

ENROLLED ORDINANCE 166-68

AMEND THE TEXT OF THE TOWN OF WAUKESHA ZONING CODE  
BY AMENDING SECTION 13-2-15(c)(12) PERTAINING TO THE  
REGULATION OF OFF-PREMISE SIGNS (ZT-1725)

WHEREAS the subject matter of this Ordinance having been approved by the Waukesha Town Board on August 11, 2011, after Public Hearing, and the giving of requisite notice of said hearing, and duly referred to and considered by the Waukesha County Park and Planning Commission, and a recommendation for approval, thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.61 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the text of the Town of Waukesha Zoning Code, adopted by the Town of Waukesha on June 24, 1979, amending Section 13-2-15(c)(12) pertaining to the regulations of off-premise signs, more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference ZT-1725, is hereby approved.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Waukesha.

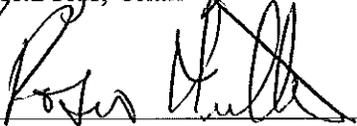
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

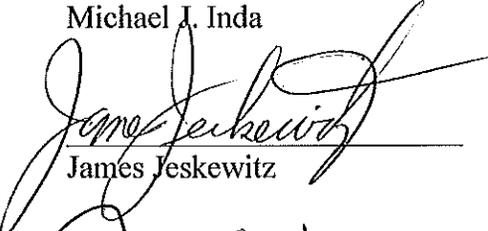
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BY AMENDING SECTION 13-2-15(c)(12) PERTAINING TO THE  
REGULATION OF OFF-PREMISE SIGNS (ZT-1725)

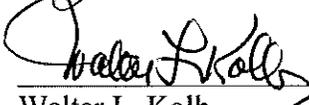
Presented by:  
Land Use, Parks, and Environment Committee

  
\_\_\_\_\_  
Fritz Ruf, Chair

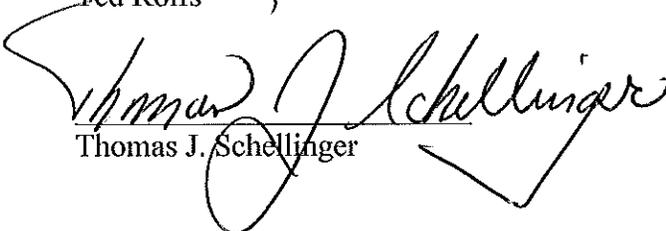
  
\_\_\_\_\_  
Robert Hutton

< Absent >  
\_\_\_\_\_  
Michael J. Inda

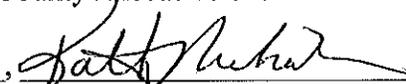
  
\_\_\_\_\_  
James Jeskewitz

  
\_\_\_\_\_  
Walter L. Kolb

< Absent >  
\_\_\_\_\_  
Ted Rolfs

  
\_\_\_\_\_  
Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 11-23-11,   
\_\_\_\_\_  
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

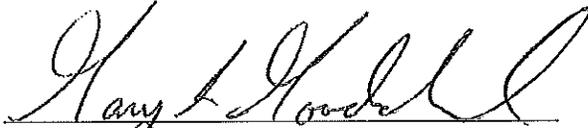
Approved:   
\_\_\_\_\_  
Vetoed: \_\_\_\_\_  
Date: 11-23-11, \_\_\_\_\_  
Daniel P. Vrakas, County Executive

COMMISSION ACTION

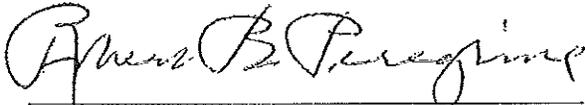
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Waukesha Zoning Code hereby recommends approval of (ZT-1725 Town of Waukesha Board) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

October 6, 2011



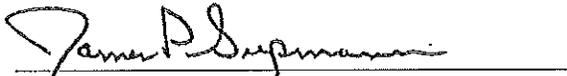
Gary Goodchild, Chairperson



Bob Peregrine, Vice Chairperson



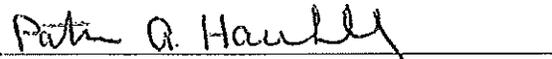
William Mitchell



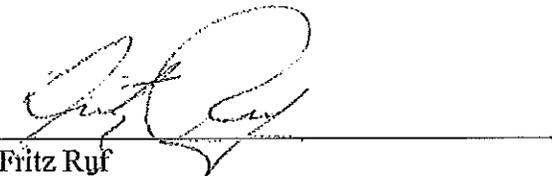
Jim Siepmann



Walter Kolb



Pat Haukohl



Fritz Ruff

**WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE**  
**STAFF REPORT AND RECOMMENDATION**  
**TEXT AMENDMENT**

**FILE NO:** ZT-1725

**TAX KEY NUMBER:** N/A

**DATE:** October 6, 2011

**NAME OF PETITIONER:** Town Board of Waukesha  
Town of Waukesha Town Hall  
W250 S3567 Center Rd.  
Waukesha, WI 53189

**NATURE OF REQUEST:**

Amend Section 13-2-15 (c)(12) of the Town of Waukesha Zoning Code pertaining to the regulation of off-premise signs.

**PUBLIC HEARING DATE:**

August 11, 2011.

**PUBLIC REACTION:**

None.

**TOWN PLAN COMMISSION ACTION:**

On August 11, 2011, the Town of Waukesha Plan Commission voted to recommend approval of the proposed amendment to the Town Zoning Code to the Town of Waukesha Board.

