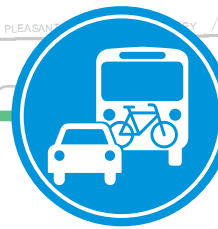


A COMPREHENSIVE PLAN UPDATE FOR THE TOWN OF POLK: 2050

WASHINGTON COUNTY, WISCONSIN



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**TOWN REPRESENTATIVES ON THE
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Albert Schulteis
Robert Roecker (Alternate)

**SOUTHEASTERN WISCONSIN REGIONAL
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Kevin J. Muhs, AICPDeputy Director
Christopher T. Hiebert, PE.....Chief Transportation Engineer
Laura L. Herrick, PE, CFM.....Chief Environmental Engineer
Elizabeth A. Larsen, SPHR, SHRM-SCP.....Assistant Director-Administration
Eric D. Lynde.....Chief Special Projects Planner
Benjamin R. McKay, AICPChief Community Assistance Planner
Rob W. Merry, PLSChief Surveyor
Nakeisha N. Payne.....Public Involvement and Outreach Manager
David A. SchillingChief Land Use Planner
Dr. Thomas M. SlawskiChief Biologist

COMMUNITY ASSISTANCE PLANNING REPORT
NUMBER 295 (2ND EDITION)

**A COMPREHENSIVE PLAN UPDATE FOR THE TOWN OF POLK: 2050
WASHINGTON COUNTY, WISCONSIN**

Prepared by the
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, Wisconsin 53187-1607
www.sewrpc.org

This plan update was prepared in conjunction with the Washington County Multi-Jurisdictional Comprehensive Plan Update.

February 2018

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BACKGROUND

The Wisconsin legislature enacted a comprehensive planning law in 1999, set forth in Section 66.1001 of the *Wisconsin Statutes*. The 1999 requirements supplement earlier provisions in the Statutes for preparing county development plans (Section 59.69(3)) and local master plans (Section 62.23), and provide a framework for developing, adopting, implementing, amending, and updating comprehensive plans in Wisconsin. The law includes a “consistency” requirement, whereby zoning, subdivision, and official mapping ordinances adopted and enforced by counties, cities, villages, and towns must be consistent with the comprehensive plan adopted by the county or local unit of government.

A multi-jurisdictional planning process was undertaken by Washington County, the Town of Polk and 10 other local government partners, UW-Extension, and SEWRPC from 2005 through 2009 to address the comprehensive planning requirements. This process resulted in the adoption of comprehensive plans by the County and each local government partner that satisfy the Statute requirements. Polk’s original comprehensive plan is documented in the first edition of this report, *A Comprehensive Plan for the Town of Polk: 2035*, which was adopted by the Town Board on September 10, 2009.

The first edition of the Town’s comprehensive plan is an extensive report that includes a wide-range of data and mapping. The first edition also includes the nine comprehensive planning elements and corresponding goals, objectives, policies, and programs required by the comprehensive planning law.¹ Section 66.1001(2)(i) of the Statutes requires that the plan be updated no less than once every ten years, but it does not specify what the update must include or how extensive it must be. Based on discussion between Town officials and SEWRPC staff, this update to the plan focuses on updating the land use plan map, which is a visual representation of the comprehensive plan that serves to support the goals and objectives set forth in the first edition of the plan. Minor text amendments were also adopted as part of this plan update, and documented in this report. The ordinances adopted during the plan update process are included in Appendix A.

TOWN OF POLK LAND USE PLAN UPDATE

Land Use Plan Map Overview

The land use plan for the Town of Polk, which updates the comprehensive plan from a design year of 2035 to a design year of 2050, is presented on Map 9 (2017 update). Table 1 sets forth the number of acres and percent of the Town in each land use category on the land use plan map. The Town of Polk land use plan generally envisions a rural town with agricultural, large-lot residential, extractive, and recreational uses. Exceptions include existing urban development and new urban uses along USH 45 and STH 60 and adjacent to the Village of Jackson on the east, Slinger on the west, and the Cabela’s store adjacent to the southeast corner of the Town. Recommendations related to future land uses are included in the land use category descriptions to follow and the goals, objectives, policies, and programs presented Chapter VI, Part 4 of the first edition of this plan.

Land Use Plan Map Updates

The following is a list of updates made to the year 2050 land use plan map as part of this update to the Town’s comprehensive plan:

- Updates to reflect the amendment adopted by the Town Board to change land designated as Mixed Use to Mixed Use-Residential/Commercial located within the Town of Polk, Section 12 (see Exhibit A of Ordinance No. 02.2017 for parcel information)
- Updates to the map legend to reflect the new Mixed Use – Residential/Commercial land use category and renaming of the former Mixed Use category to Mixed Use – Commercial/Industrial
- Updates to include the three comprehensive plan amendments adopted by the Town Board between May 28, 2014, and April 11, 2017

¹ The nine elements include: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural, and Cultural Resources; Economic Development; Intergovernmental Cooperation; and Implementation.

