadband Wireless Telecommunications Plan

The Town of Wayne, working with SEWRPC, has adopted a Town broadband wireless telecommunications plan intended to provide quality wireless voice communication throughout the Town. The plan is based on a sectoral cellular topology that allows for the use of directional antennas at both the access points and at individual users. The plan requires only five access points to cover a 36 square mile area, or about 0.1 access point (AP) per square mile. The initial network plan layout was verified through field testing in which signal strength was measured from a temporary truck-mounted access point with measurements carried out throughout the Town.

The Wayne network is now up and running with one of the five access points (antennas). The remaining access points will be deployed as soon as a permanent Internet service provider has been selected. The Town has granted approval of a conditional use permit for the installation of the remaining antennas. The remaining antennas will be

installed by the end of 2008. The development of this advanced wireless communications system was partially funded by a grant from the Cooperative State Research, Education and Extension Service of the U.S. Department of Agriculture.

Stormwater Management and Erosion Control Ordinance

The Town of Wayne has adopted and administers a Town Erosion Control and Stormwater Management Ordinance that applies to all lands within the jurisdictional boundaries of the Town. Under this ordinance, operators of all construction sites that meet the listed applicability provisions are required to submit erosion control and stormwater management plans to the Town for approval. All applicable sites must meet the requirements listed in the ordinance, except for sites meeting at least one of the criteria for exemption listed in the ordinance.

The Town ordinance sets forth requirements for land development and land disturbing activities aimed to minimize sedimentation, water pollution, flooding, and related property and environmental damage caused by soil erosion and uncontrolled stormwater runoff during and after construction, in order to diminish the threats to public health, safety, welfare, and natural resources of the Town.

Nonmetallic Mining Reclamation Ordinance

The Town of Wayne nonmetallic mining reclamation ordinance was adopted to establish a local program to ensure the effective reclamation of nonmetallic mining sites in the Town in compliance with Chapter NR 135 of the *Wisconsin Administrative Code* and Chapter 295 of the *Wisconsin Statutes*. The requirements of the ordinance apply to all operators of nonmetallic mining sites within the Town operating or commencing operation after August 1, 2001. The Town of Wayne administers the ordinance and is responsible for the review and approval of reclamation plans for nonmetallic mining sites in the Town in accordance with Town ordinance requirements.

The Town ordinance requires that a reclamation plan be prepared and submitted for approval by the Town. The ordinance states that all nonmetallic mining sites subject to this ordinance shall be reclaimed in conformance with the standards contained in Subchapter II of Chapter NR 135 of the *Wisconsin Administrative Code*. These include minimum standards for surface water and wetland protection, groundwater protection, topsoil management, final grading and slopes, topsoil redistribution for reclamation, and re-vegetation and site stabilization. The criteria for assessing completion of successful site reclamation, intermittent mining, and maintenance are also set forth.

Zoning and Subdivision Regulations

Good community development depends not only on quality planning at all levels of government, but on practical implementation measures. Land use and development regulations affect the type of uses allowed, as well as the detailed design and site layout of proposed developments. The following presents a summary of zoning and subdivision regulations adopted by the Town as of 2007.

Town of Wayne Zoning Ordinance

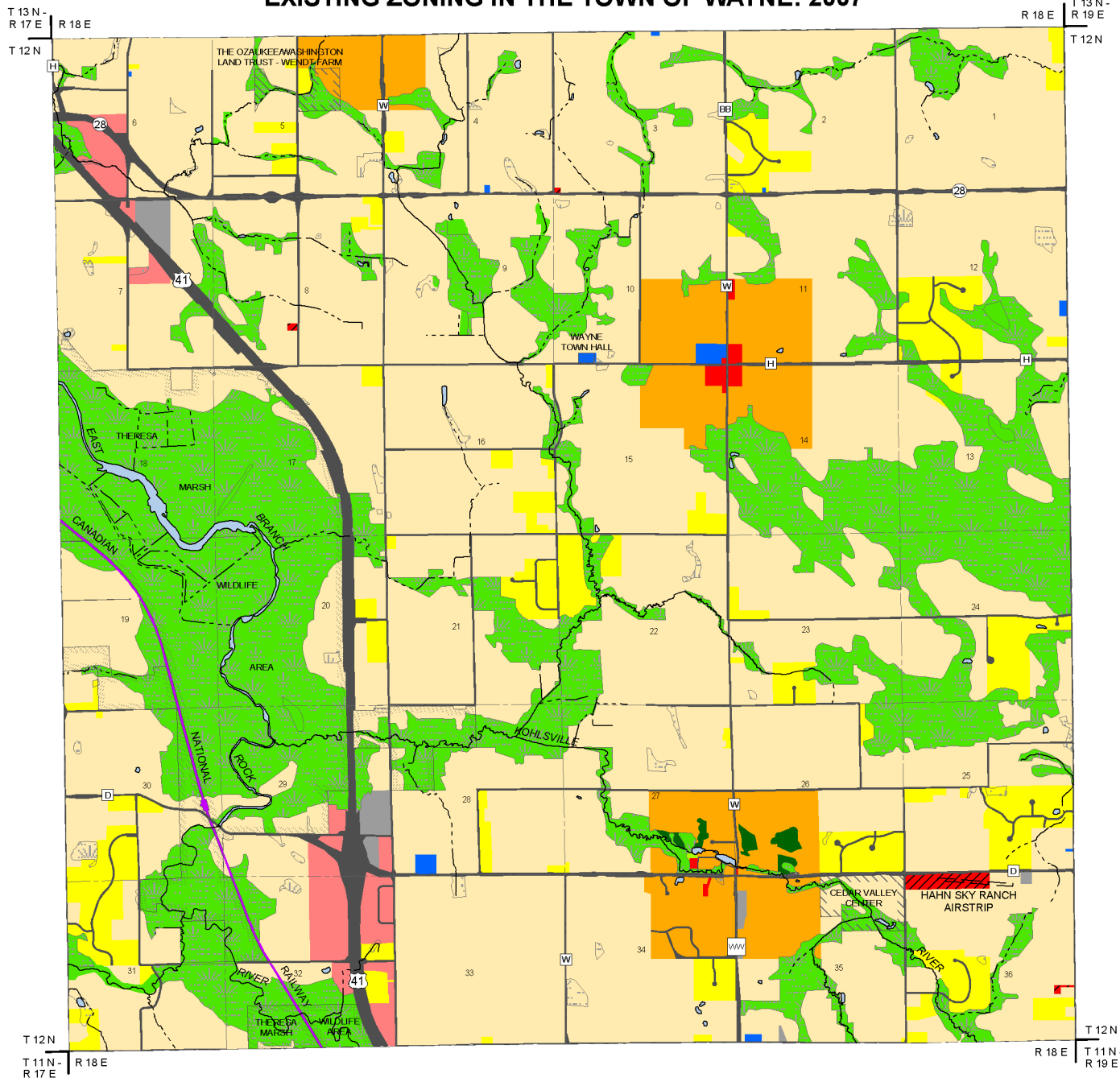
A zoning ordinance is a public law that regulates and restricts the use of property in the public interest. The primary function of zoning should be to implement an adopted master or comprehensive plan. Indeed, Section 66.1001(3) of the *Wisconsin Statutes* requires that zoning, land divisions, and official mapping decisions made by local and county governments be consistent with local and county comprehensive plans, respectively, as of January 1, 2010.






















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 housing. A zoning ordinance typically consists of two parts: a text setting forth regulations that apply to each of the various zoning districts, together with related procedural and administrative requirements; and a map delineating the boundaries of zoning districts.

The Wayne Town Board adopted an updated zoning ordinance and map in July 2001. The zoning map was most recently amended in December 2007. Zoning within the Town consists of 17 basic zoning districts and one overlay zoning district, as shown on Map 2. Table 1 presents a summary of district regulations included in the zoning ordinance.

Map 2

EXISTING ZONING IN THE TOWN OF WAYNE: 2007



- | | | | |
|---|--|---|---|
|  | EXCLUSIVE AGRICULTURAL DISTRICT (NONE) (A-1) |  | QUARRYING DISTRICT (NONE) (Q-1) |
|  | AGRICULTURAL / RURAL RESIDENTIAL DISTRICT (A-2) |  | LANDFILL DISTRICT (NONE) (L-1) |
|  | SINGLE - FAMILY RESIDENTIAL DISTRICT (R-1) |  | INSTITUTIONAL DISTRICT (I-1) |
|  | SINGLE - FAMILY AND TWO - FAMILY RESIDENTIAL DISTRICT (NONE) (R-2) |  | PARK DISTRICT (P-1) |
|  | MULTI - FAMILY RESIDENTIAL DISTRICT (NONE) (R-3) |  | LOWLAND CONSERVANCY DISTRICT (C-1) |
|  | HAMLET RESIDENTIAL DISTRICT (R-4) |  | UPLAND CONSERVANCY DISTRICT (C-2) |
|  | HAMLET BUSINESS DISTRICT (B-1) |  | PLANNED URBAN DEVELOPMENT OVERLAY DISTRICT (NONE) (PUD) |
|  | COMMUNITY BUSINESS DISTRICT (B-2) |  | STREETS AND HIGHWAYS |
|  | HIGHWAY BUSINESS DISTRICT (B-3) |  | RAILROAD |
|  | LIMITED MANUFACTURING DISTRICT (M-1) |  | SURFACE WATER |
|  | GENERAL MANUFACTURING DISTRICT (NONE) (M-2) | | |

NOTE: PLEASE CONTACT THE TOWN ZONING ADMINISTRATOR TO DETERMINE IF THE TOWN BOARD HAS APPROVED ANY REZONINGS SINCE THIS MAP WAS PREPARED.

SOURCE: SEWRPC.

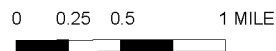


Table 1

TOWN OF WAYNE ZONING ORDINANCE SUMMARY OF DISTRICT REGULATIONS

District	Typical Principal Uses	Typical Conditional Uses ^a	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
A-1 Exclusive Agricultural District	Agricultural crop production, dairy farming, floriculture and plant nurseries, feedlots, accessory buildings, community living arrangements serving eight or fewer persons, and single-family dwellings	Agricultural warehousing, airports and airstrips, bed and breakfast establishments, additional dwellings, commercial animal raising and boarding, processing of dairy products, peas, and corn, veterinary services, and communication towers	35 acres	1,200 minimum for one-story; 1,800 minimum for multi-story and 1,000 first floor minimum
A-2 Agricultural / Rural Residential District	Agricultural crop production, dairy farming, floriculture and plant nurseries, and single-family dwellings on traditional lots and cluster developments	All A-1 conditional uses, cemeteries, home industries, and religious institutions	5 acres for traditional and lot averaging; 1.5 acres for clustering; 1.5 acres for non-residential	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum
R-1 Single-Family Residential District	Single-family dwellings on traditional lots and cluster developments, community living arrangements serving eight or fewer persons, and essential services	Bed and breakfast establishments, community living arrangements serving more than eight persons, home industries, schools, recreational uses, religious institutions, livestock, and farming and truck gardening	5 acres for traditional and lot averaging; 1.5 acres for clustering; 1.5 acres for non-residential	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum
R-2 Single-Family and Two-Family Residential District	Single-family dwellings, community living arrangements serving eight or fewer persons, family day care homes, and essential services	Two-family dwellings, community living arrangements serving more than eight persons, religious institutions, schools, nursing homes and clinics, and home industries	1.5 acres total; 30,000 square feet per dwelling unit	1,200 minimum for one-story; 1,200 first floor minimum
R-3 Multi-Family Residential District	Single-family, two-family, and multi-family dwellings, community living arrangements serving 15 or fewer persons, family day care home, and essential services	Community living arrangements serving 16 or more persons, home industries, elderly housing, mobile homes, nursing homes, schools, and religious institutions	60,000 square feet total; 20,000 square feet per dwelling unit	2,000 minimum; 900 minimum per dwelling unit
R-4 Hamlet Residential District	Single-family dwellings on traditional lots and cluster developments, community living arrangements serving eight or fewer persons, and essential services	Community living arrangements serving nine or more persons, home industries, elderly housing, livestock, nursing homes, schools, and religious institutions	3 acres for traditional and lot averaging; 1.5 acres for clustering; 1.5 acres for non-residential	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum
B-1 Hamlet Business District	General retail sales and services, financial institutions, business offices, clinics, restaurants and taverns, and essential services	Drive-in restaurants, funeral homes, nursing homes, public transit terminals, communication towers, recreational uses, and single-family dwellings	Not specified	N/A
B-2 Community Business District	All B-1 permitted uses, publishing houses, grocery stores, and theaters	Adult-oriented businesses, drive-in restaurants, funeral homes, nursing homes, communication towers and facilities, and recreational uses	5 acres for shopping centers	N/A
B-3 Highway Business District	Automobile sales and service, building supply stores, clinics, financial institutions, grocery stores, light manufacturing, motels and hotels, offices, retail establishments, and self-service storage facilities	Drive-in uses, billboards, funeral homes, nursing homes, communication towers and facilities, and recreational uses	40,000 square feet	N/A
M-1 Limited Manufacturing District	Light manufacturing, laboratories, machine shops, warehousing, and wholesaling	Airports and airstrips, billboards, lumber yards, truck terminals, communication towers and facilities, and public transit terminals	40,000 square feet	N/A
M-2 General Manufacturing District	All M-1 permitted uses, heavy manufacturing, non-hazardous chemical manufacturing, processing, or use, non-flammable gases and liquids storage, and automobile repair and wreck yards	Airports and airstrips, animal reduction facilities, billboards, landfills, manufacturing, processing, or storage of hazardous chemicals, public transit terminals, and communication towers and facilities	80,000 square feet	N/A

Table 1 (continued)

District	Typical Principal Uses	Typical Conditional Uses ^a	Minimum Lot Size	Minimum / Maximum Floor Area (square feet)
Q-1 Quarrying District	Essential services	Quarrying of gravel, mineral ore, sand, or stone; washing, refining, or processing of minerals; aggregate, ready-mix, and asphalt plants; manufacture of concrete blocks; and wireless communication facilities	3 acres	N/A
L-1 Landfill District	Essential services	Sanitary landfills and structures and lands used for purposes designated in an approved restoration and reuse plan, and communication towers	20 acres	N/A
I-1 Institutional District	Cemeteries, funeral homes, hospitals and nursing homes, libraries, community centers, museums, schools, public administrative offices and service buildings, and religious institutions	Housing for the elderly and utilities	40,000 square feet	1,200 minimum for one-story; 1,800 minimum for multi-story and 1,000 first floor minimum
P-1 Park District	Botanical gardens, fairgrounds, historic monuments or sites, parks and playgrounds, golf course without country club facilities, athletic fields, swimming beaches, and tennis courts	Golf courses with country club facilities, schools, and religious institutions	Not specified	N/A
C-1 Lowland Conservancy District	Construction and maintenance of piers, fences, and docks; ditching, dredging, and excavating to maintain drainage; hiking, fishing, and boating; harvesting of wild crops; and silviculture	Recreational uses and utilities	N/A	N/A
C-2 Upland Conservancy District	Forest management, fish hatcheries, game farms and game management, hunting and fishing clubs, livestock, and single-family dwellings	Bed and breakfast establishments, recreational uses, and utilities	5 acres	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum
PUD Planned Unit Development Overlay District	Uses permitted in a PUD Overlay District shall conform to uses generally permitted in the underlying basic use district	Not specified	5 acres for residential or commercial; 20 acres for industrial; 10 acres for mixed compatible use	N/A

Note: This table is a summary and should not be used as a guide to answer zoning-related questions. Refer to the Town of Wayne zoning ordinance and map for specific zoning information.

^aEnergy conservation uses may be permitted as conditional uses in all districts.

Source: Town of Wayne Zoning Ordinance, adopted July 2001, and SEWRPC.

Washington County enforces shoreland and floodplain zoning regulations in shoreland areas in the Town of Wayne. The County shoreland and floodplain zoning ordinance is described in Part 2 of this chapter.

Extraterritorial Zoning Regulations

The *Wisconsin Statutes* authorize cities and villages to adopt extraterritorial zoning regulations for adjacent unincorporated areas, in cooperation with the adjacent town, within three miles of a city of the first, second, or third class, and within 1.5 miles of a city of the fourth class or villages. The City of West Bend is a third-class city, and is therefore entitled by the *Statutes* to exercise extraterritorial zoning authority up to three miles outside city boundaries, if agreed to by the Town. A summary of the process set forth in the *Statutes* for enacting an extraterritorial zoning ordinance and other land-use related extraterritorial authorities granted to cities and villages is provided in Appendix C. A city or village can initiate preparation of an extraterritorial zoning ordinance and map at any time. Initiation of the extraterritorial zoning ordinance freezes existing zoning in the extraterritorial (town) area for two years, while the city or village and affected town jointly develop an extraterritorial zoning

ordinance and map. A joint committee is formed to develop the ordinance. The time period can be extended for one additional year at the end of the two-year period if agreed to by the affected town. A small portion of the Town, the southeastern one-quarter of Section 36, is located within the City of West Bend's extraterritorial area. The City does not exercise extraterritorial zoning in the Town.

Land Division Regulations

A land division ordinance is a public law that regulates the division of land into smaller parcels. Land division ordinances provide for appropriate public oversight of the creation of new parcels and help ensure that new development is appropriately located; lot size minimums specified in zoning ordinances are observed; street rights-of-way are appropriately dedicated or reserved; access to arterial streets and highways is limited in order to preserve the traffic-carrying capacity and safety of such facilities; adequate land for stormwater management, parks, drainageways, and other open spaces is appropriately located and preserved; street, block, and lot layouts are appropriate; and adequate public improvements are provided. Land division ordinances can be enacted by cities, villages, towns, and counties, with the latter's approval authority applying only in unincorporated (town) areas and limited objecting authority applying within cities and villages. Cities and villages also have extraterritorial plat approval jurisdiction over subdivisions proposed in town areas near their corporate boundaries.

Chapter 236 of the *Wisconsin Statutes* sets forth general requirements governing the subdivision of land, including, among others, surveying and monumenting requirements, necessary approvals, recording procedures, and requirements for amending or changing subdivision maps. The *Statutes* also grant authority to county and local governments to review subdivision maps, commonly referred to as plats, with respect to local plans and ordinances. Section 236.45 authorizes county and local governments to adopt their own land division ordinances, which may be more restrictive than State requirements. Washington County has adopted a County land division ordinance, which is summarized in Part 2 of this chapter.

The Town of Wayne adopted a land division ordinance in February 2002, and was most recently amended in December 2006. Under Chapter 236, local governments are required to review and take action on plats for subdivisions. Subdivisions are defined in the *Statutes* as "a division of a lot, parcel, or tract of land by the owner thereof or the owner's agent for purpose of sale or of building development, where the act of division creates five or more parcels or building sites of 1.5 acres each or less in area; or five or more parcels or building sites of 1.5 acres each or less in area are created by successive divisions within a period of five years." Local subdivision ordinances may be broader in scope and require review and approval of land divisions in addition to those meeting the statutory definition of a "subdivision," which is the case in the Town.

The Town of Wayne land division ordinance applies to all lands within the Town. A subdivision is defined as a land division that creates five or more parcels or building sites of ten acres each or less in area or where five or more parcels or building sites of ten acres each or less created by successive divisions within a five-year period. All other divisions of land within the Town require Town Board approval of a certified survey map.

Extraterritorial Plat Authority

Under Section 236.10 of the *Statutes*, a city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if the city or village has adopted a subdivision ordinance or an official map. Section 236.02 of the *Statutes* defines the extraterritorial plat review jurisdiction as the unincorporated area within three miles of the corporate limits of a city of the first, second, or third class, or within 1.5 miles of the corporate limits of a city of the fourth class or a village. In accordance with Section 66.0105 of the *Statutes*, in situations where the extraterritorial plat approval jurisdiction of two or more cities or villages would otherwise overlap, the extraterritorial jurisdiction between the municipalities is divided on a line, all points of which are equidistant from the boundaries of each municipality concerned, so that no more than one city or village exercises extraterritorial jurisdiction over any unincorporated area. The extraterritorial area changes whenever a city or village annexes land, unless the city or village has established a permanent extraterritorial area through a resolution of the common council or village board or through an agreement with a neighboring city or village. A municipality may

also waive its right to approve plats within any portion of its extraterritorial area by adopting a resolution that describes or maps the area in which it will review plats, as provided in Section 236.10(5) of the *Statutes*. The resolution must be recorded with the County register of deeds.

Official Mapping Ordinances

Section 62.23(6) of the *Wisconsin Statutes* allows the Common Council of any City to establish an official map for the precise identification of right-of-way lines and boundaries of streets, highways, waterways,⁵ and parkways and the location and extent of railroad rights-of-way, public transit facilities, parks, and playgrounds. An official map is intended to be used as a precise planning tool for implementing master and comprehensive plans and for insuring the availability of land for the above features.

Section 61.35 of the *Statutes* applies the authority provided cities under Section 62.23 to develop an official map to villages. A town may prepare and adopt an official map if it has adopted village powers. The clerk of any local government that adopts an official map by ordinance or resolution must record a certificate showing that the local government has established an official map with the Washington County register of deeds.

One of the basic purposes of the official map is to discourage the construction of structures and their associated improvements on land that has been designated for future public use. Local government subdivision ordinances can also require land shown on the official map to be dedicated for street, park, or other public use at the time land is subdivided. The official map is a plan implementation device that operates on a communitywide basis in advance of land development and can thereby effectively assure the integrated development of the street and highway system, and unlike subdivision control, which operates on a plat-by-plat basis, the official map can operate over the entire community in advance of development proposals. The official map is a useful device to achieve public acceptance of long-range plans in that it serves legal notice of the government's intention well in advance of any actual improvements.

The Town of Wayne has not adopted an official map.⁶

⁵*Waterways may be placed on the map only if included within a comprehensive surface water drainage plan.*

⁶*An official map under Section 62.23 (6) of the Statutes is not the same as a zoning map, which is often mistakenly referred to as an "official map."*

Chapter III

POPULATION, HOUSEHOLD, AND EMPLOYMENT TRENDS AND PROJECTIONS

PART 1: EXISTING POPULATION, HOUSEHOLD, AND EMPLOYMENT LEVELS

Information on the size, characteristics, and distribution of population, household, and employment levels in Washington County and in the Town of Wayne assists in preparing projections that will anticipate changes in these factors over time, which is essential to the comprehensive planning process. Many of the planning recommendations set forth in the following chapters of this report are directly related to the existing and probable future population, household, and employment levels in the Town. Part 1 of this chapter provides information on existing and historical population, household, and employment levels. Population and household projections for the year 2035, which were used to design the plan presented later in this report, are presented in Part 2 of this chapter. Employment projections are presented in Chapter X.

Much of the historical demographic data in this chapter is from the U. S. Bureau of the Census. Census data are collected every ten years and are derived from both short and long form questionnaires. The short form is sent to every household and provides a complete count of all persons, and certain selected characteristics of all persons, living in the United States. Data tabulations derived from the short form are referenced as Summary File 1 Data. The long form is sent to one of every six households. Data tabulations derived from the long form are referenced as Summary File 3 Data. Data from Summary File 1 are more reliable than data from Summary File 3, due to sampling-related errors present in the Summary File 3 tabulations; however, Summary File 3 includes a wider range of population, housing, and income characteristics and, in some cases, is the only source available for certain information. If available, Summary File 1 data were used to prepare this chapter. Data relating to education, housing, and income are from Summary File 3.

POPULATION

Population Trends

Washington County has experienced an increase in population in each decade since 1890. Between 1940 and 1980 the County experienced a rapid rate of increase in population, followed by a growth rate of about 12 percent between 1980 and 1990 and by about 23 percent between 1990 and 2000. The County had 117,496 residents in 2000. The County population is expected to increase to 157,265 persons, an increase of about 34 percent, between 2000 and 2035.

Population changes in Washington County communities between 1980 and 2000, and 2005 population estimates from the Wisconsin Department of Administration(DOA), are set forth in Table 2. Between 1990 and 2000,

Table 2

POPULATION TRENDS IN WASHINGTON COUNTY COMMUNITIES: 1980-2005

Community	Year				Change 1990-2000	
	1980	1990	2000	2005 ^a	Number	Percent
Towns						
Addison	2,834	3,051	3,341	3,546	290	9.5
Barton.....	2,493	2,586	2,546	2,616	-40	-1.5
Erin.....	2,455	2,817	3,664	3,879	847	30.1
Farmington.....	2,386	2,523	3,239	3,497	716	28.4
Germantown.....	267	258	278	269	20	7.8
Hartford	3,269	3,243	4,031	4,016	788	24.3
Jackson.....	3,180	3,172	3,516	3,767	344	10.8
Kewaskum.....	1,243	1,139	1,119	1,141	-20	-1.8
Polk	3,486	3,540	3,938	3,988	398	11.2
Richfield	8,390	8,993	10,373	11,336	1,380	15.3
Trenton.....	3,914	3,967	4,440	4,677	473	11.9
Wayne.....	1,471	1,374	1,727	1,932	353	25.7
West Bend.....	3,588	4,165	4,834	4,856	669	16.1
Villages						
Germantown.....	10,729	13,658	18,260	19,189	4,602	33.7
Jackson.....	1,817	2,486	4,938	5,884	2,452	98.6
Kewaskum.....	2,381	2,514	3,277	3,689	763	30.4
Newburg ^b	783	958	1,119	1,162	161	16.8
Slinger.....	1,612	2,340	3,901	4,243	1,561	66.7
Cities						
Hartford ^c	7,159	8,188	10,905	12,728	2,717	33.2
West Bend.....	21,484	24,470	28,152	29,612	3,682	15.0
Washington County ^d	84,848	95,328	117,496	125,940	22,168	23.2

^aThe 2005 population levels are estimates by the Wisconsin Department of Administration. All other years are from the U.S. Census.

^bIncludes that portion of the Village of Newburg located in Ozaukee County. There were 92 Newburg residents in Ozaukee County in 2000.

^cIncludes that portion of the City of Hartford located in Dodge County. There were 10 Hartford residents in Dodge County in 2000.

^dIncludes Washington County only.

Source: U.S. Bureau of the Census, Wisconsin Department of Administration, and SEWRPC.

about 29 percent of the County's population growth occurred in cities, about 28 percent occurred in towns, and about 43 percent occurred in villages. In 2000, about 33 percent of the County's population lived in cities, about 40 percent lived in towns, and about 27 percent lived in villages.

The Town of Erin experienced the largest percentage increase in population, about 30 percent, of the 13 towns in the County between 1990 and 2000. Also between 1990 and 2000, the Town of Wayne increased by about 26 percent; and the Towns of Farmington and Hartford also experienced percentage increases in population ranging between 24 and 29 percent. The Town of Richfield experienced the largest gain in the number of new residents; increasing by 1,380 persons, or by about 15 percent.

Historical population levels in the Town of Wayne from 1860 to 2000 are set forth in Table 3. After an increase between 1860 and 1870, the Town's population decreased in each succeeding decade between 1870 and 1940. Between 1940 and 1990 the population alternately increased and decreased, with a net increase of 319 residents over that period. The Town experienced its largest single decade increase in population between 1990 and 2000, with an increase of 353 residents, or about 26 percent, reaching a level of 1,727 residents in 2000. The 2005 DOA population estimate for the Town is 1,932, an increase of 205 residents from 2000.¹

¹The January 1, 2007 DOA population estimate for the Town of Wayne was 2,006 residents.

Table 3
HISTORIC POPULATION LEVELS
IN THE TOWN OF WAYNE: 1860-2000

Year	Population	Change From Preceding Census	
		Number	Percent
1860	1,630	--	--
1870	1,710	80	4.9
1880	1,594	-116	-6.8
1890	1,471	-123	-7.7
1900	1,391	-80	-5.4
1910	1,239	-152	-10.9
1920	1,150	-89	-7.2
1930	1,066	-84	-7.3
1940	1,055	-11	-1.0
1950	1,128	73	6.9
1960	1,081	-47	-4.1
1970	1,214	133	12.3
1980	1,471	257	21.1
1990	1,374	-97	-6.6
2000	1,727	353	25.7

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

Table 4
POPULATION BY AGE GROUP AND MEDIAN AGE IN
THE TOWN OF WAYNE AND WASHINGTON COUNTY: 2000

Age Group	Town of Wayne		Washington County	
	Number	Percent	Number	Percent
Under 5	105	6.1	7,970	6.8
5 through 19	404	23.4	26,146	22.3
20 through 64	1,071	62.1	70,165	59.7
65 and Older	147	8.4	13,212	11.2
Total	1,727	100.0	117,493	100.0
Median Age	36.4	--	36.6	--

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

Table 5
RACIAL COMPOSITION OF RESIDENTS IN THE
TOWN OF WAYNE AND WASHINGTON COUNTY: 2000

Race ^a	Town of Wayne		Washington County	
	Number	Percent	Number	Percent
White Alone	1,714	99.2	114,781	97.7
Black or African American Alone	--	--	465	0.4
American Indian and Alaska Native Alone	4	0.2	296	0.3
Asian Alone	2	0.1	674	0.6
Native Hawaiian and Other Pacific Islander Alone	1	0.1	35	-- ^b
Some Other Race Alone	--	--	474	0.4
Two Or More Races	6	0.3	771	0.6
Total	1,727	100.0	117,496	100.0

^aThe Federal government does not consider Hispanic origin to be a race, but rather an ethnic group.

^bLess than 0.05 percent.

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

Age Distribution

The age distribution of the population has important implications for planning and for the formation of public policies in the areas of education, health, housing, transportation, and economic development. In 2000, about 29 percent of the County population was under the age of 20; about 60 percent was between the ages of 20 and 64; and about 11 percent was age 65 and older. Over the planning period, the number and percentage of County residents in the age 65 and older category is expected to increase dramatically in both numbers (an increase of 25,113 persons) and percentage of the population (an increase to about 24 percent of the County's population).

Age distribution in the Town of Wayne and in Washington County in 2000 is set forth in Table 4. In the Town of Wayne in 2000, children less than five years old numbered 105, or about 6 percent of the Town population, while children in the age group five through 19, inclusive, numbered 404, or about 23 percent of the Town population. Adults in the age group 20 through 64, inclusive, numbered 1,071, or about 62 percent of the Town population, and persons age 65 and older numbered 147, or about 8 percent of the Town population. The percentage distribution of the population by age group in the Town was greater than that in the County as a whole for the five through 19 and 20 through 64 age groups, but lower than that in the County as a whole for the under five and the 65 and older age groups. The median age in the Town of Wayne in 2000 was 36 years, compared to a median age of 37 years in the County.

Racial Composition

Racial composition in the Town of Wayne and in Washington County is set forth in Table 5. The Town has a relatively homogeneous population. About 99 percent of the population, or 1,714 of the total 1,727 residents in 2000, were white. The percentage of whites in the Town was about equal to that in the County in 2000, but was higher than in the Region, where about 79 percent of the residents were white, and in the State of Wisconsin, where about 89 percent of the residents were white.

Educational Attainment

The level of educational attainment is one indicator of earning potential, which, in turn, influences such important choices as location, type, and size of housing. Educational attainment is also an indicator

of the type of occupations the County workforce is most suited to fill. This information is useful for formulating strategies to retain and expand existing businesses in the County and to attract new businesses to the County over the planning period.

The educational attainment of residents at least 25 years of age for the County and for each local government in 2000 is set forth in Table 6. In 2000, nearly 89 percent of County residents, and about 87 percent of Town of Wayne residents, at least 25 years of age, had attained a high school or higher level of education. These levels are higher than the educational attainment of the overall population of the seven-county Southeastern Wisconsin Region, where 84 percent of the population 25 years of age and older had attained this level of education as of 2000.

As further shown in Table 6, nearly 54 percent of the population 25 years of age and older in Washington County, and about 42 percent of Town of Wayne residents age 25 and older, had attended some college or had earned either an associate, bachelor, or graduate degree, compared to about 54 percent of Region residents. This level of education suggests that residents of the Town, and the County as a whole, are well suited for skilled employment such as management, professional, business, and financial occupations and skilled and high tech production positions. This factor is examined in greater detail in the Economic Development Element of this report (Chapter X).

HOUSEHOLDS

Household Trends

The number of households, or occupied housing units, is important to land use and public facility planning. Households directly influence the demand for urban land as well as the demand for transportation and other public facilities and services, such as public sewer, water, and parks. A household includes all persons who occupy a housing unit, which is defined by the Census Bureau as a house, apartment, mobile home, a group of rooms, or a single room that is occupied, or intended to be occupied, as separate living quarters.

The number of households and the average household size in Washington County and in each local government for 1980, 1990, and 2000 are set forth in Table 7. There were 43,842 households in Washington County in 2000, with an average household size of 2.65 persons, compared to an average household size of 2.52 persons in the Region. There were 582 households in the Town of Wayne, with an average household size of 2.97 persons. The average household size (the number of people living in each housing unit) is generally higher in areas where the predominant type of housing is single-family homes, as is the case in the Town of Wayne, rather than in areas with a mix of single-family and multi-family housing.

As further shown in Table 7, the number of households has increased in each local government and in the County in each decade, with a few exceptions. While the number of households has generally increased, the average number of persons per household has decreased in each local government and in the County between 1980 and 1990 and again between 1990 and 2000. This trend has occurred throughout Wisconsin, and reflects the fact that family sizes (average number of children per family) have decreased and that unmarried persons have increasingly tended to establish their own households rather than to live with family.

Household Income²

The 1999 annual household incomes in Washington County and in each local government are set forth in Table 8. The 1999 annual median income of all households in the County was \$57,033. The annual median household income in the Town of Wayne in 1999 was \$61,033, which was \$4,000, or about 7 percent, higher than the 1999

²Households include persons who live alone; unrelated persons who live together, such as college roommates; and families. Persons not living in households are classified as living in group quarters, such as hospitals for the chronically ill, homes for the aged, correctional institutions, and college dormitories.

Table 6

**EDUCATIONAL ATTAINMENT OF PERSONS 25 YEARS OF
AGE AND OLDER IN WASHINGTON COUNTY COMMUNITIES: 2000**

Community	Less Than 9 th Grade		9 th to 12 th Grade No Diploma		High School Graduate	
	Persons	Percent of Total	Persons	Percent of Total	Persons	Percent of Total
Towns						
Addison.....	152	7.1	158	7.4	841	39.4
Barton.....	61	3.6	158	9.3	619	36.6
Erin.....	40	1.6	114	4.5	892	35.4
Farmington.....	109	5.1	148	6.9	926	43.3
Germantown.....	2	1.1	12	6.4	58	30.9
Hartford.....	104	4.0	128	4.9	961	36.6
Jackson.....	130	5.3	97	3.9	852	34.5
Kewaskum.....	63	8.1	50	6.4	343	43.9
Polk.....	30	1.2	123	5.0	1,000	40.2
Richfield.....	112	1.6	435	6.2	2,397	34.4
Trenton.....	176	5.9	246	8.3	1,195	40.1
Wayne.....	63	5.5	84	7.3	513	44.9
West Bend.....	180	5.2	244	7.0	956	27.4
Villages						
Germantown.....	301	2.5	714	5.8	3,515	28.8
Jackson.....	57	1.8	257	8.1	1,087	34.4
Kewaskum.....	154	7.5	173	8.4	848	41.4
Newburg ^a	25	3.6	51	7.3	269	38.6
Slinger.....	165	6.0	121	4.4	1,247	45.7
Cities						
Hartford ^b	473	6.8	566	8.1	2,559	36.7
West Bend.....	990	5.4	1,481	8.1	6,252	34.1
Washington County ^c	3,382	4.4	5,356	6.9	27,308	35.1

Community	Some College or Associates Degree		Bachelor or Graduate Degree		Total Persons Age 25 and Older	
	Persons	Percent of Total	Persons	Percent of Total	Persons	Percent of Total
Towns						
Addison.....	771	36.0	217	10.1	2,139	100.0
Barton.....	598	35.4	256	15.1	1,692	100.0
Erin.....	738	29.2	739	29.3	2,523	100.0
Farmington.....	629	29.4	328	15.3	2,140	100.0
Germantown.....	55	29.2	61	32.4	188	100.0
Hartford.....	1,031	39.3	399	15.2	2,623	100.0
Jackson.....	811	32.9	578	23.4	2,468	100.0
Kewaskum.....	222	28.5	103	13.1	781	100.0
Polk.....	772	31.0	562	22.6	2,487	100.0
Richfield.....	2,300	33.0	1,734	24.8	6,978	100.0
Trenton.....	804	27.0	558	18.7	2,979	100.0
Wayne.....	324	28.4	159	13.9	1,143	100.0
West Bend.....	1,102	31.5	1,011	28.9	3,493	100.0
Villages						
Germantown.....	4,081	33.5	3,585	29.4	12,196	100.0
Jackson.....	1,029	32.6	731	23.1	3,161	100.0
Kewaskum.....	558	27.2	315	15.5	2,048	100.0
Newburg ^a	244	35.1	107	15.4	696	100.0
Slinger.....	683	25.0	516	18.9	2,732	100.0
Cities						
Hartford ^b	2,306	33.0	1,077	15.4	6,981	100.0
West Bend.....	5,574	30.4	4,023	22.0	18,320	100.0
Washington County ^c	24,606	31.7	17,057	21.9	77,709	100.0

^aIncludes that portion of the Village of Newburg located in Ozaukee County.

^bIncludes that portion of the City of Hartford located in Dodge County.

^cIncludes Washington County only.

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

Table 7

NUMBER OF HOUSEHOLDS AND AVERAGE HOUSEHOLD SIZE FOR WASHINGTON COUNTY COMMUNITIES: 1980-2000

Community	1980			1990			2000		
	Number of Households	Percent of County Households	Average Household Size	Number of Households	Percent of County Households	Average Household Size	Number of Households	Percent of County Households	Average Household Size
Towns									
Addison.....	796	3.0	3.56	943	2.9	3.22	1,149	2.6	2.90
Barton.....	703	2.6	3.55	821	2.5	3.21	896	2.0	2.84
Erin.....	718	2.7	3.39	911	2.8	3.07	1,287	2.9	2.83
Farmington.....	677	2.5	3.52	789	2.4	3.20	1,116	2.5	2.90
Germantown.....	75	0.3	3.56	81	0.3	3.19	89	0.2	3.12
Hartford.....	988	3.3	3.31	1,105	3.3	2.93	1,397	3.2	2.88
Jackson.....	915	2.5	3.48	995	3.0	3.19	1,201	2.7	2.93
Kewaskum.....	366	1.4	3.40	356	1.0	3.19	394	0.9	2.84
Polk.....	1,057	4.0	3.28	1,136	3.4	3.10	1,352	3.1	2.89
Richfield.....	2,384	8.9	3.52	2,839	8.6	3.17	3,614	8.2	2.87
Trenton.....	1,112	4.2	3.52	1,236	3.7	3.25	1,520	3.5	2.91
Wayne.....	409	1.5	3.60	418	1.3	3.29	582	1.3	2.97
West Bend.....	1,033	3.9	3.10	1,629	5.0	2.56	1,611	3.7	2.74
Villages									
Germantown.....	3,428	3.1	3.13	4,931	15.0	2.77	6,904	15.8	2.63
Jackson.....	672	2.7	2.70	953	2.9	2.60	1,949	4.4	2.53
Kewaskum.....	787	2.9	3.00	925	2.8	2.72	1,212	2.8	2.64
Newburg ^a	226	0.8	3.04	290	0.9	2.94	398	0.8	2.80
Slinger.....	526	2.0	3.05	882	2.7	2.62	1,562	3.6	2.46
Cities									
Hartford ^b	2,550	9.5	2.75	3,051	9.2	2.64	4,279	9.8	2.51
West Bend.....	7,293	2.9	2.90	8,686	26.3	2.71	11,375	26.0	2.44
Washington County ^c	26,715	100.0	3.14	32,977	100.0	2.86	43,842	100.0	2.65

^aIncludes that portion of the Village of Newburg located in Ozaukee County. There were 226 households in Washington County in 1980, 290 households in 1990, and 356 households in 2000.

^bIncludes that portion of the City of Hartford located in Dodge County. There were 2,550 households in Washington County in 1980, 3,051 households in 1990, and 4,276 households in 2000.

^cIncludes Washington County only.

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

annual median household income in the County. Median incomes tended to be higher in the towns than in cities and villages. This reflects the likelihood that persons with more modest or limited incomes would live in cities and villages, which tend to have a greater range of housing choices.

Although there is great economic prosperity in the County, a number of households have experienced annual incomes below the poverty level. In 1999, there were 1,628 households in the County with an annual income below the poverty level.³ There were nine households in the Town of Wayne living below the poverty level in 1999, or about 1.5 percent of all Town households.

³Multiple thresholds exist to determine if a household is under the poverty level. An example of the types of variables used to determine poverty thresholds include: age of householder, age of family members, number of family members, and number of children present in a household related to the householder. In 1999, poverty threshold levels varied from an annual household income of \$8,501 for a household with one householder under the age of 65 to an annual income of \$37,076 for a household with nine or more people, one of which is a child under the age of 18 related to the householder.

Table 8

ANNUAL HOUSEHOLD INCOME IN WASHINGTON COUNTY COMMUNITIES: 1999

Community	Household Income Less than \$15,000		Household Income \$15,000 to \$24,999		Household Income \$25,000 to \$34,999		Household Income \$35,000 to \$49,999		Household Income \$50,000 to \$74,999	
	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total
Towns										
Addison	71	6.2	95	8.3	136	11.8	143	12.5	351	30.6
Barton	26	2.9	46	5.2	50	5.6	167	18.7	248	27.8
Erin	62	4.7	45	3.4	65	4.9	182	13.8	305	23.2
Farmington	49	4.5	44	4.1	58	5.4	164	15.2	431	39.9
Germantown	4	4.2	4	4.2	5	5.2	8	8.3	27	28.1
Hartford	31	2.2	96	7.0	138	10.0	149	10.8	345	25.1
Jackson	23	1.9	58	4.9	143	12.1	181	15.3	346	29.2
Kewaskum	38	9.1	28	6.7	39	9.3	65	15.6	119	28.5
Polk	26	2.0	45	3.5	51	3.9	235	18.2	358	27.7
Richfield	94	2.6	169	4.7	211	5.8	452	12.5	953	26.3
Trenton	67	4.3	106	6.8	112	7.2	215	13.8	479	30.7
Wayne	24	4.1	15	2.6	66	11.3	94	16.1	195	33.4
West Bend	67	4.1	86	5.3	125	7.7	176	10.8	378	23.3
Villages										
Germantown	376	5.4	478	6.9	737	10.6	1,128	16.3	1,769	25.5
Jackson	159	8.2	146	7.5	166	8.6	406	20.9	656	33.8
Kewaskum	92	7.7	110	9.3	153	12.9	241	20.3	320	26.9
Newburg ^a	29	7.2	33	8.2	33	8.2	78	19.4	112	27.8
Slinger	178	10.9	156	9.5	236	14.4	345	21.1	406	24.8
Cities										
Hartford ^b	517	12.0	456	10.6	562	13.1	756	17.6	1,291	30.1
West Bend	965	8.5	1,285	11.3	1,556	13.7	2,121	18.7	3,173	27.9
Washington County ^c	2,893	6.6	3,494	8.0	4,642	10.6	7,298	16.6	12,255	27.9

Community	Household Income \$75,000 to \$99,999		Household Income \$100,000 to \$149,000		Household Income \$150,000 to \$199,999		Household Income \$200,000 or More		Median Household Income
	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total	Households	Percent of Total	
Towns									
Addison	223	19.4	104	9.1	18	1.6	7	0.5	\$56,875
Barton	212	23.8	127	14.2	0	0.0	16	1.8	64,861
Erin	325	24.7	231	17.6	66	5.0	34	2.7	74,875
Farmington	180	16.7	105	9.7	25	2.3	24	2.2	61,677
Germantown	19	19.8	14	14.6	12	12.5	3	3.1	75,000
Hartford	325	23.7	199	14.5	71	5.2	20	1.5	69,896
Jackson	217	18.3	182	15.3	20	1.7	16	1.3	64,070
Kewaskum	75	17.9	43	10.3	7	1.7	4	0.9	59,500
Polk	253	19.6	214	16.6	69	5.3	42	3.2	62,933
Richfield	788	21.8	676	18.7	118	3.3	155	4.3	72,809
Trenton	229	14.7	307	19.7	35	2.2	11	0.6	66,213
Wayne	128	22.0	52	8.9	6	1.0	3	0.5	61,033
West Bend	253	15.6	313	19.3	121	7.4	105	6.5	73,333
Villages									
Germantown	1,305	18.8	949	13.7	128	1.9	59	0.9	\$60,742
Jackson	216	11.1	133	6.9	44	2.3	14	0.7	53,990
Kewaskum	175	14.7	69	5.8	16	1.3	13	1.1	49,861
Newburg ^a	78	19.3	29	7.2	8	12.0	3	0.7	57,024
Slinger	166	10.1	128	7.8	16	1.0	7	0.4	47,125
Cities									
Hartford ^b	415	9.7	194	4.5	27	0.6	79	1.8	\$46,553
West Bend	1,241	10.9	758	6.7	126	1.1	141	1.2	48,315
Washington County ^c	6,819	15.5	4,823	11.0	930	2.1	756	1.7	\$57,033

^aIncludes that portion of the Village of Newburg located in Ozaukee County.

^bIncludes that portion of the City of Hartford located in Dodge County.

^cIncludes Washington County only.

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

Household Size

In addition to determining the number of additional housing units needed over the planning period, household size can be used to determine the type and size of housing which will best meet the needs of Washington County and local government residents. Table 9 sets forth the number of households in each household size category, ranging from one person households to households containing seven or more members, in the County and in each local government. Two-person households were the most common type of households in the Town of Wayne and in the County overall in 2000. About 36.9 percent of all households in the Town were in the two-person household category, followed respectively by four-person households at about 22.2 percent and by three-person households at about 17.3 percent. Household size information coupled with household income and housing affordability information provided the basis for the housing recommendations set forth in the Housing Element chapter of this report.

EMPLOYMENT

Employment and Occupational Characteristics

There were 1,030 Town of Wayne residents age 16 and older in the labor force in 2000. Of that number, 1,008 were employed and 22 were unemployed at the time the Census was taken. About 78 percent of Town residents age 16 years and over were in the labor force, compared to about 74 percent in the County, 68 percent in the Region, and about 69 percent in the State.

The occupations of employed Town of Wayne and Washington County residents are set forth in Table 10. The occupational breakdown by percentage of employed Town residents was similar to that of the County. The largest percentage of Town workers, about 26 percent, was employed in management, professional, and related occupations. Ranking second, for both Town and County workers, were sales and office occupations, which employed about 25 percent of Town workers. About 24 percent of Town workers were employed in production, transportation, and material moving occupations, which ranked third among both Town and County workers. Construction, extraction, and maintenance occupations employed about 14 percent of Town workers.

Place of Work

As shown in Table 11, approximately 64 percent of Town of Wayne workers were employed in Washington County in 2000. Milwaukee County accounted for about 11 percent of the work trip destinations of Town of Wayne workers and Waukesha County accounted for an additional 9 percent. A higher percentage of Town of Wayne workers commuted to Dodge and Fond du Lac Counties than did workers in the County as a whole (about 5 percent compared to 1 percent for Dodge County and about 6 percent compared to 1 percent for Fond du Lac County), which is not unexpected given the Town's relative proximity to both Dodge and Fond du Lac Counties.

Total Employment Levels⁴

The previous two sections provided information on the employment characteristics of Town of Wayne residents. Total employment in the County, that is, the number of jobs located in Washington County, stood at about 61,700 jobs in 2000, compared to about 46,100 jobs in 1990. About 560 jobs were located in the Town of Wayne in 2000.

Employment by Industry

Information regarding employment levels by industry group provides valuable insight into the structure of the economy of an area and into changes in that structure over time. This section presents current (2000) and historical employment levels by general industry groups for Washington County residents (this information is not available at the Town level). With the exception of government employment, the industry-related employment data presented in this section are based on the Standard Industrial Classification (SIC) system (see Figure 1 for major SIC categories). Government employment includes all employees who work for government agencies and enterprises, regardless of the SIC code of such entities.

⁴Information on jobs located in Washington County is derived from the U. S. Bureau of Economic Analysis, which compiles its data largely from information collected under State Unemployment Insurance programs.

Table 9

HOUSEHOLD SIZE BY CATEGORY IN WASHINGTON COUNTY COMMUNITIES: 2000

Community	1-person Households		2-person Households		3-person Households		4-person Households	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Towns								
Addison.....	167	14.5	391	34.0	194	16.9	246	21.4
Barton.....	120	13.4	325	36.3	177	19.8	170	19.0
Erin.....	149	11.6	521	40.5	232	18.0	239	18.6
Farmington.....	127	11.4	426	38.2	181	16.2	244	21.9
Germantown.....	10	11.2	24	27.0	16	18.0	27	30.3
Hartford.....	202	14.4	470	33.6	265	19.0	279	20.0
Jackson.....	156	13.0	405	33.7	231	19.2	250	20.8
Kewaskum.....	58	14.7	145	36.8	65	16.5	81	20.6
Polk.....	170	12.6	515	38.1	228	16.9	251	18.5
Richfield.....	397	11.0	1,385	38.3	657	18.2	769	21.3
Trenton.....	180	11.9	546	35.9	292	19.2	305	20.1
Wayne.....	63	10.8	215	36.9	101	17.3	129	22.2
West Bend.....	257	15.9	618	38.4	248	15.4	312	19.4
Villages								
Germantown.....	1,411	20.4	2,416	35.0	1,239	18.0	1,209	17.5
Jackson.....	447	22.9	706	36.2	324	16.6	329	16.9
Kewaskum.....	256	21.1	425	35.1	199	16.4	206	17.0
Newburg ^a	74	18.6	125	31.4	81	20.4	67	16.8
Slinger.....	417	26.7	536	34.3	263	16.8	203	13.0
Cities								
Hartford ^b	1,123	26.2	1,416	33.1	694	16.2	651	15.2
West Bend.....	3,132	27.5	3,948	34.7	1,743	15.3	1,608	14.1
Washington County ^c	8,903	20.3	15,539	35.5	7,425	16.9	7,570	17.3

Community	5-person Households		6-person Households		7-or-more-person Households		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Towns								
Addison.....	105	9.1	34	3.0	12	1.1	1,149	100.0
Barton.....	76	8.5	23	2.6	5	0.5	896	100.0
Erin.....	103	8.0	29	2.2	14	1.1	1,287	100.0
Farmington.....	102	9.1	28	2.5	8	0.7	1,116	100.0
Germantown.....	10	11.2	0	0.0	2	2.3	89	100.0
Hartford.....	128	9.2	43	3.1	10	0.7	1,397	100.0
Jackson.....	108	9.0	44	3.7	7	0.6	1,201	100.0
Kewaskum.....	27	6.8	13	3.3	5	1.3	394	100.0
Polk.....	137	10.1	28	2.1	23	1.7	1,352	100.0
Richfield.....	305	8.4	83	2.3	18	0.5	3,614	100.0
Trenton.....	148	9.7	37	2.4	12	0.8	1,520	100.0
Wayne.....	45	7.8	21	3.6	8	1.4	582	100.0
West Bend.....	139	8.6	30	1.9	7	0.4	1,611	100.0
Villages								
Germantown.....	475	6.9	119	1.7	35	0.5	6,904	100.0
Jackson.....	101	5.2	29	1.5	13	0.7	1,949	100.0
Kewaskum.....	94	7.7	25	2.1	7	0.6	1,212	100.0
Newburg ^a	34	8.5	10	2.5	7	1.8	398	100.0
Slinger.....	112	7.2	23	1.5	8	0.5	1,562	100.0
Cities								
Hartford ^b	293	6.9	77	1.8	25	0.6	4,279	100.0
West Bend.....	689	6.1	199	1.8	56	0.5	11,375	100.0
Washington County ^c	3,229	7.4	894	2.0	282	0.6	43,842	100.0

^aIncludes that portion of the Village of Newburg located in Ozaukee County. There are 356 households located in Washington County.

^bIncludes that portion of the City of Hartford located in Dodge County. There are 4,276 households located in Washington County.

^cIncludes Washington County only.

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

Table 10

**EMPLOYED PERSONS 16 YEARS OF AGE AND OLDER BY
OCCUPATION IN THE TOWN OF WAYNE AND WASHINGTON COUNTY: 2000**

Occupation	Town of Wayne		Washington County	
	Number	Percent of Total	Number	Percent of Total
Management, Professional, and Related Occupations				
Farmers and Farm Managers.....	46	4.6	521	0.8
Other Management, Business, and Financial Operations.....	81	8.0	8,340	12.9
Professional and Related.....	138	13.7	11,944	18.5
Subtotal	265	26.3	20,805	32.2
Service Occupations				
Healthcare Support.....	20	2.0	1,063	1.7
Protective Service.....	9	0.9	594	0.9
Food Preparation and Serving Related.....	33	3.3	2,646	4.1
Building and Grounds Cleaning and Maintenance.....	24	2.4	1,561	2.4
Personal Care and Service.....	17	1.7	1,380	2.1
Subtotal	103	10.3	7,244	11.2
Sales and Office Occupations				
Sales and Related.....	109	10.8	6,577	10.2
Office and Administrative Support.....	147	14.5	9,671	14.9
Subtotal	256	25.3	16,248	25.1
Farming, ^a Fishing, and Forestry Occupations	4	0.4	353	0.5
Construction, Extraction, and Maintenance Occupations				
Construction and Extraction.....	80	7.9	3,542	5.5
Installation, Maintenance, and Repair.....	63	6.3	2,926	4.5
Subtotal	143	14.2	6,468	10.0
Production, Transportation, and Material Moving Occupations				
Production.....	179	17.8	10,174	15.7
Transportation and Material Moving.....	58	5.7	3,395	5.3
Subtotal	237	23.5	13,569	21.0
Total	1,008	100.0	64,687	100.0

^aIncludes farm labor contractors, agricultural inspectors, animal breeders, graders and sorters, agricultural equipment operators, and farmworkers and laborers (including crop, nursery, greenhouse, and farm/ranch workers). Farmers and farm managers are included under the "management, professional, and related" occupations.

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

Table 11

**PLACE OF WORK^a OF TOWN OF WAYNE
AND WASHINGTON COUNTY RESIDENTS: 2000**

Place of Work	Town of Wayne		Washington County	
	Number	Percent of Total	Number	Percent of Total
City of Hartford.....	46 ^b	4.5	4,548 ^b	7.2
City of West Bend.....	261	26.1	11,968	18.8
Village of Germantown.....	21	2.1	4,394	6.9
Village of Jackson.....	12	1.2	1,533	2.4
Village of Kewaskum.....	31	3.1	731	1.1
Village of Slinger.....	20	2.0	1,398	2.2
Remainder of Washington County.....	246	24.6	7,494	11.8
Subtotal	637	63.6	32,066	50.4
City of Milwaukee.....	65	6.5	8,947	14.1
Remainder of Milwaukee County.....	47	4.7	5,388	8.5
Subtotal	112	11.2	14,335	22.6
Dodge County.....	52 ^b	5.2	791 ^b	1.2
Fond du Lac County.....	63	6.3	541	0.9
Ozaukee County.....	24	2.4	4,545	7.1
Waukesha County.....	88	8.8	9,983	15.7
Worked Elsewhere.....	25	2.5	1,359	2.1
Total	1,001	100.0	63,620	100.0

^aThe place of work Census Data estimates the number of people 16 years of age and older who were both employed and at work during the reference week (generally the week prior to April 1, 2000). People who did not work during this week due to temporary absences and other reasons are not included in the place of work data. Therefore, the place of work data may understate the total employment in a geographic area.

^bThe 2000 Census reported employees of the Quad Graphics plant in that portion of the City of Hartford located in Dodge County as working in the City of Hartford, Washington County.

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

Current and historical job levels by general industry group for Washington County and for the Region are set forth in Table 12. The 1990s saw a continuation of a shift in the regional economy from manufacturing to service jobs. Manufacturing employment in the Region was virtually unchanged during the 1990s, following a 15 percent decrease during the 1980s, and a modest 4 percent increase during the 1970s. Conversely, service-related employment has increased substantially during each of the past three decades—by 33 percent during the 1990s, by 41 percent during the 1980s, and by 53 percent during 1970s. Due to these differential growth rates, the proportion of manufacturing jobs relative to total jobs in the Region has decreased from 32 percent in 1970 to 18 percent in 2000, while service-related employment increased from 18 percent in 1970 to 33 percent in 2000. In comparison to the manufacturing and service industry groups, other major industry groups—such as wholesale trade; retail trade; government; and finance, insurance, and real estate—have been relatively stable in

Figure 1

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE STRUCTURE

Agriculture, Forestry and Fishing

- Group 01 Agricultural Production – Crops
- Group 02 Agricultural Production – Livestock
- Group 07 Agricultural Services
- Group 08 Forestry
- Group 09 Fishing, Hunting, and Trapping

Mining

- Group 10 Metal Mining
- Group 12 Coal Mining
- Group 13 Oil and Gas Extraction
- Group 14 Nonmetallic Minerals, Except Fuels

Construction

- Group 15 General Building Contractors
- Group 16 Heavy Construction, Except Building
- Group 17 Special Trade Contractors

Manufacturing

- Group 20 Food and Kindred Products
- Group 21 Tobacco Products
- Group 22 Textile Mill Products
- Group 23 Apparel and Other Textile Products
- Group 24 Lumber and Wood Products
- Group 25 Furniture and Fixtures
- Group 26 Paper and Allied Products
- Group 27 Printing and Publishing
- Group 28 Chemicals and Allied Products
- Group 29 Petroleum and Coal Products
- Group 30 Rubber and Miscellaneous Plastic Products
- Group 31 Leather and Leather Products
- Group 32 Stone, Clay, and Glass Products
- Group 33 Primary Metal Industries
- Group 34 Fabricated Metal Products
- Group 35 Industrial, Commercial, and Computer Equipment
- Group 36 Electronic and Other Electric Equipment
- Group 37 Transportation Equipment
- Group 38 Instruments and Related Products
- Group 39 Miscellaneous Manufacturing Industries

Transportation, Communication, Electric, Gas and Sanitary Services

- Group 40 Railroad Transportation
- Group 41 Local and Inter-Urban Passenger Transit
- Group 42 Trucking and Warehousing
- Group 43 U.S. Postal Service
- Group 44 Water Transportation
- Group 45 Transportation by Air
- Group 46 Pipelines, Except Natural Gas
- Group 47 Transportation Services
- Group 48 Communications
- Group 49 Electric, Gas, and Sanitary Services

Wholesale Trade

- Group 50 Wholesale Trade-Durable Goods
- Group 51 Wholesale Trade-Nondurable Goods

Retail Trade

- Group 52 Building Materials and Garden Supplies
- Group 53 General Merchandise Stores
- Group 54 Food Stores
- Group 55 Automotive Dealers and Service Stations
- Group 56 Apparel and Accessory Stores
- Group 57 Furniture and Home Furnishings Stores
- Group 58 Eating and Drinking Places
- Group 59 Miscellaneous Retail

Finance, Insurance and Real Estate

- Group 60 Depository Institutions
- Group 61 Non-depository Institutions
- Group 62 Insurance Carriers
- Group 64 Insurance Agents, Brokers, and Service
- Group 65 Real Estate
- Group 67 Holding and Other Investment Offices

Services

- Group 70 Hotels and Other Lodging Places
- Group 72 Personal Services
- Group 73 Business Services
- Group 75 Auto Repair, Service, and Parking
- Group 76 Miscellaneous Repair Services
- Group 78 Motion Pictures
- Group 79 Amusement and Recreation Services
- Group 80 Health Services
- Group 81 Legal Services
- Group 83 Social Services
- Group 84 Museum, Botanical, Zoological Gardens
- Group 86 Membership Organizations
- Group 87 Engineering and Management Services
- Group 89 Services Not Elsewhere Classified (NEC)

Public Administration

- Group 91 Executive, Legislative, and General
- Group 92 Justice, Public Order, and Safety
- Group 93 Finance, Taxation, and Monetary Policy
- Group 94 Administration of Human Resources
- Group 95 Environmental Quality and Housing
- Group 96 Administration of Economic Programs
- Group 97 National Security and International Affairs

Non-classifiable Establishments

- Group 99 Non-classifiable Establishments

Source: U.S. Bureau of Economic Analysis.

Table 12

**EMPLOYMENT BY GENERAL INDUSTRY GROUP IN
WASHINGTON COUNTY AND SOUTHEASTERN WISCONSIN: 1970-2000**

General Industry Group	SIC Code ^a	Washington County											
		Employment								Percent Change in Number of Jobs			
		1970		1980		1990		2000		1970-1980	1980-1990	1990-2000	1970-2000
		Jobs	Percent of Total	Jobs	Percent of Total	Jobs	Percent of Total	Jobs	Percent of Total				
Agriculture	01-02	2,002	8.2	1,919	5.5	1,511	3.3	1,255	2.0	-4.1	-21.3	-16.9	-37.3
Construction	15-17	1,104	4.5	1,785	5.1	2,960	6.4	3,746	6.1	61.7	65.8	26.6	239.3
Manufacturing	20-39	9,255	38.1	10,900	31.0	12,923	28.0	17,307	28.1	17.8	18.6	33.9	87.0
Transportation, Communication, and Utilities	40-42; 44-49	1,013	4.2	1,139	3.2	1,667	3.6	2,313	3.7	12.4	46.4	38.7	128.3
Wholesale Trade	50-51	323	1.3	1,003	2.9	1,642	3.6	2,946	4.8	210.5	63.7	79.4	812.1
Retail Trade	52-59	3,753	15.4	5,552	15.8	7,912	17.2	10,152	16.4	47.9	42.5	28.3	170.5
Finance, Insurance, and Real Estate	60-67	1,130	4.6	2,659	7.6	2,876	6.2	3,738	6.1	135.3	8.2	30.0	230.8
Service	70-89	3,161	13.0	5,956	16.9	9,283	20.1	13,152	21.3	88.4	55.9	41.7	316.1
Government ^p	N/A	2,377	9.8	3,954	11.2	4,840	10.5	6,018	9.8	66.3	22.4	24.3	153.2
Other ^q	07-09; 10-14; 99	208	0.9	293	0.8	506	1.1	1,064	1.7	40.9	72.7	110.3	411.5
Total	--	24,326	100.0	35,160	100.0	46,120	100.0	61,691	100.0	44.5	31.2	33.8	153.6

General Industry Group	SIC Code ^a	Southeastern Wisconsin Region											
		Employment								Percent Change in Number of Jobs			
		1970		1980		1990		2000		1970-1980	1980-1990	1990-2000	1970-2000
		Jobs	Percent of Total	Jobs	Percent of Total	Jobs	Percent of Total	Jobs	Percent of Total				
Agriculture	01-02	12,000	1.5	10,000	1.0	7,200	0.7	5,900	0.5	-16.7	-28.0	-18.1	-50.8
Construction	15-17	32,400	4.1	33,900	3.6	45,100	4.2	53,800	4.4	4.6	33.0	19.3	66.0
Manufacturing	20-39	254,400	32.4	264,200	27.9	223,500	21.0	224,400	18.3	3.9	-15.4	0.4	-11.8
Transportation, Communication, and Utilities	40-42; 44-49	38,500	4.9	42,200	4.4	46,300	4.4	54,800	4.5	9.6	9.7	18.4	42.3
Wholesale Trade	50-51	37,200	4.7	46,200	4.9	55,300	5.2	64,400	5.3	24.2	19.7	16.5	73.1
Retail Trade	52-59	133,900	17.1	153,900	16.2	185,400	17.4	193,700	15.8	14.9	20.5	4.5	44.7
Finance, Insurance, and Real Estate	60-67	47,600	6.1	75,600	8.0	81,800	7.7	93,700	7.7	58.8	8.2	14.5	96.8
Service	70-89	141,800	18.1	216,700	22.8	304,700	28.7	406,000	33.2	52.8	40.6	33.2	186.3
Government ^p	N/A	84,400	10.8	101,100	10.7	106,200	10.0	114,400	9.3	19.8	5.0	7.7	35.5
Other ^q	07-09; 10-14; 99	2,700	0.3	4,400	0.5	7,100	0.7	11,700	1.0	63.0	61.4	64.8	333.3
Total	--	784,900	100.0	948,200	100.0	1,062,600	100.0	1,222,800	100.0	20.8	12.1	15.1	55.8

^aSee Figure 1 for a list of SIC Codes and the occupations associated with each code.

^bIncludes all nonmilitary government agencies and enterprises.

^cIncludes agricultural services, forestry, commercial fishing, mining, and unclassified jobs.

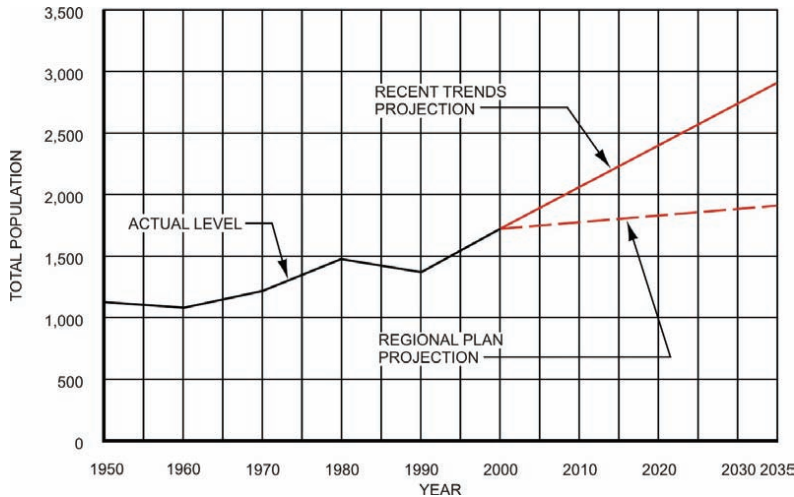
Source: U.S. Bureau of Economic Analysis and SEWRPC.

terms of their share of total employment in the Region over the last three decades. Regional agricultural jobs have decreased by over 50 percent between 1970 and 2000, the only regional industry group other than manufacturing to lose jobs.

Unlike the Region and the rest of Wisconsin, Washington County has experienced an increase in manufacturing jobs. Between 1970 and 2000, manufacturing jobs in Washington County increased from 9,255 to 17,307 jobs, or by about 87 percent. All other County job categories increased employees between 1970 and 2000, with the exception of agricultural jobs. County agricultural jobs decreased by about 37 percent between 1970 and 2000, the only County industry group to lose jobs.

Figure 2

**HISTORICAL AND ALTERNATIVE FUTURE
POPULATION LEVELS IN THE TOWN OF WAYNE: 1950-2035**



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

forecasts, whereby population changes between 1990 and 2005 were weighted more heavily than changes between 1980 and 1990. Town officials chose to use a “recent trends” projection when the Town of Wayne land use plan for the year 2020 was prepared. The population projection chosen by the Town was 2,400 residents by the year 2020.

The 2035 regional land use plan envisions a future population of 1,900 Town residents, while a continuation of recent trends would result in about 2,900 residents in 2035. Under the regional land use plan projection, the Town’s population would increase by about 175 residents, or by about 10 percent, from the 1,727 residents living in the Town in 2000. Under the “recent trends” projection, the Town’s population would increase by about 1,175 residents, or by about 68 percent, from the 2000 population level. A comparison of the two projections, in relation to changes in the Town’s population from 1950 to 2005, is shown in Figure 2.

The two alternative projections provide a reasonable range for the 2035 population level in the Town. The Plan Commission and Town Board considered the projections, along with local knowledge and expectations regarding anticipated future growth and development and past growth trends, and determined that the Town would base its future land use plan and other comprehensive planning elements on a 2035 population projection of 2,800 persons, which is slightly less than the “recent trends” projection of about 2,900 persons.

The selected population projection would result in approximately 1,018 households in the Town in 2035, based upon an anticipated average household size of 2.75 persons per household.

PART 2: POPULATION AND HOUSEHOLD PROJECTIONS

To ensure that adequate and suitable land is available to accommodate anticipated future population growth in the Town, a probable future population for the plan design year of 2035 was selected by the Town Board. In an effort to lessen the uncertainty associated with forecasting a future level, two alternative population projections were developed for consideration by Town officials. One of the projections was prepared by SEWRPC under the 2035 regional land use plan and the second projection was based on population trends experienced in the Town from 1980 to 2005. The “recent trends” analysis used a technique similar to that used by the Wisconsin Department of Administration to prepare its population

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Chapter IV

ISSUES AND OPPORTUNITIES ELEMENT

INTRODUCTION

The purpose of the issues and opportunities element is to define a desired future for the Town and provide an overall framework for development of the comprehensive plan. A vision statement was developed by the Town to express the preferred future and key characteristics desired by the Town.

Section 66.1001 (2) (a) of the *Wisconsin Statutes* requires that the Issues and Opportunities Element include a “statement of the overall objectives, policies, goals, and programs of the governmental unit to guide the future development and redevelopment of the governmental unit over the planning period.” Although not defined in the *Statutes*, the Wisconsin Department of Administration has provided the following definitions of those terms:

Goals: Broad and general expressions of a community’s aspirations, towards which the planning effort is directed. Goals tend to be ends rather than means.

Objectives: More specific targets, derived from goals and necessary to achieve those goals. While still general in nature, objectives are more precise, concrete, and measurable than goals.

Policies: Rules or courses of action necessary to achieve the goals and objectives from which they are derived. They are precise and measurable.

Programs: A system of projects or services necessary to achieve plan goals, objectives, and policies.

The comprehensive planning law also requires that the Issues and Opportunities Element include demographic information and population, household, and employment projections. Demographic information for the Town is presented in Chapter III, along with population and household projections for 2035. An employment projection is set forth in Chapter X.

VISION STATEMENT 2035

Visioning Process

Although the Town already had a vision statement, the statement was from a previous planning process conducted several years earlier as part of the Town land use plan adopted in 1998. Washington County University of Wisconsin – Extension (UWEX) staff met with the Town Plan Commission and Town Board on June 5, 2007, to review the statement and compare its concepts to the perceptions generated by the public during the input opportunities carried out as part of the current comprehensive planning process. Updates to the vision were deemed necessary by the Town. A vision statement for use in the Town’s comprehensive plan was drafted by UWEX staff and brought back to the Town on July 31, 2007, for approval.

Vision Statement:

“In 2035, the Town of Wayne remains a rural community in which farms share the landscape with a limited number of non-farm homesites. Active land use planning ensures that residential development occurs at appropriate densities and does not detract from the Town’s rural character, unique natural features, or recreational opportunities. Most non-residential development occurs at the interchanges of USH 41 with CTH D and STH 28. Environmental corridors, isolated natural resource areas, and agricultural lands are recognized as essential to the Town’s rural character, and are preserved. Local government that is open to an involved citizenry strives to provide adequate services while keeping taxes low.”

ISSUES AND OPPORTUNITIES

The following public participation events were held to obtain input from Town residents and identify the Town’s issues and opportunities.

Comprehensive Planning “Kickoff” Meeting

A comprehensive planning “kickoff” meeting was held in the Town on January 5, 2006. The meeting was an opportunity for Town residents to learn about the comprehensive planning process and participate in a strengths, weaknesses, opportunities, and threats (SWOT) assessment. A total of 40 people attended the meeting. The following are the issues identified as being most important by SWOT analysis participants.

Strengths: Something that makes a community stand out when compared to other communities; resources or capabilities that help a community be successful/strong.

- Close to major highway
- Strong agricultural base
- Schools and other services
- Natural beauty of area
- Land owned by DNR preserves land from development

Weaknesses: Deficiencies in resources for a community to be successful.

- Lack of food-producing farmland
- Lack of community involvement in Town government
- Development too rapid and haphazard
- Lack of proper zoning ordinances
- Inconsistent local government

Opportunities: Something that could be done to improve a community; factors or situations that can affect a community in a favorable way.

- Recreation (bike trail, public parks, etc.)
- Purchase of Development Rights (PDR) program using sales tax revenue
- Community strongly involved in the development of our growth plan

Threats: Anything that could jeopardize the future success of a community; factors or situations that can affect a community in a negative way.

- Loss of rural character
- Loss of farmland
- Incompatibility between farmers/non-farmers “culture conflict”
- Groundwater impacted by development

- Excessive/unrestricted development
- Destruction of natural areas
- Can services keep up with growth (police, fire, schools)
- Roads/Infrastructure
- Rural character
- Land prices
- Freedom to subdivide land and wasted farmland with five acre density development
- Government mandates
- Within the metropolitan area

Comprehensive Planning Visioning Workshop

A comprehensive planning visioning workshop/open house was held in the Town on August 24, 2006. The event was an opportunity for Town residents to review the inventory chapters of the comprehensive plan, map future land use on an interactive Smart Board using Geographic Information System (GIS) software, review existing Town goals, share opinions on development preferences, and develop a vision statement for the Town. A total of 14 residents attended the workshop and the majority wanted to preserve lands best suited for agriculture, natural areas, upland woods, and open space. There was also an interest in updating the Town's goals regarding hamlets to include concentrating residential growth to occur around these areas. Residents also determined that multi-family housing and mobile homes are not appropriate for the Town.

GOALS AND OBJECTIVES

The following goals and objectives are overall goals that should guide the protection of natural resources and future development and redevelopment in the Town through the plan design year of 2035. The overall goals are general and provide the framework for more specific goals in the following chapters. Because they are intended to be general rather than specific, no policies or programs are associated with the general goals and objectives presented in this chapter. Policies and programs are presented in each of the following seven element chapters, in association with the more specific element goals and objectives.

Meetings were held with the Town Plan Commission and Town Board on June 5 and July 31, 2007, to develop goals and objectives for the comprehensive plan. The meetings were facilitated by UWEX staff. The following goals and objectives were developed for the Town comprehensive plan:

Goal: Maintain the rural character of the Town.

Goal: Encourage the preservation of agricultural lands.

- **Objective:** Protect farmable lands by using conservation subdivision techniques specific to preserving agriculture.
- **Objective:** Maintain the economic stability of the farming community to help preserve the rural character and open spaces of the Town.

Goal: Maintain the existing landscape and natural beauty of the Town.

- **Objective:** Discourage development within environmental corridors and isolated natural resource areas.

Goal: Nonmetallic mining sites will not have a negative long-term impact on important environmental features or existing developments within the Town of Wayne.

- **Objective:** Mining operations will comply with existing ordinances and carry out reclamation plans.

Goal: Encourage preservation of historic or cultural structures and archaeological sites.

- **Objective:** Upon request, forward appropriate Town records of historical value to interested groups.

- **Objective:** Help residents develop a sense of the history of the Town of Wayne, as outlined in the Town’s sesquicentennial book, *Winding Through the Town of Wayne*.

Goal: Achieve a logical relationship between existing and proposed land uses.

- **Objective:** Achieve a spatial distribution of land uses that is properly related to existing and planned transportation, utility, and public facility systems.

Goal: Accommodate new residential development at appropriate densities.

- **Objective:** Limit residential development to densities and locations compatible with the rural character of the Town.

Goal: To focus urban development around existing hamlets.

- **Objective:** To focus limited urban development in and around existing hamlets, including Wayne, Kohlsville, St. Kilian, and other areas designated on the land use plan map (Map 10 in Chapter VI).

Goal: Provide a safe and efficient transportation system.

Goal: In cooperation with neighboring communities, encourage a range of housing types to serve the varied and special needs of area residents.

Goal: The Town prefers economic development that does not negatively impact the Town’s rural character or natural resources.

- **Objective:** Monitor the impacts (noise, traffic, etc.) of home-based businesses.
- **Objective:** Make the Town’s vision statement, comprehensive plan, and future land use map available to developers with potential business proposals.

Goal: Provide law enforcement and emergency services for Town residents and businesses.

Goal: Provide community facilities that are appropriate for a rural town.

- **Objective:** As required by State law, continue to use the Wisconsin Information System for Local Roads (WISLR); continue to update road ratings and to seek outside funds to help with road improvements.
- **Objective:** Require developers to pay for improvements needed to support new development requests.
- **Objective:** Strive to provide a state-of-the-art communications system for Town residents.

Goal: Provide a public recreational area to serve Town residents.

Goal: Work cooperatively with neighboring communities.

- **Objective:** Encourage shared services with neighboring communities.

Goal: Ensure the Town of Wayne’s comprehensive plan remains relevant.

- **Objective:** Routinely consult the comprehensive plan when carrying out Town government functions and developing the Town budget.
- **Objective:** Make the Town’s comprehensive plan available on the County’s Website.

ELEMENT GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Within the framework of the overall goals and objectives, more specific goals and objectives were developed through preparation of the remaining eight comprehensive plan elements. Each of the specific element goals relate directly to its element. Each element also includes recommended policies and programs that directly promote the achievement of specific element goals and objectives.

Chapter V

AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES ELEMENT

INTRODUCTION

The agricultural, natural, and cultural resources element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001 (2) (e) of the *Statutes* requires this element to compile goals, objectives, policies, and programs for the conservation and effective management of the following natural resources:

- Groundwater
- Forests
- Productive agricultural areas
- Environmentally sensitive areas
- Threatened and endangered species
- Stream corridors
- Surface water
- Floodplains
- Wetlands
- Metallic and nonmetallic mineral resources
- Parks, open spaces, and recreational resources
- Historical and cultural resources
- Community design (addressed in Chapter VI)

In addition, the following comprehensive planning goals related to the agricultural, natural, and cultural resources element are set forth in Section 16.965 of the *Statutes* and must be addressed as part of the planning process:¹

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.

¹Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

- Preservation of cultural, historic, and archaeological sites.
- Building of community identity by revitalizing main streets and enforcing design standards.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

This chapter provides inventory information on soils, existing farmland, farming operations, topography and geology, nonmetallic mining resources, water resources, woodland resources, natural areas and critical species habitats, environmental corridors, park and open space sites, and cultural (historical and archaeological) resources. This chapter consists of four parts: Part 1, Inventory of Soils and Agricultural Resources; Part 2, Inventory of Natural Resources; Part 3, Inventory of Cultural Resources; and Part 4, Agricultural, Natural, and Cultural Resources Goals, Objectives, Policies, and Programs.

The conservation and wise use of agricultural and natural resources and the preservation of cultural resources are fundamental to achieving strong and stable physical and economic development as well as maintaining community identity. This comprehensive plan recognizes that agricultural, natural, and cultural resources are limited and may be very difficult or impossible to replace if damaged or destroyed. Information on the characteristics and location of agricultural, natural, and cultural resources in the Town of Wayne will assist in properly locating future land uses to help avoid serious environmental problems and to protect existing natural resources.

The base years for the various inventory data presented in this chapter range from 1994 to 2005. Much of the inventory data have been collected through regional land use and natural area planning activities conducted by SEWRPC. Additional inventory data have been collected from and by Washington County; the Town of Wayne; and State and Federal agencies, including the Wisconsin Department of Natural Resources (DNR), the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP), the State Historical Society of Wisconsin, and the U.S. Department of Agriculture (USDA).

PART 1 – INVENTORY OF SOILS AND AGRICULTURAL RESOURCES

Soil Survey

The USDA Soil Conservation Service, now the Natural Resources Conservation Service (NRCS), issued a soil survey for Washington County in 1971.² Soils were identified, organized, and mapped by soil association, soil series, and soil type. The soil survey results, including the attributes of each soil type, are now available on the NRCS website as part of the Soil Survey Geographic (SSURGO) database. Unless otherwise noted, the soil information presented in this chapter was obtained from the SSURGO database.

The soil survey can play an important role in land use decisions. The information contained in the soil survey can help identify which areas of the Town are suitable for agricultural use; which areas may have limitations for development due to wet soils or bedrock near the surface; and which areas may have marketable nonmetallic mineral resources present.

Soil Associations

A soil association is a landscape that has a distinctive pattern of soils. It normally consists of one or more major soils and at least one minor soil, and is named for the major soil or soils present. The following soil associations are found in the Town of Wayne:

²*Documented in the Soil Survey, Washington County, Wisconsin, published by the USDA Soil Conservation Service in June 1971.*

The ***Brookston-Pella-Lamartine association*** consists of generally poorly-drained soils that have a subsoil of clay loam or silty clay loam, formed in loess and underlying loam to sandy loam glacial till. This association is generally found along stream beds in several portions of the Town and encompasses about 19 percent of the Town.

The ***Casco-Fox-Rodman association*** consists of well-drained soils that have a subsoil of gravelly sandy loam to clay loam, very shallow to moderately deep over gravel and sand, on glacial outwash terraces. This association encompasses about 10 percent of the Town and is generally found on lower elevations within the Kettle Moraine in the southeast portion of the Town.

The ***Hochheim-Theresa association*** contains well-drained soils that have a subsoil of clay loam, formed in loess with underlying sandy loam to loamy glacial till on uplands. This association, encompassing about 55 percent of the Town, is the predominant soil association present in the Town of Wayne.

The ***Houghton-Palms-Adrian association*** contains very poorly drained organic soils located along drainage ways, in depressions, and in old glacial lakebeds. This association, found along both the eastern and western margins of the Town, encompasses about 16 percent of the Town of Wayne.

Saturated Soils

Soils that are saturated with water, or that have a water table at or near the surface, are known as hydric soils. These soils pose significant limitations for most types of development. High water tables often cause wet basements and poorly-functioning absorption fields for private onsite waste treatment systems (POWTS). The excess wetness may also restrict the growth of landscaping plants and trees. Wet soils also restrict or prevent the use of land for crops, unless the land is artificially drained. Approximately 41 percent of the Town of Wayne is covered by hydric soils (about 9,400 acres), generally associated with stream beds and wetland areas. Although hydric soils are generally unsuitable for development, they may serve as important locations for the restoration of wetlands, as wildlife habitat, and for stormwater detention.

Depth to Bedrock

Areas where bedrock is at or near the surface pose significant limitations for most types of development. If depth to bedrock is shallow, excavation for septic tanks and drain fields needed for conventional private onsite waste treatment systems (POWTS) may be difficult and expensive and the septic system may operate poorly. Bedrock at or near the surface also limits development by increasing the costs of constructing a basement. The NRCS rates the limitations as severe if the depth to bedrock is equal to or less than three feet from the surface. Although areas with bedrock near the surface are concentrated in the southeast and eastern portions of the County, a single area of about eight acres with soil depth to bedrock equal to or less than three feet exists in the northeastern corner of the Town of Wayne along the border with the Town of Kewaskum. This area is an extension of a larger area of 20 or more acres in the Town of Kewaskum where the depth to bedrock is equal to or less than three feet from the surface. While areas of high bedrock may limit or increase the cost of urban development, they may also serve as important locations for the quarrying of stone.

Soil Suitability for Agricultural Production

The NRCS has classified the agricultural capability of soils based on their general suitability for most kinds of farming. These groupings are based on the limitations of the soils, the risk of damage when used, and the manner in which the soils respond to treatment. Generally, lands with Class I and II soils are considered “National Prime Farmlands” and lands with Class III soils are considered “Farmlands of Statewide Significance.” Class I soils have few limitations, the widest range of uses, and the least risk of damage when used. The soils in the other classes have progressively greater natural limitations. Class II soils have some limitations that reduce the choice of plants that can be grown, or require moderate conservation practices to reduce the risk of damage when used. Class III soils have more stringent limitations that will likely reduce the choice of plants, require special conservation practices, or both; and Class IV soils have severe limitations. Class V, VI, and VII soils are considered suitable for pasture but not for crops, and Class VIII soils are so rough, shallow, or otherwise limited that they do not produce economically worthwhile yields of crops, forage, or wood products.

The location and quantity of Class I, II, and III soils were an important consideration when farmland preservation areas were identified in the existing County farmland preservation plan (adopted in 1981) and in existing town land use and master plans. The County Farmland Preservation Plan³ used the following criteria to designate Primary Farmlands: farms with at least 50 percent of soils classified as Class I, II, or III; located within a farming block of at least 640 acres; and having a minimum farm size of 35 acres. Farms less than 35 acres were included if used for the production of specialty crops or livestock, provided that the soil criterion and minimum farming block criterion were met. The number of acres contained in, and the relative proportion of, these various soil classes in the Town of Wayne are set forth in Table 13.

Table 13

AGRICULTURAL SOIL CAPABILITY IN THE TOWN OF WAYNE AND WASHINGTON COUNTY

Agricultural Soil Capability Class	Town of Wayne		Washington County	
	Acres	Percent of Total Area	Acres	Percent of Total Area
Class I Soils	266	1.2	4,971	1.8
Class II Soils	12,206	53.3	144,392	51.8
Class III Soils	7,111	31.0	76,277	27.4
Class IV, V, VI, VII, and VIII Soils and Unclassified Areas.....	3,228	14.1	48,609	17.4
Surface Water.....	92	0.4	4,507	1.6
Total Area	22,902	100.0	278,756	100.0

Source: USDA-Natural Resources Conservation Service and SEWRPC.

Land Evaluation and Site Assessment (LESA) Analysis

A land evaluation and site assessment (LESA) analysis of agricultural land in Washington County was conducted as part of the multi-jurisdictional planning process. The LESA process was developed in 1981 by the USDA – Soil Conservation Service (now the Natural Resources Conservation Service (NRCS)) and is an analytical tool designed to provide a systematic and objective procedure for rating and ranking the agricultural importance of a parcel. A LESA subcommittee was formed by the Agricultural, Natural, and Cultural Resources Workgroup for the Washington County Multi-Jurisdictional Comprehensive Plan to oversee the LESA analysis for the County.

The Washington County LESA analysis identified parcels that are best suited for long-term agricultural use. The results of the analysis are intended to help the County and Town identify areas that should be designated for farmland protection. The County intends to use the results of the analysis to update the Washington County Farmland Preservation Plan, which is expected to be updated after the County comprehensive plan is completed.

The LESA analysis included a *“land evaluation”* component and a *“site assessment”* component. The land evaluation (LE) component of the LESA analysis was determined by the NRCS, which rated each soil in Washington County based on soil type, slope, agricultural capability class, and soil productivity for producing corn and soybeans. The resulting ratings were then placed into groups ranging from the best to worst suited for cropland production. The site assessment (SA) component rates non-soil factors affecting a parcel’s relative importance for agricultural use and is separated into three classifications. The LESA subcommittee selected the following nine SA factors to be used in the Washington County LESA analysis:

SA-1 Factors (agricultural productivity)

- Size of farm in contiguous management by one farm operator
- Compatibility of surrounding land uses within one-half mile
- Percent of farm in agricultural use

SA-2 Factors (development pressures impacting a site’s continued agricultural use)

- Distance from adopted sewer service area

³Farmland Preservation Plan, Washington County, Wisconsin; prepared by the firm Stockham & Vandewalle, Madison, Wisconsin.

- Distance from selected hamlets
- Distance from interchanges along USH 41 and 45

SA-3 Factors (other public values of a site supporting retention in agriculture)

- Primary environmental corridors, secondary environmental corridors, isolated natural resource areas, natural areas, or critical species habitat outside environmental corridor areas present on farm
- Floodplains present on farm
- Proximity to permanently protected land 20 acres or more in size

Each parcel included in the County LESA analysis received a final score ranging from 0 to 10, with 10 being the best parcels for long-term agricultural protection. The County identified parcels with a LESA score of 6.8 or higher as “Tier 1” farmlands which are best suited for long-term protection. Lands scoring below 6.8 were defined as Tier II farmlands, which are areas that should be considered for long-term protection by Town officials on a case-by-case basis.

Tier 1 and Tier II farmlands in the Town are shown on Map 3. Table 14 sets forth the number of parcels and number of acres in each category. The LESA analysis included some parcels that have other uses on them, which may include natural resource features such as woodlands, wetlands, or surface water, or fallow lands. In some cases, parcels developed partially for residential use, with a portion of the parcel used for agriculture, were included in the analysis (provided at least 2 percent of the parcel was in agricultural use). A hatch pattern is included on Map 3 to show areas that were in agricultural use in 2006.

Existing Farmland

Agricultural lands were identified by SEWRPC as part of the 2000 regional land use inventory conducted as part of the regional planning program (see Map 4). The land use inventory identified croplands, pasture lands, orchards, nurseries, specialized farming, and non-residential farm buildings. Farm residences, together with a 20,000 square foot dwelling site, are classified as single-family residential land uses in the 2000 inventory.⁴ Based upon the 2000 land use inventory, about 141,755 acres, or about 222 square miles, representing almost 51 percent of Washington County, and approximately 14,024 acres, or about 61 percent of the Town, were in agricultural use in 2000. This figure includes lands actually used for agriculture—primarily cultivated lands and lands used for pasture—and excludes the wetland and woodland portions of farm fields. The number of acres occupied by farmland in the Town in 2000 is set forth in Table 15 and is categorized as follows:

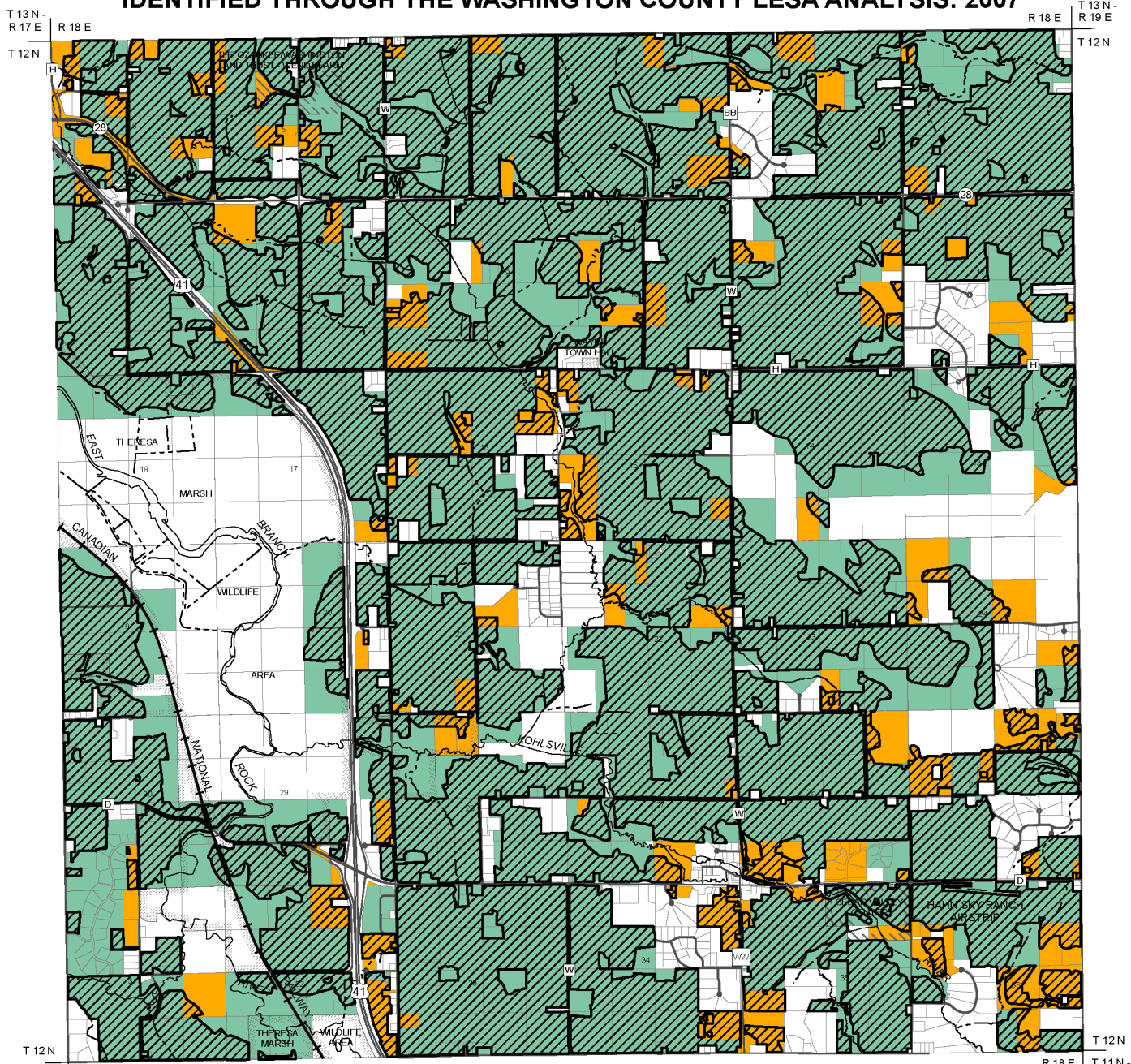
- Cultivated Lands, which includes lands used for the cultivation of crops including row crops, grain crops, vegetable crops, and hay.
- Pasture Land and Unused Agricultural Lands, which includes lands used as pasture, or lands which were formerly cultivated or used for pasture and which have not yet succeeded to a wetland or woodland plant community.
- Orchards, Nurseries, and Specialty Crops, which includes lands used for orchards, nurseries, sod farms, and specialty crops such as mint, ginseng, and berries.
- Farm Buildings, which includes barns, silos, and other buildings used to store farm equipment or supplies or house farm animals.

