

Minutes of the Land Use, Parks and Environment (LUPE) Committee

Tuesday, April 16, 2019

Chair Zimmermann called the meeting to order at 8:30 a.m.

Present: Supervisors Dave Zimmermann, Keith Hammitt, Steve Whittow, Kathleen Cummings, Bill Mitchell, Tom Schellinger and Chuck Wood.

Also Present: Legislative Policy Advisor Sarah Spaeth, Park System Manager Rebecca Mattano, Planning and Zoning Manager Jason Fruth, Senior Planner Amy Barrows, and Citizens Belle Frederick and Steve Ristow.

Approve Minutes – March 19, 2019

MOTION: Hammitt moved, second by Mitchell to approve the minutes of March 19. Motion carried 7-0.

Executive Committee Report – March 26, 2019 and April 15, 2019

Zimmermann advised the Executive Committee, at their last two meetings, approved appointments, ordinances, the 2019-2021 internal audit plan, the scope for the Secure Courtroom Construction audit; heard updates on the National Association of Counties (NACo) conference and the Waukesha County Center for Growth; and Administration Director nominee Andy Thelke was introduced.

Future Meeting Dates

- May 21, 2019
- June 18, 2019

Discuss and Consider Ordinance 174-O-001 Approve First Distribution Easement To Wisconsin Electric Power Company To Install, Operate, Maintain, Repair, Replace And Extend Underground Utility Facilities On Waukesha County Property Known As Menomonee Park

Mattano discussed this ordinance which authorizes the County to grant a first distribution easement to allow Wisconsin Electric Power Company to install, operate, maintain, repair, replace and extend underground utility facilities on Waukesha County property at Menomonee Park for the purpose of transmitting electric energy, signals, television and telecommunication services.

MOTION: Schellinger moved, second by Wood to approve Ordinance 174-O-001. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-002 Approve Second Distribution Easement To Wisconsin Electric Power Company To Install, Operate, Maintain, Repair, Replace And Extend Underground Utility Facilities On Waukesha County Property Known As Menomonee Park

Mattano discussed this ordinance which authorizes the County to grant a second distribution easement to allow Wisconsin Electric Power Company to install, operate, maintain, repair, replace

and extend underground utility facilities on Waukesha County property at Menomonee Park for the purpose of transmitting electric energy, signals, television and telecommunication services.

MOTION: Schellinger moved, second by Wood to approve Ordinance 174-O-002. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-003 Authorize Department Of Parks And Land Use To Exchange Parkland With The Village Of Big Bend

Mattano discussed this ordinance which authorizes an exchange of parkland between Waukesha County and the Village of Big Bend. The County received State Stewardship Funding support for 27 acres of the Irma King property acquisition with the grant obligation that the property be used for public outdoor recreation.

The Village purchased 27 acres of land in 1972 for the Big Bend Lions Park addition, specifically to be used for public outdoor recreation. The County provided to the Village a land use permit in 2000 to construct, operate and maintain a non-motorized recreational trail to access existing Village parklands and play fields. The Village has asked the County to exchange parkland parcels to allow the Village to expand its outdoor recreation use offerings existing on adjoining Village parkland.

To answer Cummings' question, Mattano said the County acquired the property because it is in the Parks and Open Space Plan.

MOTION: Schellinger moved, second by Hammitt to approve Ordinance 174-O-003. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-004 Amend The Town Of Ottawa District Zoning Map Of The Waukesha County Zoning Code By Rezoning Certain Lands Located In Part Of The NW ¼ Of The SW ¼ Of Section 1, T6N, R17E, Town Of Ottawa, From The P-I Public And Institutional District To The AD-10 Agricultural Density District 10 (CZ-1837B)

Fruth discussed this ordinance to rezone a 40-acre parcel located on the east side of Waterville Road, south of the Glacial Drumlin State Trail, and north of Parry Road from the P-I Public and Institutional District to the AD-10 Agricultural Density District 10 to allow the property to be divided into three residential lots via a Certified Survey Map.

MOTION: Mitchell moved, second by Hammitt to approve Ordinance 174-O-004. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-005 Amend The Text And District Zoning Map Of The Town Of Vernon Zoning Code (RZ21)

Fruth discussed this ordinance which amends the Town of Vernon Zoning Code and District Zoning map to incorporate miscellaneous zoning amendments.

MOTION: Mitchell moved, second by Whittow to approve Ordinance 174-O-005. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-006 Adopt Text And Map Amendments To The Waukesha County Shoreland And Floodland Protection Ordinance To Incorporate A New

Downtown Okauchee District, Two Letters Of Floodplain Map Revision, Provisions Required By State Statute And To Modernize Various Code Provisions (RZ29)

Barrows discussed this ordinance which amends the Waukesha County Shoreland and Floodland Protection Ordinance by incorporating a new Downtown Okauchee District, letters of map revision, and other miscellaneous provisions which were the subject of a public hearing held on February 21, 2019.

MOTION: Hammitt moved, second by Schellinger to approve Ordinance 174-O-006. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-007 Amend The Text Of The Waukesha County Zoning Code To Modernize And Update Various Zoning Provisions To Provide Consistency With State Statutes And The Concurrently Proposed Waukesha County Shoreland And Floodland Protection Ordinance Text Amendments (RZ30)

Barrows discussed this ordinance which will incorporate revised Zoning Code language to modernize various zoning provisions and comply with recent state law changes. The amendments provide consistency with the concurrent pending proposed amendments to the Waukesha County Shoreland and Floodland Protection Ordinance. The proposed amendments were the subject of a public hearing held on February 21, 2019. None of the towns under County zoning authority filed a resolution disapproving of the proposed amendments within the required timeframe.

