

**CHAPTER 30 TOWN OF LYONS COMPREHENSIVE PLAN  
AMENDMENT 2016-01  
AN ORDINANCE TO ADOPT AN AMENDMENT AND UPDATE TO  
THE TOWN OF LYONS COMPREHENSIVE PLAN**

The Board of Supervisors of the Town of Lyons, Walworth County, Wisconsin, do ordain as follows:

**Section 1.** Pursuant to Sections 60.10(2)(c), 62.23, 61.35, and 60.22(3) of the Wisconsin Statutes, the Town of Lyons is authorized to prepare, adopt, and amend a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Statutes.

**Section 2.** The Town Board, by the enactment of an ordinance, formally adopted the document titled, "Town of Lyons Comprehensive Plan: 2020," on September 12, 2005 as Chapter 30 of the Town code of ordinances.

**Section 3.** The Town Plan Commission, by a majority vote of the entire Plan Commission at a meeting held on August 2, 2016, adopted a resolution approving the amendment and recommending adoption of Amendment 2016-01 by the Town Board as the 10-year update to the Town comprehensive plan required by Section 66.1001(2)(i) of the Wisconsin Statutes.

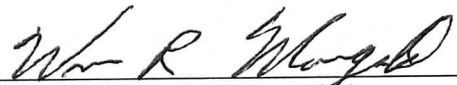
**Section 4.** The Town published a Class 1 public notice and held a public open house and public hearing on July 11, 2016, to obtain public comments regarding the comprehensive plan amendment and update.

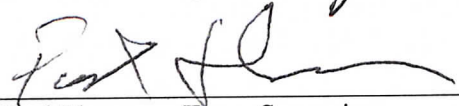
**Section 5.** The Town Board hereby adopts this Ordinance adopting Amendment No. 2016-01 as the 10-year update to the Town of Lyons comprehensive plan.

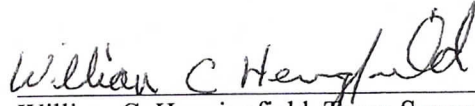
**Section 6.** The Town Clerk is directed to send a copy of the plan update to the parties listed in Section 66.1001(4)(b) of the Statutes.

**Section 7.** This Ordinance shall take effect upon passage by a majority vote of the full membership of the Town Board and publication or posting as required by law.

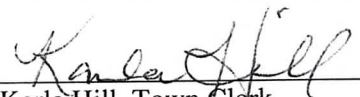
**Adopted** by the Town of Lyons Board of Supervisors this 8th day of August 2016.

  
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William R. Mangold, Town Chairman

  
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Paul Thomsen, Town Supervisor

  
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William C. Henningfield, Town Supervisor

Date Published/Posted: AUGUST 18, 2016

Attest:   
\_\_\_\_\_  
Karla Hill, Town Clerk

The Plan Commission and Town Board considered this matter and have included language in this plan amendment expressing the Town's opposition to the proposed trail, while recognizing that the trail is identified on an adopted County plan and will therefore require action by Walworth County to address.

Tables and maps in this report are numbered sequentially. Where applicable, the map or table number from the comprehensive plan adopted in 2005 is noted in parentheses after the map or table number for this report.

### **Updated Population, Household, and Employment Projections**

Existing and projected resident population levels are an important consideration in comprehensive planning. The projected future population in the Town is used to calculate the projected number of households, which may require the development of new housing units. An increase in the number of jobs projected in the Town, other than those related to agriculture, may indicate a need for additional areas to be identified for commercial or industrial development. The Town comprehensive plan included population, housing, household, and employment data through the year 2000, and population, household, and employment projections to the year 2020. Tables 1 through 4 update tables in the 2005 plan to provide existing demographic information to 2010, and extend population, household, and employment projections to the year 2035. The projections are those developed by SEWRPC for the year 2035 regional land use plan.

#### ***Population***

Data on the historical, existing, and anticipated resident population for the Region, County, and Town are presented in Table 1. As indicated in Table 1, the resident population in the Town increased from 3,440 to 3,698 residents between 2000 and 2010, an increase of about 8 percent. This was a slower growth rate than the 33 percent increase experienced between 1990 and 2000. The slower growth rate in the Town during the last decade is consistent with those observed in both Walworth County and the Region as a whole, and may be attributable to the economic recession and resulting decrease in new home construction experienced in the latter years of the decade.

The population of the Town is expected to continue to increase between 2010 and 2035, to about 4,380 persons. This represents an increase of about 18 percent over the 2010 population, or an average of about 27 additional residents per year. This rate of increase is slightly less than the average increase in residents per year between 1980 and 2010, when the Town grew by an average of 35 residents per year.

#### ***Households***

The number of households, or occupied housing units, is important to land use and public facility planning. Households directly influence the demand for housing as well as the demand for transportation and other public facilities and services, such as police and fire protection and parks. The number of households in the Town increased from 1,231 households in 2000 to 1,410 households in 2010, an increase of about 15 percent.

The regional land use plan projects that the number of households in the Town will increase to 1,665 households, or by about 18 percent, between 2010 and 2035. The projected average household size in 2035 is 2.62 persons, which is the same as the household size in the Town identified in the 2010 Census, which is the reason that both the total population and the number of households is expected to increase by



the same percentage. This is a change from past years, which has seen a gradual decrease in average household sizes in the Town, County, and Region since 1960. Birth rates and household sizes in the Region are projected to increase slowly between 2010 and 2035.

### ***Housing Stock***

Information regarding the occupancy and tenure status of housing units in the Region, County, and Town is presented in Table 3. There were 1,533 housing units in the Town in 2010, of which 92 percent were reported as “occupied” by the U.S. Census and the remaining 8 percent were reported as “vacant.” Of the 1,410 occupied housing units, 1,153 units, or 75 percent of the total number of housing units in the Town, were owner-occupied; the balance, 257 units, or 17 percent, were renter-occupied.

Of the 123 vacant housing units identified in the 2010 census, 45 units were reported as being devoted to seasonal or occasional use. The other 78 vacant housing units were available for rent or sale; rented or sold but not yet occupied; or vacant for other reasons.

### ***Employment<sup>2</sup>***

Table 4 provides information on the number of jobs located in the Region, Walworth County, and the Town. There were 1,926 jobs in the Town in 2010, which is a decrease of about 4 percent from 2000 levels. This decrease can also be attributed to the national economic recession in the latter part of the decade.

Employment projections for the Town, Walworth County, and Region prepared by SEWRPC are also presented in Table 4. Total employment, or jobs, located in the Town are projected to increase to 2,088 jobs by 2035, an increase of about 8 percent from 2010 levels and about 4 percent above the employment level in 2000. Many of the additional jobs will be in the service sector, associated with Grand Geneva Resort.

SEWRPC projections indicate that a change may be expected in the types of jobs available in the years ahead. The largest increases are projected to be in the service sector (business, health, social, recreational, and other services), with service sector employment projected to increase by 85 percent under the year 2035 regional land use plan. Employment in the industrial sector—including manufacturing, wholesaling activities, and construction jobs—is projected to increase by 15 percent. Retail employment is projected to increase by 17 percent in the Region.

## **Updated Inventory Information**

### ***Existing Land Uses***

Information on the amount of land devoted to various types of land uses in the Town of Lyons in 2010 is presented in Table 5 and shown on Map 1. The Town encompasses 22,048 acres, or about 34 square miles.

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<sup>2</sup>Information on jobs located in the Region and Walworth County is derived from the U.S. Bureau of Economic Analysis, which compiles its data largely from information collected under State Unemployment Insurance programs. County job totals are allocated to quarter-sections by SEWRPC based on an analysis of existing land uses and employment data.