The amount of land in agricultural use in the Town was updated to 2006 as part of the LESA analysis. Land uses were also generalized to include farmhouses on agricultural parcels of 20 acres or larger in the “agricultural” land use category. There were 13,084 acres, or about 57 percent of the Town, in agricultural use in 2006.

⁴See Chapter VI for more information about the SEWRPC 2000 land use inventory.

Map 3

FARMLAND PROTECTION AREAS IN THE TOWN OF WAYNE IDENTIFIED THROUGH THE WASHINGTON COUNTY LESA ANALYSIS: 2007



- TIER I FARMLANDS
(LESA SCORE 6.8 OR HIGHER)
- TIER II FARMLANDS
(LESA SCORE LESS THAN 6.8)
- AGRICULTURAL LANDS: 2006

NOTE: LESA (LAND EVALUATION AND SITE ASSESSMENT) IS A SYSTEM USED BY THE USDA - NATURAL RESOURCES CONSERVATION SERVICE AS A WAY TO DETERMINE THE IMPORTANCE OF A PARCEL FOR CONTINUED AGRICULTURAL USE. THE SYSTEM COMBINES SOIL QUALITY FACTORS WITH NON-SOIL FACTORS RELATING TO FARMING PRACTICES, DEVELOPMENT PRESSURE, AND FACTORS MEASURING OTHER PUBLIC VALUES (SUCH AS ENVIRONMENTAL RESOURCES). FACTORS INCLUDED IN THE ANALYSIS WERE SELECTED AND WEIGHTED BY THE LESA SUBCOMMITTEE OF THE WASHINGTON COUNTY COMPREHENSIVE PLANNING AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES WORK GROUP.

SOURCE: WASHINGTON COUNTY AND SEWRPC.

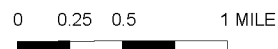


Table 14

LESA RATINGS FOR AGRICULTURAL PARCELS IN THE TOWN OF WAYNE: 2007

LESA Rating	Parcels in Category		Total Acres in Category ^a		Agricultural Acres in Category ^b	
	Number	Percent	Acres	Percent	Acres	Percent
Tier I (6.8 or higher)	682	82.8	15,615	88.1	12,087	92.5
Tier II (below 6.8)	142	17.2	2,107	11.9	979	7.5
Total	824	100.0	17,722	100.0	13,066	100.0

Note: Ratings are based on the LESA analysis conducted in 2007 as part of the Washington County multi-jurisdictional comprehensive planning process.

^aIncludes entire area of parcels analyzed, including areas not being used for farming, such as woodlands, wetlands, and surface water.

^bIncludes only those portions of parcels in agricultural use in 2006.

Source: SEWRPC.

Farm Production and Revenue

Farm production and revenue inventory data^{5,6} are useful in determining the major types of agricultural products produced and the economic impact of agriculture in Washington County. Agricultural sectors identified in the County and State in 2002, and the amount and percentage of sales associated with each sector, are set forth in Table 16. Dairy products were the predominant source of agricultural sales in the County in 2002, accounting for about 45 percent of all agricultural sales. A similar percentage, about 47 percent, of agricultural sales Statewide was received from dairy products. Of the 844 farms in the County in 2002, 174 farms, or about 21 percent of all farms, were dairy farms.

Horticulture was the second-largest source of agricultural sales in Washington County in 2002, accounting for just over 19 percent of all sales. Statewide, horticulture accounted for just 3.5 percent of sales. The relative importance of the horticultural industry in the County compared to the State is likely a response to the demand for landscaping material for urban development in the County and in the Milwaukee metropolitan area.

Farms categorized by the total value of all 2002 agricultural sales in the County and the State are set forth in Table 17. Almost one-third (263 farms, or about 31 percent) of all farms in Washington County had a total value of sales of less than \$2,500, compared to about 39 percent of farms Statewide with a total value of sales of less than \$2,500. There were 174 farms, or about 21 percent of farms in the County, with a total value of sales of \$100,000 or more, compared to about 18 percent of State farms with a total value of sales of \$100,000 or more.

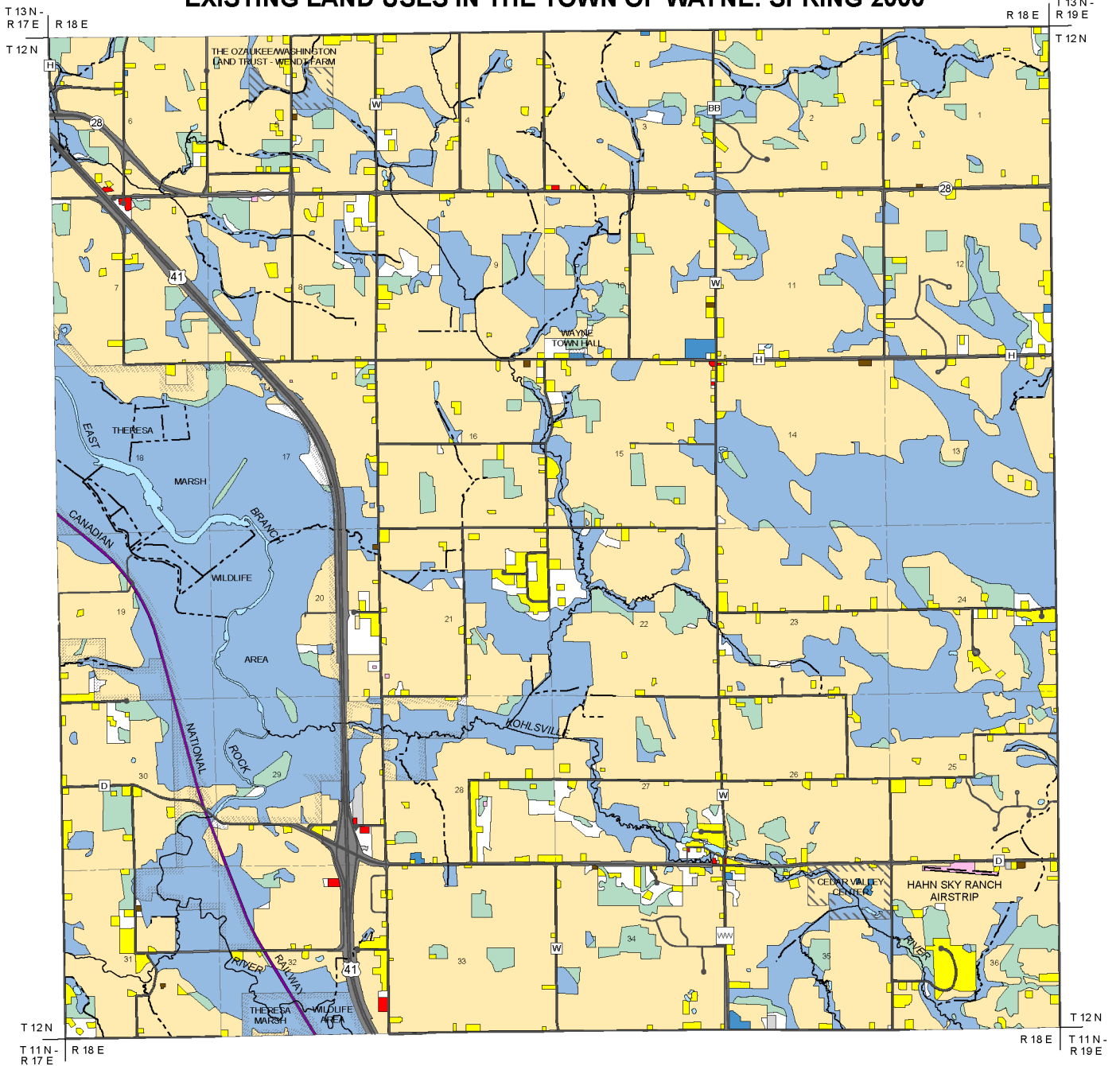
Average net income from farm operations in the County in 2002 was \$24,654, which was about 37 percent higher than the State average of \$17,946. In Washington County, farming was the principal occupation of the farm operator on 552 farms, or almost 65 percent, and was not the primary occupation of the farm operator on the remaining 292 farms, or about 35 percent. Statewide, farming was the principal occupation of the farm operator on about 59 percent of farms and was not the principal occupation of the farm operator on the remaining 41 percent of farms.















⁵Data included in this section are 2002 data for Washington County from the USDA National Agricultural Statistics Service unless otherwise noted. Data is reported at the County level, and is not available for the Town of Wayne. Additional information on County agriculture is available in the report *Farmland and Open Space Preservation Tools*, prepared by the Washington County Planning and Parks Department, June 2005.

⁶The USDA defines a farm as any place from which \$1,000 or more of agricultural products (crops and livestock) were sold or normally would have been sold during the year under consideration.

Map 4

EXISTING LAND USES IN THE TOWN OF WAYNE: SPRING 2000



- | | | | |
|---|---|---|---|
|  | SINGLE - FAMILY RESIDENTIAL |  | COMMUNICATIONS, UTILITIES, AND OTHER TRANSPORTATION |
|  | TWO - FAMILY RESIDENTIAL |  | GOVERNMENTAL AND INSTITUTIONAL |
|  | MULTI - FAMILY RESIDENTIAL AND MOBILE HOMES |  | WOODLANDS |
|  | COMMERCIAL |  | WETLANDS |
|  | INDUSTRIAL |  | SURFACE WATER (OPEN WATER) |
|  | STREETS AND HIGHWAYS |  | AGRICULTURAL |
|  | RAILWAY |  | OPEN LANDS |

SOURCE: SEWRPC.

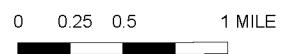


Table 15

AGRICULTURAL LANDS IN THE TOWN OF WAYNE AND WASHINGTON COUNTY: 2000

Agricultural Soil Capability Class	Town of Erin		Washington County	
	Acres	Percent of Total Area	Acres	Percent of Total Area
Cultivated Lands	12,014	85.7	115,662	81.6
Pasture Land and Unused Agricultural Land.....	1,761	12.6	22,408	15.8
Orchards, Nurseries, and Specialty Crops	1	0	932	0.6
Farm Buildings	248	1.8	2,753	2.0
Total	14,024	100.0	141,755	100.0

Source: SEWRPC.

Table 17

FARMS IN WASHINGTON COUNTY AND WISCONSIN BY VALUE OF SALES: 2002

Value of Sales	Washington County		State of Wisconsin	
	Number	Percent	Number	Percent
Less than \$2,500	263	31.2	30,491	39.5
\$2,500 to \$4,999	66	7.8	5,389	7.0
\$5,000 to \$9,999	75	8.9	5,788	7.5
\$10,000 to \$24,999	133	15.7	8,362	10.8
\$25,000 to \$49,999	59	7.0	5,929	7.7
\$50,000 to \$99,999	74	8.8	7,242	9.4
\$100,000 or more.....	174	20.6	13,930	18.1
Total	844	100.0	77,131	100.0

Source: USDA-National Agricultural Statistics Service, 2002 Census of Agriculture.

Table 16

AGRICULTURAL SECTORS IN WASHINGTON COUNTY AND WISCONSIN: 2002

Sector	Washington County		State of Wisconsin	
	2002 Sales (in thousands)	Percent of Total Agricultural Revenues	2002 Sales (in thousands)	Percent of Total Agricultural Revenues
Dairy	\$33,100	45.4	\$2,651,000	47.1
Horticulture	14,000	19.2	197,400	3.5
Grains (Crops).....	10,600	14.5	893,300	15.9
Cattle and Calves...	8,100	11.1	834,900	14.9
Vegetables	1,600	2.3	341,600	6.1
Other	5,500	7.5	705,100	12.5
Total	\$72,900	100.0	\$5,623,300	100.0

Source: USDA-National Agricultural Statistics Service, 2002 Census of Agriculture

Table 18

FARM SIZE IN WASHINGTON COUNTY AND WISCONSIN: 2002

Size (acres)	Washington County		State of Wisconsin	
	Number	Percent	Number	Percent
Less than 10 acres	67	7.9	4,141	5.4
10 to 49 acres.....	268	31.8	17,152	22.2
50 to 179 acres.....	314	37.2	29,458	38.2
180 to 499 acres.....	143	16.9	20,021	25.9
500 to 999 acres.....	33	3.9	4,465	5.8
1,000 acres or more	19	2.3	1,894	2.5
Total	844	100.0	77,131	100.0

Source: USDA-National Agricultural Statistics Service, 2002 Census of Agriculture.

Number and Size of Farms

The number of farms by size category⁷ in Washington County and Wisconsin in 2002 is set forth in Table 18. As previously noted, there were 844 farms in the County in 2002. The average County farm size was 154 acres, and the median farm size was 86 acres. This compares to 204 acres and 140 acres, respectively, for farms in the State. Of the 844 farms in the County in 2002, 314 farms, or about 37 percent of all farms, were between 50 and 179 acres in size, and an additional 268 farms, or about 32 percent of all farms, were between 10 and 49 acres in size. Only 52 County farms, or about 6 percent of all County farms, were more than 500 acres in size in 2002.

Farms Enrolled in State and Federal Preservation Programs

There are a number of State and Federal conservation programs that have been created to help protect farmland and related rural land. These programs include the Wisconsin Farmland Preservation Program, Conservation Reserve Enhancement Program (CREP), Soil and Water Resource Management Program (SWRM), Conservation Reserve Program (CRP), and the Wetland Reserve Program (WRP).

Wisconsin Farmland Preservation Program

The Wisconsin Farmland Preservation Program provides income tax credits to eligible farmland owners. The program is administered by County and local governments, but the Wisconsin Land and Water Conservation Board (LWCB) must first certify that the county farmland preservation plan meets the standards specified in Chapter 91 of the *Wisconsin Statutes*. Of the 72 counties in Wisconsin, 70 have certified farmland preservation

⁷Data included in this section includes lands owned by the farmer, not lands the farmer may rent.

plans. Washington County's farmland preservation plan was certified in 1981. To be eligible to enroll in the program, farmland must be designated as such in the County Farmland Preservation Plan, must be a minimum of 35 contiguous acres, and must produce a minimum of \$6,000 in gross farm receipts in the previous year or \$18,000 in the previous three years. Farmland owners may participate in one of two ways: through exclusive agricultural zoning (in towns that have adopted an exclusive agricultural district in their zoning ordinance) or through Farmland Preservation Agreements.

Because the Town of Wayne has not adopted exclusive agricultural zoning, landowners must enter into a Farmland Preservation Agreement with the Department of Agriculture, Trade, and Consumer Protection (DATCP). Contracts are for 10- or 25-year periods. In 2005, there were four Wisconsin Farmland Preservation Agreements encompassing 361 acres of farmland in the Town. Under State regulations, no *new* Farmland Preservation Agreements may be made for farmland in Washington County or in any other county with a population density of 100 or more persons per square mile unless the local unit of government has adopted an exclusive agricultural zoning district.

Conservation Reserve Enhancement Program

The Conservation Reserve Enhancement Program (CREP) is a Federal-State-Local partnership between the USDA Farm Services Agency (FSA), the NRCS, the Wisconsin Department of Natural Resources (DNR), DATCP, and participating County Land Conservation Departments (LCD) throughout Wisconsin. The goal of CREP in Washington County is to establish riparian buffers and/or restore wetlands along navigable streams in order to reduce upland sediment (erosion) and pollution from entering surface waters. Agricultural lands that are currently being farmed are eligible for this program through 15-year contracts or through permanent conservation easements. In 2005, there were no CREP agreements in place with any Town Landowners.

Soil and Water Resource Management Program

In 2004 the Washington County Land and Water Conservation Division elected to no longer participate in the CREP program; however, through annual grants from the DATCP Soil and Water Resource Management (SWRM) Program, the Land and Water Conservation Division has continued to promote the installation of riparian buffers. Landowners agreeing to the same restrictions required by CREP receive the same financial incentives that were offered through the CREP as CREP Equivalent Payments. Similar to CREP, agricultural lands that are currently being farmed are eligible for this program through 15-year contracts or through permanent conservation easements. In 2005, there were 14 SWRM agreements in force in the Town: two 15-year contracts covering about 3 acres; 11 conservation easements covering about six acres; and one deed restriction covering about seven acres.

Conservation Reserve Program

The USDA administers the Conservation Reserve Program (CRP) to help provide water quality protection, erosion control, and wildlife habitat in agricultural areas. Under the CRP, the landowner enters into an agreement to restore or protect lands for a 10-year or longer period in return for cash payments or assistance in making conservation improvements. In 2005, there were 197 CRP contracts in Washington County, encompassing 2,756 acres. The USDA adopted a policy in 2005 that prohibits the agency from releasing specific data regarding parcels enrolled in the CRP, so this information cannot be mapped. This policy effectively prevents the identification of the number of CRP agreements, if any, in effect in the Town.

Wetland Reserve Program

The Wetland Reserve Program (WRP) is a program aimed at protecting wetlands on private property. This is typically done by providing a financial incentive to landowners to restore wetlands that have been drained for agricultural use. Landowners who choose to participate in the program may sell a conservation easement to the USDA or enter into a cost-share restoration agreement with the USDA to restore wetlands. The landowner retains private ownership of the wetland area but limits future uses. In 2005, there were two WRP agreements encompassing about 11 acres of land in Washington County. The USDA adopted a policy in 2005 that prohibits the agency from releasing specific data regarding parcels enrolled in the WRP, so this information cannot be mapped. This policy effectively prevents the identification of the number of WRP agreements, if any, in effect in the Town.

PART 2 – INVENTORY OF NATURAL RESOURCES

Topography and Geology

The dominant landform in Washington County is the Kettle Moraine, an interlobate moraine, or glacial deposit, formed between the Green Bay and Lake Michigan lobes of the continental glacier that moved across the Great Lakes area approximately 11,000 years ago. The Kettle Moraine is oriented in a general northeast-southwest direction across the County. Some of its features include kames, or conical hills; kettles, which are depressions that mark the site of buried glacial ice blocks which became separated from the retreating main ice mass and which subsequently melted to form depressions; eskers, or long, narrow ridges of glacial drift deposited in meltwater tunnels within the ice; and abandoned drainageways. It forms some of the most attractive and interesting landscapes within the County. The Kettle Moraine area is the location of the highest elevation in the County and the location of the greatest local elevation differences, or relief.

The remainder of the County is covered by a variety of glacial landforms and features, including rolling landscapes of material deposited beneath the glacial ice; terminal moraines, consisting of material deposited at the forward edges of the ice sheet; lacustrine basins, which are former glacial lakes; outwash plains formed by the action of flowing glacial meltwater; drumlins, which are elongated teardrop-shaped mounds of glacial deposits that formed parallel to the flow of the glacier; and eskers. Except for a few isolated spots where dolomite bedrock is exposed at the surface, the entire County is covered with glacial deposits ranging from large boulders to fine grain clays.

With the Kettle Moraine located just east of the Town of Wayne, the dominant glacial feature in the Town is glacial till and outwash plains, which include portions of the East Branch Rock River and Kohlsville River.

Topographical features, particularly slopes, have a direct bearing on the potential for soil erosion and the sedimentation of surface waters. Slope steepness affects the velocity of and, accordingly, the erosive potential of runoff. As a result, steep slopes place moderate to severe limitations on urban development and agricultural activities, especially in areas with highly erodible soil types such as in the Kettle Moraine. About 439 acres, or about 2 percent of the Town, have slopes of 20 percent or greater; while about 1,874 acres, or about 8 percent of the Town, have slopes ranging from 12 to 20 percent.

Poorly planned hillside development in areas of steep slopes can lead to high costs for public infrastructure development and maintenance and construction and post-construction erosion problems. Steeply sloped agricultural land may make the operation of agricultural equipment difficult or even hazardous. Development or cultivation of steeply sloped lands is also likely to negatively impact surface water quality through related erosion and sedimentation.

Nonmetallic Mineral Resources⁸

Nonmetallic minerals include, but are not limited to, sand, gravel, crushed stone, building or dimension stone, peat, and clay. Extractive sites for nonmetallic minerals in Southeastern Wisconsin provide sand, gravel, and crushed limestone or dolomite for structural concrete and road building; peat for gardening and horticulture; and dimension stone for use in buildings, landscaping, and monuments. Nonmetallic mineral resources are important economic resources that should be taken into careful consideration whenever land is being considered for development. Mineral resources, like other natural resources, occur where nature put them, which is not always convenient or desirable. Wise management of nonmetallic mineral resources is important to ensure an adequate supply of aggregate at a reasonable cost for new construction and for maintenance of existing infrastructure in the future.

According to the U. S. Geological Survey, each person in the United States uses an average of 9.5 tons of construction aggregate per year (construction aggregate includes sand, gravel, crushed stone, and recycled crushed

⁸*There are no marketable metallic mining resources in Washington County.*

concrete). Construction of one lane-mile of Interstate Highway uses 20,000 tons of aggregate. Aggregate is heavy and bulky, and is therefore expensive to transport. Having sources of aggregate relatively close (within 25 miles) of a construction project lessens the overall cost of construction. The cost of a ton of aggregate can more than double when it has to be hauled 25 miles or more.

Potential Sources of Sand, Gravel, Clay, and Peat

The location of potential commercially workable sources of sand, gravel, clay, and peat in the Town of Wayne has been identified by the Wisconsin Geological and Natural History Survey (WGNHS) using a variety of sources, including geologic studies,⁹ data from Road Material Survey records collected by WGNHS for the Wisconsin Department of Transportation, information on existing extractive sites, and information on closed extractive sites that were recently active. The sand and gravel potential is categorized as high, medium, and low by the WGNHS based on the glacial geology (Mickelson and Syverson, 1997¹⁰).

Approximately 2,333 acres in the Town of Wayne, or about 10 percent of the Town's total area, have been identified as having a relatively high potential for the location of commercially viable deposits of gravel and coarse- to medium-grained sand. An additional eight acres, or again, less than 1 percent of the Town, have been identified as having a potential for commercially viable deposits of fine-grained sand. An additional 3,577 acres, or about 16 percent of the Town, have been identified as having a potential for commercially viable deposits of peat. The balance of the Town may contain isolated pockets of commercially viable sand and/or gravel deposits; but overall, the potential for these remaining areas is considered to be relatively low. Some areas that may contain commercially viable deposits of clay and peat have also been identified in the Town.

Potential Sources of Crushed and Building Stone

The location of potential commercially workable sources of stone suitable for crushed or building stone in the Town of Wayne have been identified by the WGNHS based principally upon locating and mapping areas underlain by Silurian dolomite within 50 feet of the land surface. Approximately 3,203 acres, or about 14 percent of the Town's area, have been identified as having a potential for the development of commercially viable sources of crushed stone or building stone.

Existing Nonmetallic Mining Sites

There was one active nonmetallic mining site operating under a permit and reclamation plan approved by the Town in 2007. The operator/owner of the mine is Bartelt. The mining site is located near Kohlsville and consists of four acres that are currently operational with an additional 34 acres planned north of the existing operational area. The mine is used for sand and/or gravel extraction. There are two additional extractive sites where material is being extracted for use on the owners' land, which does not require issuance of a permit.

Registered Nonmetallic Mining Sites

Chapter NR 135 of the *Wisconsin Administrative Code* establishes a procedure for landowners to register marketable nonmetallic mineral deposits in order to preserve these resources. The Lannon Stone/Dawson site in the Town of Jackson was registered in 2001. Six parcels in the Town of Polk were registered in June 2008 by Wissota Sand and Gravel.

NR 135 defines a marketable nonmetallic mineral deposit as one which can be or is reasonably anticipated to be commercially feasible to mine and which has significant economic or strategic value. The significant economic or strategic value must be demonstrable using geologic, mineralogical or other scientific data based upon the deposit's quality, scarcity, location, quantity or proximity to a known user. Only the owner of the land (as

⁹*Bedrock geology from Preliminary Bedrock Maps of Washington County (WOFR 2004-17) by T. Evans, K. Massie-Ferch, and R. Peters, WGNHS.*

¹⁰*Mickelson, D. M. and K. M. Syverson, Quaternary Geology of Ozaukee and Washington Counties, Wisconsin, WGNHS Bulletin 91, 1997.*

opposed to the owner of the mineral rights or other partial rights) can register a marketable nonmetallic mineral deposit. The registration must include a legal description of the land and certification and delineation by a registered professional geologist or a registered professional engineer. In making this certification, the geologist or engineer must describe the type and quality of the nonmetallic mineral deposit; the areal extent and depth of the deposit; the manner whereby the deposit's quality, extent, location, and accessibility contribute to its marketability; and the quality of the deposit in relation to current and anticipated standards and specifications for the type of material concerned.

A person wishing to register land pursuant to NR 135 must provide evidence that nonmetallic mining is a permitted or conditional use of the land under zoning in effect on the day notice is provided by the owner to government authorities. A copy of the proposed registration and supporting information must be provided to the applicable zoning authority (the Town of Wayne), the County, and the DNR at least 120 days prior to filing the registration. The registration must include a certification by the landowner, which is binding on the landowner and his or her successors in interest, that the landowner will not undertake any action that would permanently interfere with present or future extraction of nonmetallic materials for the duration of the registration.

Notification Requirements

Section 66.1001(4) of the *Statutes* requires any unit of government that prepares and adopts a comprehensive plan to prepare and adopt written procedures to foster public participation. These written procedures must describe the methods the local government will use to distribute proposed elements of a comprehensive plan to owners or persons with a leasehold interest in property to extract nonmetallic mineral resources in or on property, in which the allowable use or intensity of use of the property is proposed to be changed by the comprehensive plan. All such parties were notified of the public hearing held prior to the adoption of this plan and offered an opportunity to submit comments to the Town Plan Commission and Town Board.

Water Resources

Surface water resources, consisting of lakes and streams and their associated wetlands, floodplains, and shorelands, form important elements of the natural resource base of the Town. Their contribution to economic development, recreational activity, and scenic beauty is immeasurable. In 2000, there were 92 acres of surface water, 6,072 acres of floodplains, and 5,637 acres of wetlands in the Town.

Both surface water and groundwater are interrelated components of a single hydrologic system. The groundwater resources are hydraulically connected to the surface water resources inasmuch as the former provide the base flow of streams and contribute to inland lake levels. The groundwater resources constitute the major source of supply for domestic, municipal, and industrial water users in Washington County.

Watersheds and Subwatersheds

A subcontinental divide that separates the Mississippi River and the Great Lakes – St. Lawrence River drainage basins crosses Washington County from the Town of Wayne on the north to the Town of Richfield on the south. About 164,684 acres, or 59 percent of the County, are located east of the divide and drain to the Great Lakes – St. Lawrence River system; the remaining 114,072 acres, or 41 percent of the County, drain west to the Mississippi River.

The subcontinental divide not only exerts a major physical influence on the overall drainage pattern of the County, but also carries with it legal constraints that, in effect, prohibit the diversion of any substantial quantities of Lake Michigan water across the divide. Areas east of the divide can utilize Lake Michigan as a source of water supply, with the spent water typically returned to the lake via the sanitary sewerage system. Areas west of the divide must use the groundwater reservoir as the supply source. A recent accord—the Great Lakes Charter Annex—signed by the governors of the eight States bordering the Great Lakes¹¹ and the premiers of the Canadian provinces of Ontario and Quebec would ban most diversions of Great Lakes water outside the drainage basin, but

¹¹*Includes the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin.*

make limited exceptions for communities and counties that straddle the watershed boundary. The accord was approved by the United States Congress in October 2008. Each affected state and province is developing regulations to carry out the accord.

All but the northeast quadrant of the Town is located in the Rock River watershed within the Mississippi River drainage basin. Approximately 17,053 acres, or about 74 percent, of the Town is in the Rock River watershed, and the remaining 5,850 acres, or about 26 percent, of the Town is in the Milwaukee River watershed in the Great Lakes – St. Lawrence River drainage basin.

Lakes and Streams

Major streams are defined as those which maintain, at a minimum, a small continuous flow throughout the year except under unusual drought conditions. Major streams in the Town include the East Branch Rock River and the Kohlsville River. Major lakes are defined as those lakes which have a surface area of 50 or more acres. There are no major lakes within the Town.

Lakes and streams are readily susceptible to degradation through improper land use development and management. Water quality can be degraded by excessive pollutant loads, including nutrient loads, which enter from malfunctioning and improperly located onsite waste treatment systems, from sanitary sewer overflows, from construction and other urban runoff, and from careless agricultural practices. The water quality of lakes and streams may also be adversely affected by the excessive development of riparian areas and by the filling of peripheral wetlands, which remove valuable nutrient and sediment traps while adding nutrient and sediment sources. It is important that existing and future development in riparian areas be managed carefully to avoid further water quality degradation and to enhance the recreational and aesthetic values of surface water resources.

Wetlands

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.¹² Wetlands may, however, under certain conditions, occur on slopes and even on hilltops. Wetlands perform an important set of natural functions which include support of a wide variety of desirable, and sometimes unique, forms of plant and animal life; water quality protection; stabilization of lake levels and streamflows; reduction in stormwater runoff by providing areas for floodwater impoundment and storage; and protection of shorelines from erosion.

Wetlands identified in SEWRPC's regional land use inventory encompassed about 5,637 acres, or about 25 percent of the Town, in 2000 (see Map 4). The identification of wetlands is based on the Wisconsin Wetlands Inventory completed in 1982, updated to the year 2000 as part of the regional land use inventory. In addition to the wetlands shown on Map 4, certain other areas have been identified by the NRCS as farmed wetlands, which are subject to Federal wetland regulations. An updated wetland inventory for Washington County was released in 2008. The updated inventory was conducted by SEWRPC under contract to the DNR. The new wetland inventory is shown on Map 18 in the Implementation Element (Chapter XII). Larger scale maps are available for review at the offices of the Washington County Planning and Parks Department and SEWRPC. The inventory can also be viewed on the DNR's Surface Water Data Viewer website at <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=SurfaceWaterViewer>.

¹²The definition of "wetlands" used by SEWRPC is the same as that of the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency. Under this definition, wetlands are areas that are inundated or saturated by surface water or groundwater at a frequency, and with a duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. This definition differs somewhat from the definition used by the DNR. Under the DNR definition, wetlands are areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. As a practical matter, application of either the DNR definition or the EPA-Army Corps of Engineers-SEWRPC definition has been found to produce relatively consistent wetland identification and delineations in the majority of the situations in southeastern Wisconsin.

Wetlands and their boundaries are continuously changing in response to changes in drainage patterns and climatic conditions. While wetland inventory maps provide a basis for areawide planning, detailed field investigations are necessary to precisely identify wetland boundaries on individual parcels. Field investigations are generally conducted at the time a parcel is proposed to be developed or subdivided.

Floodplains

The floodplains of a river are the wide, gently sloping areas usually lying on both sides of a river or stream channel. The occasional flow of a river onto its floodplain is a normal phenomenon and, in the absence of flood control works, can be expected to occur periodically. For planning and regulatory purposes, floodplains are defined as those areas subject to inundation by the 100-year recurrence interval flood event. This event has a 1 percent chance of being equaled or exceeded in any given year. Floodplains are generally not well suited for urban development because of the flood hazard, the presence of high water tables, and/or the presence of wet soils.

Floodplains in Washington County for which floodplain elevations have been determined through detailed engineering studies were delineated by SEWRPC on large scale topographic maps as part of an update to the Washington County shoreland and floodplain zoning maps completed in 2001. Detailed studies and 100-year flood profiles are available for the East Branch Rock River and Kohlsville River. Where flood elevations were not available, approximate floodplain delineations from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps were mapped on the orthophotos as part of the update to the shoreland and floodplain zoning maps. "Approximate" floodplains are those mapped by FEMA without the support of detailed engineering studies. The floodplains identified as part of the shoreland and floodplain zoning map update for Washington County encompass 6,072 acres, or about 27 percent of the Town.

FEMA is currently conducting a Map Modernization Program for Washington County which will result in updated FEMA floodplain maps for both incorporated (city and village) and unincorporated (town) areas. Preliminary maps were released in August 2007. Release of the final maps is pending. The map modernization project will result in new floodplain delineations in some areas and new floodplain maps for the entire County.

Shorelands

Shorelands are defined by the *Wisconsin Statutes* as lands within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream, or to the landward side of the floodplain, whichever distance is greater. In accordance with the requirements set forth in Chapters NR 115 (shoreland regulations) and NR 116 (floodplain regulations) of the *Wisconsin Administrative Code*, the Washington County shoreland and floodplain zoning ordinance restricts uses in wetlands located in the shorelands, and limits the uses allowed in the 100-year floodplain to prevent damage to structures and property, to protect floodwater conveyance areas, and to maintain the storage capacity of floodplains. The ordinance also includes restrictions on the removal of vegetation and filling, grading, and excavating within the shoreland area. Most structures must be set back a minimum of 75 feet from the ordinary high-water mark if adjacent to a Class 3 waterbody, 100 feet if adjacent to a Class 2 waterbody, and 125 feet if adjacent to a Class 1 waterbody, although the setbacks along Class 1 and 2 waterbodies may be reduced to 100 feet and 75 feet, respectively, subject to approval of mitigation measures. Shorelands within the Town identified as part of the shoreland and floodplain zoning map update for Washington County encompass 8,094 acres, or about 35 percent of the town.

State law requires that counties administer shoreland and floodplain regulations in unincorporated areas. Chapter II provides additional information about the County shoreland and floodplain zoning ordinance and lake and stream classification study.

Under Chapter NR 117 of the *Administrative Code*, cities and villages are required to restrict uses in wetlands located in the shoreland area. The provisions of NR 115, which regulate uses in unincorporated portions of the shoreland, apply in cities and villages only in shoreland areas annexed to a city or village after May 7, 1982. The same floodplain regulations set forth in NR 116 for unincorporated areas also apply within cities and villages. Each city and village administers the floodplain regulations within its corporate limits.

Groundwater Resources

Groundwater resources constitute another key element of the natural resource base of the Town and County. Groundwater not only sustains lake levels and wetlands and provides the base flow of streams, but also provides the water supply for domestic, municipal, and industrial water users in Washington County.

Groundwater occurs within three major aquifers that underlie the County and the remainder of southeastern Wisconsin. From the land's surface downward, they are: 1) the sand and gravel deposits in the glacial drift; 2) the shallow dolomite strata in the underlying bedrock; and 3) the deeper sandstone, dolomite, siltstone, and shale strata. Because of their proximity to the land's surface and hydraulic interconnection, the first two aquifers are commonly referred to collectively as the "shallow aquifer," while the latter is referred to as the deep aquifer. Within the County, the shallow and deep aquifers are separated by the Maquoketa shale, which forms a relatively impermeable barrier between the two aquifers.

Recharge to groundwater is derived almost entirely from precipitation. Much of the groundwater in shallow aquifers originates from precipitation that has fallen and infiltrated within a radius of about 20 or less miles from where it is found. The deeper sandstone aquifers are recharged by downward leakage of water through the Maquoketa Formation from the overlying aquifers or by infiltration of precipitation beyond the western boundary of the County where the sandstone aquifer is not overlain by the Maquoketa Formation and is unconfined.

On the average, precipitation annually brings about 32 inches of water to the surface of Washington County. For the area of the County that would translate into about 660 mgd of water averaged over the year (a total of 240,900 million gallons a year). It is estimated that approximately 80 percent of that total is lost by evapotranspiration. Of the remaining water, part runs off in streams and part becomes groundwater. The average annual groundwater recharge to shallow aquifers varies from about 5 to 15 percent of annual precipitation. To document the utilization of the shallow aquifers in the Region, it may be assumed, for example, that, on the average, 10 percent of the annual precipitation reaches groundwater. Then, the average groundwater recharge in Washington County would be estimated to be 66 mgd. This precipitation will be returned to the shallow aquifer within days or months, depending on the soil. The estimated daily use of groundwater in 2000 was 13 mgd, which is about 20 percent of the total amount of groundwater assumed to be recharged in that year. This indicates that there is an adequate annual groundwater recharge to satisfy water demands on the shallow aquifer system in Washington County for years to come on an areawide basis. However, the availability on a localized area basis will vary depending upon usage, pumping system configuration, and groundwater flow patterns. Groundwater modeling¹³ indicates small areas of drawdown of five feet or less in the shallow aquifer.

The situation is different for the deep aquifers, where withdrawals of groundwater cause supply/demand imbalance in areas of concentrated use of groundwater, which has resulted in the "mining" of groundwater, and where recharge of the aquifer may take years or even decades, depending on the depth and geology of the aquifer. The deep aquifer levels have decreased from 50 to 150 feet within the County. Most of this decline is due to pumping beyond the County boundaries.

To satisfy future water demands in the Southeastern Wisconsin Region, including Washington County, coordinated regional water resource management is needed, which would optimize the use of ground and surface water. The regional water supply planning program¹⁴ currently being conducted by the Southeastern Wisconsin Regional Planning Commission will provide guidance in this regard and is scheduled to be completed in 2009. At the time this comprehensive plan was prepared, areas within Washington County and the remainder of the Region

¹³*Documented in SEWRPC Technical Report No. 41, A Regional Aquifer Simulation Model for Southeastern Wisconsin, June 2005.*

¹⁴*Documented in SEWRPC Planning Report No. 52, A Regional Water Supply Plan for Southeastern Wisconsin (underway). The plan is expected to be completed in 2009.*

had been analyzed and classified based on their potential for water recharge. The analysis was based on a combination of topography, soil hydrologic groups, soil water storage, and land use. An “average” weather year of 1997 was selected for the analysis, since the amount of precipitation received also affects the amount of water that reaches (and recharges) the groundwater. Areas were placed into the following classifications: very high (more than six inches of recharge per year), high (four to six inches of recharge per year), moderate (three to four inches of recharge per year), and low (less than three inches of recharge per year). Areas for which no soil survey data was available (shown as “undetermined” on Map 5) were not classified. Areas shown as “undetermined” are largely made up of wetlands. Groundwater typically serves as a source of water for a wetland, making them groundwater discharge areas rather than groundwater recharge areas.

Areas within each of the recharge classifications in the Town are shown on Map 5, and the acreage within each category is listed on Table 19. Less than 1 percent of the Town is rated “very high” for recharge potential, and about 11 percent is rated “high” for recharge potential. Most of the high and very high recharge potential areas are located adjacent to Wayne Creek in the center of the Town and along the Kohlsville River in the southeast corner. Primary environmental corridors and floodplains were overlaid on Map 5 to indicate the correlation between such areas and groundwater recharge potential. There is not a strong correlation between high and very high recharge potential and primary environmental corridors and floodplains in the Town. This is likely because most of the primary environmental corridors in the Town are comprised of wetlands, which were not rated for water recharge potential.

Development at rural densities, agricultural uses, and preservation of natural resources will preserve groundwater recharge capabilities. In addition, the use of conservation subdivision design and stormwater management measures that maintain natural hydrology can help preserve the groundwater recharge potential in areas developed for suburban-density residential uses and other urban uses.

Forest Resources

Woodlands

With sound management, woodlands can serve a variety of beneficial functions. In addition to contributing to clean air and water and regulating surface water runoff, woodlands help maintain a diversity of plant and animal life. The destruction of woodlands, particularly on hillsides, can contribute to excessive stormwater runoff, siltation of lakes and streams, and loss of wildlife habitat. Woodlands are identified as part of the SEWRPC 2000 land use inventory. Woodlands are defined as upland areas of one acre or more in area, having 17 or more trees per acre, each deciduous tree measuring at least four inches in diameter 4.5 feet above the ground, and having canopy coverage of 50 percent or greater. Coniferous tree plantations and reforestation projects are also classified as woodlands. As shown on Map 4, woodlands encompassed 1,064 acres, or about 5 percent of the Town,¹⁵ in 2000.

Managed Forest Lands

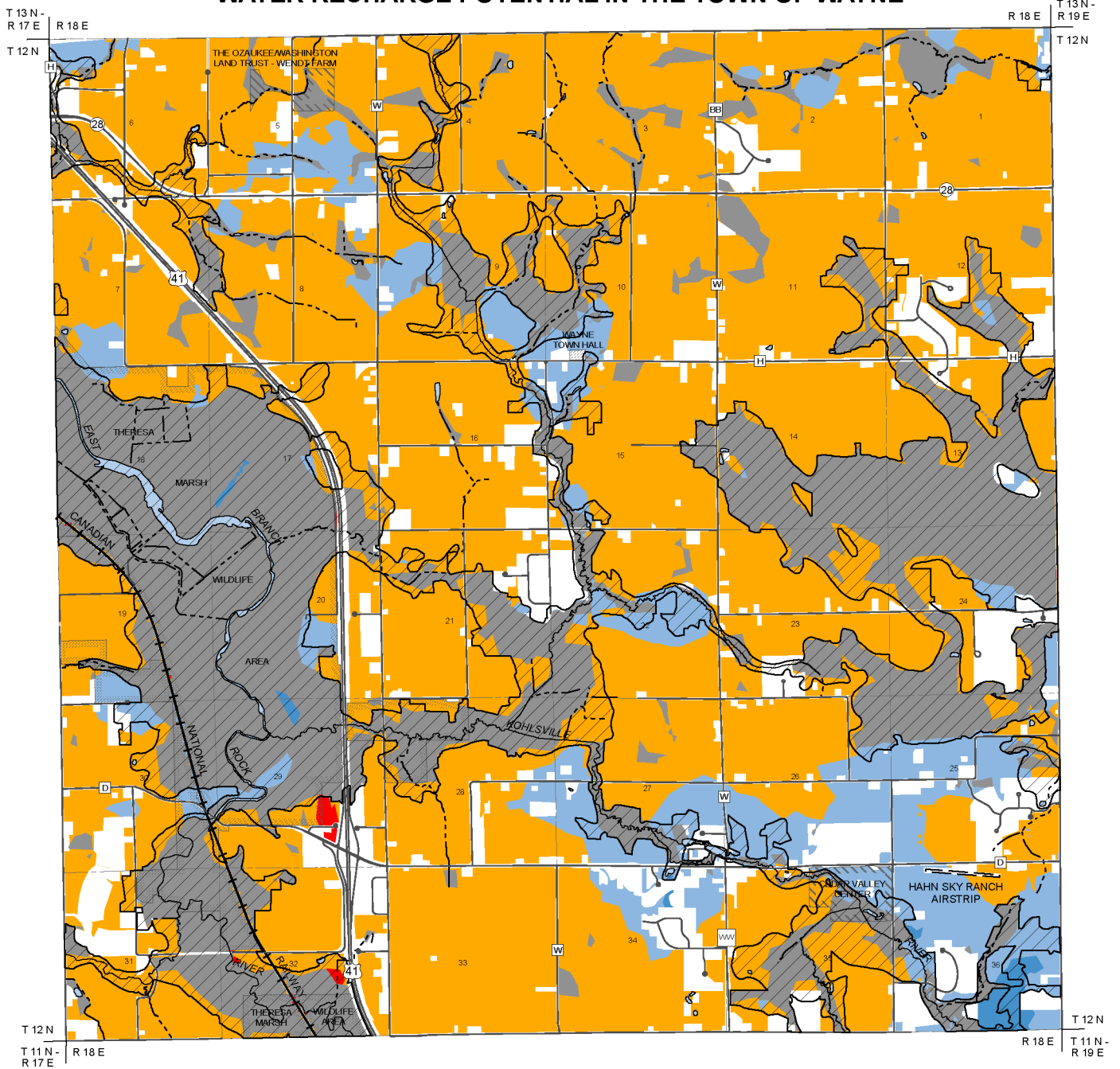
The Managed Forest Law (MFL) is an incentive program intended to encourage sustainable forestry on private woodlands in Wisconsin with a primary focus on timber production. The MFL offers private owners of woodlands a reduced property tax rate as an incentive to participate. All Wisconsin private woodland owners with at least 10 acres of contiguous forestland in the same city, village, or town are eligible to apply provided the lands meet the following criteria: 1) a minimum of 80 percent of the land must be wooded, 2) the land must be used primarily for growing forest products (agricultural uses such as cropland, pasture, or orchards are not eligible), and 3) there are no recreational uses that interfere with forest management.

Participants enter into a 25 or 50 year contract. A penalty is assessed if an agreement is terminated before its end. Starting with 2008 entries, applications must include a management plan prepared by a person certified by the

¹⁵*This data includes upland woods only, not lowland woods classified as wetlands, such as tamarack swamps. Lowland woods may be enrolled in the Managed Forest Law program as discussed in the following section.*

Map 5

WATER RECHARGE POTENTIAL IN THE TOWN OF WAYNE



- LOW
- MODERATE
- HIGH
- VERY HIGH
- UNDEFINED
- EXISTING URBAN DEVELOPMENT (2006)
- PRIMARY ENVIRONMENTAL CORRIDORS (2000) AND 100 - YEAR FLOODPLAINS (1981)
- SURFACE WATER

SOURCE: WISCONSIN GEOLOGICAL AND HISTORICAL SURVEY AND SEWRPC.



DNR. If the enrolled property is sold before the agreement period has expired, the new owner can choose one of three options: 1) complete the agreement period with the approved plan, 2) adjust the plan to meet new goals and objectives, or 3) withdraw the land and pay the penalty. Lands can be open or closed to the public, but the tax benefit is substantially greater for enrolled acreage that is open to the public. In 2005, 746 acres of woodlands in the Town, of which 181 acres were open to the public, were enrolled in the program.

Natural Areas and Critical Species Habitat Sites

A comprehensive inventory of natural resources and important plant and animal habitats was conducted by SEWRPC in 1994 as part of the regional natural areas and critical species habitat protection and management plan. The inventory systematically identified all remaining high-quality natural areas, critical species habitat, and sites having geological significance within the Region. Ownership of identified natural areas and critical species habitat sites in the County were reviewed and updated in 2005.

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 areas are classified into one of three categories: natural areas of statewide or greater significance (NA-1), natural areas of countywide or regional significance (NA-2), and natural areas of local significance (NA-3). Classification of an area into one of these three categories is based on consideration of the diversity of plant and animal species and community type present, the structure and integrity of the native plant or animal community, the uniqueness of the natural features, the size of the site, and the educational value.

A total of five natural areas, encompassing about 2,620 acres, have been identified in the Town of Wayne. One of the sites, Wayne Swamp, is classified as a site of countywide or regional significance, and encompasses about 903 acres in the Town. The remaining four sites are classified as sites of local significance, and together encompass 1,717 acres in the Town. These five natural areas are more fully described in Table 20. The most recent Washington County park and open space plan,¹⁶ adopted by the County Board in 2004, recommends the preservation of all natural areas within the Town through protective acquisition. The County park and open space plan recommends that the DNR acquire those portions of the Theresa Swamp natural area and the Rock River Marsh natural area which are not currently owned by the DNR as part of the Theresa Marsh Wildlife Area, and that the Department also acquire the Wayne Creek Swamp natural area. The park plan further recommends that Washington County acquire the Wayne Swamp natural area, and that a nonprofit conservation organization acquire the Stockcar Swamp natural area.

Table 19

CLASSIFICATION OF POTENTIAL WATER RECHARGE AREAS IN THE TOWN OF WAYNE: 2007

Water Recharge Classification	Area Within Each Classification		Portion Within Primary Environmental Corridor or Floodplain	
	Acres	Percent ^a	Acres	Percent ^b
Very High	95	0.4	39	0.6
High	2,503	10.9	415	6.0
Moderate	14,518	63.5	1,401	20.2
Low	69	0.3	18	0.3
Urban Development and Undetermined ^c	5,694	24.9	5,075	73.0
Total	22,879	100.0	6,948	30.4 ^d

^aPercent of Town within each classification.

^bPercent of each classification included in a primary environmental corridor or floodplain.

^cAreas for which the recharge potential is undetermined are primarily wetlands.

^dPercent of Town located in primary environmental corridor or floodplain.

Source: Wisconsin Geological and Natural History Survey and SEWRPC.

¹⁶Documented in SEWRPC Community Assistance Planning Report No. 136 (3rd Edition), A Park and Open Space Plan for Washington County, March 2004.

Table 20

NATURAL AREAS IN THE TOWN OF WAYNE: 2005^a

Area Name	Classification Code ^b	Location	Ownership	Size (acres)	Description and Comments
Wayne Swamp	NA-2	T12N, R18E Sections 13, 14, 23, and 24 Town of Wayne T12N, R19E Sections 18 and 19 Town of Kewaskum	Private	903 ^c	A large depression in rolling moraine supports several wetland communities, including second-growth lowland hardwoods, northern wet-mesic forest, shrub-carr, and tamarack-fen, with southern mesic forest on isolated uplands
Theresa Swamp	NA-3	T12N, R18E Sections 17, 18, 19, 20, 29, and 30 Town of Wayne	Department of Natural Resources and private	952	Lowland hardwood forest bordering the Rock River, composed of large silver maple, plus black ash, green ash, American elm, and swamp white oak. Canopy has been opened by Dutch elm disease
Wayne Creek Swamp	NA-3	T12N, R18E Sections 21, 22, 27, and 28 Town of Wayne	Private	181	Disturbed lowland hardwood forest along Wayne Creek. Openings in canopy from Dutch elm disease
Stockcar Swamp	NA-3 (RSH)	T12N, R18E Sections 23, 24, 25, and 26 Town of Wayne	Private	245	Forested wetland of northern lowland hardwoods, tamarack-fen, shrub-carr, and alder thicket, of moderately good quality. A number of uncommon species are present
Rock River Marsh	NA-3	T12N, R18E Sections 30, 31, and 32 Town of Wayne	Department of Natural Resources and private	339	Shallow marsh within the Rock River floodplain, dominated by cattails. Bisected by railway right-of-way
Total – 5 Sites	--	--	--	2,620	--

^aInventory conducted in 1994; ownership information updated in 2005.

^bNA-2 identifies Natural Area sites of countywide or regional significance.

NA-3 identifies Natural Area sites of local significance.

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.

^cAn additional 233 acres are located in the Town of Kewaskum, for a total of 1,136 acres..

Source: Wisconsin Department of Natural Resources, Wisconsin Geological and Natural History Survey, and SEWRPC. Sites were identified as part of the regional natural areas plan, documented in SEWRPC Planning Report No. 42, A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, September 1997.

Critical Species Habitat and Aquatic Sites

Critical species habitat sites consist of areas outside natural areas that are important for their ability to support rare, threatened, or endangered plant or animal species. Such areas constitute “critical” habitat considered to be important to the survival of a particular species or group of species of special concern. One critical species habitat site (Unnamed Wetland) supporting a threatened bird species (Great egret) has been identified in the Town of Wayne. The 48-acre critical species habitat site is located in the northwestern portion of the Town, and is described in Table 21. No public acquisition is recommended; however, the site will be protected under Town zoning and County shoreland regulations and Federal and State wetland regulations. There are also four aquatic sites supporting rare fish species in the Town, as shown on Table 21, which contain about 12 miles of rivers and streams. Aquatic habitat sites are protected under DNR regulations and County shoreland regulations.

Reestablishment of Forest Interior

In addition to setting forth recommendations for the protection of existing areas with important biological resources, the regional natural areas plan also recommends that efforts be made to reestablish relatively large tracts of grasslands and forest interiors in the Region. Reestablishment of such tracts would serve to provide additional habitat for bird populations, which have been adversely affected by loss of habitat due to development in the Region. Two sites in Washington County, one in the Town of Addison and one in the Town of Trenton, were identified for reestablishment of forest interior.

Table 21

CRITICAL SPECIES HABITAT SITES LOCATED OUTSIDE NATURAL AREAS AND AQUATIC HABITAT AREAS IN THE TOWN OF WAYNE: 2005^a

Critical Species Habitat Sites				
Site Name and Classification Code ^b	Location	Site Area (acres)	Ownership	Species of Concern ^c
Unnamed Wetland (CSH-B)	T12N, R18E, Section 7; Town of Wayne	48	Private	Great egret (T)

^aInventories conducted in 1994; ownership information updated in 2005.

^bCSH-B identifies a critical bird species habitat site.

^c"T" refers to species designated as threatened.

Aquatic Habitat Sites			
River, Stream, or Lake	Size ^b	Rank ^c	Description and Comments
East Branch, Rock River downstream from CTH D	4.4 miles	AQ-3 (RSH)	Critical fish species present
East Branch, Rock River upstream from CTH D	2.4 miles	AQ-3 (RSH)	Critical fish species present
Kohlsville River	1.9 miles	AQ-3	A cold-water stream
Wayne Creek	3.5 miles	AQ-3	Good fish population and diversity

^aInventories conducted in 1994; ownership information updated in 2005.

^bSize is listed as stream miles for rivers and streams. Includes the length of a river or stream located within the Town.

^cAQ-3 identifies Aquatic Area sites of local significance.

RSH, or Rare Species Habitat, identifies those aquatic areas which support rare, endangered, threatened, or "special concern" species officially designated by the Wisconsin Department of Natural Resources.

Source: Wisconsin Department of Natural Resources, Wisconsin Geological and Natural History Survey, and SEWRPC. Sites were identified as part of the regional natural areas plan, documented in SEWRPC Planning Report No. 42, A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, September 1997.

Environmental Corridors and Isolated Natural Resource Areas

One of the most important tasks completed under the regional planning program for Southeastern Wisconsin has been the identification and delineation of those areas in which concentrations of the best remaining elements of the natural resource base occur. It has been recognized that preservation of these areas is essential to both the maintenance of the overall environmental quality of the Region and to the continued provision of the amenities required to maintain a high quality of life for residents.

Seven elements of the natural resource base are considered essential to the maintenance of the ecological balance and the overall quality of life in the Region, and served as the basis for identifying the environmental corridor network. These seven elements are: 1) lakes, rivers, and streams and associated shorelands and floodplains; 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. In addition, there are certain other features which, although not a part of the natural resource base, are closely related to the natural resource base and were used to identify areas with recreational, aesthetic, ecological, and natural value. These features include existing park and open space sites, potential park and open space sites, historic sites, scenic areas and vistas, and natural areas.

The mapping of these 12 natural resource and resource-related elements results in a concentration of such elements in an essentially linear pattern of relatively narrow, elongated areas that have been termed "environmental corridors" by SEWRPC. Primary environmental corridors include a wide variety of the most

important natural resources and are at least 400 acres in size, two miles long, and 200 feet wide. Secondary environmental corridors serve to link primary environmental corridors, or encompass areas containing concentrations of natural resources between 100 and 400 acres in size. Where secondary environmental corridors serve to link primary corridors, no minimum area or length criteria apply. Secondary environmental corridors that do not connect primary corridors must be at least 100 acres in size and one mile long. An isolated concentration of natural resource features, encompassing at least five acres but not large enough to meet the size or length criteria for primary or secondary environmental corridors, is referred to as an isolated natural resource area.

The preservation of environmental corridors and isolated natural resource areas in essentially natural, open uses can help reduce flood flows, reduce noise pollution, and maintain air and water quality. Corridor preservation is important to the movement of wildlife and for the movement and dispersal of seeds for a variety of plant species. In addition, because of the many interacting relationships between living organisms and their environment, the destruction and deterioration of any one element of the natural resource base may lead to a chain reaction of deterioration and destruction. For example, the destruction of woodland cover may result in soil erosion and stream siltation, more rapid stormwater runoff and attendant increased flood flows and stages, as well as destruction of wildlife habitat. Although the effects of any single environmental change may not be overwhelming, the combined effects will eventually create serious environmental and developmental problems. These problems include flooding, water pollution, deterioration and destruction of wildlife habitat, reduction in groundwater recharge, as well as a decline in the scenic beauty of the County. The importance of maintaining the integrity of the remaining environmental corridors and isolated natural resource areas thus becomes apparent.

Primary and secondary environmental corridors and isolated natural resource areas are shown on Map 8 in Chapter VI. The primary environmental corridors in the Town are located principally along the East Branch Rock River and Kohlsville River, the Wayne marsh, and the Theresa Marsh Wildlife Area. In 2000, 5,515 acres, comprising about 24 percent of the Town, were located within primary environmental corridors. Secondary environmental corridors, located along the reaches of Wayne Creek and smaller streams and in scattered wetlands, encompassed 1,148 acres, or about 5 percent of the Town. Isolated natural resource areas within the Town, generally consisting of smaller wooded areas and smaller wetlands, accounted for 468 acres, or about 2 percent of the Town.

Park and Open Space Sites

A comprehensive region wide inventory of park and open space sites was conducted in 1973 under the initial regional park and open space planning program conducted by SEWRPC. The inventory is updated periodically, and was updated in 2008 as part of this planning process. The inventory identified all park and open space sites owned by a public agency, including Federal, State, County, and local units of government and school districts. The inventory also included privately owned outdoor recreation sites such as golf courses, campgrounds, boating access sites, hunting clubs, group camps, and special use outdoor recreation sites. Sites owned by nonprofit conservation organizations, such the Ozaukee Washington Land Trust and the Cedar Lakes Conservation Foundation, were also identified. As of 2008, there were 26,329 acres of park and open space land encompassing about 9 percent of Washington County in fee simple ownership. An additional 1,674 acres were under conservation or other easements intended to protect the natural resources of a site. Information on park and open space sites in the Town of Wayne is provided on Table 22 and in the following sections.

County and State-Owned Park and Open Space Sites

Washington County

There are no County parks located in the Town. The closest County park is Ridge Run Park in the City and Town of West Bend.

Wisconsin Department of Natural Resources

The Wisconsin Department of Natural Resources (DNR) has acquired large areas of park and open space lands in Washington County for a variety of resource protection and recreational purposes. The DNR owns the Theresa Marsh Wildlife Area, which encompasses 3,125 acres in the County and 2,671 acres in the Town, and includes a portion of the East Branch Rock River.

In addition to land currently owned by the DNR, there is a larger project boundary associated with Theresa Marsh Wildlife Area. Project boundaries are approved by the Wisconsin Natural Resources Board for State forests, parks, and wildlife areas. Lands within the approved project boundaries have been identified by the Board as appropriate additions to adjacent forests, natural areas, or wildlife areas and are intended to be acquired by the DNR, on a “willing seller-willing buyer” basis, for recreational or open space purposes as funding permits. Within the Town, the Theresa Marsh Wildlife Area project boundary encompasses approximately 1,377 additional acres for possible future acquisition.

Table 22

PUBLIC AND PRIVATE PARK, RECREATION, AND OPEN SPACE SITES IN THE TOWN OF WAYNE: 2008

Public Sites	Size (acres)
Town of Wayne Site	
Kohlsville Town Park	2
School District Site	
Wayne Elementary School	7
Ozaukee Washington Land Trust Site	
Wendt Farm	44
Wisconsin DNR Site	
Theresa Marsh Wildlife Area	2,671

Source: SEWRPC Park and Open Space Site Inventory.

Private and Public-Interest Resource Oriented Park and Open Space Sites

There are a number of conservation organizations active in Washington County, including the Ozaukee Washington Land Trust, the Cedar Lakes Conservation Foundation, The Nature Conservancy, and other non-profit conservation organizations. These organizations acquire lands for resource protection purposes. As of 2008, the Ozaukee Washington Land Trust owned one site in the Town of Wayne. The 44-acre Wendt Farm is located in the northwestern portion of the Town. The following paragraph describes conservation easements held by conservation organizations.

Lands Under Protective Easements

Several open space and environmentally sensitive sites in Washington County are protected under conservation easements. These easements are typically voluntary contracts between a private landowner and a land trust or government agency that limit, or in some cases prohibit, future development of the parcel. With the establishment of a conservation easement, the property owner sells or donates the development rights for the property to a land trust or government agency, but retains ownership. The owner is not prohibited from selling the property, but future owners must also abide by the terms of the conservation easement. The purchaser of the easement is responsible for monitoring and enforcing the easement agreement for the property. Conservation easements do not require public access to the property, although public access is generally required if Wisconsin stewardship funds or other DNR grant funds are used to acquire the property. There were conservation easements on seven sites in the Town in 2008. The DNR held easements on six sites within the Theresa Marsh Wildlife Area project boundary, encompassing 197 acres. The Ozaukee Washington Land Trust held a four-acre easement adjacent to its Wendt Farm site.

Town of Wayne Park and Open Space Sites

Park and open space sites owned by the Town are shown on Table 22. The Town of Wayne owns one site, Kohlsville Town Park. Kohlsville Town Park is located in the south central portion of the Town along the Kohlsville River and Mill Pond, and encompasses two acres. Wayne Elementary School is also located in the Town and provides seven acres of recreational land.

PART 3 – INVENTORY OF CULTURAL RESOURCES

The term cultural resource encompasses historic buildings, structures and sites; archaeological sites; and museums. Cultural resources in Washington County have important recreational and educational value. Cultural resources help to provide the County and each of its distinct communities with a sense of heritage, identity, and civic pride. Resources such as historical and archaeological sites and historic districts can also provide economic opportunities through tourism.

Historical Resources

In 2008, there were no historic sites located in the Town of Wayne listed on the National Register of Historic Places and the State Register of Historical Places. Sites and districts listed on the National and State Registers of Historic Places have an increased measure of protection against degradation and destruction. Listing on the National or State Register requires government agencies to consider the impact of their activities, such as the construction or reconstruction of a highway, or a permit which they issue, on the designated property. If the property would be adversely affected, the agency must work with the State Historic Preservation Officer to attempt to avoid or reduce adverse effects.

The 25 historic places and districts in Washington County listed on the National and State registers of historic places are only a small fraction of the buildings, structures, and districts listed in the Wisconsin Architecture and History Inventory. The Wisconsin Architecture and History Inventory is a database administered by the State Historical Society of Wisconsin of sites that have architectural or historical characteristics that may make them eligible for listing on the National and State registers of historic places. The inventory can be accessed through the State of Wisconsin Historical Society website at www.wisconsinhistory.org/ahi.

County and local governments may designate landmarks once a landmarks commission or historic preservation commission has been established by ordinance and certified by the State Historical Society. Procedures for designating local landmarks can and do vary depending on the local government. The Washington County Landmarks Commission has developed a simple, yet effective set of landmark designation procedures. First, an application is filed with the County Clerk by the owner of the proposed landmark. The County Landmarks Commission – composed of nine individuals appointed by the County Board Chairperson – then votes on whether to approve or deny the application based on a set of criteria established by the Commission. These criteria aim to protect, enhance, and perpetuate archaeological sites, geological formations, and structures of special historical value or interest. The Landmarks Commission in Washington County is given full authority by the County Board to designate and remove landmarks.

The Washington County Landmarks Commission has designated 33 sites, several of which are also listed on the National and State Registers of Historic Places, as County Landmarks. The Town of Wayne contains one site, “Moritz Farmhouse,” located on CTH WW.

Archaeological Resources

Preservation of archaeological resources is also important in preserving the cultural heritage of Washington County. Like historical sites and districts, significant prehistoric and historic archaeological sites provide the County and each of its communities with a sense of heritage and identity, which can provide for economic opportunities through tourism if properly identified and preserved. Archaeological sites found in Washington County fall under two categories: prehistoric sites and historic sites. Prehistoric sites are defined as those sites which date from before written history. Historic sites are sites established after history began to be recorded in written form (the State Historical Society of Wisconsin defines this date as A.D. 1650).

As of 2005, there were 425 known prehistoric and historic archaeological sites in Washington County listed in the State Historical Society’s Archaeological Sites Inventory, including prehistoric and historic camp sites, villages, and farmsteads; marked and unmarked burial sites; and Native American mounds. There are three mound groups in the Town of Farmington listed on the National Register of Historic Places: the Lizard Mound group, located in and adjacent to Lizard Mound County Park, the Glass mound group, and the Susen-Backhaus mound group. These three mound groups together are classified as the “Island” Effigy mound district listed on the National Register.

An additional mound group in the County was recently acquired by the City of West Bend and incorporated into Quaas Creek Park. This group, known as the Joedike Mound group, is located near the confluence of Quaas Creek and the Milwaukee River on the east side of the City of West Bend.

Table 23

CULTURAL ORGANIZATIONS AND VENUES IN WASHINGTON COUNTY: 2007

Cultural Organizations	Cultural Venues
Broken Valley Saddle Club	Cedar Lake Campus Theatre
Deuschatadt Heritage Foundation, Inc.	Chandelier Ballroom
Discalced Carmelite Friars, Holy Hill	Christ Church Museum
Downtown West Bend Association	Dheinsville Settlement
Friends of Kewaskum	Holy Hill
Friends of Laclawrann Conservancy	Lac Lawrann
Germantown Junior Women's Club	Museum of Wisconsin Art
Hartford Area Chamber of Commerce	Old Courthouse Square Museum
Hartford City Band	Richfield Historical Park
Hartford Community Choir	Riveredge Nature Center
Hartford Downtown Business Improvement District	Schauer Arts and Activities Center
It's a Stitch Quilt Guild	Shalom Wildlife Sanctuary
Kettle Moraine Fine Arts Guild	Sila Lydia Bast Bell Museum
Kettle Moraine Symphony	UW-Washington County
Kewaskum Junior Women's Club	Washington County Fair Park
Kiwanis Noon Club	Washington County UW Theatre
Lighthouse Ministry, Inc.	West Bend Community Memorial Library
Moraine Symphonic Band	Wisconsin Automotive Museum
Museum of Wisconsin Art Friends	
Richfield Historical Society	
Richfield Lioness Club	
Riveredge Bird Club	
Slinger Advancement Association	
Slinger Area Women's Association	
Tri-County Pork Producers	
Washington County Farm Bureau Women	
Washington County Historical Society	
Washington County Humane Society	
West Bend Wisconsin Chapter Model A Ford Club	
Ziegler Kettle Moraine Jazz Festival	

Note: This table is not intended to be an exhaustive list of all cultural organizations and venues in Washington County, but rather to provide examples of cultural resources that are available.

Source: *Washington County Convention and Visitors Bureau and SEWRPC.*

Local Historical Societies and Museums

The Town of Wayne does not have a local historical society; however, the resources of the Washington County Historical Society, itself affiliated with the State Historical Society of Wisconsin, are available to Town residents. The County Society operates several historic sites within the County, including the Old Courthouse and the Old Jailhouse Museums in the City of West Bend. The museums include interactive and interpretive galleries and a research center. The Washington County Historical Society is also working to convert the St. Agnes Convent in the Town of Barton to a museum over the next few years. This site consists of three buildings constructed in the mid-19th century. Other museums in Washington County include the Wisconsin Automotive Museum in the City of Hartford and the Museum of Wisconsin Art in the City of West Bend.

Cultural Venues, Events, and Organizations

Cultural performances, events, and organizations that showcase the arts and the heritage of Washington County and its cities, towns, and villages contribute to the quality of life and economy of the County. There are several venues at which cultural performances are regularly held. Many of these venues are not historic themselves, but serve as a cultural resource because they facilitate culturally significant performances and exhibits. They are listed in Table 23.

PART 4 – AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- Maintain the rural character of the Town.
- Encourage the preservation of agricultural lands.
- Maintain the existing landscape and natural beauty of the Town.
- Nonmetallic mining sites will not have a negative long-term impact on important environmental features or existing developments within the Town of Wayne.
- Encourage preservation of historic or cultural structures and archaeological sites.
- Provide a public recreational area to serve Town residents.

Objectives:

- Protect farmable lands by using conservation subdivision techniques specific to preserving agriculture.
- Maintain the economic stability of the farming community to help preserve the rural character and open spaces of the Town.
- Preserve in agricultural use those lands best suited to agricultural uses within the Town to protect both the rural character and the economic base.
- Discourage development within environmental corridors and isolated natural resource areas.
- Protect, conserve, and enhance groundwater quality and quantity in the Town.
- Help residents develop a sense of the history of the Town of Wayne, as outlined in the Town's sesquicentennial book, *Winding Through the Town of Wayne*.

Policies:

- Discourage the conversion of agricultural lands, particularly those scoring 6.8 or above in the LESA analysis, to non-farm uses.
- Protect primary environmental corridors, secondary environmental corridors, and isolated natural resource areas in accordance with the guidelines set forth on Table 24. Protection of environmental corridors and isolated natural resource areas will preserve the best remaining natural resources in the Town, including wetlands, woodlands, surface waters, stream corridors, natural areas, critical species habitat sites, and associated plant and wildlife habitats.
- Wetland and floodplain areas should not be altered in any way, including but not limited to filling or draining, unless such alteration would result in the enhancement of the natural resource being disturbed.
- Encourage development only on soils that are well suited to such development when served by private onsite waste treatment systems (POWTS) and private wells in order to avoid the creation of water pollution and public health problems.
- Encourage eligible Town residents to enroll in the Managed Forest Land program administered by the DNR.
- Mining operations will comply with existing ordinances and carry out reclamation plans.
- Support the efforts of cultural organizations to organize and promote cultural venues and events in the Town and County. Existing cultural organizations and venues in the County are listed in Table 23.

Programs:

- Upon request, forward appropriate Town records of historical value to interested organizations.
- Continuation of agricultural uses, preservation of natural resources, or residential development at an average density of at least five acres per home are recommended in areas identified as having very high or high groundwater recharge potential, in order to preserve groundwater recharge capabilities. If urban-density development is allowed, land development and stormwater management practices such as the use of permeable pavement, set-aside open space, landscaping with drought-tolerant plants (i.e. native plants) and landscape mulch versus turf/grass, rain gardens, and bioswales should be integrated into the site design and development to help preserve groundwater recharge capability. The use of conservation subdivision design that results in less street and driveway pavement and provides more open space than a conventional subdivision design should also be encouraged.
- Continue to maintain Town parks and develop additional parks and facilities as needs are identified and funding becomes available.
- Support the efforts of the DNR, Washington County, and nonprofit conservation organizations to acquire and manage natural areas and critical species habitat sites within the Town as recommended in the regional natural areas plan and the Washington County park and open space plan.

Table 24

GUIDELINES FOR DEVELOPMENT CONSIDERED COMPATIBLE WITH ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS

Component Natural Resource and Related Features within Environmental Corridors ^a	Permitted Development															Rural Density Residential Development (see General Development Guidelines below)	Other Development (See General Development Guidelines below)
	Transportation and Utility Facilities (see General Development Guidelines below)				Recreational Facilities (see General Development Guidelines below)												
	Streets and Highways	Utility Lines and Related Facilities	Engineered Stormwater Management Facilities	Engineered Flood Control Facilities ^b	Trails ^c	Picnic Areas	Family Camping ^d	Swimming Beaches	Boat Access	Ski Hills	Golf	Playfields	Hard-Surface Courts	Parking	Buildings		
Lakes, Rivers, and Streams	-- ^e	-- ^{f,g}	--	-- ^h	-- ⁱ	--	X	X	--	--	--	--	--	--	--	--	--
Shoreland ^j	X	X	X	X	X	--	X	X	--	X	--	--	X	X	--	--	--
Floodplain ^k	-- ^l	X	X	X	X	--	X	X	--	X	X	--	X	X	--	--	--
Wetland ^m	-- ^l	X	--	--	X ⁿ	--	--	X	--	-- ^o	--	--	--	--	--	--	--
Wet Soils	X	X	X	X	X	--	X	X	--	X	--	--	X	X	--	--	--
Woodland	X	X	X ^p	--	X	X	--	X	X	X	X	X	X	X	X ^q	X	X
Wildlife Habitat	X	X	X	--	X	X	--	X	X	X	X	X	X	X	X	X	X
Steep Slope	X	X	--	--	-- ^r	--	--	--	--	X ^s	X	--	--	--	--	--	--
Prairie	--	-- ^g	--	--	-- ^r	--	--	--	--	--	--	--	--	--	--	--	--
Park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	--
Historic Site	--	-- ^g	--	--	-- ^r	--	--	--	--	--	--	--	X	--	--	--	--
Scenic Viewpoint	X	X	--	--	X	X	X	--	X	X	X	--	--	X	X	X	X
Natural Area or Critical Species Habitat Site	--	--	--	--	-- ^q	--	--	--	--	--	--	--	--	--	--	--	--

NOTE: An "X" indicates that facility development is permitted within the specified natural resource feature. In those portions of the environmental corridors having more than one of the listed natural resource features, the natural resource feature with the most restrictive development limitation should take precedence.

APPLICABILITY

These guidelines indicate the types of development that can be accommodated within primary and secondary environmental corridors and isolated natural resource areas while maintaining the basic integrity of those areas. Throughout this table, the term "environmental corridors" refers to primary and secondary environmental corridors and isolated natural resource areas.

Under the regional plan:

- As regionally significant resource areas, primary environmental corridors should be preserved in essentially natural, open use—in accordance with the guidelines in this table.
- Secondary environmental corridors and isolated natural resource areas warrant consideration for preservation in essentially natural open use, as determined in county and local plans and in a manner consistent with State and Federal regulations. County and local units of government may choose to apply the guidelines in this table to secondary environmental corridors and isolated natural resource areas.

GENERAL DEVELOPMENT GUIDELINES

- Transportation and Utility Facilities:** All transportation and utility facilities proposed to be located within the important natural resources should be evaluated on a case-by-case basis to consider alternative locations for such facilities. If it is determined that such facilities should be located within natural resources, development activities should be sensitive to, and minimize disturbance of, these resources, and, to the extent possible following construction, such resources should be restored to preconstruction conditions.

The above table presents development guidelines for major transportation and utility facilities. These guidelines may be extended to other similar facilities not specifically listed in the table.

- Recreational Facilities:** In general, no more than 20 percent of the total environmental corridor area should be developed for recreational facilities. Furthermore, no more than 20 percent of the environmental corridor area consisting of upland wildlife habitat and woodlands should be developed for recreational facilities. It is recognized, however, that in certain cases these percentages may be exceeded in efforts to accommodate needed public recreational and game and fish management facilities within appropriate natural settings. In all cases however, the proposed recreational development should not threaten the integrity of the remaining corridor lands nor destroy particularly significant resource elements in that corridor. Each such proposal should be reviewed on a site-by-site basis.

The above table presents development guidelines for major recreational facilities. These guidelines may be extended to other similar facilities not specifically listed in the table.

- Rural Density Residential Development:** Rural density residential development may be accommodated in upland environmental corridors, provided that buildings are kept off steep slopes. The maximum number of housing units accommodated at a proposed development site within the environmental corridor should be limited to the number determined by dividing the total corridor acreage within the site, less the acreage covered by surface water and wetlands, by five. The permitted housing units may be in single-family or multi-family structures. When rural residential development is accommodated, conservation subdivision designs are strongly encouraged.

Table 24 (continued)

- **Other Development:** In lieu of recreational or rural density residential development, up to 10 percent of the upland corridor area in a parcel may be disturbed in order to accommodate urban residential, commercial, or other urban development under the following conditions: 1) the area to be disturbed is compact rather than scattered in nature; 2) the disturbance area is located on the edge of a corridor or on marginal resources within a corridor; 3) the development does not threaten the integrity of the remaining corridor; 4) the development does not result in significant adverse water quality impacts; and 5) development of the remaining corridor lands is prohibited by a conservation easement or deed restriction. Each such proposal must be reviewed on a site-by-site basis.

Under this arrangement, while the developed area would no longer be part of the environmental corridor, the entirety of the remaining corridor would be permanently preserved from disturbance. From a resource protection point of view, preserving a minimum of 90 percent of the environmental corridor in this manner may be preferable to accommodating scattered homesites and attendant access roads at an overall density of one dwelling unit per five acres throughout the upland corridor areas.

- **Pre-Existing Lots:** Single-family development on existing lots of record should be permitted as provided for under county or local zoning at the time of adoption of the land use plan.
- All permitted development presumes that sound land and water management practices are utilized.

FOOTNOTES

^aThe natural resource and related features are defined as follows:

Lakes, Rivers, and Streams: Includes all lakes greater than five acres in area and all perennial and intermittent streams as shown on U. S. Geological Survey quadrangle maps.

Shoreland: Includes a band 50 feet in depth along both sides of intermittent streams; a band 75 feet in depth along both sides of perennial streams; a band 75 feet in depth around lakes; and a band 200 feet in depth along the Lake Michigan shoreline.

Floodplain: Includes areas, excluding stream channels and lake beds, subject to inundation by the 100-year recurrence interval flood event.

Wetlands: Includes areas that are inundated or saturated by surface water or groundwater at a frequency, and with a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wet Soils: Includes areas covered by wet, poorly drained, and organic soils.

Woodlands: Includes areas one acre or more in size having 17 or more deciduous trees per acre with at least a 50 percent canopy cover as well as coniferous tree plantations and reforestation projects; excludes lowland woodlands, such as tamarack swamps, which are classified as wetlands.

Wildlife Habitat: Includes areas devoted to natural open uses of a size and with a vegetative cover capable of supporting a balanced diversity of wildlife.

Steep Slope: Includes areas with land slopes of 12 percent or greater.

Prairies: Includes open, generally treeless areas which are dominated by native grasses; also includes savannas.

Park: Includes public and nonpublic park and open space sites.

Historic Site: Includes sites listed on the National Register of Historic Places. Most historic sites located within environmental corridors are archaeological features such as American Indian settlements and effigy mounds and cultural features such as small, old cemeteries. On a limited basis, small historic buildings may also be encompassed within delineated corridors.

Scenic Viewpoint: Includes vantage points from which a diversity of natural features such as surface waters, wetlands, woodlands, and agricultural lands can be observed.

Natural Area and Critical Species Habitat Sites: Includes natural areas and critical species habitat sites as identified in the regional natural areas and critical species habitat protection and management plan.

^bIncludes such improvements as stream channel modifications and such facilities as dams.

^cIncludes trails for such activities as hiking, bicycling, cross-country skiing, nature study, and horseback riding, and excludes all motorized trail activities. It should be recognized that trails for motorized activities such as snowmobiling that are located outside the environmental corridors may of necessity have to cross environmental corridor lands. Proposals for such crossings should be evaluated on a case-by-case basis, and if it is determined that they are necessary, such trail crossings should be designed to ensure minimum disturbance of the natural resources.

^dIncludes areas intended to accommodate camping in tents, trailers, or recreational vehicles which remain at the site for short periods of time, typically ranging from an overnight stay to a two-week stay.

^eCertain transportation facilities such as bridges may be constructed over such resources.

^fUtility facilities such as sanitary sewers may be located in or under such resources.

^gElectric power transmission lines and similar lines may be suspended over such resources.

^hCertain flood control facilities such as dams and channel modifications may need to be provided in such resources to reduce or eliminate flood damage to existing development.

ⁱBridges for trail facilities may be constructed over such resources.

^jConsistent with Chapter NR 115 of the Wisconsin Administrative Code.

^kConsistent with Chapter NR 116 of the Wisconsin Administrative Code.

^lStreets and highways may cross such resources. Where this occurs, there should be no net loss of flood storage capacity or wetlands. Guidelines for mitigation of impacts on wetlands by Wisconsin Department of Transportation facility projects are set forth in Chapter Trans 400 of the Wisconsin Administrative Code.

^mAny development affecting wetlands must adhere to the water quality standards for wetlands established under Chapter NR 103 of the Wisconsin Administrative Code.

ⁿOnly an appropriately designed boardwalk/trail should be permitted.

^oWetlands may be incorporated as part of a golf course, provided there is no disturbance of the wetlands.

^pGenerally excludes detention, retention, and infiltration basins. Such facilities should be permitted only if no reasonable alternative is available.

^qOnly if no alternative is available.

^rOnly appropriately designed and located hiking and cross-country ski trails should be permitted.

^sOnly an appropriately designed, vegetated, and maintained ski hill should be permitted.

Source: SEWRPC 2035 Regional Land Use Plan.

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Chapter VI

LAND USE ELEMENT

INTRODUCTION

The land use element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(h) of the *Statutes* requires this element to compile goals, objectives, policies, programs, and maps to guide future development and redevelopment of public and private property. The *Statutes* also require this element to include:

- Information regarding the amount, type, and intensity or density of existing land uses
- Land use trends
- Potential land use conflicts
- Projected land use needs in five year increments to the plan design year (2035)
- Maps showing existing and future land uses; productive agricultural soils; natural limitations to building site development; floodplains, wetlands, and other environmentally sensitive lands; and boundaries of areas to which public utility and community services will be provided by the plan design year

In addition, the 14 State of Wisconsin comprehensive planning goals, which are related to each of the nine comprehensive plan elements, set forth in Section 16.965 of the *Statutes* must be addressed as part of the Town comprehensive planning process.¹ The Land Use Element relates to each of the other comprehensive plan elements, and therefore relates to all 14 State comprehensive planning goals. Goals that are most directly related to the Land Use Element include:

- Promotion of the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, State government, and utility costs.

¹Chapter I lists all 14 comprehensive planning goals included in Section 16.965 of the *Statutes*.

- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
- Balancing property rights with community interests and goals.

Section 16.965 also requires the identification of “Smart Growth Areas” in County and local plans. A “Smart Growth Area” is defined by the *Statutes* as “an area that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental, and utility costs.”

All of the information required by the comprehensive planning law is provided in this chapter.

PART 1: EXISTING LAND USE CONDITIONS AND TRENDS

Land Use Trends

SEWRPC periodically conducts a detailed land use inventory of the seven-county Region to inventory and monitor urban growth and development occurring over time. The land use inventory places all land and water areas into one of 66 land use categories. The most current detailed land use inventory was conducted in 2000. Based on that inventory, urban land uses, including residential, commercial, industrial, governmental and institutional, recreational, and transportation, communication, and utility uses, encompassed 1,694 acres, or about 7 percent of the Town. Nonurban land uses, consisting of agricultural lands; natural resource areas, including surface waters, wetlands, and woodlands; extractive sites; and open land, encompassed 21,209 acres, or about 93 percent of the Town. Agriculture was the single largest land use, encompassing 14,024 acres, or about 61 percent of the Town in 2000.

The number of acres in various land use categories in the Town of Wayne in 1980, 1990, and 2000 is shown on Table 25. Table 25 also includes the acreage and percentage changes in each land use category between 1980 and 2000, and for intervening time periods.

Between 1980 and 2000, the amount of land used for urban uses, including residential, commercial, industrial, and transportation uses, increased by about 596 acres, from 1,098 acres to 1,694 acres, or about 54 percent. The amount of land used for residential purposes nearly doubled during this time period.

The percentage of land classified as “nonurban” decreased by about 3 percent between 1980 and 2000. Much of the land developed for urban uses between 1980 and 2000 was converted from agricultural to urban use. The amount of land used for agriculture decreased by 1,008 acres, or by about 7 percent. The number of acres in the “open lands” category, that is, lands that are vacant and apparently unused, increased by 241 acres during the 1980 to 2000 period. Much of the increase in the “open lands” category is likely due to land being taken out of agriculture. The acreage of woodlands, wetlands, and surface waters increased by about 3 percent between 1980 and 2000.

Urban land uses in the Town are generally located in and near the hamlets of Wayne, Kohlsville, and St. Kilian. Hamlets are unincorporated areas with compact development, predominantly residential, but also typically including limited commercial and/or institutional uses such as churches, fire stations, and small businesses. Most hamlets in the Town and the remainder of Washington County were first settled in the 1800’s or early 1900’s. Hamlets in the Town of Wayne are shown on Map 6. The hamlet of St. Kilian extends into the Town of Ashford in Fond du Lac County north of the Town of Wayne. Urban uses, primarily commercial, are also located around the USH 41/CTH D interchange in the southwestern portion of the Town.

Land Price

Equalized value trends by real estate class in the Town in 2003 and 2007 are set forth in Table 26. All real estate classes except undeveloped land experienced an increase in equalized value. Residential properties experienced the greatest increase in equalized value, with an increase of over 70 percent; and the equalized value of forest

Table 25

LAND USE TRENDS IN THE TOWN OF WAYNE: 1980-2000

Land Use Category	Area (Acres)			Change in Area					
	1980	1990	2000 ^a	1980-1990		1990-2000		1980-2000	
				Acres	Percent Change	Acres	Percent Change	Acres	Percent Change
Urban									
Residential									
Single-Family.....	320	412	640	92	28.8	228	55.3	320	100.0
Two-Family.....	--	--	--	--	--	--	--	--	--
Multi-Family.....	--	--	--	--	--	--	--	--	--
Mobile Homes.....	5	10	8	5	100.0	-2	-20.0	3	60.0
Subtotal	325	422	648	97	29.8	226	53.6	323	99.4
Commercial.....	11	12	14	1	9.1	2	16.7	3	27.3
Industrial.....	8	11	15	3	37.5	4	36.4	7	87.5
Transportation, Communications, and Utilities									
Streets and Highway Rights-of-Way.....	675	678	935	3	0.4	257	37.9	260	38.5
Railroad Rights-of-Way.....	40	40	40	--	--	--	--	--	--
Communications and Utilities and Other									
Transportation.....	14	16	13	2	14.3	-3	-18.8	-1	-7.1
Subtotal	729	734	988	5	0.7	254	34.6	259	35.5
Governmental and Institutional.....	25	29	29	4	16.0	--	--	4	16.0
Recreational.....	--	--	--	--	--	--	--	--	--
Urban Subtotal	1,098	1,208	1,694	110	10.0	486	40.2	596	54.3
Nonurban									
Natural Resource Areas									
Woodlands.....	978	1,046	1,064	68	7.0	18	1.7	86	8.8
Wetlands.....	5,555	5,607	5,637	52	0.9	30	0.5	82	1.5
Surface Water.....	69	80	92	11	15.9	12	15.0	23	33.3
Subtotal	6,602	6,733	6,793	131	2.0	60	0.9	191	2.9
Agricultural.....	15,032	14,760	14,024	-272	-1.8	-736	-5.0	-1,008	-6.7
Landfills.....	2	--	--	-2	-100.0	--	--	-2	-100.0
Extractive.....	18	10	--	-8	-44.4	-10	-100.0	-18	-100.0
Open Lands.....	151	192	392	41	27.2	200	104.2	241	159.6
Nonurban Subtotal	21,805	21,695	21,209	-110	-0.5	-486	-2.2	-596	-2.7
Total	22,903	22,903	22,903	--	--	--	--	--	--

^aAs part of the regional land use inventory for the year 2000, the delineation of existing land use was referenced to real property boundary information not available for prior inventories. This change increases the precision of the land use inventory and makes it more usable to public agencies and private interests throughout the Region. As a result of the change, however, year 2000 land use inventory data are not strictly comparable with data from the prior inventories. The most significant effect of the change is to increase the transportation, communication, and utilities category due to the use of actual street and highway rights-of-way as part of the 2000 land use inventory, as opposed to the use of narrower estimated rights-of-way in prior inventories. This treatment of streets and highways generally diminishes the area of adjacent land uses traversed by those streets and highways in the 2000 land use inventory relative to prior inventories.

Source: SEWRPC.

lands increased by 54 percent. The Town experienced an overall increase in equalized value of 62 percent between 2003 and 2007, compared to a 40 percent increase in Washington County over the same period.

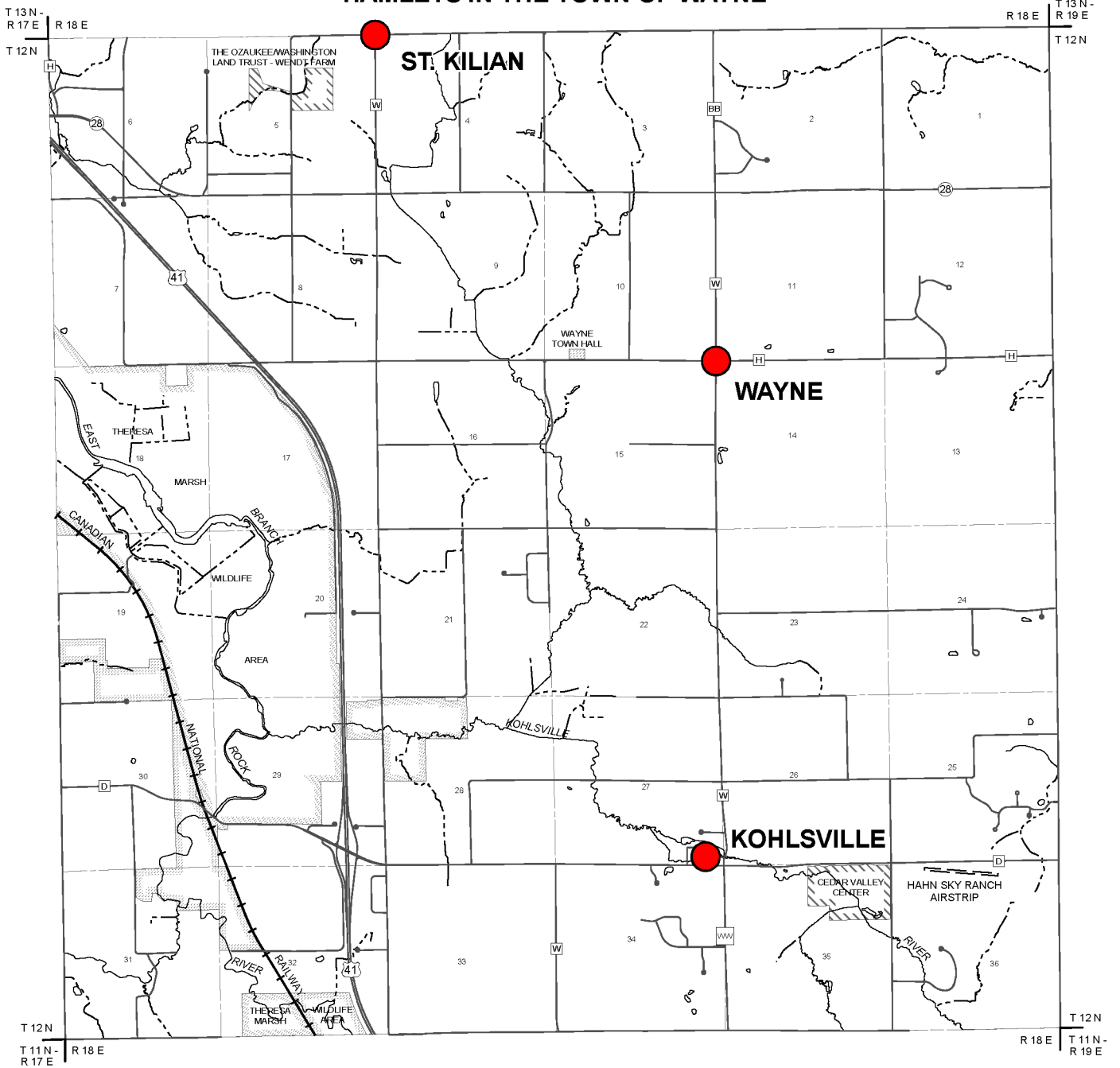
Existing Land Uses in 2008

The Town of Wayne, through its comprehensive plan, must look ahead at least 20 years to ensure adequate supplies of land for urban and nonurban land uses. To ensure that future planning reflects land use development that has occurred to date, the 2000 land use inventory was updated to 2008, based on the 2005 aerial photographs produced by SEWRPC, the record of subdivision and condominium plats maintained by Washington County, field checks, and consultation with Town officials. Major development in the Town between 2000 and 2008 included:

- Chapel Highlands single-family residential subdivision located south of CTH D on CTH WW with 23 lots on about 70 acres.