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- Updates to reflect municipal and parcel boundaries as of January 2017
- Updates to reflect planned sewer service area boundaries as of June 2015
- Updates to the Street and Highway Rights-of-Way land use category to reflect the Commission's 2015 existing land use inventory

Land Use Plan Categories

The land use plan categories describe the range of urban and rural development as designated on the Town's year 2050 land use plan map (Map 9). Descriptions of each of the categories shown on the land use plan map follow.

Agricultural or Rural Residential

Agricultural and rural residential uses occupy 11,254 acres, or about 56 percent of the Town, on the 2050 land use plan map. The agricultural and rural residential category would allow all agricultural uses, as well as rural-density residential development with an average density of at least five acres per home. The plan encourages the continuation of agricultural activity in these areas, whether it is conventional farming or hobby farming.

Suburban Density Residential

Suburban density residential uses occupy 1,072 acres, or about 5 percent of the Town, on the 2050 land use plan map. The suburban density residential category is intended to accommodate single-family homes in subdivisions, on lots of between 60,000 square feet (about 1.5 acres) and five acres in size. Most of the areas shown in this category are existing residential subdivisions, existing residential development in the hamlets of Cedar Creek and Mayfield, and residential areas around Big and Little Cedar Lakes. Many of the residential areas in this category were platted prior to the adoption of zoning regulations and are smaller than the 60,000 square feet or five acres that would be required under the R-1 and A-1 districts, respectively, in the Town zoning ordinance.

Mixed Use – Commercial/Industrial

The Mixed Use – Commercial/Industrial category occupies 1,826 acres, or about 9 percent of the Town, on the 2050 land use plan map, and is intended to accommodate business, industrial, institutional, and other non-residential uses, in accordance with the Town zoning map and ordinance. It is envisioned that individual parcels within the area designated for mixed use would be placed in a business, industrial, institutional, or park zoning district, rather than a variety of uses and zoning districts being placed on a single parcel. Mixed use areas are located along major arterial highways to provide access to future businesses, to minimize truck traffic in agricultural and suburban density residential areas, and to separate or buffer residential uses from the noise associated with major highways.

Mixed Use – Residential/Commercial

The Mixed Use – Residential/Commercial category occupies 79 acres, or less than 1 percent of the Town, on the 2050 land use plan map and is intended to accommodate a mix of multifamily residential with business, institutional, and park uses in accordance with the Town zoning map and ordinances. It is envisioned that individual parcels within the area designated for Mixed Use – Residential/Commercial would be placed within a planned unit overlay district (PUD). R-2 multifamily use in the mixed use residential district must be served by municipal sanitary sewerage and water systems.

Industrial

The plan envisions that the areas devoted to industrial land uses would occupy 257 acres, or about 1 percent of the Town. This category would accommodate manufacturing and other industrial uses, such as

Table 1
Planned Land Uses in the Town of Polk: 2050

Land Use Category	Acres	Percent
Agricultural or Rural Residential	11,254	56.0
Suburban Density Residential	1,072	5.3
Mixed Use - Commercial/Industrial	1,826	9.1
Mixed Use - Residential/Commercial	79	0.4
Industrial	257	1.3
Institutional	270	1.3
Park	867	4.3
Extractive	780	3.9
Street and Highway Rights-of-Way	1,465	7.3
Railroad Rights-of-Way	144	0.7
Wetlands	1,824	9.1
Surface Water	256	1.3
Total	20,094	100.0
Overlay Category		
Primary Environmental Corridor	2,956	14.7

Source: Town of Polk and SEWRPC

outdoor storage of commercial vehicles, building materials, and asphalt plants. Industrial areas may also be allowed within areas designated as “Mixed Use – Commercial/Industrial.”

Institutional

The Institutional land use category includes governmental and institutional buildings and grounds for which the primary function involves administration, safety, health, or educational purposes; and also includes churches and cemeteries. Major institutions in the Town include the Town Hall and Park, St. Joseph’s Hospital, a Carmelite convent, and several churches and cemeteries. There are 270 acres, or about 1 percent of the Town, in this category.

Park

The Park land use category includes lands developed with facilities for public and private outdoor recreation. It includes both public parks and privately owned recreational areas. The plan envisions that the areas devoted to park and recreational uses would occupy 867 acres, or about 4 percent of the Town, in 2050.

Street and Highway Rights-of-Way

All existing street and highway rights-of-way (as of 2015) are shown on Map 9 as a separate category. Chapter VIII of the first edition of this plan provides additional information regarding planned transportation facilities in the Town. There are 1,465 acres, or about 7 percent of the Town, within existing street and highway rights-of-way.

Railroad

Railroad rights-of-way occupy 144 acres, or about 1 percent of the Town, on the 2050 land use plan map, and reflect the existing Canadian National (CN) and Wisconsin and Southern (WSOR) Railroad tracks and right-of-way in the Town. Both railroads operate on the same tracks (owned by the CN) for about three miles in the Town.