Agriculture was the predominate land use in the Town in 2010, accounting for 54 percent of the Town area. Natural resource areas, consisting of nonfarmed wetlands, woodlands, and surface waters (rivers, streams, and ponds) accounted for another 30 percent of the total area of the Town. Nonurban land uses, including agriculture, natural resource areas, open land, and extractive and landfill uses together encompassed about 87 percent of the Town in 2010, compared to about 90 percent in 1995 (the date of existing land use information in the 2005 comprehensive plan). The major changes between 1995 and 2010 with regard to rural land uses was a decrease of about 1,460 acres, or 11 percent, in the amount of land in agricultural use, and an increase of about 500 acres identified as wetlands, consisting primarily of wetlands located along perennial and intermittent streams.

The remaining 13 percent of the Town was developed for urban uses in 2010, with residential, streets and highways, and recreational uses making up most of the urban land uses. Residential uses accounted for the largest percentage of lands developed for urban use, encompassing 1,074 acres, or about 5 percent of the Town. About 10 percent of the Town was developed with urban uses in 1995.

The number of acres in all urban land use categories increased between 1995 and 2010, with the exception of industrial land, which decreased from 62 to 56 acres. The amount of land in residential use increased from 807 to 1,074 acres, with much of the increase attributable to infill of existing subdivisions, including Spring Valley Estates, Knoll Brook, and Heather Ridge. There were also three new subdivisions developed in the Town, including the Lyons Hillside Subdivision (two-family homes), Cranberry Knolls, and Brindlewood Estates. There were also increases of 100 acres or more devoted to transportation uses, including the new State Trunk Highway (STH) 11 bypass and an airstrip south of STH 50, and recreational uses, primarily within the new White River County Park.

### ***Transportation Facilities***

The Town of Lyons is served by a well-developed highway transportation system. As shown on Map 2, arterial streets and highways serving the Town include U.S. Highway (USH) 12 in the southwest corner and State Trunk Highway (STH) 11 in the northeast corner. Arterial highways through the Town include STH 36, STH 50, and STH 120.

Major changes to the arterial street and highway system in the Town since 2005 include the development of the STH 11 bypass and the classification of South Road south of STH 50 as a local arterial.

### ***Telecommunications Facilities***

Communication towers in the Town of Lyons include two commercial radio broadcast towers on a site located just south of STH 50, east of the City of Lake Geneva, a telecommunications tower located just north of STH 50, west of South Road, and a telecommunications tower just south of the White River State Trail in Section 8. The tower locations and information on the service providers with antennas located on the towers are shown on Map 3 and Table 6, respectively. Table 6 also provides information on telecommunications towers located within 1.5 miles of the Town in adjacent communities, which may also provide service to Town residents.

AT&T maintains an easement for a fiber optic cable called the Waukesha-Plano line, which runs from Waukesha, Wisconsin, to Plano, Illinois. The easement runs in a generally north-south direction through the western portion of the Town.



The Town comprehensive plan adopted in 2005 (on pages 85 and 86) includes a section on "Communication Towers" that recommends that Walworth County work with the towns regulated under the County zoning ordinance to review then-existing County requirements on telecommunications towers, with the goal of strengthening ordinance requirements to ensure that telecommunications facilities blend into the environment to the maximum extent possible.

The Wisconsin Legislature enacted a law in 2013 (Section 66.0404 of the Wisconsin Statutes) that limits county and local control over the siting of telecommunications towers and antennas (referred to as "mobile service facilities" in the Statutes). The law provides that telecommunications towers may be regulated under county or local zoning ordinances, but limits the requirements a local ordinance can impose. The Statute prohibits a zoning ordinance from requiring testing or monitoring interference with radio frequencies; prohibits control over physical placement within the county or local government; prohibits disapproval of a tower on purely aesthetic grounds; prohibits limits on the duration of permits; prohibits limits on the height of structures less than 200 feet; prohibits requirements on the color or finish of towers; and limits the establishment of fall zones and setbacks. A zoning ordinance is limited to requiring notice of when and where telecommunications facilities will be constructed and a specified surety to guarantee removal of towers no longer in service. The Statutes also allow a zoning ordinance to prohibit a new telecommunications tower if an applicant refuses to demonstrate that a new antenna cannot be accommodated on an existing tower or support facility (colocation).

Walworth County has amended the County zoning ordinance to include regulations for telecommunications facilities consistent with the 2013 State law. The "Communication Towers" section in the 2005 Comprehensive Plan is therefore proposed to be deleted and replaced with the language in Appendix B, which recommends that the Town work with State agencies and telecommunications providers to improve telecommunication services in the Town.

### ***Sanitary Sewers***

Three sanitary districts provide public sanitary sewer service within the Town of Lyons. As shown on Map 4, the Town of Lyons Sanitary District No. 2 serves the unincorporated community of Lyons in the north central portion of the Town; the Country Estates Sanitary District serves the Country Estates Condominium in the northwestern portion of the Town; and the Lake Geneva Golf Hills Sanitary District No. 1 serves the Lake Geneva Golf Hills subdivision in the southwestern corner of the Town, surrounded on three sides by the City of Lake Geneva. Wastewater from the Town of Lyons Sanitary District No. 2 and the Country Estates Sanitary District is treated at the Town of Lyons Sanitary District No. 2 sewage treatment facility. Wastewater from Lake Geneva Golf Hills Sanitary District No. 1 is conveyed to the City of Lake Geneva sewerage system for treatment. Areas served by public sewers in the Town and portions of the adjacent cities as of 2010 are shown with a cross-hatch on Map 4.

Map 4 also shows the boundaries of the planned sanitary sewer service areas within and surrounding the Town, including the areas attendant to the Town of Lyons Sanitary District No. 2 sewage treatment plant and the City of Burlington and City of Lake Geneva sewage treatment plants. The sewer service areas were recommended in the regional water quality management plan and have been detailed through the preparation and adoption of local sanitary sewer service area plans.

In addition to the public sewerage systems serving the Town, the Grand Geneva Resort operates a private sewage treatment plant which serves residential, commercial, and recreational development at the resort complex.

Sewer service area and sanitary district boundaries within the Town have not changed since the adoption of the comprehensive plan in 2005. Since that time, however, the City of Burlington has annexed land within the Town and extended the City's sewer service area to include the area annexed. There are also additional areas served by sanitary sewers in the City of Lake Geneva.

### ***Existing Park and Open Space Sites***

An inventory of existing park and open space sites and outdoor recreation facilities in the Town of Lyons was conducted in 2016. As indicated in Table 7 and shown on Map 5, there are 22 park and open space sites in the Town, which encompassed 2,412 acres, or about 11 percent of the Town. There were 12 publicly-owned sites that encompassed 533 acres,<sup>3</sup> or about 22 percent of the total park and open space site acreage. The remaining 10 sites, encompassing 1,879 acres, or about 78 percent of the total park and open space site acreage, were privately owned.

Public sites include four town-owned sites, the Lyons Center School, Hillmoor Heights Park located in the southwestern portion of the Town but owned by the City of Lake Geneva, five sites owned by the State of Wisconsin (including the White River State Trail), and White River County Park.

New public parks acquired and/or developed since the Town comprehensive plan was adopted in 2005 include a new Town park adjacent to the new Town Hall, a new County Park along the White River, a Wisconsin Department of Transportation wetland mitigation site near the STH 11 bypass, and development of the White River State Trail on an abandoned railroad right-of-way through the Town that begins at Spring Valley Road in the northeastern corner of the Town and extends through the Towns of Lyons and Geneva to the City of Elkhorn on the west.

The County Park is the largest publically-owned site in the Town and was opened in 2014. Thus far, development of a parking lot, restrooms, a canoe launch, and trails, including two bridges across the White River, have been completed at the park. Remaining planned improvements include prairie restoration, an additional canoe launch and access road, renovation of the existing barn, a picnic shelter, sledding hill, and an additional parking area.