Map 6

HAMLETS IN THE TOWN OF WAYNE



 HAMLET LOCATION

SOURCE: SEWRPC.

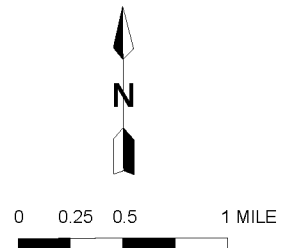


Table 26

EQUALIZED VALUE BY REAL ESTATE CLASS IN THE TOWN OF WAYNE: 2003 and 2007

Real Estate Class	Statement of Equalized Values 2003 ^a			
	Acres	Land	Improvements	Total
Residential.....	1,325	\$21,265,500	\$75,562,900	\$96,828,400
Commercial	55	528,100	1,742,800	2,270,900
Manufacturing.....	22	105,200	1,100,300	1,205,500
Agricultural.....	12,878	2,586,900	N/A	2,586,900
Undeveloped	1,828	2,823,300	N/A	2,823,300
Ag Forest.....	0	N/A	N/A	N/A
Swamp and Waste	N/A	N/A	N/A	N/A
Forest	2,060	4,738,500	N/A	4,738,500
Other ^c	259	2,687,000	14,850,800	17,490,800
Total	18,427	\$34,687,500	\$93,256,800	\$127,944,300

Real Estate Class	Statement of Equalized Values 2007 ^b				Change in Equalized Value 2003 and 2007	
	Acres	Land	Improvements	Total	Number	Percent
Residential.....	1,655	\$35,715,500	\$129,465,500	\$165,180,600	\$68,352,200	70.6
Commercial	61	728,100	2,632,500	3,360,600	1,089,700	48.0
Manufacturing.....	22	185,700	1,353,700	1,539,400	333,900	27.7
Agricultural.....	12,403	2,814,700	N/A	2,814,700	227,800	8.8
Undeveloped	1,855	2,627,000	N/A	2,627,000	-196,300	-7.0
Ag Forest.....	777	2,306,000	N/A	2,306,000	N/A	N/A
Swamp and Waste	N/A	N/A	N/A	N/A	N/A	N/A
Forest	1,234	7,299,000	N/A	7,299,000	2,560,500	54.0
Other ^c	246	4,374,000	17,833,200	22,207,200	4,716,400	27.0
Total	18,253	\$56,049,600	\$151,284,900	\$207,334,500	\$79,390,200	62.1

^aEqualized values for 2003 were as of March 15, 2004.

^bEqualized values for 2007 were as of November 15, 2007.

^cThis category includes agricultural buildings and improvements and the land necessary for their location.

Source: Wisconsin Department of Revenue and SEWRPC.

- Essence of Time single-family residential subdivision located north of the Hahn Sky Ranch on CTH D with 25 lots on about 125 acres.
- Wayne Ridge Estates single-family residential subdivision located at the northeast corner of STH 28 and CTH W with 16 lots on about 80 acres.
- Whitetail Meadows I single-family residential subdivision located at the northeast corner of CTH H and Lake Bernice Drive with 28 lots on about 141 acres.
- Whitetail Meadows II single-family residential subdivision located south of Whitetail Meadows I with six lots on about 31 acres.
- Grandview Heights single-family residential subdivision located south of CTH D on Nenno Road with 29 lots on about 144 acres. No homes had been developed within this subdivision as of mid-2008.
- Lookout Estates single-family residential subdivision located at the northwest corner of CTH D and Aurora Road with 13 lots on about 68 acres. No homes had been developed within this subdivision as of mid-2008.

Together, these subdivisions include 140 lots on about 660 acres. All of the subdivisions use a conservation design, in which homes are concentrated and/or clustered in specific areas on relatively small lots in order to

Table 27

EXISTING LAND USES IN THE TOWN OF WAYNE: 2008

Land Use Category ^a	Acres	Percent of Subtotal (Urban or Nonurban)	Percent of Total
Urban			
Residential			
Single-Family.....	1,504	54.1	6.6
Mobile Homes	8	0.3	-- ^b
Subtotal	1,512	54.4	6.6
Commercial	67	2.4	0.3
Industrial.....	32	1.2	0.1
Transportation, Communications, and Utilities			
Street and Highway	1,025	36.9	4.5
Railroad Rights-of-Way.....	33	1.2	0.1
Communications, Utilities, and Other Transportation ^c	18	0.6	0.1
Subtotal	1,076	38.7	4.7
Governmental and Institutional ^d	93	3.3	0.4
Recreational ^e	1	-- ^b	-- ^b
Urban Subtotal	2,781	100.0	12.1
Nonurban			
Natural Resource Areas			
Woodlands	1,050	5.2	4.6
Wetlands	5,637	28.0	24.6
Surface Water	92	0.5	0.4
Subtotal	6,779	33.7	29.6
Agricultural ^f	13,019	64.7	56.8
Extractive.....	13	0.1	0.1
Open Lands ^g	311	1.5	1.4
Nonurban Subtotal	20,122	100.0	87.9
Total	22,903	--	100.0
Overlay Category			
Open Lands in Conservation Subdivisions	146	--	0.6

Note: This table, and the accompanying map, is more general than the land use inventory conducted in 2000. The two inventories are therefore not directly comparable, due primarily to the inclusion of farmhouses as an agricultural use on parcels of 20 acres or larger, and the identification of entire parcels of five acres or less as residential areas if a house was on the property in 2008. Also, lands under development in 2008 are included in the underlying category. For example, lands platted for residential use but not yet developed are included in the residential category.

^aParking included in associated use.

^bLess than 0.05 percent.

^c"Other Transportation" includes public and private airports and other transportation facilities not classified as street or railroad rights-of-way.

^d"Other Transportation" includes the Hahn Sky Ranch airstrip and associated buildings. Communications and utilities includes cell tower sites and electrical substations.

^eIncludes schools, government offices, fire stations, cemeteries, and churches. This category also includes 59 acres of the 96-acre Cedar Valley Center (that portion of the property outside wetlands and surface water).

^fIncludes only that land which is intensively used for recreational purposes.

^gFarmhouses are categorized as agricultural uses on parcels of 20 acres or larger in agricultural use.

^hOpen lands includes lands in rural areas that are not being farmed; open space in conservation subdivisions that is not woodlands, wetlands, or surface water; DNR-owned lands that are not woodlands, wetlands, or surface water; and other lands that have not been developed, including vacant lots in existing subdivisions and other residual lands or outlots that have not been developed.

Source: SEWRPC.

allow other portions of the development site to be preserved in open space, including restoration and management of historic, agricultural, or environmentally sensitive features. The open space may be owned by an individual, or by the subdivision homeowners association. The average density of the subdivisions listed above is 4.7 acres per home.

Map 7 shows generalized land use in the Town in mid-2008. Acres within each land use category are shown on Table 27. The generalized land use map differs from the more precise 2000 land use inventory map (Map 4) in that the generalized map includes farmhouses in the "agricultural" category rather than the "residential" category. Undeveloped portions of lots less than five acres were designated with the primary use of the lot, except where a portion of a lot was used for residential or another urban use and the remaining portion was used for agriculture. In such cases, both the urban use and the agricultural use were mapped. The number of acres in the single-family residential category was significantly higher in 2008 than in 2000, due in part to the entire lot area of lots less than five acres with a home, and no portion of the lot used for agriculture, being included in residential land use category. Previously, portions of such lots that were not developed with a home, driveway, or accessory buildings (such as sheds) or used for agriculture were included in the "open lands" category. Some of the increase in the area devoted to commercial and industrial uses between 2000 and 2008 is also attributable to areas on commercial and industrial lots that were categorized as "open lands" in the 2000 and earlier land use inventories being identified as commercial or industrial lands in the 2008 land use update.

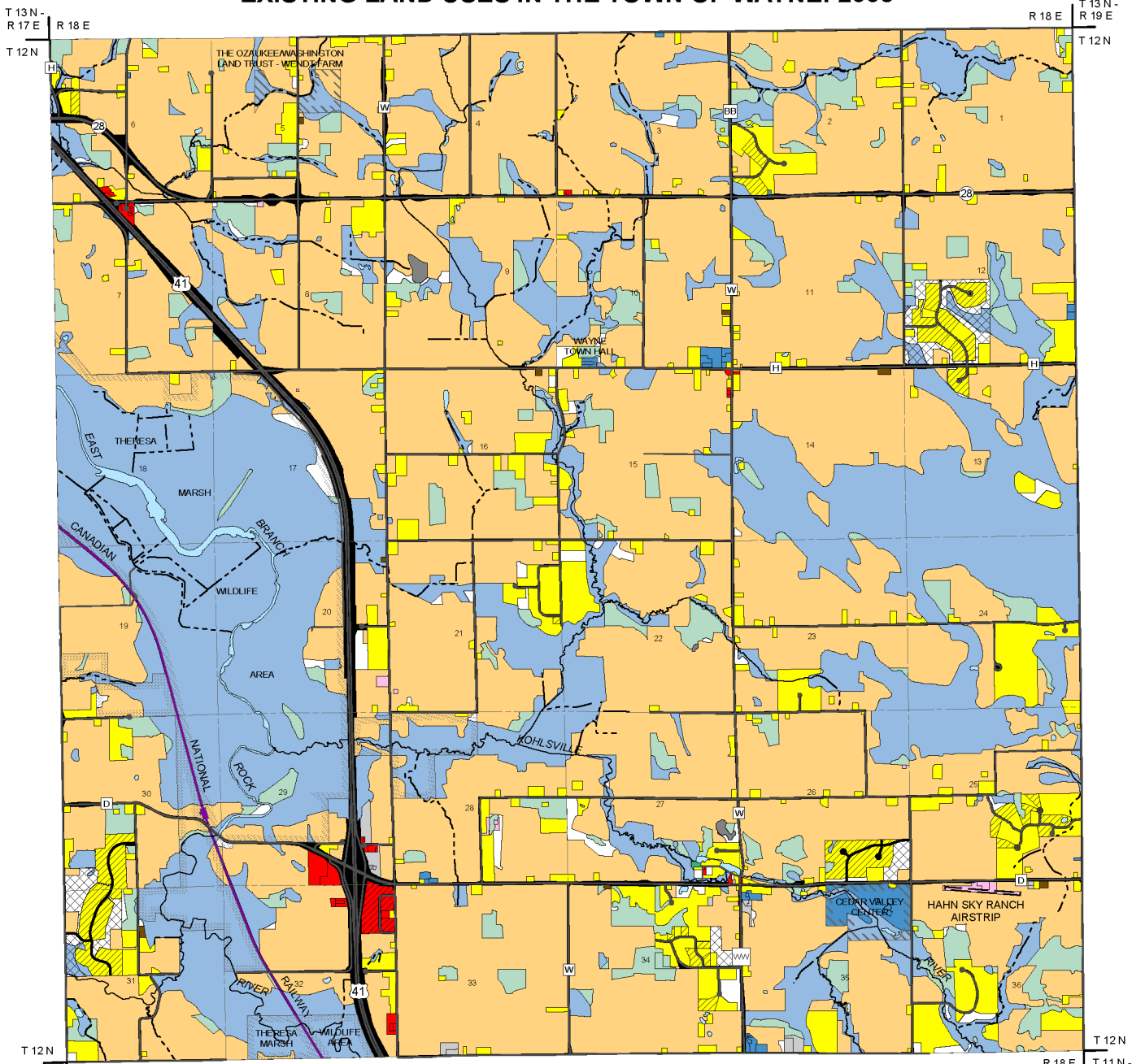
Urban Land Uses




















Urban land uses include residential, commercial, industrial, governmental and institutional, recreational, and transportation, communication, and utility uses. Urban uses encompassed 2,781 acres, or about 12 percent of the Town in 2008.

Residential

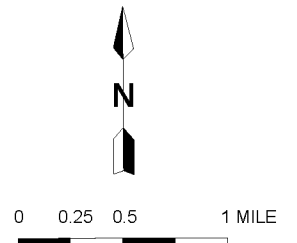
Residential land comprised the largest urban land use category in the Town in 2008. Residential uses encompassed 1,512 acres, or about 54 percent of all urban land and about 7 percent of the Town. All residential development in the Town is single-family homes.

Map 7 EXISTING LAND USES IN THE TOWN OF WAYNE: 2008



- | | | | |
|---|---|---|---------------------------------------|
|  | SINGLE - FAMILY RESIDENTIAL |  | GOVERNMENTAL AND INSTITUTIONAL |
|  | SINGLE - FAMILY RESIDENTIAL (UNDER DEVELOPMENT) |  | RECREATIONAL |
|  | TWO - FAMILY RESIDENTIAL |  | WOODLANDS |
|  | MULTI - FAMILY RESIDENTIAL AND MOBILE HOMES |  | WETLANDS |
|  | COMMERCIAL |  | SURFACE WATER |
|  | COMMERCIAL (UNDER DEVELOPMENT) |  | AGRICULTURAL |
|  | INDUSTRIAL |  | EXTRACTIVE |
|  | STREETS AND HIGHWAYS |  | OPEN LANDS (CONSERVATION SUBDIVISION) |
|  | RAILROADS |  | OPEN LANDS (RURAL) |
|  | COMMUNICATIONS, UTILITIES, AND OTHER TRANSPORTATION | | |

SOURCE: SEWRPC.



Commercial

In 2008, commercial land encompassed 67 acres, which is less than 1 percent of the Town. Commercial development was primarily located near the USH 41/CTH D interchange. A more limited amount of commercial development is located around the USH 41/STH 28 interchange. Small businesses are also located in the hamlets of Kohlsville and Wayne and on small parcels scattered throughout the Town.

Commercial uses include restaurant/taverns, a child care center, farm implement dealers, a lumberyard, self-storage lockers, a heating contractor, and retail stores.

Industrial

In 2008, industrial land encompassed 32 acres, or less than 1 percent of the Town. Industrial uses were concentrated near the USH 41/CTH D interchange and the hamlet of Kohlsville. Industrial uses included a manufacturing company and truck and auto repair garages.

Transportation, Communications, and Utilities

Transportation, communication, and utility uses encompassed 1,076 acres, or about 5 percent of the Town in 2008. Of this, 1,025 acres were located within street and highway rights-of-way and 33 acres were located within the Canadian National Railroad right-of-way in the Town. Land used for transportation other than street and railroad rights-of-way included the Hahn Sky Ranch in the southeastern portion of the Town. The Transportation Element chapter (Chapter VIII) provides additional information about transportation facilities.

Communication-related land uses included four cell tower sites (see Table 55 in Chapter IX). Utility uses included a We Energies tower and antenna located on the west side of Midland Drive in Section 20.

Governmental and Institutional

In 2008, land used for government and institutional uses encompassed about 93 acres, or about 3 percent of urban land and less than 1 percent of the Town. Governmental and institutional lands in the Town include the Town Hall, one public elementary school, a volunteer fire department (located in the hamlet of Kohlsville), four churches, and seven cemeteries. Three of these cemeteries are located next to a church, including Salem United Church of Christ Cemetery, Zion Evangelical Lutheran Church Cemetery, and St. John's Memorial Church Cemetery. Information about these community facilities is presented in Chapter IX.

The Cedar Valley Center, a retreat/conference center operated by a non-profit religious organization and affiliated with the Cedar Community, occupies 96 acres in the southeastern portion of the Town. That portion of the site outside wetlands and surface water (59 acres) has been categorized as an institutional use.

Recreational

There was one acre of intensively used recreational land in the Town in 2008, a portion of the Town park in Kohlsville. Intensive recreational land includes only those parks or portions of parks that have been developed with buildings or facilities such as parking areas, landscaped areas, or playgrounds, tennis courts, baseball diamonds, soccer fields, or similar facilities. There were four public and private park, open space, and recreation sites in the Town consisting of the Kohlsville Town Park located in the hamlet of Kohlsville (consisting of a pond, a small mowed area, and a small parking lot), recreational facilities at Wayne Elementary School in the hamlet of Wayne, the Theresa Marsh Wildlife Area located in the western portion of the Town along the East Branch of the Rock River, and the Wendt Farms, an area owned by the Ozaukee Washington Land Trust for resource protection purposes. A complete inventory of park and open space sites in the Town is included in Chapter V.

Although not categorized as intensively used recreational land, the Wisconsin Department of Natural Resources (DNR) has acquired land in the Town for natural resource protection and limited recreational purposes. Lands acquired include the Theresa Marsh Wildlife Area, which encompasses 2,671 acres in the Town. Lands owned by the DNR are identified as wetlands, woodlands, agricultural, and open lands in the 2008 land use inventory.

Nonurban Land Uses

Nonurban land uses consist of agricultural lands; natural resource areas, including surface waters, wetlands, and woodlands; extractive sites; and unused land. As indicated in Table 27 and on Map 7, nonurban land uses encompassed 20,122 acres, or about 88 percent of the Town, in 2008. Significant portions of the Town were used for agricultural purposes (about 57 percent) or encompassed within wetlands (about 25 percent).

Agricultural Lands

Agriculture was the predominant land use in the Town in 2008, and encompassed 13,019 acres. Agricultural lands include all croplands, pasture lands, and farm buildings and structures (farmhouses, barns, silos, etc.). A more detailed inventory of agricultural land in the Town is included in Chapter V.

Natural Resource Areas

In 2008, natural resource areas consisting of surface water, wetlands, and woodlands combined to encompass 6,779 acres, or about 30 percent of the Town. Natural resource areas in the Town included rivers and streams, wetlands, and woodlands. The Surface Water category includes only those surface waters that are visible on an aerial photograph, and does not include water in small streams. Major natural resource areas include the Rock River and the Theresa Marsh Wildlife Areas. A complete inventory of natural resource areas is included in Chapter V.

Extractive Sites

There were three nonmetallic mining (extractive) sites in the Town in 2008, which encompassed 13 acres, or less than 1 percent of the Town. One of the sites, located in section 27, is an active site operating under a permit and reclamation plan approved by the Town. Four acres of the site are currently being mined, and an additional 34 acres are included in the permit. Material from the other two sites is being extracted for use on the owners' land, which does not require issuance of a permit or a reclamation plan.

Open Lands

In 2008, open lands encompassed 311 acres, or about 1 percent of the Town. Open lands include lands in rural areas that are not being farmed, including DNR-owned land other than woodlands, wetlands, and surface water; and other lands that have not been developed. Examples of lands in the latter category include lots that have been platted but not yet developed. This category also includes the common open space within conservation subdivisions, which is set aside for preservation in open space. There were 146 acres of permanent open space within conservation subdivisions in the Town in 2008.

Former Landfills and Contaminated Sites

Former Landfills

There are no active landfills in the Town. The DNR has identified four former landfills, listed on Table 28, which together encompass about 30 acres, in its register of waste disposal sites. The former landfill sites are shown on Map 9, Natural Limitations for Building Site Development. The DNR register of waste disposal sites includes active, inactive, and abandoned sites where solid or hazardous wastes were known or likely to have been disposed. The inclusion of a site does not mean that environmental contamination has occurred, is occurring, or will occur in the future, but is intended to serve as a general informational source for the public and Town officials regarding the location of waste disposal sites. None of the former landfill sites in the Town has been identified as a contaminated site by the DNR.

Contaminated Sites

The DNR Bureau for Remediation and Redevelopment identifies and monitors contaminated sites. Contaminated sites include leaking underground storage tank (LUST) sites and environmental repair (ERP) sites. A LUST site has soil and/or groundwater contaminated with petroleum, which includes toxic and cancer causing substances. However, given time, petroleum contamination naturally breaks down in the environment (biodegradation). One former LUST site is listed on the DNR register, and is included on Table 28. The site has been cleaned up, and the DNR file has been closed.

Table 28

**FORMER LANDFILLS AND CONTAMINATED SITES IDENTIFIED BY THE
DEPARTMENT OF NATURAL RESOURCES IN THE TOWN OF WAYNE: 2008**

Name	Site Location	Activity Type ^a	Size (acres)	Status/Comments
Freeman Chemical (Holzman Property)	9338 Skyline Drive	Former landfill	23.4	Closed landfill declared an "open" contaminated site by DNR in 1980 and moved to "no action required" in 2003. Currently in residential use
Freeman Chemical (Martin Property)	5908 Butternut Drive	Former landfill	3.1	Closed landfill declared an "open" contaminated site by DNR in 1980 and moved to "no action required" in 2003. Currently woodlands
Town of Wayne	5635 Butternut Drive	Former landfill	1.1	Closed landfill declared an "open" contaminated site by DNR in 1980 and moved to "no action required" in 2003. Currently in agricultural use
Town of Wayne	9190 Midland Drive	Former landfill	2.5	Closed landfill declared an "open" contaminated site by DNR in 1980 and moved to "no action required" in 2003. Currently open land
Coulter Property (former Citgo Station)	9326 Skyline Drive	LUST	-- ^b	Soil contamination from leaking petroleum tank remediated. Case closed in 2003
Total – 5 sites	--	--	--	--

^aIncludes former landfills and Leaking Underground Storage Tank (LUST) contaminated sites.

^bDNR does not determine the size of contaminated sites, therefore, this information is not available.

Source: Wisconsin Department of Natural Resources and SEWRPC.

An ERP site is a site, other than a LUST, that has contaminated soil and/or groundwater. Examples include industrial spills (or dumping) that require long-term investigation, buried containers of hazardous substances, or closed landfills that have caused contamination. ERP sites also include areas with petroleum contamination from above-ground (but not from underground) storage tanks. No active ERP sites are located in the Town.

PART 2: BACKGROUND DATA AND MAPS

Maps

Chapters II through XI provide background data and maps used to help design the Town land use plan. In addition to the detailed inventories included in these chapters, the following maps have been compiled to assist with the development of the land use plan. The comprehensive planning law requires that the following maps be included in the land use element:

- ***Productive Agricultural Soils***

A land evaluation and site assessment (LESA) analysis was conducted as part of the multi-jurisdictional comprehensive planning process to meet this requirement and to help develop recommendations for farmland preservation as part of the Agricultural, Natural, and Cultural Resources Element of the County and Town plans. Map 3 in Chapter V shows the results of this analysis and describes the LESA analysis and results. Parcels that scored 6.8 or higher in the LESA analysis (on a scale of 1 to 10) were designated

as “Tier 1” farmlands, which are defined as the parcels best suited for long-term farmland preservation. When designing the Town of Wayne land use plan map (Map 10), the Town Plan Commission and Town Board located new urban development in areas that scored below 6.8 in the LESA analysis, which were designated as “Tier II” farmlands.

- ***Environmentally Sensitive Lands and Natural Limitations to Building Site Development***

Environmentally sensitive lands are shown on Map 8, and include primary environmental corridors, secondary environmental corridors, isolated natural resource areas, and surface waters. Several natural resource features that may limit development were identified by the Town Board and Plan Commission, and are shown on Map 9. These features include 100-year floodplains, wetlands, commercial nonmetallic mining sites,² shallow bedrock (areas with bedrock within three feet of the ground surface), former landfills, and surface water. Recommendations for the protection and management of these resources are included in the Agricultural, Natural, and Cultural Resources Element (Chapter V).

- ***Utilities and Community Services***

The comprehensive planning law requires the land use element to include maps showing boundaries of areas to which public utility and community services will be provided by the plan design year. Chapter IX includes such maps for the Town.

Opportunities for Redevelopment and Smart Growth Areas

The greatest opportunities for redevelopment in Washington County exist where there is available land served by existing infrastructure, typically in the older and underutilized commercial buildings and parcels located in and adjacent to the traditional downtowns, and older shopping centers located in cities and villages. The following areas were identified as potential “Smart Growth Areas” in the Multi-Jurisdictional Comprehensive Plan for Washington County:

- Environmentally contaminated sites identified by local governments as suitable for redevelopment
- Underutilized parcels in and adjacent to traditional downtowns, including older shopping centers
- Undeveloped land within planned sewer service areas that is adjacent to existing development and does not encompass lands with significant environmental features or potential for long-term agricultural use.³
- Hamlets identified for urban development in local land use plans.

The DNR has not identified any environmentally contaminated sites in the Town, and the Town is not served by sanitary sewers. The Town land use plan map designates additional urban growth in and adjacent to the hamlets of Wayne, St. Kilian, and Kohlsville. These three areas will serve as the Town’s “Smart Growth Areas,” as those terms are defined by Section 16.965 of the *Statutes*.

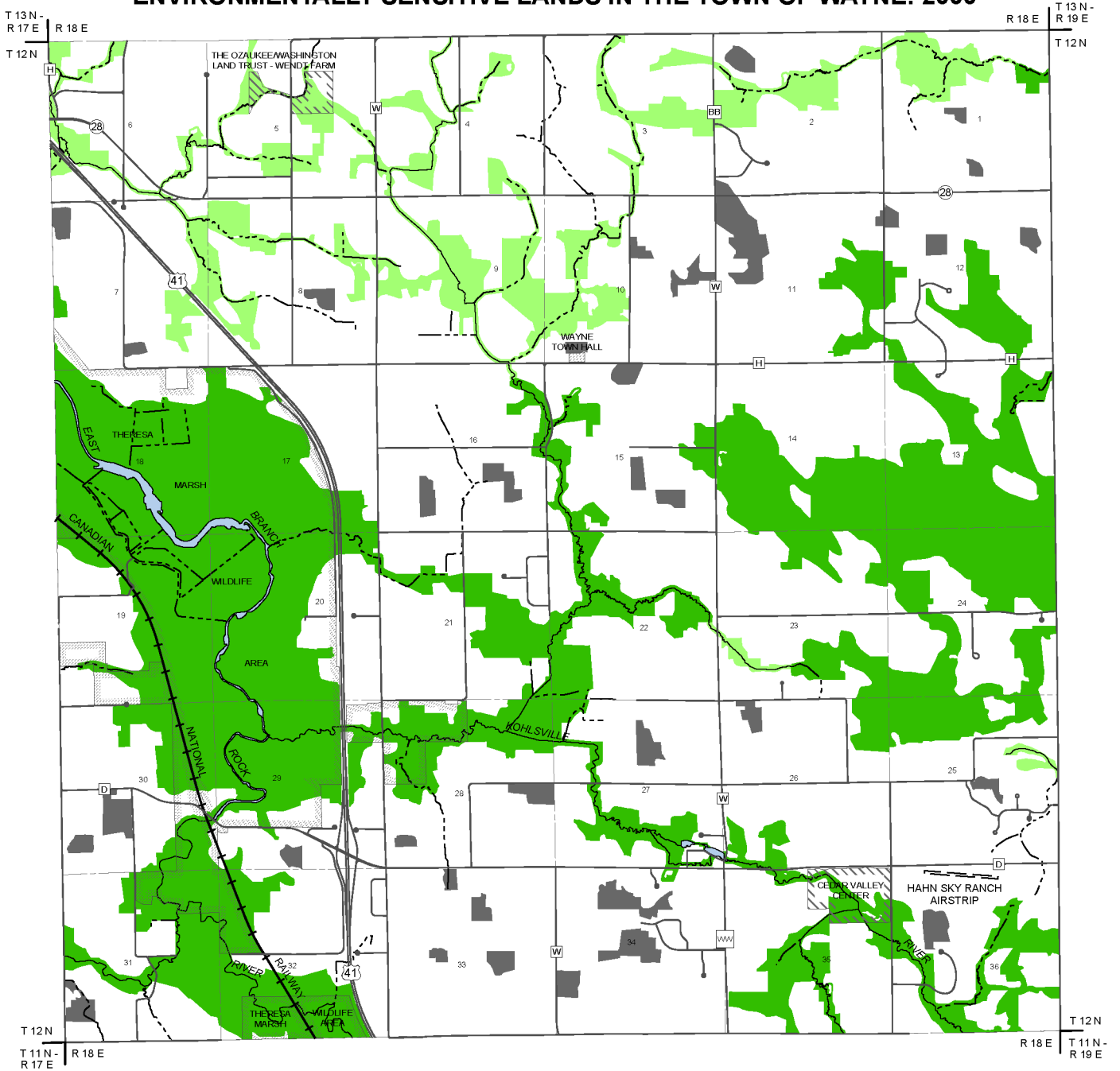
Existing and Potential Land Use Conflicts

The potential for land use conflicts is greatest in city and village planning areas that overlap with the towns. Section 62.23 of the *Statutes* allows cities and villages to include areas outside their corporate limits in their comprehensive plans, including any unincorporated land outside city or village boundaries that, in the plan commission’s judgment, relates to the development of the city or village. City and village planning areas are

²*Includes nonmetallic mining sites that have been issued a permit under the Town of Wayne Nonmetallic Mining Reclamation Ordinance.*

³*Lands with significant environmental features and natural limitations to building site development are identified on Maps 8 and 9. Lands with potential for long-term agricultural use are identified on Map 3, LESA Analysis Map, in Chapter V.*

Map 8 ENVIRONMENTALLY SENSITIVE LANDS IN THE TOWN OF WAYNE: 2000



- PRIMARY ENVIRONMENTAL CORRIDORS (2000)
- SECONDARY ENVIRONMENTAL CORRIDORS (2000)
- ISOLATED NATURAL RESOURCE AREAS (2000)
- SURFACE WATER (2000)

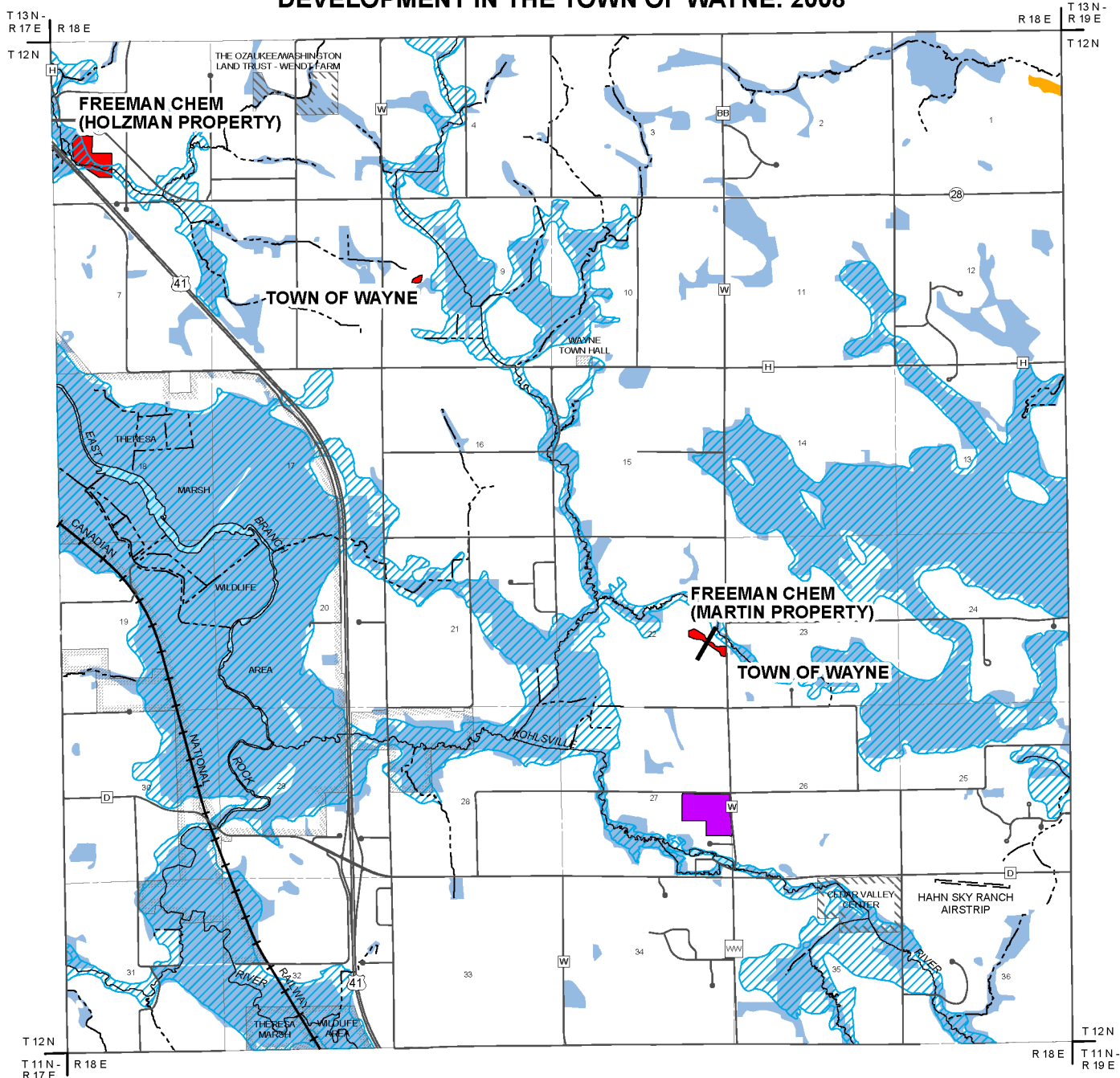
SOURCE: WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND SEWRPC.









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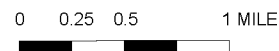
Map 9

NATURAL LIMITATIONS FOR BUILDING SITE DEVELOPMENT IN THE TOWN OF WAYNE: 2008



-  100 - YEAR RECURRENCE INTERVAL FLOODPLAINS
-  WETLANDS
-  COMMERCIAL NONMETALLIC MINING SITE
-  FORMER LANDFILL (HAS NOT CAUSED CONTAMINATION)
-  SHALLOW BEDROCK
-  SURFACE WATER

SOURCE: USDA - NATURAL RESOURCES CONSERVATION SERVICE, WISCONSIN DEPARTMENT OF NATURAL RESOURCES, WASHINGTON COUNTY, AND SEWRPC.



typically associated with city and village extraterritorial areas.⁴ Potential land use conflicts can arise in these areas because they may be planned for in both the town comprehensive plan and the city or village comprehensive plan, with different or conflicting land uses recommended by each plan.

A small portion of the southeast corner of the Town of Wayne is within the extraterritorial plat approval area of the City of West Bend. There is no extraterritorial zoning in effect in the Town. The Town of Wayne is not part of the planning area identified in the City of West Bend comprehensive plan.

PART 3: TOWN OF WAYNE LAND USE PLAN

Land Use Plan

The land use plan map for the Town of Wayne for the year 2035 is presented on Map 10. Table 29 sets forth the number of acres and percent of the Town in each land use category on the Land Use Plan Map. The land use plan is intended to help carry out the Town’s vision of remaining a rural, farming community. As such, the land use plan map designates much of the Town for agricultural and rural residential use. The Town encourages existing agricultural land to be retained in agricultural use. Residential development in areas designated for agricultural and rural residential use may be accommodated at an overall density of 10 acres per home, with development clustered on lots of 1.5 acres and the remainder of the parent parcel maintained in agricultural use or in open space.

The land use plan map also designates areas around the hamlets of Wayne, Kohlsville, and St. Kilian for urban-density residential development at a density of two acres per home. Areas adjacent to existing residential development that scored less than 6.8 in the LESA analysis (Tier II farmland) were also designated for urban-density development. Areas for commercial and industrial development have been designated around the USH 41/CTH D and USH 41/STH 28 interchanges.

Table 29

PLANNED LAND USES IN THE TOWN OF WAYNE: 2035

Land Use Category	Acres	Percent of Subtotal (Urban or Nonurban)	Percent of Total
Urban^a			
Urban Density Residential	2,115	56.7	9.2
Commercial	323	8.7	1.5
Industrial	131	3.5	0.6
Transportation			
Streets and Highway Rights-of-Way.....	1,025	27.4	4.5
Railroad Rights-of-Way	33	0.9	0.1
Airport	10	0.3	- ^b
Subtotal	1,068	28.6	4.6
Governmental and Institutional	92	2.5	0.4
Urban Subtotal	3,729	100.0	16.3
Nonurban			
Agricultural and Rural Density Residential ^c	11,655	60.8	50.9
Natural Resource Areas			
Primary Environmental Corridor	5,362	28.0	23.4
Secondary Environmental Corridor	1,125	5.9	4.9
Isolated Natural Resource Area	454	2.4	2.0
Wetlands ^d	73	0.4	0.3
Surface Water	92	0.5	0.4
Subtotal	7,106	37.1	31.0
Other Land to Be Preserved ^e	370	1.9	1.6
Existing Extractive Area	43	0.2	0.2
Nonurban Subtotal	19,174	100.0	83.7
Total	22,903	--	100.0
Overlay Categories			
Floodplain	6,072	- ^f	26.5
Potential Extractive Areas	48	- ^f	0.2
Shallow Bedrock ^g	7	- ^f	- ^b

^aParking included in associated use.

^bLess than 0.05 percent.

^cIncludes homes and common open space in conservation subdivisions where the average density of the subdivision is five acres or more per dwelling.

^dIncludes wetlands outside primary environmental corridors, secondary environmental corridors, and isolated natural resource areas.

^eIncludes private lands within the Wisconsin Department of Natural Resources project boundary for the Theresa Marsh Wildlife Area.

^fNot applicable.

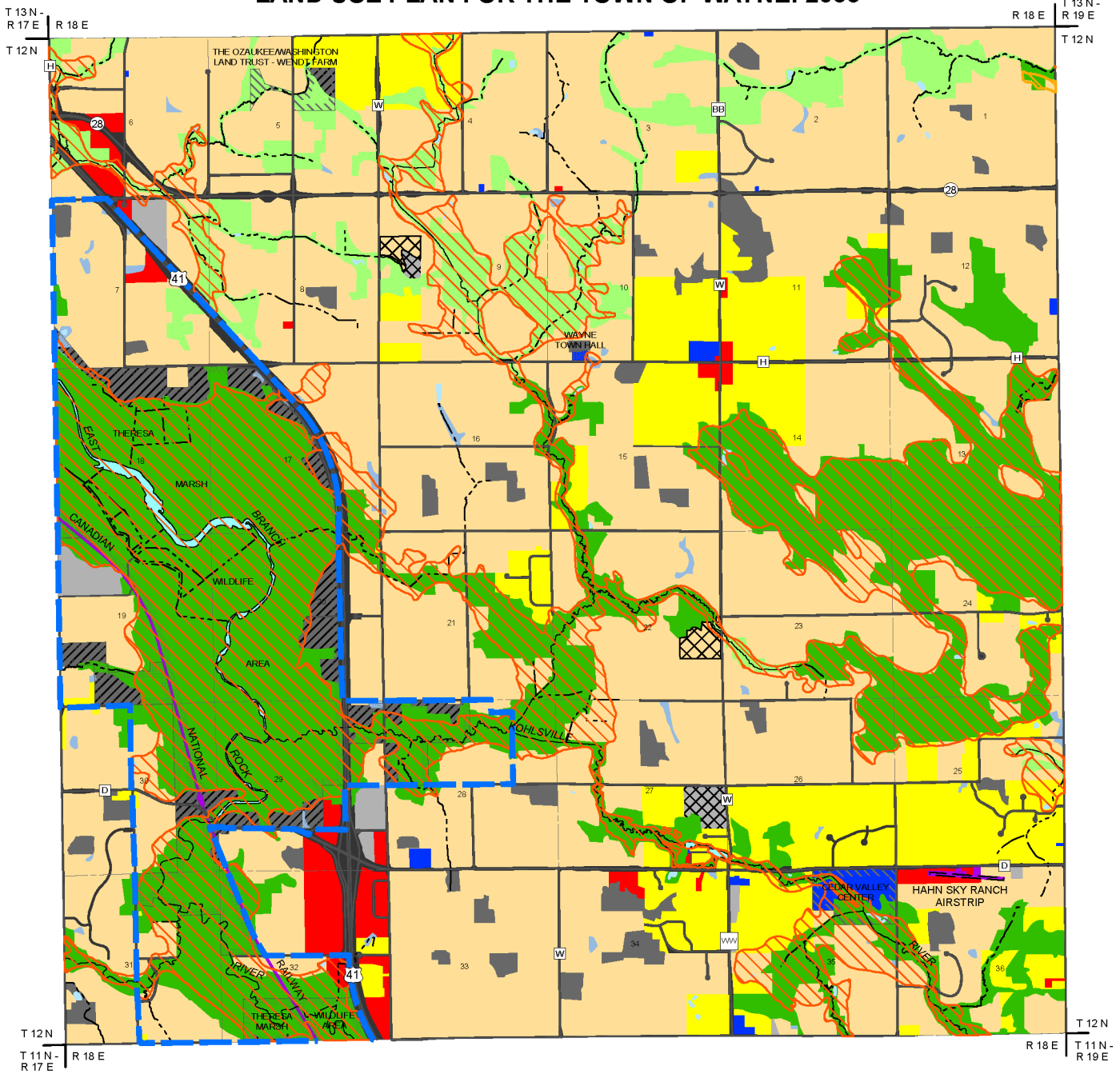
^gAreas with bedrock within three feet of the surface.




















Source: Town of Wayne, Washington County, and SEWRPC.

⁴The Wisconsin Statutes grant cities and villages the authority to approve or deny subdivision plats within 1.5 miles of villages and cities of the fourth class, and within three miles of cities of the first, second, or third class. The Cities of Hartford and West Bend are cities of the third class. Cities and villages may also enact extraterritorial zoning regulations for their extraterritorial areas, but must work with the affected town to develop and approve such regulations. Appendix C provides additional information on city and village extraterritorial authorities.

Map 10

LAND USE PLAN FOR THE TOWN OF WAYNE: 2035



- | | | | |
|---|---|---|--|
|  | AGRICULTURE AND RURAL DENSITY RESIDENTIAL |  | ISOLATED NATURAL RESOURCE AREA |
|  | URBAN DENSITY RESIDENTIAL |  | OTHER LANDS TO BE PRESERVED |
|  | COMMERCIAL |  | WETLAND OUTSIDE OF ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS |
|  | INDUSTRIAL |  | SURFACE WATER |
|  | GOVERNMENTAL AND INSTITUTIONAL |  | DNR PROJECT BOUNDARY |
|  | STREET AND HIGHWAY RIGHTS-OF-WAY |  | THERESA MARSH WILDLIFE AREA |
|  | AIRPORT AND RAILROAD |  | AREA WITH BEDROCK AT OR WITHIN THREE FEET OF THE SURFACE |
|  | EXISTING EXTRACTIVE AREA |  | 100 - YEAR FLOODPLAIN (FROM 1981 FLOOD INSURANCE STUDY) |
|  | PRIMARY ENVIRONMENTAL CORRIDOR |  | POTENTIAL EXTRACTIVE AREA |
|  | SECONDARY ENVIRONMENTAL CORRIDOR | | |

SOURCE: SEWRPC.



Environmental corridors, isolated natural resource areas, wetlands, surface waters, and 100-year floodplains are also shown on the land use plan map. These natural resource features will be protected in accordance with the guidelines set forth on Table 24 in Chapter V.

Each of the categories shown on the land use plan map is described in the following paragraphs:

Urban-Density Residential Development

“Urban” density residential development is defined as residential development at a density greater than one home per 10 acres, with an average density of one home per two acres recommended in areas designated for urban density residential development. Urban-density residential development is shown on the land use plan map within “hamlet” areas, within or adjacent to existing smaller areas of scattered urban-density residential development, or in areas that rated below 6.8 in the LESA analysis (less productive agricultural areas). The land use plan map designates 2,115 acres for urban density residential development, or about 9 percent of the Town.

The Town zoning ordinance currently requires a minimum lot size of three acres in the R-4 Hamlet Residential zoning district. The ordinance should be amended following adoption of the comprehensive plan to allow a minimum lot size or average density of one home per two acres, in accordance with the recommendations of this plan.

Commercial and Industrial Land Uses

The land use plan map designates 323 acres for commercial use and 131 acres for industrial use, for a total of 454 acres, or about 2 percent of the Town. Under the land use plan, commercial and industrial land uses are limited to areas zoned for commercial or industrial use at the time this plan was adopted, home occupations allowed by the Town zoning ordinance, and new commercial and industrial areas located near the USH 41/CTH D and USH 41/STH 28 interchanges and designated for such use on the land use plan map. Limiting the amount and location of land available for commercial and industrial uses may help to minimize the impact such uses would have on streets and highways and also help to maintain the Town’s rural character.

Governmental and Institutional Land Uses

Governmental and institutional uses on the land use plan map include the Wayne Town Hall and highway garage, the Wayne Elementary School, the Kohlsville Fire Station, several churches and cemeteries, and the Cedar Valley Center campus. The 92 acres in this category is the same as that which existed in 2008. Should residential development in the Town result in a need for additional space for public works and/or administrative offices, or the development of a Town park with facilities for active recreation (such as ballfields and group picnicking facilities), consideration should be given to separating the shared uses of the existing Town Hall-Town garage facility and developing a new Town Hall. If a new Town Hall is needed, enough land should be acquired for a Town Hall and future development of an adjacent Town Park.

Transportation and Communication

Street and Highway Rights-of-Way

All existing street and highway rights-of-way (as of January 1, 2007) are shown on Map 10 as a separate category. The Transportation Element (Chapter VIII) provides additional information regarding planned transportation facilities in the Town. There were 1,025 acres, or about 5 percent of the Town, within existing street and highway rights-of-way.

Railroad Right-of-Way

The right-of-way of the Canadian National Railroad is reflected on the land use plan map, and encompasses 33 acres, or less than 1 percent of the Town.

Airport

The Hahn Sky Ranch, a private airport open for public use, is located in the southeastern portion of the Town and is shown on the land use plan map in the “Railroad and Airport” category. The airstrip and adjacent buildings encompass 10 acres.

Communications Facilities

Although not designated as a separate category on the land use plan map, there were four cell towers in the Town in 2008 (see Table 55 in Chapter IX). It is anticipated that the number of cell towers will increase somewhat over the planning period. Cell towers are regulated under the Town zoning ordinance, and co-location of antennas is encouraged.

As described in Chapter IX, the Town is working to install a network of antennas to improve Internet service within the Town. Most of the antennas will be mounted on new poles resembling typical telephone poles.

Extractive

Extractive land uses involve on-site extraction of surface or subsurface materials, primarily sand and gravel. There is one active extractive area in the Town, which is designated on the land use plan map and encompasses 43 acres, or less than 1 percent of the Town. Although only four acres of the site were being mined in 2008, a nonmetallic mining permit has been issued for the entire site. The entire permit site, less existing primary environmental corridors, has been designated as an existing extractive site on the land use plan map.

Extractive uses are transitional, and the existing site will be redeveloped when sand and gravel resources are depleted. Future uses of the extractive sites in the Town will be determined by the Town Board, in cooperation with the land owner. The Town nonmetallic mining reclamation ordinance requires the preparation of a reclamation plan for re-use of all extractive sites when mining is completed.

The land use plan map also designates two additional sites for potential commercial extractive use as an overlay over the existing agricultural use. Both of these potential areas had small existing extractive sites that were being used for farm or domestic purposes by the land owner.

Agricultural and Rural Density Residential

About 11,655 acres, or about 51 percent of the Town, has been designated for agricultural and rural residential use. This compares to 13,011 acres in agricultural use in 2008. This category includes existing residential subdivisions with an average density of five or more acres per home. Under the plan, the average density of new residential development in this category will decrease to no more than one home per 10 acres.

Conversion of Farmland

Farming has historically been the predominant land use in the Town. Over the years, however, interest in residential development has resulted in new housing units being built on previously farmed lands. This trend is expected to continue during the planning period as more people choose to relocate to, and raise families in, the Town of Wayne. The Town of Wayne experienced the highest percentage of population growth (16 percent) of towns in Washington County between 2000 and 2007, and experienced a 26 percent increase in population between 1990 and 2000. This growth rate may slow somewhat with the downturn in the economy and the sharp rise in gas prices in 2007 and 2008.

The land use plan for the Town, while recommending that agricultural lands be maintained in agricultural use as long as possible, acknowledges that changes occurring in the local farming community may have a significant impact on the ability of local farmers to successfully continue operating. Increasing land values, higher taxes, smaller contiguous tracts of farmland, and decreases in the number of agricultural support businesses, as well as the aging of farmers who may not have anyone to take over their operations upon retirement, make the preservation of farmland in the Town a difficult task. Continuation of agricultural preservation agreements between the State of Wisconsin and individual farmers, as well as the implementation of other farmland preservation initiatives at the local level, may help to slow the conversion of farmland to other uses. Farmland preservation techniques are described in a report produced by Washington County, which is summarized in Chapter II.⁵

⁵*Documented in the report titled Farmland and Open Space Preservation Tools, dated June 22, 2005, prepared by Washington County Planning and Parks Department. A copy of the report is available on the County website at <http://www.co.washington.wi.us/departments.iml?mdl=departments.mdl&ID=FOS>.*

Rural-Density Residential Development

Areas intended to accommodate new rural-density residential development have not been identified on the plan map, but are included in the “Agricultural and Rural Residential” land use category. The Town Plan Commission determined that all landowners interested in selling or developing their land for residential uses should be given equal consideration. Development review would be based upon, among other things, environmental concerns; potential effects on the transportation system and the provision of public services; and compliance with this plan and the Town zoning and land division ordinances.

Rural-density residential development may be accommodated through several design approaches, including conventional development with lots having a minimum area of 10 acres or greater; lot averaging, in which lot sizes vary, with some lots smaller than 10 acres, and others larger, but with the overall average density of the specific development held to no greater than one unit per 10 acres; and conservation design, also known as cluster development, in which the overall average density of a development is held to no greater than one unit per 10 acres, but in which all lot sizes are reduced to below 10 acres each, with the balance of the acreage maintained in open space uses. The conservation design approach, in particular, can help maintain the overall rural character of the landscape, preserve significant natural features and agricultural lands, and minimize road construction and other site improvement costs. The Town zoning ordinance, which was comprehensively updated in 2001, allows all three options within the A-2 and R-1 zoning districts. The Town anticipates revising the conservation subdivision regulations following adoption of this comprehensive plan to better accommodate agricultural use of open space areas within conservation subdivisions.

The Town zoning ordinance currently requires an average lot size of five acres in the A-2 Agricultural/Rural Residential and the R-1 Single-Family Residential zoning districts. The ordinance should be amended following adoption of the comprehensive plan to require a minimum lot size or average density of one home per 10 acres, in accordance with the recommendations of this plan.

Environmentally Significant Resource Areas

Environmentally significant resource areas shown on the land use plan map include wetlands, surface waters, primary and secondary environmental corridors, and isolated natural resource areas. These resources are described in the Agricultural, Natural, and Cultural Resources Element (Chapter V). To effectively guide development and redevelopment in the Town into a pattern that is efficient, stable, safe, healthful, and attractive, it is necessary to carefully consider the location of planned land uses in relation to these resources. Locating new development outside of primary environmental corridors and other environmentally significant resource areas will serve to maintain a high level of environmental quality in the Town, and will also avoid costly development problems such as flood damage, wet basements, and failing pavements. Properly relating new development to such environmentally significant areas will also help preserve the scenic beauty of the Town.

Where possible, this comprehensive plan recommends that new development be located entirely outside of primary and secondary environmental corridors, isolated natural resource areas, wetlands, and surface waters. While calling for preservation of primary and secondary environmental corridors and isolated natural resource areas, the plan recognizes that in some cases it may be necessary to allow very low density residential development on the upland portion of such lands (that is, outside surface water, wetlands, and floodplains). In addition to limited residential development, land uses such as transportation and utility facilities and certain recreational uses may also be accommodated within these environmentally significant areas without jeopardizing their overall integrity. Guidelines for the types of development that may be accommodated within various component natural resource features of environmental corridors and isolated natural resource areas are set forth in Table 24 in Chapter V. Even though these guidelines are not exhaustive, with good judgment they may be extended to, and be used for the evaluation of, proposals for similar types of development not specifically listed.

Primary Environmental Corridor

Environmental corridors contain almost all of the best remaining woodlands, wetlands, and wildlife habitat areas in the Town, as well as floodplains and steeply sloped areas where intensive urban development would be ill-advised. Primary environmental corridors encompass 5,362 acres, or about 23 percent of the Town.

Within the primary environmental corridors in the Town are five designated natural areas. These natural areas, listed on Table 20 in Chapter V, are identified in the regional natural areas and critical species habitat protection and management plan adopted by the Regional Planning Commission in September 1997. The most recent Washington County park and open space plan,⁶ adopted by the County Board in 2004, recommends the preservation of all natural areas within the Town through protective acquisition. The County park and open space plan recommends that the DNR acquire those portions of the Theresa Swamp natural area and the Rock River Marsh natural area which are not currently owned by the DNR as part of the Theresa Marsh Wildlife Area, and that the Department also acquire the Wayne Creek Swamp natural area. The park plan further recommends that Washington County acquire the Wayne Swamp natural area, and that a nonprofit conservation organization acquire the Stockcar Swamp natural area.

Secondary Environmental Corridor

Secondary environmental corridors contain concentrations of high-value elements of the natural resource base, but are smaller in area than primary environmental corridors. Secondary environmental corridors occupy 1,125 acres, or about 5 percent of the Town.

Isolated Natural Resource Area

Isolated natural resource areas consist of areas with important natural resource values which are separated geographically from environmental corridors. Most of the isolated natural resource areas in the Town are wetlands or tracts of woodlands between five and 100 acres in size. Isolated natural resource areas occupy 454 acres, or about 2 percent of the Town.

Wetlands

Wetlands of five acres or larger are located within primary environmental corridors, secondary environmental corridors, and isolated natural resource areas. Wetlands outside environmental corridors or isolated natural resource areas encompass 73 acres, or less than 1 percent of the Town. Wetlands are regulated by State and Federal laws and by the Town zoning ordinance. Wetlands in the shoreland area are also regulated by the Washington County Shoreland, Wetland, and Floodplain Ordinance (see Chapter II for information about these ordinances). Development of wetlands, usually requiring them to be filled, is limited. Permits to allow development in wetlands generally require “mitigation,” which requires new wetlands to be created or existing degraded wetlands to be restored. Mitigation may be required on the same development site or in a different location.

Wetlands identified in SEWRPC’s regional land use inventory encompassed about 5,637 acres, or about 25 percent of the Town, in 2000 (see Map 4). The identification of wetlands is based on the Wisconsin Wetlands Inventory completed in 1982, updated to the year 2000 as part of the regional land use inventory. In addition to the wetlands shown on Map 4, certain other areas have been identified by the Natural Resources Conservation Service as farmed wetlands, which are subject to Federal wetland regulations. An updated wetland inventory for Washington County was released in 2008. The updated inventory was conducted by SEWRPC under contract to the DNR. The updated wetland inventory maps are available at the offices of the Washington County Planning and Parks Department and SEWRPC. The inventory can also be viewed on the DNR’s Surface Water Data Viewer website at <http://dnrmaps.wisconsin.gov/imf/imf.jsp?site=SurfaceWaterViewer>.

Other Land to be Preserved

The land use plan map also indicates lands outside environmental corridors, isolated natural resource areas, and wetlands to be preserved in agricultural use or in natural, open uses. Areas within this designation include lands owned by the DNR as part of the Theresa Marsh Wildlife area, and lands owned by the Ozaukee Washington Land Trust as part of the Wendt Farm park and open space site. The project boundary (planned acquisition area) for the Theresa Marsh Wildlife Area is shown on the map for informational purposes. The DNR acquires land on a willing-seller willing-buyer basis as funding becomes available.

⁶Documented in SEWRPC Community Assistance Planning Report No. 136 (3rd Edition), A Park and Open Space Plan for Washington County, March 2004.

Surface Water

The Surface Water category includes rivers, streams, lakes, and ponds; which encompass 92 acres in the Town. Navigable streams, rivers, lakes, and ponds are protected by DNR regulations and the Washington County Shoreland, Wetland, and Floodplain Ordinance.

Floodplain (Overlay)

The floodplain overlay includes areas adjacent to rivers, streams, and lakes that are subject to inundation by the 100-year flood. The floodplains shown on the land use plan map are based on the Flood Insurance Study conducted by the Federal Emergency Management Agency (FEMA) in 1981, and encompass 6,072 acres, or about 27 percent of the Town. Floodplain mapping for all of Washington County was being updated by FEMA and the DNR as part of a Map Modernization Program as this comprehensive plan was being prepared. It is anticipated that new floodplain maps will be approved by FEMA and DNR in 2009. Floodplains in the Town are regulated under the Washington County Shoreland, Wetland, and Floodplain Ordinance (see Chapter II for information about this ordinance).

Shallow Bedrock (Overlay)

About seven acres in the northeast part of the Town is underlain by shallow bedrock, defined as bedrock within three feet of the ground surface. The area is identified on the land use plan map. Areas where bedrock is at or near the surface pose significant limitations for most types of development. If depth to bedrock is shallow, excavation for septic tanks and absorption fields needed for conventional private onsite waste treatment systems (POWTS) may be difficult and expensive and the septic system may operate poorly. Bedrock at or near the surface also limits development by increasing the costs of constructing a basement. Although shallow bedrock may limit or increase the cost of urban development, it may serve as a good location for the extraction of stone.

Land Use Projections

The comprehensive planning law requires the land use element to include projections, in five-year increments, of future residential, agricultural, commercial, and industrial land uses. Due to the uncertainty in predicting the rate of future development, it was assumed for the purpose of fulfilling this requirement that the same amount of growth would occur in each of the five five-year periods between 2010 and 2035. The amount of growth in each category is estimated as:

- ***Residential:*** Based on the population projection of 2,800 persons selected by the Town for the year 2035, about 300 additional housing units will be needed between 2008 and 2035, for a total of about 1,050 housing units in the Town by 2035 (see the Housing Element chapter for more information). An additional 300 units between 2008 and 2035 average to about 56 new housing units during each five-year period from 2010 to 2035, plus an additional 20 units between 2008 and 2010. It was assumed that 25 percent of the new homes (75 housing units) would be developed at an urban density and 75 percent (225 new homes) at a rural density. It was further assumed that new homes in areas designated for urban density development would be constructed on an average lot size of two acres, plus 15 percent for new streets to serve the development; and new homes at a rural density would be constructed on an average lot size of 10 acres, plus 5 percent for new streets to serve the development. It was also assumed that 50 of the additional 225 rural-density homes would be constructed on vacant lots within existing subdivisions. Using these assumptions, it is estimated that an average of about 33 acres will be converted from agricultural to urban-density residential use during each five-year period between 2010 and 2035, plus an additional 12 acres between 2008 and 2010. It is estimated that no additional land will need to be converted to rural residential use between 2008 and 2015, due to the number of existing vacant lots; and that an average of about 440 acres would be converted from agricultural to rural residential use for each five-year period between 2015 and 2035.
- ***Commercial and Industrial:*** The Town land use plan designates an additional 355 acres for commercial and industrial development between 2008 and 2035. This averages to about 65 acres of additional commercial and industrial development during each five-year period between 2010 and 2035, plus an additional 30 acres between 2008 and 2010.

- ***Agricultural:*** The number of acres in agricultural use will likely decline during the planning period, as land is converted from farming to urban uses. The amount of agricultural land in the Town is anticipated to decrease by 2,315 acres between 2008 and 2035, including a loss of about 40 acres between 2008 and 2010, a loss of about 103 acres between 2010 and 2015, and a loss of about 543 acres during each five-year period between 2016 and 2035. The loss of agricultural lands assumes the open space in conservation subdivisions will be converted to prairies, woodlands, or other open use. The Town intends to amend its zoning ordinance to encourage agricultural uses in portions of conservation subdivisions outside of lots and associated streets. If successful, this strategy may reduce the projected loss of agricultural land.

The above projections assume that all land designated for urban-density residential, commercial, and industrial growth will be developed by 2035. Because the rate of growth is dependent on many dynamic factors, not all of the areas shown on the plan map for urban development may develop by 2035. The comprehensive planning law requires that plans be updated at least every 10 years. The Town will evaluate and, if necessary, revise these projections when the plan is updated and/or amended.

PART 4: LAND USE GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- Maintain the rural character of the Town.
- Encourage the preservation of agricultural lands.
- Maintain the existing landscape and natural beauty of the Town.
- Nonmetallic mining sites will not have a negative long-term impact on important environmental features or existing developments within the Town of Wayne.
- Achieve a logical relationship between existing and proposed land uses.
- Accommodate new residential development at appropriate densities.

Objectives:

- To focus limited urban development in and around existing hamlets, including Wayne, Kohlsville, and St. Kilian, areas that scored below 6.8 on the LESA analysis (less productive agricultural areas), and other areas designated on the land use plan map (Map 10).
- Protect farmable lands by using conservation subdivision techniques specific to preserving agriculture.
- Maintain the economic stability of the farming community to help preserve the rural character and open spaces of the Town.
- Preserve in agricultural use those lands best suited to agricultural uses within the Town to protect both the rural character and the economic base.
- Discourage development within environmental corridors and isolated natural resource areas.
- Achieve a spatial distribution of land uses that is properly related to existing and planned transportation, utility, and public facility systems.

Policies:

- Encourage site layouts that preserve soils best suited for agricultural use, and locate homes, driveways, and other structures on less productive soils.
- Encourage residential development only on soils that are well suited to such development when served by private onsite waste treatment systems (POWTS) and private wells in order to avoid the creation of water pollution and public health problems.

- Protect primary environmental corridors, secondary environmental corridors, and isolated natural resource areas in accordance with the guidelines set forth on Table 24 in the Agricultural, Natural, and Cultural Resources Element (Chapter V).
- Limit development within wetlands and floodplains.
- Mining operations will comply with existing ordinances and carry out reclamation plans.

Programs:

- Retain Town zoning as the primary means of regulating land uses in the Town.
- Amend the Town zoning ordinance as needed so zoning district and other regulations are consistent with the land use plan map and other recommendations of this comprehensive plan.
- Consider amending the Town land division ordinance to require the submittal of soils maps with preliminary plats that indicate agricultural soil capability classes for soils on the site. Similar amendments to the Town zoning ordinance will be considered for proposed conditional uses and rezoning applications.
- Amend the Town zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use. The Town Board may require use of this option, at its discretion.
- Consider amending the Town zoning ordinance to provide a density bonus (additional dwelling units) for conservation subdivisions that preserve wetlands, floodplains, and primary environmental corridors.

Chapter VII

HOUSING ELEMENT

INTRODUCTION

The housing element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(b) of the *Statutes* requires the housing element to assess the age, structural condition, value, and occupancy characteristics of existing housing stock in the Town. In addition, specific policies and programs must be identified that:

- Promote the development of housing for residents of the Town and provide a range of housing choices that meet the needs of persons of all income levels and age groups and persons with special needs.
- Promote the availability of land for the development or redevelopment of affordable housing.
- Maintain or rehabilitate existing housing stock.

In addition, the following comprehensive planning goals related to the housing element are set forth in Section 16.965 of the *Statutes* and must be addressed as part of the planning process:¹

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
- Providing an adequate supply of affordable housing for individuals of all income levels throughout the community.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.

Part 1 of this chapter provides an inventory of existing housing stock, including age, structural condition, value, and occupancy characteristics. This information, along with housing demand inventory data such as household, income, and demographic information presented in Chapter III, is used to analyze future housing needs for residents of the Town. Household projections are presented at the end of Part 1.

¹Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the Statutes.

Part 2 includes information on Town policies and ordinances affecting housing and zoning regulations for minimum home sizes, minimum lot sizes, and housing type. Part 3 sets forth housing goals and objectives through the plan design year of 2035. Policies, which are steps or actions recommended to be taken to achieve housing goals and objectives; and programs, which are projects or services intended to achieve housing policies, are also identified in Part 3.

A description of government programs which facilitate the provision of housing, including affordable housing, is provided in Appendix D.

Census Data

Census 2000 Summary File 1 and Census 2000 Summary File 3 were used in the collection of the majority of existing housing stock data presented in this chapter. Summary File 1 data was used when possible. Data from Summary File 1 is generally more accurate because it is based on 100 percent of the responses to the 2000 Census. In most cases, data from Summary File 3 were used because the data were not available from Summary File 1. Summary File 3 is generally less accurate because the data is based on a sampling of one in six households; however, Summary File 3 covers a greater range of topics. Because the sample sizes are different, the data reported by the Census may differ for each data source. Unfortunately, the Census does not make adjustments to reconcile the discrepancies. In addition, some of the data to follow in this chapter are based on total housing units and some are based on occupied units only, depending on how the Census data were reported. This distinction is footnoted on all applicable tables.

PART 1: INVENTORY AND PROJECTIONS

Housing supply

The characteristics of the existing housing stock in the planning area have been inventoried to help determine the number and type of housing units that will best suit the needs of Town residents through 2035. The existing housing stock inventory includes:

- Total housing units
- Vacancy rate
- Value of owner-occupied housing units
- Median sale price of housing units
- Monthly cost of housing units by tenure (owner- or renter-occupied)
- Number of bedrooms
- Structure type and year built
- Condition of existing housing stock

Total Housing Units

The quantity and tenure (owner- or renter-occupied) of existing housing units in the Town is one of the key inventory items needed to project the number of additional housing units that will be needed in the Town and in Washington County in 2035. As shown in Table 30, there were 597 housing units in the Town in 2000. About 87 percent, or 521, were owner-occupied and about 10 percent, or 61, were renter-occupied. About 3 percent of the total housing units, or 15 units, were vacant.

Vacancy

Another key housing supply inventory item is the vacancy rate of various housing types. The vacancy rate is the number of vacant and available housing units divided by the total number of housing units. The vacancy rates for owner-occupied units and rental units are shown on Table 31.

Some vacancies are necessary for a healthy housing market. The Federal Department of Housing and Urban Development (HUD) states that an area needs a minimum overall vacancy rate of 3.0 percent to ensure adequate housing choices, which should include a minimum 1.5 percent vacancy rate for owner-occupied housing units and a minimum 5 percent vacancy rate for rental units. Vacant units can fall into several categories including for rent; for sale only; for seasonal, recreational, or occasional use; for migrant workers; and other vacant units. The overall vacancy rate in the Town was 2.5 percent in 2000.

The vacancy rate for owner-occupied units was determined by dividing the number of units from Table 31 that were “for sale only” by the combined total number of units “for sale only” and owner-occupied units shown on Table 30. The approximate vacancy rate for rental units was determined by dividing the number of units “for rent” from Table 31 by the combined number of units “for rent” and rental units from Table 30. The results of these calculations were a vacancy rate of 0.6 percent for owner-occupied units, which is lower than the recommended vacancy rate, and 4.7 percent for rental units, which is about the same vacancy rate recommended by HUD.

Value of Owner-Occupied Housing Units

Table 32 sets forth the value of specified owner-occupied housing units² in the Town in 2000. These values can be used to determine if there are adequate home ownership opportunities for residents of all income levels. About 41 percent of owner-occupied homes had values between \$150,000 and \$199,999 and about 29 percent had values between \$100,000 and \$149,999. About 17 percent of owner-occupied homes had values between \$200,000 and \$299,999 and about 9 percent had values between \$50,000 and \$99,999. About 2 percent of homes had values between \$300,000 and \$499,999 and about 1 percent of homes had values less than \$50,000 and more than \$500,000 each. The median value for owner-occupied housing units in the Town was \$160,200. Table 33 sets forth the value of owner-occupied housing units for each local government in Washington County.

Median Sales Prices in 2006

Washington County’s Real Property Lister Division records information on all real estate sale transactions that occur in the County. Recorded information includes the real estate’s location, type, and the total value of the real estate transaction (sale price). Table 34 sets forth the median prices for housing units in the County in 2000 and 2006. In 2006, the median price for a housing unit³ was \$202,000; this is an increase of nearly 37 percent from the median price in 2000. The median price for single-family units was \$229,000, the median for two-family units

Table 30

TOTAL HOUSING UNITS BY TENURE IN THE TOWN OF WAYNE: 2000

Tenure of Housing Units	Housing Units	
	Number ^a	Percent
Owner-occupied.....	521	87.3
Renter-occupied	61	10.2
Vacant.....	15	2.5
Total	597	100.0

^aTotals are based on 100 percent of respondents to the 2000 Census.

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

Table 31

HOUSING VACANCIES IN THE TOWN OF WAYNE: 2000

Vacancy Type	Number ^a
For rent	3
For sale only	3
Rented or sold, not occupied ^b	3
For seasonal, recreational, or occasional use	2
For migrant workers.....	0
Other vacant ^c	4
Total vacant units	15
Total units.....	597
Total vacancy rate (percent)	2.5

^aTotals are based on 100 percent of the responses to the 2000 Census.

^bThe unit is classified “rented or sold, not occupied” if any money towards rent has been paid or the unit has recently been sold but the occupant has not yet moved in.

^cIf a vacant unit does not fall into any of the other categories it is classified as an “other vacant unit.” An example would be a unit held for occupancy by a caretaker.

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

²The data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings.

³The median sale price includes single-family, two-family, and condominium housing units.

Table 32

VALUE FOR SPECIFIED OWNER-OCCUPIED HOUSING UNITS^a IN THE TOWN OF WAYNE: 2000

Value	Housing Units	
	Number	Percent
Less than \$50,000	3	0.9
\$50,000 to \$99,999.....	30	9.4
\$100,000 to \$149,999.....	94	29.5
\$150,000 to \$199,999.....	130	40.8
\$200,000 to \$299,999.....	53	16.6
\$300,000 to \$499,999.....	7	2.2
\$500,000 or more	2	0.6
Total	319	100.0
Median Value	\$160,200	--

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

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

was \$179,500, the median for condominiums was \$156,688, and the median for multi-family units was \$460,000. Each housing type experienced an increase in median price from 2000 to 2006. Single-family housing units' median price increased nearly 47 percent, two-family increased about 29 percent, and condominiums increased almost 39 percent.

In 2006, single-family housing units were the predominant form of housing sold in Washington County. Sales of two-family and condominium housing units that did occur were primarily in the cities and villages. Towns had very little, if any, two-family or condominium housing unit sales. Table 35 sets forth the median sale prices in 2006 for housing units in local government. In 2006, the median prices for housing units were generally higher for towns than for cities and villages. In 2006, the median price in the Town of Wayne was \$259,250; this is an increase of about 68 percent from the median price in 2000.

Monthly Housing Costs

Monthly housing costs for owner-occupied housing units and rental housing units have been inventoried to determine if there is an adequate supply of affordable housing units for each household income level in the Town. HUD defines affordability as access to decent and safe housing that costs no more than 30 percent of a household's gross monthly income. Table 36 sets forth monthly housing costs⁴ for specified owner-occupied housing units with a mortgage in 2000. The median monthly housing cost for homeowners with a mortgage was \$1,197.

- About 21 percent of homeowners spent between \$700 and \$999 and about 10 percent spent under \$700
- About 45 percent of homeowners with a mortgage spent between \$1,000 and \$1,499 on monthly housing costs
- About 19 percent of homeowners spent between \$1,500 and \$1,999 and about 5 percent spent over \$2,000

Table 37 sets forth monthly housing costs for specified owner-occupied housing units with a mortgage for each local government in Washington County in 2000.

Table 38 sets forth monthly housing costs for specified owner-occupied housing units without a mortgage in the Town in 2000. The median monthly housing cost for homeowners without a mortgage was \$358.

- About 37 percent of homeowners without a mortgage spent less than \$300 and about 30 percent spent between \$300 and \$399 on monthly housing costs
- About 24 percent of homeowners spent between \$400 and \$499 on monthly housing costs
- About 7 percent of homeowners spent between \$500 and \$699 and about 2 percent spent over \$700 on monthly housing costs

Table 39 sets forth monthly housing costs for specified owner-occupied housing units without a mortgage for each local government in Washington County in 2000.

⁴Selected monthly owner costs are the sum of mortgage payments or similar debts on the property; real estate taxes; fire, hazard, and flood insurance on the property; and utilities.

Table 33

VALUE FOR SPECIFIED OWNER-OCCUPIED HOUSING UNITS IN WASHINGTON COUNTY COMMUNITIES: 2000^a

Community	Less than \$50,000		\$50,000 to \$99,999		\$100,000 to \$149,999		\$150,000 to \$199,999	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Cities								
Hartford ^b	7	0.3	403	17.1	1,281	54.4	543	23.1
West Bend.....	24	0.4	538	9.0	3,744	63.0	1,181	19.9
Villages								
Germantown.....	0	0.0	431	9.5	1,084	24.0	1,774	39.4
Jackson.....	7	0.7	54	5.8	460	49.1	368	39.3
Kewaskum.....	0	0.0	124	18.6	375	56.2	144	21.6
Newburg ^c	0	0.0	11	5.3	101	48.6	82	39.4
Slinger.....	8	1.1	89	12.6	326	46.3	160	22.7
Towns								
Addison.....	0	0.0	48	6.3	358	47.4	248	32.8
Barton.....	0	0.0	30	4.4	245	36.4	302	44.8
Erin.....	4	0.4	43	4.6	130	14.0	303	32.6
Farmington.....	0	0.0	23	3.0	286	36.5	271	34.6
Germantown.....	0	0.0	12	15.4	29	37.2	27	34.6
Hartford.....	0	0.0	66	6.2	278	25.9	439	40.9
Jackson.....	10	1.2	40	5.0	202	25.3	323	40.4
Kewaskum.....	2	0.9	25	11.6	63	29.3	75	34.9
Polk.....	0	0.0	17	1.8	120	12.7	266	28.3
Richfield.....	4	0.1	74	2.4	693	22.1	1,013	32.3
Trenton.....	0	0.0	86	7.4	475	40.9	362	31.2
Wayne.....	3	0.9	30	9.4	94	29.5	130	40.8
West Bend.....	0	0.0	25	1.9	196	15.0	337	25.7
Washington County ^d	69	0.3	2,169	7.9	10,540	38.3	8,348	30.4

Community	\$200,000 to \$299,999		\$300,000 to \$499,999		\$500,000 or More		Total		Median Value (dollars)
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Cities									
Hartford ^b	121	5.1	0	0.0	0	0.0	2,355	100.0	129,900
West Bend.....	343	5.8	83	1.4	27	0.5	5,940	100.0	132,500
Villages									
Germantown.....	1,134	25.2	72	1.6	12	0.3	4,507	100.0	169,900
Jackson.....	48	5.1	0	0.0	0	0.0	937	100.0	146,100
Kewaskum.....	11	1.7	11	1.7	2	0.2	667	100.0	121,400
Newburg ^c	14	6.7	0	0.0	0	0.0	208	100.0	146,500
Slinger.....	115	16.3	7	1.0	0	0.0	705	100.0	141,000
Towns									
Addison.....	88	11.6	14	1.9	0	0.0	756	100.0	146,700
Barton.....	71	10.5	26	3.9	0	0.0	674	100.0	158,300
Erin.....	380	40.9	62	6.7	8	0.8	930	100.0	197,400
Farmington.....	191	24.4	12	1.5	0	0.0	783	100.0	164,000
Germantown.....	10	12.8	0	0.0	0	0.0	78	100.0	147,000
Hartford.....	220	20.5	70	6.5	0	0.0	1,073	100.0	168,200
Jackson.....	200	25.0	25	3.1	0	0.0	800	100.0	166,900
Kewaskum.....	42	19.6	6	2.8	2	0.9	215	100.0	159,900
Polk.....	359	38.1	152	16.2	27	2.9	941	100.0	216,900
Richfield.....	980	31.3	325	10.4	43	1.4	3,132	100.0	189,000
Trenton.....	192	16.5	46	4.0	0	0.0	1,161	100.0	152,000
Wayne.....	53	16.6	7	2.2	2	0.6	319	100.0	160,200
West Bend.....	416	31.8	190	14.5	145	11.1	1,309	100.0	218,300
Washington County ^d	4,988	18.1	1,108	4.0	268	1.0	27,490	100.0	159,100

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

^bIncludes entire City of Hartford.

^cIncludes entire Village of Newburg.

^dIncludes all of Washington County and the entire City of Hartford and Village of Newburg.

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

Table 34**MEDIAN SALE PRICE FOR HOUSING UNITS IN WASHINGTON COUNTY: 2000-2006**

Housing Type	2000	2006	Percent Change
Single-Family	\$155,900	\$229,000	46.9
Two-Family	\$139,000	\$179,500	29.1
Multi-Family	\$408,000	\$460,000	12.7
Condominium.....	\$113,000	\$156,688	38.7
All Housing Types ^a	\$147,500	\$202,000	36.9

^aExcludes multi-family housing units.

Source: Washington County and SEWRPC.

Table 35**MEDIAN SALE PRICE FOR HOUSING UNITS^a IN WASHINGTON COUNTY COMMUNITIES: 2000-2006**

Community	2000	2006	Percent Change
Cities			
Hartford.....	\$134,000	\$192,700	43.8
West Bend	\$125,950	\$175,000	38.9
Villages			
Germantown	\$171,500	\$237,250	38.3
Jackson.....	\$154,000	\$194,900	26.6
Kewaskum	\$127,750	\$183,000	43.2
Newburg.....	\$127,550	\$165,000	29.4
Slinger.....	\$115,900	\$200,898	73.3
Towns			
Addison.....	\$142,000	\$181,100	27.5
Barton	\$160,087	\$239,000	49.3
Erin	\$197,000	\$316,000	60.4
Farmington.....	\$167,500	\$245,000	46.3
Germantown	\$176,900	\$197,000	11.4
Hartford.....	\$165,000	\$236,500	43.3
Jackson.....	\$182,450	\$297,450	63.0
Kewaskum	\$186,500	\$247,000	32.4
Polk.....	\$171,660	\$284,500	65.7
Richfield	\$182,000	\$285,000	56.6
Trenton.....	\$166,500	\$230,400	38.4
Wayne.....	\$154,000	\$259,250	68.3
West Bend	\$207,000	\$329,950	59.4
Washington County	\$147,500	\$202,000	36.9

^aExcludes multi-family housing units.

Source: Washington County.

occupied units. Dwellings with five or more bedrooms comprised about 9 percent and dwellings of one bedroom or no bedrooms comprised about 3 percent of owner-occupied units in the Town.

Three bedroom units comprised about 37 percent of the rental units, while four bedrooms units comprised about 33 percent of the rental units. Units with five or more bedrooms comprised about 15 percent of rental units and two bedroom units comprised about 10 percent of the rental units. Rental units with one bedroom or no bedrooms comprised about 5 percent.

⁵These units may be occupied by friends or relatives of the owner who do not get charged rent or caretakers, tenant farmers, and others who may receive the unit as compensation.

Table 40 sets forth monthly housing costs for rental units, or gross rent, in the Town in 2000. Contract rent plus the estimated average monthly cost of utilities (electricity, gas, water, and sewer) and fuels are included in the calculations of monthly gross rent. These costs are included in the monthly cost calculation if the renter pays them or they are paid for the renter by another party, such as the property owner. Rental units that are occupied without payment of rent are included in the no cash rent⁵ category of Table 40. The median monthly cost for rental housing was \$618 in 2000.

- About 56 percent of renters spent between \$500 and \$749 and about 17 percent of renters made no cash payments
- About 15 percent of renters spent between \$750 and \$999 on monthly housing costs
- About 12 percent of renters spent between \$750 and \$999 for rental housing costs
- None of the renters spent less than \$300 or more than \$1,000 for rental housing costs

Table 41 sets forth monthly housing costs for rental units for each local government in Washington County in 2000.

Number of Bedrooms

Table 42 sets forth the number of housing units by tenure and number of bedrooms in the Town in 2000. This information, when compared with household size information inventoried in Chapter III, will provide a greater understanding of what type of housing units will best suit the future needs of Town residents.

Three bedroom dwellings comprised about 59 percent of the owner-occupied units. Four bedroom dwellings and two bedroom dwellings comprised about 18 percent and 11 percent, respectively, of the owner-

Table 36

MONTHLY OWNER COSTS FOR SPECIFIED HOUSING UNITS^a WITH A MORTGAGE IN THE TOWN OF WAYNE: 2000

Monthly Cost	Housing Units	
	Number	Percent
Less than \$700	25	10.5
\$700 to \$999	49	20.6
\$1,000 to \$1,499	108	45.4
\$1,500 to \$1,999	45	18.9
Over \$2,000.....	11	4.6
Total	238	100.0
Median Cost	\$1,197	--

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

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

percent of the units were in multi-family structures and about 3 percent were in two-family structures and mobile homes or other residential structures each in 2000. Between 2000 and 2006, the total number of residential units increased from 597 to 755, or by 26 percent. The percentage of residential units in single family structures increased slightly from 94 percent to 96 percent. The percentage of units in multi-family structures and mobile homes and other types of residential structures remained the same, less than 1 percent and about 2 percent, respectively. Between 2000 and 2006, the percentage of two-family structures decreased slightly from 3 percent to 2 percent.

The age of the existing housing stock, set forth in Table 44, in the Town also provides insight into the character and condition of existing homes. It can be assumed that as housing stock ages, more housing units will need to be rehabilitated or replaced. About one-quarter of the Town’s housing stock was constructed between 1990 and 2000 and the median year built was 1968. About 40 percent of existing homes in the Town were built before 1940. The median year built for all homes in Washington County was 1976.

Existing Housing Stock Condition

The condition of individual housing units must be examined to determine if any housing units need to be removed from existing housing stock totals due to poor condition. Generally, this provides a more accurate projection of the number of new housing units that will be needed to serve the projected population of the Town through 2035.

A condition rating has been assigned to each housing unit in the Town by the assessor. The ratings, set forth in Table 45, range from good to unsound and measure the present physical condition of each housing unit. Good indicates the dwelling exhibits above average maintenance and upkeep in relation to its age. Average indicates the dwelling shows minor signs of deterioration caused by normal wear and an ordinary standard of upkeep and maintenance in relation to its age. Poor indicates the dwelling shows signs of deferred maintenance and exhibits a below average standard of maintenance and upkeep in relation to its age. An unsound rating indicates the dwelling is unfit for use and should be removed from the existing housing stock totals.

About 96 percent of housing units in the Town had a condition score of good or average in 2006. This indicates that the existing housing stock in the Town is in good condition and does not need to be included as a factor in the housing unit demand projection for 2035. Twenty-four homes were determined to be in poor condition and two homes were determined to be in an “unsound” condition.

Structure Type and Year Built

An inventory of housing units by structure type in the Town provides an insight into the number of existing single family, two-family, and multi-family units. The number of units in these types of structures can be compared to resident characteristics to determine the future need for units in each type of structure. An inventory of housing units by structure type also provides insight into the character of the existing housing stock. Table 43 sets forth the number of housing units by structure type in the Town from 1970 through 2000, based on the U.S. Census, and also includes the number of building permits issued for units in each structure type from 2000 through 2006. The total number of housing units increased from 311 to 597 from 1970 through 2000. During this same time period, the percentage of single-family housing units increased about 2 percent, from 92 to 94 percent. Less than 1

Table 37

**MONTHLY OWNER COSTS FOR SPECIFIED OWNER-OCCUPIED HOUSING
UNITS WITH A MORTGAGE IN WASHINGTON COUNTY COMMUNITIES: 2000^a**

Community	Less than \$700		\$700 to \$999		\$1,000 to \$1,499	
	Number	Percent	Number	Percent	Number	Percent
Cities						
Hartford ^b	73	4.3	415	24.2	942	55.0
West Bend	289	6.8	948	22.2	2,276	53.2
Villages						
Germantown	160	4.4	480	13.2	1,576	43.4
Jackson	53	6.5	192	23.7	460	56.7
Kewaskum	35	7.1	186	37.7	209	42.3
Newburg ^c	11	7.4	29	19.6	76	51.4
Slinger	34	6.8	121	24.2	254	50.8
Towns						
Addison	26	5.0	103	19.7	272	52.1
Barton	35	7.6	103	22.4	227	49.5
Erin	48	7.0	102	14.8	285	41.2
Farmington	65	10.4	124	19.9	266	42.7
Germantown	3	5.8	14	26.9	17	32.7
Hartford	75	9.0	121	14.5	377	45.2
Jackson	68	11.3	61	10.2	314	52.3
Kewaskum	5	3.4	42	28.4	72	48.6
Polk	44	6.5	90	13.3	214	31.5
Richfield	145	6.3	375	16.3	907	39.6
Trenton	79	9.2	235	27.4	314	36.6
Wayne	25	10.5	49	20.6	108	45.4
West Bend	80	8.8	122	13.5	286	31.7
Washington County ^d	1,353	6.6	3,912	19.1	9,452	46.2

Community	\$1,500 to \$1,999		Over \$2000		Total		Median Cost (dollars)
	Number	Percent	Number	Percent	Number	Percent	
Cities							
Hartford ^b	210	12.3	72	4.2	1,712	100.0	1,215
West Bend	637	14.9	126	2.9	4,276	100.0	1,171
Villages							
Germantown	999	27.5	418	11.5	3,633	100.0	1,370
Jackson	73	9.0	33	4.1	811	100.0	1,151
Kewaskum	49	9.9	15	3.0	494	100.0	1,050
Newburg ^c	32	21.6	0	0.0	148	100.0	1,218
Slinger	91	18.2	0	0.0	500	100.0	1,228
Towns							
Addison	98	18.8	23	4.4	522	100.0	1,191
Barton	86	18.8	8	1.7	459	100.0	1,210
Erin	164	23.7	92	13.3	691	100.0	1,356
Farmington	127	20.4	41	6.6	623	100.0	1,227
Germantown	16	30.8	2	3.8	52	100.0	1,250
Hartford	213	25.5	48	5.8	834	100.0	1,322
Jackson	57	9.5	100	16.7	600	100.0	1,213
Kewaskum	20	13.5	9	6.1	148	100.0	1,144
Polk	200	29.4	131	19.3	679	100.0	1,481
Richfield	627	27.3	241	10.5	2,295	100.0	1,325
Trenton	191	22.3	39	4.5	858	100.0	1,151
Wayne	45	18.9	11	4.6	238	100.0	1,197
West Bend	238	26.4	177	19.6	903	100.0	1,451
Washington County ^d	4,173	20.4	1,586	7.7	20,476	100.0	1,225

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

^bIncludes entire City of Hartford.

^cIncludes entire Village of Newburg.

^dIncludes all of Washington County and the entire City of Hartford and Village of Newburg.

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

Table 38

MONTHLY OWNER COSTS FOR SPECIFIED HOUSING UNITS^a WITHOUT A MORTGAGE IN THE TOWN OF WAYNE: 2000

Monthly Cost	Housing Units	
	Number	Percent
Less than \$300.....	30	37.0
\$300 to \$399.....	24	29.6
\$400 to \$499.....	19	23.5
\$500 to \$699.....	6	7.4
Over \$700.....	2	2.5
Total	81	100.0
Median Cost	\$358	--

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

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

Housing with Lead-Based Paint or Varnish

Lead poisoning in children can reduce IQ, cause learning disabilities, and impair hearing. Children who have elevated lead levels often experience reduced attention spans, are hyperactive, and can exhibit behavior problems. At higher exposures, lead can damage a child’s kidneys and central nervous system, and cause anemia, coma, convulsions, and even death. Homes built before 1950 have a high likelihood of having lead-based paint or varnish on interior and exterior surfaces, as over 90 percent of the lead-based paint and varnish in homes was applied prior to 1950. Homes built between 1950 and 1978 could contain lead-based paint or varnish on interior and exterior surfaces. The use of lead-based paint and varnish in homes was banned in 1978. Homes built after 1978 have a very low likelihood of having lead-based paint or varnish on interior and exterior surfaces. About 70

percent of the homes in the Town were built before 1979, which means lead poisoning is a concern. To protect children from exposure to lead from paint, Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X. Section 1018 of this law directed HUD and the Environmental Protection Agency (EPA) to require the disclosure of known information on lead-based paint and lead-based paint hazards before the sale or lease of most housing built before 1978.

Housing Demand

Household, income, and demographic characteristics of the Town have been inventoried and will be analyzed with housing supply inventory items to help determine the number and type of housing units that will best suit the needs of residents through 2035. Housing demand inventory items include:

- Affordable housing need assessment
- Affordability information
- Income
- Housing need for non-resident workers
- Homeless and transitional housing
- Age distribution
- Disabled population
- Household size
- Household projection: 2035

As with the above housing supply inventory data, Census 2000 Summary File 1 and Summary File 3 were used in the collection of the housing demand inventory data presented in this chapter. Again, Summary File 1 data were used when possible; however, in most cases only Summary File 3 data were available.

Affordable Housing Need Assessment

As previously stated, HUD defines housing affordability as households “paying no more than 30 percent of their income for housing.” Households that pay more than 30 percent of their monthly income for housing are considered to have a high housing cost burden. The measure is based on gross pre-tax income. Another measure of affordability is implicit in the long-standing mortgage lending practice of limiting borrower’s monthly housing costs to 28 or 29 percent of their gross monthly income as a condition of loan approval. Thus, 28 to 30 percent

Table 39

**MONTHLY OWNER COSTS FOR SPECIFIED OWNER-OCCUPIED
HOUSING UNITS WITHOUT A MORTGAGE IN WASHINGTON COUNTY COMMUNITIES: 2000^a**

Community	Less than \$300		\$300 to \$399		\$400 to \$499	
	Number	Percent	Number	Percent	Number	Percent
Cities						
Hartford ^b	101	15.7	244	38.0	221	34.4
West Bend	250	15.0	798	48.0	373	22.4
Villages						
Germantown	39	4.4	254	29.1	358	41.0
Jackson	8	6.3	77	61.1	33	26.2
Kewaskum	40	23.1	85	49.1	29	16.8
Newburg ^c	3	5.0	44	77.3	12	20.0
Slinger	16	7.8	122	59.5	33	16.1
Towns						
Addison	47	20.1	130	55.5	43	18.4
Barton	33	15.3	126	58.6	56	26.1
Erin	13	5.4	60	25.1	88	36.8
Farmington	47	29.4	83	51.9	18	11.2
Germantown	0	0.0	9	34.6	7	26.9
Hartford	17	7.1	92	38.5	90	37.7
Jackson	84	42.0	55	27.5	24	12.0
Kewaskum	17	25.4	32	47.7	14	20.9
Polk	8	3.1	114	43.5	113	43.1
Richfield	108	12.9	297	35.5	249	29.8
Trenton	97	32.0	149	49.2	28	9.2
Wayne	30	37.0	24	29.6	19	23.5
West Bend	53	13.1	113	27.8	126	31.0
Washington County ^d	1,011	14.4	2,908	41.5	1,934	27.6

Community	\$500 to \$699		Over \$700		Total		Median Cost (dollars)
	Number	Percent	Number	Percent	Number	Percent	
Cities							
Hartford ^b	60	9.3	17	2.6	643	100.0	392
West Bend	166	10.0	77	4.6	1,664	100.0	375
Villages							
Germantown	209	23.9	14	1.6	874	100.0	440
Jackson	8	6.4	0	0.0	126	100.0	375
Kewaskum	15	8.7	4	2.3	173	100.0	346
Newburg ^c	1	1.7	0	0.0	60	100.0	365
Slinger	34	16.6	0	0.0	205	100.0	371
Towns							
Addison	14	6.0	0	0.0	234	100.0	342
Barton	0	0.0	0	0.0	215	100.0	366
Erin	53	22.2	25	10.5	239	100.0	453
Farmington	12	7.5	0	0.0	160	100.0	339
Germantown	10	38.5	0	0.0	26	100.0	457
Hartford	33	13.8	7	2.9	239	100.0	412
Jackson	29	14.5	8	4.0	200	100.0	335
Kewaskum	4	6.0	0	0.0	67	100.0	359
Polk	18	6.9	9	3.4	262	100.0	408
Richfield	120	14.3	63	7.5	837	100.0	405
Trenton	29	9.6	0	0.0	303	100.0	335
Wayne	6	7.4	2	2.5	81	100.0	358
West Bend	69	17.0	45	11.1	406	100.0	429
Washington County ^d	890	12.7	271	3.9	7,014	100.0	373

^aThe data for specified owner-occupied housing units excludes mobile homes, houses with a business or medical office on the property, houses on 10 or more acres, and housing units in multi-unit buildings. Totals are based on a sample of one in six respondents to the 2000 Census.

^bIncludes entire City of Hartford.

^cIncludes entire Village of Newburg.

^dIncludes all of Washington County and the entire City of Hartford and Village of Newburg.