**TOWN BOARD ACTION:**

On August 11, 2011, the Town of Waukesha Board adopted an ordinance to amend the Town of Waukesha Zoning Code in accordance with the recommendation of the Town Plan Commission.

**BACKGROUND AND SUMMARY OF CHANGES:**

The Town of Waukesha is proposing a text amendment that would allow for off-premise signs if certain approvals are obtained, whereas the Town's code currently prohibits permanent off-premise signs. The amended section of the code would allow for the Town Plan Commission and Town Board to approve off-premise signs where two or more adjacent parcel owners will "share the sign, have entered into a written agreement with respect to its use, maintenance, modification, replacement and/or its ultimate removal, the agreement is reviewed by the Town Board and is recorded with the Register of Deeds, and the sign is otherwise consistent with the purpose and intent of the Town Off Premise Sign restriction of minimizing sign and visual clutter."

**STAFF RECOMMENDATION:**

It is the opinion of the Planning and Zoning Division Staff that the proposed ordinance to amend the Town of Waukesha Zoning Code relative to the regulation of off premise signs be **approved** as presented. Allowing limited off site signage in certain situations is appropriate to offer businesses need visibility. The Town should be able to ensure compliance with the stated purpose and intent of the signage section relative to maintenance of community aesthetics through its case by case review of signage proposals.

Respectfully submitted,

A handwritten signature in black ink that reads "Jason Fruth" followed by a stylized flourish.

Jason Fruth  
Planning and Zoning Manager

Attachment: Town Ordinance

N:\PRKANDI\Planning and Zoning\Rezoning\Staff Reports\1725 Text Amendment wkt.doc

RECEIVED

SEP 28 2011

DEPT OF PARKS & LAND USE

STATE OF WISCONSIN

WAUKESHA COUNTY

TOWN OF WAUKESHA

ORDINANCE NO. 08-11-11A

AN ORDINANCE AMENDING § 13-2-15(c)(12)  
REGULATING OFF PREMISE SIGNS

THE TOWN BOARD OF THE TOWN OF WAUKESHA DO ORDAIN AS FOLLOWS:

SECTION 1: § 13-2-15(c)(12) of the CODE OF ORDINANCES OF THE TOWN OF WAUKESHA is hereby amended by the addition of underlined text and the ~~deletion of text~~ as follows:

SEC. 13-2-15 SIGNS

(C) Definitions

(12) Off Premises Sign A sign not intended to be temporary (see Temporary Sign), and advertising a use not conducted on the parcel where the sign is located. Off premise signs are not permitted in any District unless recommended by the Plan Commission and approved by the Town Board on the basis of the criteria contained in this subsection. An off premise sign may be approved where two or more adjacent parcel owners will share the sign, have entered into a written agreement with respect to its use, maintenance, modification, replacement and/or its ultimate removal, the agreement is reviewed by the Town Board and is recorded with the Register of Deeds, and the sign is otherwise consistent with the purpose and intent of the Town Off Premises Sign restriction of minimizing sign and visual clutter.

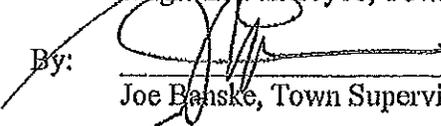
Passed and approved this 11 day of August, 2011

TOWN OF WAUKESHA, WI

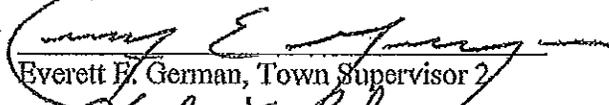
By: \_\_\_\_\_

  
Angie E. Van Scyoc, Town Chairman

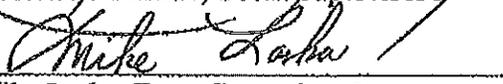
By: \_\_\_\_\_

  
Joe Banske, Town Supervisor 1

By: \_\_\_\_\_

  
Everett E. German, Town Supervisor 2

By: \_\_\_\_\_

  
Mike Laska, Town Supervisor 3

By: Brian Tom Fischer  
Brian Tom Fischer, Town Supervisor 4

ATTEST:

Jamie Salentine  
Jamie Salentine, Town Clerk-Treasurer

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-11/22/11

(ORD) NUMBER-1660068

- 1 D. FALSTAD.....AYE
- 3 R. HUTTON.....
- 5 J. JESKEWITZ.....
- 7 P. HAUKOHL.....AYE
- 9 J. HEINRICH.....
- 11 F. RUF.....AYE
- 13 P. DECKER.....AYE
- 15 P. MEYERS.....AYE
- 17 J. TORTOMASI.....AYE
- 19 S. WIMMER.....AYE
- 21 W. ZABOROWSKI.....AYE
- 23 D. DRAEGER.....AYE
- 25 G. YERKE.....AYE

- 2 T. ROLFS.....
- 4 J. DWYER.....AYE
- 6 J. BRANDTJEN.....AYE
- 8 T. SCHELLINGER....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....AYE
- 14 M. INDA.....AYE
- 16 D. PAULSON.....AYE
- 18 K. CUMMINGS.....AYE
- 20 P. JASKE.....AYE
- 22 P. GUNDRUM.....AYE
- 24 W. KOLB.....AYE

TOTAL AYES-21

TOTAL NAYS-00

CARRIED\_\_\_\_\_

DEFEATED\_\_\_\_\_

UNANIMOUS X

TOTAL VOTES-21