Major changes to the inventory of privately-owned park sites include the expansion of the Seno Woodland Center from 105 to 189 acres through the addition of two parcels near the intersection of Cranberry and Berndt Roads, and the development of the Hawk's View Golf Club, which is located on the western side of the Town of Lyons and extends into the Town of Geneva.

### ***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 the Region in which concentrations of remaining natural resources occur. The protection and preservation of such areas in

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<sup>3</sup> Acreage does not include the White River State Trail, which extends from east-to-west through the Town.



essentially natural, open uses is crucial in maintaining both the ecological balance and natural beauty of the Region, the County, and the Town.

Identification of environmental corridors is based upon the presence of one or more of the following important natural resources: 1) rivers, streams, lakes, 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. Certain other features with recreational, aesthetic, ecological, and natural resource values, including existing and potential parks, open space sites, natural areas, historic sites, and scenic viewpoints, are also considered in the delineation of environmental corridors.<sup>4</sup>

The delineation of these natural resource and resource-related elements on a map results in an essentially linear pattern of relatively narrow, elongated areas which have been termed "environmental corridors" by the Regional Planning Commission. Primary environmental corridors include a wide variety of important natural resource and resource-related elements and are at least 400 acres in size, two miles in length, and 200 feet in width. Secondary environmental corridors serve to link primary environmental corridors, or encompass areas containing concentrations of natural resources between 100 and 400 acres in size and at least one mile long. Where secondary corridors serve to link primary environmental corridors, no minimum area or length criteria apply. Isolated natural resource areas consist of smaller concentrations of natural resources, have a minimum of five acres, and are separated physically from the environmental corridors by intensive urban or agricultural land uses.

As shown on Map 6 and Table 8, about 25 percent of the Town is located within a primary environmental corridor, about 4 percent within a secondary environmental corridor, and about 2 percent in an isolated natural resource area. The number of acres in primary environmental corridors has increased about 200 acres from 1995, primarily due to wetlands within the Wings over Wisconsin and DOT wetland mitigation sites in the northeastern portion of the Town being added to the primary corridor. In addition, areas along Como Creek just east of STH 120 have been changed from secondary to primary corridor. There has been a decrease of about 50 acres of secondary environmental corridors, due in part to reclassification to primary corridor. There has been no change in the number of acres of isolated natural resource areas.

Farmed wetlands are also shown on Map 6. About 68 acres of farmed wetlands were identified in the Town in 2010.

Beginning in 2005, the Wisconsin Wetland Inventory (WWI) maps prepared by the Wisconsin Department of Natural Resources (DNR) include a "farmed wetland" category. Farmed wetlands have soil conditions that can support wetland vegetation; however, wetland vegetation is absent due to cultivation, use as a pasture, or other agricultural activities. Farming may continue in accordance with

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<sup>4</sup> A detailed description of the process of refining the delineation of environmental corridors in Southeastern Wisconsin is presented in SEWRPC Technical Record, Vol. 4, No. 2, Pages 1 through 21, *Refining the Delineation of Environmental Corridors in Southeastern Wisconsin*, March 1981 (available at [www.sewrpc.org/SEWRPC/LandUse/EnvironmentalCorridors.htm](http://www.sewrpc.org/SEWRPC/LandUse/EnvironmentalCorridors.htm) or by contacting the Commission).

County zoning ordinances and other applicable laws, including Corps of Engineers and DNR wetland regulations. If natural vegetation develops on such wetlands when farming ceases, the re-vegetated areas may eventually be reclassified as part of an environmental corridor or isolated natural resource area.

### ***Natural Areas and Critical Species Habitat Sites***

A comprehensive inventory of natural areas and critical species habitat sites in Southeastern Wisconsin was completed in 1994 by DNR and SEWRPC. The natural areas, critical species habitat sites, and geological sites inventory was updated in 2009.<sup>5</sup> Natural areas are defined as 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 pre-European-settlement landscape. Natural areas are classified into one of the following three categories: natural areas of Statewide or greater significance (NA-1), natural areas of countywide or regional significance (NA-2), or 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 types present; the structure and integrity of the native plant or animal community; the extent of disturbance by human activity, such as logging, grazing, water level changes, and pollution; the commonness of the plant and animal communities present; any unique natural features within the area; the size of the area; and the educational value and animal communities believed to be representative of the landscape before European settlement.

As shown on Map 7 and described in Table 9, eight natural areas, including one of countywide or regional significance (NA-2) and seven of local significance (NA-3), have been identified in the Town. Changes in the natural areas inventory since the Town comprehensive plan was adopted in 2005 include the acquisition of one NA-3 site (Peterson Fen) and a portion of a second site (Tri-County Tamarack Swamp). DNR owns about 50 percent of the NA-2 site, which is unchanged from 2005. The DNR also owns that portion of the Burlington Railroad Prairie located in the Town, which is in the right-of-way of the abandoned railroad corridor on the east side of Spring Valley Road. The White River State Trail has not been extended on that right-of-way to date; however, the State Trunk Highway 11 bypass has been constructed on a portion of the former right-of-way and may have affected the natural area. None of the remaining natural areas are under protective ownership.

Critical species habitat sites are defined by the Regional Planning Commission as areas outside natural areas that support rare, threatened, or endangered plant or animal species. At the time the comprehensive plan was adopted in 2005, there were three critical species habitat sites identified in the Town, the White River Railroad Prairie, the Peterson Property, and the Radio Station Wetland. The Radio Station Wetland no longer supports critical species and has been removed from the inventory, and the Kenosha Racine Land Trust has acquired a portion of the Peterson Property. A portion of the White River Railroad Prairie is owned by DNR as part of the White River State Trail right-of-way. Four more critical species habitat sites have been identified and added to the inventory since the comprehensive plan was adopted in 2005. One of the sites, the Seno Oak Opening, is located within the Seno Woodland Center owned by the

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<sup>5</sup> *The results of the 1994 inventory are documented in SEWRPC Planning Report No. 42, A Regional Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, September 1997. The plan update is documented in SEWRPC Amendment to Planning Report No. 42, Natural Areas and Critical Species Habitat Protection and Management Plan for Southeastern Wisconsin, December 2010.*



Kenosha Racine Land Trust. The remaining critical species habitat sites are not currently in protective ownership.

Updated recommendations for the protection and management of natural areas and critical species habitat sites through public or nonprofit conservation organization ownership are included later in this report.

## ***Zoning Regulations***

### ***General Zoning***

The Town of Lyons is under the jurisdiction of the Walworth County Zoning Ordinance. The ordinance was adopted by the Walworth County Board in August 1974 and ratified by the Town of Lyons in September 1975. The Walworth County Zoning Ordinance is jointly administered by Walworth County and the 15 towns in the County that are governed under the Ordinance. As required by Chapter 59 of the Wisconsin Statutes, towns which are under the jurisdiction of a county zoning ordinance must be given the opportunity to review and comment on all proposed zoning amendments. If a town board formally disapproves a proposed zoning district boundary change within the town, or if a majority of towns governed by the county ordinance disapprove a change in district regulations, a county may not approve the proposed zoning change without revision.

Major changes to the Walworth County Zoning Ordinance since the Town comprehensive plan was adopted in 2005 include an update of the A-1 Prime Agricultural Land District regulations and maps to comply with new Wisconsin Farmland Preservation Program requirements (Chapter 91 of the Statutes), which were enacted by the Legislature in 2009. The County ordinance was also amended in 2004 to include optional requirements to accommodate the development of conservation subdivisions, where homes on a parcel proposed to be subdivided are clustered on a portion of the development parcel and the remaining land remains in protected common open space.