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

can be considered a cutoff beyond which housing is not affordable. Data show that most households opt for less than that percentage, while others, particularly those with low incomes, are generally unable to find housing that costs less than 30 percent of their monthly income.

Town Housing Affordability Information

The following information is based on the HUD recommended affordability standard of paying no more than 30 percent of gross monthly income for housing costs.

- **About 15 percent of households in the Town spent over 30 percent of their monthly income on housing costs in 2000**

- About 52 households were extremely low income (below 30 percent of the Town median annual household income of \$61,033) or very low income (between 30 and 50 percent of the Town median annual household income of \$61,033) households in 2000
- An extremely low income household (earning 30 percent of the 2000 Town median annual household income of \$61,033) could afford monthly housing costs of no more than \$458 in 2000, based on HUD recommended affordability standards

- **The fair market rent⁶ in Washington County for a one bedroom apartment was \$591 in 2006**
- **The fair market rent in Washington County for a two bedroom apartment was \$706 in 2006**
- **The median sale price of a home in the Town of Wayne was \$259,250 in 2006**

- The minimum annual household income needed⁷ to afford a median priced home in the Town of Wayne was \$92,004 (or \$7,667 a month) in 2006
- The minimum annual household income needed to afford a \$150,000 home in the Town was \$55,653 (or \$4,638 a month) in 2006
- The minimum annual household income needed to afford a \$250,000 home in the Town was \$88,912 (or \$7,409 a month) in 2006

Table 40

MONTHLY GROSS RENT FOR RENTER-OCCUPIED HOUSING UNITS IN THE TOWN OF WAYNE: 2000^a

Monthly Gross Rent	Housing Units	
	Number	Percent
Less than \$300	--	--
\$300 to \$499	5	12.2
\$500 to \$749	23	56.1
\$750 to \$999	6	14.6
\$1,000 to \$1,499	--	--
\$1,500 or more	--	--
No cash rent ^b	7	17.1
Total	41	100.0
Median Rent	\$618	--

^aContract rent plus the estimated average monthly cost of utilities (electricity, gas, water, and sewer) and fuels are included in the calculations for monthly gross rent. Totals are based on a sample of one in six respondents to the 2000 Census.

^bIncludes rental units that are occupied without payment of rent. These units may be occupied by friends or relatives of the owner who do not get charged rent or caretakers, tenant farmers, and others who may receive the unit as compensation.

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

⁶Fair market rents (FMR) are established and used by HUD as the payment standard to calculate subsidies under the Section 8 Rental Voucher Program. HUD annually estimates the FMR for Washington County. The objective is to ensure a sufficient supply of rental housing for program participants in the County. To accomplish this objective, the FMR must be high enough to permit a selection of units and neighborhoods in the County, but low enough to serve as many low-income families as possible. The FMR definition used by HUD for the County is the 40th percentile rent, or the dollar amount below which 40 percent of standard-quality rental units in the County are rented.

⁷The minimum income needed to afford a median priced home in the Town of Wayne (\$259,250) assumes a monthly housing cost that is 28 percent of the household's gross monthly income, a down payment of 5 percent of the cost of the home, a 6.5 percent interest rate on a 30 year mortgage, a property tax rate of \$13.75 per \$1,000 of assessed value (Town of Wayne's net tax rate in 2006), a property insurance cost of \$33 a month, a private mortgage insurance (PMI) cost of \$124 a month (using a loan to value ratio of 0.78), and \$100 per month for utilities.

Table 41

**MONTHLY GROSS RENT FOR SPECIFIED RENTER-OCCUPIED
HOUSING UNITS IN WASHINGTON COUNTY COMMUNITIES: 2000^a**

Community	Less than \$300		\$300 to \$499		\$500 to \$749		\$750 to \$999	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Cities								
Hartford ^c	137	8.3	374	22.7	797	48.4	221	13.4
West Bend.....	284	7.1	715	17.8	2,251	56.1	602	15.0
Villages								
Germantown.....	47	3.1	90	6.0	701	46.6	508	33.8
Jackson.....	23	3.9	79	13.6	278	47.8	146	25.1
Kewaskum.....	23	5.0	79	17.1	212	45.8	116	25.0
Newburg ^d	8	6.4	25	20.0	53	42.4	29	23.2
Slinger.....	46	8.8	146	27.9	197	37.7	105	20.1
Towns								
Addison.....	6	3.5	14	8.1	128	74.0	11	6.3
Barton.....	0	0.0	34	49.3	15	21.7	20	29.0
Erin.....	0	0.0	0	0.0	6	28.6	5	23.8
Farmington.....	0	0.0	6	9.2	49	75.4	10	15.4
Germantown.....	0	0.0	0	0.0	3	100.0	0	0.0
Hartford.....	3	2.7	22	19.8	42	37.9	18	16.2
Jackson.....	0	0.0	38	38.3	17	17.2	27	27.3
Kewaskum.....	0	0.0	10	22.2	22	48.9	2	4.4
Polk.....	0	0.0	19	17.0	45	40.2	40	35.7
Richfield.....	3	1.6	9	4.7	53	27.9	51	26.9
Trenton.....	0	0.0	2	2.9	39	57.4	4	5.9
Wayne.....	0	0.0	5	12.2	23	56.1	6	14.6
West Bend.....	0	0.0	41	21.8	103	54.8	24	12.8
Washington County ^e	580	5.8	1,708	17.0	5,034	50.1	1,945	19.4

Community	\$1,000 to \$1,499		\$1,500 or More		No Cash Rent ^b		Total		Median Rent (dollars)
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Cities									
Hartford ^c	60	3.6	0	0.0	60	3.6	1,649	100.0	567
West Bend.....	98	2.4	0	0.0	64	1.6	4,014	100.0	603
Villages									
Germantown.....	121	8.1	9	0.6	27	1.8	1,503	100.0	709
Jackson.....	38	6.5	0	0.0	18	3.1	582	100.0	689
Kewaskum.....	11	2.4	7	1.5	15	3.2	463	100.0	616
Newburg ^d	8	6.4	0	0.0	2	1.6	125	100.0	598
Slinger.....	9	1.7	0	0.0	20	3.8	523	100.0	577
Towns									
Addison.....	0	0.0	0	0.0	14	8.1	173	100.0	554
Barton.....	0	0.0	0	0.0	0	0.0	69	100.0	513
Erin.....	6	28.6	0	0.0	4	19.0	21	100.0	850
Farmington.....	0	0.0	0	0.0	0	0.0	65	100.0	664
Germantown.....	0	0.0	0	0.0	0	0.0	3	100.0	588
Hartford.....	6	5.4	0	0.0	20	18.0	111	100.0	614
Jackson.....	0	0.0	0	0.0	17	17.2	99	100.0	571
Kewaskum.....	3	6.7	0	0.0	8	17.8	45	100.0	629
Polk.....	0	0.0	0	0.0	8	7.1	112	100.0	632
Richfield.....	28	14.7	0	0.0	46	24.2	190	100.0	765
Trenton.....	0	0.0	0	0.0	23	33.8	68	100.0	622
Wayne.....	0	0.0	0	0.0	7	17.1	41	100.0	618
West Bend.....	12	6.4	0	0.0	8	4.2	188	100.0	589
Washington County ^e	400	4.0	16	0.1	361	3.6	10,044	100.0	615

^aContract rent plus the estimated average monthly cost of utilities (electricity, gas, water, and sewer) and fuels are included in the calculations for monthly gross rent. Totals are based on a sample of one in six respondents to the 2000 Census.

^bIncludes rental units that are occupied without payment of rent. These units may be occupied by friends or relatives of the owner who do not get charged rent or caretakers, tenant farmers, and others who may receive the unit as compensation.

^cIncludes entire City of Hartford.

^dIncludes entire Village of Newburg.

^eIncludes all of Washington County and the entire City of Hartford and Village of Newburg.

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

Table 42
HOUSING UNITS BY NUMBER OF BEDROOMS IN THE TOWN OF WAYNE: 2000^{a, b}

Tenure	1 or no bedroom		2 bedrooms		3 bedrooms	
	Number	Percent	Number	Percent	Number	Percent
Owner-occupied.....	13	2.5 ^c	59	11.3 ^c	309	59.3 ^c
Renter-occupied.....	3	4.9 ^c	6	9.8 ^c	23	37.7 ^c
Total	16	2.8 ^d	65	11.2 ^d	332	57.0 ^d

Tenure	4 bedrooms		5 or more bedrooms		Total	
	Number	Percent	Number	Percent	Number	Percent
Owner-occupied.....	92	17.7 ^c	48	9.2 ^c	521	100.0
Renter-occupied.....	20	32.8 ^c	9	14.8 ^c	61	100.0
Total	112	19.2 ^d	57	9.8 ^d	582	100.0

^aTotals are based on a sample of one in six responses to the 2000 Census.

^bTotals include occupied housing units only.

^cPercent of owner- or renter-occupied.

^dPercent of total units.

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

Table 43
HOUSING UNITS BY STRUCTURE TYPE IN THE TOWN OF WAYNE: 1970 THROUGH 2006

Year	Single-Family		Two-Family		Multi-Family		Mobile Homes and Other ^a		Total ^b	
	Housing Units	Percent of Total	Housing Units	Percent of Total	Housing Units	Percent of Total	Housing Units	Percent of Total	Housing Units	Percent of Total
1970	285	91.6	-- ^c	-- ^c	19	6.1	7	2.3	311	100.0
1980	364	87.1	34	8.1	12	2.9	8	1.9	418	100.0
1990	398	91.9	24	5.5	2	0.5	9	2.1	433	100.0
2000 ^d	563	94.3	17	2.9	2	0.3	15	2.5	597	100.0
2006 ^e	721	95.5	17	2.2	2	0.3	15	2.0	755	100.0

^aIncludes mobile homes and living quarters that do not fit into the other categories, such as boats, railroad cars, campers, and vans. All housing units listed are mobile homes.

^bTotals are based on all housing units, including occupied and vacant units.

^cTwo-family and multi-family structure totals are combined in the 1970 Census.

^d2000 data are from the U.S. Census.

^e2006 data includes 2000 Census data plus the number of building permits issued for each type of housing unit from 2000 through 2006. Building permit data were provided by the Wisconsin Department of Administration.

Source: U.S. Bureau of the Census, Wisconsin Department of Administration, and SEWRPC.

• **Housing wage information**

- A full-time worker (40 hours per week) must earn \$13.58 per hour to afford a two-bedroom rental unit at the County fair market rent of \$706 in 2006
- A full-time worker (40 hours per week) must earn \$11.37 per hour to afford a one-bedroom rental unit at the County fair market rent of \$591 in 2006
- A full-time worker (40 hours per week) must earn \$44.23 per hour to afford a median priced home (\$259,250) in the Town in 2006
- A full-time worker (40 hours per week) must earn \$27.36 per hour to afford a \$150,000 home

Table 44
YEAR BUILT FOR HOUSING UNITS IN THE TOWN OF WAYNE: 2000

Year Built	Housing Units	
	Number ^a	Percent
1995 to March 2000	105	17.6
1990 through 1994	46	7.7
1980 through 1989	29	4.8
1970 through 1979	111	18.6
1960 through 1969	38	6.4
1940 through 1959	30	5.0
Before 1940.....	238	39.9
Total	597	100.0
Median Year Built	1968 (year)	--

^aTotals are based on a sample of one in six respondents to the 2000 Census, and include all housing units, including occupied and vacant housing units.

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

Table 45

HOUSING CONDITIONS IN THE TOWN OF WAYNE: 2006

Condition	Housing Type								Total	
	Single-Family		Two-Family		Multi-Family		Other			
	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a	Number	Percent ^a
Unsound	2	0.3	0	0.0	0	0.0	0	0.0	2	0.3
Poor	24	3.5	0	0.0	0	0.0	0	0.0	24	3.5
Average	418	60.4	6	0.9	1	0.1	0	0.0	425	61.4
Good	241	34.8	0	0.0	0	0.0	0	0.0	241	34.8
Total	685	99.0	6	0.9	1	0.1	0	0.0	1,453	100.0

^aPercent of total housing units.

Source: Grotz Appraisals and SEWRPC.

- A full-time worker (40 hours per week) must earn \$43.76 per hour to afford a \$250,000 home

2000 CHAS Data

CHAS data are a special tabulation of 2000 Census data, which HUD provides to local governments to be used for housing planning purposes as part of its Comprehensive Housing Affordability Strategy (CHAS). The CHAS is required to receive various HUD funded housing assistance programs and grants and is used by HUD in the allocation of formulas for distributing funds to local governments. The data is comprised of a variety of housing need variables categorized by HUD-defined income limits and household types. Table 46 sets forth the number of households with housing problems in the Town by income level and household type, as determined by the Census using HUD criteria.

Income levels include extremely low income households (30 percent or less of median family income), very low income households (30.1 to 50 percent of median family income), low income households (50.1 to 80 percent of median family income), moderate income households (80.1 to 95 percent of median family income), and other households (above 95 percent of median family income). Income levels are based on the HUD-adjusted area median family income⁸ (HAMFI). This is an estimate of median family incomes prepared by HUD for each metropolitan area and counties located outside a metropolitan area (Washington County is located within the Milwaukee-Waukesha-West Allis Metropolitan Area). HUD prepares an annual estimate of the median family income for a family of four. The four-person family income is then adjusted by household size as follows: 70 percent of base for a one-person household, 80 percent of base for a two-person household, 90 percent of base for a three-person household, 108 percent of base for a five-person household, etc. The HUD estimated family incomes for the Milwaukee-Waukesha-West Allis Metropolitan Area by family size are presented in the second column of Table 47. The third column of the table lists the income cut-off levels used to determine eligibility for HUD programs.

The following household types are included in the CHAS data: elderly family households (two people, one of whom is 62 or older), small family households (two persons, neither of whom is 62 or older, or three or four persons), large family households (five or more persons), elderly non-family households (one or two person non-family households with either person 62 or older), and other non-family households. Housing problems include households with a cost burden of over 30 percent or housing units that lack complete plumbing, lack complete kitchen facilities, or have 1.01 or more occupants per room.

Overall, about 16 percent of households in the Town, or 96 households, experienced a housing problem in 2000. About 15 percent of owner-occupied households, or 88 households, experienced a housing problem and about 1 percent of renter-occupied households, or eight households, experienced a housing problem.

⁸In compiling statistics on family income, the incomes of all members 15 years of age and older related to the householder are summed and treated as a single amount. Annual family income is generally greater than annual household income because many households consist of only one person.

Table 46

HOUSEHOLDS WITH HOUSING PROBLEMS IN THE TOWN OF WAYNE: 2000^a

Income Level ^b	Owner-Occupied Households											Owner-Occupied Households With Problems	Percent With Problems ^c
	Elderly Family Households		Small Family Households		Large Family Households		Elderly Non-Family Households		Other Non-Family Households				
	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category			
Extremely Low (Below 30 percent)...	4	8	--	--	--	--	4	8	4	8	12	2.1	
Very Low (30.1 to 50 percent).....	--	--	4	4	4	8	--	--	4	8	12	2.1	
Low (50.1 to 80 percent).....	--	20	15	30	4	4	4	8	4	8	27	4.6	
Moderate (80.1 to 95 percent).....	--	4	4	24	--	4	--	--	--	4	4	0.7	
Other (above 95 percent).....	--	25	25	245	4	54	--	10	4	34	33	5.7	
Total	4	57	48	303	12	70	8	26	16	62	88	15.1	

Income Level ^b	Renter-Occupied Households											Renter-Occupied Households With Problems	Percent With Problems ^c
	Elderly Family Households		Small Family Households		Large Family Households		Elderly Non-Family Households		Other Non-Family Households				
	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category	Number With Problems	Total Households in Category			
Extremely Low (Below 30 percent)...	--	4	--	--	--	--	--	--	--	--	--	--	--
Very Low (30.1 to 50 percent).....	--	--	--	--	4	4	--	--	--	--	4	0.7	
Low (50.1 to 80 percent).....	--	4	4	14	--	--	--	--	--	4	4	0.7	
Moderate (80.1 to 95 percent).....	--	--	--	4	--	--	--	--	--	4	--	--	
Other (above 95 percent).....	--	--	--	20	--	4	--	--	--	4	--	--	
Total	--	8	4	38	4	8	--	--	--	12	8	1.4	

^aHousing problems include households with a housing cost burden of over 30 percent or housing units without complete plumbing, kitchen facilities, or more than 1.01 occupants per room.

^bIncome level categories are based on a percentage range of the 1999 median family income.

^cPercent of all households (584).

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

Table 47

HUD ESTIMATED MEDIAN FAMILY INCOME BY FAMILY SIZE FOR THE MILWAUKEE-WAUKESHA-WEST ALLIS METROPOLITAN STATISTICAL AREA (MSA): 2006

Family Size	Median Income	80 Percent of Median Income
One Person.....	\$47,063	\$37,650
Two Person.....	\$53,750	\$43,000
Three Person.....	\$60,500	\$48,400
Four Person.....	\$67,188	\$53,750
Five Person.....	\$72,562	\$58,050
Six Person.....	\$77,938	\$62,350
Seven Person.....	\$83,313	\$66,650
Eight Person.....	\$88,686	\$70,950

Source: U.S. Department of Housing and Urban Development (HUD) and SEWRPC.

Table 48 sets forth the number of households with a high housing cost burden for owner-occupied and renter-occupied households in the Town by income level in 2000. Overall, about 15 percent of households, or 87 households, experienced a high cost burden for housing. About 14 percent of owner-occupied households, or 79 households, experienced a high housing cost burden and about 1 percent of renter-occupied households, or eight households, experienced a high housing cost burden.

The median percentage of monthly income spent on housing costs by owner-occupied households with a mortgage in the Town was about 21 percent. The median percentage spent by owner-occupied households without a mortgage was about 10 percent and the percentage spent by renter-occupied households was about 15 percent. This shows that most households opt to pay substantially less than the 30 percent affordability standard defined by HUD.

Table 48

HOUSEHOLDS WITH A HOUSING COST BURDEN IN THE TOWN OF WAYNE: 2000^a

Income Level ^b	Owner-Occupied Households				Renter-Occupied Households			
	Cost Burden of 30.1 to 50 Percent		Cost Burden of Over 50 Percent		Cost Burden of 30.1 to 50 Percent		Cost Burden of Over 50 Percent	
	Number	Percent ^c	Number	Percent ^c	Number	Percent ^c	Number	Percent ^c
Extremely Low (Below 30 percent).....	4	0.7	4	0.7	--	--	--	--
Very Low (30.1 to 50 percent).....	4	0.7	4	0.7	4	0.7	--	--
Low (50.1 to 80 percent).....	10	1.7	15	2.6	4	0.7	--	--
Moderate (80.1 to 95 percent).....	4	0.7	--	--	--	--	--	--
Other (above 95 percent).....	30	5.1	4	0.7	--	--	--	--
Total	52	8.9	27	4.6	8	1.4	--	--

Income Level ^b	Total-Occupied Households						
	Cost Burden of 30.1 to 50 Percent		Cost Burden of Over 50 Percent		Total Households With a Housing Cost Burden	Total Households	Percent of Households With a Housing Cost Burden ^c
	Number	Percent ^c	Number	Percent ^c			
Extremely Low (Below 30 percent).....	4	0.7	4	0.7	8	28	1.4
Very Low (30.1 to 50 percent).....	8	1.4	4	0.7	12	24	2.1
Low (50.1 to 80 percent).....	14	2.4	15	2.6	29	92	5.0
Moderate (80.1 to 95 percent).....	4	0.7	--	--	4	44	0.7
Other (above 95 percent).....	30	5.1	4	0.7	34	396	5.8
Total	60	10.3	27	4.6	87	584	14.9

^aSpending over 30 percent of monthly household income on housing is considered to be a high housing cost burden.

^bIncome level categories are based on a percentage range of the 1999 median family income.

^cPercent of total households (584).

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

Table 49

HOUSING OCCUPANCY BY NUMBER OF OCCUPANTS PER ROOM IN THE TOWN OF WAYNE: 2000^{a, b}

Tenure	0.50 or less occupants per room		0.51 to 1.00 occupants per room		1.01 to 1.50 occupants per room		1.51 or more occupants per room		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Owner-occupied Units.....	375	72.0	136	26.1	10	1.9	0	0	521	100.0
Renter-occupied Units.....	42	68.9	19	31.1	0	0	0	0	61	100.0

^aTotals are based on a sample of one in six responses to the 2000 Census.

^bA housing unit is considered overcrowded if there is more than one occupant per room. Rooms considered in the calculation include: living room, dining room, kitchen, bedrooms, finished recreation rooms, and enclosed porches suitable for year-round use.

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

Table 49⁹ sets forth the number of households with more than 1.01 occupants per room in the Town in 2000. The number of occupants per room is obtained by dividing the number of people in each occupied housing unit by the number of rooms in the unit. Rooms considered in the calculation include: living room, dining room, kitchen, bedrooms, finished recreation rooms, and enclosed porches suitable for year-round use. Although the U.S. Census Bureau has no official definition of crowded units, many consider units with more than one occupant per room to be crowded. There were 10 owner-occupied housing units in the Town in 2000 that reported more than one person per room to the Census. No renter-occupied units were reported as overcrowded.

The number of households without complete plumbing or kitchen facilities was obtained from answers to the 2000 Census long-form questionnaire, which was asked on a sample basis at both occupied and vacant housing units. Complete plumbing facilities include: (1) hot and cold piped water, (2) a flush toilet, and (3) a bathtub or

⁹Table 49 is based on Summary File 3 Census 2000 data (a sample of one in six respondents).

shower. All three facilities must be located inside the house, apartment, or mobile home, but not necessarily in the same room. Housing units are classified as lacking complete plumbing facilities when any of the three facilities is not present. A unit has complete kitchen facilities when it has all of the following: (1) a sink with piped water; (2) a range or cook top and oven; and (3) a refrigerator. All kitchen facilities must be located in the house, apartment, or mobile home, but they need not be in the same room. A housing unit having only a microwave oven or portable heating equipment, such as a hot plate or camping stove, is not considered as having complete kitchen facilities. An ice box is not considered to be a refrigerator. All housing units in the Town had complete plumbing facilities and kitchen facilities in 2000.

Table 50
HOMELESS AND TRANSITIONAL
HOUSING IN WASHINGTON COUNTY: 2006

Shelter	Number of Households	Number of Nights	Average Length of Stay (Days)	Demographics
West Bend	10	321	30	2 Single parent families 1 Adult couple 4 Single males 3 Single females
Hartford ^a	6	81	14	1 Adult couple 1 Single male 4 Single females
Motel	5	48	10	4 Single males 1 Single female
Total	21	--	18	2 Single parent families 2 Adult couples 9 Single males 8 Single females

^aShelter opened June 1, 2006.

Source: American Red Cross of Wisconsin and SEWRPC.

Income

Income should be considered when developing policies intended to help provide housing units within a cost range affordable to all income groups. The median household income in the Town in 1999 was \$61,033. This is comparable to an income of about \$70,804 in 2006 based on the Consumer Price Index. A household earning the estimated 2006 median household income of \$70,804 per year could afford a home of \$196,000, based on the household paying 30 percent of its income on housing.

Homeless and Transitional Housing

Washington County has two shelters operated jointly by the Salvation Army, St. Vincent de Paul, and the American Red Cross Housing Support Services. These shelters, located in the Cities of Hartford and West Bend, are not staffed 24 hours a day and accommodations are limited to one household or one individual at a time. For those who cannot be accommodated, the shelters will refer a household to a shelter in a surrounding county (about 10 households per year are referred to a surrounding county), or provide motel vouchers, if funding is available. Table 50 sets forth figures for Washington County homeless and transitional housing in 2006.

The Wisconsin Division of Housing requires point-in-time counts for one night when the homeless in the county are counted. Point-in-time counts were done in January and September in 2006. The January point-in-time count totaled 15 people (from 10 households) that were provided shelter (West Bend, Hartford, or motel voucher) in the County. Three families and one individual could not be served on that day due to lack of resources (space or funds) or those seeking shelter refused resources offered to them. Two other individuals were refused and spent the time unsheltered. The September point-in-time count totaled 28 people (from 22 households) that were provided shelter (West Bend, Hartford, or motel voucher) in the County. Two families and six individuals could not be served on that day due to lack of resources (space or funds) or those seeking shelter refused resources offered to them.

Age Distribution

Age distribution has important implications for planning and the formation of housing policies. The age distribution and gender composition of the population of the County and the Town in 2000 is set forth in Table 4 in Chapter III.

When forming housing policy it is important to consider not only the current age composition, but what the age composition may be in the plan design year of 2035. The population 65 years of age and older is projected to increase throughout the planning period. By 2030, all of the baby-boom generation will be over age 65. In 2035, persons 65 years of age and older are expected to comprise about 24 percent of the County population, compared to about 11 percent in 2000; or an increase from 13,212 persons in 2000 to 38,325 persons in 2035. There will

Table 51
PERSONS AGE 5 AND OVER WITH
DISABILITIES IN THE TOWN OF WAYNE: 2000^a

Age Group	Persons With a Disability	Percent of Age Group	Total Population in Age Group
5 to 20	10	2.5	406
21 to 64	121	11.3	1,067
65 and over	54	37.2	145
Total	185	11.4	1,618

^aDisability types include sensory, physical, mental, self-care, and employment. A single respondent may have multiple types of disabilities. The data is based on a sample of one in six residents of the civilian non-institutionalized population.

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

people reporting a disability, at about 37 percent or 54 people. About 11 percent of people ages 21 to 64, or 121 people, reported having a disability and about 3 percent of people ages 5 to 20, or 10 people, reported having a disability. Although the aging population has the highest percentage of people reporting a disability, the largest number of people reporting a disability was in the 21 to 64 age group. Housing with varying levels of care or programs that provide in-home care services in addition to those which cater to needs of senior citizens may be needed in the Town as a result.

Table 52 sets forth the type of disabilities reported in 2000 for Town residents. One person may report having multiple types of disabilities.

Several types of disabilities are included in the data:

- Sensory – Blindness, deafness, or a severe sight or hearing impediment
- Physical – A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying
- Mental disability – A condition lasting at least six months that makes learning, remembering, or concentrating difficult
- Self-care disability – A condition lasting at least six months that makes dressing, bathing, or getting around inside the home difficult
- Going outside the home disability – A condition lasting at least six months that makes going outside the home alone difficult (applies only to those residents at least 16 years of age and under 65 years of age)
- Employment disability – A condition lasting at least six months that makes working at a job or business difficult (applies only to those residents at least 16 years of age)

The range of disabilities reported may influence the type of housing required to provide for the needs of people with disabilities. Table 57 in Chapter IX lists the facilities in Washington County for the mentally and physically disabled licensed by the Wisconsin Department of Health and Family Services as of February 2006.

Household Size

While it is important to provide housing options that are affordable for households of all income levels, it is also important to provide housing options that meet space requirements for households of various sizes. Table 9 in Chapter III lists the number of households in each size category, ranging from one-person households to households containing seven or more members, in each local government and the County in 2000. The average household size for the Town was 2.97 persons. The average household size in the Town is expected to decrease to 2.75 in 2035, a trend that has been experienced throughout the United States since the 1950’s. An implication of this decrease may be housing policies that allow for a higher percentage of smaller homes.

likely be a demand for a higher percentage of specialized-housing units for the elderly if the elderly population increases as projected over the next three decades. Table 56 in Chapter IX lists the facilities in Washington County for persons of advanced age (60-plus years of age) licensed by the Wisconsin Department of Health and Family Services as of February 2006.

Persons with Disabilities

Persons with disabilities are another segment of the Town population that may have special housing needs. The number of residents with disabilities by age group in 2000 is set forth in Table 51. The 65 and over age group had the highest percentage of

Table 52

REPORTED DISABILITIES BY TYPE IN THE TOWN OF WAYNE: 2000^a

Age Group	Type of Disability						Total
	Sensory	Physical	Mental	Self-care	Go-outside-home	Employment	
5 to 15	0	2	0	0	-- ^b	-- ^b	2
16 to 64.....	23	43	23	8	41	85	223
65 and over.....	7	34	11	9	18	-- ^b	79
Total	30	79	34	17	59	85	304

^aA single respondent may have multiple types of disabilities. The data is based on a sample of one in six residents of the civilian non-institutionalized population.

^bThe Bureau of the Census did not collect data for this disability type for persons in this age category.

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

Household Projections: 2035

The number of additional housing units needed in the 2035 plan design year is projected by first selecting a population projection. The Town selected a 2035 population projection of 2,800 persons (see Chapter III). The number of residents expected to reside in “group quarters,” where applicable, (none in the Town) is then subtracted from the projected total population, and the result is divided by the projected household size (2.75 persons per household in 2035). This number is then multiplied by the HUD desired vacancy rate of 3 percent to determine the total number of housing units needed in the Town in 2035. The resulting number of housing units is about 1,050.

The number of additional housing units needed between 2000 and 2035 to provide an adequate supply is determined by subtracting the number of housing units (597 units) in 2000 from the projected number of housing units (1,049 units) needed in 2035. The resulting projected demand is about 452 additional housing units in the Town between 2000 and 2035. An estimated 169 housing units were constructed in the Town between 2000 and 2007. As of the end of 2007, there were an estimated 766 housing units in the Town, which would result in a need for an additional 283 housing units between 2008 and 2035.

**PART 2: COMMUNITY POLICIES AND REGULATIONS
AFFECTING THE PROVISION OF HOUSING**

Housing structure types, home sizes, and lot sizes are controlled by Town zoning regulations. This section summarizes Town zoning regulations affecting housing.

Zoning Regulations

Zoning Districts

The zoning authority of the Town represents an important influence on housing development patterns. Zoning regulations can substantially determine the location, size, and type of housing. A summary of existing residential zoning districts is presented in Table 53. A summary of all zoning districts is included in Chapter II.

Housing Unit Type

The type of housing unit allowed is generally determined by the type of structures allowed in residential zoning districts. This is important because apartment units tend to be more affordable to lower-income households than single-family housing units.

Areas zoned as single-family residential typically allow only one detached single-family home per lot. These homes tend to be owner-occupied, but may be rental units. Areas zoned for two-family residential uses allow for duplexes that may be owner-occupied or rental units, or include one unit occupied by the owner with the second unit rented. Areas zoned as multi-family residential allow for structures with three or more units. Multi-family

Table 53

**MINIMUM LOT SIZE AND FLOOR AREA REQUIREMENTS IN
RESIDENTIAL ZONING DISTRICTS IN THE TOWN OF WAYNE ZONING ORDINANCE: 2007**

Residential Zoning District	Minimum Lot Size	Minimum Floor Area (square feet)
R-1 Single-Family Residential District	5 acres for lots in traditional subdivisions; 5-acre density in lot averaging and conservation subdivisions with minimum lot size of 1.5 acres	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum
R-2 Single-Family and Two-Family Residential District	1.5 acres total; 30,000 square feet per dwelling unit	1,200 minimum for one-story; 1,200 first floor minimum
R-3 Multi-Family Residential District	60,000 square feet total; 20,000 square feet per dwelling unit	2,000 minimum; 900 minimum per dwelling unit
R-4 Hamlet Residential District	3 acres for lots in traditional subdivisions; 3-acre density in lot averaging and conservation subdivisions with minimum lot size of 1.5 acres	1,200 minimum for one-story; 1,600 minimum for multi-story and 1,000 first floor minimum

Note: This table is a summary and should not be used as a guide to answer zoning-related questions. Refer to the Town zoning ordinance and map for specific zoning information.

Source: Town of Wayne zoning ordinance and SEWRPC.

districts vary in the number of units and number of floors allowed per structure. Many housing units in these districts are rental units; however, some may be owner-occupied such as townhouses or other single-family attached housing units.

The Town of Wayne zoning ordinance contains single-family, two-family, and multi-family residential zoning district regulations. Single-family residential homes in conventional subdivisions may be constructed on three- or five-acre lots, depending on the zoning district, with options to decrease the lot size to 1.5 acres where clustering (conservation design) or lot-averaging techniques are used. The zoning ordinance permits two-family and multi-family homes on 1.5-acre lots and 60,000 square foot lots, respectively. Larger lots are necessary to allow adequate lot area for the siting of onsite waste treatment systems and private wells. As of 2008, no two-family or multi-family residential districts had been designated on the Town zoning map.

The A-1 Exclusive Agricultural zoning district allows one single family home, to be occupied by the farm operator, per parcel as a principal use. The A-2 Agricultural/Rural Residential zoning district allows for single family dwellings on traditional lots, in cluster developments, or on lots determined by lot averaging as a principal use. Additional single family or two family dwellings or mobile homes for a child or parent of the farm operator, or for a person earning a livelihood from the farm operation, may be permitted as a conditional use in both the A-1 and A-2 zoning districts.

Minimum Floor Area Requirements

In addition to minimum lot size requirements, the Town zoning ordinance includes minimum floor area requirements that affect the size of housing units. These requirements are important because the cost of housing units typically increases for larger homes. The minimum floor area requirements for a single-family detached dwelling is 1,200 square feet for a one-story dwelling and 1,600 square feet for a multi-story dwelling in the Town.

Flexible Zoning Regulations

Regulations which allow for more flexibility than the traditional residential zoning regulations for residential development may help the Town provide additional affordable housing. Flexible zoning regulations in the Town zoning ordinance include the following:

- The Town of Wayne Planned Unit Development (PUD) regulations authorize the Plan Commission to permit individual lots to be reduced to half the size required in the underlying district if public sanitary sewerage facilities are provided to the PUD. The density within the PUD may not exceed the average density permitted in the underlying district.
- Conservation subdivisions reduce the minimum lot size that would be required for each home in a conventional subdivision and locate homes on a portion of a development parcel in order to preserve the remainder of the parcel in open space. The Town of Wayne has adopted specific regulations for the development of conservation subdivisions. The Town allows conservation subdivisions to be developed in the Agricultural/Rural Residential (A-2) and Single-Family Residential (R-1) zoning districts with an overall density of one home per five acres and at least 60 percent open space, and the Hamlet Residential (R-4) zoning district with an overall density of one home per three acres with at least 30 percent open space. Minimum lot sizes within conservation subdivisions must be 1.5 acres. Conservation subdivisions are permitted as a principal use in the A-2, R-1, and R-4 zoning districts.
- “Lot averaging” allows parcel sizes to vary so long as the area that is taken from one parcel is transferred to one or more other parcels within the land division, so that the average density permitted under the zoning ordinance and comprehensive plan is maintained within the land division as a whole. Lot averaging is allowed in the A-2, R-1, and R-4 zoning districts, provided an average density of five acres per dwelling unit is maintained in the A-2 and R-1 districts and an average density of three acres per dwelling unit is maintained in the R-4 district. Advantages of lot averaging include flexibility in site design and preservation of farmland and/or environmentally sensitive areas. This technique is useful in cases where a landowner may wish to create a few residential parcels for sale or for family members through a certified survey map (CSM), while retaining a large parcel for continued agricultural use. It is important that parcels created through lot averaging be prohibited from further division through a deed restriction placed on the parcels being created.

Accessory apartments, sometimes referred to as “mother-in-law” units, are secondary dwellings established in conjunction with and clearly subordinate to a primary dwelling, and may be part of the same structure as the primary dwelling or a detached unit on the same lot, as specified in the zoning ordinance. Accessory apartments are one way to provide lower-cost housing in communities, such as Wayne, that lack the urban services necessary to support apartment buildings and other multi-family housing. The Town zoning ordinance currently does not permit accessory apartments.

PART 3: HOUSING GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- In cooperation with neighboring communities, support a range of housing types to serve the varied and special needs of area residents.
- Maintain the rural character of the Town.
- Accommodate new residential development at appropriate densities.
- Support fair housing practices.
- Provide safe and decent housing for all Town residents.

Objectives:

- To focus limited urban residential development in and around existing hamlets, including Wayne, Kohlsville, and St. Kilian and other areas designated on the land use plan map (Map 10 in Chapter VI).
- To provide well-constructed and maintained housing with adequate services.
- To provide suitable housing for persons with disabilities and the elderly.

Policies:

- Designate areas on the Town land use plan map (Map 10 in Chapter VI) to support the private sector in the maintenance, redevelopment, and/or construction of housing to serve the needs of persons of all income levels, ages, and persons with disabilities.
- Support preventive maintenance of existing housing units and early rehabilitation of deteriorating housing units.
- Encourage residential development only on soils that are well suited to such development when served by private onsite waste treatment systems (POWTS) and private wells in order to avoid the creation of water pollution and public health problems.
- Discourage housing discrimination based on protected classes and unlawful acts set forth in Federal and State laws.
- Support efforts by private developers and other housing providers to include construction design concepts such as Universal Design¹⁰ and Visitability. Visitability is a movement to change home construction practices so that all new homes, not just custom built homes, offer a few specific features that make the home easier for people with mobility impairment to live in or visit. Minimum requirements include wide passage doors, at least a half-bath on the first floor, and at least one zero-step entrance approached by an accessible route on a firm surface no steeper than a 1:12 grade from a driveway or public sidewalk.

Programs:

- Allocate sufficient area for residential development on the Town land use plan map (Map 10 in Chapter VI) to accommodate the anticipated population of the Town in 2035.
- Work with government agencies and developers to implement creative ideas for providing low and moderate income housing in the Town while maintaining appropriate densities.
- Consider amending the Town zoning ordinance to accommodate accessory units in residential zoning districts as an option for providing affordable housing and housing for the elderly and persons with disabilities.
- Consider amending the Town zoning and land division ordinances to grant a density bonus in land divisions that provide for affordable housing.
- Consider amending the Town zoning and land division ordinances to grant a density bonus or other incentives for homes that provide Universal Design and/or Visitability features.
- Continue to enforce the Town building code to ensure adequate insulation, heating, and plumbing.
- Work with existing housing agencies to identify programs and potential funding sources to assist homeowners with making needed repairs, including improvements to meet State and Federal lead-safe standards.
- Work with the Washington County Health Department to enforce State public health *Statutes* and County ordinances concerning dilapidated, unsafe, or unsanitary housing that poses a human health hazard.
- Continue to cooperate with Washington County to ensure the County has reviewed proposed land divisions for compliance with the County Land Division and Sanitary Ordinances relating to land suitability, wastewater treatment and disposal, and other applicable requirements.

¹⁰*Accessibility for persons with disabilities can be increased by providing homes with wider doors and hallways, level surfaces, bathrooms on the first floor, and other features, often referred to as “Universal Design.”*

Chapter VIII

TRANSPORTATION ELEMENT

INTRODUCTION

The transportation element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(c) of the *Statutes* requires this element to compile goals, objectives, policies, and programs to guide the future development of various modes of transportation in the County. Under the comprehensive planning law, the transportation element should incorporate State and Regional transportation plans, and compare County goals, objectives, policies, and programs to those of State and Regional transportation plans.

Modes of transportation addressed in this element include:

- Arterial streets and highways
- Collector and land access streets
- Public transit
- Transportation systems for persons with disabilities and the elderly
- Bicycle and pedestrian facilities
- Railroads
- Air transportation
- Trucking and water transportation

In addition, the following comprehensive planning goals related to the transportation element are set forth in Section 16.965 of the *Statutes* and were addressed as part of the planning process:¹

- Promotion of the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Encouragement of neighborhood designs that support a range of transportation choices.
- Encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, State government, and utility costs.

¹Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

- Encouragement of coordination and cooperation among nearby units of government.
- Providing an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependant citizens and persons with disabilities.

This chapter is divided into three parts; an inventory of existing transportation facilities in the Town and County; a description of the regional transportation system plan and the County jurisdictional highway system plan; and goals, objectives, policies, and programs for transportation facilities in the Town and County.

PART 1: TRANSPORTATION FACILITIES AND SERVICES

This section presents inventories of the existing transportation system in Washington County and the Town of Wayne. Much of the inventory information included in this section is drawn from the regional transportation system plan. The 2035 regional transportation plan includes four elements: public transportation, travel demand management, bicycle and pedestrian facilities, and arterial streets and highways. Inventory information relating to each of these elements is presented in this section. Information on rail, harbors, and airport services is also provided.

Streets and Highways

The street and highway system serves several important functions, including the movement of through vehicular traffic; providing vehicular access to abutting land uses; providing for pedestrian and bicycle circulation, and serving as the location for utilities and stormwater drainage facilities. Two of these functions—traffic movement and land access—are basically incompatible. As a result, street and highway system design is based on a functional grouping or classification of streets and highways, based on the primary function served. The three functional classifications of streets and highways are: arterial streets, collector streets, and land access streets. In 2008, there were approximately 83 miles of streets and highways in the Town of Wayne,² under the Town's Wisconsin Department of Transportation (WisDOT) certified mileage. Streets and highways in the Town are shown on Map 11.

Arterial Streets

The arterial street and highway system is intended to provide a high degree of travel mobility, serving the through movement of traffic between and through urban areas. The regional transportation system plan³ identifies the location, number of lanes, and the level of government recommended to have jurisdiction over each arterial street and highway. Recommendations for the location and number of lanes of arterial streets and highways are determined in part by travel simulation models, which are used to determine the existing and potential travel demand on proposed transportation networks, based on the development pattern recommended by the regional land use plan.

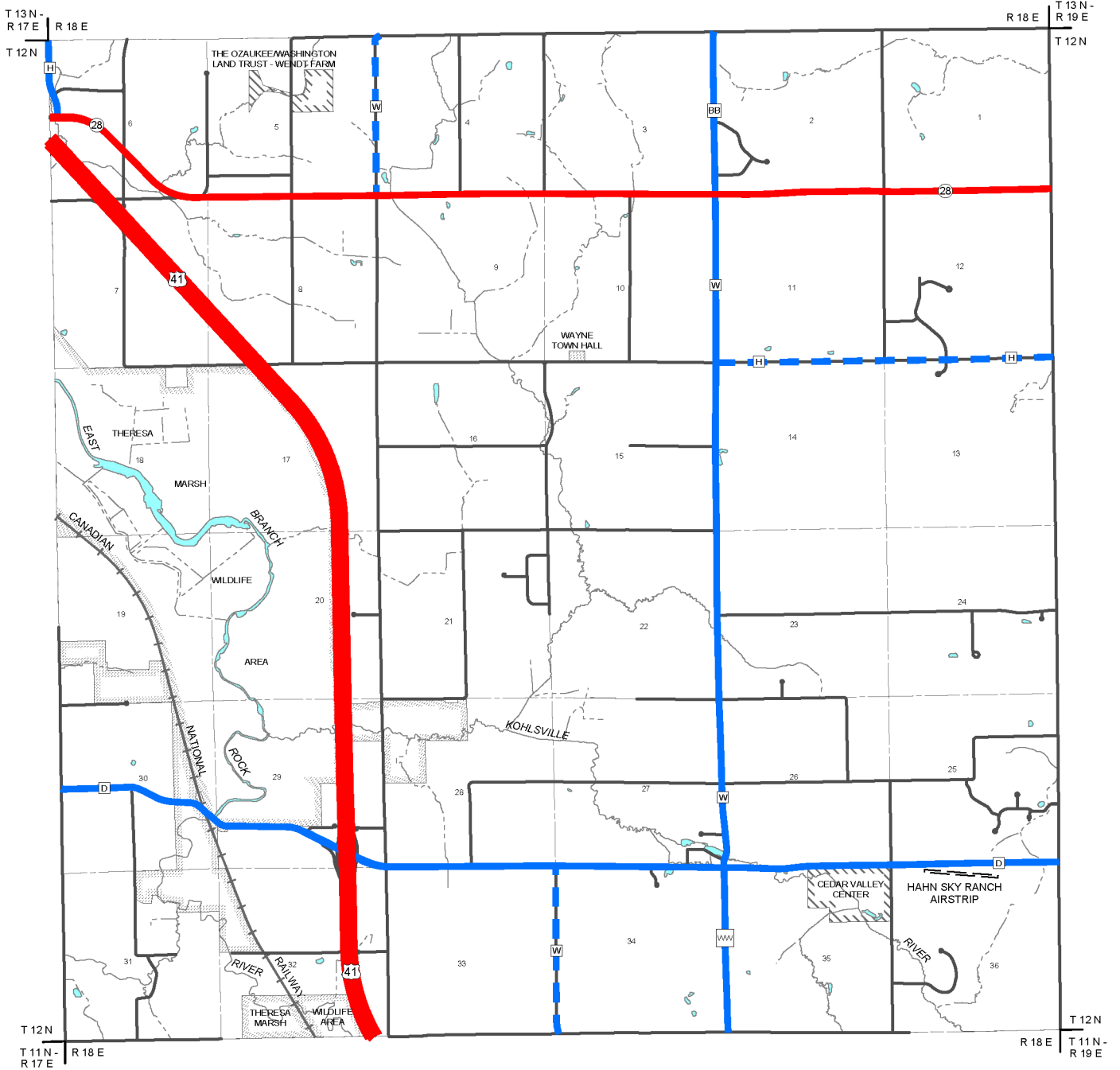
In addition to their functional classification, arterial streets and highways are also classified by the unit of government that has responsibility, or jurisdiction, over the facility. WisDOT has jurisdiction over the State trunk highway (STH) system, Washington County has jurisdiction over the County trunk highway (CTH) system, and each local government has jurisdiction over local arterial streets within the local government.

²*Total street and highway mileage does not include private streets.*

³*The most recent regional transportation system plan is documented in SEWRPC Planning Report No. 49, A Regional Transportation System Plan for Southeastern Wisconsin: 2035, June 2006. Recommendations for the jurisdiction and improvement of the arterial street system were updated and documented in SEWRPC Planning Report No. 23, 2nd Edition, A Jurisdictional Highway System Plan for Washington County, which was adopted by the County Board in December 2008.*

Map 11

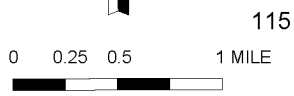
EXISTING PUBLIC STREETS AND HIGHWAYS IN THE TOWN OF WAYNE: 2008



- STATE TRUNK ARTERIAL (FREEWAY)
- STATE TRUNK ARTERIAL (NON-FREEWAY)
- COUNTY TRUNK ARTERIAL
- COUNTY TRUNK HIGHWAYS NOT CLASSIFIED AS ARTERIAL HIGHWAYS
- COLLECTOR AND LAND ACCESS STREETS

NOTE: FOND DU LAC COUNTY HAS JURISDICTION OVER COUNTY TRUNK HIGHWAY H NORTH OF STATE TRUNK HIGHWAY 28.

SOURCE: WASHINGTON COUNTY AND SEWRPC.



There were about 24.1 miles of arterial highways in the Town in 2008. About 12.0 miles were under the jurisdiction of WisDOT, including USH 41 and STH 28. About 12.1 miles of arterial highways were under the jurisdiction of Washington County, CTH D, WW, BB, and that portion of CTH W between CTH D and STH 28. There were no arterial streets under Town jurisdiction.

The State trunk highway system, which includes Interstate Highways, U.S.-numbered highways (USH), and State trunk highways, generally carry the highest traffic volumes, provide the highest traffic speeds, have the highest degree of access control, and serve land uses of statewide or regional significance. State trunk highways serve the longest trips, principally carrying traffic traveling through Washington County and between Washington County and other counties. County trunk highways form an integrated system together with the State trunk highways and principally serve traffic between communities in the County and land uses of countywide importance. Local arterial streets and highways would serve the shortest trips, serve locally-oriented land uses, carry the lightest traffic volumes on the arterial system, provide lower traffic speeds, have the least access control, and principally serve traffic within a local government (typically in cities and villages).

Collector and Land Access Streets

The primary function of land access streets is to provide access to abutting property. Collector streets are intended to serve primarily as connections between the arterial street system and the land access streets. In addition to collecting and distributing traffic to and from the land access streets, collector streets usually perform a secondary function of providing access to abutting property. The right-of-way width and cross-section for collector and land access streets are uniform throughout the Town as specified in the land division ordinance,⁴ compared to arterial streets whose widths and cross-sections vary based on anticipated traffic loads. In 2008, there were about 58.6 miles of collector and land access streets in the Town, including about 4.3 miles of non-arterial county highways (that portion of CTH H between CTH W and Town Line Road, that portion of CTH W between Beaver Dam Road and CTH D, and that portion of CTH W between STH 28 and St. Kilian Drive), and 54.3 miles under Town jurisdiction.

County and Local Street Inventory

WisDOT maintains a detailed database of county and local street information in the “Wisconsin Information System for Local Roads” (WISLR). Physical attributes such as right-of-way and pavement width, number of traffic lanes, type of surface and pavement rating, the presence and type of shoulders or curbs, and the presence of sidewalks are available through a database that can be accessed through the WisDOT website by registered users. Administrative information, including the functional classification and owner of a street, can also be obtained. The information in the database is provided by county and local governments, and is intended to assist in reporting roadway pavement conditions. Under Section 86.302 of the *Wisconsin Statutes*, pavement ratings must be submitted to WisDOT by each county and local government every other year. The PASER method (pavement surface evaluation and rating) is the most commonly used method in Wisconsin.

Travel Demand Management

The existing freeway traffic management system in Southeastern Wisconsin consists of many elements which are often referred to as intelligent transportation systems. The elements of the freeway traffic management system include: traffic detectors, ramp metering, high-occupancy vehicle bypass ramps, variable message signs, highway advisory radio, closed-circuit television, service patrols, crash investigation sites, and enhanced reference markers. Ramp metering, a crash investigation site, and a closed-circuit television camera are present on southeastern portions of the Washington County section of the freeway system. Ramp meters are installed on the southbound on-ramps to USH 41/45 at Lannon Road and at CTH Q (Washington – Waukesha County Line Road). A crash investigation site is located at the Lannon Road park-ride lot near the interchange of CTH Y and USH 41/45 in the Village of Germantown.

⁴*Minimum right-of-way and pavement width requirements for new town roads are specified in Section 82.50 of the Wisconsin Statutes.*

There is also a closed-circuit television camera at the Washington – Waukesha County line on USH 41/45, which provides real-time video for the identification and confirmation of congested areas and incident locations. Video is monitored at the WisDOT Traffic Operation Center in Milwaukee. Video is supplied to some emergency response agencies so that their dispatchers can provide personnel with incident locations and information. The WisDOT also provides some of its camera images to the media and to its website for viewing by the general public.

Public Transportation

Public transportation is the transportation of people by publicly operated vehicles between trip origins and destinations, and may be divided into service provided for the general public and service provided to special population groups. Examples of special group public transportation include yellow school bus service operated by area school districts, and fixed-route bus and paratransit van service provided by counties or municipalities for the elderly and disabled. Public transportation service to the general public may further be divided into the following three categories:

- Intercity or interregional public transportation, which provides service across regional boundaries, and includes Amtrak railway passenger service, interregional bus service, and commercial air travel.
- Urban public transportation commonly referred to as public transit, which is open to the general public and provides service within and between large urban areas. The fixed-route bus transit system (Washington County Commuter Express) operated by Washington County falls into this category.
- Rural and small urban community public transportation, which is open to the general public and provides service in and between small urban communities and rural areas, may also provide connections to urban areas. The nonfixed-route shared-ride taxi system currently operated by Washington County falls into this category.

Public transit is essential in any metropolitan area to meet the travel needs of persons unable to use personal automobile transportation; to provide an alternative mode of travel, particularly in heavily traveled corridors within and between urban areas and in densely developed urban communities and activity centers; to provide choice in transportation modes as an enhancement of quality of life; and to support and enhance the economy.

Interregional Public Transportation

Rail, bus, ferry, and airline carriers provided Town residents with public transportation service between the Southeastern Wisconsin Region and a number of cities and regions across the Country, as described in the following paragraphs.

Rail Service

No intercity passenger train service is provided in Washington County, but County residents are served in nearby counties. Intercity passenger train service is provided by Amtrak over Canadian Pacific Railway lines, with stops in 2008 at the downtown Milwaukee Amtrak depot, General Mitchell International Airport, Sturtevant in Racine County, and Columbus in Columbia County. Amtrak operated six weekday trains in each direction between Milwaukee and Chicago and one weekday train in each direction between Chicago, Milwaukee, St. Paul – Minneapolis, and Seattle. Commuter rail service was provided between Kenosha and Chicago by Metra's Union Pacific North line with intermediate stops between Kenosha and downtown Chicago in northeastern Illinois' north shore suburbs. Studies are underway to develop a commuter line, referred to as the KRM, connecting downtown Milwaukee to the Metra line in Kenosha with stops in communities in Kenosha, Racine and Milwaukee counties.

Bus Service

Scheduled intercity bus services were provided to the Region by four carriers; although none of the buses made stops in Washington County. Two of those carriers have routes through Washington County on USH 41; these include Greyhound and Lamers Bus Lines. Greyhound operates a route between Milwaukee and Green Bay with stops in Manitowoc and Oshkosh. Service provided by Greyhound in Southeastern Wisconsin is centered in Milwaukee, which the carrier uses as a regional hub at which passengers have the opportunity to transfer between buses. Daily service provided by Lamers Bus Lines included one bus trip in each direction between Milwaukee

and Wausau with a stop in Appleton. The two additional intercity buses serving the Region were Badger Coaches and United Limo. Badger Coaches provides daily round trips between Madison and downtown Milwaukee, with stops in Memorial Union in Madison, Johnson Creek, Goerke's Corners, Oconomowoc, West Allis, the University of Wisconsin-Milwaukee, and General Mitchell International Airport. Weekday service provided by United Limo includes round-trips between Goerke's Corners in Waukesha County and Chicago O'Hare International Airport, with stops in downtown Milwaukee and at General Mitchell International Airport.

Ferry Service

There is no Lake Michigan cross-lake ferry service directly to Washington County, but such services are available in nearby cities. In 2008, passenger and car cross-lake ferry services were available between Milwaukee and Muskegon, Michigan and between Manitowoc and Ludington, Michigan. Both ferry services operate in the months of May through October of each year.

Air Service

There are no airports in Washington County providing public commercial air service. Passenger air service for County residents is provided by a number of air carriers at Milwaukee County's General Mitchell International Airport. In 2008, there were about 235 scheduled nonstop weekday flights between Mitchell International, with 90 cities served non-stop or direct, and connections available to any destination served by air.

Urban Public Transportation

Park-Ride Facilities

Park-ride facilities enable efficient travel within Southeastern Wisconsin through transfer between private vehicle and public transit, and between single occupant or solo driver private vehicles and carpools. Washington County has seven park-ride lots, including four park-ride lots served by transit and three park-ride lots not served by transit (these lots are not large enough to accommodate a bus). Park-ride lots served by the Washington County Commuter Express (WCCE) bus in 2008 included lots at the interchanges of USH 41/45 and CTH Y/Lannon Road in the Village of Germantown, USH 45 and Paradise Drive in the City of West Bend, USH 45 and Pleasant Valley Road at the Washington County Fair Park grounds, and at the former Highway View Elementary School on Pioneer Road in the Town of Polk. The three park-ride lots not served by transit are available for use by persons who meet to carpool, and are located at the intersections of CTH P and STH 60 in the Village of Jackson, and at two USH 41 interchanges located in the Town of Addison, the CTH K and STH 33 interchanges.

Washington County Commuter Express Bus System

The WCCE Bus System, which runs weekdays only (Monday through Friday), consists of two express commuter bus routes. The routes operate between three WCCE park-ride lots located along USH 45 in Washington County to Milwaukee County. The Downtown Milwaukee Express provides service between Washington County and Wisconsin Avenue in downtown Milwaukee. The Downtown Milwaukee Express completes seven trips each weekday morning, transporting persons from Washington County to downtown Milwaukee; and seven trips each weekday afternoon/evening, transporting persons from downtown Milwaukee to Washington County. The Froedtert, Mayfair, Marquette High, and Veteran Affairs Medical Center Express provides service between Washington County and the Milwaukee Regional Medical Center, Mayfair Mall, and Watertown Plank Road/STH 100. The Froedtert, Mayfair, Marquette High, and Veteran Affairs Medical Center Express completes four trips each weekday morning, transporting persons from Washington County to Milwaukee County; and five trips each weekday afternoon/evening, transporting persons from Milwaukee County to Washington County. WCCE ridership has increased annually since the transit service began in 2000. In 2000 the system had 13,701 riders. By 2005 this figure increased to 80,143 riders, an increase of 485 percent in five years.

Rural and Small Urban Community Public Transportation

Washington County Shared-Ride Taxi System

The Washington County Shared-Ride Taxi System is provided by Washington County. The system is designed to serve any trip made within Washington County during its operating hours. The County shared-ride taxi system serves all areas of the County except trips where both the origin and destination are located within the City of West Bend or the City of Hartford. Each City operates its own shared-ride taxi service. Trips entirely within the

Cities are served by the County taxi system only if they are outside the operating hours of the City taxi systems or are trips made by disabled persons who cannot physically use the City systems. The County system also operates to and from the Village of Menomonee Falls in Waukesha County. The County system also serves a transfer point in the Village of Newburg in coordination with the Ozaukee County shared-ride system.

The Washington County Shared-Ride Taxi System provides door-to-door service for the general public and the disabled. Service is provided on a shared-ride basis where passengers with different origins and destinations may share a vehicle for a portion of their trips. The hours of operation for the taxi service are as follows:

- Monday through Saturday, 6:00 a.m. to 10:00 p.m.
- Sunday, 9:00 a.m. to 4:00 p.m.

Service is provided on the day requested through an advance reservation system. County Shared-Ride Taxi ridership from 2003 through 2005 increased from 62,991 passengers in 2003 to 69,962 in 2004, or an increase of about 11 percent. There were 70,199 passengers in 2005. This was an increase of about 11 percent in ridership from 2004.

City of Hartford Transport Taxi Service

The Hartford Transport Taxi Service consists of two vehicles operated by the City of Hartford. Service is provided to City residents in specified locations, which include City limits and up to one mile outside City limits and out of town service to and from the City of Hartford to General Mitchell International Airport, Columbus Train Depot, the Milwaukee Downtown Bus Depot, the Aurora Health Center in Slinger, and up to 10 miles into Dodge County. The hours of operation for the taxi service are seasonal and are as follows:

- January through May and September through December
 - Weekdays, 6:00 a.m. to 9:00 p.m.
 - Saturdays, 8:00 a.m. to 8:00 p.m.
 - Sundays; 9:00 a.m. to 4:00 p.m.
- June through August
 - Weekdays, 6:00 a.m. to 8:00 p.m.
 - Saturdays, 8:00 a.m. to 8:00 p.m.
 - Sundays; 9:00 a.m. to 4:00 p.m.

The City of Hartford's shared-ride taxi ridership between 2003 and 2005 increased from 18,600 passengers in 2003 to 19,368 passengers in 2005, or about a 4 percent increase in ridership. However, this is about a 4 percent decrease in usage from 2004's total ridership of 20,202 passengers.

Medical Related Transportation Services

Washington County has multiple free transportation services to assist County residents by providing transportation to and from medical facilities. They include:

- American Cancer Society Road to Recovery – Offering cancer patients free transportation to medical appointments. Operates weekdays from 8:00 a.m. to 4:30 p.m.
- American Red Cross, West Bend Chapter – Services include assistance to veterans and their families by providing transportation for ambulatory people to medical and dental appointments. Service is provided Monday through Friday. The West Bend Chapter serves West Bend, Jackson, Kewaskum, Slinger, Hartford, Barton, Farmington, Trenton, and Wayne only. Transportation is also provided for medical appointments outside Washington County.
- Life Star Medical Transport – Provides non-emergency specialized transportation.

Bicycle and Pedestrian Facilities

Bikeways

A "bikeway" is a general term that includes any road, path, or way that may legally be used for bicycle travel. Types of bikeways include "bike paths," which are physically separated from motorized vehicles; "bike lanes," which are portions of roadways that are designated by striping, signing, and pavement markings for the exclusive or preferential use of bicycles; and "shared roadways," which are roadways that do not have designated bicycle lanes, but may be legally used for bicycle travel. Generally, all streets and highways except freeways may be used by bicyclists. A "bike route" or "bike trail" is a bikeway designated with directional and information markers, and may consist of a combination of bike paths, bike lanes, and shared roadways. Bikeways are also classified as either "on-street" or "off-street" bikeways. On-street bikeways include bikeways located in a street right-of-way, which include bike lanes, shared roadways signed as bike routes, and bike paths separated from motor vehicle lanes but within the street right-of-way. "Off-street" bikeways are bike paths not located in a street right-of-way. Off-street bikeways are typically located in utility rights-of-way or along rivers or streams, or may serve as short connectors between residential areas and commercial or public facilities.

Bikeways in Washington County in 2008 totaled about 22 miles. There were no bikeways in the Town of Wayne. The longest bikeway in the County is the Eisenbahn State Trail, which spans north and south for 24 miles within Fond du Lac and Washington Counties. Twelve miles of the trail are located in the northern half of the County, beginning at Rusco Road in the City of West Bend north through the City, Town of Barton, and Town and Village of Kewaskum to the north County line. Additional on-street and off-street bikeways are located in the City of West Bend, and between the City of Hartford and Pike Lake State Park.

Pedestrian Facilities

A comprehensive inventory of pedestrian facilities, such as sidewalks, has not been completed for Washington County. Pedestrian facilities in the Town are limited to sidewalks in portions of the hamlet of Wayne.

Other Transportation Facilities and Services

Rail Freight Services

Railway freight service is provided within Washington County by two railway companies over approximately 48 miles of active mainline railway and a 15 mile spur railway line. The Canadian National (CN) Railway operates freight service over an approximately 25 mile segment of mainline railway traveling north through the western half of the County towards Duluth-Superior via Fond Du Lac, and crosses through the southwestern portion of the Town of Wayne. The CN also provides freight service over an approximately 15 mile spur segment of railway in the central portion of the County from the southeastern corner of the County to the southern boundary of the City of West Bend. The Wisconsin & Southern Railroad Company provides freight service over an approximately 23 mile segment of railway in the southern portion of the County.

Ports and Harbors

There are no ports⁵ or boat harbors located in the County. Water freight and transportation facilities and services are provided to the County by the Port of Milwaukee, which is located in the City of Milwaukee.

Airports

Chartered air service and air freight services are provided at two publicly-owned public-use airports in Washington County: West Bend Municipal Airport and Hartford Municipal Airport. As described earlier in this chapter, commercial airline service is provided to residents of the County by General Mitchell International Airport, located in eastern Milwaukee County. Lawrence Timmerman Field located in western Milwaukee County is also capable of accommodating most types of general aviation aircraft.

⁵Ports are defined as facilities for the docking, loading, or unloading of ships, barges, or boats that primarily transport freight.

Privately-owned Hahn Sky Ranch is located on CTH D east of Kohlsville. The airport is available for public use, although its use is limited by unpaved runways and lack of lights. The airport provides aircraft maintenance, and is an approved flight school. The airport provides community projects such as radio-controlled model plane flying, balloon launch and land opportunities, model rocket launching, ultra lights, and parasailing.

There are two private-use airports in the County: Erin Aero, in the Town of Erin, and Willow Creek, in the Village of Germantown. The airports provide turf runways and limited lighting, navigational aids, and other support facilities. Private heliports are located at St. Joseph's Community Hospital in the Town of Polk and Hartford Hospital in Hartford. The Wisconsin National Guard operates a heliport at the West Bend Airport. These airports and heliports are restricted use facilities and are not open for use by the general public.

PART 2: REGIONAL TRANSPORTATION SYSTEM PLAN AND WASHINGTON COUNTY JURISDICTIONAL HIGHWAY SYSTEM PLAN

The adopted Regional Transportation System Plan is set forth in SEWRPC Planning Report No. 49, *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*. The plan is designed to serve the land use pattern developed as part of the regional land use plan for 2035. The Regional Transportation System Plan is multi-modal, and provides recommendations for a transportation system that integrates several modes, or means, of transportation. The plan's vision is:

“A multi-modal transportation system with high quality public transit, bicycle and pedestrian, and arterial street and highway elements which add to the quality of life of Region residents and support and promote expansion of the Region's economy by providing for convenient, efficient, and safe travel by each mode, while protecting the quality of the Region's natural environment, minimizing disruption of both the natural and manmade environment, and serving to support implementation of the regional land use plan and minimizing the capital and annual operating costs to the transportation system.”

The Regional Transportation System Plan includes recommendations regarding five key transportation elements: public transit, bicycle and pedestrian facilities, transportation system management, travel demand management, and arterial street and highways. The public transit element envisions significant improvement and expansion of public transit in southeastern Wisconsin, including development of both rapid transit and express transit systems, improvements of existing local bus service, and the integration of local bus service with the proposed rapid and express transit services. The bicycle and pedestrian facility element is intended to promote safe accommodation of bicycle and pedestrian travel, and encourage bicycle and pedestrian travel as an alternative to motor vehicle travel. The transportation systems management element includes measures intended to manage and operate existing transportation facilities to their maximum carrying capacity and travel efficiency. The travel demand management element includes measures intended to reduce personal and vehicular travel or to shift such travel to alternative times and routes, allowing for more efficient use of the existing capacity of the transportation system. The arterial street and highway element recommends arterial street improvements needed to address the residual congestion not expected to be alleviated by implementation of the land use, transportation systems management, travel demand management, bicycle and pedestrian facilities, and public transit recommendations.

Arterial Streets and Highways Element

The Regional Transportation System Plan recommends a street and highway system that supports the existing development pattern and promotes the implementation of the regional land use plan. Among other recommendations, the regional land use plan recommends centralized urban development within planned urban service areas, which can be more economically served by transportation facilities and services than low density development. That recommendation is generally reflected in the Town land use element.

Jurisdictional Highway System Plan

Recommendations for the maintenance, improvement, and expansion of arterial streets and highways from the Regional Transportation System Plan were refined in 2007 and 2008 during the preparation of an updated

Washington County Jurisdictional Highway System Plan for the year 2035.⁶ The Regional Transportation System Plan and County Jurisdictional Highway System Plan contain a functional arterial street and highway system plan. This functional plan consists of recommendations concerning the general location, type, capacity, and service levels of the arterial street and highway facilities required to serve southeastern Wisconsin to the year 2035. Arterial streets and highways and the recommended improvements to the arterial street and highway system in Washington County, from the jurisdictional highway system plan, are shown on Map 12. Alternative alignments for the conceptual location of the new street and highway segments shown on Map 12 will be evaluated during preliminary engineering, which will precede construction of proposed routes. There are no capacity improvements recommended for arterial streets and highways in the Town.

In addition to the functional improvements described above, the Regional Transportation System Plan also makes recommendations for arterial street and highway system jurisdictional responsibility; specifically, which unit of government (State, County, or local) should have jurisdiction over each arterial street and highway and be responsible for maintaining and improving the facility. Map 13 shows the level of government recommended to have jurisdiction over arterial streets and highways in Washington County by 2035. There are no jurisdictional changes recommended for arterial streets and highways in the Town.

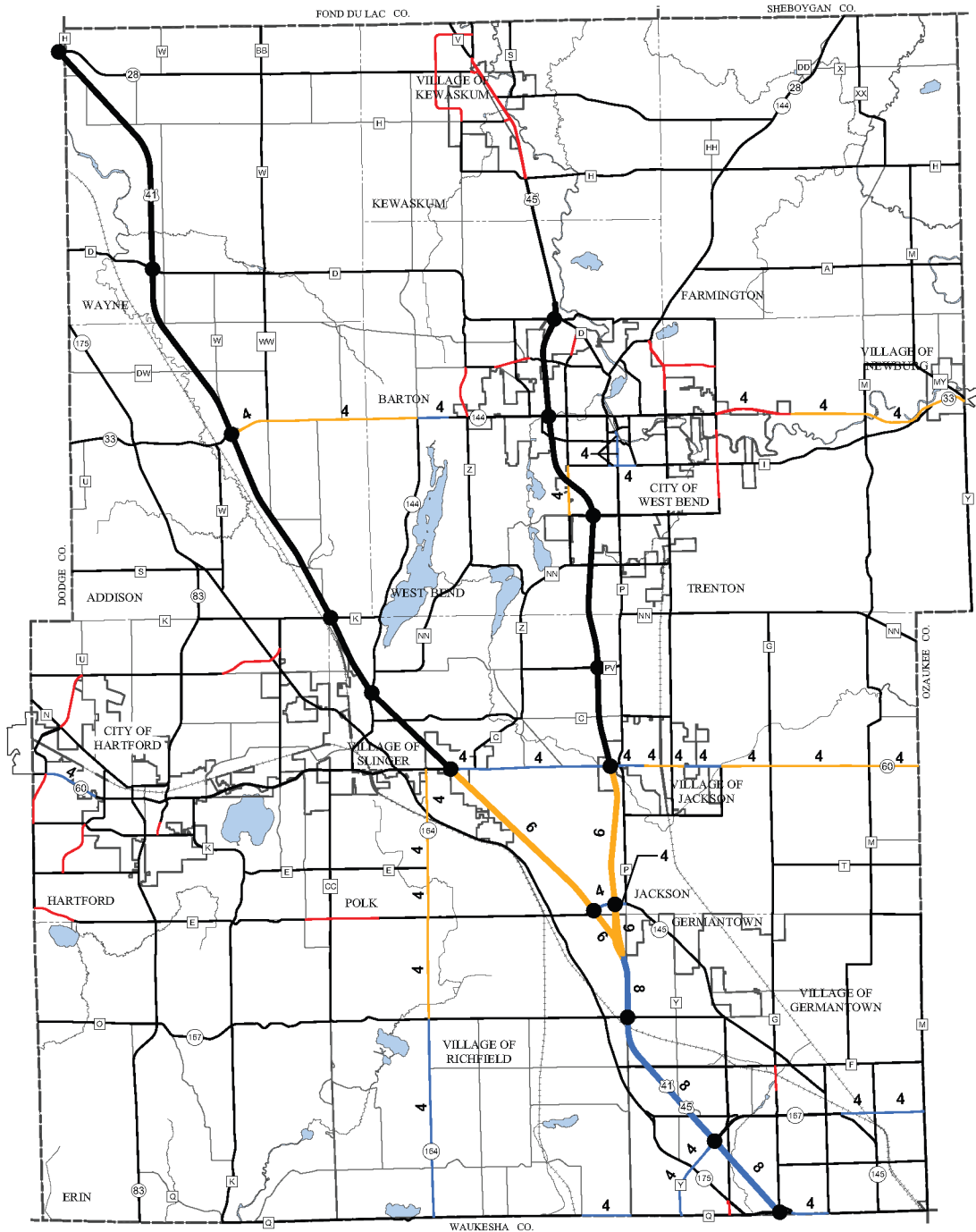
Transit Element

The public transit element of the Commission's adopted Regional Transportation System Plan for the year 2035 recommends improved and expanded rapid transit connections from Washington County to Milwaukee and through Milwaukee to the other urban centers of Southeastern Wisconsin, and improved and expanded local transit service to commercial and industrial development in the Germantown, Hartford-Slinger, and West Bend areas. Implementation of the recommendations set forth in the transit element will result in a doubling of transit service over the plan design period Region-wide, including a 204 percent increase in rapid transit revenue vehicle-miles and a 214 percent increase in rapid transit revenue vehicle-hours. This increase will produce enhanced transit service levels in Washington County, including service on weekdays and weekends and more attractive peak and non-peak service frequency levels. The Regional Transportation System Plan recommendations for Washington County include the following:

- The provision of rapid transit service between Washington County and the Milwaukee Central Business District (CBD). The plan envisions that new or restructured services would be provided over the area freeway system and major surface arterials by two rapid bus routes designed to provide bi-directional service to accommodate both traditional commuter travel by Washington County residents to jobs in Milwaukee County, and reverse commute travel from Milwaukee County residents to jobs in Washington County. Connections would also be available in Washington County via shuttle bus and taxicab services to major employment centers, including Hartford, Slinger, Germantown, Jackson, and West Bend industrial parks and areas.
- Increasing the number of park-ride lots served by public transit to six lots. New publicly constructed park-ride lots are recommended to be developed at the USH 45/CTH D interchange and the USH 41/STH 60 interchange. A new, permanent park-ride lot would also be constructed at the USH 41/USH 45/Pioneer Road interchange to replace the temporary lot at the former Highway View elementary school on Pioneer Road. A new park-ride lot would be provided at the USH 45/STH 60 interchange to replace the park-ride lot at the County Fair Park, which is unavailable when the county fair is open. The lot is proposed to be located in the Village of Jackson in the northeast quadrant of the interchange. The existing park-ride lots at USH 45 and Paradise Drive, which opened in 2007, and the lot at the USH 41/USH 45/Lannon Road interchange would be maintained. The Lannon Road park-ride lot is typically over-crowded and may need to be expanded, or an additional lot provided, to help alleviate over-crowding.

⁶*Documented in SEWRPC Planning Report No. 23, 2nd edition, A Jurisdictional Highway System Plan for Washington County: 2035, July 2008. The plan was adopted by the Washington County Board on December 9, 2008.*

**CAPACITY IMPROVEMENTS IN THE YEAR 2035
WASHINGTON COUNTY JURISDICTIONAL HIGHWAY SYSTEM PLAN**



ARTERIAL STREET OR HIGHWAY

- NEW (ACTUAL ALIGNMENT TO BE DETERMINED DURING PRELIMINARY ENGINEERING)
- WIDENING AND/OR OTHER IMPROVEMENTS TO PROVIDE SIGNIFICANT ADDITIONAL CAPACITY
- RESERVE RIGHT-OF-WAY TO ACCOMMODATE FUTURE IMPROVEMENT (ADDITIONAL LANES OR NEW FACILITY)
- RESURFACING OR RECONSTRUCTION TO PROVIDE ESSENTIALLY THE SAME CAPACITY
- 4** NUMBER OF TRAFFIC LANES FOR NEW OR WIDENED AND/OR IMPROVED FACILITY (2 LANES WHERE UNNUMBERED)
- **FREEWAY INTERCHANGE**
- INTERCHANGE

SOURCE: SEWRPC.

RESPONSIBLE COUNTY FOR EXISTING COUNTY TRUNK HIGHWAYS (CTH) LOCATED ON A COUNTY LINE

DODGE COUNTY: CTH U NORTH OF CTH S FOR ONE-HALF MILE
 FOND DU LAC COUNTY: CTH H NORTH OF STATE TRUNK HIGHWAY (STH) 28
 WAUKESHA COUNTY: CTH Q FROM CTH K TO 900 FEET WEST OF ST. AUGUSTINE ROAD AND CTH Q FROM STH 176 TO COLGATE ROAD.
 OZAUKEE COUNTY: CTH Y FROM CEDAR SAUK DRIVE TO KNOLLWOOD ROAD AND CTH M SOUTH OF PIONEER ROAD (CTH M) FOR ONE AND ONE-HALF MILES.
 WASHINGTON COUNTY FOR ALL OTHERS.

LOCAL GOVERNMENT CONCERNS REGARDING PLAN

THE TOWN OF BARTON EXPRESSED OPPOSITION REGARDING THE PLANNED EXTENSION OF N. RIVER ROAD ON NEW ALIGNMENT AND TO THE PLANNED EXTENSION OF 18TH AVENUE, SCHUSTER DRIVE, AND KETTLE VIEW DRIVE IN THE TOWN OF BARTON. THE TOWN OF BARTON DOES NOT ADOPT AS PART OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN.

THE TOWNS OF BARTON AND TRENTON EXPRESSED OPPOSITION TO THE PLANNED EAST - WEST ARTERIAL BETWEEN TRENTON ROAD AND N. RIVER ROAD ON AN ENTIRELY NEW ALIGNMENT. THE TOWN OF BARTON DOES NOT ADOPT AS PART OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN.

THE TOWNS OF ADDISON AND HARTFORD EXPRESSED OPPOSITION REGARDING THE PLANNED EAST - WEST ARTERIAL ROUTE LOCATED NORTH OF THE HARTFORD AND SLINGER AREAS.

THE VILLAGE OF RICHFIELD AND TOWN OF ERIN EXPRESSED OPPOSITION REGARDING THE PLANNED EAST - WEST ARTERIAL ROUTE LOCATED SOUTH OF THE HARTFORD AND SLINGER AREAS.

THE VILLAGE OF RICHFIELD EXPRESSED OPPOSITION REGARDING THE PLANNED WIDENING OF STH 184 BETWEEN CTH Q AND STH 187, AND TO THE POTENTIAL FUTURE WIDENING OF STH 184 NORTH OF STH 187 TO PIONEER ROAD.

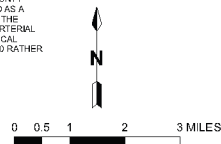
THE VILLAGE OF GERMAN TOWN EXPRESSED OPPOSITION TO DIVISION ROAD BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN CTH Q AND STH 145 RATHER THAN AS A COUNTY ARTERIAL FACILITY AND TO ANY OTHER PLANNED JURISDICTIONAL RESPONSIBILITY THAT DIFFERS FROM THEIR COMPREHENSIVE PLAN.

THE ALIGNMENT FOR THE PLANNED NORTH - SOUTH EXTENSION OF KETTLE VIEW DRIVE BETWEEN CTH H AND STH 28 IS CONCEPTUAL. THE ACTUAL ALIGNMENT MAY BE EXPECTED TO DIFFER FROM THE ALIGNMENT SHOWN ON THIS MAP AND WILL BE DETERMINED COOPERATIVELY BY THE VILLAGE AND TOWN OF KEWASKUM AND WASHINGTON COUNTY.

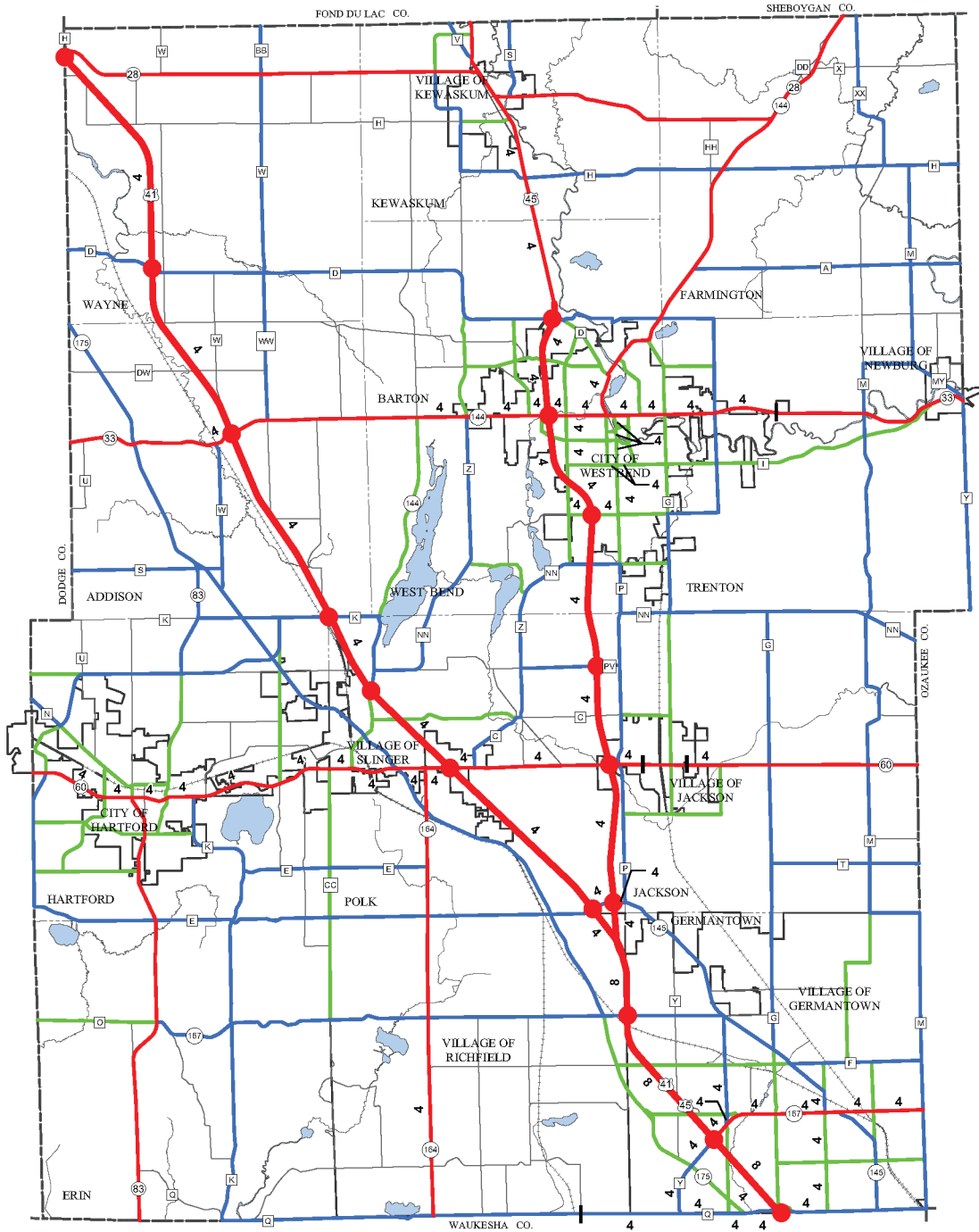
THE VILLAGE OF KEWASKUM EXPRESSED OPPOSITION TO CTH H BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN KETTLE VIEW DRIVE AND USH 45 RATHER THAN AS A COUNTY ARTERIAL FACILITY.

THE VILLAGE OF KEWASKUM EXPRESSED OPPOSITION REGARDING THE PLANNED ALTERNATIVE ROUTE OF USH 45 WITHIN THE FORMER RAILWAY RIGHT-OF-WAY IN THE VILLAGE.

THE TOWN OF ERIN EXPRESSED OPPOSITION TO CTH Q BEING PROPOSED AS A LOCAL NONARTERIAL FACILITY BETWEEN CTH K AND STH 83 RATHER THAN A COUNTY NONARTERIAL FACILITY. CTH Q BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN STH 83 AND THE DODGE COUNTY LINE RATHER THAN A COUNTY ARTERIAL FACILITY, AND CTH Q BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN STH 167 AND STH 80 RATHER THAN A COUNTY ARTERIAL FACILITY.



YEAR 2035 WASHINGTON COUNTY JURISDICTIONAL HIGHWAY SYSTEM PLAN



FREEWAY

- STATE TRUNK
- INTERCHANGE

ARTERIAL STREETS OR HIGHWAY

- STATE TRUNK
- COUNTY TRUNK
- LOCAL TRUNK
- 4** NUMBER OF LANES (2 WHERE UNNUMBERED)

RESPONSIBLE COUNTY FOR EXISTING COUNTY TRUNK HIGHWAYS (CTH) LOCATED ON A COUNTY LINE

DODGE COUNTY: CTH U NORTH OF CTH S FOR ONE-HALF MILE
 FOND DU LAC COUNTY: CTH H NORTH OF STATE TRUNK HIGHWAY (STH) 28
 OZAUCBEE COUNTY: CTH Y FROM CEDAR SAUK DRIVE TO KNOLLWOOD ROAD AND CTH M SOUTH OF PIONEER ROAD (CTH M) FOR ONE AND ONE-HALF MILES.
 WAUKESHA COUNTY: CTH Q FROM CTH K TO 900 FEET WEST OF ST. AUGUSTINE ROAD AND CTH Q FROM STH 176 TO COLGATE ROAD.
 WASHINGTON COUNTY FOR ALL OTHERS.

LOCAL GOVERNMENT CONCERNS REGARDING PLAN

THE TOWN OF BARTON EXPRESSED OPPOSITION REGARDING THE PLANNED EXTENSION OF N. RIVER ROAD ON NEW ALIGNMENT AND TO THE PLANNED EXTENSION OF 16TH AVENUE, SCHUSTER DRIVE, AND KETTLE VIEW DRIVE IN THE TOWN OF BARTON. THE TOWN OF BARTON DOES NOT ADOPT AS PART OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN.

THE TOWNS OF BARTON AND TRENTON EXPRESSED OPPOSITION TO THE PLANNED EAST - WEST ARTERIAL BETWEEN TRENTON ROAD AND N. RIVER ROAD ON AN ENTIRELY NEW ALIGNMENT. THE TOWN OF BARTON DOES NOT ADOPT AS PART OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN.

THE TOWNS OF ADDISON AND HARTFORD EXPRESSED OPPOSITION REGARDING THE PLANNED EAST - WEST ARTERIAL ROUTE LOCATED NORTH OF THE HARTFORD AND SLINGER AREAS.

THE VILLAGE OF RICHFIELD AND TOWN OF ERIN EXPRESSED OPPOSITION REGARDING THE PLANNED EAST - WEST ARTERIAL ROUTE LOCATED SOUTH OF THE HARTFORD AND SLINGER AREAS.

THE VILLAGE OF RICHFIELD EXPRESSED OPPOSITION REGARDING THE PLANNED WIDENING OF STH 164 BETWEEN CTH Q AND STH 167, AND TO THE POTENTIAL FUTURE WIDENING OF STH 164 NORTH OF STH 167 TO PIONEER ROAD.

THE VILLAGE OF GERMANTOWN EXPRESSED OPPOSITION TO DIVISION ROAD BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN CTH Q AND STH 145 RATHER THAN AS A COUNTY ARTERIAL FACILITY AND TO ANY OTHER PLANNED JURISDICTIONAL RESPONSIBILITY THAT DIFFERS FROM THEIR COMPREHENSIVE PLAN.

THE ALIGNMENT FOR THE PLANNED NORTH - SOUTH EXTENSION OF KETTLE VIEW DRIVE BETWEEN CTH H AND STH 28 IS CONCEPTUAL. THE ACTUAL ALIGNMENT MAY BE EXPECTED TO DIFFER FROM THE ALIGNMENT SHOWN ON THIS MAP AND WILL BE DETERMINED COOPERATIVELY BY THE VILLAGE AND TOWN OF KEWASKUM AND WASHINGTON COUNTY.

THE VILLAGE OF KEWASKUM EXPRESSED OPPOSITION TO CTH H BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN KETTLE VIEW DRIVE AND USH 45 RATHER THAN AS A COUNTY ARTERIAL FACILITY.

THE VILLAGE OF KEWASKUM EXPRESSED OPPOSITION REGARDING THE PLANNED ALTERNATIVE ROUTE OF USH 45 WITHIN THE FORMER RAILWAY RIGHT-OF-WAY IN THE VILLAGE.

THE TOWN OF ERIN EXPRESSED OPPOSITION TO CTH Q BEING PROPOSED AS A LOCAL NONARTERIAL FACILITY BETWEEN CTH K AND STH 83 RATHER THAN A COUNTY NONARTERIAL FACILITY. CTH Q BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN STH 83 AND THE DODGE COUNTY LINE RATHER THAN A COUNTY ARTERIAL FACILITY, AND CTH Q BEING PROPOSED AS A LOCAL ARTERIAL FACILITY BETWEEN STH 167 AND STH 80 RATHER THAN A COUNTY ARTERIAL FACILITY.

SOURCE: WASHINGTON COUNTY AND SEWRPC.

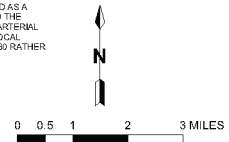


Table 54

RECOMMENDATIONS FOR PROVISION OF SIDEWALKS IN AREAS OF EXISTING OR PLANNED URBAN DEVELOPMENT

Roadway Functional Classification	Land Use	New Streets ^a	Existing Streets ^a
Arterial Streets ^b	Industrial	Both Sides	Both Sides
	Commercial	Both Sides	Both Sides
	Residential	Both Sides	Both Sides
Collector Streets	Industrial	Both Sides	Both Sides
	Commercial	Both Sides	Both Sides
	Residential	Both Sides	At least one side
Land Access Streets ^c	Industrial	Both Sides	Both Sides
	Commercial	Both Sides	Both Sides
	Residential (medium and high-density)	Both Sides	At least one side
	Residential (low-density)	At least one side	At least one side

^aSidewalks may be omitted on one side of streets where there are no existing or anticipated uses that would generate pedestrian trips on that side.

^bWhere there are marginal access control or service roads, the sidewalk along the main road may be eliminated and replaced by a sidewalk along the service road on the side away from the main road.

^cSidewalks need not be provided along court and cul-de-sac streets less than 600 feet in length, unless such streets serve multi-family development; or along streets served by parallel off-street walkways.

Source: SEWRPC.

- Local transit service improvements, including new shuttle bus routes connecting with the rapid transit routes to take workers to and from commercial and industrial development in the Germantown, Hartford-Slinger, and West Bend areas in the County. The existing shared-ride taxi services provided by the County and the Cities of Hartford and West Bend would also be maintained.
- Consideration of upgrading the recommended rapid bus service to commuter rail service, based on the findings of a special corridor study to be conducted at the request of Washington County.

Bicycle and Pedestrian Facilities Element

This Transportation Element is intended to provide for safe accommodation of bicycle and pedestrian travel, encourage bicycle and pedestrian travel as an alternative to motor vehicle travel, and to provide a variety of transportation choices.

The regional plan recommends that bicycle accommodation be provided on all arterial streets, except freeways, as those streets are constructed or reconstructed. Bicycle accommodation could include marked bicycle lanes, widened outside travel lanes, widened shoulders, or separate bicycle paths. The type of bicycle facility to be provided should be determined during the preliminary engineering phase of a street improvement project. A system of off-street bicycle paths is also recommended to connect cities and villages with a population of 5,000 or more. The regional plan recommends that county and local governments prepare bicycle system plans for their jurisdictions that would supplement and refine the regional plan.

The pedestrian facilities portion of the bicycle and pedestrian element is envisioned as a policy plan, rather than a system plan. It proposes that the various units and agencies of government responsible for the construction and maintenance of pedestrian facilities adopt and follow a series of recommended standards and guidelines with regard to the development of those facilities, particularly within residential areas with average densities of one or more homes per 20,000 square feet. These standards, shown on Table 54, recommend providing sidewalks in urban portions of the County.

Since most development in the Town is rural in nature, sidewalks are generally not required. The Town may require sidewalks in limited areas on a case-by-case basis for commercial or institutional development, or in urban-density subdivisions. Trail systems in conservation subdivisions are also encouraged.

Airport Element

Air transportation is a valuable transportation mode for moving both people and cargo. Convenient access to an airport allows businesses to efficiently move goods and personnel from location to location, saving valuable time and increasing productivity. Local airports such as the West Bend Municipal Airport and the Hartford Municipal Airport play a crucial role in fostering business growth and economic development in Washington County. These airports also provide facilities for emergency medical flights, law enforcement, agricultural spraying, pilot training, and other community services. General Mitchell International Airport in Milwaukee County provides commercial airline service to residents of the Town.

The Wisconsin Department of Transportation, Bureau of Aeronautics in conjunction with the Bureau of Planning has developed the 2020 Wisconsin Airport System Plan.⁷ Most airports included in the State plan are eligible for State and Federal improvement grants, including the publicly-owned Hartford and West Bend airports. The State plan identifies four general classifications of airports based on the type of service each airport provides: air carrier/cargo, transport/corporate, general utility, and basic utility. The Hartford Municipal Airport is classified as a general utility airport, and the West Bend Municipal Airport is classified as a transport/corporate airport. The West Bend Municipal Airport provides chartered air service. Both airports provide air freight service. In addition, the privately-owned Hahn Sky Ranch in the Town of Wayne is open to the public, but use at the site is limited to recreational uses and flight lessons. There is no paved runway.

Interregional Transportation Element

Interregional transportation services and facilities such as air transportation, railroads, trucking, and water transportation provide public transportation services and commercial shipping services between Washington County and the rest of the Southeastern Wisconsin Region and other regions around the nation and world.

Washington County is served by interregional public transportation and shipping services primarily through bus, rail, air, and port facilities located in Milwaukee County. These facilities meet the County's needs for interregional transportation services. USH 41 and USH 45 are the primary interregional highway facilities serving Washington County.

There is no rail service to businesses in the Town. However, three freight railroad lines continue to run through Washington County, which provide access to businesses in the County that ship items better suited for transport by rail. Major rail customers include Quad Graphics, which is located in the City of Hartford just across the County line in Dodge County, and Cedar Lakes Sand and Gravel in the Towns of Addison and Hartford. Rail service should be continued to provide service to businesses in the County.

