

# Land Use

## Chapter Contents

1. Introduction
2. Existing Land Use
3. Annexations and Detachments
4. Development Constraints
5. Land-Use Conflicts
6. Land Available for Future Development
7. Land-Use Regulations
8. Trends in Supply, Demand, and Price of Land
9. Opportunities for Redevelopment

## 1. Introduction

Land use is the central element of a comprehensive plan. The focus of this chapter is on existing conditions and is intended to help provide a basis for developing the future land use maps. Other factors considered

Previous chapters have discussed:

- projected population growth,
- the quality housing available in the Village and potential future housing needs,
- transportation network challenges with increasing population growth,
- available utilities and community facilities,
- local business choices and economic growth opportunities, and
- Richfield’s abundant natural resources.

This element assesses land use trends by pulling together the recommendations from the previous chapters.

The Land Use Element is divided into two chapters in this plan. This chapter discusses existing land uses, regulations, trends and opportunities. The next chapter discusses desired development patterns, community design standards, coordination with other required plan elements, and supporting goals, objectives and policies. Chapter 10 ends with the future land use maps and a discussion of how they were created and how they are to be used.

During the planning process many aspects of land use were analyzed with an eye toward developing a future land use plan. Existing land development patterns are considered along with the existence of any brownfield sites.<sup>1</sup> Local real estate forces are considered and again will be used in fashioning the future land use plan and supporting goals, objectives, and policies. Relationships between the Village and the surrounding municipalities also play an important role when determining how land in Richfield could be developed in the coming years.



## 2. Existing Land Use

<sup>1</sup> A brownfield is a site consisting of one or more properties that are abandoned or underutilized because of concerns about environmental contamination.

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) periodically conducts land-use inventories for the seven counties it serves.<sup>2</sup> The most recent inventory was conducted in 2010. Previous inventories were done in 1963, 1970, 1980, 1985, 1990, 1995, and 2000.

The 2010 inventory is shown on Map 9. Land uses existing on the date of the survey, may or may not correspond to zoning regulations. As shown in Table 9-1, agricultural land is the single largest land use category in Richfield. The most abundant, contiguous areas of farmland are located in the northern one third of the Village.



Open lands accounted for the next largest type of land in the Village. Single-family residential development is the third largest land use category and is spread throughout the community. The highest densities are concentrated around the lakes. The vast majority of new housing development has occurred within planned subdivisions. The net residential density was 0.77 dwelling units per acre in 2010 (4,338 residential units/5,567 residential acres).



Commercial land uses are concentrated primarily on STH 175, at various intersections along STH 164, and in some of the unincorporated hamlets. Industrial land uses are concentrated along Mayfield Drive in the northeast quadrant.

The primary water features in the Village are Friess Lake, Little Friess Lake, Amy Belle Lake, Bark Lake, Lake Five, and the Oconomowoc River. Forested areas are scattered throughout the Village and are particularly found in floodplain areas along the Oconomowoc River.

**Table 9-1. Existing Land Use: 2010**

Land Use	Types of Uses	Acres	Percent of Total
Agriculture	Agricultural land, farm residences and support buildings SEWRPC Land Use Code: 811, 811G, 815, 820, 841, 871	8,161.7	34.9
Commercial	Retail sales and service and related parking lots SEWRPC Land Use Code: 210, 210H, 220, 432	148.8	0.6
Communication and Utilities	Facilities related to electricity, natural gas, communications, and other related services and related parking lots SEWRPC Land Use Code: 510, 510H, 435	4.8	0.0
Government and Institutional	Municipal buildings, cemeteries, churches, and private and public schools and related parking lots SEWRPC Land Use Code: 611, 611H, 641, 641H, 661, 661H, 681, 436	137.8	0.6
Industrial	Manufacturing, wholesaling, storage, and related parking lots SEWRPC Land Use Code: 310, 310H, 340, 426, 433	75.3	0.9
Quarry	Quarries and other extractive sites SEWRPC Land Use Code: 360	103.6	0.4
Railroad	Track right-of-way SEWRPC Land Use Code: 441, 441G	111.2	0.5
Recreation	Public parks, private forest reserves; state-owned wetlands, golf courses, sportsmen clubs, youth camps and related parking lots SEWRPC Land Use Code: 711, 731, 732, 781, 782, 437	577.2	2.5
Residential	Single-family residences and duplexes SEWRPC Land Use Code: 111L, 111S, 120, 199	5,567.5	23.8
Road right-of-way	Right-of-way for local, county, state, and federal roads SEWRPC Land Use Code: 411, 411G, 414, 418	1,539.7	6.6
Surface water	SEWRPC Land Use Code: 950	463.7	2.0
Wetlands	SEWRPC Land Use Code: 910	2,629.1	11.3
Woodland	SEWRPC Land Use Code: 940	2,488.9	10.7

<sup>2</sup> Southeastern Wisconsin Region Planning Commission serve Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties.