### ***Shoreland and Floodplain Zoning***

Shoreland and floodplain regulations are set forth in the Walworth County Shoreland Zoning Ordinance. This ordinance includes zoning districts and special regulations for shoreland areas, defined as all lands lying within the following distances of the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; or 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater. The shoreland regulations include restrictions on the removal of vegetation and earth movements and structural setback requirements from streams and lakes. The Walworth County Shoreland Zoning Ordinance also includes the County's floodplain regulations, which apply to all lands within the 100-year recurrence interval flood hazard areas. County floodplain regulations prohibit virtually all new structures in the floodplain, including the floodway and flood fringe areas, in accordance with sound floodplain management practice.

The Federal Emergency Management Agency and DNR are working to update floodplain maps across Wisconsin. New floodplain maps for that portion of Walworth County within the Rock River watershed were completed in 2013 and adopted by the County in 2014. Updated floodplain mapping for the portion of the County in the Fox River watershed, which includes all of the Town of Lyons, is underway.

### *Existing Zoning*

Basic zoning districts applied under the Walworth County Zoning and Shoreland Zoning Ordinances in the Town in February 2016 are shown on Map 8. The acreage of the various districts applied within the Town is presented in Table 10. A review of Map 8 and Table 10 indicates the following:

- Agricultural zoning is in place on about 11,726 acres, or 53 percent of the Town. Among the agricultural zoning districts, the A-1 Prime Agricultural Land zoning district, which establishes a minimum parcel size of 35 acres and is a pre-requisite for landowners to participate in the Wisconsin Farmland Preservation Program, is the most extensive, having been applied to about 8,814 acres, or about 40 percent of the Town. This compares to 9,014 acres in the A-1 zoning district and 12,066 acres in an Agricultural zoning district in 1999. All or most of the decrease in acres zoned A-1 is due to the annexation of land in the northeast corner of the Town by the City of Burlington.
- About 7,460 acres, or 34 percent of the Town, have been placed in upland and lowland conservancy districts intended to protect the natural resource base. This is an increase in the 7,124 acres located in the C-1, C-2, and C-4 districts in 1999. One of the existing upland conservancy zoning districts, the C-3 Conservancy Residential district, permits single-family dwellings with a minimum lot size of 100,000 square feet, a density which does not effectively preserve the natural resource base. This district has been applied to about 292 acres, or about 1 percent of the Town; a slight decrease from the 303 acres in this district in 1999.
- The remaining area, approximately 2,862 acres, or 13 percent of the Town, has been placed in various residential, commercial, industrial, recreational, and institutional districts. This compares to 2,734 acres in these zoning districts in 1999.

### **Updated County and Regional Plans**

#### ***Multi-Jurisdictional Comprehensive Plan for Walworth County***

In response to the enactment of the Wisconsin Comprehensive Planning Law in 1999, Walworth County developed and adopted a multi-jurisdictional comprehensive plan. Thirteen of the 16 towns in the County participated with the County and adopted the multi-jurisdictional plan as the Town comprehensive plan. SEWRPC provided staff support for the planning work under contract with the County and participating towns, which included the towns of Darien, Delavan, East Troy, Geneva, LaFayette, LaGrange, Richmond, Sharon, Spring Prairie, Sugar Creek, Troy, Walworth, and Whitewater. The Towns of Bloomfield, Linn, and Lyons prepared and adopted individual comprehensive plans.

The Multi-Jurisdictional Comprehensive Plan for Walworth County was adopted by each of the participating towns in September 2009 and by the Walworth County Board in November 2009. The Comprehensive Plan includes a vision for a strong agricultural resource base closely connected to resource-rich open spaces. The land use plan map adopted as part of the Multi-Jurisdictional Comprehensive Plan is shown on Map 9.

The County land use plan map incorporates the land use plan maps adopted by each town in the County. Planned land uses from adopted city and village comprehensive plans are not shown on the County land use plan map.



### ***Walworth County Farmland Preservation Plan***

In 2009, the Wisconsin Legislature enacted an updated version of Chapter 91 of the Wisconsin Statutes, which establishes the statutory framework for the State's Farmland Preservation Program. The law is also referred to as the "Working Lands Initiative." The Program continues to rely on county and local governments for implementation. Specifically, Walworth County was required to prepare and certify an updated County Farmland Preservation Plan by December 31, 2013, and to revise and certify a farmland preservation zoning district (the A-1 district) by December 31, 2015, to make landowners eligible to claim State farmland preservation tax credits. The County Farmland Preservation Plan and the A-1 zoning district and zoning map were certified as meeting State program requirements in 2015 by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

The Walworth County Farmland Preservation Plan Update reaffirms the County's long-range commitment to preserving farmlands and working farms in the County. According to the County plan, preservation and protection of the most productive agricultural soils is the primary land use goal for Walworth County. The County Farmland Preservation Plan also seeks to preserve large blocks of farmland in order to promote more efficient farming and minimize conflicts between farming operations and urban uses, and maintain agriculture as an important component of the County's economic base.

Farmland Preservation Areas (FPAs) designated in the Town of Lyons in the updated County Farmland Preservation Plan are shown on Map 10 and encompass 8,915 acres, including about 360 acres in street rights-of-way. For the most part, areas designated as an FPA are the same as areas in the A-1 zoning district; however, there are 101 acres in the FPA that are not zoned A-1. These exceptions include portions of White River County Park and the Mt. Zion church and school parcel on the west side of STH 120.

### ***Walworth County Park and Open Space Plan***

The regional park and open space plan was adopted by SEWRPC in 1977. Over time, the plan has been refined and updated on a county-by-county basis. The regional and county plans consist of two key elements, an open space preservation element and an outdoor recreation element. The open space preservation element provides recommendations for the preservation of environmentally significant open space lands throughout the Region, focusing on the environmental corridors and isolated natural resource areas identified as part of the regional land use plan, as well as incorporating the findings and recommendations of the regional natural areas protection and management plan.

The outdoor recreation element provides recommendations regarding sites and facilities to meet existing and anticipated future outdoor recreation needs within the Region. The plan focuses on sites and facilities needed for "resource-oriented" activities—activities like beach swimming, nature study, camping, picnicking, hiking, and golf—which depend upon, or are significantly enhanced by, the presence of natural resource amenities. The plan includes recommendations for major parks, areawide recreation trails, and lake and river access sites, which provide opportunities for such activities.

An update to the Walworth County park and open space plan was completed and adopted by the County Board in 2014. The outdoor recreation element of the plan as it pertains to the Town is shown on Map 11. The primary recommendation is the acquisition and development of a new County park in the Town, which has been implemented with the acquisition of White River County Park. The plan also

recommends the development of additional bicycle/hiking trails in the Town, including a link from the White River State Trail to the White River County Park and a trail along the White River that would consist of on- and off-street segments.

In addition to trails for hiking and biking, the County park and open space plan identifies potential water trails along rivers and major streams, including the White River from STH 12 east to its confluence with the Fox River. Efforts are currently underway to develop a Fox River water trail in Wisconsin and Illinois, with designation as a national water trail. Water trails, sometimes referred to as paddling trails or canoe/kayaking trails, are intended to accommodate low-impact, non-motorized watercraft such as a canoes and kayaks. Important factors for establishing water trails include safe and convenient access to a waterway with unobstructed passageways, launch areas, and safe portaging areas. One canoe access site has been developed in the White River County Park, and a second canoe access site with drive-in access is proposed.

#### ***Natural Areas and Critical Species Habitat Protection and Management Plan***

The County park and open space plan incorporates the recommendations of the Regional Natural Areas and Critical Species Habitat Protection and Management Plan, as amended in 2010, for the acquisition and protection of natural areas and critical species habitat sites in the County. Those recommendations, as they pertain to the Town of Lyons, are shown on Map 12. Note that the agency recommended to acquire and manage the Sheridan Springs Road Habitat Area has not yet been determined, but will be identified in the next update of the Regional Natural Areas and Critical Species Habitat Protection and Management Plan.