Extractive

Extractive uses include three sand and gravel operations, which are described in Chapter VI, Part 2 of the first edition of this plan. Extractive lands identified on the land use plan map include existing and planned areas to be used for nonmetallic mining operations, and encompass 780 acres, or about 4 percent of the Town. All nonmetallic mining uses require the preparation of a reclamation plan for re-use of the site when mining is completed.

Primary Environmental Corridors and Other Environmentally Significant Areas

To effectively guide urban development 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 natural resources. Locating new development outside primary environmental corridors and other environmentally sensitive 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.

This comprehensive plan recommends substantial preservation of remaining primary and secondary environmental corridors, isolated natural resource areas, wetlands, and floodplains. Primary environmental corridors are shown as an overlay on Map 9. Primary and secondary environmental corridors and isolated natural resource areas are shown on Map 7, and wetlands and floodplains are shown on Map 8 in the first edition of this plan.

Policies and programs to protect environmentally sensitive areas are included in Chapter V, Part 4 of the first edition of this plan. Table 2 sets forth guidelines for development considered compatible with environmental corridors and isolated natural resource areas. The guidelines recognize that certain transportation and utility uses may of necessity have to be located within environmental corridors/isolated natural resource areas and that limited residential and recreational uses may be accommodated in such areas. Under the guidelines, residential development would be limited to areas outside wetlands, surface waters, and floodways (upland areas) at an overall density of no more than one dwelling unit per five upland acres. In lieu of rural density

Table 2
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																
	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	Rural Density Residential Development (see General Development Guidelines below)	Other Development (see General Development Guidelines below)
Lakes, Rivers, and Streams	-- ^e	-- ^{f,g}	--	-- ^h	-- ⁱ	--	--	X	X	--	--	--	--	--	--	--	--
Riparian Buffer ^j	X	X	X	X	X	X	--	X	X	--	X	--	--	X	X	--	--
Floodplain ^k	-- ^j	X	X	X	X	X	--	X	X	--	X	X	--	X	X	--	--
Wetland ^m	-- ^j	X	--	--	X ⁿ	--	--	--	X	--	-- ^o	--	--	--	--	--	--
Wet Soils	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	--	-- ⁹	--	--	-- ^r	--	--	--	--	--	--	--	--	--	--	--	--
Park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	--	--
Historic Site	--	-- ⁹	--	--	-- ^r	--	--	--	--	--	--	--	--	X	--	--	--
Scenic Viewpoint	X	X	--	--	X	X	X	--	X	X	X	--	--	X	X	X	X
Natural Area or Critical Species Habitat Site	--	--	--	--	-- ^g	--	--	--	--	--	--	--	--	--	--	--	--

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 VISION 2050:

- 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.

Table continued on next page.

- 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 multifamily structures. When rural residential development is accommodated, cluster subdivision designs are strongly encouraged.
- 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 homesteads 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

^a *The 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.

Riparian Buffer: 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 1 percent annual probability 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 that 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.

^b Includes such improvements as stream channel modifications and such facilities as dams.

^c Includes 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.

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

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

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

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

^h Certain 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.

ⁱ Bridges for trail facilities may be constructed over such resources.

^j Previous editions of these guidelines identified this category as "Shoreland," rather than "Riparian Buffer." Riparian buffers, as defined in footnote "a" of this table, typically would be located within a State-defined shoreland area (see Chapters NR 715 and NR 717 of the Wisconsin Administrative Code).

^k Consistent with Chapter NR 116 of the Wisconsin Administrative Code.

^l Streets 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.

Table continued on next page.

Table 2 (Continued)

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

ⁿ Only an appropriately designed boardwalk/trail should be permitted.

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

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

^q Only if no alternative is available.

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

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

Source: SEWRPC

residential development, up to 10 percent of the upland corridor area may be disturbed in order to accommodate urban-density residential, business, industrial, or other urban development.

Wetlands

Wetlands encompass 1,824 acres, or about 9 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 of the first edition of this plan 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.

The location of wetlands on the land use plan map is based on the Wisconsin Wetlands Inventory completed in 1982, updated to the year 2000 as part of the regional land use inventory. The wetland inventory was updated to 2005 (the 2005 wetland inventory for the Town is shown on Map 18 in the Implementation Element (Chapter XII) of the first edition of this plan). 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 should be conducted to identify wetland boundaries at the time a parcel is proposed to be developed or subdivided.

Surface Water

The Surface Water land use category includes lakes, ponds, rivers, and streams. Surface waters encompass 256 acres, or about 1 percent of the Town. Major surface waters include portions of Big and Little Cedar Lakes, Tilly Lake, the Coney River, and Cedar Creek.