Transportation Systems Management Element

The transportation systems management element of the 2035 Regional Transportation System Plan includes measures intended to manage and operate existing transportation facilities to their maximum carrying capacity and travel efficiency. Recommended measures from the Regional Transportation System Plan include installing ramp-meters at freeway on-ramps in the County and Region; providing variable message signs on the freeway system, and on surface arterials leading to the most heavily used freeway system on-ramps; and expanding the closed-circuit television network, enhancing reference markers, and expansion of crash investigation sites to better serve the regional freeway system. Such improvements are recommended on the entire freeway system, except for those segments where future traffic volumes are expected to be less than the design capacity. These segments include USH 41 within the Town and the remainder of USH 41 north of STH 60. Other highway

⁷A Regional Airport System Plan was prepared by SEWRPC and adopted by the Regional Planning Commission in 1996. The plan, which has a design year of 2010, has not been updated to a design year of 2035.

segments where systems management improvements are not recommended to be installed include USH 45 north of Pioneer Road in Washington County, IH 43 north of STH 57 in Ozaukee County, and IH 43 and USH 12 in Walworth County.

PART 3: TRANSPORTATION GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- Provide a safe and efficient transportation system.
- Build, maintain, and improve Town roads in a timely and well-planned manner.

Objectives:

- Preserve and protect the capacity and safety of the transportation system within the Town.
- Rely on services provided by Washington County and by private companies in adjacent counties to meet the needs of Town residents and businesses for airport, rail, and water transportation and freight services.
- Work with Washington County to provide efficient and cost-effective public transportation options to Town residents, including transit-dependent residents.
- Continue cooperative transportation planning efforts with Washington County, SEWRPC, and the State of Wisconsin.
- Achieve a spatial distribution of land uses that is properly related to existing and planned transportation, utility, and public facility systems.
- Build and maintain quality roads.
- Seek to provide a system of inter-connected streets.

Policies:

- Provide and maintain a street and highway system that efficiently serves the anticipated land use development pattern shown on Map 10 in the Land Use Element (Chapter VI).
- Consider the needs of all users, including bicyclists, pedestrians, and vehicles, when designing, constructing, and operating streets and highways under Town jurisdiction.
- Consider the needs of farm equipment and trucks when designing streets and highways under Town jurisdiction, particularly when designing intersections and when determining the width and surfacing of shoulders.
- Work with Washington County to potentially provide a grade-separated crossing of the railroad tracks on CTH D to provide better access to those portions of the Town west of the tracks.
- Promote efficient and safe access to land uses abutting street rights-of-way.
- Minimize the disruption of land uses adjacent to streets and highways by reserving adequate rights-of-way in advance of construction, ideally when preliminary plats and certified survey maps are reviewed.
- Encourage through streets with more than one access to connecting streets, rather than cul-de-sac streets.
- Continue to rely on freight and private airline services provided at the West Bend and Hartford Municipal Airports and airports in adjacent counties.
- Continue to rely on commercial airline service provided at General Mitchell International Airport in Milwaukee County.
- Support Washington County efforts to encourage the use of rail transportation to move more freight traffic along existing rail lines.

- Continue to rely on port services provided by the Port of Milwaukee.
- Continue to rely on private companies in nearby counties to provide ferry services across Lake Michigan.
- Support continued operation of the Washington County Shared Ride-Taxi Service.
- Consider including facilities for walking and bicycling during the review and approval of all development projects, including street and highway improvements, to provide an alternative to motor vehicle travel and to promote a healthy lifestyle.
- Encourage the development of trails in new subdivisions, provided they will not interfere with farming.
- Support Washington County’s efforts to continue the development, enhancement, and management of a County-wide bikeway system.

Programs:

- Notify Washington County when a certified survey map (CSM) is submitted for a land division adjacent to a County highway, and request County input regarding the appropriate right-of-way for and access to the highway.
- Consider connections to existing or future development on adjacent parcels when reviewing site plans, preliminary plats, and certified survey maps.
- Consider incorporating desired policies from State long-range transportation planning efforts, including *Connections 2030*,⁸ into Town of Wayne plans.
- As required by State law, continue to use the Wisconsin Information System for Local Roads (WISLR); continue to update road ratings, as required; and seek outside funds to help with street improvements.
- Work with Washington County and private service providers, where appropriate, to improve public transportation for persons with disabilities to increase access to jobs and community activities.
- Work with Washington County to determine if there is a need for additional Washington County Commuter Express Bus System routes and park-ride lots to serve Town residents.
- Continue to participate in the annual bridge inspection program conducted by Washington County.
- Continue to work with Washington County and SEWRPC to prepare and implement the Washington County Jurisdictional Highway System Plan (Maps 12 and 13) and the Transportation Improvement Program.
- Conform to the existing topography and landscape, if possible, when constructing new streets.
- Lay out streets so that all vehicles, especially emergency vehicles, can travel in a safe and efficient manner.
- Consider preparing a conceptual street plan to help provide connections between subdivisions and limit the number of cul-de-sac streets.
- The Town will strive to ensure local street connectivity and the proper location of new streets during the review of all site plans, Certified Survey Maps, condominium plats, and subdivision plats as new development is proposed.

⁸The Wisconsin Department of Transportation (WisDOT) is developing a long-range transportation plan for the State entitled *Connections 2030*. The plan will address all forms of transportation in the State over a 25-year planning period, including highways, local streets, air, water, rail, bicycle, pedestrian, and transit. The overall goal of the plan is to identify a series of policies to aid transportation decision-makers when evaluating programs and projects. A draft plan was released in November 2008.

Chapter IX

UTILITIES AND COMMUNITY FACILITIES ELEMENT

INTRODUCTION

The utilities and community facilities element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(d) of the *Statutes* requires this element to compile goals, objectives, policies, and programs to guide future development of utilities and community facilities within the Town of Wayne. The *Statutes* also require an inventory of existing utilities and community facilities and an approximate timetable that projects the need to expand, rehabilitate, or replace existing utilities and community facilities or construct new utilities and community facilities. As required by the *Statutes*, a goal, objective, policy, program, or map has been developed for each of the following utilities and community facilities:

- Sanitary sewer service
- Water supply
- Stormwater management
- On-site wastewater treatment technology
- Solid waste disposal
- Recycling facilities
- Parks
- Telecommunications facilities
- Power plants and transmission lines
- Cemeteries
- Health care facilities
- Child care facilities
- Police
- Fire
- Rescue
- Libraries
- Schools
- Other government facilities

In addition, the following comprehensive planning goals related to the utilities and community facilities element are set forth in Section 16.965 of the *Statutes* and were addressed as part of the planning process:¹

- Promotion of the redevelopment of land with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Encouragement of land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, State government, and utility costs.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.

¹Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

Part 1 of this Chapter includes an inventory of existing utilities and community facilities and an approximate timetable that projects expansion, rehabilitation, or replacement of existing, or the construction of new, utilities and community facilities.² Part 2 of this Chapter sets forth goals, objectives, policies, and programs intended to guide the future development of utilities and community facilities in the Town of Wayne through the comprehensive plan design year of 2035.

PART 1: EXISTING UTILITIES AND COMMUNITY FACILITIES AND PROJECTED REQUIREMENTS FOR 2035

Development in the Town of Wayne is supported by utilities that provide residents and businesses with electric power, natural gas, communication, water, and sewage and solid waste management facilities and services, and community facilities that provide educational, recreational, administrative, and other services. This chapter inventories sewage treatment and water supply services, stormwater management facilities, private utilities, solid waste management facilities, healthcare facilities, government and public institutional buildings, police service, fire protection and emergency rescue services, public and private schools, cemeteries, childcare, assisted-living facilities, and other services provided in the Town.

Section 66.1001 (2)(d) of the *Statutes* requires a projection of the demand for future utilities and community facilities in the Town and an approximate timetable of the expansion, rehabilitation, and replacement of existing facilities and the construction of new facilities to meet the projected demand. The projected demand and approximate timeline for various utilities and community facilities in the Town are based on recommendations set forth by regional plans and the anticipated land use development pattern set forth in Chapter VI, the *Land Use Element*. Many of the utilities and community facilities referenced by the *Statutes* are not provided by the Town, and will require additional refinement by other service providers, including the private sector.

Wastewater Disposal

All developed properties in the Town rely on private onsite waste treatment systems (POWTS). Washington County regulates POWTS in the Town under the County Sanitary Code, which is Chapter 25 of the County Code of Ordinances. Between 1980 and 2006, permits were issued for 490 POWTS in the Town. There are no public sanitary sewers in the Town.

The authority to regulate POWTS comes from Chapters Comm 5, Comm 16, Comm 82, Comm 84 through 87, and Comm 91 of the *Wisconsin Administrative Code*. Chapter 25, the Sanitary Code, of the Washington County Code of Ordinances sets forth the regulations for POWTS in the County. The County should periodically update Chapter 25 of the County Ordinance to allow for advancements in POWTS technology over the comprehensive plan design period in accordance with changes to the *Wisconsin Administrative Code*. It is recommended that the Town continue to support and comply with the County's Sanitary Code and support the County's ability to research advancements in the design of POWTS for a safer and healthier environment for Town residents.

Water Supply

Water for domestic and other uses in the Town is supplied by groundwater through the use of private wells. The Town does not have a public water supply system. The Town encourages residents and businesses to maintain a high level of environmental quality by controlling groundwater contaminants and ensuring an adequate and safe water supply throughout the Town.

Individual hydrogeologic units within southeastern Wisconsin, including the Town of Wayne, differ widely in their ability to yield water to wells. From the standpoint of groundwater occurrence, all rock formations that underlie the Region can be classified either as aquifers or as confining beds. An aquifer is a rock formation or sand and gravel unit that will yield water in a useable quantity to a well or spring. A confining bed, such as shale

²Information regarding parks is inventoried in Chapter V, Agricultural, Natural, and Cultural Resources Element.

or siltstone, is a rock formation unit having relatively low permeability that restricts the movement of groundwater either into or out of adjacent aquifers and does not yield water in useable amounts to wells and springs.

The aquifers in Washington County can be divided into shallow and deep. The shallow aquifer system is comprised of two aquifers, the shallow aquifer comprised of the Silurian dolomite aquifer and the overlying sand and gravel aquifer. The Maquoketa Formation is the lower limit of the shallow aquifer system. The Town of Wayne draws water from the shallow aquifer, which is expected to provide adequate amounts of water to serve Town residents during the planning period. A more detailed description of the areal extent and lithology of aquifers and confining units, including water table depth and elevation mapping, can be found in SEWRPC Technical Report No. 37, *Groundwater Resources of Southeastern Wisconsin*, June 2002. Additional information on groundwater resources is provided in Chapter V.

Stormwater Management

Stormwater management facilities include overland flow paths, roadside swales or ditches, other open channels, curbs and gutters, catch basins and inlets, storm sewers, culverts, stormwater storage facilities for both quantity and quality control, and infiltration facilities.³ Although often designed on a subdivision-by-subdivision or project-by-project basis, stormwater management facilities ideally should be part of an integrated system of stormwater and floodplain management facilities for an entire watershed, or for an entire community with consideration given to the watershed(s) in which the community is located.

Stormwater in the Town of Wayne drains through natural watercourses, roadside ditches, and culverts. The Town does not have a centralized storm sewer system. It is recommended that the Town consider the preparation of a Town-wide stormwater management plan to serve existing and future land uses in the Town. The plan should provide for the development of an integrated system of stormwater management facilities and measures, rather than the current practice of designing stormwater management facilities on a project-by-project (usually a subdivision-by-subdivision) basis. It is also recommended that the Town continue to regulate and amend, when necessary, the Town Stormwater Management and Erosion Control Ordinance.

Solid Waste Disposal

The Town of Wayne provides a drop-off site at the Wayne Town Hall, served by Veolia Environmental Services, where residents can dispose of solid waste.

The average person in Wisconsin generates 4.7 pounds of trash (residential and their share of commercial trash) each day and recycles 1.9 pounds of that trash per day. Most of the solid waste collected in the Town is landfilled in the Glacier Ridge Landfill in Horicon (Dodge County), operated by Veolia Environmental Services. The landfill receives solid waste from sources throughout the State of Wisconsin, primarily from the county in which it is located and adjacent counties, as well as from sources in the States of Illinois and Michigan. As of 2006, the Glacier Ridge Landfill had 1.1 million cubic yards remaining, or an estimated three additional years of activity at its current capacity and use.

Glacier Ridge Landfill has permits to continue active operation for an additional 15 years. Additional land has been acquired for potential expansion of the landfill beyond 15 years, subject to approval of permits by the DNR and other regulating agencies. The landfill will require continued expansion to accommodate the solid waste over the comprehensive plan design period, or new landfills will need to be sited and developed to accommodate solid waste.

³*Infiltration facilities include bioretention, rain gardens, infiltration basins, infiltration swales, and porous pavement. Rain barrels can promote infiltration by collecting roof runoff that is then applied to lawns and gardens as needed.*

Recycling Facilities

Each local government in Washington County carries out a recycling program for household waste (no hazardous waste) within its jurisdiction. A recycling center, located adjacent to the Town Hall, serves the recycling needs of Town of Wayne residents.

Washington County residents may dispose of their hazardous waste materials year round at the Port Washington Facility (1275 Mineral Springs Drive, Port Washington, Ozaukee County) operated by Veolia Environmental Services. The Volunteer Center of Washington County collects computer equipment for proper disposal and the West Bend Knights of Columbus offers a telephone recycling service (including cell phones). It is not anticipated that the County will provide recycling services for general household or business waste during the planning period. The County does, however, sponsor periodic collections of hazardous household waste through the Clean Sweep Program, which the County conducts in partnership with the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP). A two-day countywide Hazardous Waste Clean Sweep was held by Washington County at the Washington County Highway Shop (900 Lang Street, West Bend) in 2008. County residents were able to dispose of agricultural, residential, and business hazardous wastes, which include unused pesticides, old gasoline, batteries, lead paint, mercury-containing thermostats, fluorescent tubes, solvents, and other chemicals. To date, the program has been dependent on receiving a portion of the funds needed for the program from DATCP. The County is studying the feasibility of providing an annual Clean Sweep program or possibly building a permanent disposal site in the County for residents to dispose of hazardous household and agricultural waste on a weekly basis.

The County is also studying the possibility of partnering with Aurora Hospital to develop an annual pharmaceutical disposal program. The County, in cooperation with MMSD and neighboring counties, held its first medicine collection day in April 2008. In addition, the County is assessing the need for a tire collection program.

It is recommended that the Town assist and support the County in studying the feasibility of providing an annual Clean Sweep program or permanent drop-off sites for hazardous waste, as well as an annual pharmaceutical disposal program and tire collection program. The Town should also continue to provide a recycling facility for household waste at the Town Hall for Town residents.

Road Maintenance

The Town of Wayne Highway Department is responsible for maintaining about 54 miles of Town roads. Duties include conducting summer maintenance such as pavement markings, mowing roadsides, grading gravel shoulders, replacing cross road culverts, cleaning roadside ditches, and installing street signs. The Highway Department also coordinates road paving and reconstruction projects in the Town, plows snow, and enforces Town ordinances relating to driveway construction and maintenance, driveway culverts, and weight limits on Town roads. Washington County provides the Town assistance with road construction and maintenance, such as centerline striping, on a contract (fee for service) basis.

Parks

As of 2008, the Town of Wayne owned one park and open space site, the Kohlsville Town Park, which encompassed two acres. Wayne Elementary School provides seven acres of recreational land. Together, these two sites provide nine acres of publicly-owned park and open space. There was also one private site located in the Town, the Wendt Farm, which is owned by the Ozaukee Washington Land Trust (OWLT) and encompassed 44 acres, for a total of 53 acres within park and open space sites. All existing parks in the Town are listed in Table 22 in Chapter V. A large portion of the Theresa Marsh Wildlife Area, a State-owned (DNR) wildlife area, is also located in the Town.

The Park and Open Space Plan for Washington County,⁴ adopted in 2004, provides recommendations for the maintenance and continued development of the County park system. The plan includes an open space

⁴See *SEWRPC Community Assistance Planning Report No. 136 (3rd Edition)*, A Park and Open Space Plan for Washington County, March 2004.

preservation element and an outdoor recreation element. The outdoor recreation element of the County plan focuses on providing a well-distributed network of park sites for recreational activities that are closely related to natural resource amenities and/or large contiguous areas of open space, such as picnicking, swimming, golfing, and trail activities.

The outdoor recreation element of the County park plan also recommends a full range of community and neighborhood parks for urban areas of the County that provide facilities for more intensive recreational activities, such as baseball, tennis, and playground activities. Recommendations for the provision of local park sites and facilities should be identified through the preparation and adoption of local park and open space plans. Within rural areas of the County, such as the Town of Wayne, it is recommended that one town-owned park and associated outdoor recreation facilities be provided in each town to serve the needs of town residents for local civic events and for organized recreation activities, such as softball and picnicking. As the community recreational facility, the town park should be located in conjunction with another community facility that serves as a focal point for town residents such as a town hall, school, or fire station. The Land Use Element (Chapter VI) recommends that the Town consider acquiring land and developing a community park with facilities for active recreation. Should residential development in the Town result in a need for additional space for public works and/or administrative offices, the Town should consider acquiring enough land for a new Town Hall and future development of an adjacent Town Park.

Telecommunications Facilities

Communication services include: 1) Voice Transmission Services; including: “Plain Old Telephone Service” (POTS); cellular wireless; satellite wireless; packet-based telephone networks; and Internet voice services; 2) Data Transmission Services, including: the Internet; ATM-Frame Relay, and third generation (3G) cellular wireless networks; 3) Multimedia Services, including: video, imaging, streaming video, data, and voice; and 4) Broadcast Services, including AM/FM terrestrial radio, satellite radio and television, terrestrial television, and cable television.

Telecommunications have become increasingly important in the local, national, and global economies. SEWRPC has undertaken a regional telecommunications planning effort to create a better understanding of telecommunications networks and the provision of services such as wireless and wireline telecommunications and high speed, broadband telecommunications throughout the Region. An inventory of wireless telecommunications providers and antennas providing cell phone service in Washington County is included in SEWRPC Planning Report No. 51, *A Wireless Antenna Siting and Related Infrastructure Plan for Southeastern Wisconsin*, published in September 2006. In addition to presenting inventories of both infrastructure and performance for the existing cellular/PCS mobile wireless networks operating in the Region, the plan describes a recommended wireless telecommunications plan for the Region.

There were four wireless antenna towers in the Town in 2008, one which accommodated antennas for four companies and three accommodating antennas for a single carrier. Providers with wireless antennas in the Town included AT&T, Nextel, Sprint, T-Mobile, U.S. Cellular, and Verizon. The location of towers and antennas in the Town are listed in Table 55. The cell towers are located along USH 41.

A regional broadband access plan, which built upon the wireless telecommunications plan, was completed in 2007.⁵ Upon implementation, this plan will support a mix of wireline and wireless networks that will provide fourth generation (4G) video, voice, and data communications services to the entire Region. A central feature of the recommended plan is the potential for cooperative efforts between the public and private sectors in which infrastructure costs are shared between the public safety and commercial networks. Implementation of the recommended plan will require county or multi-county action, although partial implementation can be achieved at the community or multi-community level.

⁵*Documented in SEWRPC Planning Report No. 53, A Regional Broadband Telecommunications Plan for Southeastern Wisconsin, October 2007.*

SEWRPC developed a community-level telecommunications plan for the Town. The Town approved the plan and has contracted with HierComm Networks to implement, operate, and maintain a wireless telecommunications network in the Town. A network of five directional antennas on 50-foot wooden poles will be installed, which can provide service to all Town residents and businesses. The network will provide Internet access initially. Phone and television services may be provided over the network in the future. The wireless network began operation in summer 2008. It is recommended that the Town continue to work with wireless telecommunication providers and SEWRPC to provide Town residents and businesses with an array of telecommunications options.

Power Plants and Transmission Lines

We Energies provides electric power and natural gas service throughout the Town; however, some Town residents currently use propane tanks rather than natural gas. Although the entire Town is within the We Energies natural gas service area, residents interested in receiving natural gas service are responsible for the cost of extending the gas line to their home. Town residents may contact We Energies for a cost estimate if they are interested in receiving natural gas service. Electrical power is available to the Town and the County on demand and is not currently or anticipated to be a constraint to development during the comprehensive plan design period.

A high-voltage (69 kilovolts or higher) electric power transmission corridor owned by the American Transmission Company (ATC) traverses the Town. There are no power plants or natural gas pipelines currently existing in the Town. The Town will work with WE Energies and other utilities, as necessary, for possible expansion of new infrastructure related to transmission lines or pipelines to be located in the Town.

Cemeteries

There are seven cemeteries in the Town of Wayne: Methodist Episcopal Cemetery, Salem United Church of Christ Cemetery, St. Jacob’s Reformed Cemetery, St. John’s Memorial Cemetery, St. Paul Evangelical Lutheran, Zion Evangelical Lutheran Cemetery, and Zion German Baptist Cemetery. Together, the cemeteries encompass about eight acres. The Town will consider the expansion of existing cemeteries or the development of new cemeteries in appropriate locations in the Town on request.

Health Care Facilities

There are no hospitals or clinics for non-specialized medical services located within the Town, but health care facilities are located in nearby communities. As of 2008, Synergy Health Saint Joseph’s Hospital in the Town of Polk and Aurora Medical Center in the City of Hartford both offered a full range of medical services in Washington County. In addition, Community Memorial Hospital in the Village of Menomonee Falls (Waukesha County) and major hospitals in surrounding counties also offer a full range of medical services reasonably convenient to Town residents. An increased demand for health care services and facilities can be expected as the age composition of the County’s population increases over the planning period. SEWRPC population projections anticipate changes in the age structure of the County population over the course of the comprehensive planning period. The number of County residents 65 years of age and older is expected to almost triple, from 13,212 persons in 2000 to 38,325 persons in 2035.

Table 55

WIRELESS TELECOMMUNICATION TOWERS AND ANTENNAS IN THE TOWN OF WAYNE: 2008

Location	Provider	Antenna Height (Feet)	Antenna Type ^a
T12N, R18E, Section 8	AT&T	95.1	O
	Nextel	95.1	O
	T-Mobile	95.1	O
	Verizon	95.1	O
T12N, R18E, Section 17	Sprint	193.9	S
T12N, R18E, Section 21	U.S. Cellular	98.4	O
T12N, R18E, Section 28	AT&T	98.4	O

^aAntenna types include S (Sectoral) and O (Omni). A Sectoral antenna uses a more complex antenna structure and transmits and receives over a sector with the total number of sectors covering a 360-degree pattern. An Omnidirectional uses a monoplex antenna and receives and transmits over a 360-degree pattern.

Source: Federal Communications Commission, Universal Licensing System Cellular License Database, Washington County and local governments, and SEWRPC.

Assisted Living Facilities

Facilities for Persons of Advanced Aged

An increased demand for facilities including nursing homes, assisted living facilities such as community based residential facilities (CBRF) and adult family homes, residential care apartment complexes, and senior apartment complexes may also increase as the number of elderly residents increases over the planning period. As of 2006, there were five nursing homes, 17 CBRFs, seven residential apartment care complexes, two adult family homes, and two adult day care facilities located in the County. Facilities for the aged licensed by the Wisconsin Department of Health and Family Services in 2006 are listed in Table 56. No facilities for the aged were located in the Town, but such facilities are available nearby in the City of West Bend and the Village of Kewaskum. The number of available rooms at nursing homes varies at any point during the year, but typically, nursing homes in the County have been able to accommodate the demand for people indicating an interest in residing in a nursing home. Funding, however, is a problem. The County Department of Social Services estimates that approximately 100 people are on a waiting list to get financial assistance from the State to help fund nursing home residency or other services provided by the County.

Facilities for the Mentally and Physically Disabled

Facilities for the mentally and physically disabled in Washington County licensed by the Wisconsin Department of Health and Family Services in 2006 are listed in Table 57. None were located in the Town, but such facilities are available nearby in the City of West Bend. Facilities for the developmentally and mentally disabled include nursing homes, community based residential facilities (CBRF), and adult family homes. Facilities included five nursing homes offering skilled nursing facilities; five CBRF's serving mentally and physically disabled persons that offer room and board, supervision, support services, and up to three hours of nursing care per week; 26 adult family homes for the mentally and physically disabled where a resident will receive care, treatment or services that are above the level of room and board and up to seven hours per week of nursing care. Washington County supports about 400 physically disabled people. According to the County Department of Social Services, about 80 families have "indicated interest" in placing a family member in long term care, but currently, the County has no residency available for physically disabled persons. However, about five of the 80 families that "indicated interest" for a family member urgently need services for residency, the remaining 75 people are considered a "watch group" that may need assistance in the future. Once a vacancy becomes available, the County decides which person that has "indicated interest" would best be served by the room available.

Each type of facility provides a different level of care for residents requiring a variety of services. All types of facilities are important for providing a continuum of care to persons with disabilities and other County residents as they age or recover from illness, injury, or addiction. Because a majority of the existing facilities are located in urbanized areas, provided with sewer and water, it would be difficult for the Town to attract assisted living facilities to the Town. However, the Town supports and encourages the expansion or development of assisted living facilities for persons with disabilities or for the elderly in appropriate locations.

Child Care Facilities

Child care facilities are regulated by the Bureau of Regulation and Licensing (BRL) in the Wisconsin Department of Health and Family Services. There are two types of child care facilities regulated by the BRL, family child care centers and group child care centers. Family child care centers are facilities that provide care for four to eight children. These programs are generally operated in a provider's home and are licensed by the BRL under *Wisconsin Administrative Code* Chapter HFS 45. Group child care centers are facilities that provide care for nine or more children. These programs are generally operated outside the provider's home and are licensed by the BRL under *Wisconsin Administrative Code* Chapter HFS 46. In 2006, there were 14 licensed family child care centers and 62 licensed group child care centers in Washington County. In 2008, there was one licensed group child care center in the Town, The Learning Garden, and one licensed family child care center, Dickman Family Day Care.

SEWRPC population projections anticipate the number of County residents under the age of 10 to increase by 2035. Since child care facilities and services are generally provided by the private sector, it is difficult for the

Table 56

ASSISTED LIVING FACILITIES FOR THE ADVANCED AGED IN WASHINGTON COUNTY: 2006

Name	Street Address ^a	Capacity
Nursing Homes		
Cedar Lake Health Care Center.....	5595 CTH Z, West Bend	229
Hartford Healthcare Center.....	1202 E. Sumner Street, Hartford	106
Samaritan Health Center.....	531 E. Washington Street, West Bend	212
Samaritan Health Center Sub-Acute Unit.....	551 Silverbrook Drive, West Bend	23
Virginia Highlands Health and Rehabilitation Centers.....	W173 N10915 Bernies Way, Germantown	121
Community Based Residential Facilities		
Autumn Oaks LLC.....	227 E. Washington Street, Slinger	30
Countryview Group Home.....	N112 W12850 Mequon Road, Germantown	8
Deerview Meadows Assisted Living I.....	109 Lone Oak Lane, Hartford	14
Deerview Meadows Assisted Living II.....	111 Lone Oak Lane, Hartford	8
Everly House.....	N168 W22022 Main Street, Jackson	16
Friendship House.....	5595 CTH Z, West Bend	20
Hawthorn Manor Inc.....	321 Hawthorn Drive, West Bend	15
Hawthorn Manor Inc.....	346 S. Main Street, West Bend	12
Ivy Manor of Jackson.....	W194 N16744 Eagle Drive, Jackson	22
Landmark at Jackson Crossing (The).....	N168 W22022 Main Street, Jackson	20
Legacy (The).....	1025 Bell Avenue, Hartford	12
Maple Dale Manor Kewaskum I.....	1038 Fond du Lac Avenue, Kewaskum	20
Maple Dale Manor Kewaskum II.....	1042 Fond du Lac Avenue, Kewaskum	14
River Way Place LLC.....	831 E. Washington Street, West Bend	40
Touchstone West Bend.....	1707 Carrie Lane, West Bend	8
Tri Manor LTD.....	1937 N. Main Street, West Bend	19
Wellington Place of Hartford.....	615 Hilldale Road, Hartford	28
Residential Care Apartment Complexes		
Cedar Bay East.....	5577 Home Drive, West Bend	54
Cedar Bay West.....	5555 Cedar Bay Drive, West Bend	107
Fields (The).....	675 East Washington Street, West Bend	24
Hawthorn Manor Apartments.....	275 W. Decorah Road, West Bend	12
Lakeshore at Jackson Crossing (The).....	N168 W22026 Main Street, Jackson	30
Legacy (The).....	1025 Bell Avenue, Hartford	28
Maple Manor of Kewaskum.....	1038 Fond du Lac Avenue, Kewaskum	20
Adult Family Homes		
Legate AFH.....	229 W. Paradise Drive, West Bend	4
Symicek AFH.....	834 Center Street, Hartford	4
Adult Day Care Facilities		
Aurora Medical Center Adult Day Service.....	1022 E. Sell Drive, Hartford	20
LSS Adult Day Center.....	140 N. 7 th Street, West Bend	20

^aStreet address is the facilities mailing address.

Source: Wisconsin Department of Health and Family Services.

Table 57

ASSISTED LIVING FACILITIES FOR PERSONS WITH DISABILITIES IN WASHINGTON COUNTY: 2006

Name	Street Address ^a	Capacity
Nursing Homes		
Cedar Lake Health Care Center.....	5595 CTH Z, West Bend	229
Hartford Healthcare Center.....	1202 E. Sumner Street, Hartford	106
Samaritan Health Center.....	531 E. Washington Street, West Bend	212
Samaritan Health Center Sub-Acute Unit.....	551 Silverbrook Drive, West Bend	23
Virginia Highlands Health and Rehabilitation Centers.....	W173 N10915 Bernies Way, Germantown	121
Community Based Residential Facilities		
Autumn Oaks LLC.....	227 E. Washington Street, Slinger	30
Calm Harbor.....	139 South 8 th Avenue, West Bend	8
Countryview Group Home.....	N112 W12850 Mequon Road, Germantown	8
Timberline Group Home.....	W164 N10502 Timberline Road, Germantown	5
Ivy Manor of Jackson.....	W194 N16744 Eagle Drive, Jackson	22
Adult Family Homes		
17 th Avenue Adult Family Home.....	233 S. 17 th Avenue, West Bend	4
Beverly Tessar.....	1230 N. 10 th Avenue, West Bend	4
CLA Lee Ave.....	1102 Lee Avenue, West Bend	4
CLA Slinger Adult Family Home.....	3941 Elaines Way, Slinger	4
Dennis Path Adult Family Home.....	6874 Dennis Path, West Bend	3
Ellman Adult Family Home.....	260 S. Silverbrook Drive, West Bend	4
Hans Street.....	1505 Hans Street, West Bend	3
HIL Carrie Lane.....	1628 Carrie Lane, West Bend	4
HIL Columbus House.....	5096 Valley Trail, West Bend	4
HIL Drake House.....	1630 Carrie Lane, West Bend	4
HIL Magellan House.....	212 S. 16 th Avenue, West Bend	4
Imperial Court AFH.....	722 Imperial Court, West Bend	3
Legate AFH.....	229 W. Paradise Drive, West Bend	4
Pamme Court Adult Family Home.....	1545 Pamme Court, West Bend	4
PS LLC – Eder Lane.....	1620-1622 Eder Lane, West Bend	3
PS LLC – Firethorn.....	1209 Firethorn Drive, West Bend	3
PS LLC- Hillcrest.....	1017 Hillcrest Street, West Bend	4
REM Wisconsin II Diane Drive.....	6799 Diane Drive, Newburg	4
REM Wisconsin II Germantown.....	N116 W16105 Main Street, Germantown	4
REM Wisconsin II Greentree Road.....	2205 Greentree Road, West Bend	3
REM Wisconsin II INC, Patton Drive.....	1354 Patton Drive, Hartford	4
REM Wisconsin II INC, Meadowbrook Drive.....	505 Meadowbrook Drive, West Bend	4
REM Wisconsin II INC, Loos Street.....	735 E. Loos Street, Hartford	3
REM Wisconsin II Judith Court.....	708 Judith Court, West Bend	4
Symicek AFH.....	834 Center Street, Hartford	4
Villa Park.....	1031 Villa Park Drive, West Bend	4

^aStreet address is the facilities mailing address.

Source: Wisconsin Department of Health and Family Services.

Town to plan for additional child care facilities. However, the Town should consider additional child care facilities, if presented by an interested party, through the Town comprehensive plan design year 2035 in order to provide adequate child care services for Town residents.

Police Protection

Police protection in the Town of Wayne is provided by the Washington County Sheriff's Department, which is based in the City of West Bend. All unincorporated areas in the County and the Villages of Newburg and Richfield are served by the Washington County Sheriff's Department. Divisions in the Sheriff's Department include the Corrections Division, Patrol Division, Detective Division, Courthouse Security Services Unit, Communications Division, and Clerical Support. The Town anticipates reliance on the Washington County Sheriff's Department for police protection services through 2035. The Town also encourages the Sheriff's Department to monitor the personnel, equipment, and facilities yearly to ensure they are adequate to serve Town and other County residents. The Town also supports Washington County in continuing to provide the countywide Public Safety Answering Point system operated by the Sheriff's Department for emergency dispatch services for the Town. The center handles calls pertaining to fire, police, and public works (sewer/water) emergencies.

Enforcement of Town Ordinances

Law enforcement in the Town is provided by the Washington County Sheriff's Department; however, the Sheriff's Department does not enforce Town ordinances. The Town of Wayne Code of Ordinances specifies the following enforcement officers for Town ordinances, who may issue citations to persons found to be violating a Town ordinance:

- Town zoning ordinance: Building Inspector/Zoning Administrator
- Uniform dwelling code: Building Inspector/Zoning Administrator
- Stormwater management and erosion control ordinance: Building Inspector/Zoning Administrator
- Nonmetallic mining reclamation ordinance: Building Inspector/ Zoning Administrator
- Driveway regulation and weight limits: Town Chairman
- Park ordinances in the Town park: Town Chairman
- Public safety, health and welfare, and emergency management laws and regulations: Town Chairman

Fire Protection

Fire protection is provided to the entire Town by the Kohlsville Fire Department, which is operated privately and consists of 35 volunteer firefighters. The Kohlsville Fire Department also serves the western portion of the Town of Barton. The Town encourages the Kohlsville Fire Department to conduct periodic needs assessment studies to determine if the department has sufficient fire-fighters, equipment, water supply, and facilities to adequately protect the Town. Fire departments and fire protection service areas in Washington County, including the Town of Wayne, are listed in Table 58.

Emergency Management Services

Emergency rescue services are provided to the Town by Allenton Rescue, Kewaskum Rescue, and Kohlsville Rescue. The Washington County Sheriff's Department maintains a DIVE team that serves all communities in the County. The Town encourages each department to conduct periodic needs assessment studies to determine if the departments have sufficient personnel, equipment, and facilities to adequately protect the Town and other communities they serve.

The Washington County Emergency Management Department prepares and updates county emergency operation plans; coordinates emergency training exercises; communicates to the public about emergency preparedness; and responds to incidents throughout Washington County, including those involving hazardous materials. The Town Chairman serves as the contact person for the coordination of emergency services in the Town.

Table 58

FIRE DEPARTMENTS AND FIRE PROTECTION SERVICE AREAS IN WASHINGTON COUNTY: 2006

Fire Departments	Service Zone Area (acres)	Paid Fire Department Employees	Paid On Call Fire Fighters	Fire Department Volunteers ^a
Allenton Volunteer Fire Department	17,168	0	0	45
Ashippun Volunteer Fire Department ^b	3,774	0	0	37
Boltonville Volunteer Fire Department.....	12,204	0	0	40
Fillmore Fire Department.....	11,341	0	0	35
Germantown Fire Department.....	23,169	3 full time/4 part time	36	0
Hartford Fire Department.....	32,834	2 full time	58	0
Jackson Fire Department	30,879	3 full time	35	0
Kewaskum Fire Department.....	15,589	1full time	54	0
Kohlsville Fire Department	28,088	0	0	35
Newburg Volunteer Fire Department.....	21,716	0	0	58
Richfield Volunteer Fire Department	30,489	2 full time	60	0
Slinger Volunteer Fire Department	16,457	0	0	50
St. Lawrence Volunteer Fire Department	12,154	0	0	42
West Bend Fire Department.....	22,917	40 full time	0	0

^aTotals include active volunteer fire-fighters and emergency medical service personnel.

^bThe Ashippun Volunteer Fire Department is in the Town of Ashippun in Dodge County. The Department serves the southwestern portion of the Town of Erin.

Source: Washington County and SEWRPC.

Table 59

THE LOCATION AND CIRCULATION OF PUBLIC LIBRARIES IN WASHINGTON COUNTY: 2007

Community	Library	Circulation
City of Hartford	Hartford Public Library	171,978
City of West Bend.....	West Bend Community Memorial Library	593,921
Village of Germantown	Germantown Community Library	288,515
Village of Kewaskum	Kewaskum Public Library	54,408
Village of Slinger.....	Slinger Public Library	92,928
Total	--	1,201,750

Source: Mid-Wisconsin Federated Library System.

Libraries

Washington County is served by five public libraries, which are part of the Mid-Wisconsin Federated Library System.⁶ The Town of Wayne does not have a public library. The closest libraries are the Kewaskum Public Library in the Village of Kewaskum and the West Bend Community Memorial Library in the City of West Bend. Table 59 lists the location and circulation of each library in Washington County. Each library is also part of an interlibrary loan and reference referral system that includes all libraries in the Mid-Wisconsin Federated Library System. Washington County contracts with each library to provide library services to Town and County residents living in communities without a municipal library.

A plan for library service in Washington County was undertaken by the Strategic Plan Committee and staff of the Mid-Wisconsin Federated Library System. Several goals and objectives for providing library service to the Mid-Wisconsin Federated Library System and Washington County residents were reviewed during the planning process. The Mid-Wisconsin Federated Library System Board uses the plan as a guide in local planning and budgeting activities of member libraries, including the five libraries in Washington County. The Town supports and encourages Washington County and the Mid-Wisconsin Federated Library System Board to revisit the Strategic Plan in five year increments and continue to implement the goals and objectives listed in the plan.

⁶The Mid-Wisconsin Federated Library System includes 27 public libraries located in Washington, Dodge, and Jefferson Counties.

Schools

In 2008, there were 36 public schools in five public high school districts and 26 private schools in Washington County. The Town of Wayne is located almost entirely within the Kewaskum School District, as are the Town and Village of Kewaskum, the Town of Farmington, and the northern portion of the Town of Barton. The District operates one school in the Town, Wayne Elementary School (serving Kindergarten through 5th grade) located on CTH H, just west of CTH W. Kewaskum middle and high schools in the Village of Kewaskum serve public middle and high school students in the Town. Additionally, a small area in the western portion of the Town lies within the Lomira School District, which is located primarily in Dodge County. All of the public and private schools and public high school districts in Washington County are shown on Map 14 and listed in Table 60.

School districts within the County typically prepare facilities plans, which include needs assessments for new facilities and land, based on development statistics received from the local governments they serve and population projection data from agencies such as SEWRPC and the Wisconsin Department of Administration (DOA). SEWRPC projections anticipate that the number of County residents under the age of 20 will increase from about 34,000 in 2000 to about 40,000 in 2035. This increase may require the expansion of existing school buildings or the construction of new school buildings. In addition, some older school buildings within the County may require replacement as the facility becomes antiquated.

The Kewaskum School District is preparing for potential growth using an “as needed” approach based on annual enrollments and projected population growth and change. The District does not anticipate a need for new schools in the next 10 to 20 years.

The Kewaskum School district should work with local governments in the district, including the Town, Washington County, and SEWRPC to obtain information regarding proposed residential developments and population projections to prepare accurate facilities plans in short-term increments through the County comprehensive plan design year 2035.

Washington County is also home to the University of Wisconsin–Washington County and the Moraine Park Technical College. The Moraine Park Technical College has campuses in the City of West Bend in Washington County, City of Fond du Lac in Fond du Lac County, and City of Beaver Dam in Dodge County, and regional centers in the City of Hartford in Washington County and City of Ripon in Fond du Lac County. The Town supports the continued cooperation between the colleges and Washington County to partner in economic development and other educational initiatives, which may require additional facilities and programs, academic faculty and staff, and equipment.

Other Government Facilities – Wayne Town Hall

The Town Hall is located at 6030 Mohawk Road, near the intersection of Fairview Drive. The Town Hall was constructed in 1986 and includes a meeting room, two offices, and a kitchenette. The Town highway garage is attached to the Town Hall. The Town Hall is available to Town residents and businesses for private rental. In addition to holding Town meetings, the Town Hall also serves as the Town’s only polling place. The Town should continue to maintain and, as necessary, expand and/or relocate Town Hall facilities to effectively conduct Town government business.

PART 2 - UTILITIES AND COMMUNITY FACILITIES GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

The *Statutes* require a number of utilities and community facilities to be addressed in this element; however, utilities and community facilities are provided by many units and levels of government and also by the private sector. The following is a brief summary of the utilities and facilities provided in the Town:

- ***Washington County*** provides services or administers ordinances associated with environmental quality, including regulation of shorelands, wetlands, and floodplains; and farm watershed conservation planning;

environmental health and sanitation, such as the regulation of private on-site waste treatment systems and hazardous waste collection and disposal; parks and recreational facilities; health care services and facilities; safety and emergency management services; and other general government services. Transportation facilities and services, which are also provided by the County, are addressed in the Transportation Element (Chapter VIII).

- **Town of Wayne** provides services or establishes agreements for solid waste disposal, recycling facilities, parks, fire protection, police protection, and emergency medical services throughout the Town. The Town also maintains streets under Town jurisdiction and enforces and requires facilities for stormwater management. Town land use regulations affect the location of existing and potential telecommunications facilities, power plants, cemeteries, health care facilities, child care facilities, and schools. An inventory and description of utilities and community facilities provided by the Town are included in Part 1 of this chapter.
- **School districts** are responsible for planning, constructing, and operating school facilities and for providing educational services.
- **The private sector** typically provides electric power, natural gas, communications services, health care, and child care services.

Utilities and Community Facilities Goals, Objectives, Policies, and Programs

Goals:

- Provide community facilities appropriate for a rural town.
- Provide law enforcement and emergency services (police, fire, and emergency rescue) for Town residents and businesses.
- Provide a safe, secure, and healthful environment and a high quality of life for Town residents.
- Cooperate with other units and agencies of government, where appropriate, to provide cost-effective government services.
- Cooperate with private service providers to ensure Town residents receive appropriate services.
- Provide a public recreation area to serve Town residents.

Objectives:

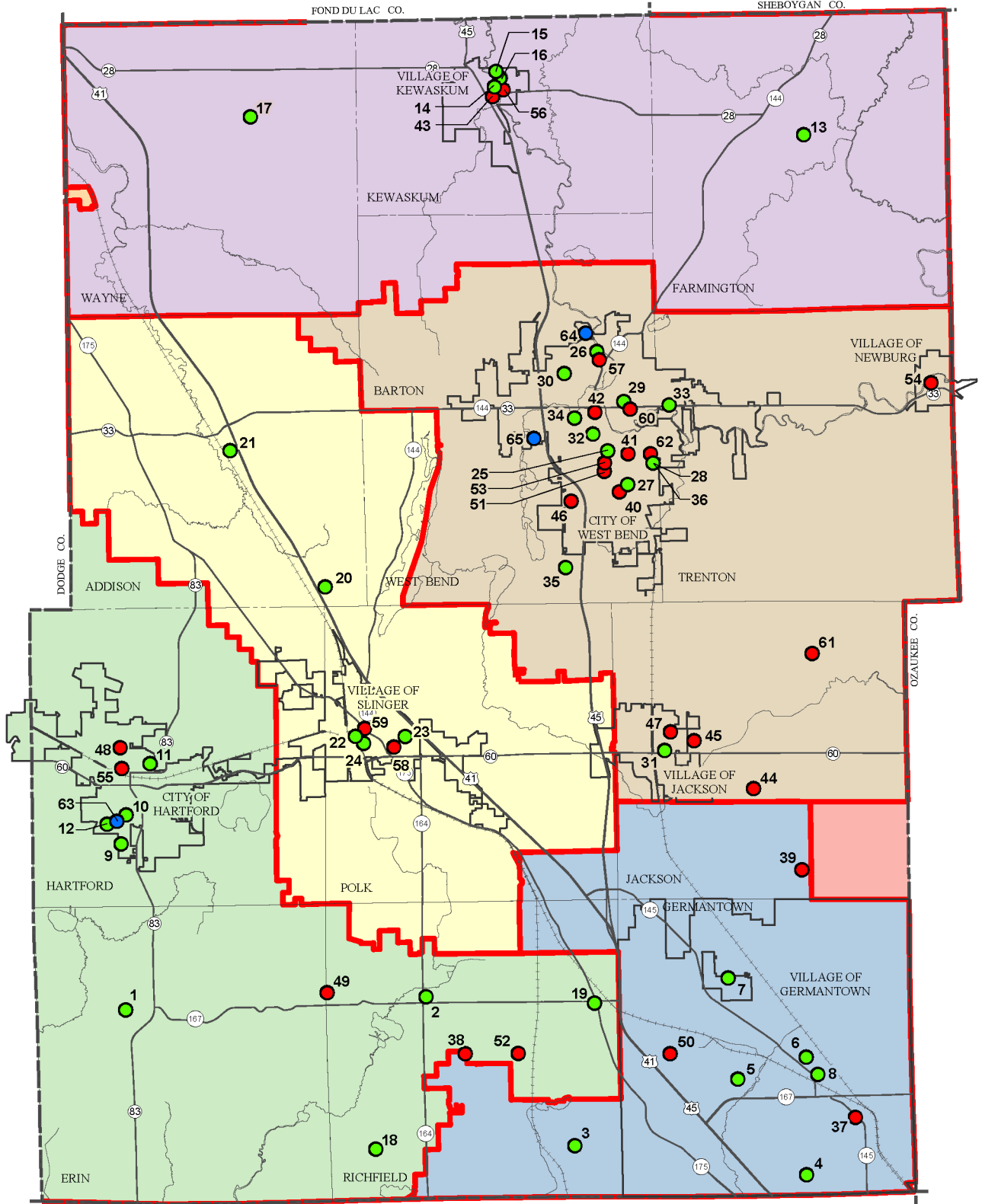
- Require developers to pay for improvements needed to support new development requests.
- Adequate stormwater management facilities should be provided for all development.
- Strive to provide a state-of-the-art telecommunications system for Town residents.
- Encourage shared services with neighboring communities.

Policies:

- Limit residential development to densities and in locations compatible with the rural character of the Town, and therefore avoid the need to provide urban facilities and services to such development.
- Continue to work with and support the Washington County Sheriff's Department in providing police protection services to the Town.
- Continue to work with and support the Kohlsville Fire Department in providing fire protection service to the Town.
- Encourage mutual aid agreements for fire and rescue services from the Theresa Fire Department, particularly to provide emergency services to that portion of the Town west of the railroad tracks.

Map 14

PUBLIC AND PRIVATE SCHOOLS AND PUBLIC HIGH SCHOOL DISTRICTS IN WASHINGTON COUNTY: 2008



HIGH SCHOOL DISTRICTS

- CEDARBURG
- GERMANTOWN
- HARTFORD UNION H.S.
- KEWASKUM
- LOMIRA
- SLINGER
- WEST BEND
- SCHOOL DISTRICT BOUNDARY

SCHOOL TYPES

- PUBLIC
- PRIVATE
- COLLEGE / UNIVERSITY
- 25** SCHOOL REFERENCE NUMBER (SEE TABLE 60)

Source: Washington County, School Districts, and SEWRPC.

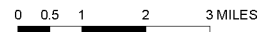
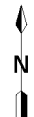


Table 60

PUBLIC AND PRIVATE SCHOOLS AND SCHOOL DISTRICTS IN WASHINGTON COUNTY: 2005-2006

Number on Map 14	Public Schools	Grades ^a	Enrollment ^b	Street Address ^c
1	Erin School District Erin Elementary School	PK-8	378	6901 CTH O, Hartford (Town of Erin)
2	Friess Lake School District Friess Lake School	PK-8	328	1750 STH 164, Hubertus (Town of Richfield)
3	Germantown School District			
3	Amy Belle Elementary School.....	PK-5	392	3294 Willow Creek Road, Colgate (Town of Richfield)
4	County Line Elementary School.....	PK-5	541	W159 N9939 Butternut Road, Germantown
5	Germantown High School.....	9-12	1,323	W180 N11501 River Lane, Germantown
6	Kennedy Middle School.....	6-8	876	W160 N11836 Crusader Court, Germantown
7	Rockfield Elementary School	K-5	200	N132 W18473 Rockfield Road, Germantown
8	MacArthur Elementary School	PK-5	399	W154 N11492 Fond Du Lac Avenue, Germantown
	Hartford J1 Public Schools			
9	Central Middle School.....	6-8	539	1100 Cedar Street, Hartford
10	Lincoln Elementary School	PK-5	556	755 S. Rural Street, Hartford
11	Rossman Elementary School.....	PK-5	541	600 Highland Avenue, Hartford
	Hartford UHS School District			
12	Hartford High School	9-12	1,704	805 Cedar Street, Hartford
	Kewaskum School District			
13	Farmington Elementary School.....	PK-5	245	8736 Boltonville Road, Kewaskum (Town of Farmington)
14	Kewaskum Elementary School	PK-5	413	1415 Bilgo Lane, Kewaskum
15	Kewaskum Middle School.....	6-8	419	1510 Bilgo Lane, Kewaskum
16	Kewaskum High School.....	9-12	655	1676 Reigle Drive, Kewaskum
17	Wayne Elementary School.....	PK-5	128	W5760 County Road H, Campbellsport
	Richfield J1 School District			
18	Plat Elementary School	PK-2	116	4908 Monches Road, Colgate (Town of Richfield)
19	Richfield Elementary School	3-8	296	3117 Holy Hill Road, Richfield
	Slinger School District			
20	Addison Elementary School.....	PK-5	373	5050 Indian Road, Hartford
21	Allenton Elementary School.....	PK-5	390	228 Weis Street, Allenton (Town of Addison)
22	Slinger Elementary School.....	PK-5	479	203 Polk Street, Slinger
23	Slinger Middle School	6-8	670	521 Olympic Drive, Slinger
24	Slinger High School	9-12	924	209 Polk Street, Slinger
	West Bend School District			
25	Badger Middle School.....	6-8	507	710 S. Main Street, West Bend
26	Barton Elementary School	PK-5	405	614 School Place, West Bend
27	Decorah Elementary School	PK-5	408	1225 Sylvan Way, West Bend
28	East High School	9-12	1,264	1305 E. Decorah Road, West Bend
29	Fair Park Elementary School	PK-5	466	519 N. Indiana Avenue, West Bend
30	Green Tree Elementary School.....	K-5	498	1330 Green Tree Road, West Bend
31	Jackson Elementary School.....	K-5	494	W204 N16850 Jackson Drive, Jackson
32	McLane Elementary School.....	K-5	563	833 Chestnut Street, West Bend
33	Phoenix Academy High School.....	9-12	75	1710 E. Washington Street, West Bend
34	Silverbrook Middle School	6-8	603	120 N. Silverbrook Drive, West Bend
35	Silver Maple PK	PK	42	5190 S. 18 th Avenue, West Bend
36	West High School	9-12	1,213	1305 E. Decorah Road, West Bend
--	Private Schools	Grades ^a	Enrollment ^d	Street Address ^c
37	Bethlehem Evangelical Lutheran School.....	PK-4	173	N108 W14290 Bel Aire Lane, Germantown
38	Crown of Life Evangelical Lutheran School.....	PK-7	47	1292 Tally Ho Trail, Hubertus (Town of Richfield)
39	David's Star Evangelical Lutheran School.....	PK-8	158	2750 David's Star Drive, Jackson
40	First Baptist Academy School	K-7	15	224 Butternut Street, West Bend
41	Good Shepherd Lutheran School.....	PK-8	237	777 Indiana Avenue, West Bend
42	Holy Angels School.....	PK-8	389	230 N. 8 th Avenue, West Bend

Table 60 (continued)

Number on Map 14	Private Schools	Grades ^a	Enrollment ^d	Street Address ^c
43	Holy Trinity Catholic School	PK-8	177	305 Main Street, Kewaskum
44	Kettle Moraine Lutheran High School.....	9-12	410	3399 Division Road, Jackson
45	Living Word Lutheran High School.....	9-12	151	2230 Living Word Lane, Jackson
46	Montessori Children House West School	PK-K	100	1701 Vogt Drive, West Bend
47	Morning Star Lutheran School.....	PK-8	167	N171W20131 Highland Road, Jackson
48	Peace Lutheran School.....	PK-8	223	1025 Peace Lutheran Drive, Hartford
49	St. Augustine School Inc.....	K-11	63	1810 CTH CC, Hartford
50	St. Boniface Elementary School.....	PK-8	307	W204 N11968 Goldendale Drive, Germantown
51	St. Frances Cabrini School	PK-8	400	529 Hawthorn Drive, West Bend
52	St. Gabriel Elementary School	PK-8	122	3733 Hubertus Road, Hubertus (Town of Richfield)
53	St. John's Lutheran School	PK-8	226	899 S. 6 th Avenue, West Bend
54	St. John's Lutheran School	PK-8	63	623 Congress Street, Newburg
55	St Kilian Elementary School.....	PK-8	199	245 High Street, Hartford
56	St. Lucas Grade School	PK-8	107	1410 Parkview Drive, Kewaskum
57	St. Mary Immaculate Conception School	PK-8	144	415 Roosevelt Drive, West Bend
58	St. Paul's School.....	PK-8	75	799 Saint Paul Drive, Slinger
59	St. Peter Catholic Grade School	PK-8	67	206 E. Washington Street, Slinger
60	Tri-Center Alternative School	8-12	11	515 E. Washington Street, West Bend
61	Trinity Lutheran School	PK-8	74	1268 Pleasant Valley Road, West Bend
62	West Bend Christian School.....	PK-2	27	1110 E. Decorah Road, West Bend
--	Colleges/Universities	Grades ^a	Enrollment ^e	Street Address ^c
63	Moraine Park Technical College – Hartford.....	--	-- ^f	805 Cedar Street, Hartford
64	Moraine Park Technical College – West Bend..	--	-- ^f	2151 N. Main Street, West Bend
65	University of Wisconsin-Washington County.....	--	1,018	400 University Drive, West Bend

^aK is kindergarten and PK is pre-kindergarten.

^bEnrollment is based on 2005 data.

^cStreet address is the school's mailing address.

^dEnrollment is based on 2006 data.

^eEnrollment is based on 2007 data.

^f2007 enrollment for the entire Moraine Park Technical College was 21,513. Moraine Park Technical College has campuses in the City of West Bend in Washington County, the City of Fond du Lac in Fond du Lac County, and the City of Beaver Dam in Dodge County, and regional centers in the City of Hartford in Washington County and the City of Ripon in Fond du Lac County. Enrollment data for individual campuses and regional centers is not available.

Source: Wisconsin Department of Public Instruction, Moraine Park Technical College, UW-Washington County, and SEWRPC.

Emergency vehicles and personnel from the Kohlsville Fire Department may be unable to cross the tracks at times due to trains blocking the crossings.

- Continue to work with and support the three fire and rescue departments that provide rescue services to the Town.
- Continue the use of private wells to supply water for domestic and other uses in the Town.
- Continue to rely on private onsite wastewater treatment systems (POWTS) for wastewater disposal in the Town.
- Continue to maintain the Town Hall to effectively conduct Town government business, and consider expanding and/or relocating the Town Hall if an increase in the number of Town residents during the planning period creates the need for a larger Town Hall.
- Continue to cooperate with Washington County to protect public health and safety.
- Work with Washington County to provide adequate health care facilities and services to maintain the high level of health care in the Town.
- Support continued County participation in the Mid-Wisconsin Federated Library System.

- Work with the Kewaskum and Lomira school districts, if requested, to provide information regarding proposed residential developments to help the districts prepare accurate facilities plans. The one public school and two school districts located in the Town are shown on Map 14.
- Cooperate with electric and gas service providers, such as We Energies, to provide power and heat to Town residents and businesses.
- Continue to provide solid waste disposal services for Town residents.
- Continue to provide recycling services for Town residents.
- Although cemeteries are not provided by the Town, the Town encourages the expansion of existing cemeteries or the development of new cemeteries in the Town in appropriate locations, subject to review and approval by the Town.
- Although child care facilities are not provided by the Town, the Town supports the development of additional child care facilities in the Town, where appropriate, to meet the needs of Town residents, subject to review and approval by the Town.

Programs:

- Consider conducting a needs assessment and adopting an impact fee ordinance for facilities provided by the Town.
- Consider preparing a Town stormwater management plan to provide for comprehensive and coordinated stormwater management facilities and measures.
- Continue to administer the Town erosion control and stormwater management ordinance.
- Continue to comply with Chapter 25, Sanitary Code, of the Washington County Code of Ordinances, which includes the regulation of private on-site wastewater treatment systems (POWTS) in the Town.
- Initiate contacts with Washington County and adjacent communities prior to constructing new public facilities or initiating or expanding Town services to determine if there are opportunities for joint facilities or services.
- Cooperate with Washington County and adjacent communities when approached to consider joint service agreements or facilities.
- Explore a partnership with Washington County for recycling programs and facilities, including establishment of household hazardous waste collection sites and facilities.
- Continue to work with private telecommunications providers to provide a state-of-the-art communications system for Town residents and businesses.
- Continue to maintain Town parks and develop additional parks and facilities as needs are identified and funding becomes available.

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Chapter X

ECONOMIC DEVELOPMENT ELEMENT

INTRODUCTION

The economic development element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(f) of the *Statutes* requires the economic development element to compile goals, objectives, policies, and programs that promote the stabilization and retention or expansion of the economic base and quality employment opportunities in the Town of Wayne. In addition, this element must:

- Include an analysis of the Town labor force and economic base.
- Assess categories or particular types of new businesses and industries that are desired by the Town.
- Assess the Town's strengths and weaknesses with respect to attracting and retaining businesses and industries and designate an adequate number of sites for such businesses and industries.
- Evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses.
- Identify economic development programs, including State and Regional programs, which apply to the Town.

In addition, the following comprehensive planning goals related to the economic development element are set forth in Section 16.965 of the *Statutes* and must be addressed as part of the planning process:¹

- Promotion of the redevelopment of lands with existing infrastructure and public services and the maintenance and rehabilitation of existing residential, commercial, and industrial structures.
- Protection of economically productive areas, including farmland and forests.
- Encouragement of land uses, densities, and regulations that promote efficient development patterns and relatively low municipal, state government, and utility costs.
- Building of community identity by revitalizing main streets and enforcing design standards.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.
- Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional, and local level.

¹Chapter I lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

Table 61

EMPLOYMENT STATUS OF PERSONS 16 YEARS OF AGE OR OLDER RESIDING IN THE TOWN OF WAYNE: 2000

Employment Status	Residents 16 Years of Age and Older		
	Number	Percent of Labor Force	Percent of all Persons 16 and Older
Employed	1,008	97.9	76.1
Unemployed	22	2.1	1.7
In Armed Forces.....	--	--	--
Subtotal in Labor Force	1,030	100.0	77.8
Not in Labor Force	294	--	22.2
Total	1,324	--	100.0

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

sets forth economic development goals and objectives through the plan design year of 2035. Recommended policies, defined as steps or actions to achieve economic development goals and objectives; and programs, defined as projects or services necessary to achieve economic development policies, are also identified in Part 3.

A description of economic development organizations and programs which assist in the establishment, retention, and expansion of area businesses, is provided in Appendix E.

PART 1: INVENTORY AND ANALYSIS

Labor Force

The labor force is defined as those residents of the Town of Wayne 16 years of age and older who are employed or are actively seeking employment. Labor force data are often referred to as “place of residence” data as opposed to “place of work” data, or employment data. The labor force is not equated with the number of employment opportunities, or jobs, in the Town because some Town residents are employed outside the Town, some have more than one job, some are unemployed, and some jobs in the Town are held by non-residents.

Table 61 sets forth the employment status of Town residents 16 years of age or older. There were 1,008 employed persons residing in the Town and 1,030 Town residents in the labor force in 2000. Employed persons comprised about 58 percent of the total population of the Town 2000. There were 22 unemployed persons age 16 or older, or about 2 percent of the labor force. By comparison, 2.7 percent of the County labor force, 3.6 percent of the Regional³ labor force, and 3.2 percent of the State labor force were unemployed in 2000. Unemployment has trended upward between 2000 and 2006. As of November 2006, the Wisconsin Department of Workforce Development (DWD) reported the unemployment rate in Washington County at 3.9 percent of the labor force and the unemployment rate for the Milwaukee Metropolitan area⁴ at 5.5 percent of the labor force. About 22 percent of Town residents, or 294 persons, 16 years of age or older did not participate in the labor force in 2000.⁵

²This data is only available at the County level.

³The Southeastern Wisconsin Region consists of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties.

⁴The Milwaukee Metropolitan area consists of Milwaukee, Ozaukee, Washington, and Waukesha Counties.

⁵Persons age 16 and older who did not participate in the labor force include only those persons who did not work nor seek employment.

Part 1 of this chapter provides an inventory and analysis of the labor force and economic base in the Town including approximate employment and unemployment, employment by job type in Washington County,² the largest employers in the Town, personal income characteristics of residents, existing and planned business/industrial parks in neighboring communities, and environmentally contaminated land.

Part 2 sets forth the projected number of jobs in the Town in 2035, an assessment of desirable new businesses and industries, and an assessment of the Town’s strengths and weaknesses with respect to attracting those businesses and industries. Part 3

Table 11, in Chapter III, sets forth the location of employment for Town and County residents in 2000. About 64 percent of employed Town residents worked within Washington County, including about 26 percent in the City of West Bend, and about 36 percent of residents traveled outside the County for employment. Of the 36 percent of Town residents who traveled outside the County for employment, about 11 percent worked in Milwaukee County and about 9 percent worked in Waukesha County.

The occupational and educational attainment make-up of the labor force provides useful insight into the nature of work the Town labor force is most suited to, the type of industry that the Town may be most successful in retaining and attracting, and the types of new businesses and industries most desired by the Town. The number of employed persons by occupation in the Town and County is set forth in Table 10 in Chapter III. Town residents employed in management, professional, and related occupations comprised the largest percentage of the employed labor force at about 26 percent, or 265 workers. Sales and office and production, transportation, and material moving occupations ranked second and third respectively, with about 25 percent, or 256 workers, and about 24 percent, or 237 workers, of the employed Town residents. Construction, extraction, and maintenance occupations (14 percent); service occupations (10 percent); and farming, fishing, and forestry occupations (less than 1 percent) represent the remaining 25 percent of the employed Town workforce.

The high percentage of workers in management and professional and sales and office occupations are consistent with the high level of educational attainment among Town and Washington County residents 25 years of age and older. About 87 percent of Town residents at least 25 years of age and 89 percent of County residents at least 25 years of age had attained a high school or higher level of education in 2000. Those percentages are higher than the educational attainment of the overall population of the Region, where 84 percent of the population 25 years of age and older had attained this level of education as of 2000. About 42 percent of the population 25 years of age and older in the Town and about 54 percent of the population 25 years of age and older in Washington County attended some college or earned an associate, bachelor, or graduate degree, compared to about 54 percent in the Region. Educational attainment for residents of the Town and County is set forth in Table 6 in Chapter III.

Changing age composition of the Town labor force, which is expected to resemble that of Washington County, may also affect retention and attraction of business and industry to the Town and the types of business and industry most desired by the Town. The percentage of the population under 20 years old and ages 20 to 44 is expected to decrease by 4 percent and 8 percent, respectively, from 2000 to 2035. However, the percentage of the population ages 45 to 65 will remain stable, while the percentage of the population 65 and older will increase by 13 percent. The result will be a smaller working age percentage of the population, and a population that may demand an increase in certain products and services, such as those provided by the health care industry.

The projected population of the Town for 2035, as stated in Chapter III, is 2,800 persons. Assuming the Town population projection and the County age composition projection will apply within the Town, about 2,240 Town residents will be of working age (age 16 or older⁶). If current labor force participation trends hold constant and the same methodology for calculation is used as above, about 1,670 Town residents could be participating in the labor force in 2035. However, this method does not account for retired persons. The large percentage change in persons in the age 65 and older category (from 11 percent to 24 percent in Washington County between 2000 and 2035) will likely mean a larger percentage of retired residents in 2035.

Employment

Number and Type of Jobs

Employment or “place of work” data are the number and type of jobs available in the Town of Wayne and Washington County. This information provides an important indicator of the level of economic activity for economic development planning and land use planning purposes. Employment data and labor force data form the baseline information in determining how many and what type of jobs will need to be added in the Town and County to serve the projected 2035 Town population.

⁶*This definition is based on methodology used by the U.S. Census Bureau for compiling labor force data.*

Table 62**NUMBER OF JOBS IN WASHINGTON COUNTY: 1950 - 2000**

Year	Number of Jobs	Change From Preceding Year		Percent of Region Total
		Number	Percent	
1950	10,200	--	--	1.8
1960	15,200	5,000	49.0	2.3
1970	24,300	9,100	59.9	3.1
1980	35,200	10,900	44.9	3.7
1990	46,000	10,900	31.0	4.3
2000	61,700	15,600	33.8	5.0

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

Table 63**NUMBER OF JOBS IN WASHINGTON COUNTY COMMUNITIES: 2000**

Community	Number of Jobs	Percent
Cities		
Hartford ^a	8,248	13.3
West Bend.....	18,282	29.5
Villages		
Germantown.....	12,724	20.5
Jackson.....	3,392	5.5
Kewaskum.....	1,891	3.1
Newburg ^b	514	0.8
Slinger.....	2,453	4.0
Towns		
Addison.....	2,061	3.3
Barton.....	1,344	2.2
Erin.....	502	0.8
Farmington.....	513	0.8
Germantown.....	242	0.4
Hartford.....	995	1.6
Jackson.....	955	1.5
Kewaskum.....	502	0.8
Polk.....	1,557	2.5
Richfield.....	2,544	4.1
Trenton.....	1,331	2.2
Wayne.....	557	0.9
West Bend.....	1,339	2.2
Washington County ^c	61,946	100.0

^aIncludes entire City of Hartford.

^bIncludes entire Village of Newburg.

^cIncludes Washington County and the entire City of Hartford and Village of Newburg.

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

Table 62 shows historic employment growth in Washington County between 1950 and 2000. In 1950, there were 10,200 jobs located in the County. Between 1950 and 2000, the number of jobs located in the County grew by 505 percent, which was significantly higher than the 113 percent job growth experienced in the Region over the same time period.

Table 63 sets forth the number of jobs in 2000 in the Town of Wayne and each community in the County. In 2000, the Town of Wayne had 557 jobs. Jobs were concentrated in the Cities of Hartford and West Bend and the Villages of Germantown, Jackson, Kewaskum, Newburg, and Slinger. These communities also have the largest populations and number of residents in the labor force.

Historical job levels by general industry group are summarized for the County and Region in Table 12 in Chapter III. The 1990's saw a continuation of a shift in the regional economy from manufacturing to service industry jobs. Manufacturing employment in the Region was virtually unchanged during the 1990's, following a 15 percent decrease during the 1980's, and a modest 4 percent increase during the 1970's. Conversely, service-related employment increased substantially during each of the past three decades, by 33 percent during the 1990's, 41 percent during the 1980's, and 53 percent during the 1970's. Due to these differential growth rates, the proportion of manufacturing jobs relative to total jobs in the Region decreased from 32 percent in 1970 to 18 percent in 2000, while service-related employment increased from 18 percent in 1970 to 33 percent in 2000. In comparison to the manufacturing and service industry groups, other major industry groups – such as wholesale trade, retail trade, government, and finance, insurance, and real estate – have been relatively stable in terms of their share of total employment in the Region over the last three decades. Agricultural jobs decreased by over 50 percent between 1970 and 2000, the only industry group other than manufacturing to lose employees.

Unlike the region and the rest of Wisconsin, Washington County has experienced an increase in manufacturing jobs. Manufacturing jobs in the County have increased from 9,255 jobs to 17,307 jobs, or by almost 87 percent, between 1970 and 2000. The County also experienced growth in all other employment categories between 1970 and 2000, with the exception of agricultural jobs. Agricultural jobs decreased about 37 percent, from 2,002 jobs to 1,255 jobs.

There were 64,362 jobs located in the County in 2004, which is an increase of 4 percent from the 2000 level. Table 64 sets forth the number of jobs by industry group in the County as of 2004. The two industry groups

Table 64

PRIVATE AND GOVERNMENT EMPLOYMENT BY INDUSTRY GROUP IN WASHINGTON COUNTY: 2004

Industry Group (NAICS) ^a	Former SIC Industry Group ^b	Number	Percent
Private Employment			
Forestry, fishing, related activities, and other.....	Agricultural, forestry, and fishing	44	0.1
Mining.....	Mining	77	0.1
Utilities.....	Transportation, communication, electric, gas, and sanitary services	-- ^c	-- ^c
Construction.....	Construction	4,404	6.8
Manufacturing.....	Manufacturing	14,178	22.0
Wholesale trade.....	Wholesale trade	3,232	5.0
Retail trade.....	Retail trade	7,848	12.2
Transportation and warehousing.....	Transportation, communication, electric, gas, and sanitary services	-- ^c	-- ^c
Information.....	Services	641	1.0
Finance and insurance.....	Finance, insurance, and real estate	2,669	4.2
Real estate and rental and leasing.....	Finance, insurance, and real estate	1,618	2.5
Professional and technical services.....	Services	2,338	3.6
Management of companies and enterprises.....	Services	97	0.2
Administrative and waste services.....	Services	2,650	4.1
Educational services ^d	Services	613	1.0
Health care and social assistance.....	Services	5,349	8.3
Arts, entertainment, and recreation.....	Services	1,186	1.9
Accommodation and food services.....	Services; Retail trade	4,297	6.7
Other services, except public administration.....	Services	3,951	6.1
Farm employment.....	Agricultural, forestry, and fishing	1,230	1.9
Subtotal ^e	--	56,422	87.7
Government and Government Enterprises			
Federal, civilian.....	Public Administration; Transportation, communication, electric, gas, and sanitary services	258	0.4
Military.....	Public Administration	404	0.6
State government.....	Public Administration	261	0.4
Local government.....	Public Administration	4,853	7.6
Subtotal	--	5,776	9.0
Total	--	64,362 ^f	100.0

^aAmerican Industry Classification System.

^bStandard Industry Classification system.

^cDetailed data is not available at the County level; however, the utilities and transportation and warehousing industry groups combined total 2,164 jobs and 3.3 percent of the total jobs located in the County.

^dThe educational service category includes those employed by private schools and colleges. Public school employees are included in the local government category.

^eSubtotal includes the sum of forestry, mining, utilities, and transportation and warehouse industry jobs.

^fIncludes Washington County only.

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

listed on Table 64 include the Standard Industry Classification (SIC) system and the North American Industry Classification System (NAICS). The two industry groups provide different industry group classifications. In 1997, the U.S. government started using the NAICS to categorize employment data. The NAICS was developed jointly by the U.S., Canada, and Mexico to provide improved comparability in statistics about business activity across North America.

Table 65

WASHINGTON COUNTY EMPLOYMENT LOCATION QUOTIENT: 2004^a

Industry (NAICS)	Comparison with State	Comparison with Nation
Private Employment		
Forestry, fishing, related activities, and other	-- ^b	-- ^b
Mining	-- ^b	-- ^b
Utilities	-- ^b	-- ^b
Construction	1.26	1.13
Manufacturing	1.47	2.53
Wholesale trade	1.39	1.39
Retail trade	1.05	1.11
Transportation and warehousing	-- ^b	-- ^b
Information	0.63	0.48
Finance and insurance	0.85	0.87
Real estate and rental and leasing	1.00	0.68
Professional and technical services	0.86	0.56
Management of companies and enterprises	0.17	0.20
Administrative and waste services	0.91	0.68
Educational services	0.59	0.50
Health care and social assistance	0.78	0.84
Arts, entertainment, and recreation	1.00	0.90
Accommodation and food services	0.97	1.00
Other services, except public administration	1.17	1.07
Farm employment	0.66	1.12
Government and Government Enterprises		
Federal, civilian	0.50	0.25
Military	1.20	0.50
State government	0.14	0.13
Local government	0.94	0.93

^aIncludes Washington County only.

^bDetailed data is not available at the County level.

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

Major Employment Types⁷

The manufacturing industry led Washington County in number of jobs in 2004, despite the drop in the number of manufacturing jobs from 17,307 in 2000 to 14,178 in 2004. The next five largest private employment categories were:

- Retail trade – 7,848 jobs
- Health care and social assistance – 5,349 jobs
- Construction – 4,404 jobs
- Accommodation and food services – 4,297 jobs
- Other services, except public administration – 3,951 jobs

The largest government employer in the County was local government, which consisted of 4,853 jobs.

Location Quotient Analysis

The Washington County location quotient, set forth in Table 65, is a ratio comparing the concentration of jobs in the County by industry type to the concentration of jobs in the State and Nation by industry type. If the location

⁷This data is only available at the County level.

quotient is one, the County has an equal concentration of jobs by that industry type compared to the State or Nation. If the location quotient is less than one, the County has a lower concentration of jobs by that industry type compared to the State or Nation. If the location quotient is greater than one, the County has a higher concentration of jobs by that industry type compared to the State or Nation. Compared to the State and Nation, Washington County has a very high concentration of manufacturing, wholesale trade, and, construction jobs. In addition, the County has a high concentration of retail trade and other services, except public administration jobs. By contrast, the County has a low concentration of information technology, finance and insurance, professional and technical services, management, administrative and waste services, educational services, health care and social assistance, farm employment, and government related jobs.

Employment Locations

Major employment locations (those with 100 or more employees) in Washington County in 2007 are listed by community on Table 66. Ranges are given rather than a specific number of employees for privacy reasons. No major employer was located in the Town. Larger employers in the Town include Brooks Stevens, Inc. and Spiros Industries, Inc., with 20-49 employees, and Clean “N” Brite, Inc., with 10-19 employees. The largest employers in the County were Serigraph Inc., Washington County, West Bend Mutual Insurance Co., and the West Bend School District in the City of West Bend; Broan-Nutone LLC, Quad/Graphics Inc., and Signicast Corporation in the City of Hartford; Techstar MFG Company in the Village of Germantown; St. Joseph’s Hospital in the Town of Polk; Benevolent Corporation Cedar Community in the Town of West Bend; and Sysco Food Services in the Village of Jackson. The largest employers in local governments without a major employer (100 or more employees) are listed in Table 67.

Annual Wages⁸

Table 68 sets forth the average annual wages by industry in Washington County, the Region, and the State in 2005. The average annual wage paid to workers employed in Washington County was \$33,398 per year. This figure was about 94 percent of the State average of \$35,547 per year. Jobs in financial activities provided the highest average annual wage in the County at \$43,800, with jobs in manufacturing second at \$42,355. Jobs in construction provided the third highest average annual wage in the County at \$38,478. Jobs in leisure and hospitality provided the lowest annual wage at \$9,587. Table 68 shows that annual wages by industry were generally lower in Washington County than surrounding counties, the Southeastern Wisconsin Region, and the State.

Personal Income

Personal income is another primary indicator of the overall economic well being of an area. Household income is one of the primary measurements of personal income. Annual household income in the Town and each community in the County is documented in Table 8 in Chapter III. The median household income in the Town was \$61,033, which was \$4,000 more than the median household income in the County (\$57,033), \$14,446 more than the median household income in the Region (\$46,587), \$17,242 more than the median household income in the State (\$43,791), and \$19,039 more than the household income in the Nation (\$41,994).

Table 69 sets forth historic median household income levels in the Town and each community from 1979 to 1999 in dollars reported and constant (1999) dollars. Reported household income in the Town has increased from \$22,029 in 1979 to \$61,033 in 1999, which is an increase of about 177 percent. When expressed in constant dollars, 1979 reported income adjusted for inflation to express that income in 1999 dollars, household income in the Town increased from \$50,934 to \$61,033, which is an increase of about 20 percent. Adjusted median household income increased in the County by about 12 percent, the State by about 7 percent, and the Nation by about 8 percent, but decreased in the Region by one-third of 1 percent between 1979 and 1999.

Overall, households in the Town have experienced economic prosperity over the last two decades; however, a number of households in the Town had annual incomes under the poverty level in 1999. There were nine

⁸*This data is only available at the County level.*

Table 66

MAJOR EMPLOYERS IN WASHINGTON COUNTY: 2007^{a,b}

Name	Location	Number of Employees ^c
City of Hartford		
Broan-Nutone, LLC	926 West State Street	500-999
Quad/Graphics, Inc. ^d	1900 West Sumner Street	500-999
Signicast Corporation ^d	1800 Innovation Way	500-999
API Software, Inc.	310 North Wilson Avenue	250-499
Aurora Medical Center of Washington County, Inc.	1032 East Sumner Street	250-499
Aurora Medical Group, Inc.	1004 East Sumner Street	100-249
Hartford Finishing, Inc.	844 West State Street	100-249
K-MART Corporation	1275 Bell Avenue	100-249
Mineshaft Restaurant	22 North Main Street	100-249
Menasha Packaging Company	621 Wacker Drive	100-249
Steel Craft Corporation of Hartford	105 Steelcraft Drive	100-249
THI of Wisconsin at Hartford, LLC	1202 East Sumner Street	100-249
Triton Corporation	857 West State Street	100-249
City of West Bend		
Washington County	432 East Washington Street	500-999
Serigraph, Inc.	3801 East Decorah Road	500-999
West Bend Mutual Insurance Co.	1900 South 18th Avenue	500-999
West Bend School District	735 South Main Street	500-999
City of West Bend [AC]	1115 South Main Street	250-499
Kettle Moraine YMCA, Inc.	1111 West Washington Street	250-499
Regal Ware, Inc.	1100 Schmidt Road	250-499
Serigraph, Inc.	3701 East Decorah Road	250-499
WAL-MART Associates, Inc.	1515 West Paradise Drive	250-499
Amity Rolfs, Inc.	820 East Washington Street	100-249
Aurora Medical Group, Inc.	205 Valley Avenue	100-249
Fleet & Farm Supply Co of West Bend, Inc.	1637 West Wash Street	100-249
Gehl Co.	143 Water Street	100-249
Kohl's Department Stores, Inc.	1400 South Main Street	100-249
Menard, Inc.	575 West Paradise Drive	100-249
REM Wisconsin	505 Meadowbrook Drive	100-249
Moore Wallace North America, Inc.	201 East Progress Drive	100-249
Serigraph, Inc.	603 Hi Mount Road	100-249
The Threshold Inc.	600 Rolfs Avenue	100-249
Ultra Mart Foods, LLC	2380 West Washington Street	100-249
Ultra Mart Foods, LLC	1719 South Main Street	100-249

Name	Location	Number of Employees ^c
Village of Germantown		
Techstar MFG Company	W190 N11701 Moldmakers Way	500-999
Airgas Safety, Inc.	W185 N11300 Whitney Drive	250-499
David J. Frank Landscape Contracting, Inc.	N120 W21350 Freistadt Road	250-499
GKN Sinter Metals, Inc.	N112 W18700 Mequon Road	250-499
Gehl Guernsey Farms, Inc.	N116 W15970 Main Street	100-249
Germantown Public High School	W180 N11501 River Lane	100-249
Germantown Public School (Kennedy Middle)	W160 N11836 Crusader Court	100-249
J.W. Speaker Corporation	W185 N11315 Whitney Drive	100-249
L.T. Hampel Corporation	W194 N11551 McCormick Drive	100-249
Smurfit-Stone Container Enterprises, Inc.	11900 North River Lane	100-249
Virginia Highlands Health and Rehabilitation Center	N173 N10915 Bernies Way	100-249
Ultra Mart Foods, LLC	N112 W16200 Mequon Road	100-249
Village of Germantown	N112 W17001 Mequon Road	100-249
Village of Jackson		
Sysco Food Services of Eastern Wisconsin, LLC	1 Sysco Drive	500-999
Village of Kewaskum		
Regal Ware Inc.	1675 Reigle Drive	100-249
Village of Richfield		
Cabela's	3049 STH 145	250-499
W.G. Strohwig Tool/Die, Inc.	3285 Industrial Road	100-249
Town of Addison		
Kreilkamp Trucking Inc.	6487 STH 175	250-499
Maysteel, LLC	6199 CTH W	250-499
Town of Barton		
Weasler Engineering, Inc.	7801 North USH 45	250-499
Town of Germantown		
Riteway Bus Service, Inc.	W201 N13900 Fond Du Lac Avenue	100-249
Town of Jackson		
Schreiber Foods	807 Pleasant Valley	100-249
Town of Kewaskum		
Summit Ski Corporation	8355 Prospect	250-499
Town of Polk		
St. Joseph's Hospital	3200 Pleasant Valley Road	500-999
Town of West Bend		
Benevolent Corp Cedar Community	5595 CTH Z	500-999

^aMajor employers include those with 100 or more employees at a single location.

^bIncludes Washington County, that portion of the City of Hartford located in Dodge County, and that portion of the Village of Newburg located in Ozaukee County.

^cThe exact number of employees is confidential.

^dThe Town of Richfield incorporated as a Village on February 13, 2008.

Source: Wisconsin Department of Workforce Development and SEWRPC.

Table 67

LARGEST EMPLOYERS IN WASHINGTON COUNTY COMMUNITIES WITHOUT A MAJOR^a EMPLOYER: 2007

Name	Location	Number of Employees ^b
Village of Newburg		
No-No's Restaurant LLC	3498 STH 33 East	35 – 99
Dehling – Voigt Inc.	4229 CTH Y	35 – 99
Central United Corporation.....	6789 Carmody Court	35 – 99
Village of Slinger ^c		
Slinger School District	207 Polk Street	50 – 99
Slinger School District (Slinger Elementary School).....	203 E. Polk Street	50 – 99
Slinger School District (Slinger Middle School)	521 Olympic Drive	50 – 99
Slinger School District (Slinger High School)	209 Polk Street	50 – 99
Hanke Trucking, Inc.	765 Hilldale Road	50 – 99
Jacob L. Hansen Foods, Inc. (Hansen Supermarket).....	1100 E. Commerce Street	50 – 99
MBW, Inc.....	250 Hartford Road	50 – 99
Uptown Motorcars	1101 E. Commerce Boulevard	50 – 99
Town of Erin		
Erin School District	6901 CTH O	50 – 99
Basilica of Holy Hill.....	1525 Carmel Road	10 – 19
Erin Construction, Inc.	7116 Roosevelt Road	10 – 19
Heiliger Huegel Ski Club	5482 STH 167	10 – 19
Tally Corp.....	1855 STH 83	10 – 19
Church Road Station	1717 STH 83	5 – 9
Erin Hills Golf Course	7169 CTH O	5 – 9
Motor Masters, Inc.....	1470 STH 83	5 – 9
Subway	1699 STH 83	5 – 9
Town of Erin	1846 STH 83 South	5 – 9
Town of Farmington		
Country Catering	1848 CTH H	10 – 19
Town of Farmington	9422 STH 144	10 – 19
U.S. Cylinders	7960 Indian Lore Road	5 – 9
Town of Hartford		
Hahn True Value Hardware.....	2945 STH 83	20 – 49
The Hartford Golf Club, Inc.	7072 Lee Road	20 – 49
Timlin's Furniture of Hartford, Inc.	5980 STH 60 E	20 – 49
Town of Trenton		
Walden's Supper Club.....	2472 Wallace Lake Road	20 – 49
Unique Services, Inc	4915 C Drive	20 – 49
Phase II Mold & Die, Inc.	6417 Stockhausen Road	10 – 19
R & K Excavating, Inc.....	4971 Cal Drive	10 – 19
Stocky's Fast Track, LLC	6405 Stockhausen Lane	10 – 19
USW Local 2-00369	363 Speedway Court	10 – 19
Master Electric	1682 Maple Dale Road	5 – 9
Town of Wayne		
Spiros Industries, Inc.	7666 CTH WW	20 – 49
Clean "N" Brite, Inc.....	9575 Lake Bernice Drive	10 – 19
The Learning Garden	5760 Mohawk Road	5 – 9
E S Service, Inc.....	CTH W	5 – 9
Special Souvenirs, Inc.....	9284 Skyline Drive	5 – 9
Town of Wayne	6030 Mohawk Road	5 – 9

^aMajor employers are those with 100 or more employees.

^bEmployers listed in this table have a minimum of five employees.

^cOnly those employers in the Village of Slinger with 50 to 99 employees are listed in this table. The Village also has 17 employers that have between 20 and 49 employees.

Source: Wisconsin Department of Workforce Development, Washington County, and SEWRPC.

Table 68

AVERAGE ANNUAL WAGES BY INDUSTRY GROUP IN WASHINGTON COUNTY AND ITS ADJACENT COUNTIES, SOUTHEASTERN WISCONSIN, AND THE STATE OF WISCONSIN: 2005

County and Industry Group (NAICS)	Average Annual Wage	Percent of Region	Percent of State
Dodge County^a			
All Industries.....	\$32,861	90.6	92.4
Natural Resources	\$31,115	97.0	112.1
Construction	\$46,064	99.2	107.4
Manufacturing	\$39,335	78.1	88.5
Trade, Transportation, Utilities.....	\$25,055	75.1	80.6
Information	- ^b	- ^b	- ^b
Financial Activities.....	\$28,101	51.6	60.7
Professional and Business Services.....	\$45,800	104.9	113.2
Education and Health.....	\$31,773	81.7	85.3
Leisure and Hospitality.....	\$8,277	58.9	66.4
Other Services	\$15,386	69.7	74.7
Public Administration.....	\$33,719	79.4	90.5
Fond Du Lac County^a			
All Industries.....	\$32,649	90.0	91.8
Natural Resources	\$25,487	79.4	91.8
Construction	\$44,787	96.5	104.4
Manufacturing	\$46,307	91.9	104.2
Trade, Transportation, Utilities.....	\$25,819	77.4	83.1
Information	\$27,773	- ^b	63.9
Financial Activities.....	\$35,194	64.6	76.1
Professional and Business Services.....	\$28,106	64.4	69.5
Education and Health.....	\$35,770	92.0	96.1
Leisure and Hospitality.....	\$9,332	66.4	74.8
Other Services	\$18,103	82.0	87.9
Public Administration.....	\$34,712	81.8	93.2
Milwaukee County			
All Industries.....	\$40,979	112.9	115.3
Natural Resources	\$42,726	133.1	153.9
Construction	\$48,256	103.9	112.5
Manufacturing	\$51,581	102.4	116.1
Trade, Transportation, Utilities.....	\$34,107	102.3	109.7
Information	\$54,923	- ^b	126.4
Financial Activities.....	\$58,019	106.5	125.4
Professional and Business Services.....	\$45,047	103.2	111.3
Education and Health.....	\$40,270	103.6	108.2
Leisure and Hospitality.....	\$16,862	120.1	135.2
Other Services	\$21,951	99.5	106.5
Public Administration.....	\$48,312	113.8	129.7
Ozaukee County			
All Industries.....	\$37,381	103.0	105.2
Natural Resources	\$31,810	99.1	114.6
Construction	\$43,089	92.8	100.5
Manufacturing	\$48,772	96.8	109.8
Trade, Transportation, Utilities.....	\$31,101	93.3	100.1
Information	- ^b	- ^b	- ^b
Financial Activities.....	\$48,836	89.7	105.6
Professional and Business Services.....	\$40,453	92.7	99.9
Education and Health.....	\$39,676	102.0	106.6
Leisure and Hospitality.....	\$11,663	83.0	93.5
Other Services	\$18,748	85.0	91.0
Public Administration.....	\$31,313	73.8	84.1
Sheboygan County^a			
All Industries.....	\$35,095	96.7	98.7
Natural Resources	\$21,422	66.8	77.2
Construction	\$39,765	85.6	92.7
Manufacturing	\$43,948	87.2	98.9
Trade, Transportation, Utilities.....	\$26,597	79.8	85.6
Information	\$32,044	- ^b	73.8

County and Industry Group (NAICS)	Average Annual Wage	Percent of Region	Percent of State
Sheboygan County (continued)^a			
Financial Activities	\$42,007	77.1	90.8
Professional and Business Services	\$29,748	68.2	73.5
Education and Health	\$36,927	95.0	99.2
Leisure and Hospitality	\$10,781	76.8	86.5
Other Services	\$14,067	63.8	68.3
Public Administration.....	\$37,410	88.1	100.4
Washington County			
All Industries	\$33,398	92.0	94.0
Natural Resources	\$29,164	90.9	105.0
Construction	\$38,478	82.9	89.7
Manufacturing.....	\$42,355	84.1	95.3
Trade, Transportation, Utilities	\$30,751	92.2	98.9
Information	\$23,865	- ^b	54.9
Financial Activities	\$43,800	80.4	94.7
Professional and Business Services	\$35,557	81.5	87.9
Education and Health	\$35,153	90.4	94.4
Leisure and Hospitality	\$9,587	68.3	76.9
Other Services	\$18,526	84.0	89.9
Public Administration.....	\$33,150	78.1	89.0
Waukesha County			
All Industries	\$40,708	112.2	114.5
Natural Resources.....	\$37,674	117.4	135.7
Construction	\$49,152	105.9	114.6
Manufacturing.....	\$49,634	98.5	111.7
Trade, Transportation, Utilities	\$36,010	108.0	115.8
Information	- ^b	- ^b	- ^b
Financial Activities	\$54,843	100.7	118.5
Professional and Business Services	\$47,783	109.5	118.1
Education and Health	\$37,807	97.2	101.6
Leisure and Hospitality	\$12,046	85.8	96.6
Other Services	\$24,860	112.7	120.7
Public Administration.....	\$35,978	84.8	96.6
Southeastern Wisconsin Region			
All Industries.....	\$36,286	100.0	102.1
Natural Resources	\$32,089	100.0	115.6
Construction	\$46,434	100.0	108.3
Manufacturing.....	\$50,372	100.0	113.4
Trade, Transportation, Utilities	\$33,347	100.0	107.3
Information	- ^b	- ^b	- ^b
Financial Activities	\$54,454	100.0	117.7
Professional and Business Services	\$43,646	100.0	107.9
Education and Health	\$38,881	100.0	104.4
Leisure and Hospitality	\$14,044	100.0	112.6
Other Services.....	\$22,065	100.0	107.1
Public Administration.....	\$42,446	100.0	114.0
State of Wisconsin			
All Industries	\$35,547	98.0	100.0
Natural Resources.....	\$27,765	86.5	100.0
Construction	\$42,891	92.4	100.0
Manufacturing.....	\$44,430	88.2	100.0
Trade, Transportation, Utilities	\$31,088	93.2	100.0
Information	\$43,439	- ^b	100.0
Financial Activities	\$46,267	85.0	100.0
Professional and Business Services	\$40,462	92.7	100.0
Education and Health	\$37,228	95.7	100.0
Leisure and Hospitality	\$12,468	88.8	100.0
Other Services.....	\$20,604	93.4	100.0
Public Administration.....	\$37,244	87.7	100.0

^aCounty is not part of the Southeastern Wisconsin Region.

^bData not available.

Source: Wisconsin Department of Workforce Development and SEWRPC.