#### ***Walworth County Jurisdictional Highway Plan***

The regional transportation plan includes recommendations related to the jurisdictional responsibility for each segment of the regional arterial street and highway network. Jurisdictional highway system plans contain specific recommendations as to which level of government—State, county, or local—should logically be responsible for each of the various facilities that make up the arterial system. Such jurisdictional plan recommendations are developed on a county-by-county basis and are intended to provide for the efficient development and management of the arterial street and highway system. This would help to ensure that public resources are effectively invested in the provision of highway transportation, and that the costs associated with plan implementation are equitably accepted among the levels and agencies of government concerned.

The updated year 2035 jurisdictional highway system plan for Walworth County was adopted by the County Board in 2011. The plan, as it pertains to the Town of Lyons, is shown on Map 13. The only change recommended in the Town is the transfer of STH 36 between STH 120 and STH 11 from State to County jurisdiction.

#### **Updates to Town of Lyons Comprehensive Plan**

##### ***Land Use Element***

The Land Use Element (Chapter VII of the Town Comprehensive Plan adopted in 2005) has been updated in its entirety and is included as Attachment A of this report.



***Implementation Element***

Portions of the Implementation Element (Chapter VIII of the Town Comprehensive Plan adopted in 2005) have been updated. The changes are included as Attachment B of this report.

*REVISED FOR AUGUST 2016 PLAN COMMISSION AND TOWN BOARD MEETINGS*



**AMENDMENT 2016-01  
ATTACHMENT A**

**Chapter VII**

**LAND USE ELEMENT**

A comprehensive plan is an official statement setting forth a community's major objectives concerning the desirable physical development and preservation of agricultural and natural resources within the community. This chapter sets forth the recommended land use element of the Town of Lyons comprehensive plan. The land use element is the basis for several of the nine elements required to be addressed in a comprehensive plan by Section 66.1001 (2) of the Wisconsin Statutes. This chapter also includes recommendations related to all of the other eight elements: issues and opportunities; economic development; agricultural, natural, and cultural resources; housing; transportation; utilities and community facilities; intergovernmental cooperation; and implementation.

This land use element consists of recommendations for the type, amount, and spatial location of the various land uses required to serve the needs of the residents of the Town through the year 2035. The land use element is intended to be used as a means to help guide the physical development of the Town into an efficient and attractive pattern and to promote the public health, safety, and general welfare. It provides a means of relating day-to-day development decisions to long-range development needs and objectives, helping to ensure that today's decisions lead to long-term goals for the future. The land use element is designed to achieve the Town land use objectives presented in Chapter VI of the comprehensive plan report adopted in 2005.

The land use element seeks to preserve and maintain what are perceived to be the best attributes of the Town while accommodating moderate urban growth, primarily in the form of single-family residential development. The plan would accommodate most new residential development in planned urban service areas within the Town, which are centered in and around the unincorporated community of Lyons and the Country Estates-Springfield area, and would accommodate only limited development beyond these areas. In this way, the plan seeks to achieve an attractive, compact, and functional urban development pattern which can be efficiently provided with basic urban services and facilities; to maintain and preserve the most important environmental and agricultural resources of the Town; and to retain and enhance the Town's natural beauty and cultural heritage.

**PLANNED LAND USES**

The planned land use map for the Town of Lyons is presented on Map 14. Related quantitative data are presented in Table 11. The map is similar to the land use plan map adopted by the Town in 2005, with the following changes:

- Primary and secondary environmental corridors and isolated natural resource areas have been updated to 2010. However, where secondary corridors or isolated natural resource areas are also identified as Farmland Preservation Areas in the Walworth County Farmland Preservation Plan, the area is shown as Farmland Preservation on Map 14. Where the County Farmland Preservation Area designation overlaps with a primary environmental corridor, the area is shown as a Primary Environmental Corridor on Map 14.
- Farmland Preservation Areas (FPAs) identified in the Walworth County Farmland Preservation Plan are shown on Map 14, with the exception of FPAs within a planned sewer service area or an existing sanitary district, primary environmental corridor, street right-of-way,<sup>6</sup> the right-of-way of the White River State Trail, parcels within White River County Park, and the Mt. Zion church and school parcel.
- Other major changes between the land use plan map (Map 24) in the 2005 comprehensive plan and Map 14 include development of the new Town Hall facility, which also includes a fire station, highway garage, and sheriff's substation, construction of a new sewage treatment plant by the Town of Lyons Sanitary District No. 2, construction of the State Trunk Highway (STH) 11 bypass, acquisition of the White River County Park, and development of the White River State Trail.

In brief, the Town land use plan recommends the following:

- That new urban development should occur within planned urban service areas which provide basic urban service and facilities, including, most importantly, public sanitary sewer service. The urban service areas envisioned under the plan include the unincorporated community of Lyons, the Country Estates-Springfield area, and isolated portions of the Town within the City of Lake Geneva. The planned urban service area boundaries are based on the sanitary sewer service area boundaries identified for the Lyons, Country Estates-Springfield, Burlington, and Lake Geneva areas adopted as part of the regional water quality management plan and the boundaries of sanitary districts in the Town. The planned urban service area includes an area located north of Spring Valley Road and east of the Lyons Hillside Subdivision, which is in the R-1 Single-Family Residence District of the County Zoning Ordinance but which is not located within the planned sewer service area or in a sanitary district; and an area west of the Country Estates Subdivision, which is outside the adopted sanitary sewer service area but is in the Sanitary District. The urban service area also adjusts the sewer service area boundary to follow existing parcel lines north of the Town Hall and to include the new Lyons wastewater treatment plant.
- There are several areas within a planned sanitary sewer service area designated as a Farmland Preservation Area (FPA) on the Walworth County Farmland Preservation Plan. The County identified all parcels zoned A-1 as FPA, including parcels zoned A-1 located within a planned sewer service area. In so doing, it was the intent of Walworth County to enable owners of those

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<sup>6</sup> Zoning on a parcel customarily extends to the centerline of adjoining streets and other transportation rights-of-way. Since identification of Farmland Preservation Areas (FPAs) in the Walworth County Farmland Preservation Plan was based heavily on existing A-1 zoning, FPAs include many street and railway/trail rights-of-way.



parcels to retain eligibility to claim farmland preservation tax credits for as long as the parcel remains in agricultural use. The Town of Lyons determined that because parcels within a planned sewer service area or an existing sanitary district are intended to eventually be developed for urban uses, an urban use designation on the land use plan map would more accurately reflect this intention. Parcels identified as an FPA by the County and located within the adopted sanitary sewer service area or an existing sanitary district are designated for low- or medium-density residential use by the Town comprehensive plan (see Map 14). The urban residential designations are consistent with the designation for these parcels in the Town comprehensive plan adopted in 2005. Land owners can continue to farm such parcels in accordance with existing A-1 zoning regulations. Approval of a rezoning out of the A-1 district would be necessary in order to develop a parcel for urban use.

- That environmentally significant areas, particularly the identified primary environmental corridors, be preserved in an essentially natural, undeveloped condition.
- That farmland preservation areas be preserved except as needed to accommodate urban development within planned urban service areas.
- That other areas of the Town located beyond the planned urban service areas be retained in rural use, with any new rural development located and designed to maintain and enhance the natural beauty and overall character of the rural areas of the Town.

### **Economic Development**

Economic development in the Town is achieved through the various uses that already exist in the community:

- Residential development
- Commercial development
- Industrial development
- General recreational development
- Resort recreational development
- Extractive uses
- Agricultural uses

Plan recommendations for each of these uses provides an economic base for the Town while maintaining the rural character desired by the residents.

### **Residential Development**

For purposes of this plan, “urban” residential development is defined as residential development at a density greater than one dwelling unit per five acres. “Rural” residential development is defined as residential development at a density less than or equal to one dwelling unit per five acres. Urban residential development is further classified into three density ranges for purposes of the Town plan. These density ranges include “suburban” density, with an area of about 1.5 acres to 4.9 acres per dwelling; “low” density, with an area of about 19,000 square feet to 62,000 square feet per dwelling; and “medium” density, with an area of about 6,200 square feet to 19,000 square feet per dwelling.