Land Use Plan Category Updates

The following is a list of updates made to the year 2050 land use plan categories as part of this update to the Town’s comprehensive plan:

- Updates to reflect the land use category text amendments adopted by the Town Board (see Text Amendment #4 in Exhibit A of Ordinance No. 01.2017)
- The term “Mixed Use” was replaced with the term “Mixed Use-Commercial/Industrial” in the Industrial land use category description
- The term “shoreland” was replaced with the term “riparian buffer” in Table 2 based the 2016 update to the regional land use plan documented in *VISION 2050: A Regional Land Use and Transportation Plan for Southeastern Wisconsin*

ADDITIONAL TEXT AMENDMENTS

Additional minor text amendments were adopted by the Town Board as part of this plan update. These amendments are set forth in Exhibit A of Ordinance No. 01.2017. It should be noted that the acreages set forth in Table 1 of this report differ slightly from those set forth in the planned land use table included in Exhibit A due to an update to the Street and Highway Rights-of-Way land use category to reflect the Commission’s 2015 regional land use inventory and incorporating additional plan amendments and annexations that occurred between September 2009 and April 2017. It should also be noted that the plan design year is no longer 2035, as referenced in the title of the planned land use table included in Exhibit A.

RESOLUTIONS AND ORDINANCE ADOPTED DURING THE PLAN UPDATE PROCESS

APPENDIX A

ORDINANCE NO. 01.2017

**ORDINANCE ADOPTING AN AMENDMENT AND UPDATE TO
THE TOWN OF POLK COMPREHENSIVE PLAN**

The Town Board of the Town of Polk, Wisconsin, does ordain as follows:

SECTION 1. Pursuant to Sections 60.10(2)(c), 62.23, Section 61.35, and Section 60.22(3) of the *Wisconsin Statutes*, the Town of Polk 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, by the enactment of an ordinance, formally adopted the document titled "A Comprehensive Plan for the Town of Polk: 2035" as the Town comprehensive plan on 08 September, 2009.

SECTION 3. The Plan Commission, by a majority vote of the entire Commission at a meeting held on March 07, 2017, adopted a resolution approving the amendment and recommending adoption of the Amendment 2017.01 by the Town Board as the 10 year update to the Town comprehensive Plan as required by Section 66.1001(2)(i) of the *Wisconsin Statutes*.


SECTION 4. The Town published a Class 1 public notice and held public open house and a public hearing on February 15, 2017 to obtain public comments regarding the comprehensive plan amendment.

SECTION 5. The Town Board of the Town of Polk hereby adopts the proposed plan amendment.

SECTION 6. The Town Clerk is directed to send a copy of this ordinance and the plan amendment to the parties listed in Section 66.1001(4)(b) of the *Wisconsin Statutes*.

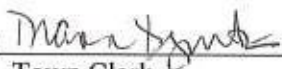
SECTION 7. This Ordinance shall take effect upon passage by a majority vote of the full membership of the Town Board and publication or posting as required by law.

ADOPTED this 14th day of March , 2017.


Town Chair

Ayes 3 Noes 0 Absent 0

Published/Posted: 3/16/17

Attest: 
Town Clerk

ORDINANCE DISTRIBUTION - 2017

ORDINANCE #: 01.2017

Village of Jackson
N168 W20733 Main Street
PO Box 637
Jackson, WI 53037

Mailed: 03/23/17

Village of Richfield
Attn: Clerk
4128 Hubertus Road
Hubertus, WI 53033

Mailed: 3/23/17

Town of Jackson
Attn: Clerk
3146 Division Road
Jackson, WI 53037

Mailed: 3/23/17

Town of Hartford
Attn: Clerk
3360 CTH K
Hartford, WI 53027

Mailed: 3/23/17

Town of West Bend
Attn: Clerk
6355 CTH Z
West Bend, WI 53095-9201

Mailed: 3/23/17

City of West Bend
Attn: Clerk
1115 S. Main Street
West Bend, WI 53095

Mailed: 3/23/17

Slinger Community Library
220 Slinger Road
Slinger, WI 53086

Mailed: 3/23/17

Wisconsin Department of Administration
Attn: Dawn Vick
PO Box 8944
Madison, WI 53707

Mailed: zoning

SEWRPC
Attn: Nancy Anderson
P.O. Box 1607
Waukesha, WI 53187-1607

Mailed: zoning

Washington County
Attn: Debora Sielski
432 E Washington Street
West Bend, WI 53095

Mailed: zoning

EXHIBIT A

Amendment Town of Polk 2035 Comprehensive Plan

Text Amendment #01

Glossary: Page 226

PROPOSED DEFINITION: Mixed Use – Residential/Commercial. A category on the land use plan map that would allow a parcel so designated to be zoned to accommodate a mix of multi-family residential, business, institutional, or park use. The multi-family residential use category must be located in a public sewer and water service area. Industrial Use would not be allowed on parcels designated as Mixed Use – Residential/Commercial. All rezonings to the R-2, B-1, I-1, or P-1 district would require approval by the Town Board.

PROPOSED AMENDMENT TO CURRENT DEFINITION: Mixed Use: RENAME TO: Mixed Use – Commercial/Industrial. A category on the land use plan map that would allow a parcel so designated to be zoned to accommodate a business, industrial, institutional, or park use. All rezonings to the B-1, M-1, I-1, or P-1 district would require approval by the Town Board.