Table 69

MEDIAN HOUSEHOLD INCOME IN WASHINGTON COUNTY COMMUNITIES: 1979 - 1999

Community	1979	1989	1999	Percent Change 1979 - 1999
City of Hartford				
Reported Dollars	17,986	28,092	46,553	158.8
Constant 1999 Dollars	41,586	38,068	46,553	11.9
City of West Bend				
Reported Dollars	19,732	34,337	48,315	144.9
Constant 1999 Dollars	45,623	46,531	48,315	5.9
Village of Germantown				
Reported Dollars	25,313	42,083	60,742	140.0
Constant 1999 Dollars	58,527	57,028	60,742	3.8
Village of Jackson				
Reported Dollars	18,986	30,858	53,990	184.4
Constant 1999 Dollars	43,898	41,817	53,990	23.0
Village of Kewaskum				
Reported Dollars	20,948	33,306	49,861	138.0
Constant 1999 Dollars	48,435	45,134	49,861	2.9
Village of Newburg				
Reported Dollars	19,803	33,500	57,024	188.0
Constant 1999 Dollars	45,787	45,397	57,024	24.5
Village of Slinger				
Reported Dollars	18,670	30,965	47,125	152.4
Constant 1999 Dollars	43,168	41,962	47,125	9.2
Town of Addison				
Reported Dollars	23,125	39,707	56,875	145.9
Constant 1999 Dollars	53,468	53,808	56,875	6.4
Town of Barton				
Reported Dollars	22,800	41,675	64,861	184.5
Constant 1999 Dollars	52,717	56,475	64,861	23.0
Town of Erin				
Reported Dollars	26,210	47,439	74,875	185.7
Constant 1999 Dollars	60,601	64,286	74,875	23.6
Town of Farmington				
Reported Dollars	22,593	40,685	61,667	172.9
Constant 1999 Dollars	52,238	55,134	61,667	18.1
Town of Germantown				
Reported Dollars	25,314	43,486	75,000	196.3
Constant 1999 Dollars	58,530	58,929	75,000	28.1

Community	1979	1989	1999	Percent Change 1979 - 1999
Town of Hartford				
Reported Dollars	23,491	42,437	69,896	197.5
Constant 1999 Dollars	54,315	57,508	69,896	28.7
Town of Jackson				
Reported Dollars	26,925	48,504	64,070	138.0
Constant 1999 Dollars	62,255	65,729	64,070	2.9
Town of Kewaskum				
Reported Dollars	19,732	36,771	59,500	201.5
Constant 1999 Dollars	45,623	49,830	59,500	30.4
Town of Polk				
Reported Dollars	24,844	42,425	62,933	153.3
Constant 1999 Dollars	57,443	57,491	62,933	9.6
Town of Richfield				
Reported Dollars	27,099	51,143	72,809	168.7
Constant 1999 Dollars	62,657	69,306	72,809	16.2
Town of Trenton				
Reported Dollars	23,671	41,448	66,213	179.7
Constant 1999 Dollars	54,731	56,168	66,213	21.0
Town of Wayne				
Reported Dollars	22,029	36,136	61,033	177.1
Constant 1999 Dollars	50,934	48,969	61,033	19.8
Town of West Bend				
Reported Dollars	22,617	35,000	73,333	224.2
Constant 1999 Dollars	52,294	47,430	73,333	40.2
Washington County				
Reported Dollars	21,989	38,431	57,033	159.4
Constant 1999 Dollars	50,842	52,079	57,033	12.2
Southeastern Wisconsin Region				
Reported Dollars	20,096	32,146	46,308	130.6
Constant 1999 Dollars	46,465	43,562	46,308	-0.3
Wisconsin				
Reported Dollars	17,680	29,442	43,791	147.7
Constant 1999 Dollars	40,879	39,898	43,791	7.1
United States				
Reported Dollars	16,841	30,056	41,994	149.4
Constant 1999 Dollars	38,939	40,730	41,994	7.8

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

households, or about 2 percent of all households, with incomes below the poverty level in the Town in 2000, and four households were family households and five were non-family households. Poverty thresholds are determined on a National basis and do not change by geographic region. Poverty thresholds ranged between \$8,501 for a one person household and \$34,417 for a nine person household in 1999.⁹

⁹The poverty thresholds above are weighted averages. Thresholds vary depending on the number of related children under 18 years of age present in the household and the age of the householder.

Commercial and Industrial Areas

The Town of Wayne and Washington County have a strong economic base, as indicated by labor force and household income characteristics. In addition to positive labor force characteristics, the Town and County must ensure that an adequate number of sites for business creation, retention, expansion, and attraction are identified to maintain the strong economic base. The Town land use plan map (Map 10 in Chapter VI) designates 454 acres for commercial and industrial development in 2035, which is an increase of 355 acres from the 99 acres developed for such uses in 2008.

Business/Industrial Parks

Existing business parks located in the County are listed in Table 70. Business parks are defined as having each of the following characteristics:

- A planned and publicly-owned internal street system
- Sanitary sewer service and public water service or availability
- Single ownership at the time the park was subdivided
- Land that is available and on the market
- A minimum of 10 acres for brownfield sites and 40 acres for greenfield sites
- Land that was platted or divided by certified survey map, except for brownfield sites

There are no business parks located in the Town of Wayne. There were 27 business parks located in the County. Total acreage encompassed by business parks in the County was 3,520 acres. About 75 percent of the land, or 2,630 acres, has been developed or is committed to development. About 25 percent of the land, or 890 acres, is currently available for development. Business parks are located in the Cities of Hartford and West Bend; Villages of Germantown, Jackson, Kewaskum, Richfield, and Slinger; and Towns of Addison and Polk. Existing business parks are generally located adjacent to a highway or arterial street. Uses located in business parks are traditionally manufacturing, warehousing, or office uses; however, commercial retail and service uses may also be appropriate for business parks. The most compatible commercial retail and service uses for business parks are those that provide goods and services catering to the needs of employees who work in the business parks, such as child care centers, restaurants, and banks or credit unions. Health care clinics are also increasingly being located in business parks.

Environmentally Contaminated Sites

Section 66.1001 of the *Wisconsin Statutes* requires the economic development element of a comprehensive plan to promote environmentally contaminated sites for commercial and industrial use. There are no environmentally contaminated sites in the Town of Wayne.

PART 2: ECONOMIC PROJECTIONS AND DESIRABLE BUSINESSES

Employment Projections

Future employment levels in the County are expected to be strongly influenced by the strength of the regional economy relative to the rest of the State and Nation. The Regional Planning Commission's economic study, *The Economy of Southeastern Wisconsin*,¹⁰ which was prepared as part of the regional land use planning program, concluded that the regional economy is unlikely to significantly increase or decrease in strength relative to the State or Nation over the projection period of 2000 to 2035.

Projections of total employment for Washington County were prepared within the framework of the regional employment projection largely on the basis of trend analysis. The number of jobs by industry group in 2000 and the projected number of jobs in 2035 are shown on Table 71. The total number of jobs in the County is

¹⁰Documented in *SEWRPC Technical Report No. 10 (4th Edition)*, The Economy of Southeastern Wisconsin.

Table 70

BUSINESS/INDUSTRIAL PARKS IN WASHINGTON COUNTY: 2008^a

Park Name	Location ^b	Total Site Area (Acres)	Area Developed/ Committed for Business/Industrial Uses (Acres)	Remaining Available Developable Area (Acres)
City of Hartford				
Dodge Industrial Park ^c	T10N, R17E Section 12-4 and Section 13-1 and 4; T10N, R18E Section 7-3 and Section 18-2 and 3	540.0	507.0	33.0
Hartford Industrial Park	T10N, R18E Section 17-2 and 3 and Section 20-1 and 2	106.0	106.0	--
Western Industrial Park.....	T10N, R18E Section 17-3 and Section 18-1 and 4	66.0	66.0	--
City of West Bend				
River Road Industrial Park	T11N, R19E Section 36-4	57.0	35.5	21.5
West Bend Corporate Center.....	T11N, R19E Section 26-2 and 3	234.0	113.0	121.0
West Bend Industrial Park – East.....	T11N, R20E Section 7-3	67.0	67.0	--
West Bend Industrial Park – South.....	T11N, R19E Section 25-1, 2, 3, and 4	204.0	195.5	8.5
Wingate Creek Business Center	T11N, R20E Section 27-3 and 4	70.0	36.0	34.0
Village of Germantown				
Germantown Business Park (Donges Bay Industrial Park)	T9N, R20E Section 32-3	350.0	233.0	117.0
Germantown Industrial Park (Maple Road Industrial Park)	T9N, R20E Section 20-1 and 4 and Section 21-2 and 3	474.0	474.0	--
Stonewood Business Park	T9N, R20E Section 28-1	18.0	18.0	--
Village of Jackson				
Cedar Creek Business Park.....	T10N, R19E Section 13-4 and Section 14-1	110.0	110.0	--
Jackson Northwest Business Park	T10N, R20E Section 18-1, 2, 3, and 4	290.0	210.0	80.0
Village of Kewaskum				
Trading Post Center Business Park.....	T12N, R19E Section 15-3	57.0	17.0	40.0
Village of Slinger				
Industrial Site #1	T10N, R19E Section 16-3	23.0	--	23.0
Industrial Site #2	T10N, R19E Section 16-4	49.0	--	49.0
Industrial Site #3	T10N, R19E Section 6-3	13.0	--	13.0
Industrial Sites #4 and #7.....	T10N, R19E Section 17-4 and Section 20-1	100.0	97.5	2.5
Industrial Sites #5 and #10.....	T10N, R19E Section 7-4 and Section 8-3	19.0	--	19.0
Industrial Site #6	T10N, R19E Section 21-1	27.0	--	27.0
Industrial Site #8	T10N, R19E Section 18-2	16.0	--	16.0
Industrial Site #9	T10N, R19E Section 7-3 and Section 18-2	34.0	34.0	--
Town of Addison				
St. Lawrence Industrial Park.....	T11N, R18E Section 34-4	230.0	110.0 ^d	120.0
Town of Polk				
Helsan Business Park ^e	T10N, R19E Section 36-4	39.0	36.5	2.5
Total – 27 Sites	--	3,520.0	2,630.0	890.0

^aBusiness/Industrial Parks in Washington County were identified based on the following characteristics: the presence of a planned publicly-owned internal street system, single ownership at the time the park was created, having buildable sites, and created by plat or by certified survey map.

^bThe location represents the U.S. Public Land Survey Township, Range, and Section in which the site is located. The last number indicates the quarter section location. A "1" indicates the northeast quarter, a "2" indicates the northwest quarter, a "3" indicates the southwest quarter, and a "4" indicates the southeast quarter.

^cThe Dodge Industrial Park is partially located in that portion of the City of Hartford in Dodge County.

^dIncludes an existing nonmetallic mining site.

^eThe Helsan Business Park was annexed by the Village of Richfield in late 2008.

Source: Washington County, Local Governments, and SEWRPC.

projected to increase by 17,170 jobs, or by about 28 percent. Most of the job growth in the County is expected to occur in the "General" category, which includes service jobs and jobs in finance, insurance, and real estate. Retail and industrial jobs are expected to increase, while the number of transportation and utility jobs, government jobs, and agricultural and natural-resource related jobs are expected to remain the same or to decrease.

The Town land use plan map designates an additional 256 acres for commercial development and an additional 99 acres for industrial development between 2000 and 2035. Based on standards developed by SEWRPC, which were developed as part of the regional land use plan based on existing commercial and industrial development in

Table 71

EMPLOYMENT PROJECTIONS FOR WASHINGTON COUNTY UNDER THE REGIONAL LAND USE PLAN: 2000-2035

Industry Group	Existing Number of Jobs 2000	Projected Number of Jobs 2035	2000-2035 Number Change in Employment	2000 Percent of Total Employment	2035 Percent of Total Employment
Industrial ^a	23,999	24,062	63	38.9	30.5
Retail.....	10,152	12,674	2,522	16.5	16.1
General ^b	16,890	31,758	14,868	27.4	40.3
Transportation, Communications, and Utilities.....	2,313	2,186	-127	3.7	2.8
Government.....	6,018	6,018	0	9.8	7.6
Other ^c	2,319	2,163	-156	3.7	2.7
Total	61,691	78,861	17,170	100.0	100.0

^aIndustrial includes construction, manufacturing, and wholesale trade categories.

^bIncludes finance, insurance, and real estate (FIRE), and service categories.

^cIncludes agricultural, agricultural services, forestry, mining, and unclassified jobs.

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

the region, 5,072 additional jobs,¹¹ for a total of 5,629 jobs, could be accommodated in the commercial and industrial areas shown on the Town land use plan. A continuation of recent employment trends (1980 through 2005) would result in 1,192 jobs in the Town in 2035, compared to 557 jobs in the Town in 2000, or a 121 percent increase. If all of the land designated for commercial and industrial use were to be developed at the intensity observed for the Region as a whole, the number of jobs in the Town would increase by more than nine times, from 557 jobs in 2000 to 5,072 jobs in 2035. Such an increase is unlikely, because the lack of sanitary sewer and water services in the Town will limit the types and intensity of commercial and industrial uses. Typical industrial uses in areas without public sewer and water include warehousing, storage units, and contractors' offices and yards.

Based on consideration of the range of employment projections described in the preceding paragraph, the Town of Wayne selected an employment projection of 1,192 jobs in the year 2035, which reflects a continuation of recent trends.

Desired Businesses

Section 66.1001 of the *Wisconsin Statutes* requires that an assessment of categories or particular types of new businesses and industries desired by the Town of Wayne be identified in the economic development element of the comprehensive plan. This section includes a list of businesses and industries the Town would like to create, attract, retain, or expand.

Desired business and industries for the Town include the following, which are those identified as part of the Washington County multi-jurisdictional comprehensive planning process:

- Biomanufacturing and manufacturing of medical equipment
 - 3254, Pharmaceutical and Medicine Manufacturing
 - 3391, Medical Equipment and Supplies Manufacturing

¹¹Based on an average of 16.6 workers for each acre of retail and service development and 8.3 workers per acre of industrial development.

- Information systems, including software development and data processing
 - 5182, Data Processing, Hosting, and Related Services
 - 5112, Software Publishers
 - 5415, Computer Systems Design and Related Services
- Entrepreneurial companies and independent businesses led by visionaries that will attract venture capital to the County
 - No specific codes, would apply to virtually all
- Advanced technology manufacturing and niche manufacturing, such as plastics, military, defense, and medical industries; and manufacturing that requires high precision and low product volume
 - 326, Plastic and Rubber Products Manufacturing
 - 331, Primary Metal Manufacturing
 - 332, Fabricated Metal Product Manufacturing
 - 333, Machinery Manufacturing
 - 334, Computer and Electronic Product Manufacturing
 - 335, Electrical Equipment, Appliance, and Component Manufacturing
 - 336, Transportation Equipment Manufacturing
 - 339, Miscellaneous Manufacturing
- Financial and insurance services, including financial planning, banking, online support facilities, and processing facilities
 - 52, Finance and Insurance
- Business incubators for small businesses that may grow into larger businesses and expand
 - No specific codes, would apply to virtually all
- Small businesses and home-based businesses
 - No specific codes, would apply to virtually all
- Niche agriculture, including organic farming; food production for local restaurants, micro-breweries, and other niches; and crop production for the bio-fuel industry
 - No specific codes provided for these businesses
- Continuation of dairy farming and other existing types of agriculture
 - 11212, Dairy Cattle and Milk Production
- Professional/engineering/technical offices
 - 54, Professional, Scientific, and Technical Services
- Logistics/freight/trucking
 - 48-49, Transportation and Warehousing
 - 484, Truck Transportation
 - 482, Rail Transportation
 - 488, Support Activities for Transportation
 - 4885, Freight Transportation Arrangement
 - 493, Warehousing and Storage
- Nonmetallic mining
 - 2123, Nonmetallic Mineral Mining and Quarrying
 - 327, Nonmetallic Mineral Product Manufacturing
- Aerospace manufacturing
 - 3364, Aerospace Product and Parts Manufacturing

- Food processing
-311, Food Manufacturing
- Conservation industries
-No specific codes provided; see codes under “Advanced technology, manufacturing, and niche manufacturing” above.

Economic Development Strengths and Weaknesses

Section 66.1001 of the *Wisconsin Statutes* also requires that an assessment of strengths and weaknesses with respect to attracting and retaining businesses and industries be completed as part of the economic development element. The Town Plan Commission identified the following strengths and weaknesses, which are those identified as part of the Washington County multi-jurisdictional comprehensive planning process:

- Strong regional cooperation and promotion through the Milwaukee 7 economic development initiative
- Proximity to Moraine Park Technical College, UWWC, and Milwaukee area universities and colleges, including Milwaukee Area Technical College (MATC)
- High quality of life, including good healthcare; recreational and open space amenities; rural character; high quality public services; low crime rate; cultural opportunities; and location in the Milwaukee Metropolitan Area
- Proximity and accessibility to highway system; STH 28, STH 33, STH 175, USH 41, and USH 45, and good access to Milwaukee and Waukesha
- Educated and skilled workforce
- Recreation areas
- Good school system and youth programs
- County and local governments that are receptive to business needs
- Chambers of Commerce, Downtown Associations, Convention and Visitors Bureau, industry “clusters”
- Presence of farms
- Police, fire, and emergency services
- Consistent population growth
- Fair Park (meeting, convention, and exhibition facilities that operate year-round to showcase area businesses)
- Access to transportation and/or shipping through rail, local airports, General Mitchell International Airport, and the Port of Milwaukee

The Town of Wayne’s perceived weaknesses regarding attracting and retaining desirable businesses and industries include:

- Lack of affordable workforce housing
- Too many educated young people leaving the Town and County
- Aging of the workforce population
- Prejudice towards technical education and employment in “trade jobs”
- Lack of workers with skills suited to trade jobs and manufacturing jobs
- High land costs
- Lack of availability of business services
- Disconnect between the education system and the business sector – students are not necessarily learning the skills employers covet
- Lack of public transportation options

- Residents may be reluctant to change and fearful of new business ideas
- “NIMBY” (Not In My Back Yard) attitude
- Lack of existing manufacturing buildings with ample electric power to run manufacturing equipment
- Lack of technical and trade programs in local high schools
- Tax base needs to be diversified with more industrial and business uses

PART 3: ECONOMIC DEVELOPMENT GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

Goals:

- The Town prefers economic development that does not negatively impact the Town’s rural character or natural resources.
- Communicate with existing local businesses and work to retain them, if possible.
- Encourage economic development desired by the Town in appropriate areas.
- Encourage the preservation of agricultural lands.

Objectives:

- Allow and attract businesses that support the primary economic activities in the Town; agriculture, tourism, recreation, and residents’ needs.
- Make the Town’s vision statement, comprehensive plan, and future land use map available to developers with potential business proposals.
- Monitor the impacts (noise, traffic, etc.) of home-based businesses.
- Maintain the economic stability of the farming community to help preserve the rural character and open spaces of the Town.
- Preserve in agricultural use those lands best suited to agricultural uses within the Town to protect both the rural character and the economic base.
- Protect farmable lands by using conservation subdivision techniques specific to preserving agriculture.

Policies:

- Discourage the conversion of agricultural lands, particularly those scoring 6.8 or above in the LESA analysis, to non-farm uses in order to maintain an agricultural economy in the Town.
- Affirm and encourage traditional and alternative forms of agriculture.
- Encourage business development that matches the educational attainment and skills of Town residents.
- Require home-based businesses to obtain conditional use permits and comply with zoning ordinance requirements.
- Support economic development organizations that act to retain and create employment opportunities for residents of the Town.
- Promote the positive attributes of the Town to desirable businesses that may consider locating or expanding in the Town.

Programs:

- Identify suitable areas for commercial and industrial development on the Town land use plan map (see Map 10 in Chapter VI).
- Amend the Town zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use.

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Chapter XI

INTERGOVERNMENTAL COOPERATION ELEMENT

INTRODUCTION

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

- Analyze the relationship of the Town to school districts, drainage districts,¹ adjacent local governments, Washington County, the Region, the State, and to other governmental units (such as sanitary districts and library boards)
- Incorporate any plans or agreements to which the Town is a party under Sections 66.0301, 66.0307, or 66.0309 of the *Statutes*
- Identify existing or potential conflicts between the Town, other local governments, the County, or the regional planning commission, and to describe the processes to resolve such conflicts.

Some of the benefits of Intergovernmental Cooperation include:

- **Cost Savings**
Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with services that would otherwise be too costly. Examples include shared library services, police and fire protection, and recycling of household hazardous waste.
- **Address Regional Issues**
By communicating and coordinating their actions, and working with County, regional, and State agencies, local communities are able to address and resolve issues which are regional in nature. Examples include the construction and maintenance of highways and planning and construction of facilities for stormwater management.

¹There are no drainage districts in the Town of Wayne.

- **Early Identification of Issues**
Cooperation enables County and local governments and other agencies to identify and resolve potential conflicts at an early stage, before affected interests have established rigid positions, before the political stakes have been raised, and before issues have become conflicts or crises.
- **Reduced Litigation**
Communities that cooperate may be able to resolve issues before they become mired in litigation. Reducing the possibility of costly litigation can save a community money, as well as the disappointment and frustration of unwanted outcomes.
- **Understanding**
As communities communicate and collaborate on issues of mutual interest, they become more aware of one another's needs and priorities. They can better anticipate problems and work to avoid them.
- **Trust**
Cooperation can lead to positive experiences and results that build trust and good working relationships between communities.
- **History of Success**
When communities cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.

PART 1: ANALYSIS OF INTERGOVERNMENTAL RELATIONSHIPS

Washington County

Washington County provides a number of services to the Town and Town residents. This section briefly highlights a few of the County departments that provide services to local governments:

Planning and Parks Department

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

Highway Department

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

Sheriff's Department

The Washington County Sheriff's Department provides police protection for all towns in the County and to the Villages of Newburg and Richfield, and also provides emergency dispatch services. Service to the Town of Trenton and Village of Newburg is limited to specified periods when municipal police departments are not operating. The department maintains a DIVE team that serves all communities in the County, including the Town of Wayne.

Emergency Management Department

The Washington County Emergency Management Department prepares and updates county emergency operation plans; coordinates emergency training exercises; communicates to the public about emergency preparedness; and responds to incidents throughout Washington County, including those involving hazardous materials.

School Districts

The Town of Wayne is located almost entirely within the Kewaskum School District. A small area in the western portion of the Town lies within the Lomira School District. All of the public and private schools and public high school districts in Washington County, including the Town of Wayne, are shown on Map 14 and listed in Table 60 in Chapter IX. Chapter IX also describes facilities planning by school districts to determine and provide for future needs. The Kewaskum School District operates the Wayne Elementary School in the Town.

School districts should work with the Town when proposing to construct new facilities or additions to existing facilities, or when proposing to abandon a school district facility. Schools and other district facilities are subject to local zoning regulations. Washington County or SEWRPC can assist school districts and UW-Washington County, if requested, by providing information on projected population levels to assist in facilities planning, and by offering comments on proposed school locations.

Libraries

Washington County is served by five public libraries, which are part of the Mid-Wisconsin Federated Library System.² The Town of Wayne does not have a public library. The closest libraries are the Kewaskum Public Library in the Village of Kewaskum and the West Bend Community Memorial Library in the City of West Bend. Washington County contracts with each library to provide library services to County residents living in communities without a municipal library, such as the Town of Wayne.

Adjacent Local Governments

The Town has agreements with the Towns of Addison, Barton, and Kewaskum in Washington County; the Town of Theresa in Dodge County; and the Town of Ashford in Fond du Lac County for maintenance of roads on the Town line that are not under County or State jurisdiction.

Regional Organizations

SEWRPC

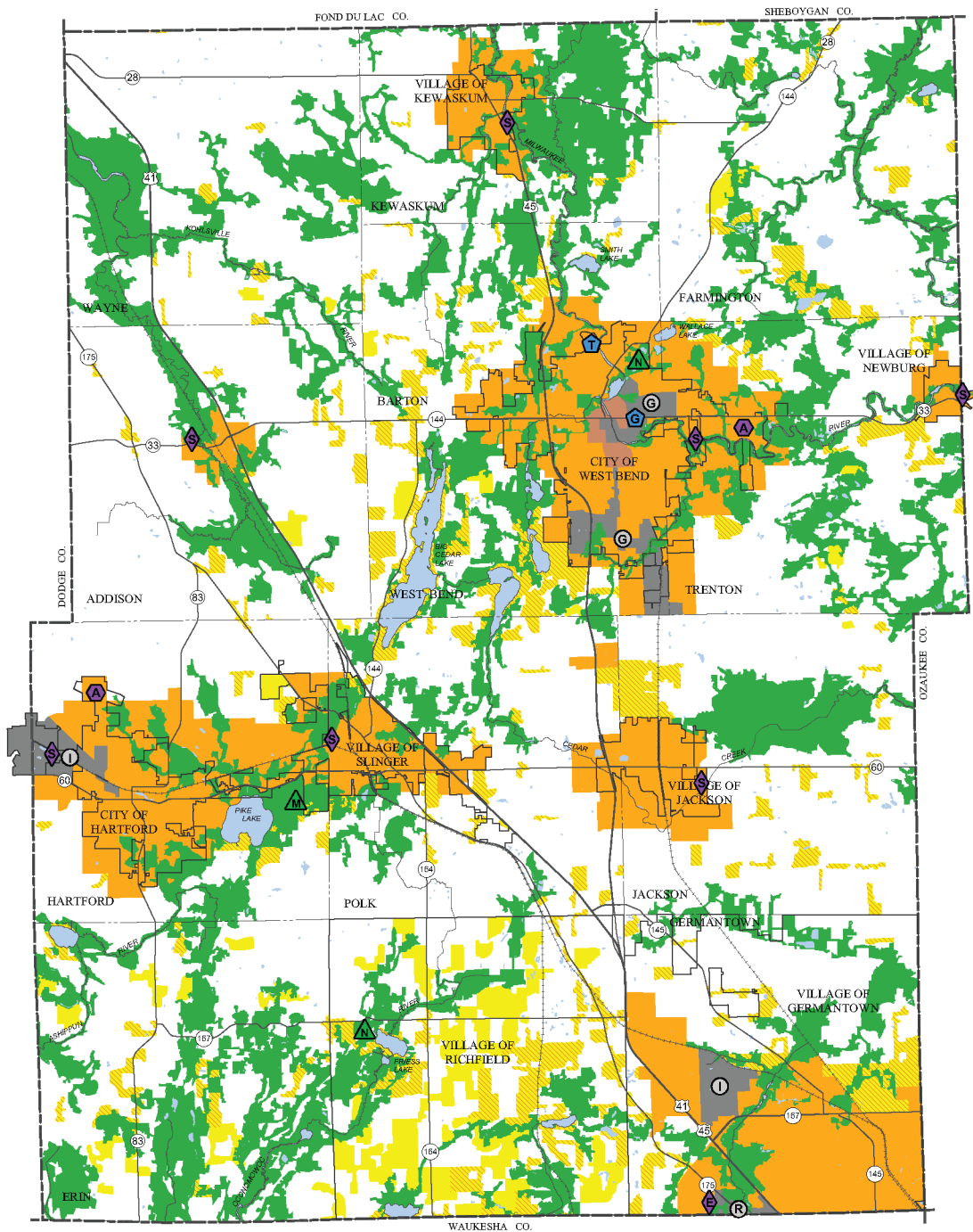
Washington County and local governments in the County are served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Washington County contracted with SEWRPC to assist the County and 11 participating local governments to help prepare the County and local comprehensive plans. SEWRPC helped the Town prepare this comprehensive plan as part of that multi-jurisdictional planning process.

SEWRPC also prepares a regional land use plan, which includes population, employment, and household projections to assist in local and county planning efforts, and is the federally-designated transportation planning and programming agency for the seven-county region.³ The regional land use plan for 2035, as it pertains to Washington County, is shown on Map 15. SEWRPC is also the regional water quality management agency for the region, and is involved in many other aspects of land use planning and development, including the County jurisdictional highway system plan, the regional water supply plan, and the regional telecommunications plan. The Town is working with SEWRPC to implement a community level wireless access network plan. Additional information about the wireless access network plan is provided in Chapter IX. SEWRPC also assists the Town in drafting and developing zoning and land use plans and ordinances.

²The Mid-Wisconsin Federated Library System includes 27 public libraries located in Washington, Dodge, and Jefferson Counties.

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

2035 REGIONAL LAND USE PLAN AS IT PERTAINS TO WASHINGTON COUNTY



- HIGH DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND — AT LEAST 7.0 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- MEDIUM DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND — 2.3 TO 6.9 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- LOW DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND — 0.7 TO 2.2 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- SUB-URBAN DENSITY AREA**
(RESIDENTIAL LAND — 0.2 TO 0.6 DWELLING UNITS PER NET RESIDENTIAL ACRE)
- MAJOR ECONOMIC ACTIVITY AREA**
- INDUSTRIAL (AT LEAST 3,500 INDUSTRIAL JOBS)
- RETAIL (AT LEAST 2,000 RETAIL JOBS)
- GENERAL PURPOSE (AT LEAST 3,500 TOTAL JOBS)
- RURAL AREA**
(PRIME AGRICULTURAL LAND, OTHER AGRICULTURAL LAND, AND RURAL DENSITY RESIDENTIAL — NO MORE THAN 0.2 DWELLING UNITS PER ACRE)
- PRIMARY ENVIRONMENTAL CORRIDOR**
- SURFACE WATER**
- MAJOR OUTDOOR RECREATION CENTER**
M - MULTI-USE SITE
N - NATURE STUDY SITE
- MAJOR TRANSPORTATION CENTER**
A - AIRPORT
- MAJOR UTILITY CENTER**
S - PUBLIC SEWAGE TREATMENT PLANT
E - ELECTRIC POWER GENERATION PLANT
- MAJOR GOVERNMENTAL OR INSTITUTIONAL CENTER**
G - COUNTY ADMINISTRATION OFFICE
T - TECHNICAL / VOCATIONAL

NOTE: THE 2035 REGIONAL LAND USE PLAN WAS ADOPTED BY THE REGIONAL PLANNING COMMISSION ON JUNE 21, 2006.



Source: SEWRPC.

Milwaukee 7

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

State of Wisconsin

Wisconsin Department of Transportation (WisDOT)

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

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

Wisconsin Department of Natural Resources (DNR)

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

The DNR makes grants available to County and local units of government for park acquisition and development. A County or local government must prepare and adopt a park plan to be eligible to receive recreational grant funds from the DNR. The Town has not yet adopted such a plan.

The DNR is also working with the Federal Emergency Management Agency (FEMA) and Washington County to update floodplain mapping within the County. The floodplain update is expected to be completed in 2009. Floodplains within the Town are regulated by the Washington County Shoreland/Wetland and Floodplain Zoning Ordinance (Chapter 23 of the Washington County Code of Ordinances).

Department of Commerce

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

Private Organizations

Fire Protection and Ambulance Services

Fire protection is provided to the entire Town by the Kohlsville Fire Department, which is operated privately and consists of 35 volunteer firefighters. The Kohlsville Fire Department also serves the western portion of the Town of Barton. Fire departments and fire protection service areas in Washington County, including the Town of Wayne, are listed in Table 58 in Chapter IX. Emergency rescue services are provided to the Town by Allenton Rescue, Kewaskum Rescue, and Kohlsville Rescue.

PART 2: EXAMPLES OF EXISTING SERVICE AND OTHER AGREEMENTS IN THE TOWN OF WAYNE

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

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

The Town of Wayne is a party to the following intergovernmental agreements:

- An intergovernmental agreement among Washington County, SEWRPC, and the Town for development of the County and Town comprehensive plans.
 - Service agreements with Allenton Rescue and Kewaskum Rescue for emergency rescue services.
 - Agreements with the Towns of Addison, Barton, Kewaskum, Ashford, and Theresa for maintenance of roads on the Town line that are not under County or State jurisdiction.
- **Section 66.0307 – Boundary Change Pursuant to Approved Cooperative Plan:** A cooperative plan may change boundaries between local governments. The cooperative plan must be approved by the Wisconsin Department of Administration (DOA). The plan may establish ultimate city or village boundaries, zoning for the areas included in the agreement, and provide for revenue sharing. The major difference between a boundary agreement established under Section 66.0301 and one established under Section 66.0307 is that the latter supercedes the annexation *Statute* for attachment and/or detachment of property from one local government to another, provided the attachment or detachment is called for by the agreement. The Town of Wayne is not a party to any agreements established under Section 66.0307.
 - **Section 66.0225 – Stipulated Boundary Agreement in Contested Boundary Actions:** Boundary agreements may also be established by a judicial order as part of a settlement of annexation litigation between a town and adjacent city or village. Boundaries are determined by mutual agreement of the parties. The Town of Wayne is not a party to any agreements established under Section 66.0225.
 - **Section 66.0309 – Creation, Organization, Powers, and Duties of Regional Planning Commissions:** This section of the *Statutes* authorizes the Governor to establish regional planning commissions in response to petitions from County and local governments. A regional planning commission is charged by the *Statutes* to prepare and adopt a master plan for development of the region. Washington County and the Town of Wayne are part of the SEWRPC region, which serves the seven counties and 147 cities, towns, and villages in the southeastern corner of Wisconsin. SEWRPC was established by then-Governor Gaylord Nelson in 1960 and is governed by a 21-member Commission. Chapter II includes a summary of recent plans conducted by SEWRPC that affect the Town. SEWRPC also assisted the Town in the preparation of this comprehensive plan.

PART 3: MULTI-JURISDICTIONAL COMPREHENSIVE PLANNING PROCESS

This Town comprehensive plan was prepared as part of the Washington County multi-jurisdictional comprehensive planning process. As part of that process, comprehensive plans to meet the requirements of the Wisconsin comprehensive planning law (Section 66.1001 of the *Statutes*) were prepared for the County, the Town of Wayne, and nine other towns and one village in Washington County.

Inclusion of City, Town, and Village Plans in the County Plan

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

The *Statutes* provide clear guidance that a county plan need not include city and village plans for extraterritorial areas where a county has established a regional planning department. In that case, Section 62.23(2) provides “that in any county where a regional planning department has been established, areas outside the boundaries of a city may not be included in the (city) master plan without the consent of the county board of supervisors.” The County Attorney has determined that the Washington County Planning and Parks Department is a “regional planning department.” Based on that determination, the County land use plan map does not include city and village land use plan designations for areas outside city or village boundaries. The only exception is areas identified in the boundary agreement between the Town of West Bend and City of West Bend as areas that will be annexed over time into the City. Land use designations from the City of West Bend land use plan map are included on the County plan map for those areas.

On August 10, 2004, the Washington County Board of Supervisors adopted 2004 Resolution 35, which established criteria regarding the incorporation of town land use plans into the County land use element, including the land use plan map, of the Washington County comprehensive plan. The resolution states that the County will accept a Town land use plan if the plan is in “substantial agreement” with the objectives, principles, and standards of the regional land use plan prepared and adopted by SEWRPC. The Planning, Conservation, and Parks Committee (PCPC) of the County Board was assigned the responsibility for determining if each town plan was in substantial agreement with the regional land use plan, based on a recommendation from SEWRPC. In order to be in substantial agreement with the regional land use plan, each Town land use plan map was reviewed to determine if it met the following key recommendations of the regional plan:

- Primary environmental corridors should be preserved in accordance with the guidelines set forth in the regional plan (see Table 24 in Chapter V). The regional plan recommends the preservation of primary environmental corridors throughout the seven-county region. The regional plan recommends that county and local governments consider protecting secondary environmental corridors and isolated natural resource areas as well, exercising the discretion of the county or local governing body in so doing. The Town of Wayne has identified primary and secondary environmental corridors and isolated natural resource areas on the Town land use plan map (Map 10 in Chapter VI). The Agricultural, Natural, and Cultural Resources Element and the Land Use Element (Chapters V and VI, respectively) set forth measures to protect natural resources within environmental corridors and isolated natural resource areas.
- Urban-density development should occur within and adjacent to the urban service areas identified in the regional plan. Urban development proposed within one-half mile of a planned sewer service area was considered to be in substantial agreement with the regional plan. This flexibility is consistent with a recognition in the regional plan that sewer service areas may be adjusted from time-to-time to meet urban land market and other conditions.
- Development outside planned urban service areas should be limited to agricultural uses, rural residential uses at a density of no more than one home per five acres, and limited areas of highway-related services and commercial and industrial development to serve farmers, rural residents, and the traveling public. A

town plan was considered to be in substantial agreement with the regional land use plan if the average proposed residential density of the town outside the expanded urban service area was no more than one home per five acres, or if no more than about 20 percent of the town outside the expanded urban service area is proposed to be developed for urban uses. The “expanded urban service area” refers to the planned sewer service area plus a one-half mile buffer.

The regional land use plan also recommends the preservation of prime agricultural lands outside planned urban service areas. The regional plan recommends that each county, in cooperation with local units of government, carry out planning programs to identify prime agricultural land. The regional plan holds out the preservation of the most productive soils—soils in U.S. Natural Resources Conservation Service Agricultural Capability Class I and Class II—as a key consideration in efforts to identify prime farmland, recognizing, however, that other factors, such as farm size and the overall size of the farming area, should also be considered. Most county planning in this regard was carried out more than 20 years ago and needs to be reviewed and updated. Washington County staff has recommended that the County Farmland Preservation Plan, which was adopted in 1981, be updated following adoption of the County comprehensive plan. Until that update is completed, town plans were considered to be in substantial agreement with the regional plan if they met the three criteria listed above.

The Town of Wayne plan was found to be in substantial agreement with the regional land use plan, and was therefore incorporated into the County land use plan map (see Map 16). The Washington County Board of Supervisors adopted the Washington County Comprehensive Plan on April 15, 2008.⁴

PART 4: INTERGOVERNMENTAL CONFLICTS AND DISPUTE RESOLUTION

Dispute Resolution Process⁵

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

A dispute resolution process was developed as part of the Washington County multi-jurisdictional comprehensive planning process. This process is intended to provide an alternative way of resolving disputes between adjacent local governments, or local governments and the County, that arise from implementation of adopted comprehensive plans. The dispute resolution process is a *voluntary* process administered by the Washington County Planning and Parks Department.

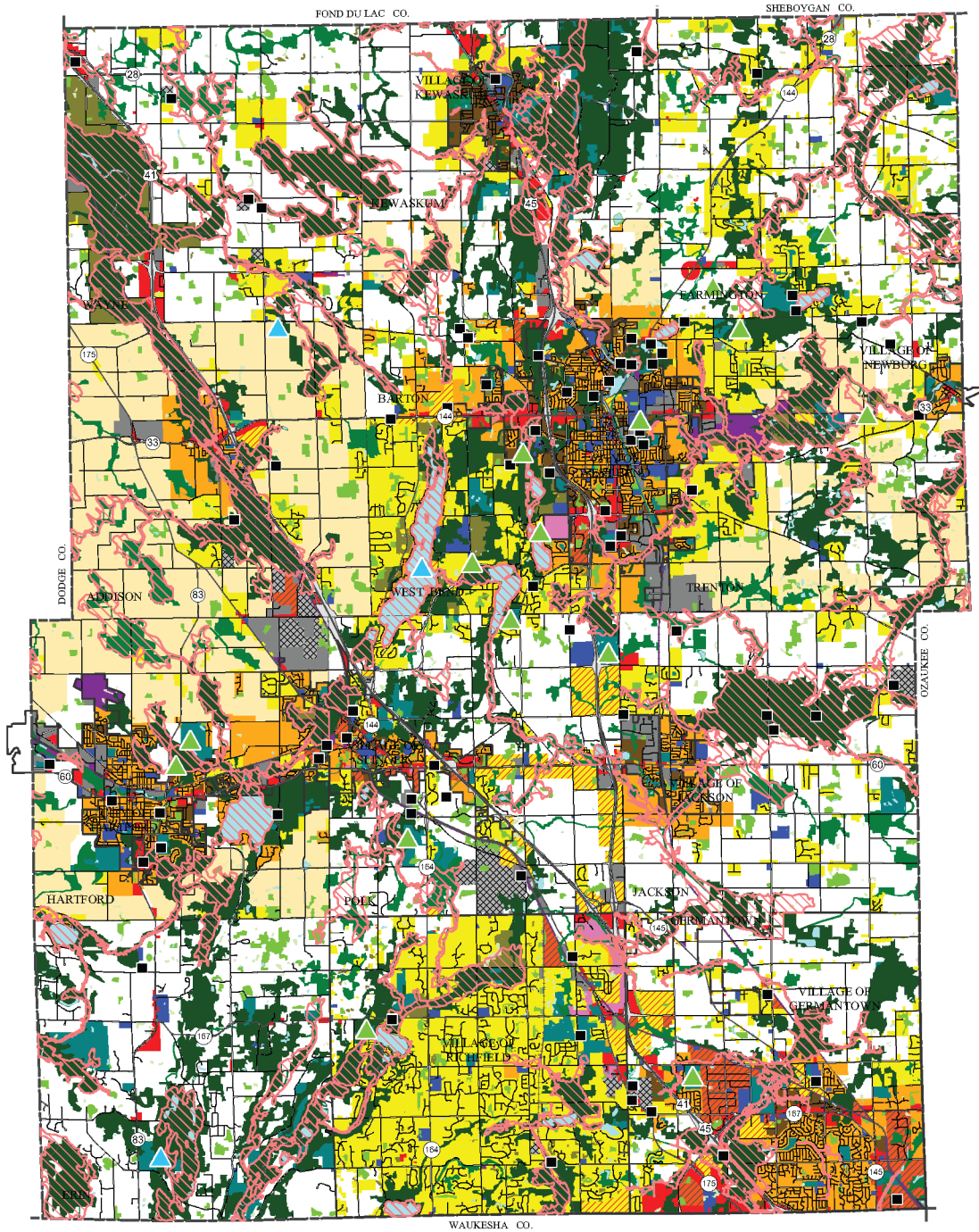
Washington County encourages towns, villages, and cities to coordinate with each other and the County on planning efforts. The intergovernmental cooperation element is intended to avoid and minimize potential conflicts, but nevertheless, conflicts will continue to occur at the local and County levels.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

- Alternative dispute resolution techniques such as negotiation and mediation.
- Judicial and quasi-judicial dispute resolution techniques such as litigation and arbitration.

⁴*Documented in SEWRPC Community Assistance Planning Report No. 287, A Multi-Jurisdictional Comprehensive Plan for Washington County: 2035 (publication pending).*

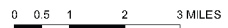
⁵*Sources for this section include the publications Intergovernmental Cooperation, A Guide to Preparing the Intergovernmental Cooperation Element of a Local Comprehensive Plan, prepared by the Wisconsin Department of Administration, and Practices and Procedures for Dispute Review Boards, Dispute Resolution Boards, and Dispute Adjudication Boards, prepared by the Dispute Resolution Board Foundation.*

WASHINGTON COUNTY LAND USE PLAN: 2035



- | | | |
|------------------------------------|---|---|
| FARMLAND PROTECTION | PARK AND RECREATION | FORMER LANDFILL IDENTIFIED IN DNR REGISTRY |
| AGRICULTURAL AND RURAL RESIDENTIAL | TRANSPORTATION AND UTILITIES (EXCEPT FOR STREETS AND HIGHWAYS) | EXISTING COUNTY PARK AND OUTDOOR RECREATION SITES |
| SUBURBAN DENSITY RESIDENTIAL | EXTRACTIVE | PROPOSED COUNTY PARK |
| MEDIUM DENSITY URBAN RESIDENTIAL | FORMER LANDFILL IDENTIFIED ON LOCAL GOVERNMENT LAND USE PLAN MAP | STREET AND HIGHWAY RIGHT-OF-WAY |
| HIGH DENSITY URBAN RESIDENTIAL | PRIMARY ENVIRONMENTAL CORRIDOR | |
| MIXED USE | SECONDARY ENVIRONMENTAL CORRIDOR | |
| GENERAL COMMERCIAL | ISOLATED NATURAL RESOURCE AREA | |
| OFFICE / PROFESSIONAL SERVICES | WETLANDS OUTSIDE OF ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS | |
| BUSINESS / INDUSTRIAL | OTHER CONSERVANCY LANDS TO BE PRESERVED | |
| INDUSTRIAL | SURFACE WATER | |
| GOVERNMENTAL AND INSTITUTIONAL | 100 - YEAR FLOODPLAIN (FROM 1981 FLOOD INSURANCE STUDY) | |

ADOPTED BY WASHINGTON COUNTY BOARD OF SUPERVISORS ON APRIL 15, 2008



Source: Local Governments, Washington County, and SEWRPC.

In the event that a conflict does occur, utilization of an alternative dispute resolution process will be encouraged in an effort to avoid costly and lengthy litigation.

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

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

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

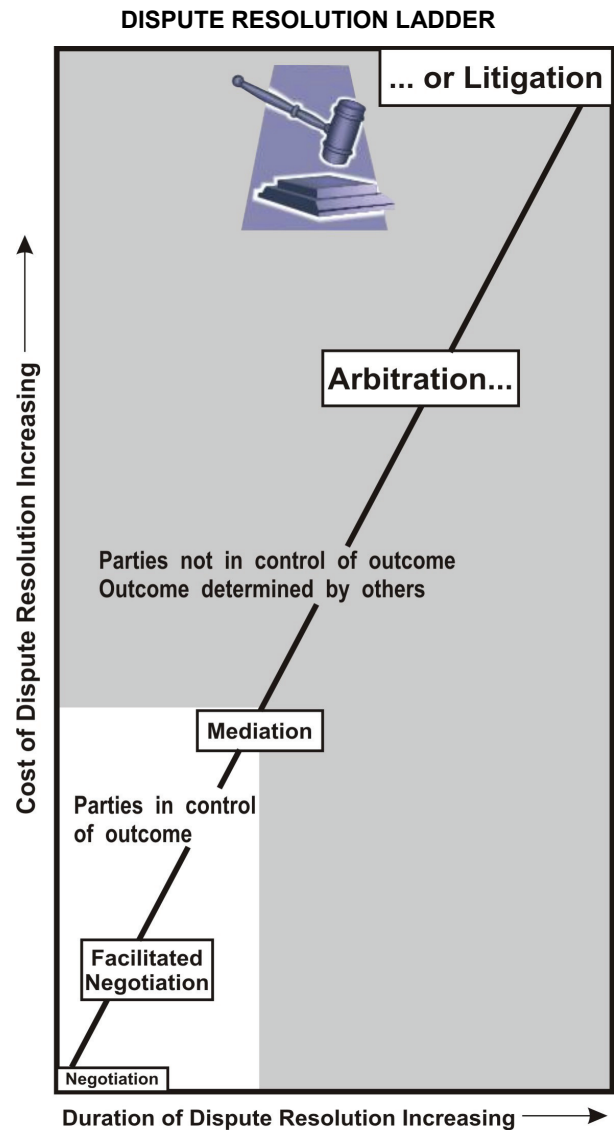
The dispute resolution process involves multiple stages if a conflict is not immediately resolved. The process begins with alternative dispute resolution techniques, including informal negotiations among and between the disputing parties. If these efforts are unsuccessful, facilitated negotiation utilizing the Washington County Multi-jurisdictional Dispute Resolution Panel may be used, followed by mediation. Arbitration and litigation, more traditional dispute resolution techniques, are the remaining stages and tend to be slower and more costly than the foregoing stages. See Figure 3 for an illustration of dispute resolution stages.

Additional information regarding the dispute resolution process is available from the Washington County Planning and Parks Department.

Negotiation

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

Figure 3



DISPUTE RESOLUTION LADDER

Source: *The Dispute Resolution Board Foundation and Washington County.*

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

Facilitated Negotiation – Washington County Multi-jurisdictional Dispute Resolution Panel

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

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

Mediation

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

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

Arbitration

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

Litigation

In the event that a dispute is not resolved to the satisfaction of the parties involved, legal action can be pursued. Litigation is the final stage in which a dispute can be resolved. This is typically the slowest and most costly form of resolving disputes. This stage includes the dispute being heard and decided by a judge or jury in a court.

Results of this stage are fully binding, although there are appeal rights that may be pursued. Any party wishing to pursue legal action against the other party should bring such action to the Circuit Court of Washington County, State of Wisconsin.

Intergovernmental Conflicts

The potential for land use conflicts is greatest in city and village planning areas that overlap with the towns. In accordance with Section 62.23 of the *Statutes*, a city or village planning area can include areas outside its corporate limits, including any unincorporated land outside of the city or village boundaries that, in the plan commission's judgment, relates to the development of the city or village. Potential land use conflicts can arise in these areas because they may be planned for in both the town comprehensive plan and the city or village comprehensive plan, with different or conflicting land uses recommended by each plan.

Map 17 graphically summarizes conflicts between city and village land use plans and adjacent town land use plans in Washington County. In cases where a conflict exists between a city or village plan and a town plan, there is also a conflict between the city or village plan and the county land use plan, since the county land use plan included town land use plan recommendations for areas outside city and village limits. No nearby cities or villages have included the Town of Wayne in their planning areas. As a result, no conflicts have been identified between the Town of Wayne land use plan and the land use plans adopted by adjacent local governments.

Maps 12 and 13 in Chapter VIII summarize the recommendations of the draft Washington County Jurisdictional Highway System Plan. Local government concerns are noted on the maps. The Town of Wayne has not expressed any opposition to the recommendations presented in the jurisdictional highway system plan.

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

There are no known or anticipated conflicts between the Town and the Kewaskum and Lomira School Districts serving the Town.

PART 5: INTERGOVERNMENTAL COOPERATION GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

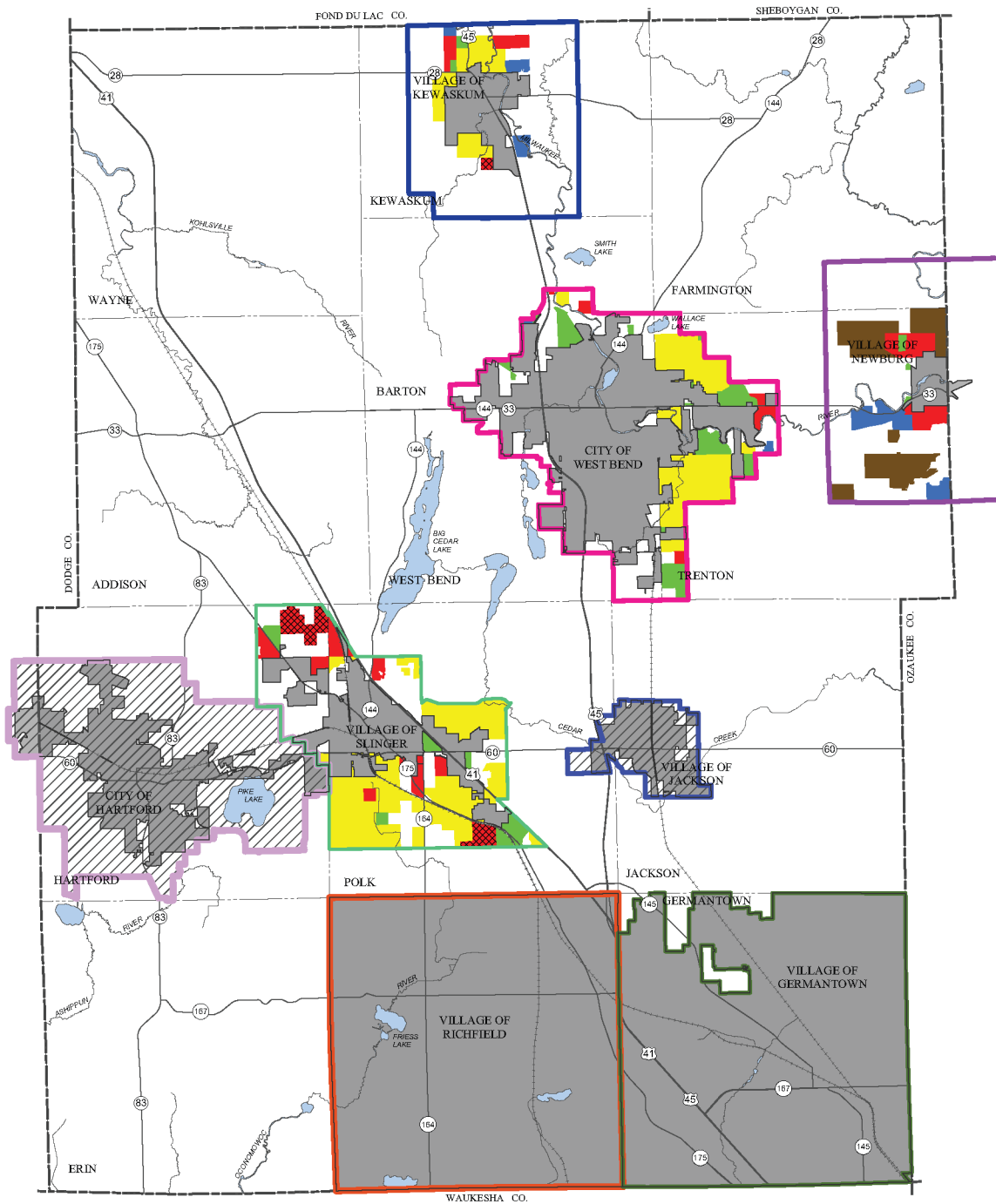
Goals:

- Work cooperatively with neighboring communities.
- Coordinate with school districts as they plan and locate school facilities.

Objectives:

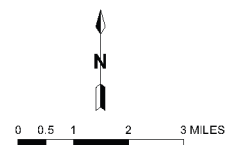
- Encourage shared services with neighboring communities.
- Recognize the need to cooperate with entities sharing legal jurisdiction in the Town, such as the State and County agencies and special-purpose districts.
- Encourage intergovernmental cooperation when selecting sites for locating public facilities such as schools, fire stations, and libraries.
- Provide land use-related information to help school districts plan for the future.

SUMMARY OF CONFLICTS BETWEEN CITY/VILLAGE AND TOWN/COUNTY LAND USE PLAN MAPS



- VILLAGE OF GERMANTOWN
COMPREHENSIVE PLAN, 2020
- VILLAGE OF JACKSON
BOUNDARY AGREEMENT WITH
THE TOWN OF JACKSON, 2015
- VILLAGE OF KEWASKUM
EXTRATERRITORIAL ZONING AREA, 2006 - 2008
- VILLAGE OF NEWBURG
COMPREHENSIVE PLAN, 2035
- VILLAGE OF SLINGER
COMPREHENSIVE PLAN, 2025
- CITY OF HARTFORD
PLANNED SEWER SERVICE
AREA, APPROVED 9/2006
- CITY OF WEST BEND
PLANNED URBAN
SERVICE AREA, 2020
- VILLAGE OF RICHFIELD
- CITY OR VILLAGE AREA
(AS OF JANUARY 1, 2007; EXCEPT VILLAGE OF RICHFIELD
AS INCORPORATED ON FEBRUARY 13, 2008)
- CITY / VILLAGE AND TOWN / COUNTY LAND
USE PLAN MAPS BOTH SHOW RESIDENTIAL
USES, BUT AT DIFFERENT DENSITIES
- CITY / VILLAGE AND TOWN / COUNTY LAND
USE PLAN MAPS BOTH SHOW URBAN USES,
BUT PROPOSED USES ARE DIFFERENT
- CITY / VILLAGE LAND USE PLAN MAP SHOWS AN
URBAN USE, TOWN / COUNTY LAND USE PLAN
MAPS SHOW A RURAL USE
- CITY / VILLAGE LAND USE PLAN MAP SHOWS A
RURAL USE, TOWN / COUNTY LAND USE PLAN
MAPS SHOW AN URBAN USE
- CITY / VILLAGE LAND USE PLAN MAP SHOWS
AGRICULTURAL USE, TOWN / COUNTY LAND USE
PLAN MAPS SHOW RURAL RESIDENTIAL USE
- CITY / VILLAGE LAND USE PLAN MAP SHOWS
AN URBAN USE, TOWN / COUNTY LAND USE
PLAN MAPS SHOW EXTRACTIVE USE
- CITY OR VILLAGE HAS NOT YET APPROVED
A LAND USE PLAN MAP

Source: Local Governments and SEWRPC.



Policies:

- Work with other units and agencies of government and private entities, where appropriate, to construct and/or operate community facilities in a cost-effective and efficient way through joint service agreements.
- Participate in the Washington County Multi-Jurisdictional Dispute Resolution Panel.
- Work with the Kewaskum and Lomira school districts, if requested, to provide information regarding proposed residential developments to help the districts prepare accurate facilities plans. Public and private schools and school districts are shown on Map 14 in Chapter IX.

Programs:

- Initiate contacts with Washington County and adjacent communities prior to constructing new public facilities or initiating or expanding Town services to determine if there are opportunities for joint facilities or services.
- Cooperate with Washington County and adjacent communities when approached to consider joint service agreements or facilities.
- Work with Washington County to complete the procedure necessary for Town participation in the Washington County Multi-Jurisdictional Dispute Resolution Panel.
- Work with SEWRPC and Washington County to make the Town's comprehensive plan available on the County's Website.
- Work with school district officials, on request, to explain the type of permits required from the Town before selecting and buying a site; the recommendations of the Town land use plan map; and other information that would assist the districts in planning for future school facilities.

Chapter XII

IMPLEMENTATION ELEMENT

INTRODUCTION

The implementation element is the last of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(i) of the *Statutes* requires this element to include a compilation of programs, in a specified sequence, to implement the recommendations set forth in the preceding eight elements. The *Statutes* also requires this element to:

- Identify proposed changes to applicable zoning ordinances, subdivision ordinances, and official maps.
- Describe how each of the other eight elements of the comprehensive plan will be integrated and made consistent with other elements of the plan.
- Include a mechanism to measure the Town's progress towards achieving the recommendations of the plan.
- Include a process for amending and updating the plan. The *Statutes* require that a comprehensive plan be updated no less than once every 10 years.

Section 66.1001(4) of the *Statutes* sets forth the required procedure for adoption or amendment of a comprehensive plan, which includes:

- Adoption of a written public participation plan designed to foster public participation in the development of a comprehensive plan or a plan amendment.
- Approval of a recommended plan by a resolution approved by a majority of the full membership of the plan commission.
- Distribution of the draft plan for review and comment to:¹
 - Every governmental body located in whole or in part within the Town.
 - The clerk of each adjacent local government and the Washington County Clerk.
 - The Wisconsin Department of Administration (DOA).
 - SEWRPC.

¹The Wisconsin Department of Administration (DOA) has stated that both draft and adopted plan reports may be distributed in digital format, provided a paper copy of the report is available for review at the public library and at the Town Hall.

- The public library serving the Town (this plan was sent to both the Kewaskum and West Bend libraries).

The parties listed above must also be provided with a copy of the adopted comprehensive plan and the adopting ordinance.

- Adoption of the plan by an ordinance adopted by a majority of the full membership of the Town Board. Adoption of the plan by the Town Board must be preceded by at least one public hearing. A Class 1 notice of the hearing must be published at least 30 days before the hearing. Written notice must also be provided to persons who have applied for or been issued a permit for a nonmetallic mining reclamation plan, registered a nonmetallic mining site under Chapter NR 135 of the *Wisconsin Administrative Code*, or to owners or leaseholders of lands with nonmetallic resources who have requested notice of the hearing in writing, and to property owners that have filed a request for written notice under Section 66.1001(6) of the *Statutes*.

PLAN REVIEW AND ADOPTION

For any planning process, it is good practice to hold public informational meetings and hearings on recommended plans before their adoption. Such actions provide an additional opportunity to acquaint residents and landowners with the recommended plan and to solicit public reactions to plan recommendations. The plan should then be modified to reflect any pertinent new information and to incorporate any sound and desirable new ideas advanced at these meetings. Accordingly, a public open house for the Town comprehensive plan was held on December 11, 2008. A public hearing was held before the Town Board on March 17, 2009. The Town provided public notice of the hearing before the Town Board in accordance with the requirements of the comprehensive planning law, and distributed the draft plan report to all of the parties specified in the law. The Plan Commission approved the plan on March 17, 2009. The Plan Commission resolution approving the comprehensive plan and recommending adoption of the plan by the Town Board is included in Appendix G.

An important step in plan implementation is the formal adoption of the recommended plan by the Town Board. Upon such adoption, the plan becomes the official guide to be used by Town officials in making development or redevelopment decisions. The plan should serve as the basis on which all development proposals, such as rezoning requests, subdivision plats, and certified survey maps, are reviewed. As required by Section 66.1001(3) of the *Statutes*, only those zoning actions or land divisions that are consistent with the plan should be approved. The Wayne Town Board adopted this comprehensive plan on March 18, 2009. A copy of the adopting ordinance is included in Appendix H.

A public participation plan for development of this comprehensive plan was prepared in 2004, and adopted by the Town Board on September 15, 2004 (see Appendix B).

PLAN AMENDMENTS AND UPDATES

Although changes to long-range plans are inevitable, residents and local officials will begin to think of a plan amendment as a normal "everyday" occurrence if a plan needs frequent amending, and may lose confidence in the plan. Plan amendments should be undertaken only after careful consideration. This plan was designed to provide a reasonable amount of flexibility to accommodate changing conditions in the Town without a change in the plan itself. When plan amendments are necessary, the following guidelines should be used.

Rationale and Justification for Plan Amendment

Amendments to this plan should be made as required by changing conditions. Consequently, one of the important tasks of plan implementation is a periodic reevaluation to ensure the plan continues to properly reflect current conditions. It is recommended that a general plan reevaluation take place on at least an annual basis. Since communities are dynamic rather than static places of human habitat, they continue to evolve and change over time. Periodic monitoring and updating is an important part of this plan.

A more comprehensive review and update of the plan is recommended at least once every 10 years (Section 66.100 (2)(i) of the *Statutes* requires that comprehensive plans be updated at least once every 10 years). The 10-year update should use, to the extent practicable, an up-to-date data base. Each 10-year update should also include an extension of this plan for an additional 10 years to continually accommodate 20 to 25 years of Town growth.

Factors contributing to the possible need to amend this plan are due to its long-range nature. The important aspect of plan amendment, however, is that it should not be taken lightly. A plan amendment should be undertaken only after careful study and by reason of one of the following factors—projections, assumptions, new issues, detailed planning, and data updates/emergence of new data.

Projections

Plans are based on projections because plans deal with future situations. If projections, such as projections of future population or the number of households in the Town, are in error, or require modification due to the emergence of new data, then this plan may need to be adjusted. The Town should monitor this plan based on the preparation of new projections. Comparisons should then be made between what was projected and what is actually happening. This plan should be amended to accommodate the new projections, if deemed necessary by the Town Board.

Assumptions

A number of assumptions have been made upon which this plan and its various elements are based. Assumptions may have to do with demographics, capital investment, or national policy. For example, during the late 1960s and early 1970s a dramatic shift in birth rates occurred. Any plans based on the assumption that the birth rate of the 1950s would continue were dramatically affected by the change in birth rates which actually occurred.

As stated earlier, the Town should review this plan on an annual basis—affording an opportunity to review and reexamine the accuracy of any assumptions upon which this plan was based.

New Issues

Issues may evolve that were not critical or foreseen when this plan was initially developed. For example, community character is an issue that tends to stay in the background until it is almost too late to save it. New issues may require the modification or development of new plan goals, objectives, policies, or programs. New factors affecting current issues can also present situations where this plan may have to be amended.

Detailed Planning

The various elements of this plan are designed to help guide future Town actions regarding land use decisions. This plan recognizes, however, that some elements may benefit from more detailed study and analysis. For major issues that require greater analysis than offered by this plan, a plan amendment may be justified. The amendment may be authorized by the Town Board at any time, and may take the form of a more detailed plan or study which is incorporated into the comprehensive plan by reference. A more detailed plan for a hamlet area, or the preparation of a Town park and open space plan, are examples of more detailed planning.

Data Updates/Emergence of New Data

The maps, tables, and statistics upon which this plan is based are factual in nature but may change through time (for example, when new Census data is released beginning in 2010 or floodplain or wetland mapping is updated). Thus, a general annual review of this plan is necessary and, where deemed appropriate by the Town Board, amendments to this plan should be made to keep data current.

Plan Amendment Process

It is critical to have and to follow guidelines when determining if an amendment to the plan is appropriate. All projections and assumptions should be reviewed in detail at meetings where Town officials and citizens are provided information on new factors which might affect this plan. This plan should be amended in a manner similar to its original development, with citizen participation prior to any change. Indeed, the comprehensive

planning law requires that any plan amendment follow the same procedure as that followed for the adoption of this plan, including adoption of a public participation plan, a public hearing, approval of the plan amendment by a resolution of the Plan Commission, adoption of the amendment by an ordinance of the Town Board, and distribution of the plan amendment to the parties listed in Section 66.1001(4) of the *Statutes*. The Town may consider adopting an “umbrella” public participation plan to be used for all plan amendments.

The Town Board, upon recommendation of the Town Plan Commission, may consider (but is not obligated to approve) amendments to the Land Use Plan Map (Map 10 in Chapter VI). The Town Plan Commission and the Town Board will consider the following questions in addition to the basic factors (projections, assumptions, new issues, detailed planning, and data updates/emergence of new data) when considering approval of a land use plan map amendment:

- Is the proposed amendment consistent with the vision, goals, objectives, policies, and programs of this plan?
- Will the proposed amendment benefit the Town as a whole?
- Is the proposed amendment compatible with surrounding land uses?
- Will the proposed amendment assist in preserving the rural character of the Town?
- Are public streets and other necessary public services available, or planned to be available in the near future, to serve the proposed amendment?

CONSISTENCY BETWEEN THE COMPREHENSIVE PLAN AND TOWN ORDINANCES

Section 66.1001(3) of the *Statutes* requires that the following ordinances be consistent with a unit of government’s comprehensive plan by January 1, 2010:

- Official mapping established or amended under Section 62.23(6) of the *Statutes*.
- County or local subdivision regulations under Section 236.45 or 236.46 of the *Statutes*.
- County zoning ordinances enacted or amended under Section 59.69 of the *Statutes*.
- City or village zoning ordinances enacted or amended under Section 62.23(7) of the *Statutes*.
- Town zoning ordinances enacted or amended under Section 60.61 or 60.62 of the *Statutes*.
- Zoning of shorelands or wetlands in shorelands under Section 59.692 (for counties), 61.351 (for villages), or 62.231 (for cities) of the *Statutes* (shorelands in the Town of Wayne are regulated under the Washington County shoreland zoning ordinance).

Beginning on January 1, 2010, the Town will need to use this comprehensive plan as a guide to be sure that implementation of the Town zoning and subdivision ordinances will not conflict with the recommendations of the plan. If a conflict is found or would result from a proposed action, the Town has the option of amending the comprehensive plan; however, plan amendments should follow the guidelines presented in this chapter and not be made arbitrarily.

The *Statutes* do not provide any guidance about how to determine if zoning and subdivision ordinance decisions are consistent with a comprehensive plan. Specific guidance on how to apply the Statutory requirement for consistency will, unfortunately, likely be provided over time through court decisions in lawsuits challenging the implementation of comprehensive plans by County and local units of government after the consistency requirement takes effect in 2010.

Although there have not been any Wisconsin court decisions regarding the interpretation of the consistency provision in the comprehensive planning law, in the case *Lake City Corp. v. City of Mequon*, 207 Wis. 2d 155, 558 N.W.2d 100 (1997), the Wisconsin Supreme Court needed to interpret what was meant by “consistent with” as used in Section 236.13(1)(c) of the *Wisconsin Statutes* (the *Statute* governing land divisions). According to the Wisconsin Supreme Court, “[t]he word ‘consistent,’ according to common and approved usage, means ‘in agreement; compatible.’ The American Heritage Dictionary 402 (3d ed. 1992). In other words, ‘consistent’ means ‘not contradictory.’”

Zoning Ordinance and Zoning Map Amendments

Zoning Ordinance Text Amendments

It is the Town's intent that the Town zoning ordinance be one of the primary implementing tools of this plan. As such, it should substantially reflect and promote the achievement of plan goals, objectives, policies, and programs. A zoning ordinance is a legal means for both guiding and controlling development in the Town, so that an orderly and desirable pattern of land use can be achieved which is consistent with the plan and balances individual property rights with community interests and goals. The zoning ordinance contains provisions for regulating the use of property, the size of lots, the intensity of development, site planning, the provision of open space, and the protection of natural resources.

The following changes to the text of the Town Zoning Ordinance should be made to achieve consistency between this plan and the zoning ordinance:

- Areas designated as “Urban-Density Residential” on the land use plan map are recommended to be developed at an average density of one home per two acres to one home per 10 acres. Urban-density residential development is shown on the land use plan map within “hamlet” areas and within or adjacent to existing smaller areas of scattered urban-density residential development. The Town zoning ordinance in effect at the time this plan was adopted required a minimum lot size of three acres in the R-4 zoning district, and a minimum lot size of 1.5 acres in the R-2 zoning district, with 30,000 square feet of lot area required for each dwelling unit. The ordinance should be amended prior to 2010 to require a minimum lot size or average density of one home per two acres in both the R-2 and R-4 districts, in accordance with the recommendations of this plan. The R-4 district should be applied to areas designated as “Urban-Density Residential” within one-half mile of the hamlets of Wayne, Kohlsville, and St. Kilian. The R-2 district should be applied to areas designated as “Urban-Density Residential” outside the hamlets. Although this district would continue to allow both single- and two-family dwellings, the average density would be increased to two acres per dwelling unit.
- Areas designated as “Agriculture and Rural-Density Residential” on the land use plan map are recommended to be retained in agricultural use or developed for residential use at an average density of one home per 10 or more acres, with lot averaging or conservation subdivisions allowed as a principal permitted use. The Town zoning ordinance in effect at the time this plan was adopted required an average lot size of five acres in the A-2 and the R-1 zoning districts. The ordinance should be amended prior to 2010 to require a minimum lot size or average density of one home per 10 acres in both the A-2 and R-1 districts, in accordance with the recommendations of this plan. As an alternative, the Town Board may leave the minimum lot size or density at one home per five acres in the R-1 zone to avoid creating non-conforming lots in areas of existing R-1 development, and add a new 10-acre agricultural and rural residential district to the zoning ordinance.
- Town officials will amend the zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use, rather than in common open space available for use by all subdivision residents.

Zoning Map Amendments

Following adoption of this plan by the Town Board, the Plan Commission should initiate appropriate amendments so that the zoning map is consistent with the recommendations of this plan, particularly the land use plan map. The following changes will be considered by the Town Plan Commission and Town Board:

- Areas of existing development (other than agricultural uses) will be placed in a zoning district that is consistent with the land use designation shown on Map 10. Table 72 lists each of the land use plan categories and the recommended corresponding zoning districts. A summary of zoning districts is included on Table 1 in Chapter II.
- Areas that are currently in agricultural use, and zoned for such use, but shown on the land use plan map for future urban development may remain in agricultural zoning as long as the parcel remains in agricultural use. Rezoning that would accommodate residential, commercial, industrial, or other urban

use shown on the land use plan map will be considered when a property owner submits a request for rezoning that specifies the proposed use of the property and, where required by the zoning ordinance, a proposed site plan.

- The Kohlsville Fire Station and the church on CTH W south of Kohlsville may be placed in the I-1 district. All other institutional uses shown on the land use plan map are zoned I-1, with the exception of the Cedar Valley Center. The Cedar Valley Center may continue to operate as a conditional use in the A-2 district.
- The Wisconsin Wetlands Inventory, a map of existing wetlands maintained by the Wisconsin Department of Natural Resources (DNR), was recently updated in Washington County. A comparison of wetlands identified in the Town by the SEWRPC year 2000 land use inventory² and the year 2005 DNR wetland inventory is shown on Map 18. The new DNR wetland inventory includes a “farmed wetland” category. “Farmed wetlands” are defined by the Natural Resources Conservation Service (NRCS) as “land that is partially altered but because of wetness, cannot be farmed every year.”³ The Wetland Conservation provisions of the 1985 Farm Bill, as amended, require agricultural producers to protect the wetlands on the farms they own or operate if they want to remain eligible for farm program benefits. Normal farming practices, including plowing, harrowing, planting, cropping, fertilizing, and grazing, can be conducted on farmed wetlands; however, there may be restrictions on drainage improvements in farmed wetlands. Farmers should consult with the NRCS before making any drainage improvements.

Table 72

TOWN OF WAYNE LAND USE PLAN CATEGORIES AND CORRESPONDING ZONING DISTRICTS

Land Use Plan Categories (see Map 10)	Corresponding Zoning Districts ^a
Agriculture and Rural Density Residential	A-1 Exclusive Agricultural ^b A-2 Agricultural/Rural Residential ^c R-1 Single-Family Residential ^c
Urban Density Residential ^d	R-2 Single- and Two-Family Residential ^e R-4 Hamlet Residential ^e
Commercial ^d	B-1 Hamlet Business B-2 Community Business B-3 Highway Business
Industrial ^d	M-1 Limited Manufacturing M-2 General Manufacturing
Government and Institutional ^d	I-1 Institutional A-2 Agricultural/Rural Residential ^f
Airport ^g	A-2 Agricultural/Rural Residential M-1 Limited Manufacturing M-2 General Manufacturing
Extractive ^d	Q-1 Quarrying
Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas ^{h,i}	A-1 Exclusive Agricultural A-2 Agricultural/Rural Residential R-1 Single-Family Residential C-1 Lowland Conservancy C-2 Upland Conservancy
Other Lands to be Preserved ⁱ	A-1 Exclusive Agricultural P-1 Park C-1 Lowland Conservancy C-2 Upland Conservancy A-2 Agricultural/Rural Residential ^f R-1 Single-Family Residential ^j
Wetland Outside of Environmental Corridors and Isolated Natural Resource Areas ^k	C-1 Lowland Conservancy (non-farmed wetlands) A-1 Exclusive Agricultural (farmed wetlands) A-2 Agricultural/Rural Residential (farmed wetlands)

^aThe Planned Unit Development Overlay District may also be applied to Residential, Business, and Manufacturing zoning districts.

^bZoning should be changed to A-2 or R-1 if a plat or certified survey map to create residential lots is approved.

^cThe A-2 and R-1 districts should be amended to require a minimum lot area or density of 10 acres per dwelling unit.

^dThe A-1 or A-2 zoning district may be applied on an interim basis on parcels in agricultural use until an application is approved for a specific residential, commercial, industrial, institutional, or extractive use.

^eThe R-2 and R-4 districts should be amended to require a minimum lot area or density of two acres per dwelling unit.

^fAreas designated as Governmental and Institutional on the land use plan map may also be placed in the A-2 district, if the existing or proposed use is permitted as a conditional use in the A-2 district by the zoning ordinance.

^gA portion of the Hahn Sky Ranch is currently zoned B-2, and is a legal nonconforming use under the zoning ordinance.

^hUses in primary and secondary environmental corridors and isolated natural resource areas should also comply with the guidelines in Table 24 in Chapter V.

ⁱWetlands and floodplains are also regulated under Federal, State, and County laws.

^jThe R-1 and A-2 districts may be applied to existing residential lots in this land use plan category.

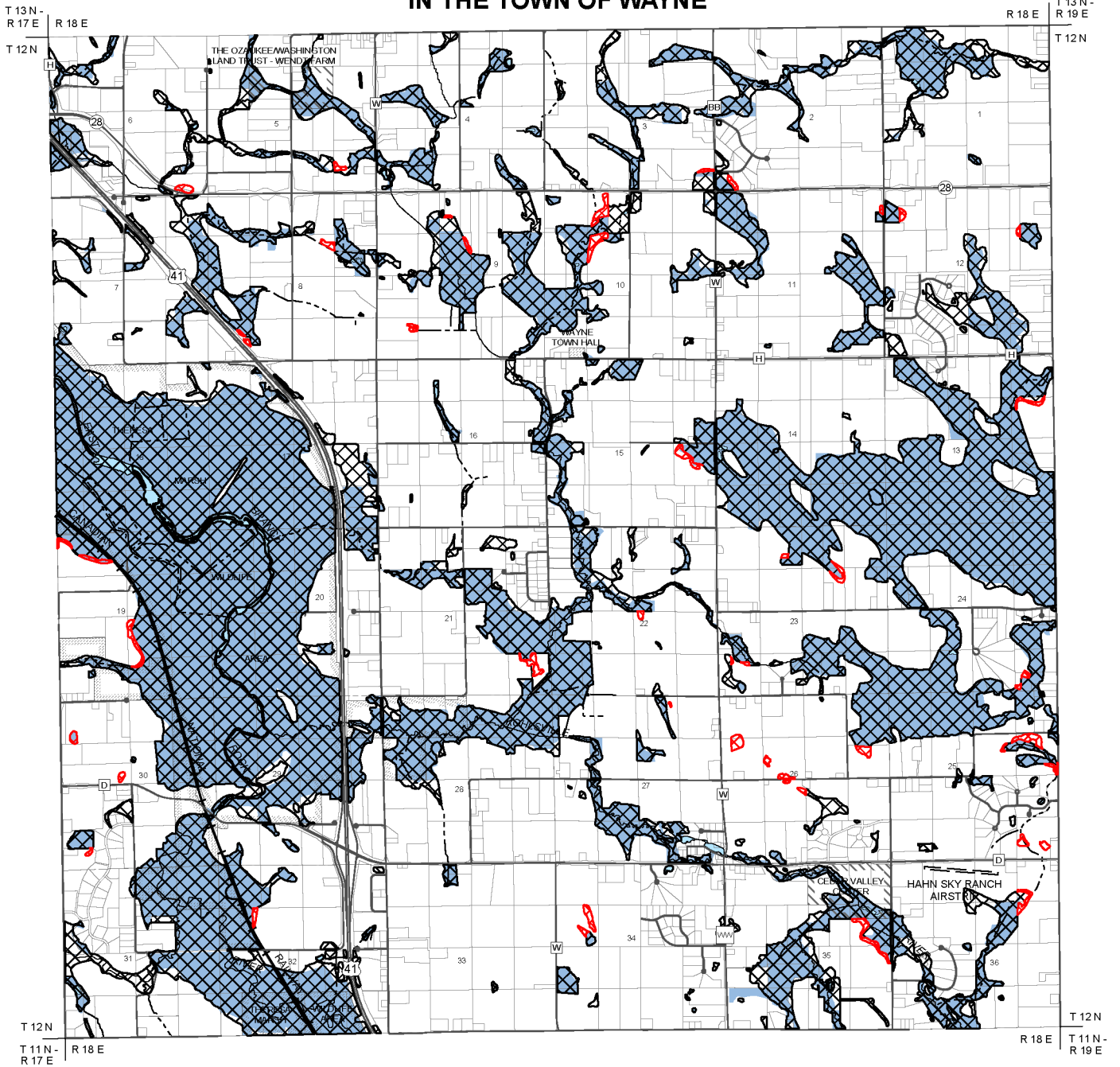
Source: SEWRPC.




²The year 2000 SEWRPC land use inventory was used as the basis for identifying the environmental corridors, isolated natural resource areas, and other wetlands shown on the Town land use plan map (Map 10 in Chapter VI).

³Definition taken from the “Wetland Restoration Handbook for Wisconsin Landowners, 2nd edition, written by Alice L. Thompson and Charles S. Luthin, DNR Publication No. PUB-SS-989, 2004.

Map 18

COMPARISON OF 2000 AND 2005 WETLAND INVENTORIES IN THE TOWN OF WAYNE



-  FARMED WETLANDS (2005 WETLAND INVENTORY)
-  NON-FARMED WETLANDS (2005 WETLAND INVENTORY)
-  WETLANDS (2000 LAND USE INVENTORY)
-  SURFACE WATER (2000 LAND USE INVENTORY)

SOURCE: WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND SEWRPC.



The Town will consider placing non-farmed wetlands in the C-1 zoning district at the time a preliminary plat, rezoning application, or other zoning approval is requested, based on a field delineation of wetland boundaries. Farmed wetlands will remain in the A-1 or A-2 zoning district as long as the parcel remains in agricultural use. Wetlands identified as farmed wetlands may be placed in the C-1 district at the time farming activities on the wetland parcel cease and an application for residential or other urban development of the parcel is approved by the Town.

- Primary and secondary environmental corridors and isolated natural resource areas shown on the land use plan map outside wetlands should be placed in the C-2 zoning district at the time a preliminary plat, rezoning application, or other zoning approval is requested, unless they are within a zoning district that requires a minimum lot size or residential density of five acres or more.
- Nonconforming uses may be continued in accordance with the requirements of the Town zoning ordinance. Nonconforming uses or structures damaged by fire, explosion, or other calamity may be rebuilt if permitted by the Town zoning ordinance.

Subsequent petitions for zoning map or text amendments to the Town Zoning Ordinance should be accompanied by a statement of the proposed zoning change, its compatibility with the Town Comprehensive Plan, and the conditions warranting a zoning change. All rezoning applications should be carefully reviewed relative to the land use plan map and the remainder of this comprehensive plan. If a proposed rezoning is not consistent with the plan, the rezoning should be denied. As an alternative, the Town Board may consider amending the plan. Plan amendments and rezonings may be reviewed concurrently, but a plan amendment should be approved prior to approval of the rezoning.

Subdivision Ordinance and Official Mapping Ordinance

No needed changes to the Town Land Division Ordinance have been identified. The Town of Wayne has not adopted an official mapping ordinance.

OTHER RECOMMENDATIONS

As this plan was being developed, Town officials emphasized the need to follow the plan after its adoption and that the plan needs to be a “living document.” One of the goals included in the Issues and Opportunities Element is to ensure that the plan remains relevant. Town officials intend to routinely consult the comprehensive plan when carrying out Town government functions and developing the Town budget. The plan will help provide a framework to guide the day-to-day decisions of Town officials and staff, particularly with regard to decisions on zoning and subdivision applications.

The Town also intends to make this plan available to land owners and citizens. In addition to providing a copy of the plan to the Kewaskum and West Bend libraries, the plan will be available on the Washington County (www.co.washington.wi.us) and SEWRPC (www.sewrpc.org) websites.

PROGRAM PRIORITIZATION

As previously noted, the comprehensive planning law requires the Implementation Element to include a compilation of programs, in a specified sequence, to implement the recommendations set forth in the other required plan elements. The Town of Wayne Plan Commission reviewed the programs developed in the previous seven elements (there are no programs recommended in the Issues and Opportunities Element) and developed a relative priority ranking for their implementation. Recommended priorities for implementing programs are presented in Table 73. Any new programs recommended in this plan must be individually reviewed and approved by the Town Board through the annual budget process prior to implementation.

CONSISTENCY AMONG PLAN ELEMENTS

The comprehensive planning law requires that the implementation element “describe how each of the elements of the comprehensive plan shall be integrated and made consistent with the other elements of the plan.” All elements of this comprehensive plan were prepared simultaneously by the same staff with great care given to ensure internal consistency among the various elements. All element chapters were reviewed by the Town of Wayne Plan Commission. There are no known inconsistencies among plan elements.

PROGRESS IN IMPLEMENTING THE PLAN

Annual Report on Plan Implementation

The Town Plan Commission will undertake a general plan reevaluation once a year, which may include a brief description of activities conducted to implement the plan and a list of plan amendments approved by the Town Board during the year.

Comprehensive Update of the Plan and Maintenance of Inventory Data

The Town will conduct a formal review of the plan at least once every ten years.⁴ Based on this review, changes or updates should be made to sections of the plan that are found to be out of date and goals, objectives, policies, or programs that are not serving their intended purpose. Any changes or updates should follow the process for plan amendments required by the *Statutes*. The Town may choose to work with the Washington County Planning and Parks Department and/or SEWRPC to maintain and update inventory data compiled as part of the multi-jurisdictional comprehensive planning process.

Coordination with Washington County Comprehensive Plan

Washington County has also adopted a comprehensive plan. The comprehensive planning law does not require that town, city, or village comprehensive plans be consistent with the County plan. The law does require, however, that County shoreland zoning and subdivision ordinances be implemented in a way that is consistent with the County comprehensive plan and that Town zoning and subdivision ordinances be implemented in a way that is consistent with the Town comprehensive plan. Because Washington County must review subdivision plats within the Town under the County subdivision ordinance, and ensure that a proposed plat is consistent with the County comprehensive plan, as a practical matter it benefits the Town if the Town plan is consistent with the County plan.

On August 10, 2004, the Washington County Board of Supervisors adopted 2004 Resolution 35, which established criteria regarding the incorporation of town land use plan maps into the land use plan map adopted as part of the Washington County comprehensive plan. The resolution states that the County will accept a Town land use plan if the plan is in “substantial agreement” with the objectives, principles, and standards of the regional land use plan prepared and adopted by SEWRPC. The Planning, Conservation, and Parks Committee (PCPC) of the County Board was assigned the responsibility for determining if each town plan was in substantial agreement with the regional land use plan, based on a recommendation from SEWRPC. The Town of Wayne plan was found to be in substantial agreement with the regional land use plan, and was therefore incorporated into the County land use plan map. The Washington County Board of Supervisors adopted the Washington County Comprehensive Plan on April 15, 2008.

The Implementation Element of the Washington County plan provides that amendments to Town land use plan maps will be incorporated into the County plan, through an amendment process, if the Town plan continues to be in substantial agreement with the regional land use plan. Section 66.1001(4)(b) of the *Statutes* requires that the Town provide a copy of all plan amendments to Washington County. The County will be responsible for determining if the amendment is in substantial agreement with the regional plan, based on a recommendation from SEWRPC. If determined to be in agreement, the County will amend its plan to incorporate the Town plan amendment into the County plan.

⁴The Town is required to update the comprehensive plan at least once every ten years by the State comprehensive planning law.

Table 73

TOWN OF WAYNE COMPREHENSIVE PLAN IMPLEMENTATION PRIORITIES

Note: Priorities were determined by the Town Plan Commission and Town Board. Each program was rated on a scale of 1 to 3, with 1 being the highest score possible and 3 being the lowest score. The average score for each program is noted in parenthesis at the end of the program.

Implementation programs receiving a priority rating of 1.50 or lower (highest priority for implementation):

- **Program:** Lay out streets so that all vehicles, especially emergency vehicles, can travel in a safe and efficient manner. (1.00)
- **Program:** Continuation of agricultural uses, preservation of natural resources, or residential development at an average density of at least five acres per home are recommended in areas identified as having very high or high groundwater recharge potential, in order to preserve groundwater recharge capabilities. If urban-density development is allowed, land development and stormwater management practices such as the use of permeable pavement, set-aside open space, landscaping with drought-tolerant plants (i.e. native plants) and landscape mulch versus turf/grass, rain gardens, and bioswales should be integrated into the site design and development to help preserve groundwater recharge capability. The use of conservation subdivision design that results in less street and driveway pavement and provides more open space than a conventional subdivision design should also be encouraged. (1.17)
- **Program:** Retain Town zoning as the primary means of regulating land uses in the Town. (1.17)
- **Program:** Continue to enforce the Town building code to ensure adequate insulation, heating, and plumbing. (1.17)
- **Program:** Consider connections to existing or future development on adjacent parcels when reviewing site plans, preliminary plats, and certified survey maps. (1.33)
- **Program:** Amend the Town zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use. The Town Board may require use of this option, at its discretion. (1.50)
- **Program:** Notify Washington County when a certified survey map (CSM) is submitted for a land division adjacent to a County highway, and request County input regarding the appropriate right-of-way for and access to the highway. (1.50)
- **Program:** Consider preparing a conceptual street plan to help provide connections between subdivisions and limit the number of cul-de-sac streets. (1.50)
- **Program:** Continue to administer the Town erosion control and stormwater management ordinance. (1.50)
- **Program:** Work with SEWRPC and Washington County to make the Town's comprehensive plan available on the County's Website. (1.50)
- **Program:** Work with school district officials, on request, to explain the type of permits required from the Town before selecting and buying a site; the recommendations of the Town land use plan map; and other information that would assist the districts in planning for future school facilities. (1.50)

Remaining implementation programs, listed in relative rank order:

- **Program:** Continue to maintain Town parks and develop additional parks and facilities as needs are identified and funding becomes available. (1.67)
- **Program:** The Town will strive to ensure local street connectivity and the proper location of new streets during the review of all site plans, Certified Survey Maps, condominium plats, and subdivision plats as new development is proposed. (1.67)
- **Program:** Explore a partnership with Washington County for recycling programs and facilities, including establishment of household hazardous waste collection sites and facilities. (1.67)
- **Program:** Work with Washington County to complete the procedure necessary for Town participation in the Washington County Multi-Jurisdictional Dispute Resolution Panel. (1.67)
- **Program:** Conform to the existing topography and landscape, if possible, when constructing new streets. (1.80)
- **Program:** Consider amending the Town land division ordinance to require the submittal of soils maps with preliminary plats that indicate agricultural soil capability classes for soils on the site. Similar amendments to the Town zoning ordinance will be considered for proposed conditional uses and rezoning applications. (1.83)
- **Program:** Continue to cooperate with Washington County to ensure the County has reviewed proposed land divisions for compliance with the County Land Division and Sanitary Ordinances relating to land suitability, wastewater treatment and disposal, and other applicable requirements. (1.83)

Table 73 (continued)

- **Program:** As required by State law, continue to use the Wisconsin Information System for Local Roads (WISLR); continue to update road ratings, as required; and seek outside funds to help with street improvements. (1.83)
- **Program:** Continue to participate in the annual bridge inspection program conducted by Washington County. (1.83)
- **Program:** Continue to work with private telecommunications providers to provide a state-of-the-art communications system for Town residents and businesses. (1.83)
- **Program:** Upon request, forward appropriate Town records of historical value to interested organizations. (2.00)
- **Program:** Amend the Town zoning ordinance as needed so zoning district and other regulations are consistent with the land use plan map and other recommendations of this comprehensive plan. (2.00)
- **Program:** Consider amending the Town zoning ordinance to provide a density bonus (additional dwelling units) for conservation subdivisions that preserve wetlands, floodplains, and primary environmental corridors. (2.00)
- **Program:** Work with existing housing agencies to identify programs and potential funding sources to assist homeowners with making needed repairs, including improvements to meet State and Federal lead-safe standards. (2.00)
- **Program:** Work with Washington County and private service providers, where appropriate, to improve public transportation for persons with disabilities to increase access to jobs and community activities. (2.00)
- **Program:** Continue to work with Washington County and SEWRPC to prepare and implement the Washington County Jurisdictional Highway System Plan (Maps 12 and 13) and the Transportation Improvement Program. (2.00)
- **Program:** Consider preparing a Town stormwater management plan to provide for comprehensive and coordinated stormwater management facilities and measures. (2.00)
- **Program:** Continue to comply with Chapter 25, Sanitary Code, of the *Washington County Code of Ordinances*, which includes the regulation of private on-site wastewater treatment systems (POWTS) in the Town. (2.00)
- **Program:** Cooperate with Washington County and adjacent communities when approached to consider joint service agreements or facilities. (2.00)
- **Program:** Identify suitable areas for commercial and industrial development on the Town land use plan map (see Map 10 in Chapter VI). (2.00)
- **Program:** Support the efforts of the DNR, Washington County, and nonprofit conservation organizations to acquire and manage natural areas and critical species habitat sites within the Town as recommended in the regional natural areas plan and the Washington County park and open space plan. (2.17)
- **Program:** Work with the Washington County Health Department to enforce State public health *Statutes* and County ordinances concerning dilapidated, unsafe, or unsanitary housing that poses a human health hazard. (2.17)
- **Program:** Consider conducting a needs assessment and adopting an impact fee ordinance for facilities provided by the Town. (2.17)
- **Program:** Initiate contacts with Washington County and adjacent communities prior to constructing new public facilities or initiating or expanding Town services to determine if there are opportunities for joint facilities or services. (2.17)
- **Program:** Consider incorporating desired policies from State long-range transportation planning efforts, including *Connections 2030*, into Town of Wayne plans. (2.33)
- **Program:** Allocate sufficient area for residential development on the Town land use plan map (Map 10 in Chapter VI) to accommodate the anticipated population of the Town in 2035. (2.50)
- **Program:** Work with government agencies and developers to implement creative ideas for providing low and moderate income housing in the Town while maintaining appropriate densities. (2.50)
- **Program:** Work with Washington County to determine if there is a need for additional Washington County Commuter Express Bus System routes and park-ride lots to serve Town residents. (2.50)
- **Program:** Consider amending the Town zoning ordinance to accommodate accessory units in residential zoning districts as an option for providing affordable housing and housing for the elderly and persons with disabilities. (2.67)
- **Program:** Consider amending the Town zoning and land division ordinances to grant a density bonus in land divisions that provide for affordable housing. (2.67)
- **Program:** Consider amending the Town zoning and land division ordinances to grant a density bonus or other incentives for homes that provide Universal Design and/or Visitability features. (2.83)

Source: *Town of Wayne and SEWRPC.*

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Chapter XIII

SUMMARY

CHAPTER I - INTRODUCTION AND BACKGROUND

In 1999 the Wisconsin Legislature enacted a comprehensive planning law, which is often referred to as the “Smart Growth” law. This law provided a new framework for the development, adoption, and implementation of comprehensive plans in Wisconsin. The law is set forth in Section 66.1001 of the *Wisconsin Statutes*.