Undeveloped	Urban and rural unused land SEWRPC Land Use Code: 921, 922	1,347.8	5.8
Total [1]		23,357.1	100.0

Source: Southeastern Wisconsin Regional Planning Commission (SEWRPC) 2010 land use inventory

Notes:

1. Percent may not add up to 100 due to rounding.

### 3. Annexations and Detachments

Since incorporation in 2008, there has been one annexation and no detachments (Table 9-2). The annexation in 2008 involved a single property and occurred upon petition of the property owner and with the consent of the Town of Polk.<sup>3</sup> The annexed land is used or intended for warehouse operations and light industrial uses.

### 4. Development Constraints

Development constraints include a wide variety of factors including physical and environmental conditions. According to the wetland inventory conducted by the Wisconsin Department of Natural Resources in 1984, but more recently updated in 2005 and 2010, there were approximately 2629 acres of wetlands (Map 9). With the adoption of new floodplain maps in 2013, 2705.94 acres of were delineated as floodplain. While development is possible in a floodplain, it is generally viewed as a development constraint.

Steep slopes can also pose a constraint on development. While it is possible to build on steep slopes, the cost of construction is more expensive, and the potential for soil erosion and slope failure is also a concern that must be addressed in the development review process and with supporting regulations.

### 5. Land-Use Conflicts

Land-use conflicts can develop over time when certain types of land uses are located inappropriately or where adequate buffering and/or screening is not provided between conflicting land uses. Some industrial land uses, for example, have characteristics associated with them that can potentially be viewed as a nuisance by surrounding residents including noise, dust, odors, and truck traffic.

Two railroads traverse Richfield in the eastern part of the Village and can cause conflicts with nearby residential properties. The noise can be especially loud, especially if there is little separation and/or if there is insufficient vegetation or other non-residential buildings to dampen the noise of the train as it passes by. The frequency and length of trains is a factor affecting the extent of this perceived conflict. The Village has established quiet zones along the Canadian National line at Bark Lake Road, Pioneer Road, Pleasant Hill Road, and Willow Creek Road (Map 1).

Telecommunication towers are another example of a land use that could potentially be in conflict with residential uses. In July of 2013, a substantial new body of law was codified in Section 66.0404 of the Wisconsin State Statutes, which was adopted with the State Budget Bill. Municipalities with zoning powers continue to have the power to regulate new towers and facilities; however, the new law imposes a number of restrictions and limitations on the exercise of this zoning authority, specifically in terms of the application process, what constitutes a 'modification' to the existing tower. In 2014, the Village Staff will consider changes to the zoning code to reflect the changes to these new State Statutes. Currently, there are four (4) cellular towers located on three (3) sites in the Village. The towers are approximately 150' tall.

Table 9-2. Annexations and Detachments: 2008 to 2013

Year	Annexations / Parcels	Detachments / Parcels
2008 [1]	1/1	-
2009	-	-
2010	-	-
2011	-	-
2012	-	-
2013	-	-

Notes:

1. Richfield incorporated as a village on February 18, 2008



<sup>3</sup> The Village Board adopted Ordinance 08-11-01 on November 20, 2008, which annexed the subject lands into the Village.

There are two large quarries in the southeastern quadrant of the Village. Although quarries can operate for many years, they can be successfully redeveloped for other uses after they are closed. The Timberstone subdivision along Hubertus is a great example of a redeveloped quarry.

Airports, both public and private, can be a source of conflict with surrounding residential properties. Fortunately, there are no airports in the Village or in the surrounding area that impacts the Village.

Finally, some farm-related activities can be seen as conflicting with nearby residences. In particular, spreading of manure and application of pesticides are potentially offensive to some people. Land developing around the actively farmed parcels should be designed in light of current farming practices and people moving into these areas should recognize that farming contributes to the country lifestyle Richfield has to offer.



## 6. Land Available for Future Development

About half of the Village was available for new development in 2010 (Table 9-3). These areas include agricultural land, woodlands, undeveloped land, and a portion of quarry sites.

If all of the undeveloped land is developed at current at an average density of one dwelling unit per 3 acres, an additional 2,904 single-family homes could be constructed (Table 9-4). By comparison, there were 4,338 housing units in the Village in 2010. Therefore, the Village could conceivably accommodate 7,242 homes. The number of total future housing units can change if densities increase or decrease in certain areas. For example, if townhomes and homes on smaller lots were permitted in some areas (e.g., the Hamlets) the total number of homes in the Village could increase.