Text Amendment #02

Chapter II EXISTING PLANS AND ORDINANCES

Part 3: TOWN LAND USE –RELATED PLANS AND ORDINANCES

Town of Polk Zoning Ordinance: Page 16

The Polk Town Board adopted a zoning ordinance in September 1971. The zoning ordinance was updated with amendments approved through March 2017. The zoning map for the Town was adopted in March 1988, and was most recently revised in August 2015. Zoning within the Town consists of nine basic zoning districts, and one overlay district as shown on Map 2. Table 1 presents a summary of district regulations included in the zoning ordinance.

Chapter XII SUMMARY

CHAPTER II- EXISITING PLANS AND ORDINANCES: 2017

Town of Polk Zoning Ordinance: Page 195

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 Polk Town Board adopted an updated zoning ordinance with amendments approved through March 2017. The zoning map for the Town was adopted in March 1988, and was most recently revised in August 2015. Zoning within the Town consists of nine basic zoning districts, and one overlay district. Washington County enforces shoreland and floodplain zoning regulations in shoreland areas in the Town of Polk.

Text Amendment #03

Chapter IV ISSUES AND OPPORTUNITIES ELEMENT

Vision Statement 2035 Page 36 and Page 198

“In 2035, the Town of Polk remains a beautiful place to live and raise a family. Its convenient location, generally large lots, and low residential density help the Town retain its rural character and remain distinct from nearby urban areas. Town government is responsive to citizens, is fiscally responsible, and makes the protection of natural resources a priority.”

Chapter XII IMPLEMENTATION ELEMENT

Chapter IV ISSUES AND OPPORTUNITIES ELEMENT - SUMMARY

Vision Statement 2035 Page 198

“In 2035, the Town of Polk remains a beautiful place to live and raise a family. Its convenient location, generally large lots, and low residential density help the Town retain its rural character and remain distinct from nearby urban areas. Town government is responsive to citizens, is fiscally responsible, and makes the protection of natural resources a priority.”

Text Amendment #04

Chapter VI – LAND USE ELEMENT

PART 3: TOWN OF POLK LAND USE PLAN Page 88

Mixed Use- Commercial/Industrial

The mixed-use commercial/industrial category occupies 1,839 acres, or about 9.1 percent of the Town, on the 2035 land use plan map, and is intended to accommodate business, industrial, institutional, and other non-residential uses, in accordance with the Town zoning map and ordinance. It is envisioned that individual parcels within the area designated for mixed use would be placed in a business, industrial, institutional, or park zoning district, rather than a variety of uses and zoning districts being placed on a single parcel. Mixed use areas are located along major arterial highways to provide access to future businesses, to minimize truck traffic in agricultural and suburban density residential areas, and to separate or buffer those residential uses from the noise associated with major highways.

Mixed Use - Residential/Commercial

The Mixed Use - Residential and Commercial Category occupies 81 acres or .04 percent of the Town, on the 2035 land use map and is intended to accommodate a mix of multifamily residential with business, institutional, and park uses in accordance with the Town zoning map and ordinances. It is envisioned that individual parcels within the area designated for mixed use residential/ commercial, would be placed within a planned unit overlay district (PUD). R-2 multifamily use in the mixed use residential district must be served by municipal sanitary sewerage and water systems.

Text Amendment #05

CHAPTER VI LAND USE ELEMENT

PART 4: LAND USE GOALS, OBJECTIVES, POLICIES, AND PROGRAMS Page 91

Policies:

- Use the Land Use Plan Map (Map 9) as a tool to implement the goals of this comprehensive plan.
- Provide zoning that supports local family farm operations, small specialty farms, and hobby farms to maintain agriculture as a part of the rural landscape.
- The Town of Polk does not support the use of regulatory tools to preserve farmland. The Town believes that farmland preservation should be on a volunteer basis. If the agricultural landowner chooses to be a working land enterprise area or participate in a purchase of development rights program, the Town would encourage such programs, provided they are funded by Federal, State, or County funds.
- Limit 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.

Chapter XII SUMMARY

Chapter VI LAND USE ELEMENT

TOWN OF POLK LAND USE PLAN

Paragraph #1 Page 203.

The land use plan map for the Town of Polk for the year 2035 is presented on Map 9 in Chapter VI. Table 31 in Chapter VI sets forth the number of acres and percent of the Town in each land use category on the Land Use Plan Map. The Town of Polk land use plan generally envisions a rural town with agricultural, large-lot residential, extractive, and recreational uses. Exceptions include existing urban development and new urban uses along USH 45 and STH 60 and adjacent to the Village of Jackson on the east, Slinger on the west, and the Village of Richfield at the southeast corner of the Town.

Text Amendment #06

Chapter VII HOUSING ELEMENT

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

Zoning Regulations PAGE 112

Zoning Districts

The Town of Polk zoning ordinance includes one multi-family residential zoning district, the R-2 District. The R-2 District is intended to provide for multi-family development (three or more dwelling units) as a conditional use within a mixed use Planned Unit Overlay District. Densities are not to exceed 10.9 dwelling units per net acre and must be served by municipal sanitary sewerage and water systems.