To address the State comprehensive planning requirements, a multi-jurisdictional comprehensive planning process was undertaken by Washington County; 11 local government partners, including the Town of Wayne; UW-Extension; and the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

Nine Elements of the Comprehensive Plan

This plan contains the following nine elements, which are required by Section 66.1001(2) of the *Statutes*:

1. Issues and opportunities element
2. Land use element
3. Housing element
4. Transportation element
5. Utilities and community facilities element
6. Agricultural, natural, and cultural resources element
7. Economic development element
8. Intergovernmental cooperation element
9. Implementation element

Public Participation Plan

- Section 66.1001(4) of the *Statutes* requires that the Town Board adopt written procedures that are designed to foster public participation during development of the Town comprehensive plan.
- The multi-jurisdictional comprehensive planning workgroup, with assistance from County and UW-Extension staff, developed a recommended public participation plan (PPP) for the multi-jurisdictional plan and each local government plan. The PPP was adopted by the Wayne Town Board on September 15, 2004.

Plan Review and Adoption Requirements of *Wisconsin Statutes*:

- The Town Plan Commission must recommend to the Town Board a comprehensive plan or plan amendment prior to Town Board adoption of a plan or plan amendment. The Town Plan Commission recommended approval of this plan to the Town Board on March 17, 2009.

- The plan commission recommendation must be in the form of a resolution adopted by a majority vote of the entire membership of the commission (see Appendix G).
- The Town must adopt Village powers in order to establish a Plan Commission. The Town of Wayne adopted Village powers on April 2, 1963, and a Town Plan Commission has been established.
- A comprehensive plan or plan amendment must be adopted by an ordinance enacted by a majority vote of the full membership of the Town Board. The Town Board adopted this plan by ordinance on March 18, 2009 (see Appendix H).
- All nine elements must be adopted simultaneously, and at least one public hearing must be held prior to adopting the plan. The Wayne Town Board held a public hearing on the plan on March 17, 2009.
- An adopted comprehensive plan, or an amendment to a plan, must be sent to all governmental units within and adjacent to the Town; Washington County; the Wisconsin Department of Administration (DOA); the regional planning commission (SEWRPC); and the public libraries serving the Town (the Kewaskum Public Library and the West Bend Community Memorial Library).

Relationship Between County and Local Comprehensive Plans

Although State law does not require Town comprehensive plans and official maps to be incorporated into the County plan, Washington County incorporated adopted Town plans and maps into the County plan provided the land use element of the town comprehensive plan was in substantial agreement with the objectives, principles, and standards set forth in Chapter IV of the Regional Land Use Plan for Southeastern Wisconsin: 2020, as determined by the Washington County Planning, Conservation and Parks Committee. The Town of Wayne land use plan was found to be in substantial agreement with the regional land use plan, and was incorporated into the Washington County Multi-Jurisdictional Comprehensive Plan. The County comprehensive plan was adopted by the Washington County Board on April 15, 2008.

Committee Structure

The Town Plan Commission had the primary responsibility for reviewing this Town comprehensive plan and those aspects of the multi-jurisdictional plan that relate to the Town. Oversight was provided by the Town Board.

The Town also participated in the development of the multi-jurisdictional comprehensive plan for Washington County by providing comments on draft plan chapters and other materials and by serving on the advisory committee and three element workgroups established to develop the County plan.

The Planning Area

The planning area is composed of the Town of Wayne, which in 2007 encompassed a total of 22,903 acres, or about 36 square miles. The Town is located in the northwest corner of Washington County. It is bordered by the Town of Ashford in Fond du Lac County on the north; by the Towns of Kewaskum and Barton on the east and by the Town of Addison on the south, all located in Washington County; and by the Town of Theresa in Dodge County on the west.

Benefits of Comprehensive Planning

- Planning helps define the future character of a community.
- Planning helps protect natural and cultural resources.
- Planning can provide a rational basis for local decisions.
- Planning can provide certainty regarding future development.
- Planning can save money.
- Planning can promote economic development.
- Planning can promote public health.

While planning provides many important public benefits, it is important to recognize that an adopted plan is not an “end result,” but rather provides recommendations for future action. Plan recommendations will be fulfilled over time in generally small, incremental steps. A comprehensive plan provides a foundation and guide for many implementing tools, including the Town zoning ordinance and map, subdivision ordinance, and official mapping ordinance, which are required under State law to be consistent with the comprehensive plan. Other possible implementation tools include capital improvements programming, plans for local parks, and other local ordinances, programs, and policies.

CHAPTER II - EXISTING PLANS AND ORDINANCES: 2007

A review of the existing framework of areawide and local plans and related land use regulations was conducted at the beginning of the planning process, and are summarized in the following paragraphs:

Town of Wayne Land Use Plan

A *Land Use Plan for the Town of Wayne: 2020* was adopted by the Town Plan Commission on November 17, 1998 and by the Town Board on November 18, 1998. The plan acknowledged the preservation of agricultural lands as an important factor to maintain the Town’s rural character. It recommended that continuation of farmland preservation agreements between the State and individual farmers and the implementation of other farmland preservation initiatives at the local level to help slow the conversion of farmland to other uses. The plan limited urban density (greater than one housing unit per acre) residential development to infilling existing vacant lots. The plan further recommended that most future residential development in the Town occur at rural densities (equal to or less than one housing unit per five acres). The plan recommended that the hamlet of Wayne be designated as the “Town Center” area to provide a location for various institutional, recreational, and limited commercial needs to serve Town residents. A residential density of one home per three acres was recommended in the hamlets of Kohlsville and St. Kilian. This comprehensive plan revises and replaces the Town land use plan to reflect changing conditions in the Town, and to meet State comprehensive planning requirements.

Broadband Wireless Telecommunications Plan

The Town of Wayne, working with SEWRPC, has adopted a Town broadband wireless telecommunications plan intended to provide quality wireless voice communication throughout the Town. The plan requires only five access points to cover a 36 square mile area. The Wayne network is now up and running with one of the five access points. The remaining access points will be deployed as soon as an Internet service provider has been selected.

Town of Wayne Zoning Ordinance

Section 66.1001(3) of the *Wisconsin Statutes* requires that zoning, land divisions, and official mapping decisions made by local and county governments be consistent with local and county comprehensive plans, respectively, as of January 1, 2010. The Wayne Town Board adopted an updated zoning ordinance and map in July 2001. The zoning map was most recently amended in December 2007. Zoning within the Town consists of 17 basic zoning districts and one overlay zoning district.

Washington County enforces shoreland and floodplain zoning regulations in shoreland areas in the Town of Wayne.

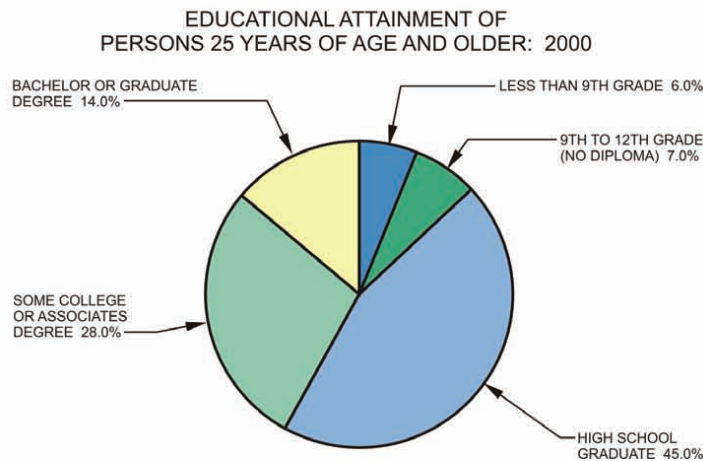
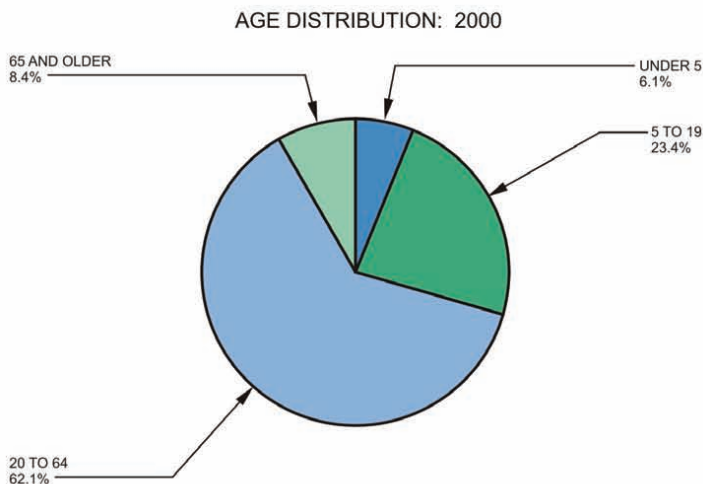
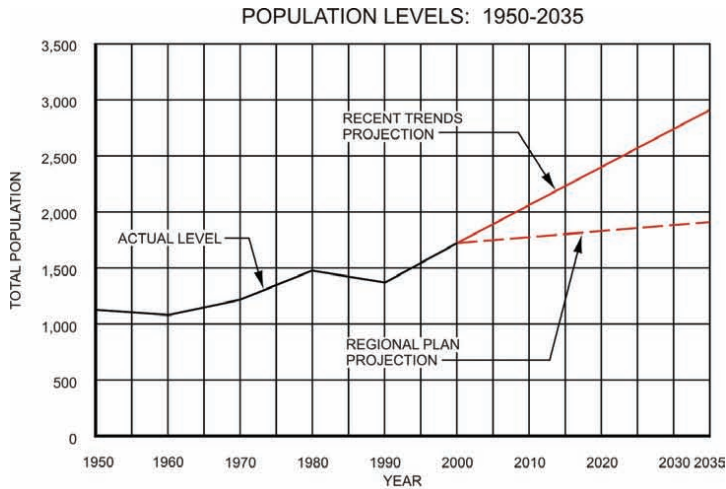
Town of Wayne Land Division Ordinance

The Town of Wayne adopted a land division ordinance in February 2002, which was most recently amended in December 2006. Under Chapter 236 of the *Statutes*, local governments are required to review and take action on plats for subdivisions. Local subdivision ordinances may be broader in scope and require review and approval of land divisions in addition to those meeting the statutory definition of a “subdivision,” which is the case in the Town.

The Town of Wayne land division ordinance applies to all lands within the Town. A subdivision is defined as a land division that creates five or more parcels or building sites of 10 acres each or less in area or where five or more parcels or building sites of 10 acres each or less created by successive divisions within a five-year period. All other divisions of land within the Town require Town Board approval of a certified survey map.

Figure 4

**HISTORICAL AND ALTERNATIVE
FUTURE POPULATION LEVELS: 1950-2035,
AGE DISTRIBUTION, AND EDUCATIONAL
ATTAINMENT IN THE TOWN OF WAYNE**



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

Other Town Land Use-Related Ordinances

In addition to the zoning and land division ordinances, the Town of Wayne has adopted a stormwater management and erosion control ordinance and a nonmetallic mining reclamation ordinance. The Town has not adopted an official map.

Extraterritorial Zoning Regulations

Initiation of an extraterritorial zoning ordinance freezes existing zoning in an extraterritorial (town) area for two years, while a city or village and affected town jointly develop an extraterritorial zoning ordinance and map. A small portion of the Town, the southeast one-quarter of Section 36, is located within the City of West Bend’s extraterritorial area. The City does not exercise extraterritorial zoning in the Town.

Extraterritorial Plat Authority

A city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if the city or village has adopted a subdivision ordinance or an official map. The extraterritorial area changes whenever a city or village annexes land, unless the city or village has established a permanent extraterritorial area through a resolution of the common council or village board or through an agreement with a neighboring city or village.

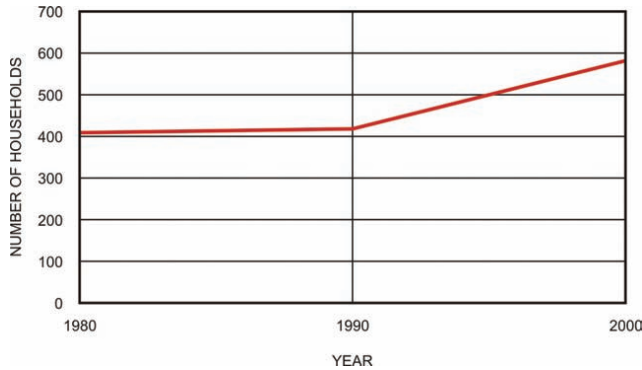
CHAPTER III - POPULATION, HOUSEHOLD, AND EMPLOYMENT TRENDS AND PROJECTIONS

Population

- The January 1, 2007 DOA population estimate for the Town of Wayne was 2,006 residents.
- The 2035 regional land use plan envisions a future population of 1,900 Town residents in 2035, while a continuation of recent trends would result in about 2,900 Town residents in 2035 (See Figure 4).
- The Plan Commission and Town Board envision the future population of the Town to be 2,800 persons in 2035, which is slightly less than the “recent trends” projection of about 2,900 persons.

Figure 5

NUMBER OF HOUSEHOLDS IN THE TOWN OF WAYNE: 1980-2000



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

Households

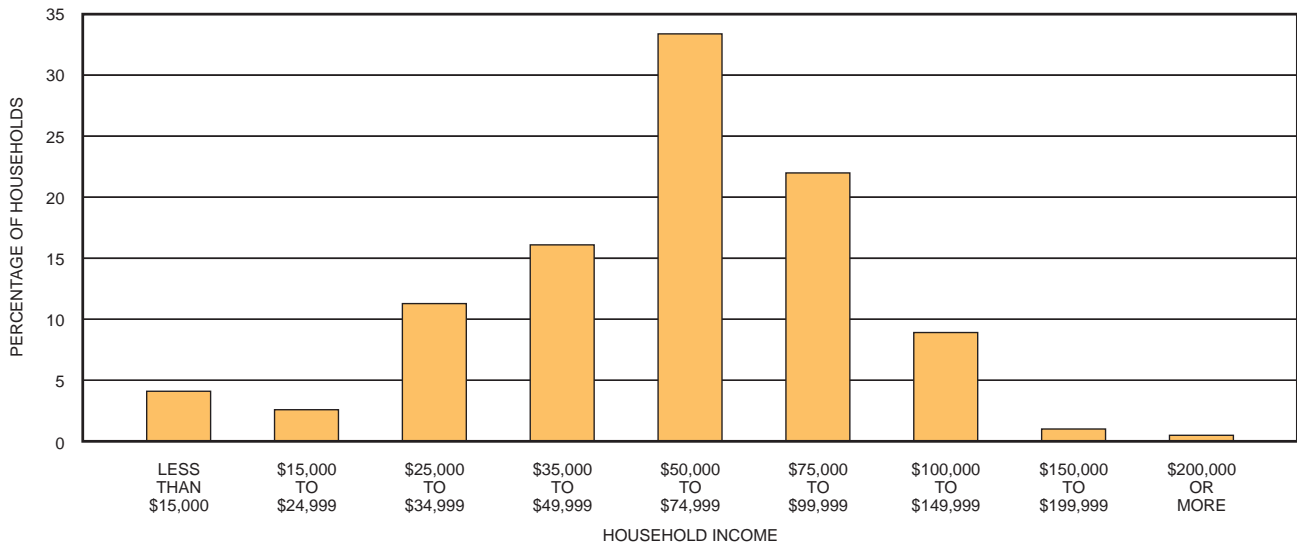
- There were 582 households in the Town of Wayne in 2000, with an average household size of 2.97 persons (See Figure 5).
- The selected population projection of 2,800 persons would result in approximately 1,018 households in the Town in 2035, based on an anticipated 2035 average household size of 2.75 persons per household.

Household Income

- The annual median household income in the Town of Wayne in 1999 was \$61,033, which was \$4,000, or about 7 percent, higher than the 1999 annual median household income in the County (See Figure 6).

Figure 6

ANNUAL HOUSEHOLD INCOME IN THE TOWN OF WAYNE: 1999



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

Employment and Occupational Characteristics

- There were a total of 1,030 Town of Wayne residents age 16 years of age and older in the labor force in 2000 (See Figure 7).
- The largest percentage of Town workers, about 26 percent, were employed in management, professional, and related occupations.

CHAPTER IV - ISSUES AND OPPORTUNITIES ELEMENT

The purpose of the issues and opportunities element is to define a desired future for the Town and provide an overall framework for development of the comprehensive plan. A vision statement was developed by the Town to express the preferred future and key characteristics desired by the Town:

VISION STATEMENT 2035

“In 2035, the Town of Wayne remains a rural community in which farms share the landscape with a limited number of non-farm homesites. Active land use planning ensures that residential development occurs at appropriate densities and does not detract from the Town’s rural character, unique natural features, or recreational opportunities. Most non-residential development occurs at the interchanges of USH 41 with CTH D and STH 28. Environmental corridors, isolated natural resource areas, and agricultural lands are recognized as essential to the Town’s rural character, and are preserved. Local government that is open to an involved citizenry strives to provide adequate services while keeping taxes low.”

Overall goals and objectives developed by the Town are presented in Chapter IV. The overall goals are general and provided the framework for more specific goals in the following seven elements (chapters V through XI).

CHAPTER V - AGRICULTURAL, NATURAL, AND CULTURAL RESOURCES ELEMENT

Inventory of Soils and Agricultural Resources

Saturated Soils

Approximately 41 percent of the Town of Wayne is covered by saturated (hydric) soils (about 9,400 acres), generally associated with stream beds and wetland areas. Although hydric soils are generally unsuitable for development, they may serve as important locations for the restoration of wetlands, as wildlife habitat, and for stormwater detention.

Existing Farmland

There were 13,084 acres, or about 57 percent of the Town, in agricultural use in 2006. In 2000, there were about 14,024 acres in farmland, which consisted of the following:

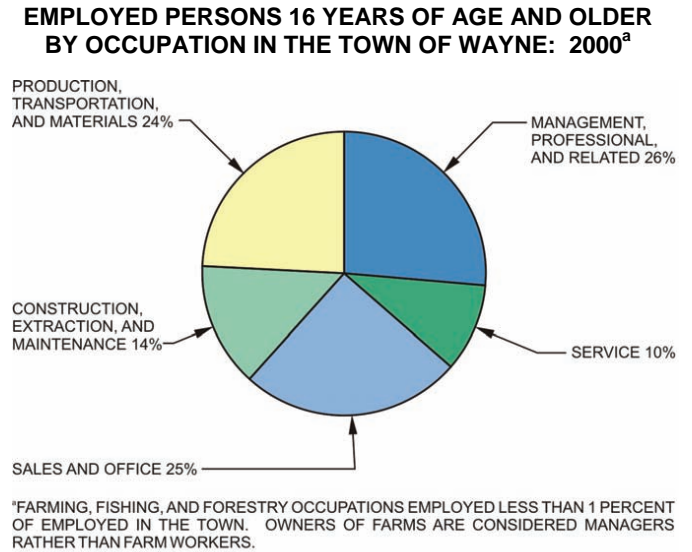
- Cultivated lands covered approximately 12,014 acres, or 86 percent of the Town of Wayne.
- Pasture land and unused agricultural land covered approximately 1,761 acres, or 13 percent of the Town.
- Orchards, nurseries, and specialty crops covered approximately 1 acre in the Town.
- Farm buildings covered approximately 248 acres, or 2 percent of the Town.

Inventory of Natural Resources

Topography

With the Kettle Moraine located just east of the Town of Wayne, the dominant glacial feature in the Town is glacial till and outwash plains, which include portions of the East Branch Rock River and Kohlsville River.

Figure 7



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

Existing Nonmetallic Mining Sites

There was one active nonmetallic mining site operating under a permit and reclamation plan approved by the Town in 2007.

Water Resources

Surface water resources, consisting of lakes and streams and their associated wetlands, floodplains, and shorelands, form important elements of the natural resource base of the Town. Their contribution to economic development, recreational activity, and scenic beauty is immeasurable. In 2000, there were 92 acres of surface water, 6,072 acres of floodplains, and 5,637 acres of wetlands in the Town.

Watersheds and Subwatersheds

All but the northeast quadrant of the Town is located in the Rock River watershed within the Mississippi River drainage basin. Approximately 17,053 acres, or about 74 percent, of the Town is in the Rock River watershed, and the remaining 5,850 acres, or about 26 percent, of the Town is in the Milwaukee River watershed in the Great Lakes – St. Lawrence River drainage basin.

Wetlands

Wetlands perform an important set of natural functions which include support of a wide variety of desirable, and sometimes unique, forms of plant and animal life; water quality protection; stabilization of lake levels and streamflows; reduction in stormwater runoff by providing areas for floodwater impoundment and storage; and protection of shorelines from erosion. Wetlands identified in the SEWRPC regional land use inventory encompassed about 5,637 acres, or about 25 percent of the Town, in 2000.

Floodplains

The floodplains of a river are the wide, gently sloping areas usually lying on both sides of a river or stream channel. Floodplains within the Town identified as part of the shoreland and floodplain zoning map update for Washington County in 2001 encompass 6,072 acres, or about 27 percent of the Town.

Shorelands

Shorelands are defined by the *Wisconsin Statutes* as lands within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream, or to the landward side of the floodplain, whichever distance is greater. Shorelands within the Town identified as part of the shoreland and floodplain map update for Washington County in 2001 encompass 8,094 acres, or about 35 percent of the Town.

Groundwater Resources

Groundwater resources constitute another key element of the natural resource base of the Town and County. Groundwater not only sustains lake levels and wetlands and provides the base flow of streams, but also provides the water supply for domestic, municipal, and industrial water users in Washington County. Recharge to groundwater is derived almost entirely from precipitation.

To satisfy future water demands in the Southeastern Wisconsin Region, including Washington County, coordinated regional water resource management is needed, which would optimize the use of ground and surface water. The regional water supply planning program¹ currently being conducted by SEWRPC will provide guidance in this regard and is scheduled to be completed in 2009. At the time the comprehensive plan was prepared, areas within Washington County and the remainder of the Region had been analyzed and classified based on their potential for water recharge. The analysis was based on a combination of topography, soil hydrologic groups, soil water storage, and land use. Areas were placed into the following classifications: very high (more than six inches of recharge per year), high (four to six inches of recharge per year), moderate (three to four inches of recharge per year), and low (less than three inches of recharge per year).

¹*Documented in SEWRPC Planning Report No. 52, A Regional Water Supply Plan for Southeastern Wisconsin (underway). The plan is expected to be completed in 2009.*

Less than 1 percent of the Town is rated “very high” for recharge potential, and about 11 percent is rated “high” for recharge potential. Most of the high and very high recharge potential areas are located adjacent to Wayne Creek in the center of the Town and along the Kohlsville River in the southeast corner.

Development at rural densities, agricultural uses, and preservation of natural resources will preserve groundwater recharge capabilities. In addition, the use of conservation subdivision design and stormwater management measures that maintain natural hydrology can help preserve the groundwater recharge potential in areas developed for urban-density residential uses and other urban uses.

Managed Forest Lands

The Managed Forest Law (MFL) is an incentive program intended to encourage sustainable forestry on private woodlands in Wisconsin with a primary focus on timber production. In 2005, 746 acres of woodlands in the Town, of which 181 acres were open to the public, were enrolled in the Managed Forest Law.

Natural Areas

A total of five natural areas, encompassing about 2,620 acres, have been identified in the Town of Wayne. One of the sites, Wayne Swamp, is classified as a site of countywide or regional significance, and encompasses about 903 acres in the Town. The remaining four sites are classified as sites of local significance, and together encompass 1,717 acres in the Town. The most recent Washington County park and open space plan,² adopted by the County Board in 2004, recommends the preservation of all natural areas within the Town through protective acquisition.

Critical Species Habitat and Aquatic Sites

One critical species habitat site (Unnamed Wetland) supporting a threatened bird species (Great egret) has been identified in the Town of Wayne. The 48-acre critical species habitat site is located in the northwestern portion of the Town. No public acquisition is recommended; however, the site will be protected under Town zoning and County shoreland regulations and Federal and State wetland regulations. There are also four aquatic sites supporting rare fish species in the Town which contain about 12 miles of rivers and streams. Aquatic habitat sites are protected under Wisconsin Department of Natural Resources (DNR) regulations and County shoreland regulations.

Environmental Corridors and Isolated Natural Resource Areas

Primary Environmental Corridors

- At least 400 acres in size, two miles long, and 200 feet wide.
- In 2000, 5,515 acres, or about 24 percent of the Town, were encompassed within primary environmental corridors.

Secondary Environmental Corridors

- If linking primary corridors, no minimum area or length criteria apply.
- If not linking primary corridors, must be at least 100 acres in size and one mile long.
- In 2000, secondary environmental corridors encompassed 1,148 acres, or about 5 percent of the Town.

Isolated Natural Resource Areas

- Encompasses at least five acres but not large enough to meet the size or length criteria for primary or secondary environmental corridors.
- In 2000, isolated natural resource areas accounted for 468 acres, or about 2 percent of the Town.

²Documented in SEWRPC Community Assistance Planning Report No. 136 (3rd Edition), A Park and Open Space Plan for Washington County, March 2004.

The primary environmental corridors in the Town are located principally along the East Branch Rock River and Kohlsville River, the Wayne marsh, and the Theresa Marsh Wildlife Area.

Park and Open Space Sites

Wisconsin Department of Natural Resources (DNR)

The DNR owns the Theresa Marsh Wildlife Area, which encompasses 3,125 acres in the County and 2,671 acres in the Town, and includes a portion of the East Branch Rock River. In addition to land currently owned by the DNR, there is a larger project boundary associated with the Theresa Marsh Wildlife Area. Within the Town, the Theresa Marsh Wildlife Area project boundary encompasses approximately 1,377 additional acres for possible future acquisition.

Private and Public-Interest Resource Oriented Park and Open Space Sites

As of 2008, the Ozaukee Washington Land Trust (OWLT) owned one site in the Town of Wayne. The 44-acre Wendt Farm is located in the northwestern portion of the Town.

Lands Under Protective Easements

There were conservation easements on seven sites in the Town in 2005. The DNR held easements on six sites within the Theresa Marsh Wildlife Area project boundary, encompassing 197 acres. OWLT held a four-acre easement adjacent to its Wendt Farm site.

Town of Wayne Park and Open Space Sites

The Town of Wayne owns one site, Kohlsville Town Park. Kohlsville Town Park is located in the south central portion of the Town along the Kohlsville River and Mill Pond, and encompasses two acres. Wayne Elementary School is also located in the Town and provides seven acres of recreational land.

Inventory of Cultural Resources

The Washington County Landmarks Commission has designated 33 sites, several of which are also listed on the National and State Registers of Historic Places, as County Landmarks. The Town of Wayne contains one site, “Moritz Farmhouse,” located on CTH WW.

Agricultural, Natural, and Cultural Resources Goals and Programs

Goals:

- Maintain the rural character of the Town.
- Encourage the preservation of agricultural lands.
- Maintain the existing landscape and natural beauty of the Town.
- Nonmetallic mining sites will not have a negative long-term impact on important environmental features or existing developments within the Town of Wayne.
- Encourage preservation of historic or cultural structures and archaeological sites.
- Provide a public recreational area to serve Town residents.

Programs:

- Upon request, forward appropriate Town records of historical value to interested organizations.
- Continuation of agricultural uses, preservation of natural resources, or residential development at an average density of at least five acres per home are recommended in areas identified as having very high or high groundwater recharge potential, in order to preserve groundwater recharge capabilities. If urban-density development is allowed, land development and stormwater management practices such as the use of permeable pavement, set-aside open space, landscaping with drought-tolerant plants (i.e. native plants) and landscape mulch versus turf/grass, rain gardens, and bioswales should be integrated

into the site design and development to help preserve groundwater recharge capability. The use of conservation subdivision design that results in less street and driveway pavement and provides more open space than a conventional subdivision design should also be encouraged.

- Continue to maintain Town parks and develop additional parks and facilities as needs are identified and funding becomes available.
- Support the efforts of the DNR, Washington County, and nonprofit conservation organizations to acquire and manage natural areas and critical species habitat sites within the Town as recommended in the regional natural areas plan and the Washington County park and open space plan.

CHAPTER VI - LAND USE ELEMENT

Land Use Trends

- Between 1980 and 2000, the amount of land used for urban uses, including residential, commercial, industrial, and transportation uses, increased by about 596 acres, from 1,098 acres to 1,694 acres, or about 54 percent. The amount of land used for residential purposes nearly doubled during this time period.
- The percentage of land classified as “nonurban” decreased by about 3 percent between 1980 and 2000. The amount of land used for agriculture decreased by 1,008 acres, or by about 7 percent. The number of acres in the “open lands” category, that is, lands that are vacant and apparently unused, increased by 241 acres during the 1980 to 2000 period. The acreage of woodlands, wetlands, and surface waters increased by about 3 percent between 1980 and 2000.

Existing Land Uses (2008)

Urban Land Uses

Urban land uses within the Town in 2008 included residential; commercial; industrial; governmental and institutional; recreational; and transportation, communication, and utility uses. Together, urban land uses encompassed 2,781 acres, or about 12 percent of the Town.

- Residential uses encompassed 1,512 acres, or about 54 percent of all urban land and about 7 percent of the Town. All residential development in the Town is single-family homes.
- Commercial land encompassed 67 acres, or less than 1 percent of the Town.
- Industrial land encompassed about 32 acres, or less than 1 percent of the Town.
- Transportation, communication, and utility land uses encompassed about 1,076 acres, or about 5 percent of the Town.
- Governmental and institutional uses encompassed 93 acres, or less than 1 percent of the Town.
- There was one acre of intensively used recreational land in the Town, a portion of the Town park in Kohlsville.

Nonurban Land Uses

Nonurban land uses consist of agricultural lands; natural resource areas, including surface waters, wetlands, and woodlands; extractive sites; and unused land. Nonurban land uses encompassed 20,122 acres, or about 88 percent of the Town, in 2008. Significant portions of the Town were used for agricultural purposes (about 57 percent) or encompassed within wetlands (25 percent).

- Agriculture was the predominant land use in the Town in 2008. Agricultural lands encompassed 13,019 acres. Agricultural lands include all croplands, pasture lands, and farm buildings and structures (farmhouses, barns, silos, etc.).
- Natural resource areas consisting of surface water, wetlands, and woodlands combined to encompass 6,779 acres, or about 30 percent of the Town.

- There were three nonmetallic mining (extractive) sites in the Town, which encompassed 13 acres, or less than 1 percent of the Town.
- Open lands encompassed 311 acres, or about 1 percent of the Town. Open lands include lands in rural areas that are not being farmed, including DNR-owned land other than woodlands, wetlands, and surface water; and other lands that have not been developed. Examples of lands in the latter category include lots that have been platted but not yet developed. This category also includes the common open space within conservation subdivisions, which is set aside for preservation in open space. There were 146 acres of permanent open space within conservation subdivisions in the Town.
- There are no active landfills in the Town. The DNR has identified four former landfills which together encompass about 30 acres.

Town of Wayne Land Use Plan

The land use plan map for the Town of Wayne for the year 2035 is presented on Map 10 in Chapter VI. The 2035 land use plan is intended to help carry out the Town’s vision of remaining a rural, farming community. As such, the land use plan map designates much of the Town for agricultural and rural residential use. The Town encourages existing agricultural land to be retained in agricultural use. Residential development in areas designated for agricultural and rural residential use may be accommodated at an overall density of 10 acres per home, with development clustered on lots of 1.5 acres and the remainder of the parent parcel maintained in agricultural use or in open space. Table 74 sets forth the number of acres and percent of the Town in each land use category. Information regarding the type of land uses intended to be accommodated in each land use category is provided in Chapter VI.

Land Use Goals and Programs

Goals:

- Maintain the rural character of the Town.
- Encourage the preservation of agricultural lands.
- Maintain the existing landscape and natural beauty of the Town.
- Nonmetallic mining sites will not have a negative long-term impact on important environmental features or existing developments within the Town of Wayne.

Table 74

PLANNED LAND USES IN THE TOWN OF WAYNE: 2035

Land Use Category	Acres	Percent of Subtotal (Urban or Nonurban)	Percent of Total
Urban^a			
Urban Density Residential.....	2,115	56.7	9.2
Commercial.....	323	8.7	1.5
Industrial.....	131	3.5	0.6
Transportation			
Streets and Highway Rights-of-Way....	1,025	27.4	4.5
Railroad Rights-of-Way.....	33	0.9	0.1
Airport.....	10	0.3	-. ^b
Subtotal	1,068	28.6	4.6
Governmental and Institutional.....	92	2.5	0.4
Urban Subtotal	3,729	100.0	16.3
Nonurban			
Agricultural and Rural Density Residential ^c	11,655	60.8	50.9
Natural Resource Areas			
Primary Environmental Corridor.....	5,362	28.0	23.4
Secondary Environmental Corridor.....	1,125	5.9	4.9
Isolated Natural Resource Area.....	454	2.4	2.0
Wetlands ^d	73	0.4	0.3
Surface Water.....	92	0.5	0.4
Subtotal	7,106	37.1	31.0
Other Land to Be Preserved ^e	370	1.9	1.6
Existing Extractive Area.....	43	0.2	0.2
Nonurban Subtotal	19,174	100.0	83.7
Total	22,903	--	100.0
Overlay Categories			
Floodplain.....	6,072	-. ^f	26.5
Potential Extractive Areas.....	48	-. ^f	0.2
Shallow Bedrock ^g	7	-. ^f	-. ^b

^aParking included in associated use.

^bLess than 0.05 percent.

^cIncludes homes and common open space in conservation subdivisions where the average density of the subdivision is five acres or more per dwelling.

^dIncludes wetlands outside primary environmental corridors, secondary environmental corridors, and isolated natural resource areas.

^eIncludes private lands within the Wisconsin Department of Natural Resources project boundary for the Theresa Marsh Wildlife Area.

^fNot applicable.

^gAreas with bedrock within three feet of the surface.

Source: Town of Wayne, Washington County, and SEWRPC.

- Achieve a logical relationship between existing and proposed land uses.
- Accommodate new residential development at appropriate densities.

Programs:

- Retain Town zoning as the primary means of regulating land uses in the Town.
- Amend the Town zoning ordinance as needed so zoning district and other regulations are consistent with the land use plan map and other recommendations of this comprehensive plan.
- Consider amending the Town land division ordinance to require the submittal of soils maps with preliminary plats that indicate agricultural soil capability classes for soils on the site. Similar amendments to the Town zoning ordinance will be considered for proposed conditional uses and rezoning applications.
- Amend the Town zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use. The Town Board may require use of this option, at its discretion.
- Consider amending the Town zoning ordinance to provide a density bonus (additional dwelling units) for conservation subdivisions that preserve wetlands, floodplains, and primary environmental corridors.

CHAPTER VII - HOUSING ELEMENT

Inventory and Projections

Total Housing Units

There were 597 housing units in the Town in 2000. About 87 percent, or 521, were owner-occupied and about 10 percent, or 61, were renter-occupied. About 3 percent of the total housing units, or 15 units, were vacant.

Vacancy Rate

The overall vacancy rate in the Town was 2.5 percent in 2000.

Value of Owner-Occupied Housing Units

The median value for owner-occupied housing units in the Town was \$160,200.

Median Sales Prices in 2006

In 2006, the median price in the Town of Wayne was \$259,250; this is an increase of about 68 percent from the median price in 2000.

Monthly Housing Costs

The median monthly housing cost for homeowners **with a mortgage** was \$1,197.

- About 21 percent of homeowners spent between \$700 and \$999 and about 10 percent spent under \$700
- About 45 percent of homeowners with a mortgage spent between \$1,000 and \$1,499
- About 19 percent of homeowners spent between \$1,500 and \$1,999 and about 5 percent spent over \$2,000

The median monthly housing cost for homeowners **without a mortgage** was \$358.

- About 37 percent of homeowners without a mortgage spent less than \$300 and about 30 percent spent between \$300 and \$399
- About 24 percent of homeowners spent between \$400 and \$499
- About 7 percent of homeowners spent between \$500 and \$699
- About 2 percent of homeowners spent over \$700

Structure Type and Year Built

The total number of housing units increased from 311 to 597 from 1970 through 2000. During this same time period, the percentage of single-family housing units increased about 2 percent, from 92 to 94 percent. Less than 1 percent of units were in multi-family structures and about 3 percent were in two-family structures and mobile homes or other types of residential structures each in 2000. Between 2000 and 2006, the total number of residential units increased from 597 to 755, or by 26 percent.

Affordable Housing Need Assessment

The Federal Department of Housing and Urban Development (HUD) defines housing affordability as households “paying no more than 30 percent of their income for housing.” Households that pay more than 30 percent of their monthly income for housing are considered to have a high housing cost burden. About 15 percent of households in the Town spent over 30 percent of their monthly income on housing costs in 2000. A full-time worker (40 hours per week) must earn \$44.23 per hour to afford a median priced home (\$259,250) in the Town in 2006.

Household Projection: 2035

The number of additional housing units needed between 2000 and 2035 to provide an adequate supply is determined by subtracting the number of housing units in 2000 (597 units) from the projected number of housing units (1,049) needed in 2035. The resulting projected demand is about 452 additional housing units in the Town between 2000 and 2035. As of the end of 2007, there were an estimated 766 housing units in the Town, which would result in a need for an additional 283 housing units between 2008 and 2035.

Housing Goals and Programs

Goals:

- In cooperation with neighboring communities, support a range of housing types to serve the varied and special needs of area residents.
- Maintain the rural character of the Town.
- Accommodate new residential development at appropriate densities.
- Support fair housing practices.
- Provide safe and decent housing for all Town residents.

Programs:

- Allocate sufficient area for residential development on the Town land use plan map (Map 10 in Chapter VI) to accommodate the anticipated population of the Town in 2035.
- Work with government agencies and developers to implement creative ideas for providing low and moderate income housing in the Town while maintaining appropriate densities.
- Consider amending the Town zoning ordinance to accommodate accessory units in residential zoning districts as an option for providing affordable housing and housing for the elderly and persons with disabilities.
- Consider amending the Town zoning and land division ordinances to grant a density bonus in land divisions that provide for affordable housing.
- Consider amending the Town zoning and land division ordinances to grant a density bonus or other incentives for homes that provide Universal Design and/or Visitability features.
- Continue to enforce the Town building code to ensure adequate insulation, heating, and plumbing.
- Work with existing housing agencies to identify programs and potential funding sources to assist homeowners with making needed repairs, including improvements to meet State and Federal lead-safe standards.

- Work with the Washington County Health Department to enforce State public health *Statutes* and County ordinances concerning dilapidated, unsafe, or unsanitary housing that poses a human health hazard.
- Continue to cooperate with Washington County to ensure the County has reviewed proposed land divisions for compliance with the County Land Division and Sanitary Ordinances relating to land suitability, wastewater treatment and disposal, and other applicable requirements.

CHAPTER VIII - TRANSPORTATION ELEMENT

Transportation Facilities and Services

Streets and Highways

In 2008, there were approximately 83 miles of streets and highways in the Town of Wayne,³ under the Town's Wisconsin Department of Transportation (WisDOT) certified mileage.

Arterial Streets

The arterial street and highway system is intended to provide a high degree of travel mobility, serving the through movement of traffic between and through urban areas.

- There were about 24.1 miles of arterial highways in the Town in 2008. About 12.0 miles were under the jurisdiction of WisDOT, including USH 41 and STH 28. About 12.1 miles of arterial highways were under the jurisdiction of Washington County, including CTH D, WW, BB, and that portion of CTH W between CTH D and STH 28.
- There were no arterial streets under Town jurisdiction.

Collector and Land Access Streets

The primary function of land access streets is to provide access to abutting property. Collector streets are intended to serve primarily as connections between the arterial street system and the land access streets.

- In 2008, there were about 58.6 miles of collector and land access streets in the Town, including about 4.3 miles of non-arterial county highways (that portion of CTH H between CTH W and Town Line Road, that portion of CTH W between Beaver Dam Road and CTH D, and that portion of CTH W between STH 28 and St. Kilian Drive), and 54.3 miles under Town jurisdiction.

Rural and Small Urban Community Public Transportation

Washington County Shared-Ride Taxi System

- The Washington County Shared-Ride Taxi System is provided by Washington County. The system is designed to serve any trip made within Washington County during its operating hours. The County shared-ride taxi system serves all areas of the County except trips where both the origin and destination are located within the City of West Bend or the City of Hartford.

City of Hartford Transport Taxi System

- The Hartford Transport Taxi Service consists of two vehicles operated by the City of Hartford. Service is provided to City residents in specified locations, which include City limits and up to one mile outside City limits and out of town service to and from the City of Hartford to General Mitchell International Airport, Columbus Train Depot, the Milwaukee Downtown Bus Depot, the Aurora Health Center in Slinger, and up to 10 miles into Dodge County.

³Total street and highway mileage does not include private streets.

Medical Related Transportation Services

- Washington County has multiple free transportation services to assist County residents by providing transportation to and from medical facilities. They include:
 - American Cancer Society Road to Recovery – Offering cancer patients free transportation to medical appointments. Operates weekdays from 8:00 a.m. to 4:30 p.m.
 - American Red Cross, West Bend Chapter – Services include assistance to veterans and their families by providing transportation for ambulatory people to medical and dental appointments. Service is provided Monday through Friday. The West Bend Chapter serves West Bend, Jackson, Kewaskum, Slinger, Hartford, Barton, Farmington, Trenton, and Wayne only. Transportation is also provided for medical appointments outside Washington County.
 - Life Star Medical Transport – Provides non-emergency specialized transportation.

Rail Freight Services

The Canadian National (CN) Railway operates freight service over an approximately 25 mile segment of mainline railway traveling north through the western half of the County towards Duluth-Superior via Fond Du Lac, and crosses through the southwestern corner of the Town of Wayne.

Airports

- Chartered air service and air freight services are provided at two publicly-owned public-use airports in Washington County: West Bend Municipal Airport and Hartford Municipal Airport.
- Commercial airline service is provided to residents of the County by General Mitchell International Airport, located in eastern Milwaukee County. Lawrence Timmerman Field located in western Milwaukee County is also capable of accommodating most types of general aviation aircraft.
- Privately-owned Hahn Sky Ranch is located on CTH D east of Kohlsville. The airport is available for public use, although its use is limited by unpaved runways and lack of lights. The airport provides aircraft maintenance, and is an approved flight school. The airport provides community projects such as radio-controlled model plane flying, balloon launch and land opportunities, model rocket launching, ultra lights, and parasailing.
- There are two private-use airports in the County: Erin Aero, in the Town of Erin, and Willow Creek, in the Village of Germantown. Private heliports are located at St. Joseph's Community Hospital in the Town of Polk and Hartford Hospital in Hartford. The Wisconsin National Guard operates a heliport at the West Bend Airport. These airports and heliports are restricted use facilities and are not open for use by the general public.

Transportation Goals and Programs

Goals:

- Provide a safe and efficient transportation system.
- Build, maintain, and improve Town roads in a timely and well-planned manner.

Programs:

- Notify Washington County when a certified survey map (CSM) is submitted for a land division adjacent to a County highway, and request County input regarding the appropriate right-of-way for and access to the highway.
- Consider connections to existing or future development on adjacent parcels when reviewing the plans, preliminary plats, and certified survey maps.
- Work with Washington County and private service providers, where appropriate, to improve public transportation for persons with disabilities to increase access to jobs and community activities.

- Work with Washington County to determine if there is a need for additional Washington County Commuter Express Bus System routes and park-ride lots to serve Town residents.
- Consider incorporating desired policies from State long-range transportation planning efforts, including Connections 2030, into Town of Wayne plans.
- As required by State law, continue to use the Wisconsin Information System for Local Roads (WISLR); continue to update road ratings, as required; and seek outside funds to help with street improvements.
- Continue to participate in the annual bridge inspection program conducted by Washington County.
- Continue to work with Washington County and SEWRPC to prepare and implement the Washington County Jurisdictional Highway System Plan and the Transportation Improvement Program.
- Conform to the existing topography and landscape, if possible, when constructing new streets.
- Lay out streets so that all vehicles, especially emergency vehicles, can travel in a safe and efficient manner.
- Consider preparing a conceptual street plan to help provide connections between subdivisions and limit the number of cul-de-sac streets.
- The Town will strive to ensure local street connectivity and the proper location of new streets during the review of all site plans, Certified Survey Maps, condominium plats, and subdivision plats as new development is proposed.

CHAPTER IX - UTILITIES AND COMMUNITY FACILITIES ELEMENT

Existing Utilities and Community Facilities

Wastewater Disposal

All developed properties in the Town rely on private onsite waste treatment systems (POWTS). Washington County regulates POWTS in the Town under the County Sanitary Code, which is Chapter 25 of the County Code of Ordinances.

- Between 1980 and 2006, permits were issued for 490 POWTS in the Town.
- There are no public sanitary sewers in the Town.

Water Supply

- Water for domestic and other uses in the Town is supplied by groundwater through the use of private wells. The Town does not have a public water supply system.
- The Town of Wayne draws water from the shallow aquifer, which is expected to provide adequate amounts of water to serve Town residents during the planning period.

Stormwater Management

- Stormwater in the Town of Wayne drains through natural watercourses, roadside ditches, and culverts. The Town does not have a centralized storm sewer system.
- It is recommended that the Town consider the preparation of a Town-wide stormwater management plan to serve existing and future land uses in the Town.

Solid Waste Disposal

- The Town of Wayne provides a drop-off site at the Wayne Town Hall, served by Veolia Environmental Services, where residents can dispose of solid waste.

Recycling Facilities

Each local government in Washington County carries out a recycling program for household waste (no hazardous waste) within its jurisdiction.

- A recycling center, located adjacent to the Town Hall, serves the recycling needs of Town of Wayne residents.
- It is recommended that the Town assist and support the County in studying the feasibility of providing an annual Clean Sweep program or permanent drop-off sites for hazardous waste, as well as an annual pharmaceutical disposal program and tire collection program.

Road Maintenance

- The Town of Wayne Highway Department is responsible for maintaining about 54 miles of Town roads. Duties include conducting summer maintenance such as pavement markings, mowing roadsides, grading gravel shoulders, replacing cross road culverts, cleaning roadside ditches, and installing street signs.
- The Highway Department also coordinates road paving and reconstruction projects in the Town, plows snow, and enforces Town ordinances relating to driveway construction and maintenance, driveway culverts, and weight limits on Town roads.
- Washington County provides the Town assistance with road construction and maintenance, such as centerline striping, on a contract (fee for service) basis.

Parks

- As of 2008, the Town of Wayne owned one park and open space site, the Kohlsville Town Park, which encompassed two acres. Wayne Elementary School was also located in the Town and provides seven acres of recreational land. There was also one private site located in the Town, the Wendt Farm, which is owned by OWLT and encompassed 44 acres, for a total of 53 acres within park and open space sites.
- A large portion of the Theresa Marsh Wildlife Area, a State-owned (DNR) wildlife area, is also located in the Town.

Telecommunications Facilities

- There were four wireless antenna towers in the Town in 2008, one which accommodated antennas for four companies and three accommodating antennas for a single carrier. Providers with wireless antennas in the Town included AT&T, Nextel, Sprint, T-Mobile, U.S. Cellular, and Verizon. The cell towers are located along USH 41.
- A regional broadband access plan, which built upon the wireless telecommunications plan, was completed in 2007.⁴ Upon implementation, this plan will support a mix of wireline and wireless networks that will provide fourth generation (4G) video, voice, and data communications services to the entire Region.
- SEWRPC developed a community-level telecommunications plan for the Town. The Town approved the plan and has contracted with HierComm Networks to implement, operate, and maintain a wireless telecommunications network in the Town. A network of five directional antennas on 50-foot wooden poles will be installed, which can provide service to all Town residents and businesses.

Power Plants and Transmission Lines

- We Energies provides electric power and natural gas service throughout the Town; however, some Town residents currently use propane tanks rather than natural gas.

⁴Documented in *SEWRPC Planning Report No. 53, A Regional Broadband Telecommunications Plan for Southeastern Wisconsin, October 2007.*

- A high-voltage (69 kilovolts or higher) electric power transmission corridor owned by the American Transmission Company (ATC) traverses the Town.

Cemeteries

There are seven cemeteries in the Town of Wayne:

- Methodist Episcopal Cemetery
- Salem United Church of Christ Cemetery
- St. Jacob's Reformed Cemetery
- St. John's Memorial Cemetery
- St. Paul Evangelical Lutheran
- Zion Evangelical Lutheran Cemetery
- Zion German Baptist Cemetery

Health Care Facilities

- There are no hospitals or clinics for non-specialized medical services located within the Town, but health care facilities are located in nearby communities.

Assisted Living Facilities

Facilities for Persons of Advanced Aged

- No facilities for the aged were located in the Town, but such facilities are available nearby in the City of West Bend and the Village of Kewaskum.

Facilities for the Mentally and Physically Disabled

- None were located in the Town, but such facilities are available nearby in the City of West Bend. Because a majority of the existing facilities are located in urbanized areas, provided with sewer and water, it would be difficult for the Town to attract assisted living facilities to the Town. However, the Town supports and encourages the expansion or development of assisted living facilities for persons with disabilities or for the elderly in appropriate locations.

Child Care Facilities

- In 2008, there was one licensed group child care center in the Town, The Learning Garden, and one licensed family child care center, Dickman Family Day Care.

Police Protection

- Police protection in the Town of Wayne is provided by the Washington County Sheriff's Department, which is based in the City of West Bend. The Town anticipates reliance on the Washington County Sheriff's Department for police protection services through 2035. The Town also encourages the Sheriff's Department to monitor the personnel, equipment, and facilities yearly to ensure they are adequate to serve Town and other County residents. The Town also supports Washington County in continuing to provide the countywide Public Safety Answering Point system operated by the Sheriff's Department for emergency dispatch services for the Town.

Enforcement of Town Ordinances

Law enforcement in the Town is provided by the Washington County Sheriff's Department; however, the Sheriff's Department does not enforce Town ordinances. The Town of Wayne Code of Ordinances specifies the following enforcement officers for Town ordinances, who may issue citations to persons found to be violating a Town ordinance:

- Town zoning ordinance: Building Inspector/Zoning Administrator
- Uniform dwelling code: Building Inspector/Zoning Administrator
- Stormwater management and erosion control ordinance: Building Inspector/Zoning Administrator
- Nonmetallic mining reclamation ordinance: Building Inspector/ Zoning Administrator
- Driveway regulation and weight limits: Town Chairman
- Park ordinances in the Town park: Town Chairman
- Public safety, health and welfare, and emergency management laws and regulations: Town Chairman

Fire Protection

- Fire protection is provided to the entire Town by the Kohlsville Fire Department, which is operated privately and consists of 35 volunteer firefighters. The Kohlsville Fire Department also serves the western portion of the Town of Barton. The Town encourages the Kohlsville Fire Department to conduct periodic needs assessment studies to determine if the department has sufficient fire-fighters, equipment, water supply, and facilities to adequately protect the Town.

Emergency Management Services

- Emergency rescue services are provided to the Town by Allenton Rescue, Kewaskum Rescue, and Kohlsville Rescue. The Washington County Sheriff's Department maintains a DIVE team that serves all communities in the County. The Town encourages each department to conduct periodic needs assessment studies to determine if the departments have sufficient personnel, equipment, and facilities to adequately protect the Town and other communities they serve.
- The Washington County Emergency Management Department prepares and updates county emergency operation plans; coordinates emergency training exercises; communicates to the public about emergency preparedness; and responds to incidents throughout Washington County, including those involving hazardous materials. The Town Chairman serves as the contact person for the coordination of emergency services in the Town.

Libraries

- The Town of Wayne does not have a public library. The closest libraries are the Kewaskum Public Library in the Village of Kewaskum and the West Bend Community Memorial Library in the City of West Bend.

Schools

- The Town of Wayne is located almost entirely within the Kewaskum School District, as are the Town and Village of Kewaskum, the Town of Farmington, and the northern portion of the Town of Barton. The District operates one school in the Town, Wayne Elementary School (serving kindergarten through fifth grade) located on CTH H, just west of CTH W. Kewaskum middle and high schools in the Village of Kewaskum serve public middle and high school students in the Town.
- A small area in the western portion of the Town lies within the Lomira School District, which is located primarily in Dodge County.

Other Government Facilities – Wayne Town Hall

- The Town Hall is located at 6030 Mohawk Road, near the intersection of Fairview Drive. The Town Hall was constructed in 1986 and includes a meeting room, two offices, and a kitchenette. The Town highway garage is attached to the Town Hall. The Town Hall is available to Town residents and businesses for private rental. In addition to holding Town meetings, the Town Hall also serves as the Town's only polling place.

Utilities and Community Facilities Goals and Programs

Goals:

- Provide community facilities appropriate for a rural town.
- Provide law enforcement and emergency services (police, fire, and emergency rescue) for Town residents and businesses.
- Provide a safe, secure, and healthful environment and a high quality of life for Town residents.
- Cooperate with other units and agencies of government, where appropriate, to provide cost-effective government services.
- Cooperate with private service providers to ensure Town residents receive appropriate services.
- Provide a public recreation area to serve Town residents.

Programs:

- Consider conducting a needs assessment and adopting an impact fee ordinance for facilities provided by the Town.
- Consider preparing a Town stormwater management plan to provide for comprehensive and coordinated stormwater management facilities and measures.
- Continue to administer the Town erosion control and stormwater management ordinance.
- Continue to comply with Chapter 25, Sanitary Code, of the *Washington County Code of Ordinances*, which includes the regulation of private on-site wastewater treatment systems (POWTS) in the Town.
- Initiate contacts with Washington County and adjacent communities prior to constructing new public facilities or initiating or expanding Town services to determine if there are opportunities for joint facilities or services.
- Cooperate with Washington County and adjacent communities when approached to consider joint service agreements or facilities.
- Explore a partnership with Washington County for recycling programs and facilities, including establishment of household hazardous waste collection sites and facilities.
- Continue to work with private telecommunications providers to provide a state-of-the-art communications system for Town residents and businesses.
- Continue to maintain Town parks and develop additional parks and facilities as needs are identified and funding becomes available.

CHAPTER X - ECONOMIC DEVELOPMENT ELEMENT

Inventory and Analysis

Labor Force

- There were 1,008 employed persons residing in the Town and 1,030 Town residents in the labor force in 2000.
- Employed persons comprised about 58 percent of the total population of the Town in 2000.
- There were 22 unemployed persons age 16 or older, or about 2 percent of the labor force.
- About 22 percent of Town residents, or 294 persons, 16 years of age or older did not participate in the labor force in 2000.⁵

⁵Persons age 16 and older who did not participate in the labor force include only those persons who did not work nor seek employment.

- About 64 percent of employed Town residents worked within Washington County, including about 26 percent in the City of West Bend, and about 36 percent of residents traveled outside the County for employment.
- Of the 36 percent of Town residents who traveled outside the County for employment, about 11 percent worked in Milwaukee County and about 9 percent worked in Waukesha County.
- Town residents employed in management, professional, and related occupations comprised the largest percentage of the employed labor force at about 26 percent, or 265 workers.

Employment

Number and Type of Jobs

- In 1950, there were 10,200 jobs located in the County. Between 1950 and 2000, the number of jobs located in the County grew by 505 percent, which was significantly higher than the 113 percent job growth experienced in the Region over the same time period.
- In 2000, the Town of Wayne had 557 jobs.

Major Employment Types

The manufacturing industry led Washington County in number of jobs in 2004, despite the drop in the number of manufacturing jobs from 17,307 in 2000 to 14,178 in 2004. The next five largest private employment categories were:

- Retail trade – 7,848 jobs
- Health care and social assistance – 5,349 jobs
- Construction – 4,404 jobs
- Accommodation and food services – 4,297 jobs
- Other services, except public administration – 3,951 jobs

Employment Locations

- Larger employers in the Town include Brooks Stevens, Inc. and Spiros Industries, Inc.

Personal Income

- The median household income in the Town was \$61,033, which was \$4,000 more than the median household income in the County (\$57,033), \$14,446 more than the median household income in the Region (\$46,587), \$17,242 more than the median household income in the State (\$43,791), and \$19,039 more than the household income in the Nation (\$41,994).

Commercial and Industrial Areas

The Town of Wayne and Washington County have a strong economic base, as indicated by labor force and household income characteristics. In addition to positive labor force characteristics, the Town and County must ensure that an adequate number of sites for business creation, retention, expansion, and attraction are identified to maintain the strong economic base. The Town land use plan map designates 454 acres for commercial and industrial development in 2035, which is an increase of 355 acres from the 99 acres developed for such uses in 2008.

Economic Projections

- The total number of jobs in the County is projected to increase by 17,170 jobs, or by about 28 percent; from 61,691 jobs in 2000 to 78,861 jobs in 2035.
- The Town selected an employment projection of about 1,192 jobs in 2035, which is based on a continuation of employment trends in the Town between 1980 and 2005. There were 557 jobs in the Town in 2000.

Economic Development Goals and Programs

Goals:

- The Town prefers economic development that does not negatively impact the Town's rural character or natural resources.
- Communicate with existing local businesses and work to retain them, if possible.
- Encourage economic development desired by the Town in appropriate areas.
- Encourage the preservation of agricultural lands.

Programs:

- Identify suitable areas for commercial and industrial development on the Town land use plan map.
- Amend the Town zoning ordinance to include an option for conservation subdivisions that preserve that portion of the parent parcel not included in new lots or streets for agricultural use.

CHAPTER XI - INTERGOVERNMENTAL COOPERATION ELEMENT

Benefits of Intergovernmental Cooperation

- Cost Savings
- Address Regional Issues
- Early Identification of Issues
- Reduced Litigation
- Understanding
- Trust
- History of Success

Analysis of Intergovernmental Relationships

Adjacent Local Governments

The Town has agreements with the Towns of Addison, Barton, and Kewaskum in Washington County; the Town of Theresa in Dodge County; and the Town of Ashford in Fond du Lac County for maintenance of roads on the Town line that are not under County or State jurisdiction.

State, County, and Regional Agencies

Washington County

Washington County provides a number of services to the Town and Town residents. The following are a few of the County departments that provide services to local governments:

- Planning and Parks Department
- Highway Department
- Sheriff's Department
- Emergency Management Department

SEWRPC

- Washington County and local governments in the County are served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Washington County contracted with SEWRPC to assist the County and 11 participating local governments to help prepare the County and local comprehensive plans. SEWRPC helped the Town prepare this comprehensive plan as part of that multi-jurisdictional planning process.

- SEWRPC also prepares a regional land use plan, which includes population, employment, and household projections to assist in local and county planning efforts, and is the federally-designated transportation planning and programming agency for the seven-county region.⁶
- SEWRPC is also the regional water quality management agency for the region, and is involved in many other aspects of land use planning and development, including the County jurisdictional highway system plan, the regional water supply plan, and the regional telecommunications plan.
- The Town is working with SEWRPC to implement a community level wireless access network plan. Additional information about the wireless access network plan is provided in Chapter IX.
- SEWRPC also assists the Town in drafting and developing zoning and land use plans and ordinances.

Milwaukee 7

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

Wisconsin Department of Transportation (WisDOT)

- In partnership with local governments, the County, and SEWRPC, WisDOT administers a variety of State and Federal programs to complete projects that enhance the transportation network within Washington County and the Town.

Wisconsin Department of Natural Resources (DNR)

- The DNR makes grants available to County and local units of government for park acquisition and development. A County or local government must prepare and adopt a park plan to be eligible to receive recreational grant funds from the DNR. The Town has not yet adopted such a plan.
- The DNR is also working with the Federal Emergency Management Agency (FEMA) and Washington County to update floodplain mapping within the County. The floodplain update is expected to be completed in 2009.

Department of Commerce

- The Wisconsin Department of Commerce administers regulations for POWTS in the State of Wisconsin. The Washington County Planning and Parks Department works closely with the Department of Commerce to implement the regulations. The Planning and Parks Department enforces POWTS regulations in all local governments in the County, including the Town.

Special-Purpose Units of Government

School Districts

- The Town of Wayne is located almost entirely within the Kewaskum School District. A small area in the western portion of the Town lies within the Lomira School District. The Kewaskum School District operates the Wayne Elementary School in the Town.

⁶The seven Counties in the SEWRPC region are Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.

Libraries

- Washington County contracts with each library to provide library services to County residents living in communities without a municipal library, such as the Town of Wayne.

Intergovernmental Conflicts and Dispute Resolution

A dispute resolution process was developed as part of the Washington County multi-jurisdictional comprehensive planning process. This process is intended to provide an alternative way of resolving disputes between adjacent local governments, or local governments and the County, that arise from implementation of adopted comprehensive plans. The dispute resolution process is a *voluntary* process administered by the Washington County Planning and Parks Department.

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

The dispute resolution process involves multiple stages if a conflict is not immediately resolved. The process begins with alternative dispute resolution techniques, including informal negotiations among and between the disputing parties. If these efforts are unsuccessful, facilitated negotiation utilizing the Washington County Multi-jurisdictional Dispute Resolution Panel may be used, followed by mediation. Arbitration and litigation, more traditional dispute resolution techniques, are the remaining stages and tend to be slower and more costly than the foregoing stages.

Intergovernmental Cooperation Goals and Programs

Goals:

- Work cooperatively with neighboring communities.
- Coordinate with school districts as they plan and locate school facilities.

Programs:

- Initiate contacts with Washington County and adjacent communities prior to constructing new public facilities or initiating or expanding Town services to determine if there are opportunities for joint facilities or services.
- Cooperate with Washington County and adjacent communities when approached to consider joint service agreements or facilities.
- Work with Washington County to complete the procedure necessary for Town participation in the Washington County Multi-Jurisdictional Dispute Resolution Panel.
- Work with SEWRPC and Washington County to make the Town's comprehensive plan available on the County's Website.
- Work with school district officials, on request, to explain the type of permits required from the Town before selecting and buying a site; the recommendations of the Town land use plan map; and other information that would assist the districts in planning for future school facilities.

CHAPTER XII - IMPLEMENTATION ELEMENT

Plan Amendments and Updates

The comprehensive plan should be reviewed periodically to ensure that the land use plan map and plan categories, the goals, objectives, policies and programs, and other plan information reflects current conditions, and that the plan is achieving its intended goals. If it is determined that plan text, maps, or other features of the plan are not satisfactory, a plan amendment may be necessary. Chapter XII sets forth the procedure for amending the plan.

Consistency Between The Comprehensive Plan And Town Ordinances

Section 66.1001(3) of the *Statutes* requires that the following ordinances be consistent with a unit of government's comprehensive plan by January 1, 2010:

- Official mapping established or amended under Section 62.23(6) of the *Statutes*.
- County or local subdivision regulations under Section 236.45 or 236.46 of the *Statutes*.
- County zoning ordinances enacted or amended under Section 59.69 of the *Statutes*.
- City or village zoning ordinances enacted or amended under Section 62.23(7) of the *Statutes*.
- Town zoning ordinances enacted or amended under Section 60.61 or 60.62 of the *Statutes*.
- Zoning of shorelands or wetlands in shorelands under Section 59.692 (for counties), 61.351 (for villages), or 62.231 (for cities) of the *Statutes*.

The Town has adopted a zoning ordinance and a land division (subdivision) ordinance. As of January 1, 2010, both ordinances must be consistent with this Town comprehensive plan. Chapter XII lists changes to the Town zoning ordinance and map that will be considered by the Town Board to achieve consistency. No changes to the Town subdivision ordinance are needed to attain consistency.

Program Prioritization

The comprehensive planning law requires the Implementation Element to include a compilation of programs, in a specified sequence, to implement the recommendations set forth in the other required plan elements. The Town of Wayne Plan Commission reviewed the programs developed in the previous seven elements (there are no programs recommended in the Issues and Opportunities Element) and developed a relative priority ranking for their implementation. Recommended priorities for implementing programs are presented in Table 73 in Chapter XII. Any new programs recommended in this plan must be individually reviewed and approved by the Town Board through the annual budget process prior to implementation.

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**GLOSSARY
AND
LIST OF ACRONYMS**

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GLOSSARY

Accessory Dwelling Unit. A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, which may be part of the same structure as the principal dwelling unit or a detached dwelling unit on the same lot. An accessory dwelling unit is self-contained and includes a separate outside entrance, sleeping facilities, kitchen facilities, bathroom facilities, and parking. Accessory dwelling units are typically smaller than the principal dwelling unit, and are also referred to as “mother-in-law” units.

Affordable Housing. Affordable housing is defined by the U. S. Department of Housing and Urban Development (HUD) as access to decent and safe housing that costs no more than 30 percent of a household’s gross monthly income. Housing costs for homeowners include the sum of mortgage payments or similar debts on the property; real estate taxes; fire, hazard, and flood insurance on the property; and utilities (heat and light). For renters, monthly housing costs include rent and utilities (heat and light).

Agricultural, Natural, and Cultural Resources (ANCR) Element Workgroup. The purpose of this workgroup was to focus on the development of the Agricultural, Natural and Cultural Resources Element of the Washington County Multi-Jurisdictional Comprehensive Plan. Responsibilities included analyzing and reviewing trends, inventories, and forecasts pertaining to agricultural, natural and cultural resource issues and developing preliminary recommendations for the Agricultural, Natural and Cultural Resources Element.

Aquifer. Groundwater that can be economically used as a water source.

Aquifer Recharge. The natural process of infiltration and percolation of rainwater from the land surface to underground porous layers of soil or rock, where it becomes part of the groundwater supply (or aquifer).

Backhaul Network. A backhaul network is designed to convey wireless communications data from multiple users in a relatively small service area to a centralized access point. Multiple access points in a larger service area in turn transmit wireless data to a cable Internet connection (gateway) maintained by a local exchange company. Information is also disseminated from the Internet to the access network, then to local users through the backhaul network.

Basin, Bioretention. A subsurface stormwater management basin designed to infiltrate and/or treat runoff. A bioretention basin has a layer of specially designed soil that removes pollutants from runoff. In cases where there is an inadequate separation distance between the soil layer and the groundwater table, the bioretention basin is designed to treat runoff in the soil layer and then discharge the treated runoff through an underdrain. Where the separation distance is adequate, the basin is designed to infiltrate runoff to the groundwater following treatment in the soil layer.

Basin, Detention. A stormwater management facility designed to temporarily store water before discharging it, at a controlled rate, to surface water (a stream or lake). Detention basins are classified as:

- Dry Detention Basins: Basins that drain completely between large rainstorms or snow melt events. Dry basins are not effective at removing pollutants.
- Wet Detention Basins: Basins that contain a permanent pool of water that gradually release stormwater runoff, and also trap pollutants found in runoff.

Basin, Infiltration (or Retention). A stormwater management facility designed to capture, store, and infiltrate runoff. Such a facility is generally designed to completely infiltrate runoff from more-frequent storms while runoff from larger storms is passed over a spillway. An infiltration basin removes pollutants through filtering and absorption by the underlying soil. The primary function of an infiltration basin is to reduce the total runoff volume from a site and re-direct some of the runoff to help recharge groundwater. (Also see definition of Trench, Infiltration).

Best Management Practices (BMPs). Structural or non-structural measures, practices, techniques, or devices used to avoid or minimize soil, sediment, or pollutants being carried in runoff to surface waters. Examples include the use of silt fences or hay bales to control runoff on a construction site.

Blighted Area. Any area, including a slum area, in which a majority of the structures are residential or in which there is a predominance of buildings or improvements, whether residential or nonresidential, and which, by reason of dilapidation, deterioration, age, or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of these factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

Brownfield Site. Abandoned, idle, or underused industrial or commercial properties where redevelopment is hindered by known or suspected environmental contamination.

Business Cluster. Groups of companies located in a county or region and engaged in similar or related activities. The concept behind using clusters for economic development lies in the concept that by cooperating, large and small companies in similar or related industries will achieve and gain much more by collaborating together than they would operating individually.

City. An incorporated local unit of government. Although there are many statutory provisions that deal with city powers and responsibilities, most of the requirements are set forth in the following chapters of the *Wisconsin Statutes*: Chapter 62, “Cities”; Chapter 64, “Other Forms of City Government”; and Chapter 66, “General Municipality Law.” Section 62.05 of the *Statutes* classifies cities by ranges of population. Cities of the first class are those with a population of at least 150,000 residents; cities of the second class are those with a population of 39,000 to 150,000 residents; cities of the third class are those with a population of 10,000 to 39,000 residents; and fourth class cities have a population of less than 10,000 residents. Cities are typically governed by a common council made up of alderpersons who are elected to represent specific districts within the city. A mayor serves as the chief elected official.

Composting Facility. A commercial or public solid waste processing facility where yard or garden waste is transformed into soil or fertilizer by biological decomposition.

Comprehensive Plan. The Wisconsin comprehensive planning law was enacted in 1999, and is sometimes referred to as the “Smart Growth” law. The requirements of the law are set forth in Section 66.1001 of the *Wisconsin Statutes*. The law is very prescriptive in terms of plan content, requiring nine specific plan elements: issues and opportunities; land use; housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; intergovernmental cooperation; and implementation. The law also includes requirements for public participation and plan distribution and adoption procedures. Beginning on January 1, 2010, zoning, subdivision, and official mapping ordinances adopted or enforced by a county or local unit of government must be consistent with the comprehensive plan adopted by the governing body of the county, town, village, or city.

Conservation Subdivision. A form of development in which dwelling units are concentrated and/or clustered in specific areas on relatively small lots in order to allow other portions of the development site to be preserved for common open space, including restoration and management of historic, agricultural, or environmentally sensitive features.

Critical Species Habitat Sites. Critical species habitat sites in Washington County were identified as part of the regional natural areas and critical species plan prepared by SEWRPC in 1995, and are described in Chapter V. Critical species habitat sites consist of areas outside natural areas that are important for their ability to support rare, threatened, or endangered plant or animal species. Such areas constitute “critical” habitat considered to be important to the survival of a particular species or group of species of special concern. Critical species habitat sites include the aquatic habitat sites described in Chapter V (also see definition of natural area).

Detached Dwelling Unit. A dwelling unit surrounded by freestanding walls (not attached to any other dwelling unit).

Dispute Resolution Forum Subcommittee. The Multi-Jurisdictional Advisory Committee established a Dispute Resolution Forum Subcommittee to develop the procedures and by-laws to guide the Washington County Multi-jurisdictional Dispute Panel. The by-laws developed by the Subcommittee and approved by the County Board are included in Appendix F. Information about the dispute resolution process is provided in Chapter XI.

Economic Development. The process of creating wealth through the mobilization of human, financial, capital, physical, and natural resources to generate marketable goods and services.

Environmental Corridor. A generic term that includes “Primary Environmental Corridors,” “Secondary Environmental Corridors,” and “Isolated Natural Resource Areas,” which are defined below.

- **Primary Environmental Corridor:** A concentration of significant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Primary environmental corridors are at least 400 acres in area, at least two miles in length, and at least 200 feet in width, and are delineated and mapped by SEWRPC.
- **Secondary Environmental Corridor:** A concentration of significant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Secondary environmental corridors are at least 100 acres in area and at least one mile in length, except where such corridors serve to link primary environmental corridors, in which case no minimum area or length criteria apply. Secondary environmental corridors are delineated and mapped by SEWRPC.
- **Isolated Natural Resource Area:** An area containing significant remnant natural resources, such as woodlands, wetlands, prairies, and important plant and wildlife habitat. Isolated natural resource areas are between five and 100 acres in area and are at least 200 feet in width, and are delineated and mapped by SEWRPC.

Environmental Repair Sites (ERP). Sites other than Leaking Underground Storage Tanks (LUST) that have contaminated soil and/or groundwater, as determined by the Wisconsin Department of Natural Resources (DNR). Examples include industrial spills (or dumping) that need long term investigation, buried containers of hazardous substances, and closed landfills that have caused contamination. ERP sites include those contaminated by petroleum from above-ground (but not from underground) storage tanks.

Environmentally Sensitive Lands. The Wisconsin comprehensive planning law requires the Land Use Element of the plan to include a map of “floodplains, wetlands, and other environmentally sensitive lands.” Environmentally sensitive lands identified by the Town are shown on Map 8 in Chapter VI, and include primary and secondary environmental corridors, isolated natural resource areas, natural areas, critical species habitat sites, and surface waters. Floodplains and wetlands, together with other features that may limit development of a parcel, are shown on Map 9 in Chapter VI.

Equalized Value. The estimated value of all taxable real and personal property in each taxation district, by class, as of January 1 and certified by the Wisconsin Department of Revenue on August 15 of each year. The value represents market value (most probable selling price), except for agricultural property, which is based on its use (ability to generate agricultural income) and agricultural forest and undeveloped lands, which are based on 50 percent of their full (fair market) value. Classes include residential, commercial, manufacturing, agricultural, undeveloped, agricultural forest, forest, and other (agricultural buildings and improvements and the land necessary for their location and convenience).

Eutrophication. The process by which a body of water becomes enriched in dissolved nutrients, such as phosphates, that stimulate the growth of aquatic plant life. This often results in the depletion of dissolved oxygen in the water body (pond or lake), which has a negative impact on fish and other aquatic animals.

Exceptional Water Resources. State designated surface waters that provide outstanding recreational opportunities, support valuable fisheries, and have unique hydrologic or geologic features and unique environmental settings that are not significantly impacted by human activities. The East Branch of the Milwaukee River is the only State-designated exceptional water resource in Washington County.

Flood. A general and temporary condition of inundation of normally dry land areas caused by the overflow or rise of lakes, rivers, or streams; the rapid accumulation or runoff of surface waters from any source; or the sudden increase caused by an unusually high water level in a lake, river, or stream, accompanied by a severe storm or an unanticipated force of nature.

Floodfringe. That portion of the floodplain, outside the floodway, that is subject to inundation (standing water) by the 100-year recurrence interval flood.

Floodplain. Floodplains are the wide, gently sloping areas usually lying on both sides of a river or stream channel, and include the river or stream channel. For planning and regulatory purposes, floodplains are defined as those areas subject to inundation by the 100-year recurrence interval flood event. This event has a 1 percent chance of being equaled or exceeded in any given year.

Floodway. That portion of the 100-year floodplain that carries moving water during a flood.

Goal. A broad and general expression of a community's aspirations, towards which the planning effort is directed. Goals tend to be ends rather than means.

Greenfield Site. Farmland and open space areas where there has been no prior industrial or commercial activity, and therefore where the threat of contamination is much lower than in urbanized areas.

Hamlet. An unincorporated area with compact development, predominantly residential, but also typically including limited commercial and/or institutional uses such as churches, fire stations, and small businesses. Most hamlets in Washington County were first settled in the 1800's or early 1900's.

Household. A household includes all of the people who occupy a housing unit. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied (or if vacant, intended for occupancy) as separate living quarters.

Household, Elderly Family. A household consisting of at least two related persons with at least one person 62 years of age or older.

Household, Elderly Non-Family. A household consisting of one or two persons, non-related, with either person 62 years of age or older.

Household, Large Family. A household consisting of five or more people.

Household, Non-Family. A household consisting of unrelated persons that are less than 62 years of age.

Household, Small Family. A household consisting of two related people, neither person 62 years of age or older, or three or four related people.

Housing, Utilities and Community Facilities, and Economic Development (HUED) Element Workgroup. The purpose of this workgroup was to focus on the development of the Utilities and Community Facilities Element, Economic Development Element, and Housing Element of the Washington County Multi-Jurisdictional Comprehensive Plan. Responsibilities included analyzing and reviewing trends, inventories, and forecasts pertaining to utilities, community facilities, economic development, and housing issues; and developing preliminary recommendations for the Utilities and Community Facilities Element, Economic Development Element, and Housing Element.

Impervious Surface. An area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots, and streets are examples of surfaces that are typically impervious, unless specifically designed to be pervious (for example, using paving blocks for driveways rather than concrete or asphalt).

In-fill Development. Development of an undeveloped parcel or small area that is surrounded by existing development.

Infiltration. The entry and movement of rain or runoff into or through the soil.

Infrastructure. Facilities used for transportation, communications, and utility delivery.

Labor Force. Persons 16 years of age and older who are employed, or are unemployed and actively seeking employment, or are in the armed forces.

Lake, Drainage. Lakes that have both an inlet and an outlet and whose main water source is a river or stream.

Lake, Seepage. Lakes which have no inlet or outlet and whose main source of water is direct precipitation and runoff supplemented by groundwater.

Lake, Spring. Lakes which have no inlet but do have an outlet and whose main source of water is groundwater flowing directly into the basin and from the immediate drainage area.

Land Evaluation and Site Assessment (LESA). A method developed by the USDA—Natural Resources Conservation Service (NRCS) for identifying farmland that should be protected. LESA is a numeric system for rating potential farmland protection areas by evaluating soil quality (LE or land evaluation) and geographic variables (SA or site assessment). The LESA system was used to identify the farmland protection areas recommended by this plan. Results of the analysis were simplified by classifying analyzed lands into two tiers:

- Tier I Agricultural Lands: Agricultural lands that should be considered by County and local officials as the best suited for long-term farmland protection. Farmlands designated as Tier I scored 6.8 or higher in the Washington County LESA analysis.
- Tier II Agricultural Lands: Agricultural lands that should be considered by County and local officials for farmland protection on a case-by-case basis. Farmlands designated as Tier II scored below 6.8 in the Washington County LESA analysis.

The land evaluation (LE) component of the LESA process rates each soil by type, slope, agricultural capability class, and soil productivity. The NRCS developed the LE ratings for all soils in Wisconsin, and those ratings were used in the Washington County LESA analysis. The site assessment (SA) component of the LESA process rates non-soil factors affecting a parcel's relative importance for agricultural use, and is separated into three classifications; SA-1 – agricultural productivity; SA-2 – development pressures impacting a parcel's continued agricultural use; and SA-3 – other public values of a parcel supporting retention in agriculture. Nine site assessment factors were selected by the LESA subcommittee for use in the Washington County LESA analysis. See Part 1 of Chapter V for a description of the County's LESA analysis and a list of the SA factors used.

Land Use and Transportation (LUT) Element Workgroup. The purpose of this workgroup was to focus on the development of the Land Use Element and Transportation Element of the Washington County Multi-Jurisdictional Comprehensive Plan. Responsibilities included analyzing and reviewing trends, inventories, and forecasts pertaining to land use and transportation issues and developing preliminary recommendations for the Land Use Element and Transportation Element.

Leaking Underground Storage Tank (LUST). A LUST site has soil and/or groundwater that has been contaminated by petroleum, which includes toxic and cancer causing substances. However, given time, petroleum

contamination naturally breaks down in the environment (biodegradation). Some LUST sites may emit potentially explosive vapors. The DNR identifies and monitors LUST sites. LUST sites in the Town are described in Chapter VI.

Local Governmental Unit. City, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

Location Quotient. The location quotient is a measure, or calculated ratio, of an industry's concentration in an area relative to some reference area (i.e. nation or state). It compares an industry's share of local employment with its share of employment in that reference area. If a location quotient is equal to 1.0, then the industry has the same share of its area employment as the reference area. A location quotient greater than 1.0 indicates an industry with a greater share of the local area employment than the reference area.

Lot. A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet lot width, lot frontage, lot area, setback, yard, parking, and other requirements of the town, village, or city zoning ordinance.

Lowland. Areas covered by water (lakes, streams, and ponds), or within riparian areas, wetlands, or floodplains.

Lowland Woodlands. See "Woodlands."

Mitigation. Measures taken to avoid, reduce, eliminate, or compensate for the adverse environmental effects of a proposed action. Examples of mitigation include the use of best management practices for erosion control, creating new areas for the storage of floodwaters if a portion of a floodplain is developed, or improving an off-site wetland when a wetland is filled.

Monthly Owner Costs. Selected monthly owner costs are the sum of payments for mortgages, deeds of trust, contracts to purchase, or similar debts on the property (including payments for the first mortgage, second mortgage, home equity loans, and other junior mortgages); real estate taxes; fire, hazard, and flood insurance on the property; utilities (electricity, gas, and water and sewer); and fuels (oil, coal, kerosene, wood, etc.). It also includes, where appropriate, the monthly condominium fees or mobile home costs (installment loan payments, personal property taxes, site rent, registration fees, and license fees).

Multi-Jurisdictional Advisory Committee (MJAC). The purpose of the Advisory Committee is to oversee activities necessary to develop and implement a comprehensive plan, as defined in Section 66.1001 of the *Wisconsin Statutes*, for Washington County. Responsibilities include overseeing the work of the three element workgroups and timeliness of major planning milestones; implementing the public participation plan and work program; developing the Issues and Opportunities Element, Intergovernmental Cooperation Element, and Implementation Element; monitoring of the plan for consistency among communities and guiding comprehensive plan implementation, including introduction of required resolutions and ordinance amendments.

Municipality. A city or village. Although this term is often commonly used to include cities, villages, and towns, and sometimes counties, this report consistently uses the term "municipality" to refer to cities and villages (in accordance with Section 236.02(6) of the *Wisconsin Statutes*) and the term "local government" to refer to cities, villages, and towns.

Natural Area. Natural areas in Washington County were identified as part of the regional natural areas and critical species plan prepared by SEWRPC in 1995, and are described in Chapter V. 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 areas are classified into one of three categories: natural areas of statewide or greater significance (NA-1), natural areas of countywide or regional significance (NA-2), and natural areas of local significance (NA-3). Classification of an area into one of these three categories is based on consideration of the

diversity of plant and animal species and community type present, the structure and integrity of the native plant or animal community, the uniqueness of the natural features, the size of the site, and the educational value. Although the terms are often confused, a “natural area” is different from an “isolated natural resource area.”

Navigable Waters. Lake Michigan, all natural inland lakes, and all rivers, streams, ponds, sloughs, flowages, and other waters within the jurisdictional limits of Washington County which are navigable under the laws of the State of Wisconsin. The Wisconsin Supreme Court has declared navigable all bodies of water with a bed differentiated from adjacent uplands and with levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis. The Wisconsin Department of Natural Resources is responsible for determining if a waterbody is navigable.

Nonmetallic Mining. The extraction of resources which include, but are not limited to, crushed stone (gravel), dimension stone, peat, clay or topsoil, asbestos, beryl, diamond, coal, feldspar, talc, and sand.

Objective. A more specific target, derived from a goal and necessary to achieve that goal. While still general in nature, an objective is more precise, concrete, and measurable than a goal.

Official Map. A document prepared and adopted pursuant to Section 62.23(6) of the *Wisconsin Statutes*, which shows the location of existing and planned streets, parkways, parks, playgrounds, railway rights-of-way, waterways, and public transit facilities. Generally, a local government that has adopted an official map will require a subdivider to identify planned public improvements on the subdivision plat, and dedicate the land needed for such improvements to the local government. Cities and villages, and towns that have adopted village powers, are authorized by the *Statutes* to adopt an official map. Although the terms are often confused, an official map is different than a zoning map.

Open Space. Areas in a natural condition (such as woodlands, wetlands, prairie, or surface water), or land in non-structural agricultural use (such as row crops or grazing).

Open Space Element. The element of a county or local park and open space plan that makes recommendations for protecting natural resources and open spaces. Typically, the element focuses on the protection of environmental corridors, natural areas, and critical species habitat sites. Protection of farmland, woodlands and wetlands outside environmental corridors, and other natural resources may also be addressed.

Open Space Preservation. Land and water areas retained in an essentially undeveloped state for recreational use, to protect farmland, or to protect natural resources such as woodlands, wetlands, prairies, stream corridors, or floodplains.

Orthophotograph: An aerial photograph that has been corrected so that the scale of the photograph is uniform. An orthophotograph can be used to measure true distances, because it has been adjusted for topographic relief, lens distortion, and camera tilt. SEWRPC produces a set of orthophotographs of the seven-county region every five years, starting in 1995, which serves as the basis for updating inventories of land uses, wetlands, and environmental corridors.

Outdoor Recreation Element. The element of a county or local park and open space plan that recommends a system of trails, parks, and other areas and facilities for active recreation (baseball diamonds and soccer fields, for example).

Outwash Plain: Deposits formed by the streams originating from the melting ice of a glacier, which carry away some of the material in the moraine. Coarser material is deposited near the ice, and finer material is deposited further away.

Parcel. A single piece of land separately owned, either publicly or privately, and capable of being conveyed separately.

Planned Unit Development (PUD). A development that is planned, developed, and maintained as a unified project. The PUD must have a minimum size, as specified in the city, town, or village zoning ordinance, and may consist of one or more buildings and accessory uses and structures.

Policy. A rule or course of action necessary to achieve the goal and objective from which it was derived. It is more precise and measurable.

Primary Farmlands. Defined by the Washington County Farmland Preservation Plan adopted in 1981 as the best remaining farmlands in Washington County. These are the farmlands that contain the most productive soils and that form large agricultural blocks uninterrupted by potentially conflicting land uses. As a general rule, farms with highest investments in agricultural improvements, such as buildings, equipment, conservation improvements, fall within the Primary Farmland Area. Many farm operations in this area have become intensive or industrial in nature and have operational requirements that would present nuisances to non-farm residences. Most of the farms in Washington County that are over 500 acres in size are designated Primary Farmland. Farm units within the Primary Farmland Area generally contain a low percentage of non-tillable lands.

The following criteria were used County-wide to designate Primary Farmlands.

- Farmlands that make up farming blocks of at least 640 acres relatively uninterrupted by conflicting uses.
- Farms where at least 50 percent of the soil would be described by the USDA - Soil Conservation Service (now known as the Natural Resources Conservation Service (NRCS)) as “Prime Farmland” or “Farmland of Statewide Importance.”

Private Sewage System. A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the Wisconsin Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district (such as a sanitary district). A private sewage system is also referred to as a “private onsite wastewater treatment system,” or “POWTS.” POWTS are regulated under Chapter Comm 83 of the *Wisconsin Administrative Code*. Washington County regulates POWTS under Chapter 25 of the County Code of Ordinances.

Types of POWTS include:

- At-Grade System: Consists of a septic tank, pump chamber, pressure distribution system, and a soil absorption bed at the ground surface.
- Conventional System: Consists of a septic tank and subsurface soil absorption bed. The conventional system is a passive system that relies on gravity flow.
- Constructed Wetland System: Consists of a septic tank, one or more wetland treatment cells, and a subsurface soil absorption bed.
- Drip-Line Dispersal System: Consists of a septic tank, pump chamber, and drip-line tubing. A pump chamber delivers effluent to the drip lines in timed pressurized doses through a distribution network that contains a series of filters.
- In-Ground Pressure System: Consists of a septic tank, pump chamber, and subsurface soil absorption bed.
- Mound System: Consists of a septic tank and soil absorption bed that consists of an above-ground sand layer.
- Holding Tank System: Consists of a tank for temporary storage of sewage, which is periodically pumped out for off-site disposal.

Program. A system of projects or services necessary to achieve plan goals, objectives, and policies.

Purchase of Development Rights (PDR). PDR programs are intended to ensure the long-term preservation of agricultural or open space lands. Under a PDR program, the owner of farmland or undeveloped land 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, or other private organizations having an interest in preserving agricultural and other open space lands. The amounts paid to landowners under PDR programs are generally based on the difference between the market value of the land for development and its value for agricultural purposes.

PDR programs can provide assurance that farmland will be permanently retained in agriculture or open space use. Landowners receive a potentially substantial cash payment while retaining all other rights to the land, including the right to continue farming. Land included in a PDR program remains on the tax roll and continues to generate property taxes.

Recycling Facility. A facility that accepts recyclable materials and may perform some processing activities. The principal function is to separate and store materials that are ready for shipment to end-use markets, such as paper mills, aluminum smelters, or plastic remanufacturing plants. The presence of power-driven processing equipment distinguishes a processing facility from a collection facility. The facility receives and processes only residential and commercial recyclables such as food and beverage containers and paper.

Region. The area served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC), which includes all city, town, village, and county units of government in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties. SEWRPC is a “Regional Planning Commission” created in accordance with Section 66.0309 of the *Wisconsin Statutes*.

Riparian. Land located adjacent to a lake, river, or stream. Several chapters of the *Wisconsin Administrative Code* use the term “riparian” to describe an owner of land abutting a lake, river, or stream.

Rural Character. A term used to describe areas where open space, farmland, and natural landscapes predominate over the built environment. Rural character includes expansive views of open space and dark skies at night. Typical rural uses include farming, forestry, resource extraction, and natural landscapes such as woodlands, wetlands, prairies, and pasture. Urban uses (including residential, commercial, industrial, and institutional) are limited to farmhouses, scattered residential development surrounded by large tracts of farmland or natural resource areas, agriculturally-related industries such as implement dealers, and small hamlet areas that provide services to surrounding farms and rural residents (such as small stores, service and repair stations, town offices and fire stations, and small restaurants and taverns).

Rural Vistas. Views of open space, farmland, and natural landscapes. (See “rural character”)

RWQMP. The “Regional Water Quality Management Plan” prepared and adopted by SEWRPC. The plan is intended to be a guide to achieving clean and healthy surface waters within the seven-county Region. The plan has five elements: a land use element; a point source pollution abatement element; a non-point source pollution abatement element; a sludge management element; and a water quality monitoring element.

Sanitary District. Formation of a sanitary district provides landowners outside a city or village an opportunity to form a special-purpose unit of government to provide certain urban services. A town sanitary district has authority to plan, construct, and maintain systems for garbage removal, water supply, sewage disposal, and stormwater drainage. Sanitary districts may be formed by a town board, upon a request from affected landowners, under Section 60.71 of the *Wisconsin Statutes*. Each district is governed by a commission. At the time a district is established, the town board determines whether commissioners will be appointed by the town board or elected. The town board may choose to appoint itself as the commission.

Secondary Farmlands. Defined by the Washington County Farmland Preservation Plan adopted in 1981 as areas that contain soils with a somewhat lower productivity and/or are farmlands affected by conflicting uses that may interfere with some types of agricultural expansion. These farmlands often border residential development and, in some cases, may act as a buffer between Primary Farmland and developed areas.

As a general rule, farms in the Secondary Farmland Area have larger amounts of uncultivated lands, such as woodlands and rolling land, making them well-suited for the less intensive farming operations. Secondary Farmlands often border developed residential areas, public recreation areas, primary environmental areas and other sensitive areas that will require careful management of farm operations.

The following criteria were used to map Secondary Farmlands.

- Farmlands not a part of a larger farm block of at least 640 acres.
- Farms with less than 50 percent of soil cover falling in the USDA - Soil Conservation Service (now known as the Natural Resources Conservation Service (NRCS)) classes of “Prime Farmland” or “Farmland of Statewide Significance.”
- Farmlands where production would be limited due to adjoining conflicting uses.

Service Industry Jobs. Jobs related to establishments providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption. The sector includes both accommodation and food services establishments because the two activities are often combined at the same establishment.

Sewer Service Area. Those areas that are currently served by public sewers, and additional contiguous areas that are planned to be served by public sewers within a 20-year period. Sewers cannot be extended to areas outside the sewer service area identified in an adopted sewer service area plan. Each sewer service area is associated with a sewage treatment plant. In the southeastern part of Wisconsin, sewer service area plans are prepared by SEWRPC as a component of the regional water quality management plan, and are approved by the affected local government and by the DNR.