MOTION: Cummings moved, second by Mitchell to approve Ordinance 174-O-007. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-008 Amend The Text Of The Waukesha County Shoreland And Floodland Subdivision Control Ordinance To Incorporate Minimum Lot Size And Width Requirements For The Downtown Okauchee District (RZ31)

Barrows discussed this ordinance which will amend the text of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance by incorporating minimum lot size and width requirements for the Downtown Okauchee District, a new zoning district. The proposed amendments were prepared in accordance with the recommendations of the Downtown Okauchee Zoning Advisory Committee and were the subject of a public hearing held on February 21, 2019.

MOTION: Hammitt moved, second by Schellinger to approve Ordinance 174-O-008. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-009 Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 29, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District (Town) To The A-5 Mini Farm District (Town) (RZ33)

Fruth discussed this ordinance to rezone an 11.8 acre parcel located at W263 N6314 Ridge Drive in the Town of Lisbon from the A-10 Agricultural District to the A-5 Mini Farm District to allow the property to be divided into two lots via a Certified Survey Map. A public hearing was held on February 25, 2019 and the subject matter of this Ordinance was approved by the Lisbon Town Board.

MOTION: Schellinger moved, second by Wood to approve Ordinance 174-O-009. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-010 Year 2019 Amendment To The Comprehensive Development Plan For Waukesha County (3A – Waukesha County Park And Planning Commission/Leverence, Section 36, T8N, R18E, Town Of Merton)

Fruth discussed this ordinance which will approve 2019 Amendment 3A to the Waukesha County Comprehensive Development Plan designation for property located at N48 W28320 Lynndale Road in the Town of Merton from the Low Density Residential category to the Mixed Use category to allow for future mixed uses on the property. Following a public hearing, the request was approved subject to the following conditions: allowable mixed uses are limited to residential, office and retail uses; and the maximum area of land disturbance on the property shall be no greater than 15% of the lot area.

MOTION: Mitchell moved, second by Hammitt to approve Ordinance 174-O-010. Motion carried 7-0.

Discuss and Consider Ordinance Amend 174-O-011 Year 2019 Amendment To The Comprehensive Development Plan For Waukesha County (4A – Waukesha County Park And Planning Commission/Downtown Okauchee, Section 35, T8N, R20E And Section 36, T8N, R17E, Town Of Oconomowoc)

Fruth discussed this ordinance which will amend the Waukesha County Comprehensive Development Plan designation for approximately 29.2 acres of land in the downtown Okauchee area from the Medium Density Residential, Low Density Residential, Governmental and Institutional and Commercial and Office Park categories to the Mixed Use category. The amendment also creates a Downtown Okauchee special planning area. On February 21, 2019, the Waukesha County Park and Planning Commission held a public hearing to receive testimony on the proposed changes. The request is approved subject to the following condition: land uses within the Downtown Okauchee Special Planning Area shall be consistent with the use requirements of the Downtown Okauchee District, as specified within the Waukesha County Shoreland and Floodland Protection Ordinance.

MOTION: Mitchell moved, second by Schellinger to approve Ordinance 174-O-011. Motion carried 7-0.

Discuss and Consider Ordinance Amend 174-O-012 Year 2019 Amendment To The Comprehensive Development Plan For Waukesha County (5a – Waukesha County Park And Planning Commission/Brahm, Section 11, T6N, R17E, Town Of Ottawa)

Fruth discussed this ordinance which amends the Waukesha County Comprehensive Development Plan designation for property located at W358 S2488 Hunters Lake Road in the Town of Ottawa from the Suburban II Density Residential category to the Medium Density Residential category to allow the property to be consistent with other surrounding properties. A public hearing was held in February by the Park and Planning Commission.

MOTION: Cummings moved, second by Wood to approve Ordinance 174-O-012. Motion carried 7-0.

Discuss and Consider Ordinance 174-O-013 Year 2019 Amendment To The Comprehensive Development Plan For Waukesha County (6 – Waukesha County Park And Planning

Commission/Revisions To Chapter 9 Relating To Mailing Requirements For Plan Amendment Public Hearing Notices)

Fruth discussed this ordinance which will amend the text in Chapter 9 of the Waukesha County Comprehensive Development Plan relating to mailing requirements for public hearing notices for properties owned in common, such as outlots in subdivisions. Notices for such properties would be mailed to the property contact on the tax listing. If no address is available, the notice will be mailed to the homeowner’s association contact or similar property representative. On February 21, 2019, the Waukesha County Park and Planning Commission held a Public Hearing to receive testimony on the proposed changes.

MOTION: Wood moved, second by Mitchell to approve Ordinance 174-O-013. Motion carried 7-0.

Legislative Update

Spaeth updated the committee on the state budget and legislation regarding biennial budgets and public health.

MOTION: Hammitt moved, second by Cummings to adjourn at 10:11 a.m. Motion carried 7-0.

Respectfully submitted,

Steve Whittow

Steve Whittow
Secretary