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. Minimum floor area requirements for single-family detached dwellings in the Town range from 1,200 square feet for one-story dwellings with basements to 1,400 square feet for multi-story dwellings; and for multifamily dwelling units, a minimum of 750 square feet for a one bedroom dwelling unit and a minimum of 950 square feet for a two bedroom dwelling unit.

Text Amendment #07

CHAPTER XII IMPLEMENTATION ELEMENT

CONSISTANCY BETWEEN THE COMPREHENSIVE PLAN AND TOWN ORDINANCE

Zoning Ordinance and Zoning Map Amendments

Zoning Ordinance Text Amendments Page 186

The Town plan includes a “Mixed Use-Business/Industrial” category, which is intended to accommodate business, industrial, institutional, and other non-residential uses. It is envisioned that individual parcels within the area designated for mixed use would be placed in the business (B-1), industrial (M-1), institutional (I-1), or park (P-1) zoning district, rather than a variety of uses and zoning districts being placed on a single parcel. The Town plan also includes a “Mixed- Use Residential/Commercial” category which is intended to accommodate a mix of multi-family residential with business, institutional and/or park uses. It is envisioned that individual parcels within the area designated for mixed use residential/commercial would be placed in the multi-family (R-2), business (B-1), institutional (I-1), or park (P-1) zoning district, within a planned unit development district (PUD) overlay. Applications to rezone parcels may be initiated by the property owner, Town Plan Commission, or Town Board in accordance with Section 11.00 of the Town Zoning Ordinance. Mixed use areas are located along major arterial highways to provide access to future businesses, to minimize truck traffic in residential areas, and to separate or buffer residential uses from the noise associated with major highways.

Zoning Map Amendments, Page 187

Following adoption of this plan by the Town Board, the Plan Commission will 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 that are designated on the land use plan map for mixed use, industrial, or extractive uses but are currently used for agriculture and zoned A-1 may remain in agricultural zoning as long as the parcel remains in agricultural use or is not developed for urban use. Rezoning that would accommodate mixed use, industrial, or extractive uses 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 or land division ordinances, a proposed site plan, preliminary plat, or certified survey map. Certified survey maps to create additional rural residential or suburban residential lots should not be approved in areas zoned A-1 and designated for mixed use, mixed use residential or industrial uses unless the land use plan map is amended to place the area in the “Agricultural or Rural Residential” category. New residential lots in the mixed use residential/commercial category should conform with the R-2 and PUD zoning district requirements.

Table 31 Page 89

PLANNED LAND USES IN THE TOWN OF POLK: 2035

Land Use Category	Acres ^a	Percent
Agricultural or Rural Residential.....	11,224	55.7
Suburban Density Residential	1,113	5.5
Mixed Use – Residential/Commercial	81	0.4
Mixed Use- Commercial/Industrial	1,839	9.1
Industrial	289	1.4
Institutional	277	1.4
Park	868	4.3
Extractive	775	3.9
Street and Highway Rights-of-Way	1,451	7.2
Railroad Rights-of-Way	144	0.7
Wetlands.....	1,827	9.1
Surface Water.....	256	1.3
Total	20,144	100.0
Overlay Category		
Primary Environmental Corridor.....	2,956	14.7

^aAcres do not reflect annexations of Town land that occurred after January 1, 2008. The Villages of Richfield and Slinger annexed approximately 47 and three acres, respectively, of Town land in 2008. The areas that were annexed are shown on Map 9.

Source: Town of Polk and SEWRPC.

Table 71 Page 186

TOWN OF POLK LAND USE PLAN CATEGORIES AND CORRESPONDING ZONING DISTRICTS

Land Use Plan Categories (see Map 9)	Corresponding Zoning Districts
Agriculture or Rural Density Residential	A-1 General Agricultural District
Suburban Density Residential	R-1 Single- Family Residential District
Mixed Use – Residential/Commercial a,b,e	R-2 Multi-Family Residential ^d B-1 Business District I-1 Institutional District P-1 Park District
Mixed Use – Commercial/Industrial ^{a, b}	B-1 Business District M-1 Industrial District I-1 Institutional District P-1 Park District
Industrial ^{a,b}	M-1 Industrial District
Institutional ^b	I-1 Institutional District
Park	P-1 Park District A-1 General Agricultural B-1 Business District ^c
Extractive ^{a,b}	Q-1 Quarrying District
Wetlands	All districts. Wetlands will be protected under Sections 2.08 and 2.09 of the Town Zoning Ordinance and Federal and State regulations. County regulations also apply to wetlands in the shoreland area
Primary Environmental Corridor (Overlay)	All districts. Primary environmental corridors will be protected under Sections 2.08 and 2.09 of the Town Zoning Ordinance and through use of the guidelines in Table 26 in Chapter V

^aThe A-1 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, or extractive use; however, certified survey maps to allow additional residential lots should not be approved unless the land use plan map is amended to change the plan designation to “Agricultural or Rural Density Residential.”