**Table 9-3. Developable Land: 2010**

Land Use	Types of Uses	Acres
Agriculture	Agricultural land, farm residences and support buildings SEWRPC Land Use Code: 811, 811G, 815, 820, 841, 871	8,161.7
Quarry	Quarries and other extractive sites SEWRPC Land Use Code: 360	103.6
Woodland	SEWRPC Land Use Code: 940	2,488.9
Undeveloped	Urban and rural unused land SEWRPC Land Use Code: 921, 922	1,347.8
Total [1]		12,102

Source: Southeastern Wisconsin Regional Planning Commission (SEWRPC) 2010 land use inventory

Notes:

1. Percent may not add up to due to rounding.

**Table 9-4. Potential Additional Dwelling Units**

Total undevelopable land	12,102 acres
Land for infrastructure (28 percent of undevelopable acres)	3,389 acres
Land for residential uses	8,713 acres
Average density	1DU / 3 acres
Additional housing	2,904 dwelling units

## 7. Land-Use Regulations

### Zoning Regulations

Richfield has adopted and enforces its own local zoning ordinance. The zoning ordinance organizes the community into different districts (Table 9-5). Within each district specific uses are permitted subject to certain requirements.

Richfield’s zoning ordinance follows a traditional Euclidean<sup>4</sup> model that seeks to segregates uses by type and establishes dimensional requirements related to lot size, setbacks and building height. As new uses are created over time, they are listed specifically in the zones in which they are permitted. To be most effective, this type of ordinance must list every possible use and establish a zone in which that use would be appropriate. Euclidean ordinances are based on a philosophy that separation of uses will create a safer, healthier environment. In recent years, the planning

<sup>4</sup> Reference to Euclid vs. Amber Realty Company, 1926 U.S. Supreme Court Decision, which serves as the foundation for zoning practice in the United States.

profession has developed alternative zoning models based on performance standards and building form, but those are more prevalent in urbanized areas.

**Extraterritorial Plat Review Authority**

Since its incorporation as a village in 2008, Richfield has had extraterritorial plat review authority pursuant to Chapter 236 of Wisconsin Statutes. Under state law, the Village has the authority to deny or approve proposed subdivision plats within 1.5 miles of its municipal boundary.

In 2007, a boundary agreement was signed with the City of Hartford, Town of Hartford, and Town of Erin that the Village would not implement extraterritorial review authority over Erin and Hartford and would not annex any property in the Town of Erin or Town of Hartford for a period of 20 years. A map was drawn up to show the boundaries of the extraterritorial authority that exclude the areas within the agreement with the City of Hartford.

**Extraterritorial Zoning**

State law gives cities and villages the authority to work with adjoining towns to establish extraterritorial zoning regulations, which must be approved by all parties. As of 2013, the Village has not investigated the feasibility of or support for establishing extraterritorial zoning regulations.

**Floodplain Regulations**

The Floodplain Zoning ordinance is characterized by the provision of a floodway district, a flood fringe district, and general floodplain district which protect floodplain areas by regulating proposed developments within the 100-year recurrence interval floodplains. Initially, the floodplains were established in 1983.

Beginning in 2008, the Federal Emergency Management Agency (FEMA) worked in cooperation with the Wisconsin Department of Natural Resources to prepare new floodplain maps using more accurate methodologies and base maps. The Village Board adopted these maps on October 17, 2013. Approximately 2705.94 acres, or 11.61% of the Village, are subject to these regulations.

**Shoreland Zoning Regulations**

Since the Village incorporated in 2008, shoreland regulations have been part of the Village’s zoning regulations. Shoreland includes those lands lying within 1,000 feet of the ordinary high-water mark of natural lakes, ponds, or flowages, or 300 feet of the ordinary high-water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater. Lakes, ponds, flowages, rivers, and streams are presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication, *Surface Water Resources of Washington County*, or are shown on the United States Geological Survey quadrangle maps. Approximately 6,793 acres, or 29% percent of the Village, are subject to shoreland zoning regulations.