The recommended residential densities are intended to be achieved on an overall neighborhood basis. The recommended densities may be achieved through a mix of lot sizes which yields an overall density within the recommended range. Most of the new urban residential development is proposed to occur at a medium-density, which calls for between 6,200 and 19,000 square feet per dwelling. For lands within the medium-density category, the plan recommends an overall, average density of development of at least 10,500 square feet per dwelling.

The plan recommends that new residential development, including both urban- and rural-density development, incorporate conservation subdivision design principles.<sup>7</sup> This involves designing the subdivision around significant natural features, preserving those features, and maintaining linkages between natural resource areas, as appropriate. This can be facilitated, in part, by clustering the permitted dwelling units in a relatively compact fashion on a portion of the site, retaining significant natural features intact. Such flexibility in design is provided for under the Conservation Design conditional use provisions of the Walworth County Zoning Ordinance. The Town of Lyons Land Division Ordinance requires the use of conservation subdivision design for subdivisions with parent parcels of 20 acres or more where the division creates four or more parcels of 15 acres or less, and is located in the A-1, A-2, A-5, C-2, C-3, R-1, R-2, R-2A, and R-3 zoning districts (note that the County zoning ordinance does not allow new non-farm dwellings in the A-1 zoning district). Conservation subdivision design is encouraged in the R-4, R-5, R-6, R-7, and R-8 zoning districts.

#### ***Urban Residential Development***

Under the plan, most new urban residential development would occur in areas anticipated to be served by public sanitary sewers. Urban residential development outside planned sewer service areas would generally be limited to areas which have been committed to residential use through past platting, residential zoning, or have historically been included in a sanitary district.

Under the plan, additional urban residential development in the Town would include the following:

- New and infill residential development, primarily at medium density, in the Lyons and Country Estates- Springfield urban service areas.
- Infill development, primarily at low-density and suburban density, on existing platted lots and certain other areas which have been zoned for urban residential use located beyond the planned urban service areas. Most of these lots occur within the urban residential enclaves located outside the planned urban service areas shown on Map 14.

With the aforementioned development, about 1,137 acres, or 5 percent of the Town, would be devoted to urban residential uses in 2035. The plan designates an additional 513 acres for medium density residential development between 2010 and 2035, which is ample area to accommodate the projected increase of about 180 households (dwelling units) in the Town between 2010 and 2035.

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<sup>7</sup> The term conservation subdivision is used here in a general sense. The Wisconsin Statutes define the term "conservation subdivision" as housing development in a rural setting that is characterized by compact lots and common open space, where the natural features of the land are maintained to the greatest extent possible.



### ***Rural Residential Development***

As already noted, rural residential development has been defined as residential development at a density of no more than one dwelling per five acres. The plan envisions the following with respect to new rural residential development:

- Rural residential development at a density of five to 19 acres per dwelling would be accommodated only in areas where such development is permitted under existing zoning. Rural residential development at a maximum density of one dwelling per five acres is permitted under the C-2 Upland Resource Conservation District, which has been applied to upland environmentally sensitive lands and certain other lands in the Town (see Map 8).
- In other rural areas (excluding areas identified as farmland preservation areas), new rural residential development would be limited to one dwelling unit per 20 acres.
- To the maximum extent possible, and as required by the Town Land Division Ordinance, new rural residential development should utilize conservation design.

### **Commercial Development**

Under the plan, additional commercial development in the Town would include the following:

- Neighborhood retail and service development on lands already zoned for business use in the Lyons urban service area.
- Neighborhood retail and service development on lands already zoned for business use in the Country Estates-Springfield urban service area.
- Infill commercial development along STH 50, east of Curtis Street, and commercial development in the portion of the Town located in the southwest quadrant of the STH 50/USH 12 interchange. Both of these areas are located in the Lake Geneva urban service area.
- Continued commercial development of the site located east of STH 120, south of the Lyons Industrial Park, consistent with existing highway business (B-4) zoning. This site would continue to be developed without public sanitary sewers.

With the aforementioned development, 76 acres, or less than 1 percent of the Town, would be developed for commercial uses in 2035. This acreage excludes commercial development within the Grand Geneva Resort (see section titled "Resort Recreational" for information about Grand Geneva).

### **Industrial Development**

Under the plan, new industrial development would be limited to infill development in areas already committed to such use, including the Lyons Industrial Park and existing industrial uses in Springfield. About 64 acres are designated for industrial use on the land use plan map.

### **General Recreational Development**

Recent recreational development in the Town includes the acquisition and partial development of a new County park and development of the White River Trail. The Town has also provided a picnic table and a

trail connection in the area south of the new Town Hall, and operates Riverview Park, Lake Ivanhoe Park, and a playground in Lyons on the south side of the bike trail.

Under the plan, new recreational development in the Town would include development of a new public park in the Country Estates-Springfield area. The park could be developed as a neighborhood park to serve the residents of the Country Estates-Springfield area, or as a community park serving all Town residents. A new neighborhood park should provide space and facilities for such activities as softball, playground activities, and picnicking, and would require 10 to 15 acres to accommodate active and passive recreational uses. A community park may include a regulation ball diamond and potentially restrooms and a parking area, in addition to playground equipment and picnicking facilities, and would likely require a minimum of 25 acres.

While the Country Estates Condominium provides a park for its residents, the proposed park would be available to the public at large. The size of the new park should be determined based on consideration of whether the park would serve primarily as a neighborhood park or a park for all Town residents. The plan map (Map 14) identifies a potential location for the proposed park in an area just south of the Country Estates development. It should be recognized that this denotes a general site location, with the selection of a specific location to be determined through further study.

About 310 acres are designated for General Recreational on Map 14. This acreage does not include any additional acreage associated with the potential new Town park.

### **Resort Recreational Development**

The Grand Geneva Resort and Spa is located in the southwestern portion of the Town. Grand Geneva provides two 18-hole regulation golf courses, a ski hill, and facilities for numerous other outdoor, as well as indoor, recreational activities. It is envisioned that the resort will continue to develop additional recreational facilities over time, while preserving the important natural features on the Resort grounds.

The Grand Geneva grounds include a lodge with 355 guest rooms along with two condominium complexes. Since adoption of the Town comprehensive plan in 2005, vacation condominium units and the 225-unit Timber Ridge Lodge and Water Park have been constructed on the resort grounds. The Resort encompasses about 546 acres, excluding primary environmental corridors, isolated natural resource areas, surface water, and the airstrip located on the Resort grounds. In all, the Resort encompasses 1,190 acres.

### **Governmental and Institutional**

Governmental uses in the Town include a new combined Town Hall, Fire Station, Sheriff's Substation, and Highway Department on Hospital Road near its intersection with STH 36, which was constructed about the time the comprehensive plan was adopted in 2005, and a post office in Springfield. Institutional uses include the Walnut Grove assisted living facility on STH 50 near the City of Lake Geneva; Lyons Center School in Lyons; the Mt. Zion church, school, and treatment center on STH 120 north of Lake Geneva; St. Joseph's church and school in Lyons; a tornado shelter in the Country Estates Condominium; and several small cemeteries.

Governmental and institutional uses encompass about 67 acres on the land use plan map. No significant changes are anticipated in the area of the Town devoted to governmental or institutional uses under the plan.



### **Utilities**

Utility uses in the Town include several telecommunications facilities, shown on Map 3 and Table 6, above-ground facilities in Springfield associated with an underground We Energies gas pipeline, and sewage treatment facilities in Lyons and Springfield. About 38 acres of utility uses are shown on the land use plan map. No significant changes are anticipated in the area of the Town devoted to utility uses under the plan.