Shorelands. Those lands lying within the following distances from the ordinary high water mark of navigable waters: 300 feet from a river or stream, or to the landward side of the floodplain, whichever distance is greater; or 1,000 feet from a lake, pond or flowage. Shorelands are regulated under the Washington County Shoreland, Wetland, and Floodplain Zoning Ordinance (Chapter 23 of the County Code of Ordinances). The ordinance applies to shorelands, shoreland-wetlands, and floodplains in all towns within the County, including the Town of Polk. Chapter NR 115 of the *Wisconsin Administrative Code* sets forth the minimum requirements that must be included in County shoreland zoning ordinances.

Site Assessment Component and Factors. (See Land Evaluation and Site Assessment (LESA) definition).

Smart Growth. A term often used to refer to the Wisconsin comprehensive planning law (see definition of Comprehensive Plan).

Smart Growth Area. An area that will enable the development and redevelopment of lands with existing infrastructure and municipal, State, and utility services, where practicable, or that will encourage efficient development patterns that are both contiguous to existing development and at densities which have relatively low municipal, state governmental, and utility costs. (Definition from Section 16.965(1)(b) of the *Wisconsin Statutes*).

Slum. Any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health, and morals.

Soil. The portion of the earth’s surface consisting of a combination of disintegrated rock and organic matter.

Soil Capability Classes. Soil capability classes were developed by the USDA – Soil Conservation Service (now known as the Natural Resources Conservation Service (NRCS)) to group soils to show, in a general way, their suitability for most kinds of farming. It is a practical classification based on limitations of the soils, the risk of damage when they are used, and the way they respond to treatment. Capability classes are designated by Roman numerals, I through VIII. The numerals indicate progressively greater limitations and narrower choices for agricultural use, as follows:

- Class I Soils: Soils that have few limitations that restrict their use. Class I soils are considered prime farmland.
- Class II Soils: Soils that have some limitations that reduce the choice of plants or require moderate conservation practices. Class II soils are also considered prime farmland.
- Class III Soils: Soils that have severe limitations that reduce the choice of plants, require special conservation practices, or both. Class III soils are considered farmlands of Statewide significance.
- Class IV Soils: Soils that have very severe limitations that restrict the choice of plants, require very careful management, or both.
- Class V Soils: Soils that 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.
- Class VI: Soils that 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.
- Class VII: Soils that have very severe limitations that make them unsuited to cultivation and that restrict their use largely to grazing, woodland, or wildlife.
- Class VIII: Soils and landforms that have limitations that preclude their use for commercial plant production and restrict their use to recreation, wildlife, or water supply, or to aesthetic purposes.

Solid Waste Processing Facility. Solid waste processing facilities are operations that physically or chemically alter solid waste, generally to facilitate transport, further processing, utilization, or disposal.

Stewardship Plan. A comprehensive management plan for the long-term maintenance of common open space areas in conservation subdivisions. Ideally, local governments should require the preparation and submittal of a Stewardship Plan for any subdivision or planned unit development that will include common open space. The Stewardship Plan should include management goals, implementation and monitoring schedules, and an identification of the measures that will be taken to protect, maintain, and enhance natural resources within common open space (such as the control of invasive species, re-establishment of prairie areas, and the development and maintenance of trails, for example).

Street, Arterial. A public street or highway used or intended to be used primarily for fast or heavy through traffic, whose function is to convey traffic between activity centers and municipalities. Arterial streets and highways include freeways, state trunk and county trunk highways, and other heavily traveled streets.

Street, Collector. A public street that conducts and distributes traffic between land access and arterial streets.

Street, Land Access. A public street that is designed to carry traffic at a slow speed and provide frontage for access to private lots, and carries traffic having a destination or origin on the street itself.

Sustainable Development. The capacity to meet the needs of the present without compromising the ability of future generations to meet their own needs.

Swale. A component of a stormwater management system that is designed to convey, store, treat, and/or infiltrate runoff. To effectively manage stormwater for multiple purposes, swales should be lined with turf grass or native grasses. When a swale is intended to infiltrate runoff, special measures must be applied during construction to avoid compacting the underlying soil, or to enhance the infiltration capacity of that soil.

SWOT Analysis. An acronym for Strengths, Weaknesses, Opportunities, and Threats. An analysis that provides direction and often serves as a basis for the development of plans. It assesses a community's strengths (assets or what it can do) and weaknesses (internal limitations or what it cannot do) in addition to opportunities (potential favorable conditions) and threats (external limitations or unfavorable conditions).

Technical Advisory Committee (TAC). Advisory to the Planning, Conservation and Parks Committee, the Comprehensive Planning Technical Advisory Committee members include County Board supervisors and staff from related committees and departments. The TAC reviews the preliminary draft chapters of the Washington County Comprehensive Plan.

Telecommunications. Any origination, creation, transmission, emission, storage-retrieval, or reception of signals, writing, images, sounds, or other information by wire, radio, television, or optical means.

- **Backhaul network:** A backhaul network is designed to convey wireless communication data from multiple users in a relatively small service area to a centralized access point. Multiple access points in a larger service area in turn transmit wireless data to a cable Internet connection (gateway) maintained by a local exchange company. Information is also disseminated from the Internet to the access network, then to local users through the backhaul network.
- **Broadband:** Digital video, voice, and data transmission over the Internet at speeds of 256 kilobits per second or faster.
- **3G (third generation wireless technology):** High-speed broadband service, including mobile phone service and voice, e-mail, and instant messaging transmissions. Current "state of the art" in Southeastern Wisconsin.
- **4G (fourth generation wireless technology):** Advanced broadband, high speed, digital technology, anticipated to be introduced in Southeastern Wisconsin in 2007-2008.
- **Multi-media services:** "Bundled" services that include video (allowing downloading of CDs or DVDs), imaging (creation of images by scanning or digital cameras), and streaming video ("live" video).
- **Packet-based phone systems:** Systems that are designed to accommodate voice, data, and video over the same system.
- **POTS (Plain Old Telephone Service):** Single line phones designed for voice communication.

Town. Towns are "general purpose" local governments, which means that they provide basic services used daily by all residents (Wisconsin also has "special purpose" governments that offer more targeted services, such as school districts). The duties and powers of towns are set forth in Article IV, Section 23 of the Wisconsin Constitution, Chapter 60 of the *Wisconsin Statutes* (which pertains specifically to town governments), and Chapter 66 of the *Wisconsin Statutes* (which applies to towns, villages, and cities). Towns are created by the Wisconsin Constitution to provide basic municipal government services, such as elections, property tax administration (towns collect taxes for counties, schools and other governments, as well as for their own budgets), road construction and maintenance, recycling, emergency medical services and fire protection. Some towns also offer law enforcement, solid waste collection, zoning, and other services. Towns are governed by a Town Board, typically elected at-large, made up of Town Supervisors and a Town Chairperson. The Chief Elected Official is the Town Chairperson.

Township. Townships are normally a quadrangle approximately six miles on a side containing 36 sections or 36 square miles, and were first identified as part of the U. S. Public Land Survey of Wisconsin conducted in the 1830's. Although the terms "towns" and "townships" are often used interchangeably, they have separate and distinct meanings (see the preceding definition of "town").

Traditional Neighborhood Development (TND). A compact, mixed use neighborhood where residential, commercial, and civic buildings are within close proximity to each other.

Transfer of Development Rights. The conveyance by deed, easement, or other legal arrangement of the right to develop or build from one parcel to another, expressed in number of dwelling units, where such transfer is permitted by a local zoning ordinance.

Trench, Infiltration. A subsurface stormwater management facility designed to capture and infiltrate runoff. An infiltration trench, which is generally filled with stone, is designed to infiltrate runoff from more-frequent storms while runoff from larger storms is passed over a spillway. An infiltration trench removes pollutants through filtering. An infiltration trench is used to infiltrate runoff from smaller land areas than would be treated by an infiltration basin.

Uplands. Areas outside surface waters (lakes, streams, and ponds), riparian areas, wetlands, and floodplains.

Utility District. A town board may establish utility districts under Sections 60.23 and 66.0827 of the *Wisconsin Statutes* to provide public services within the district. Public services may include sanitary sewer or public water services. The town board governs utility districts. Village boards and the common council of a third or fourth class city may also establish utility districts.

Vector Control. The control of pests such as rats, flies, mosquitoes, and cockroaches that act as carriers and transfer bacteria and viruses from one host to another.

Village. An incorporated local unit of government. Although there are many statutory provisions that deal with village powers and responsibilities, most of the requirements are set forth in Chapter 61, “Villages” and Chapter 66, “General Municipality Law” of the *Wisconsin Statutes*. Villages are typically governed by a village board made up of trustees who are elected at-large. A village president serves as the chief elected official.

Village Powers. Town residents may authorize a town board to exercise village powers at an annual or special town meeting. The town board so authorized may exercise village powers under Chapter 61 of the *Wisconsin Statutes*, except those village powers “which conflict with statutes relating to towns and town boards.” Under this authority, subject to applicable limitations, the town board may exercise various powers, including “police powers” to regulate for the public health, safety and welfare, and land use powers, such as establishing a plan commission to engage in master/comprehensive planning. Towns with village powers may also enact a subdivision or other land division ordinance, a town zoning ordinance, and a site plan review ordinance.

Vision Statement. An expression of words that helps to provide an overall framework for the development of local comprehensive plans. Visioning statements express the preferred future, key characteristics, and/or expectations for the future desired by each community.

Waterbody. A generic term for an area of open water, including lakes, ponds, rivers, and streams.

Waterbody Classification. Washington County has adopted three classes for waterbodies that are regulated under the County shoreland zoning ordinance (see Chapter 23 of the Washington County Code of Ordinances for complete information). The three classification groups are as follows:

- Class 1: Relatively pristine or undeveloped waterbodies to be preserved as high-quality resource waters. These waters are generally small, shallow lakes with a high-quality fishery.
- Class 2: Waterbodies that have limited development to be maintained in their current condition.
- Class 3: Waterbodies that have been historically heavily developed for residential and recreational use and are in need of restoration.
- Unclassified: A fourth class was created to accommodate all waterbodies that were not classified as Class 1, 2, or 3.

Water Quality Management Area. The area within 1,000 feet of the ordinary high water mark of a navigable lake, pond, or flowage; within 300 feet of the ordinary high water mark of a navigable river or stream, or a site that is susceptible to groundwater contamination or that has the potential to be a direct conduit for contamination to reach groundwater (from Section 281.16 of the *Wisconsin Statutes*).

Watershed. The area drained by a river and its tributaries.

Wellhead Protection Plan. A plan created to provide the basis for land use regulations to protect a public water supply or well fields. Wellhead protection regulations are typically included as an overlay district in a city, town, or village zoning ordinance.

Wetland. An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and which has soils indicative of wet conditions.

Wisconsin Administrative Code. Regulations, commonly referred to as rules, written and promulgated by State agencies to supplement, implement, or interpret laws enacted by the Wisconsin Legislature. The rules are referred to based on the agency that is responsible for administering the rules. For example, “Comm” refers to rules administered by the Department of Commerce; “NR” refers to rules administered by the DNR, and “Trans” refers to rules administered by the Department of Transportation (WisDOT). Portions of the *Administrative Code* that particularly affect planning include Comm 83 (requirements for private onsite waste treatment systems); NR 115 (requirements for shoreland areas in towns and areas annexed to cities and villages after May 7, 1982); NR 116 (floodplain requirements); NR 117 (requirements for shoreland areas in cities and villages); and Trans 233 (requirements for subdivisions abutting State highways). The *Wisconsin Administrative Code* is available on the Legislature’s web page at www.legis.state.wi.us/rsb/code/.

Wisconsin Statutes. The body of law enacted by the Wisconsin State Legislature. Portions of the *Wisconsin Statutes* that particularly affect planning include Chapter 236 (subdivision requirements); Section 62.23 (zoning and master planning requirements for cities and villages, and towns that have adopted village powers); Section 66.1001 (comprehensive planning requirements); and Chapter 59 (zoning requirements for counties). The *Wisconsin Statutes* are available on the Legislature’s web page at <http://www.legis.state.wi.us/rsb/stats.html>.

Woodlands. Areas delineated and mapped by SEWRPC that are at least one acre in area and covered by deciduous or coniferous trees; except for woodlands located in wetlands. Woodlands, such as tamarack swamps, that are located in wetlands are classified as wetlands. Woodlands within wetlands are also referred to as “lowland woodlands.”

Zoning. Zoning is a law that regulates the use of 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, and placement of structures; and the density of development. A zoning ordinance typically consists of two parts: a text setting forth regulations that apply to each of the various zoning districts, together with related procedural and administrative requirements; and a map delineating the boundaries of zoning districts.

“General zoning” refers to zoning that divides a local government into a variety of residential, commercial, industrial, and other zoning districts. General zoning authority is granted by Sections 62.23 and 61.35 of the *Statutes* for cities and villages, respectively; by Section 60.61 for towns without village powers; and by Section 60.62 for towns that have adopted village powers. “Shoreland zoning” refers to zoning along navigable waters carried out in accordance with Chapter NR 115 of the *Wisconsin Administrative Code* for county regulation of shorelands in towns, and city and village regulation of shoreland-wetlands under Chapter NR 117 of the *Administrative Code*.

LIST OF ACRONYMS

BMP – Best Management Practices (see definition)
CDBG – Community Development Block Grant
CHIP – Community Health Improvement Plan
CMOM – Capacity Management Operations and Maintenance (a Wisconsin Department of Natural Resources program for Sewage Treatment Plants)
CRP – Conservation Reserve Program
DATCP – Wisconsin Department of Agriculture, Trade, and Consumer Protection
DNR – Wisconsin Department of Natural Resources
DOA – Wisconsin Department of Administration
DWD – Wisconsin Department of Workforce Development
EDWC – Economic Development Washington County
FEMA – Federal Emergency Management Agency
LESA – Land Evaluation and Site Assessment (see definition)
MMSD – Milwaukee Metropolitan Sewerage District
NCO – Non-profit conservation organization
NRCS – Natural Resources Conservation Service, which is an agency of the U. S. Department of Agriculture (USDA)
OWLT – Ozaukee Washington Land Trust
PDR – Purchase of Development Rights
POWTS – Private onsite wastewater treatment system (see definition of “Private Sewage System”)
PUD – Planned Unit Development (see definition)
REP – Regional Economic Partnership
RWQMP – Regional Water Quality Management Plan (see definition)
SEWRPC – Southeastern Wisconsin Regional Planning Commission
TDR – Transfer of Development Rights (see definition)
USDA – United States Department of Agriculture
USEPA – United States Environmental Protection Agency
WCCE – Washington County Commuter Express
WOW – Washington Ozaukee Waukesha Workforce Development Board
WHEDA – Wisconsin Housing and Economic Development Agency
WRP – Wetland Reserve Program

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APPENDICES

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Appendix A

**RESOLUTION TO PARTICIPATE
IN THE MULTI-JURISDICTIONAL
COMPREHENSIVE PLANNING PROCESS**

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Resolution 2004 – 6

AUTHORIZATION TO PARTICIPATE IN THE DEVELOPMENT OF A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AND TO SUPPORT WASHINGTON COUNTY'S APPLICATION FOR A COMPREHENSIVE PLANNING GRANT.

WHEREAS, the Town Board of the Town of Wayne, in cooperation with Washington County and the Southeastern Wisconsin Regional Planning Commission (SEWRPC), acknowledges the benefits of cooperative comprehensive planning by the preparation of a Multi-jurisdictional Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development within Washington County and the Town of Wayne; and

WHEREAS, the Town Board of the Town of Wayne acknowledges the requirements of Wisconsin's Comprehensive Planning Law in accordance with §66.1001, and §16.965(4) of the Wisconsin Statutes, including the adoption of a comprehensive plan; and that funding is available from the Wisconsin Department of Administration to financially assist the County and participating local governments in preparing comprehensive plans; and

WHEREAS, Washington County will apply for Department of Administration funds to aid in the development of a Multi-jurisdictional Comprehensive Plan on behalf of the Town of Wayne, which is eligible to receive \$12,000 in grant funding; and

WHEREAS, an award of grant monies by the Wisconsin Department of Administration through this grant process will require matching grant funds from the County which will be fully satisfied by the in-kind services by the County and SEWRPC; and

WHEREAS, if a State grant is awarded, those grant monies will be used by Washington County and SEWRPC to prepare a Multi-jurisdictional Comprehensive Plan for Washington County that will contain sufficient detail to serve as a comprehensive plan for the County and for each participating Town and Village; and

WHEREAS, if a State grant is awarded, preparation of comprehensive plans for the Town and County will require a minimal out-of-pocket contribution from the Town, except for the cost of producing any local plan documents and any supplemental information desired by the Town; and

WHEREAS, any participating local government that does not adopt the multi-jurisdictional plan or a local plan by the end of the grant period in April 2009, or any local government that withdraws from the multi-jurisdictional planning effort after the grant agreement between the County and the Department of Administration has been signed, will be required to reimburse the County up to the full local government share of the grant award, depending on the stage of planning process at the time the local government withdraws from the process; and

WHEREAS, Washington County and local municipalities have established a Multi-jurisdictional Comprehensive Planning Work Group that has been meeting monthly to prepare a work program, public participation plan, and comprehensive planning grant application due November 1, 2004; and

WHEREAS, the Multi-jurisdictional Work Program developed by the Multi-jurisdictional Comprehensive Planning Work Group including partnering local municipalities, Washington County, the Southeastern Wisconsin Regional Planning Commission and the University of Wisconsin-Extension includes written details outlining the planning process, underlying assumptions, committee structure, report format, schedule and responsibilities of Washington County, SEWRPC and local government partners; and

WHEREAS, as part of participating in the Washington County multi-jurisdictional planning process, the Town has the option of contracting with SEWRPC to prepare an individual plan document based on the County plan for review and adoption by the Town Board, which will satisfy the requirements specified in Wisconsin's Comprehensive Planning Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Wayne hereby agrees to participate in the development of a Multi-jurisdictional Comprehensive Plan in cooperation with other communities in Washington County; the County; and SEWRPC pursuant to §66.1001, and §16.965(4) of the Wisconsin Statutes, provided the County is awarded a 2005 comprehensive planning grant by the State of Wisconsin;

BE IT FURTHER RESOLVED that the Town Board of the Town of Wayne hereby agrees to the procedures and responsibilities outlined in the Multi-jurisdictional Work Program, dated August 2004,

developed by the Multi-jurisdictional Comprehensive Planning Work Group as its planning procedures, provided Washington County is awarded a 2005 comprehensive planning grant by the State of Wisconsin;

BE IT FURTHER RESOLVED that the Town Board of the Town of Wayne hereby agrees to authorize Washington County to apply for Department of Administration funds to aid in the development of a Multi-jurisdictional Comprehensive Plan on behalf of the Town of Wayne.

BE IT FURTHER RESOLVED that the Town Board of the Town of Wayne authorizes the Town Board Chair to execute the appropriate cooperative agreement and any and all documents to accomplish the proposal outlined herein for this multi-jurisdictional comprehensive planning process.

Dated this 15 day of September, 2004.

Motion for adoption moved by Scott Weiss.

Motion for adoption seconded by Leander Herriges.

Voting Aye: All Nay: None.

Leander Herriges
Leander Herriges, Chairman

Carl Klemke
Carl Klemke, Supervisor

Scott Weiss
Scott Weiss, Supervisor

Attest: Christian T. Kuehn
Christian T. Kuehn, Clerk

*Prepared by the Planning Division of the Washington County
Planning and Parks Department and the Southeastern
Wisconsin Regional Planning Commission – August 30, 2004*

Posted 9-19-04

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Appendix B

**RESOLUTION ADOPTING THE
PUBLIC PARTICIPATION PLAN**

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Resolution 2004 – 5

ESTABLISHING PUBLIC PARTICIPATION PROCEDURES
FOR THE MULTI-JURISDICTIONAL COMPREHENSIVE PLANNING PROCESS

WHEREAS, pursuant to §66.1001, Wis. Stats., all units of government which engage in zoning, subdivision, or official mapping must adopt a comprehensive plan by the year 2010; and

WHEREAS, the Town of Wayne, Washington County, Wisconsin has decided to prepare a comprehensive (master) plan under the authority of and procedures established by S62.23(3) and S66.1001(4), Wisconsin Statutes; and

WHEREAS, S66.1001(4)(a), Wisconsin Statutes, requires that the governing body of the local governmental unit adopt written procedures designed to foster public participation at every stage of comprehensive plan preparation, and that such written procedures shall also provide for wide distribution of draft plan materials, an opportunity for the public to submit written comments on the plan materials, and a process for the governing body to respond to such comments; and

WHEREAS, Washington County and the Town of Wayne, Washington County, Wisconsin have established a Multi-Jurisdictional Comprehensive Planning Work Group that has been meeting monthly to prepare a public participation plan in preparation for a State of Wisconsin comprehensive planning grant application due November 1, 2004; and

WHEREAS, the Town of Wayne, Washington County, Wisconsin believes that regular, meaningful public involvement in the comprehensive plan process is important to assure that the resulting plans are based on public input; and

WHEREAS, the Public Participation Plan developed by the Multi-Jurisdictional Comprehensive Planning Work Group including the Town of Wayne, Washington County, Wisconsin, Washington County, the Southeastern Wisconsin Regional Planning Commission and the University of Wisconsin-Extension includes written procedures to foster public participation, ensure wide distribution of draft plan materials, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments.

NOW, THEREFORE, BE IT RESOLVED that the Town Board Town of Wayne, Washington County, Wisconsin hereby adopts the written procedures included in the Final Draft Public Participation Plan, dated July 2004, developed by the Multi-Jurisdictional Comprehensive Planning Work Group as its public participation procedures meeting the

requirements of S66.1001(4)(a), Wisconsin Statutes provided Washington County is awarded a 2005 comprehensive planning grant by the State of Wisconsin.

This resolution shall take effect upon passage and posting as provided by law.

Approved by the Town Board of the Town of Wayne this 15 Day of September 2004.

Leander Hurrig

Leander Hurriges, Chairman

Carl Klemme

Carl Klemme, Supervisor

Scott Weiss

Scott Weiss, Supervisor

Attest:

Christian T. Kuehn

Christian T. Kuehn, Clerk

Posted

9-19-04

Appendix C

SUMMARY OF LAND USE RELATED EXTRATERRITORIAL AUTHORITIES

Introduction

Cities and villages in Wisconsin have several types of extraterritorial authority that may affect land development in adjacent towns. Under the *Wisconsin Statutes*, cities and villages have authority to exercise extraterritorial planning, platting (subdivision review), and official mapping by right. In order to exercise extraterritorial zoning, cities and villages must work cooperatively with the adjoining town to develop an extraterritorial zoning ordinance and map. Cities and villages also have extraterritorial authority over offensive industries and smoke emissions. Cities, villages, and towns have limited extraterritorial authority over navigational aids and uses surrounding airports owned by the city, village, or town. Each of these extraterritorial authorities is summarized below.

Extraterritorial Planning

Under Section 62.23(2) of the *Statutes*, the plan commission of a city has “the function and duty” to “make and adopt a master plan for the physical development of the city, including any areas outside of its boundaries that in the commission's judgment bear relation to the development of the city.” Section 61.35 grants this same authority to village plan commissions. The *Statutes* do not specify the distance outside the city or village boundaries that may be included in the city or village master plan.

Because the comprehensive planning law (Section 66.1001 of the *Statutes*) defines a city or village comprehensive plan as a plan developed in accordance with Section 62.23(2) or (3), a city or village comprehensive plan presumably could also include areas outside the city or village corporate limits, including any areas outside the city or village boundaries that in the plan commission's judgment bear relation to the development of the city or village.

The comprehensive planning law defines a county comprehensive plan as a plan developed under Section 59.69(2) or (3) of the *Statutes*. Section 59.69(3) sets forth the requirements for preparing and adopting a county development plan. Section 59.69(3)(b) requires that a County development plan shall include, without change, the master plan of a city or village adopted under Section 62.23(2) or (3). It is unclear, however, if a county development plan must include a city or village plan for areas outside the limits of a city or village. Regardless of whether the recommendations of a city or village plan for areas outside its corporate limits are incorporated into a county development or comprehensive plan, Section 59.69(3)(e) of the *Statutes* states that “a master plan adopted under Section 62.23(2) and (3) and an official map that is established under Section 62.23(6) shall control in unincorporated territory in a county affected thereby, whether or not such action occurs before the adoption of a development plan.”

The language in Section 59.69(3)(e) of the *Statutes* appears to mean that, as of 2010, county actions and programs affecting land use in unincorporated areas included in a city or village master (or comprehensive) plan or official map must be consistent with the city or village plan or official map. It is unclear how this requirement would be applied in situations where a city or village plan recommendation for a specific property conflicted with a county responsibility under another statutory or regulatory requirement, such as shoreland zoning.

Town actions and programs (for example, zoning decisions) affecting land use in the extraterritorial area of a city or village must be consistent with the town comprehensive plan.

Extraterritorial Platting

Under Section 236.10 of the *Statutes*, a city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if it has adopted a subdivision ordinance or an official map. Section 236.02 of the *Statutes* defines the extraterritorial plat review jurisdiction as the unincorporated area within three miles of the corporate limits of a city of the first, second, or third class, or within 1.5 miles of the corporate limits of a city of the fourth class or a village.¹ The Cities of Hartford and West Bend are both third class cities. All cities and villages in Washington County exercise extraterritorial platting authority and review plats in adjacent towns.

In accordance with Section 66.0105 of the *Statutes*, in situations where the extraterritorial plat approval jurisdiction of two or more cities or villages would otherwise overlap, the extraterritorial jurisdiction between the municipalities is divided on a line, all points of which are equidistant from the boundaries of each municipality concerned, so that no more than one city or village exercises extraterritorial jurisdiction over any unincorporated area. City and village extraterritorial plat approval authority does not include the authority to require public improvements, such as streets or sanitary sewers, in plats outside city or village limits. Only the town board may require improvements in plats located within a town.

Official Mapping

Official mapping authority, granted to cities and villages under Section 62.23(6) of the *Statutes*, is intended to prevent the construction of buildings or structures and their associated improvements on lands designated for future public use. An official map may identify the location and width of existing and proposed streets, highways, parkways, parks, playgrounds, railway rights-of-way, public transit facilities, airports, and airport affected areas (areas up to three miles from an airport). Waterways, which include streams, ditches, drainage channels, lakes, and storage basins, may also be shown on an official map if the waterway is included in a comprehensive surface water drainage plan. Official maps may be adopted by an ordinance or resolution of the village board or common council, and must be recorded with the county register of deeds immediately following their adoption.

A city or village official map may include the area within the city or village plus the area within the extraterritorial plat approval jurisdiction of the city or village.

Towns that have adopted village powers may adopt an official map for areas within the town.

As of 2007, the Cities of Hartford and West Bend and the Villages of Jackson and Kewaskum had adopted official maps.

¹*Cities of the first class are those with a population of at least 150,000 residents; cities of the second class are those with a population of 39,000 to 150,000 residents; cities of the third class are those with a population of 10,000 to 39,000 residents; and fourth class cities have a population of less than 10,000 residents. A city is not automatically reclassified based on changes in population. Under Section 62.05 of the Statutes, to change from one class to another a city must meet the required population based on the last Federal census, fulfill required governmental changes (generally, an amendment to the charter ordinance is required), and publish a mayoral proclamation.*

Extraterritorial Zoning

Under Section 62.23(7a) of the *Statutes*, a city or village may enact an extraterritorial zoning ordinance and map for adjoining unincorporated areas lying within its extraterritorial area. The limits of extraterritorial zoning are the same as those specified in the *Statutes* for extraterritorial plat review. Unlike extraterritorial plat review authority, which is automatically granted by the *Statutes* to cities and villages, a city or village must follow a procedure that involves the adjoining town before enacting a permanent extraterritorial zoning ordinance and map, as summarized below:

1. The common council or village board must adopt a resolution stating its intent to adopt an extraterritorial zoning ordinance. The city or village must publish a public notice and send a copy of the resolution and a map showing the boundaries of the proposed extraterritorial zoning area to the county and to the clerk of each affected town within 15 days of adopting the resolution.
2. The common council or village board may also adopt an interim ordinance that “freezes” the existing zoning within the extraterritorial area while the extraterritorial zoning ordinance is being prepared. A public notice must be published and the county and affected towns must be notified. An ordinance freezing existing zoning can remain in effect for up to two years. The common council or village board may extend the moratorium for one additional year upon the recommendation of the joint zoning committee.
3. A joint zoning committee must be formed to develop recommendations for the extraterritorial zoning ordinance regulations and map. The committee is made up of three members from the city or village plan commission and three members from each town affected by the proposed extraterritorial zoning ordinance. The town members are appointed by the town board and must be town residents. If more than one town is affected, one committee is formed to develop the regulations, but the *Statutes* provide that “a separate vote shall be taken on the plan and regulations for each town and the town members of the joint committee shall vote only on matters affecting the particular town which they represent.”
4. The *Statutes* further provide that the common council or village board may not adopt the proposed extraterritorial zoning map and ordinance unless the map and ordinance receive a favorable vote of a majority of the six members of the joint committee.

There were no extraterritorial zoning ordinances in effect in Washington County in 2007. Extraterritorial zoning processes were underway between the City and Town of Hartford and the Village and Town of Kewaskum. Joint extraterritorial committees were formed and the minimum two-year process was initiated in 2006 in both cases.

Other Extraterritorial Authorities

Other city and village extraterritorial authorities include the following:

- **Smoke:** Under Section 254.57 of the *Statutes*, a common council or village board may regulate or prohibit the emission of dense smoke into the open air within city or village limits and up to one mile from city or village limits.
- **Offensive Industry:** Under Section 66.0415 of the *Statutes*, a common council or village board may regulate, license, or prohibit the location, management, or construction of any industry, thing, or place where any nauseous, offensive, or unwholesome business is carried out. This authority extends to the area within the city or village and up to four miles beyond the city or village boundaries. The City of Milwaukee may regulate offensive industries along the Milwaukee, Menominee, and Kinnickinnic Rivers and their branches to the outer limits of Milwaukee County, including along all canals connecting with these rivers and the lands adjacent to these rivers and canals or within 100 yards of them. A town board has the same powers as cities and villages within that portion of the town not regulated by a city or village under this section.

Cities, villages, and towns have the following extraterritorial authorities:

- **Water Navigation Aids:** Under Section 30.745 of the *Statutes*, a common council, village board, or town board may regulate water navigation aids (moorings, markers, and buoys) within one-half mile of the city, village, or town, provided the municipal ordinance does not conflict with a uniform navigations aids system established by the Wisconsin Department of Natural Resources or the County.

- Aerial Approaches to Airports: Under Section 114.136 of the *Statutes*, any city, village, or town (or county) that is the owner of an airport site may protect the aerial approaches to the airport through an ordinance regulating the use, location, height, and size of structures and objects of natural growth surrounding the airport. An ordinance adopted by a local government that owns an airport site applies in all local governments within the aerial approach area, and may be adopted and enforced without the consent of other affected governing bodies.

The City of West Bend regulates uses in the aerial approach zone in the Town of Trenton near the West Bend airport. Both the City of West Bend and the City of Hartford regulate the heights of buildings and structures near the West Bend and Hartford airports. Height limitations near the Hartford airport affect the Towns of Addison and Hartford. Height limitations near the West Bend airport affect the Towns of Barton, Farmington, Trenton, and West Bend.

Appendix D

HOUSING PROGRAMS AVAILABLE IN THE TOWN OF WAYNE AND WASHINGTON COUNTY

Government sponsored housing programs have been inventoried to assess government's potential to help the private sector meet housing needs. The full array of government sponsored programs and funding availability is almost continually changing, therefore, this section focuses on those programs that have the potential for increasing the availability of lower-cost housing and rehabilitation in the Town and Washington County. Many of the programs available in Washington County are administered through local and State agencies that receive funding from the Federal government. Agencies involved in administering housing programs include the HOME Consortium; the U.S. Department of Agriculture (USDA) Rural Development; the Wisconsin Housing and Economic Development Authority (WHEDA); and the U.S. Department of Housing and Urban Development (HUD).

Housing Program Administrators

The HOME Consortium

The HOME Consortium is a four-county governmental body, which includes Washington, Ozaukee, Waukesha, and Jefferson Counties, whose purpose is to advance homeownership opportunities and programs for households that earn 80 percent or less of the area's median income. Median incomes based on family size are developed annually by HUD (see Table 47 in Chapter VII). The area served by the Consortium receives an annual funding allocation from HUD. The Consortium's programs are administered by C-CAP LLC and the Community Housing Initiative, Inc., which are nonprofit organizations located in the City of Waukesha.

Wisconsin Housing and Economic Development Authority (WHEDA)

WHEDA was created by the Wisconsin Legislature in 1972 as a nonprofit "public benefit corporation" to help meet the housing needs of lower-income households in the State. This purpose has expanded to include providing housing facilities to meet the needs of households with disabled or elderly members. The programs are financed through the sale of tax-exempt bonds and receive no State tax support. These programs involve the administration of several Federally-funded grants and housing tax credits.

U.S. Department of Housing and Urban Development (HUD)

HUD provides funding for a number of housing programs, including the Section 8 Low-Income Rental Assistance Program and the Home Investment Partnership Act (HOME). In order for units or agencies of government to apply for and receive HUD housing grants or public housing funds, they must prepare a Comprehensive Housing Affordability Strategy (CHAS) and submit that strategy to HUD for approval. The purpose of the CHAS is to ensure that communities receiving funding from HUD have planned for the housing-related needs of low- and

moderate-income households in a way that improves the availability and affordability of adequate housing. The CHAS must also include consideration of persons needing supportive services, identify the manner in which private resources will be incorporated in addressing identified housing needs, and provide for both rental and homeownership options.

The Federal Housing Administration (FHA)

The FHA was established by Congress in 1934 and became part of HUD's Office of Housing in 1965. The FHA insures mortgage loans for single family and multi-family homes from FHA-approved lenders throughout the Nation, including Washington County. FHA mortgage insurance provides approved lenders with protection against losses as the result of default on a loan. The lender bears less risk because the FHA will pay a claim to the lender in the event of a homeowner default. This allows FHA insured loans to be made with less cash investment than other loans, which increases accessibility to lower-income households.

U.S. Department of Agriculture (USDA) Rural Development

The USDA administers the Federal Government's primary program addressing America's need for affordable rural housing. USDA Rural Development provides loans and grants to develop rural community facilities in cities, villages, and towns with populations less than 20,000 that are not part of an urban area. The USDA provides affordable housing opportunities for low- to moderate- income families in Washington County.

Wisconsin Department of Commerce, Division of Community Development, Bureau of Housing

The Bureau of Housing administers several Federal and State programs to provide low- and moderate-income households with housing assistance in many areas of Wisconsin. Washington County residents are not eligible for programs administered by the Bureau of Housing because the County is included in the HOME Consortium, which fills the role of the Bureau of Housing in administering State and Federal housing programs in Washington, Ozaukee, Waukesha, and Jefferson Counties.

Government Sponsored Housing Programs

The following sections describe programs funded by the State and Federal governments for construction of single- and multi-family housing and programs that provide financial assistance for down payments, loan guarantees, or rental assistance.

HOME Consortium Programs

Home Buyer Counseling

The Slinger Housing Authority provides home buyer counseling to the HOME Consortium Counties of Ozaukee and Washington. The Authority provides a complete package of supportive counseling services to enable participants to achieve home ownership. This assistance is provided throughout the home buying process with credit awareness, acquiring budget management skills, learning about mortgage products and guidelines, the selection of property and the post-purchase responsibilities of home ownership. The Authority provides monthly educational home buying seminars and provides ongoing one-on-one counseling with clients, as needed. The program meets the home buyer counseling requirements of the HOME Consortium Down Payment Assistance Program.

C-CAP Down Payment Assistance (DPA) Grant

The purpose of the C-CAP DPA Grant Program is to assist homebuyers with the upfront costs of purchasing a home through a down payment assistance (DPA) grant. The HOME Consortium provides funding to C-CAP, which administers the grant program. The grant itself is offered through private lenders partnering with C-CAP. The DPA grant can help pay up to \$3,000 in customary closing costs and fees related to buying a home and/or a portion of a down payment. The C-CAP DPA grant is forgiven over the course of five years. A portion of the grant must be repaid if the home is sold within a five year period as long as borrower continues to occupy the home.

- Buyer household income cannot exceed 80 percent of the HUD estimated median family income by size for the Milwaukee Metropolitan Statistical Area. The 2006 HUD estimated median income and 80 percent of the median income are listed on Table 47 in Chapter VII

- Eligible costs financed by the grant include the down payment, all closing costs, prepaid items, home inspection, and home buyer counseling
- The maximum home purchase price in Washington County is \$194,800
- Eligible units include owner-occupied single-family homes, condominiums, and certain manufactured homes

American Dream Down Payment Initiative (ADDI) C-CAP Loan

The ADDI offers 0 percent interest loans to buyers to use for either completion of home repairs immediately after closing or occupancy or as a form of down payment assistance. A buyer may be eligible for up to a \$5,000 deferred 0 percent interest loan to be used for down payment or closing costs, or a buyer may be eligible for up to a \$10,000 deferred 0 percent interest loan for home repairs only. The ADDI loan is deferred at 0 percent APR, which means there is no interest and the loan is not due until sale or transfer of the mortgaged property. The ADDI loan may also be combined with the C-CAP Down Payment Assistance grant. Eligibility criteria for Washington County are identical to those outlined in the C-CAP DPA grant program. This program is also administered by C-CAP with funds provided through the HOME Consortium.

WHEDA Programs

Low-Income Housing Tax Credit Program (LIHTC)

Created by the Tax Reform Act of 1986, the LIHTC program gives states the equivalent of nearly \$5 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households. The program provides an incentive by providing credit against Federal income tax liability. As a basic program requirement, rental property owners either make at least 20 percent of their housing units available to households with incomes not exceeding 50 percent of the area median family income as adjusted for family size or make at least 40 percent of their housing units available to households with incomes not exceeding 60 percent of an area's median family income as adjusted for family size. Property owners must agree to maintain these percentages for at least 30 years. The LIHTC program is administered by WHEDA in Wisconsin.

Home Ownership Mortgage (HOME) Loan Program

The HOME Loan Program, administered by WHEDA and funded by HUD, offers long-term, below-market, fixed-rate financing for low- to moderate-income, first-time homebuyers. Features and benefits of this program include a below-market, fixed interest rate with up to a 30-year term; a low down payment required with down-payment assistance available; lower mortgage insurance premiums; and Mortgage Guardian mortgage payment protection in the event of involuntary job loss. For Washington County, eligible properties include new or existing single-family detached dwellings; manufactured housing on land owned by the applicant and taxed as real estate; condominiums; and two, three, or four unit dwellings which are at least five years old.

Fixed-Interest Only Loan Program

The Fixed-Interest Only Loan Program, administered by WHEDA and funded by HUD, offers below-market, fixed-rate financing with reduced payments during the first seven years for eligible first-time homebuyers. The home purchase price must be at least \$150,000 and cannot exceed the purchase price limits listed above for the HOME Loan Program.

HOME Plus Loan Program

The HOME Plus Loan Program, administered by WHEDA and funded by HUD, provides financing of up to \$10,000 for down payment and closing costs, and a line of credit for future home repairs. Borrowers must have less than \$4,500 in liquid assets to be eligible to draw HOME Plus funds for down payment and closing costs. Those with liquid assets exceeding \$4,500 may still request the line of credit for future home repairs. Eligible properties must be occupied by the owner and can be anywhere from one to four units.

HUD Programs

Wisconsin Community Development Block Grant (CDBG) Program

HUD provides community development block grants to entitled counties, entitlement communities, and States (for distribution to non-entitlement communities) for housing programs that principally benefit low-and moderate-income households and other community development purposes. Counties, entitlement communities, and States develop their own specific programs and funding priorities under the CDBG program; however, maximum priority must be given to activities which either benefit low- and moderate-income persons or aid in the prevention or elimination of blight or slums. States must ensure that over a three year period, at least 60 percent of CDBG funds awarded to non-entitlement communities are used for activities that benefit low- and moderate-income households. HUD defines communities entitled to grants as principal cities of a metropolitan statistical area (MSA), other metropolitan cities with a population of at least 50,000, and urban counties with a population of at least 200,000, excluding the population of any entitlement communities within the county. Washington County is not an entitlement area, so communities must apply for CDBG funds from WHEDA, which administers the CDBG program for non-entitlement areas.

Section 8 Rental Voucher Program

The Section 8 Rental Voucher Program increases affordable housing choices for low-income households by allowing families to choose privately-owned rental housing. A public housing authority (PHA) generally pays the landlord the difference between 30 percent of a family's gross household income and the PHA-determined payment standard, about 80 to 100 percent of the fair market rent (FMR). Housing authorities may be established by counties and local governments. There are three housing authorities in the County; they include the Hartford Community Development Authority (HCDA), the Slinger Housing Authority, and the West Bend Housing Authority. Of these three housing authorities, only HCDA and the West Bend Housing Authority provide vouchers. HCDA provides up to 148 households within the City of Hartford with vouchers per month. The West Bend Housing Authority provides up to 159 households within the City of West Bend with vouchers per month.

WHEDA administers the Section 8 program outside Hartford, Slinger, and West Bend. In recent years, WHEDA has contracted with Horizon Management Group, Inc., based in La Crosse County with an office in Sheboygan County, to administer the program in Washington County. Horizon Management Group provides up to 75 households with vouchers per month outside the Cities of Hartford and West Bend.

Prior to 1981, another portion of Section 8 rental assistance was disbursed directly to individual property owners. This was referred to as "Project-Based Assistance." HUD entered into 20-year contribution contracts with individual property owners to provide subsidies for lower-income tenants. Because this component of the Section 8 program was eliminated in 1981, the number of rental housing units subsidized in this manner has been decreasing as contracts with property owners expire. Contracts remaining in effect are the result of "renewal" of contracts initiated prior to 1981. There were 442 subsidized units in the County as of 2006; 164 of these units housed elderly households, 114 units housed families, 64 units housed both elderly and family households, and 100 units housed other households. These units do not count against the limits described above.

Section 202 Supportive Housing for the Elderly Program

HUD provides interest-free capital advances to private, nonprofit sponsors to finance the development of supportive housing for the elderly. The capital advance does not have to be repaid as long as the project serves very low-income elderly persons for 40 years. Project rental assistance funds are provided to cover the difference between the HUD-approved operating cost for the project and the tenants' contribution towards rent. Project rental assistance contracts are approved initially for five years and are renewable based on the availability of funds. Private nonprofit organizations can apply to develop a Section 202 project if they can, among other requirements, submit a resolution that they will provide a minimum capital investment equal to 0.5 percent of the HUD-approved capital advance. Public entities are not eligible for funding under this program. Occupancy in Section 202 housing is open to any very low-income household comprised of at least one person who is at least 62 years old at the time of initial occupancy.

Section 811 Supportive Housing for Persons with Disabilities

HUD provides interest-free capital advances to private nonprofit sponsors to finance the development of rental housing such as independent living projects, condominium units, and small group homes that will provide supportive services for people with disabilities. The capital advance does not have to be repaid as long as the project serves very low-income persons with disabilities for 40 years. Project rental assistance funds are provided to cover the difference between the HUD-approved operating cost for the project and the tenants' contribution towards rent. Project rental assistance contracts are approved initially for five years and are renewable based on the availability of funds. Nonprofit organizations with a Section 501(c)(3) tax exemption from the IRS can apply to develop a Section 811 project if they can, among other requirements, submit a resolution that they will provide a minimum capital investment equal to 0.5 percent of the HUD-approved capital advance, up to a maximum of \$10,000. Occupancy in Section 811 housing is open to any very low-income household comprised of at least one person who is at least 18 years old and has a disability, such as a physical or developmental disability or chronic mental illness.

Rehabilitation Mortgage Insurance - Section 203(k)

This FHA (which became part of HUD in 1965) program insures mortgages designed for properties in need of rehabilitation. Property acquisition costs are combined with rehabilitation costs under one mortgage as opposed to two, which is the traditional method. The ability to consolidate the mortgages results in a single long-term mortgage with relatively low interest rates and a streamlined process for the borrower and lender. They are also available to those who might not otherwise qualify for conventional mortgages. Section 203(k) insures mortgages covering the purchasing or refinancing and rehabilitation of a home that is at least one year old. A portion of the loan proceeds are used to pay the seller, or, in a refinance situation, to pay off the existing mortgage, and the remaining funds are placed in an escrow account and released as rehabilitation is completed. The rehabilitation cost must be at least \$5,000 and there are no income limits for eligibility.

Property Improvement Loan Insurance (Title I)

This FHA program insures loans made by private lenders to borrowers, many of whom might not be eligible for a traditional loan, for the purpose of making home improvements. Loans are insured for up to 20 years on single family or multi-family properties. The maximum loan amount is \$25,000 for a single family property and \$12,000 per housing unit not to exceed a total of \$60,000 for a multi-family property. Loan funds may be used for light to moderate rehabilitation of single family and multi-family structures, or to construct a non-residential structure on a single family property. Loans may also be used to purchase fire safety equipment. The intent of the program is to provide financing for permanent improvements that protect or improve the basic livability and utility of a property, including manufactured homes, single family and multi-family structures, non-residential structures, and preservation of historic homes.

USDA Rural Development Programs

Farm Labor Housing Loans and Grants

Farm Labor Housing Loans and Grants provide low-cost financing for the development of affordable rental housing for both year-round and migrant "domestic farm laborers" and their households. These programs may be used to build, buy, improve, or repair farm labor housing and provide related facilities, such as on-site child care centers.

Multi-Family Housing Direct Loans

Multi-Family Housing Direct Loans provide loans for the development of affordable rental housing in rural communities. Low and very-low income households are targeted as tenants, but moderate income households are also eligible. Rural Development may also provide "Rental Assistance," a project-based tenant subsidy that pays a portion of tenant housing costs, reducing them to an affordable level (30 percent of adjusted income). Projects must be in a rural area and consist of at least two rental units.

Multi-Family Housing Guaranteed Loans

Multi-Family Housing Guaranteed Loans serve the rental housing needs of low and moderate-income rural households by providing loan guarantees for newly constructed or rehabilitated rental property in eligible rural areas. Guarantees may be used in conjunction with other subsidy programs, such as the Low-Income Tax Credit,

HOME, and state rental assistance programs. Loans can be made for a variety of rental housing types, for example: family, elderly, congregate housing, and mobile homes. Loans can be made for new construction, moderate or substantial rehabilitation, acquisition of buildings that provide for "special housing needs," and combination construction and permanent loans. Tenants' income cannot exceed 115 percent of the area median income, adjusted for family size. Rent (including tenant-paid utilities) for any unit at initial occupancy cannot exceed 30 percent of 115 percent of the area median income, adjusted for family size. The average rent (including tenant-paid utilities) for all units in a project cannot exceed 30 percent of area median income.

Rural Housing Site Loans

Rural Housing Site Loans are short term loans to finance development costs of subdivisions located in communities with a population of 10,000 or less (selected communities with a population between 10,000 and 20,000 are also eligible). Developed lots are to be sold to families with low- to moderate-household income (up to 115 percent of the county median income). Loans can be made to public or private local non-profit organizations with legal authority to buy, develop, and sell home sites to eligible applicants.

Single Family Housing Direct Loans

Single Family Housing Direct Loans are for families seeking financing to purchase new or existing homes or to repair or improve a home. This subsidized housing program offers loan benefits as down payment assistance to enable purchase with a loan through a private lending source (Rural Development accepts a junior lien behind the primary lender) or as a sole source of assistance for purchase, repair, or improvement. Sole source assistance is limited to families who are unable to obtain any part of the needed credit from another lending source. To be eligible an applicant must have the ability to repay the loan, live in the home, and be a citizen or be legally admitted to the U.S. for permanent residence, among other requirements. Family income cannot exceed 80 percent of the county median income.

Single Family Housing Guaranteed Loans

The Guaranteed Rural Housing (GRH) loan program provides moderate-income families with access to affordable home ownership in eligible rural areas. Approved GRH lenders provide home purchase financing requiring no down payment and can finance loan closing costs and repairs up to the property's appraised value. To be eligible, an applicant must have adequate and dependable income; be a citizen or be legally admitted to the U.S. for permanent residence; have an adjusted annual household income that does not exceed the moderate-income limits for the area; and demonstrate adequate repayment ability. The home must be a new or existing stick-built or modular home that meets HUD guidelines; a new manufactured home on a permanent foundation; owner occupied and not income producing; and located in an eligible rural area or community.

WisLoan

This program provides loans for a wide variety of residential modifications to improve accessibility for disabled persons, including ramps and home accessibility modifications for non-rental units. Individuals applying for a loan must be a Wisconsin resident, at least 18 years old (parents and other relatives can apply on behalf of disabled people under age 18), and have a disability. Applicants can request any amount needed for the modifications, but the loan amount is dependent on ability to repay the loan and availability of loan funds. The loan is available to Washington County residents and administered by IndependenceFirst with oversight by the Independent Living Unit of the State Bureau of Aging and Long Term Care Resources (part of the Wisconsin Department of Health and Family Services). The IndependenceFirst office located in Milwaukee (600 W. Virginia Street, fourth floor) serves Washington County.

Housing Trust Funds

Housing trust funds can be established by county or local governments (or state governments) to support the preservation and production of affordable housing through a dedicated source of public financing. As of 2006, over 350 county and local government and 38 state housing trust funds had been established. They have combined to dedicate over \$750 million annually towards addressing affordable housing needs across the Country. Locally, the City of Milwaukee Common Council passed an ordinance creating a Milwaukee Housing Trust Fund in late 2006. It started with base funds of \$2.5 million in 2007 from bonding. Ongoing revenue is generated from Potawatomi

gaming proceeds, Tax Increment Financing (TIF) revenue (see Chapter X for additional information regarding TIF), and designated PILOT funds.¹ Community support for the trust fund was championed by the Milwaukee Housing Trust Fund Coalition, which was comprised of many faith and community based organizations such as the Interfaith Conference of Greater Milwaukee.

Department of Veteran Affairs Home Loan Program

This program is available to veterans, active duty military personnel, and certain members of the reserves and National Guard. The program offers advantages to applicants including loans with no money down and no private mortgage insurance payments. Applicants must meet income and credit requirements for the loans, which are generally administered by lenders approved by the Department of Veteran Affairs.

¹*PILOT funds are payments in lieu of taxes received by the City.*

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Appendix E

ECONOMIC DEVELOPMENT ORGANIZATIONS AND PROGRAMS AVAILABLE IN THE TOWN OF WAYNE AND WASHINGTON COUNTY

A number of economic development organizations and programs have been established to assist in the establishment, retention, and expansion of area businesses in the Town of Wayne and the County, including the following.

Economic Development/Washington County

Economic Development/Washington County (EDWC) seeks to improve and enhance the economic vitality of the County by serving as the central voice on economic development issues, retaining and expanding the current manufacturing and commerce sectors, attracting and creating new family-supporting jobs, and supporting quality of life issues. The EDWC recently drafted a 2006-2007 economic development strategic plan for Washington County. This plan sets goals for the County in the areas of business retention, business attraction, workforce quality and availability, and the internal structure of the EDWC. The plan addresses each goal and assigns the goal's priority, timeline, and the entity responsible for that goal.

Washington County Revolving Loan Fund

The Wisconsin Community Development Block Grant (CDBG) Program, administered by the Wisconsin Department of Commerce, provides local government with funds to use for economic development, more specifically, for business start-ups and expansion. These funds, received from the U.S. Department of Housing and Urban Development, are used to provide grants to local units of government that use the funds to loan to a business. The business, in return for use of the public funds, provides private investment towards the assisted activity and most importantly creates job opportunities, principally for the benefit of low- and moderate-income persons.

When a business repays the community the loan (principal and interest payments), the funds are used to capitalize a local revolving loan fund (RLF). With the RLF, the community can make additional loans to businesses wishing to expand or locate in the community. These loans typically are smaller loans (\$20,000-\$100,000). When successfully administered, the community's revolving loan fund can expand the amount in its RLF to an amount in excess of the original amount it was able to retain. This happens when the community exercises due diligence by performing a thorough credit analysis to determine business viability and adequately securing and servicing the loan. In administering a RLF, a community becomes a "bank" and accepts responsibilities similar to that of a commercial lender when it makes a CDBG or RLF loan to a business.

Washington County has established a RLF program. Eligible applicants include manufacturing and related distribution businesses and service businesses that wish to establish a new operation or expand an existing operation in the County. The loan may be used for the acquisition of land, buildings, and/or fixed equipment; site preparation; the construction, reconstruction, or rehabilitation of buildings, including leasehold improvements; the installation of fixed equipment; clearance, demolition, and/or removal of structures; working capital; and buyouts by purchase of assets or stock. There were four businesses in the County participating in the RLF program in 2006.

To be eligible for funding, a proposed project must meet all of the following minimum requirements:

- Private Funds Leveraged - One dollar of private sector investment must be provided for each dollar of RLF investment. Private sector investment is defined as financing from a private lending institution, public sector business loan programs other than the CDBG program, or new equity that is injected into the business as a part of the expansion project.
- Cost Per Job - A minimum of one full-time equivalent (FTE) job must be created or retained for each \$20,000 of RLF funds requested.
- Financial Feasibility and Business Viability - The applicant must demonstrate that the proposed project is viable and that the business has the economic ability to repay the funds.
- Low-and Moderate-Income (LMI) Benefit - At least 51 percent of the jobs created or retained must be made available to persons who reside in low- and moderate-income households.
- Project Completion - All projects must be completed, all funds expended, and all jobs created and/or retained within 24 months from the date of the RLF loan approval. All jobs must be maintained for a minimum of 12 months.

Washington County has also established a RLF Retail program. Eligible applicants include any retail business that wishes to establish a new operation or expand an existing operation in the County. The loan may be used for the acquisition of land, buildings, and/or fixed equipment; site preparation; the construction, reconstruction, or rehabilitation of buildings, including leasehold improvements; the installation of fixed equipment; clearance, demolition, and/or removal of structures; working capital; and buyouts by purchase of assets or stock. There were two businesses in the County participating in the RLF Retail program in 2006.

To be eligible for funding, a proposed project must meet all of the following minimum requirements:

- Private Funds Leveraged - One dollar of private sector investment must be provided for each dollar of RLF investment. Private sector investment is defined as financing from a private lending institution, public sector business loan programs other than the CDBG program, or new equity that is injected into the business as a part of the expansion project.
- Cost Per Job - A minimum of one full-time equivalent (FTE) job must be created or retained for each \$10,000 of RLF funds requested.
- Financial Feasibility and Business Viability - The applicant must demonstrate that the proposed project is viable and that the business has the economic ability to repay the funds.
- Low- and Moderate-Income (LMI) Benefit - At least 51 percent of the jobs created or retained must be made available to persons who reside in low- and moderate-income households.
- Project Completion - All projects must be completed, all funds expended, and all jobs created and/or retained within 24 months from the date of the RLF loan approval. All jobs must be maintained for a minimum of 12 months.

Technology Zones

Wisconsin's Technology Zone program, administered by the Wisconsin Department of Commerce, offers tax credit incentives to new and growing businesses in the State's high-technology sectors. High technology

businesses planning to expand existing operations in a designated Technology Zone area, individuals planning to start a new business in a Technology Zone area or businesses considering relocation to a Technology Zone area from outside Wisconsin may be eligible for Technology Zone tax credits. Washington County is part of the Metropolitan Milwaukee Technology Zone. Beneficiaries of the Technology Zone program include the Signicast Corporation in the City of Hartford.

The Milwaukee 7

The Milwaukee 7 is a council of representatives from the seven Southeastern Wisconsin counties – Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha. The council, made up of about 35 civic and business leaders, was formed with the idea that a regional approach is significant to fostering economic growth. Milwaukee 7 is engaged in efforts focusing on regional strategic planning for economic development. Among the council's goals are to compile comprehensive information about the Region, creating a way for businesses to tap easily into data that can help them plan expansion or location decisions, identifying “clusters” of industries well suited to the area, and creating jobs to retain more Wisconsin college graduates.

In April 2007, the Milwaukee 7 released its Strategic Framework, which sets forth a vision for the Region and a plan to achieve that vision. The Strategic Framework identifies the Region’s assets that pose a unique opportunity for the Region’s long-term prosperity; identifies “Regional Export Drivers,” which are industries that drive the export of goods and services beyond our regional borders; maps opportunity zones; and outlines a strategic agenda for each of the Regional Export Drivers. The Milwaukee 7 resource center and Strategic Framework are found on the Milwaukee 7 website (www.choosemilwaukee.com).

Washington-Ozaukee-Waukesha (WOW) Workforce Development Board

The WOW Workforce Development Board was established in response to the Workforce Investment Act of 1998 (WIA). The WOW Workforce Development Board is a private, non-profit corporation dedicated to providing workforce development services to residents and businesses in Washington, Ozaukee, and Waukesha Counties. The WOW Workforce Development Board works in collaboration with County and local elected officials, economic development corporations, and businesses to address workforce issues. The WOW Workforce Development Board is dedicated to finding solutions to local workforce needs through long-term planning and timely responses to the changing economy.

The WOW Workforce Development Board has several programs available. The following is a summary of each of these programs:

H-1B Advanced Manufacturing Training Program

The H-1B Advanced Manufacturing Training Program is funded by the U.S. Department of Labor and is intended to reduce the dependence of American companies on skilled workers from other countries. The program’s objective is to train 200 apprentices and 500 other workers in advanced manufacturing skills to address the industry need for highly-skilled workers. The program will provide a maximum of \$500 per month per apprentice.

On-The-Job Training Program

The On-The-Job Training Program provides funding to employers to help offset the cost of training new employees. Businesses can receive a wage reimbursement of up to 50 percent of the new employee’s wages during the training period. The length of the training period depends on the amount and complexity of the training needed to bring the worker to the desired skill level. To be eligible the job should meet or exceed minimum wage requirements; the job trained for must have transferable skills and not be seasonal or temporary; and contracts must be completed and approved prior to the new hire’s first day of work.

Workforce Advancement and Attachment Training Program

The Workforce Advancement and Attachment Training Program awards grants to employers to provide training to existing entry-level workers so that they may move up another employment level and receive a salary increase. To be eligible for the grant the employer must employ workers who meet income guidelines; have specific

training in mind for employee(s); provide training to advance skills outside the current job; and complete training within one year. The training must result in an increase in pay or a promotion within six months of training, or be necessary for job retention.

Dislocated Worker Program

The objective of the Dislocated Worker Program is to assist laid-off workers in obtaining full-time employment in a job compatible with the worker's capabilities and interests at a competitive wage. The WOW Dislocated Worker program is a "Work First" program, with emphasis on opportunities for employment. Participation in the dislocated worker program requires that the worker be committed to intensive efforts toward obtaining full-time employment. Program staff develops an Individual Employment Plan (IEP) with each participant that identifies the full-time employment objectives and what steps will be taken to achieve the objectives. The IEP specifies the occupational goals of the enrollee, based on assessment, testing, and individualized counseling.

If, after an initial period of intensive work search the participant is unsuccessful in obtaining employment, additional training may be considered, subject to availability of funds. Those who are deemed eligible to receive additional training are given an Individual Training Account (ITA), and information on providers, which includes the cost of training and the success rate of the training provider.

Work Keys Program

Work Keys is an employability skills assessment tool designed to ensure that an employer has the right people staffing key positions. The tool evaluates the key skills and levels of competency required for specific jobs in an organization. Then, skill assessments are administered to job applicants and/or employees to pinpoint their current skill levels. Once complete, it compares the skill levels demonstrated by each test taker to the minimum skill levels required for the profiled jobs, which enables employers to immediately evaluate an applicant's qualifications and/or determine the training needs of current employees. This process provides job analysis, assessment, instructional support, reporting, and training identification services to employers.

Tax Increment Financing

Wisconsin's Tax Increment Finance (TIF) program was approved by the Legislature in 1975. Its purpose is to provide a way for a city or village to promote tax base expansion. TIF is aimed at eliminating blight, rehabilitating declining property values, and promoting industry and mixed-use development. The TIF law was amended in 2004 to allow towns to participate in the TIF program. Towns may identify TIF projects involving agricultural, forestry, manufacturing, and tourism industries (recreational and vacation camps, recreational vehicle parks and campgrounds, racetracks, dairy product stores, and public golf courses) as defined in Section 60.85 of the *Statutes*.

When a TIF is created the aggregate equalized value of taxable and certain municipality-owned property is established by the Department of Revenue. This is called the Tax Incremental Base. The municipality then installs public improvements, and property taxes generally increase. Taxes paid on the increased value are used to pay for improvements funded by the community. This is the tax increment. It is based on the increased values in the Tax Increment District (TID) and levies of all the taxing jurisdictions that share the tax base. Other taxing jurisdictions do not benefit from taxes collected on value increases until project costs have been recovered and the TID is retired. At this point, the added value is included in the apportionment process and all taxing jurisdictions share the increase in property value. Washington County had 19 TIF districts in 2006, all of which were located in cities and villages.

Brownfield Remediation Grants

The comprehensive planning law places an emphasis on the remediation and reuse of environmentally contaminated, or brownfield, sites. Brownfields are defined as abandoned, idle, or underused industrial or commercial properties where redevelopment is hindered by known or suspected environmental contamination. The following grant programs are available to assist in the identification and clean up (remediation) of brownfield sites.

Brownfield Site Assessment Grants (SAG)

Brownfield Site Assessment Grants (SAG) assist local governments in taking preliminary steps to stimulate redevelopment of brownfield areas. Those eligible for the grant include cities, villages, towns, redevelopment authorities, community development authorities, and housing authorities. The applicant may not have caused the environmental contamination, and the person who caused the contamination must be unknown, unable to be located, or financially unable to pay for grant eligibility. The grant may fund Phase I and II environmental site assessments, environmental investigation, demolition, removal of underground storage tanks, and removal of abandoned containers. The State budget typically includes \$1.7 million per year for SAG funding. The grants are administered by the Wisconsin Department of Natural Resources (DNR).

Blight Elimination and Brownfield Redevelopment (BEBR) Grants

Blight Elimination and Brownfield Redevelopment (BEBR) grants are administered by the Wisconsin Department of Commerce and provide funding for blight elimination and brownfield projects that promote economic development and have a positive effect on the environment at abandoned, idle, or underused industrial and commercial sites. Those eligible include cities, villages, towns, non-profit organizations, individuals, and businesses. The grant may fund property acquisition, Phase I and II environmental site assessments, environmental investigation, removal of abandoned containers and some underground storage tanks, environmental cleanup, demolition, rehabilitation of buildings, and redevelopment. This program is funded by a combination of State and Federal funds and typically receives about \$7.5 million in funding per year.

Brownfield Green Space and Public Facilities Grants

Brownfield Green Space and Public Facilities Grants assist local governments in cleaning up brownfields that are intended for future public use. This includes developing green spaces and developing public facilities. Those eligible include cities, villages, towns, counties, redevelopment authorities, community development authorities, and housing authorities that have completed an environmental investigation and are ready to clean up the contaminated property. The maximum grant awarded is \$200,000. The program is administered by the DNR.

Petroleum Environmental Cleanup Fund Award (PECFA)

The PECFA program was created by the Wisconsin Department of Commerce in response to enactment of Federal regulations requiring release prevention from underground storage tanks and cleanup of existing contamination from those tanks. PECFA is a reimbursement program returning a portion of incurred remedial cleanup costs to owners of eligible petroleum product systems, including home heating oil systems. Program funding is generated from a portion of a \$0.02 per gallon petroleum inspection fee.

Brownfield Economic Development Initiative (BEDI) Grants

The Brownfield Economic Development Initiative (BEDI) provides eligible communities with grants to clean up and redevelop brownfields. Local governments that are Federal entitlement communities (which includes the City of Hartford) may apply for BEDI grants.

Activities funded by BEDI grants must meet one of the following National objectives:

- Benefit low- to-moderate income people
- Prevent or eliminate slum or blight
- Address imminent threats or urgent needs

The grant funds may be used for planning; property acquisition; Phase I and II environmental site assessments; environmental investigation; removal of underground storage tanks and abandoned containers; environmental cleanup; demolition; rehabilitation of buildings; redevelopment and marketing; and public facility and infrastructure improvements. The maximum grant awarded is \$2 million.

Federal Brownfields Assessment Grants

The Federal Brownfield Assessment Grants are administered by the U.S. Environmental Protection Agency (EPA) and are for assessment of brownfield sites. Those eligible include local governments, regional planning commissions, redevelopment authorities, and some other governmental organizations. The grants are available to fund planning; Phase I and II environmental site assessment; environmental investigation; removal of some petroleum tanks; and remediation, planning, and design. The maximum grant award is \$200,000. An applicant may request a total of \$400,000 per year.

Federal Brownfields Site Cleanup Grants

The Federal Brownfield Site Cleanup Grants are administered by the U.S. EPA for the cleanup of a brownfield site. Those eligible include local governments, regional planning commissions, non-profits, redevelopment authorities, and some other governmental organizations. The grants may fund environmental cleanup, demolition, and removal of some abandoned containers and underground petroleum tanks. The maximum grant award is \$200,000 with a 20 percent cost share required in the form of money or in kind services.

Appendix F

RULES AND BYLAWS GOVERNING WASHINGTON COUNTY MULTI-JURISDICTIONAL DISPUTE RESOLUTION PANEL

ARTICLE I. GENERAL PROVISIONS

SECTION 1 – AUTHORITY

The Washington County Multi-Jurisdictional Dispute Resolution Panel has been established pursuant to §66.1001(1)(g), *Wis. Stats.*, as amended, and assumes thereby, all responsibilities, duties and powers as provided therein and by related statutes. A copy of these rules shall also be filed with the County Clerk to be kept as a permanent public record. Copies of the rules shall be also available to the public. These rules are supplementary to the provisions of the Washington County Ordinances as related to comprehensive planning.

SECTION 2 – TITLE

The official title of this body is, The Washington County Multi-Jurisdictional Dispute Panel, hereafter referred to as the “Panel”.

SECTION 3 - PURPOSE

The purpose of the Panel is to provide a forum for disputing parties to reach consensus by engaging in facilitated negotiations. This forum is available to Washington County; cities, villages and towns within Washington County and adjoining Washington County that have adopted a comprehensive plan; and, counties adjoining Washington County that have adopted a comprehensive plan. The spirit and intent of facilitated negotiations is to bring parties together to openly and candidly discuss an identified dispute and negotiate a mutually agreeable outcome that will be implemented and adhered to by the parties.

SECTION 4 – PANEL MEMBERSHIP

The Panel shall be selected on a case-by-case basis at the time of the identification of a dispute requiring a facilitated negotiation meeting. Members will be selected from a pool of candidates comprised of current elected or appointed representatives from cities, villages, towns and the counties. Each party to the dispute shall select three panelists. In order to conduct the negotiation process, the Panel shall be comprised of at least two panelists per party.

SECTION 5 – SELECTION PROCESS

Units of government wishing to participate will be asked to enter into intergovernmental agreements which will describe the obligations of the participating unit of government including the requirement that the unit of government designate elected or appointed representatives to be members of a pool of eligible panelists and designate its clerk or designee as eligible for the pool of potential recording secretaries as mentioned in Article II, Section 3.

Each disputing party shall select, at the time of filing the application, three units of government from the pool of governments for the other disputing party. For example, if a town government and city government have identified a dispute to be submitted to facilitated negotiations, the town shall select three city or village governments from the pool of city-village government participants and the city shall select three town governments from the pool of town governments. In the case of a dispute involving a county government such as a county-town dispute, the county shall select three town governments from the pool of town government participants and the town shall select three county governments from the pool of county government participants. In the event that there are less than three participating county governments, the town shall select all participating county governments from the pool and the staff shall notify the participating county governments that it must designate an adequate number of panelists to fill three positions and two alternates. In addition to each disputing party selecting units of governments, each disputing party shall at the same time select two alternates from the unit of government pool in the same fashion. Each participating city, village or town government selected from the pool shall designate its own representative to serve on the panel. The disputing parties jointly at the time of the filing of the application shall select a recording secretary and an alternate from the available pool of recording secretaries.

SECTION 6 – CONFLICTS OF INTEREST

Any member of the Panel who has any direct or indirect interests, personal or financial, in the matter before the Panel shall not assist with or participate in the negotiation process of such matter at any meeting at which said matter is under consideration. A disqualifying conflict of interest shall be deemed to exist when: (1) The Panel member is the applicant or spouse of the applicant, or is related to the applicant within the third degree of consanguinity or is the husband or wife of someone so related; or, (2) The applicant is the employer, employee, or partner of the member or is a corporation in which the member is a major shareholder or has a major financial interest; or, (3) The member owns property within 300 feet of the property which is the subject of the application. Any member having a disqualifying conflict of interest shall promptly notify the Washington County Planning and Parks Department. Acknowledging that the County Planning and Parks Department is designated by these by-laws to serve in an administrative capacity and recognizing that the County may also be a disputing party taking advantage of this forum to resolve its dispute, such circumstances may give rise to the appearance of a conflict of interest on the part of the County. However, in the event that the County is responsible for administering the process and is also a disputing party, the County shall implement appropriate safeguards by assigning its administrative functions with respect to the Panel to another division within the County Planning and Parks Department to avoid the appearance of or actual conflict and so that the Planning Division is freely and fully capable of taking its dispute through this forum for a resolution.

SECTION 7 – LIMITATIONS

The Panel's role is limited to conducting facilitated negotiation of town, village, city or county disputes related to the comprehensive plan as described in §66.1001(1), *Wis. Stats* for the nine following elements; Issues & Opportunities, Agricultural, Natural and Cultural Resources, Land Use, Housing, Transportation, Utilities and Community Facilities, Economic Development, Intergovernmental Cooperation and Implementation. Nothing herein shall be construed to give or grant to the Panel, the power or authority to alter or change the comprehensive plans, ordinances related thereto or other official maps of the disputing parties, which authority shall be retained by the governing bodies of the disputing local units of government. The Panel's role is to facilitate negotiations between the disputing parties in an effort to lead the parties to achieving a mutually agreeable resolution of the dispute or disputes brought before the Panel.

SECTION 8 - STAFF ROLE

The Washington County Planning and Parks Department (hereinafter “staff”) shall provide administrative assistance to the Panel. The Staff's role shall be limited to assisting the Panel by accepting and processing joint applications, assembling the Panel and coordinating the meeting(s). The Staff shall not, in any way, assist the disputing parties or the presentation of the issue(s) to the Panel. During the facilitated negotiation process, Staff shall be available, upon request of the Panel, to assist the Panel with administrative functions.

SECTION 9 – PANEL’S OFFICE

The Office of the Panel shall be located at the Washington County Planning and Parks Department at 333 East Washington Street, Suite 2300, West Bend, Wisconsin 53095. Panel records of active disputes shall be available for public inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except legal holidays.

ARTICLE II. POWERS AND DUTIES OF THE PANEL

SECTION 1 – GENERAL POWERS

The powers and duties of the Panel are authorized by §66.1001(1), *Wis. Stats.* and are more completely described herein. The Panel shall have the following general powers:

- A. To facilitate negotiations among disputing parties relating to the county, city, village or town comprehensive plan as described in §66.1001(1), *Wis. Stats.* for the nine following elements; Issues & Opportunities, Agricultural, Natural and Cultural Resources, Land Use, Housing, Transportation, Utilities and Community Facilities, Economic Development, Intergovernmental Cooperation and Implementation.
- B. To refer written agreements or written outcomes to the appropriate governing bodies for formal action.

SECTION 2 – PRESIDING OFFICERS

Upon convening a Panel for facilitated negotiations, the Panel shall elect a chairperson from among its selected members to coordinate and conduct the Panel during the facilitated negotiation process. The chairperson shall serve as such until the dispute is resolved or the process is otherwise terminated. Upon convening, the Panel shall also select a recording secretary who shall record information as instructed by the Panel. The recording secretary shall not be a member of the Panel. The recording secretary shall be selected from the pool of available clerks of participating governing bodies, but shall not be a clerk from the locale of any of the disputing parties. At the discretion of the Panel, in lieu of a recording secretary, the parties may be required to obtain the services of a stenographer or court reporter to adequately record the negotiation activity and shall equally share the expense of same.

SECTION 3 – DUTIES

1. **CHAIRPERSON.** The chairperson shall preside over and direct the conduct of all meetings of the Panel. The chairperson shall, subject to these rules and further instructions from the Panel, direct the official business of the Panel, supervise the work of the Panel and request necessary help when required. The presiding officer, subject to these rules, shall decide all points of procedure or order.

2. **RECORDING SECRETARY.** The recording secretary, as selected by the disputing parties, shall record information as directed by the Panel and maintain permanent minutes of the Panel’s proceedings; reflect the presence of the participants including representatives of the parties; show generally the activity conducted by the Panel; shall keep records of its official action; shall summarize accurately the information presented by the parties appearing before the Panel and keep a written record of all proceedings; shall record the names and addresses of all persons appearing before the Panel in person, or by attorney; shall, at the conclusion of process, collect all

documents introduced during the negotiation process and attach same to the recorded information; and shall file said minutes and records in the office of the Panel, which minutes and records shall be of public record. County staff shall assist the Recording Secretary in performing these clerical duties as requested by the Chairperson. The Washington County Clerk shall be the custodian of the files of the Panel and shall keep all records.

The County Attorney, or his or her designated representative may provide assistance and guidance to the Panel, upon request, unless an actual or perceived conflict exists. Upon request of the Panel, assistance of counsel shall be noted in the record of the proceeding.

SECTION 4 – SCOPE

In exercising the powers herein, the Panel shall facilitate negotiations of disputing parties who present an issue relating to the comprehensive plan and who desire to engage in voluntary good faith negotiations to resolve said dispute.

ARTICLE III. FACILITATED NEGOTIATION MEETINGS

SECTION 1 – TIME: HOW CALLED

Meetings of the Panel shall be held, or may be canceled, at the call of the chairperson and at such other time as the Panel may determine provided that all Panel members are notified by staff at least 48 hours prior to such meeting. All meetings shall be open to the public and scheduled and noticed in accordance with Wisconsin's Open Meeting Law, unless a disputing party requests that the facilitated negotiation be conducted in closed session and it is properly noticed as such.

SECTION 2 – QUORUM

A quorum shall consist of at least two selected panelists per each disputing party. Because the Panel is charged with facilitating a negotiation process, the conduct of the meeting will not require the making of formal motions nor will the outcome of the meeting result in a decision or other formal action by the Panel; therefore, the voting requirements and other formal rules of conduct are unnecessary.

SECTION 3 – ORDER OF BUSINESS

- A. Staff provide assistance to the Panel Chairperson for the development of an agenda for each Panel meeting which shall include the general subject matter of the business to be discussed at the meeting.
- B. Meetings shall be conducted as follows:
 - 1. Call to order and roll call.
 - 2. Statement by the presiding officer concerning the notice in accordance with the Wisconsin Open Meeting Law. (Read legal notice)
 - 3. Presiding officer to read the joint application identifying the dispute.
 - 4. Parties to acknowledge voluntary participation and accuracy of the identified dispute.
 - 5. Identification of all participants.
 - 6. Each party is allowed an opening statement regarding the dispute.
 - 7. Questions by the Panel members.
 - 8. Other questions or statements at the discretion of the Panel.
 - 9. Any correspondence received relevant to the issue before the Panel shall be read by the recording secretary.

10. Panel to continue to lead parties in negotiation and engage in debate and discussion.
11. Panel, with the assistance of the parties, to engage in brainstorming to delineate list of possible solutions.
12. Panel to continue leading parties in negotiation process by using suitable facilitation techniques.
13. Written agreement signed by representatives of the disputing parties – reduce resolution(s) to writing.
14. If no agreements are reached, the Panel shall reduce outcomes of the facilitated negotiation to writing.
15. Panel shall send a copy of the outcome to governing body of disputing parties
16. Adjournment.

The order of business at any meeting or hearing may be varied from the preceding by consent of the members present.

SECTION 4 – ROBERT’S RULES OF ORDER

Robert’s Rules of Order, Newly Revised, 10th Edition, shall generally guide the actions of the Panel in conduct of its meetings if not covered by these rules, County ordinance or State Statutes.

SECTION 5 – MINUTES

The Panel, by its recording secretary, shall keep minutes of its meetings including any documentation presented to the Panel.

ARTICLE IV. APPLICATIONS

SECTION 1 – WHO MAY FILE

Washington County, cities, villages and towns within Washington County and adjoining Washington County that have adopted a comprehensive plan; and, counties adjoining Washington County that have adopted a comprehensive plan may submit a joint application regarding a dispute relating to the comprehensive plan. Applications to the Panel shall be filed with the Planning and Parks Department. Disputing parties must co-sign an application which shall include a jointly defined dispute, minutes of the governing body reflecting authorization to engage in the negotiation process, proposed outcomes and a general description of communications between the parties regarding the dispute.

SECTION 2 – COPIES TO BE SENT

Staff shall promptly transmit copies of the application and the supporting documentation as follows: original retained for Panel file; a copy to the applicants; copy to the Clerks of the respective governing bodies of the disputing parties; and copy to SEWRPC.

SECTION 3 – TIMELINESS OF APPLICATION

Applications may be filed at any time upon the determination or discovery of a dispute relating to the comprehensive plan of a town, city, village or county. Upon receipt of a properly filed joint application, staff shall within sixty (60) days take appropriate action to process the application, including but not limited to assembling the Panel and scheduling the first meeting of the Panel. The first meeting of the Panel may be scheduled more than sixty (60) days after receipt of the application upon mutual agreement of the disputing parties.

SECTION 4 – REQUIRED INFORMATION

Applications shall be made on forms provided by the Panel. Any communication, except in the prescribed forms, purporting to be an application shall be deemed a mere notice of intention to file and shall not be deemed a filing to comply with the requirements of timely filing. Failure of the joint applicants to supply the required information, including the appropriate fee, will be considered by the Panel as a failure to comply with the application procedure and the dispute will not be permitted to be submitted to the Panel.

SECTION 5 – REASONS TO BE STATED

The reasons for the application must be stated and basis of the dispute must also be stated by the applicants:

- A. The application shall designate all informal discussions that have occurred between the parties regarding the dispute at issue.
- B. The facts should be stated upon which findings may be made by the Panel.
- C. Relevant maps, ordinances, or procedures and policies shall be included as exhibits to the application.

SECTION 6 – JOINT APPLICATION/REPRESENTATIVE FILING

The application shall bear the signatures of the chief elected official of the respective disputing parties. The joint application shall be filed in person by a representative of each of the disputing parties so that the selection of the Panel and the Recording Secretary can be accomplished at the time of filing.

SECTION 7 – TERMINATION OF THE PROCESS

The Panel, at its discretion, may refuse to convene upon the failure of the applicants to supply the required information called for on the forms or if it is determined that the Parties are not acting in good faith.

SECTION 8 – TIME FOR HEARING

Each application screened by Staff satisfying the requisite criteria for facilitated negotiations shall be considered by the Panel as soon as reasonably practical providing for sufficient time between the date of the application and the date of the meeting for the required meeting notices to be published.

SECTION 9 – NOTICE OF HEARING

The Staff of the Panel shall give, or cause to be given, notice of each meeting as required by law and these rules. Notice shall be given as follows:

- A. Consistent with that required by Wisconsin Open Meeting law.
- B. Mailing a notice to the joint applicants at least 10 calendar days before the meeting.
- C. Mailing a notice to the Clerk of the governing body of the disputing parties, not less than one week before the date of the hearing.
- D. Mailing notice to Southeastern Wisconsin Regional Planning Commission (SEWRPC).

SECTION 10 – EFFECT ON OTHER ACTIONS

Submittal of a dispute to the Panel for facilitated negotiations shall have no effect whatsoever on any other judicial, quasi-judicial, administrative or alternative dispute resolution proceeding. Disputing parties retain all rights and remedies available at law and submittal of same shall in no way affect said rights.

SECTION 11 – FEE

A. Application Administrative Fee. This fee is intended to cover 100 percent of the costs associated with staff's administrative functions such as processing the application, coordinating and convening the Panel and providing required notices and mailings. This fee shall be paid at the time of application and shall be provided to the Washington County Planning and Parks Department.

B. Panel Fee. This fee is intended to cover 100 percent of the costs associated with the operations of the Panel including panel participants and the recording secretary. The fee for the first meeting shall be paid at the time of application and shall be provided to the Washington County Planning and Parks Department.

Additional fees will be determined at the conclusion of the first meeting and imposed at the conclusion of the facilitated negotiations.

ARTICLE V. PANEL PROCEEDINGS

SECTION 1 – APPEARANCES

At the time of the meeting, the applicant may appear on his or her own behalf or be represented by his or her attorney or agent. It is preferred that parties are represented by officials of the governing body rather than attorneys or other professionals.

SECTION 2 – WITNESSES

The chairperson or the Panel has no authority to compel the attendance of witnesses by subpoena. However, any representative wishing to participate shall be required to state their names and their interests in the matter before the Panel. Statements may be limited by the chairperson in order to conduct an orderly and efficient meeting.

SECTION 3 – PRELIMINARY MATTERS

Following the reading of the application, the Panel may hear statements on the question of the appropriateness of the process for the identified dispute and request that each party state a position on the point. The Panel may proceed with the meeting by engaging the parties in negotiation and reserve its determination on an appropriateness of the forum until after the negotiations conclude. The Panel may make an immediate determination and terminate the hearing upon a finding that the parties are not voluntarily bringing the dispute before the panel or the parties lack good faith. If the Panel determines that the dispute is not appropriate for the forum, the recording secretary shall record the decision as a determination to terminate the meeting.

SECTION 4 – DECORUM

The chairperson shall maintain order and decorum during all Panel proceedings. All persons present during Panel proceedings shall conduct themselves properly so as to not disrupt the process. The chairperson reserves the right to order any person to leave who has conducted himself or herself in a disorderly manner and persisted in such conduct after being directed by the chairperson to cease the conduct.

SECTION 5 – PARTIES NOT TO INTERRUPT

Orderly procedure requires that each party shall proceed without interruption by the other and that there be no arguments between the parties.

SECTION 6 – TOOLS TO FOSTER/ENHANCE NEGOTIATIONS

The Panel shall engage and lead the disputing parties in negotiations to achieve a mutually agreeable result. Facilitated negotiations may employ various tools which include but are not limited to establishing ground rules, brainstorming, caucusing, consensus building and similar techniques. Each dispute brought before the Panel shall be considered unique and as such, the Panel shall not be limited in any way with regard to the tools and techniques it chooses to employ or not employ, but rather it shall determine on a case-by-case basis the appropriate manner to conduct negotiations.

SECTION 7 – QUESTIONS BY THE PANEL

During the meeting, the chairperson, Panel members or representatives of the disputing parties may ask questions and may make appropriate comments pertinent to the dispute; however, no member should argue an issue with the applicant. The chairperson and other Panel members may direct any questions to the applicants or to any person speaking in order to bring out all relevant facts, circumstances and conditions affecting the dispute.

SECTION 8 – PRESENTATION OF DOCUMENTATION

All supporting documentation for each issue shall be presented to the assembled Panel by the disputing parties. Each applicant shall be responsible for the presentation of all information supporting its position. The Panel may take administrative notice of the ordinances of the local governments involved in the dispute in effect at the time of the dispute. Washington County Ordinances and the laws of the State of Wisconsin and other relevant facts not recently subject to dispute may also be considered by the Panel.

SECTION 9 – ADDITIONAL DOCUMENTATION

The Panel may take a case under advisement for later consideration and determination, or may defer action whenever it concludes that additional information is needed or further study is required. The Panel may require that the parties temporarily discontinue the negotiation process so as to reevaluate respective positions and reconvene at a later date as determined by the Panel.

SECTION 10 – POSTPONEMENT OF MEETING

Negotiations may be postponed only by prior arrangement with the chairperson, or at the discretion of the chairperson.

SECTION 11 – RULES OF EVIDENCE

The Panel shall not be bound by court rules of evidence, but it may exclude irrelevant, immaterial, incompetent, unduly argumentative or repetitious information. In addition, all records and documents relied upon by the Panel or presented to the Panel, shall be made part of the record and every party given an opportunity to rebut the report and documents or to offer a countervailing or clarifying oral or written information.

SECTION 12 – INTERESTED PERSONS MAY GIVE STATEMENTS

Representatives of the disputing parties who have not been formally designated to conduct negotiations on behalf of the disputing party may attend the meeting and may request an opportunity to be heard provided they identify themselves and sign the list of persons attending the meeting and the disputing parties do not object. The Chairperson shall have the sole authority to allow statements by interested persons after conferring with the Panel.

SECTION 13 – RECORD

All proceedings shall be recorded by the recording secretary or recorded by a court reporter or stenographer which shall include a summary of actions, witnesses, appearances, roll call and other matters constituting the substance of the proceeding. Any party or member of the public may make a record of the proceedings by any means which does not disturb the meeting or others present.

SECTION 14 – ADJOURNMENT

A recess or adjournment of a meeting, made at the noticed meeting date, to a time and place certain is adequate notice to the Panel participants and the public of a new meeting date, time and place. When a dispute cannot be resolved on the date set, the Panel may adjourn from day to day or to a date certain, as it may order, and such adjourned date shall be construed as a continuance. Notice of such adjournment shall be given to the absent members of the Panel.

SECTION 15 – WITHDRAWAL OF APPEAL

Applicants may withdraw a request for facilitated negotiations at any time prior to the conclusion of the process. Withdrawal of the application shall not entitle the applicants to a refund of any fees and may result in the assessment of additional fees.

SECTION 16 – POTENTIAL OUTCOME

The Panel has no authority to reverse or affirm, wholly or partly, or modify an order, requirement, decision or determination, ordinance or law. The Panel may refer the matter to an appropriate administrative agency or other dispute resolution forum for further consideration, may adjourn the matter to a later date, may assist in a negotiated result, or may terminate the process.

ARTICLE VI. OUTCOME OF THE PROCESS

SECTION 1 – OUTCOMES TO BE WRITTEN

All outcomes of the parties at the conclusion of the negotiations shall be reduced to writing by the recording secretary, identify the dispute at issue, the facts upon which the outcome is based and the impact of the outcome. The written outcome shall be signed by the disputing parties.

SECTION 2 –OUTCOMES TO BE MAILED

Staff shall mail written copies of any such outcomes to the applicants and all interested parties and shall retain a copy on behalf of the Panel to the County Clerk. Copies of written outcomes shall also be mailed to SEWRPC.

SECTION 3 – INFORMAL ADVICE NOT BINDING

Any advice, comments, opinion or information given by any Panel member or the recording secretary, shall not be binding on the Panel or the disputing parties. The Panel shall not be perceived as a decision-making body nor shall it comment on the merits of the dispute.

SECTION 4 – CASES TO BE DETERMINED INDIVIDUALLY

No action of the Panel or outcome of the negotiation shall set a binding precedent. Each dispute shall be considered upon its merits and upon the attendant circumstances, provided, however, that the Panel shall not act arbitrarily or capriciously and that it shall facilitate negotiations in an orderly and congenial manner.

SECTION 5 – ACTIONS IN CIRCUIT COURT

Parties submitting disputes to the Panel shall be cognizant of other administrative remedies, quasi-judicial or judicial avenues available to resolve disputes and the laws, rules and regulations associated with the said forums, including but not limited to relevant statutes of limitations and other applicable procedural or substantive rules.

ARTICLE VII. AMENDMENT OF RULES

These rules may be changed or amended from time to time by a majority vote of the Multi-Jurisdictional Comprehensive Plan Advisory Committee.

The foregoing rules and regulations are hereby adopted by the Multi-Jurisdictional Comprehensive Plan Advisory Committee for the County of Washington on this 30th day of January, 2008.

Mathew Heiser, Chairperson

Appendix G

**PLAN COMMISSION RESOLUTION
APPROVING THE COMPREHENSIVE PLAN**

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TOWN OF WAYNE PLAN COMMISSION

RESOLUTION APPROVING TOWN COMPREHENSIVE PLAN

WHEREAS, the Town of Wayne, pursuant to Sections 62.23, 61.35, and 60.22 (3) of the Wisconsin Statutes, has adopted Village powers and 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 comprehensive (master) plan for the development of the Town, and to recommend that the Town Board adopt the comprehensive plan; and

WHEREAS, the Town has cooperated with Washington County and SEWRPC to prepare both a multi-jurisdictional comprehensive plan for the County and a comprehensive plan for the Town of Wayne. The Town plan is documented in the report titled "A Comprehensive Plan for the Town of Wayne: 2035," containing all maps, references and other descriptive materials; and

WHEREAS, in accordance with Section 66.1001(2) of the Wisconsin Statutes, the comprehensive plan includes the following nine elements: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural and Cultural Resources; Economic Development; Intergovernmental Cooperation; and Implementation; and

WHEREAS, the Town Board adopted a Public Participation Plan for the comprehensive planning process as required by Section 66.1001 (4) (d) of the Wisconsin Statutes on September 15, 2004, and the Town has conducted meetings and other public participation activities during the course of development of the comprehensive plan; and


WHEREAS, the Town has duly noticed a public hearing on the comprehensive plan and the Town Board will hold a public hearing following the procedures in Section 66.1001 (4) (d) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Plan Commission of the Town of Wayne hereby approves the comprehensive (master) plan embodied in the report titled "A Comprehensive Plan for the Town of Wayne: 2035."

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Town Board enact an Ordinance adopting the Comprehensive Plan.

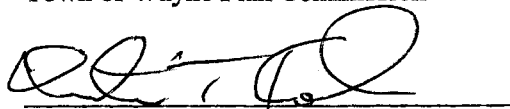
Adopted this 17 day of March, 2009.

Ayes 5 Noes 1 Absent 1



Chairperson
Town of Wayne Plan Commission

Attest:



Clerk, Town of Wayne

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Appendix H

**TOWN BOARD ORDINANCE
ADOPTING THE COMPREHENSIVE PLAN**

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Ordinance No. 2009-1

**ORDINANCE ADOPTING THE COMPREHENSIVE PLAN
FOR THE TOWN OF WAYNE, WISCONSIN**

The Town Board of the Town of Wayne, Wisconsin, do ordain as follows:

SECTION 1. Pursuant to Sections 62.23, Section 61.35, and Section 60.22(3) of the Wisconsin Statutes, the Town of Wayne is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. The Town Board of the Town of Wayne, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan, as required by Section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION 3. The Town has cooperated with Washington County and SEWRPC to prepare both a multi-jurisdictional comprehensive plan for the County and a comprehensive plan for the Town of Wayne. The Town plan is documented in the report titled "A Comprehensive Plan for the Town of Wayne: 2035."

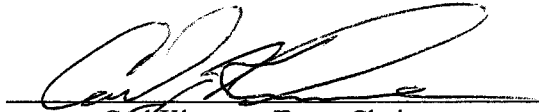
SECTION 4. The plan commission of the Town of Wayne, by a majority vote of the entire commission recorded in its official minutes, has approved a resolution recommending to the Town Board the adoption of the document titled "A Comprehensive Plan for the Town of Wayne: 2035," containing all of the elements specified in Section 66.1001(2) of the Wisconsin Statutes.

SECTION 5. The Town Board has duly noticed and held at least one public hearing on the comprehensive plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 6. The Town Board of the Town of Wayne, Wisconsin, does, by the enactment of this ordinance, formally adopt the document titled, "A Comprehensive Plan for the Town of Wayne: 2035," pursuant to Section 66.1001(4)(c) of the Wisconsin Statutes, as the Town of Wayne comprehensive plan.

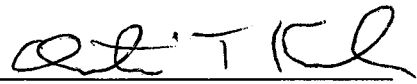
SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the Town Board and publication or posting as required by law.

ADOPTED this 18 day of March, 2009.


Carl Klemme, Town Chair

Ayes 3 Noes 0 Absent 0

Published/Posted: 3-18-2009

Attest: 
Christian Kuehn, Town Clerk