^bThe mixed use, industrial, institutional, and extractive land use categories allow agricultural, general farming, pasturage, and cash cropping in addition to the business, industrial, institutional, and extractive uses specified in the Town of Polk Zoning Ordinance for the corresponding zoning district.

^cThe B-1 zoning district may be applied to commercial recreational areas (such as driving ranges) designated as “Park” on the land use plan map.

^dThe R-2 zoning district must be located in a public sewer and water service area.

^e Industrial uses are not allowed on parcels designated as Mixed Use – Residential/Commercial.

Source: Town of Polk and SEWRPC.

ORDINANCE NO. 02.2017

ORDINANCE ADOPTING AN AMENDMENT TO THE
COMPREHENSIVE PLAN FOR THE TOWN OF POLK

The Town Board of the Town of Polk, 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 Polk 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, by the enactment of an ordinance, formally adopted the document titled "A Comprehensive Plan for the Town of Polk: 2035" as the Town comprehensive plan on 08 September, 2009.

SECTION 3. The Plan Commission, by a majority vote of the entire Commission at a meeting held on March 07, 2017, adopted a resolution approving an amendment of the land use plan map and recommended the adoption of the amendment to the Town Board to change the land use designation of a parcel/parcels of land as described on the attached Exhibit A from Mixed Use to Mixed Use Residential/Commercial on the Town land use plan map adopted by the Town Board as part of the ten year update to the Town comprehensive Plan required by Section 66.1101(2)(i) of the *Wisconsin Statutes*.


SECTION 4. The Town published or posted a Class 1 public notice and held a public hearing regarding the plan amendment.

SECTION 5. The Town Board of the Town of Polk hereby adopts the proposed plan amendment.

SECTION 6. The Town Clerk is directed to send a copy of this ordinance and the plan amendment to the parties listed in Section 66.1001(4)(b) of the *Wisconsin 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 this 14th day of March , 2017.


Town Chair

Ayes 3 Noes 0 Absent 0

Published/Posted: 3/16/17

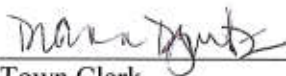
Attest: 
Town Clerk

EXHIBIT A
TO ORDINANCE 02.2017

Parcel T9- 0470 PLEASANT VALLEY ROAD PT of the E1/2 NE V574 P452+DOC 868452
(HWY V581 P410) SEC 12-10-19 29.60 ACRES.

Parcel T9-0470-00A PLEASANT VALLEY ROAD PT OF THE NE NE V416P57 (HWY V578
P135) SECTION 12-10-19 .22 ACRES

Parcel T9- 0471 PLEASANT VALLEY ROAD PT OF THE NW NE V574 P452+DOC 868452
(HWY V581 P 410) SEC 12-10-19 22.47 ACRES

Parcel T9-0472 PLEASANT VALLEY ROAD PT OF SW NE V574 P452+DOC 868452 (HWY
V581 P410) SEC 12-10-19 28.47 ACRES

ORDINANCE NO. 03.2017

**ORDINANCE ADOPTING AN AMNDMENT TO THE
TOWN OF POLK ZONING ORDINANCE**

The Town Board of the Town of Polk, does hereby ordain to amend key elements of the Zoning Ordinance Title X of the Municipal Code of the Town of Polk, Washington County, Wisconsin, as identified in Exhibit A and summarized as follows:

SECTION 1. Regulations for a new R-2 Multi-Family Residential District to be served by public sanitary sewerage and water systems;

SECTION 2. Regulations for a new Planned Unit Development (PUD) overlay zoning district to allow mixed-use multi-family residential and commercial uses and potentially park and/or institutional uses;

SECTION 3. Regulations to allow community living arrangements in the R-1 (Single-Family) and R-2 (Multi-family) Districts in accordance with State Law; and

SECTION 4. Definitions and certain other zoning regulations related to community living arrangements and uses in the R-2 District.

SECTION 5. 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 this 14th day of March , 2017.


Town Chair

Ayes 3 Noes 0 Absent 0

Published/Posted: 3/16/17

Attest: 
Town Clerk

ORDINANCE DISTRIBUTION - 2017

ORDINANCE #: 03.2017

Village of Jackson
N168 W20733 Main Street
PO Box 637
Jackson, WI 53037

Mailed: 3/23/17

Village of Richfield
Attn: Clerk
4128 Hubertus Road
Hubertus, WI 53033

Mailed: 3/23/17

Town of Jackson
Attn: Clerk
3146 Division Road
Jackson, WI 53037

Mailed: 3/23/17

Town of Hartford
Attn: Clerk
3360 CTH K
Hartford, WI 53027

Mailed: 3/23/17

Town of West Bend
Attn: Clerk
6355 CTH Z
West Bend, WI 53095-9201

Mailed: 3/23/17

City of West Bend
Attn: Clerk
1115 S. Main Street
West Bend, WI 53095

Mailed: 3/23/17

Slinger Community Library
220 Slinger Road
Slinger, WI 53086

Mailed: 3/23/17

Wisconsin Department of Administration
Attn: Dawn Vick
PO Box 8944
Madison, WI 53707