### **Extractive Uses**

There is currently one large nonmetallic mineral extraction operation in the Town, located just north of the USH 12/STH 120 interchange near the City of Lake Geneva. The comprehensive plan envisions continued mining activity at this site in accordance with existing zoning.

### **Farmland Preservation Area**

Under the Walworth County Farmland Preservation Plan adopted by the County Board in 2013, prime agricultural lands are defined as tax key parcels which meet certain size and soil productivity standards and which occur in a block of similar farmland of at least 100 acres in size. To be considered prime, the tax key parcel must be at least 35 acres in size, with at least one-half of the area of the parcel covered by soils in agricultural capability Classes I, II, or III, as classified by the U.S. Natural Resources Conservation Service. This definition is consistent with the County comprehensive plan and zoning ordinance and with the Town comprehensive plan adopted in 2005. The recommended farmland preservation areas shown on the Town land use plan map (Map 14) include nearly all existing prime agricultural land defined above, except prime agricultural parcels located within the planned urban service areas.

The Farmland Preservation Areas shown on Map 14 encompass about 7,910 acres, equivalent to 12.4 square miles, or 36 percent of the Town. In general, the plan recommends that Farmland Preservation Areas remain in agricultural use. Farm dwellings may be allowed in accordance with the requirements of the County A-1 zoning district, typically at a density of one dwelling unit per 35 acres. The plan would not, however, preclude residential development at less than 35 acres per dwelling unit where this is allowed under existing zoning. For example, existing substandard lots could be developed with a single-family home as provided for under the County zoning ordinance. The plan does not propose to increase the extent of the A-1 Prime Agricultural Land zoning district in the Town.

### **Primary Environmental Corridors**

As indicated earlier in this report, primary environmental corridors are elongated areas in the landscape which contain concentrations of the most important remaining elements of the natural resource base. By definition, these corridors are at least 400 acres in area, two miles long, and 200 feet in width. Primary environmental corridors in the Town of Lyons include wetlands and other lowland resources along Ivanhoe Creek and the White River and their tributaries, as well as upland woodlands and wildlife habitat areas within the White River and Ivanhoe Creek subwatersheds. About 5,437 acres, or 25 percent of the Town, are located in the primary environmental corridor shown on Map 14. The preservation of the existing primary environmental corridors is critical to the maintenance of the overall quality of the environment of the Town; and conversely, since these corridors are generally physically unsuited for urban development, such preservation will help prevent developmental problems.

The Town comprehensive plan recommends that primary environmental corridors be preserved in natural, open uses. Development within such corridors would be limited to essential transportation and utility

facilities, compatible outdoor recreational facilities, and, on a limited basis, rural-density residential development at a density of no more than one dwelling per five acres of upland corridor. Where accommodated, rural residential development should be carefully planned to protect existing resources, avoiding steep slopes, poorly drained soils, and other physical constraints. To the maximum extent possible and in accordance with Town land division ordinance requirements, new rural-density residential development should utilize conservation subdivision design.

### **Secondary Environmental Corridors and Isolated Natural Resource Areas**

Also identified as environmentally significant lands on the Town land use plan map are secondary environmental corridors and isolated natural resource areas. Secondary environmental corridors contain a variety of natural resource elements, often being remnants of primary environmental corridors that have been partially converted to agricultural or urban uses. By definition, secondary environmental corridors are at least 100 acres in size and one mile in length. Isolated natural resource areas consist of smaller pockets of wetlands, woodlands, or surface water that are isolated from the primary and secondary environmental corridors. By definition, isolated natural resource areas are at least five acres in size. About 805 acres, or 4 percent of the Town, are located within the secondary environmental corridors shown on Map 14, and about 412 acres, or 2 percent of the Town, are located within isolated natural resource areas.

The Town comprehensive plan recommends that secondary environmental corridors and isolated natural resource areas be preserved, with land development limited to that envisioned under the plan for primary environmental corridors, as described above. An exception would be where existing secondary environmental corridors or isolated natural resource areas have been identified as Farmland Preservation Areas in the County Farmland Preservation Plan, and are located in the A-1 zoning district. Uses permitted under the A-1 zoning district would be allowed, provided any proposed use complies with applicable shoreland and/or wetland regulations.

### **Other Rural Land**

Under the plan, the rest of the Town, including those areas which have been designated neither for future urban use nor for preservation as environmental corridors, isolated natural resource areas, or farmland preservation areas, are identified as "other rural land." Such lands encompass about 3,995 acres, or 18 percent of the Town, under planned conditions. The plan proposes that these areas, which are shown in white on the land use plan map, be retained in rural use. Appropriate uses include the continuation of existing agricultural activity; creation of smaller farms, including hobby farms and horse farms; and rural-density residential development.

As already noted, rural residential development is defined as development at a density of no more than one dwelling unit per five acres. The plan recommends that, with the exception of lands already placed in the C-2 Upland Resource Conservation District under County zoning (which permits five-acre density development), new residential development in the "other rural land" category be limited to one dwelling unit per 35 acres in the A-1 zoning category and one dwelling unit per 20 acres in the A-2 zoning category.

To the maximum extent possible and in accordance with the Town land division ordinance, new rural residential development should utilize conservation subdivision design.



## **DESIGN AND AESTHETIC CONSIDERATIONS**

The Town comprehensive plan is intended to help preserve the Town's rural character and natural beauty. This section deals with certain tools which can help achieve this goal.

### **Conservation Subdivision Design**

Conservation design for housing development is encouraged to protect the rural character of the Town while allowing residential development. Residential development should be accommodated on a limited basis under the plan in upland environmentally significant areas and in areas identified as other rural lands. In general, such development would be accommodated at rural densities consistent with existing zoning. Where such development is accommodated, the use of conservation subdivision design is recommended or may be required by the Town Land Division Ordinance.

In comparison to conventional designs, conservation subdivision designs afford greater opportunity for preserving open space, including environmental corridors and isolated natural resource areas, and maintaining the rural character of the landscape. Conservation subdivisions also provide opportunities for preserving or establishing open space/natural resource areas and/or connections between environmental corridors or other natural resource areas. When properly designed, conservation subdivisions can minimize the visual impact of the permitted residential development and preserve significant natural features and other open space. Such designs may decrease the total amount of impervious surface attendant to the development. Infrastructure costs borne by the developer and public infrastructure maintenance costs may be reduced due to shortened street and utility lengths.

The single most important design consideration in the layout of conservation subdivisions is that the development should be designed around the open space. That is, the areas for open space preservation should be set aside before streets and lots are laid out. The process for designing a conservation subdivision should take place in three basic steps: 1) identification and analysis of all natural and man-made features; 2) delineation of areas to be preserved; and 3) the layout of dwelling locations and the street and lot patterns. These three steps are described and illustrated in Appendix B of the comprehensive plan adopted in 2005.

### **Design Ordinances and Guidelines**

Design regulations or design guidelines pertaining to individual development sites may also be used to help preserve rural character and, more generally, to help ensure that new development is consistent with local aesthetic standards. The possible scope of such design guidelines or regulations is discussed in Chapter VII of the comprehensive plan report adopted in 2005.

### **Night Sky**

One of the characteristics of rural areas is a "dark sky" at night time, offering opportunities for stargazing. Town officials value this aspect of the rural environment of the Town, and wish to limit artificial lighting to the extent necessary to meet safety and security needs. Residents and businesses in the Town are encouraged to shield outdoor lighting fixtures and project lighting downward to maintain security while limiting light spillover on adjacent properties and scattered illumination into the night sky. Use of motion sensors where lights automatically turn on when a moving object is detected within a certain distance from the fixture are also encouraged, rather than lights that are on through the night.

## **RECOMMENDED ARTERIAL STREETS AND HIGHWAYS**

The arterial highway recommendations of the Walworth County jurisdictional highway plan, as documented in SEWRPC Planning Report No. 15, 2<sup>nd</sup> edition, *A Jurisdictional Highway System Plan for Walworth County: 2035*, are summarized on Map 13. That plan was adopted by the Walworth County Board of Supervisors in 2011.