**Table 9-5. Zoning Districts: 2013**

Category	District Abbreviation and Name	
Agriculture	A-1	Exclusive agriculture
	A-1A	Transitional agricultural
	A-2	General agricultural
Residential	RS-1	Country estate
	Rs-1A	Single-family residential and rural preservation
	Rs-1B	Single-family cluster/open space residential
	Rs-2	Single-family residential
	Rs-3	Single-family residential
	Rs-4	Single-family residential
	Rd-1	Two-family cluster/open space residential
	Rd-2	Two-family residential
Commercial	B-1	Neighborhood business
	B-2	Community business
	B-3	General business
	B-4	Highway business
	NAC-1	Neighborhood activity center
Industrial	M-1	General wholesale business/warehousing
	M-2	Limited industrial
	M-3	General industrial
	M-4	Industrial park
	M-5	Extractive
Mixed Use	BMU	Business mixed use
	WHD	Walkable hamlet
		Office/light industrial
Public/institutional	I-1	Institutional
	P-1	Park and recreation
Environmental	LC	Lowland conservancy
	UC	Upland conservancy
Special Purpose		Shoreland-wetland
		Floodplain
		Planned unit development

## 8. Trends in Supply, Demand, and Price of Land

Presently, slightly more than one third of the Village is developed. Slightly more than half is available for future development. Potential areas for development include all lands, beyond wetland and floodplain areas, that are currently either undeveloped (but not part of a residential subdivision or park area), lands that are being used as cropland, and quarry sites that may be redeveloped.

### Residential Development

Residential development accounts for more than a quarter of the land in the Village. From a tax base standpoint, residential development accounts for 95 percent of all of the tax revenue generated in Richfield. These two important figures clearly illustrate that residential development is very important to the Village. By far, most Village residents are very happy with the quality residential neighborhoods being developed and want to see rural, country living continue as the primary land use in the Village.



### Supply/Trends in Farming

The market value of farmland in Richfield is approximately \$6,000 an acre (2012), compared to roughly \$76,250 an acre (2012) for land sold for residential development. This gap in land values provides a significant incentive for farmers, seeking retirement, to pursue the sale of their land for development rather than try to sell the land for farmland.

### Commercial and Industrial Development

Commercial and industrial development represents a very small portion of the community. Local resident sentiment would like to see this continue in the future.

Most residents work and shop beyond the Village. However, as the population of Richfield has grown, some new businesses have opened to provide goods and services to local residents (e.g., Piggly Wiggly, Richfield Plaza). Reinvestment in older business areas has also been seen in the hamlet Hubertus (Johnny Manhattan's and Sloppy Joe's).

Richfield's industrial development has been primarily concentrated near the railroad corridor along Mayfield Road and STH 175. There is additional land zoned to accommodate future industrial development requests within this area.



### Demand

Given the Village's desirable country living in the beautiful Kettle Moraine within close proximity to nearby employment centers, the demand for additional housing is expected to increase in the future. Official state population projections support this fact. Land remains available to accommodate new development.

### Trends in Land Prices

Historical trends have demonstrated that land prices have steadily increased in Richfield. This trend is expected to continue as the community continues to be discovered by people moving out to the area.

What is particularly impressive is the value of residential development in the Village. In 2013, Residential development accounts for \$1,324,052,500 of the assessed value in the Village. Table 9-6 provides a breakdown of residential property values. This table includes the value of vacant residential land. The average residential property value in Richfield is \$279,690.

As land prices continue to increase, it is anticipated that most remaining farmers will seek ways to sell their acreage for development or sell their development rights. This is not to say that farming will disappear from the landscape. To the contrary, it is anticipated that hobby farms, niche farms, and other operations will remain.

One potential concern that does exist with respect to land prices in the Village is the fact most new housing is of similar value, which may over saturate the market and affect resale values. To offset this, the development of some alternative housing choices (e.g., condos, townhomes, senior housing) could be pursued to provide a greater balance in the community.

Table 9-6. Residential Property Values: 2012

Home Values (Assessed)	Number of Properties
\$0-\$100,000	17
\$100,001-\$200,000	661
\$200,001-\$300,000	1,839
\$300,001-\$400,000	1,084
\$400,001-\$500,000	465
\$500,001 and more	263
Totals	4,329

Source: Associated Appraisals, 2013

## 9. Opportunities for Redevelopment

The Smart Growth Law requires that communities examine opportunities for redevelopment of blighted, underdeveloped, or other areas of a community. This is different from opportunities for new development on farm fields or lands that have never been built upon. This would involve the revitalization of commercial areas, redevelopment of areas to accommodate different (or more) types of development. There are two areas in the Village that have the greatest potential for redevelopment – the hamlet areas and local quarry sites. Some of the unincorporated hamlets (e.g., Hubertus and Richfield) have already seen investment in older buildings for restoration and revitalization. Opportunities exist for additional commercial development to occupy vacant storefronts in the plazas or infill vacant lots. The conversion of some houses in these areas into office spaces for realtors, physicians, or other professional uses is also possible.

With respect to local quarries, the opportunity exists to redevelop these sites (once the quarry operation activities cease) into residential developments or recreation areas. Such development will be based on the reclamation plan completed for each local quarry operation.

When any redevelopment opportunity arises, the Village will rely on zoning requirements, site plan review, and this plan as tools to oversee these activities.