Mailed: zoning

SEWRPC
Attn: Nancy Anderson
P.O. Box 1607
Waukesha, WI 53187-1607

Mailed: zoning

Washington County
Attn: Debora Sielski
432 E Washington Street
West Bend, WI 53095

Mailed: zoning

Table 1

TOWN OF POLK ZONING ORDINANCE SUMMARY OF DISTRICT REGULATIONS

District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum/Maximum Floor Area (square feet)
A-1 General Agricultural District	Agriculture; general farming; dairying; floriculture and horticulture; forestry; hatcheries; livestock raising; accessory buildings or uses; and single-family residences	Campgrounds; fish hatcheries; forest reserves; picnic areas; junk yards and dumping areas; equipment storage; boarding and riding stables; in-law units; converted two-family dwellings; and mobile service facilities.	5 acres	1,200 minimum for one-story dwellings with full basement; 1,400 minimum for one-story dwellings without basement; 1,400 minimum for two-story dwellings with 800 first floor minimum ^a
R-1 Single-Family Residential District ^b	Single-family residences and accessory buildings and uses; and community living arrangements with a capacity for 8 or fewer persons	Residential planned unit developments (PUD) such as cluster developments with a minimum development area of 10 acres and minimum lot size of 40,000 square feet for unsewered properties and 8,000 square feet for sewer properties; in-law units; the keeping of chickens; and community living arrangements with a capacity for 9 or more persons	60,000 sq. ft.	1,200 minimum for one-story dwellings with full basement; 1,400 minimum for one-story dwellings without basement; 1,400 minimum for two-story dwellings with 800 first floor minimum ^a
R-2 Multi-Family Residential District (Sewered) ^c	Single-family dwellings that existed prior to 1977; and community living arrangements with a capacity for 15 or fewer persons	Multi-family dwellings; and community living arrangements with a capacity for 16 or more persons	15,000 sq. ft., but not less than 4,000 sq. ft. of lot area per dwelling	750 minimum for one-bedroom dwellings; 950 minimum for two-bedroom dwellings
I-1 Institutional District	Schools, colleges, universities, hospitals, sanitariums, religious institutions, penal institutions, cemeteries and crematories, agriculture, general farming, medical offices, and subacute rehabilitation facilities	Mobile service facilities	10 acres	N/A
B-1 Business District	Specified retail establishments, personal services, restaurants; residential quarters for owner/employee and rental apartments; buildings or uses accessory to business; agriculture, and general farming	Adult entertainment establishments; truck terminals for five or more trucks; motels; and mobile service facilities	-- ^d	Minimum floor area requirements for dwellings are the same as for the R-1 District
M-1 Industrial District	Printing and publishing; machinery and equipment storage; auto body repairs; manufacture, fabrication, processing, assembly, packaging, packing, warehousing, and wholesaling of goods and products; and agriculture and general farming	Freight yards and freight terminals; breweries; crematories; residential quarters for owner/employee; ready mix plants; and mobile service facilities	-- ^d	N/A
Q-1 Quarrying District	Agriculture, general farming, pasturage, and cash cropping; quarrying uses, including the removal of rock, slate, gravel, sand, or topsoil and accessory or related uses	Mobile service facilities	-- ^d	N/A
L-1 Sanitary Landfill District	None ^f	Sanitary landfills, related accessory uses, and structures and lands used for purposes designated in an approved restoration and reuse plan ^e	d	N/A

District	Typical Principal Uses	Typical Conditional Uses	Minimum Lot Size	Minimum/Maximum Floor Area (square feet)
P-1 Park District	Archery ranges; beaches; boating; campgrounds; conservatories; golf courses; hunting; riding academies; sports fields; zoological and botanical gardens; and commercial recreation facilities ^a	Mobile service facilities	4 acres	N/A
PUD Planned Unit Development Overlay District	None ^{e,f}	Mixed-use developments consisting of uses permitted in the R-2 and B-1 districts. Uses allowed in the I-1 and P-1 districts may also be permitted in mixed-use multi-family and business planned unit developments	— ^d	Floor areas must be equal to or greater than that required by the underlying zoning district

NOTE: This table is a summary and should not be used as a guide to answer zoning-related questions. Refer to the Town of Polk Zoning Ordinance and Map for specific zoning information.

^a Additional variations for minimum floor area exist. Refer to the Town of Polk zoning ordinance for specific information.

^b The District is intended to feature primarily single-family residences within a minimum development area of 20 acres.

^c The R-2 zoning district must be located in a public sewer and water service area.

^d Lots must provide sufficient area for principal and accessory structures and uses, including parking, storage, and sewage disposal system.

^e Quarrying uses in the Q-1 District, all conditional uses in the L-1 District and PUD Overlay District, and all principal uses in the P-1 District are subject to review by and/or issuance of the appropriate permit from the Town Board.

^f All uses in this District are conditional uses.

Source: Town of Polk Zoning Ordinance, adopted September 1971 with amendments through March 2017, and SEWRPC.