The Town plan incorporates the recommendations of the jurisdictional highway plan for the widening from two to four lanes of STH 120 between STH 36 and USH 12, and the change from State to County jurisdiction of STH 36 east of STH 120. The only arterial street under Town jurisdiction recommended in the jurisdictional highway plan is that portion of South Road south of STH 50 and the Lyons-Bloomfield Town Line. Arterial designation of South Road extends to its intersection with Bloomfield Road in the Village of Bloomfield.

As shown on Map 14, the land use element of the Town comprehensive plan recommends that, outside the planned urban service areas, the lands along the arterial highway corridors through the Town should remain in agricultural and other rural uses. The plan seeks to avoid urban strip development along the highway corridors, in keeping with the general plan goal of maintaining a clear distinction between the urban and rural areas of the Town.

## **RECOMMENDED BICYCLE FACILITIES**

As shown on Map 11, the Walworth County Park and Open Space Plan recommends two bicycle routes through the Town: the White River State Trail, located in the former Chicago, Milwaukee, St. Paul, and Pacific Railroad right-of-way through the Town, and a route proposed to be located along the White River from the State trail to White River County Park, and in the right-of-way of Sheridan Springs Road from the Park to the City of Lake Geneva. A more direct connecting trail from the State trail to the County park is also recommended, and would have both on- and off-street sections.

The Town does not support the development of the proposed off-street trail along the White River or the bicycle route within the right-of-way of Sheridan Springs Road. The Town determined that the existing White River State Trail could provide an adequate bicycleway connection between the Cities of Burlington and Lake Geneva if the Trail is appropriately linked to bicycle routes emanating from the north side of the City of Lake Geneva. This could include development of an off-street bicycle path within the right-of-way of STH 120 between the City and the Trail crossing in Springfield at the time the highway is widened from two to four lanes. The County park and open space plan also includes a proposed north-south connection from the existing White River State Trail to the new White River County Park that would not require development of a new trail along the White River to provide trail access to the County park.

The Town will forward a recommendation to Walworth County to consider removing the proposed off-street trail along the White River east of White River County Park and the on-street bicycleway along Sheridan Springs Road west of White River County Park when the County updates its comprehensive plan in 2017-18, and when the Walworth County Park and Open Space Plan is next updated.



## SUMMARY

This chapter presents the land use element of the Town of Lyons comprehensive plan for the year 2035. The plan represents a refinement and update of the regional land use plan and the Walworth County comprehensive plan in accordance with the Town land use objectives set forth in Chapter VI of the 2005 comprehensive plan report. The most important recommendations of the Town plan include the following:

1. New urban development should occur within planned urban service areas which provide basic urban services and facilities including sanitary sewer service. New urban development outside planned urban service areas should be limited, for the most part, to infill residential development on existing platted land and other areas which have been zoned for urban residential use.
2. Farmland Preservation Areas should be preserved except as needed to accommodate urban development within planned urban service areas.
3. Environmentally significant areas—including primary and secondary environmental corridors and isolated natural resource areas—should be preserved in essentially natural, open uses, with development limited to essential transportation and utility facilities, compatible outdoor recreational facilities, and, on a limited basis, rural residential development.
4. In addition to Farmland Preservation Areas and environmentally significant lands, other areas of the Town located beyond the planned urban service areas should be retained in rural use, with any new rural development located and designed to maintain and enhance the natural beauty and rural character of the landscape.
5. New rural density residential development, while not encouraged, may be accommodated at a density of no more than one dwelling unit per five acres on lands which have been placed in the C-2 Upland Resource Conservation zoning district, which has been applied to most upland environmental corridors and to certain other lands. New rural density residential development may be accommodated at a density of no more than one dwelling per 20 acres on lands which have been placed in the A-2 Agricultural Land District. Where it is accommodated, rural density residential development should use conservation subdivision design.

The land use element of the comprehensive plan is intended to serve as a long-range guide to land development and open space preservation in the Town of Lyons. Consistent application of plan recommendations will help to achieve an attractive, compact, and functional urban development pattern which can be efficiently provided with basic urban services and facilities; to maintain and preserve the most important environmental and agricultural resources of the Town; and to retain and enhance the Town's natural beauty and cultural heritage.

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**AMENDMENT 2016-01  
ATTACHMENT B**

**AMENDMENTS TO IMPLEMENTATION ELEMENT**

1. The section titled "Communication Towers" on pages 84 and 85 in Chapter VIII of the 2005 Comprehensive Plan report is repealed and replaced with the following section:

"Access to internet service has become increasingly important to businesses and households, including small businesses such as farms. Broadband services are also important to schools, health care, and government services, which rely on modern technology to share information and conduct business efficiently. Access to efficient and affordable internet services has also become an expectation by a large segment of the population, who rely on internet service to conduct personal business, work from home, stay in touch with family and friends, and for personal enjoyment (video games and movies, for example).

Internet service is slow and unreliable in parts of the Town. The need for expanded fiber optic or other reliable form of fast, reliable, and affordable internet service for all businesses and residents is an important goal of the Town. The Town will consider working with the UW-Extension Broadband and E-Commerce Education Center and the Wisconsin Public Services Commission to develop a program to partner with broadband providers to expand the availability of affordable, higher-speed broadband internet services in the Town. This may include applying for available grants and/or cooperating with surrounding communities to improve broadband services. The Town will also consider working with other units and agencies of government and private utilities to install fiber optic lines in conjunction with street, trail, and utility projects.

The Town recognizes that telecommunications towers are essential in today's society, but has concerns related to the impact of such towers on the scenic beauty of the Town. Town officials encourage telecommunications companies to co-locate antennas on existing or a limited number of new towers to the extent possible, and to cooperate with the Town to consider aesthetics when locating new facilities, within the limits on Town authority dictated by Section 66.0404 of the Wisconsin Statutes."

2. The section titled "Plan Reevaluation" on pages 86 and 87 in Chapter VIII of the 2005 Comprehensive Plan report is repealed and replaced with the following section:

**"PLAN EVALUATION AND UPDATE**

**Minor Amendments**

1. The Town Board may amend the Town of Lyons Comprehensive Plan at any time, following the procedure set forth for plan amendments in Section 66.1001(4) of the Wisconsin Statutes and the Public Participation Plan for comprehensive plan amendments adopted by the Town of Lyons Town Board.
2. Minor amendments may be appropriate throughout the life of the plan, particularly if new issues emerge or trends change.

*REVISED FOR AUGUST 2016 PLAN COMMISSION AND TOWN BOARD MEETINGS*



3. Amendments should typically consist of minor changes to the plan text or maps.
4. Large-scale changes or significant shifts in policy should be deferred to the Periodic Update process described below.

### **Periodic Updates**

1. The Town Plan Commission will review and evaluate the plan 10 years after the initial adoption of the Town of Lyons Comprehensive Plan, and at least every 10 years thereafter, and recommend appropriate amendments to the Town Board.
2. As part of its review, the Plan Commission will:
  - a. Solicit recommendations for amendments from the public, using the procedures described in the Public Participation Plan adopted by the Town Board.
  - b. Review amendments to the Multi-Jurisdictional Plan for Walworth County adopted by the County Board during the preceding 10 years.
  - c. Review the plan objectives, principles, and standards to ensure they are still relevant and reflect Town desires.
  - d. Review policies and implementation strategies to eliminate completed tasks and identify new approaches if appropriate.
  - e. Review population, household, and employment data and projections and determine if the plan design year should be extended to reflect updated projections and/or if updates should be made to the plan to accommodate new or projected household and employment levels.
  - f. Review the Land Use Plan map and inventory data and maps, and determine if there is a need to update maps and/or data.”

