

Minutes of Land Use, Parks and Environment (LUPE) Committee
August 15, 2017

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

Committee Members Present: Dave Zimmermann, Tom Schellinger, Ted Wysocki, Bill Mitchell, Keith Hammitt, Kathleen Cummings and Robert Kolb.

Also Present: Legislative Policy Advisor Sarah Spaeth, Planning and Zoning Manager Jason Fruth, and Community Development Manager Kristin Silva. Minutes Recorded by Beth Schwartz, County Board Office.

Approve Minutes of July 18, 2017

MOTION: Hammitt moved, second by Wysocki to approve the minutes of July 18, 2017. Motion carried 7-0.

Future Meeting Date: September 19, 2017 (Capital Projects), October 3, 2017 (Budget Review)

Legislative Update

Spaeth reported on a petition from Lake Denoon in the City of Muskego to form a Lake Management District. That decision will become an ordinance for the County Board after a public hearing. Aside from the Foxcon bill that passed the Assembly, not much activity is new at the State level. Spaeth hopes the Assembly will conclude all business by next week including the budget. Zimmermann commented on beneficial reasons for Lake Denoon to form a lake management district.

Discuss and Consider Ordinance 172-O-019: Amend The Text Of The Town Of Delafield Zoning Code By Repealing And Recreating Section 17.08 Regarding Signage, Create Section 17.05.5.Z-5 Relating To Master Sign Program Conditional Uses And Repeal And Recreate The Definition Of Code Enforcement Officer (ZT-1850)

Fruth reported that this amendment relative to signage is in part reaction to a recent US Supreme Court case that determined sign requirements cannot be directly applied based upon the nature/content of a given sign. In other words, special rules cannot be made based on the type of sign. The current code identifies some sign regulations specific to content type. The proposed revisions identify requirements more generally based upon zoning district. Other code language is intended to improve understanding of sign provisions while also making the code easier to enforce. There are no proposed changes to area and locational standards for signs. The list of sign types generally prohibited also remains unchanged. Temporary signs will be allowed up to 120 days whereas the current code specifies 30 days. Fruth said the change in law is more for the regulator than the sign holder. Zimmermann asked if more communities are expected to come forward with these code changes, and Fruth said he does expect more to make changes based on this new law.

MOTION: Wysocki moved, second by Kolb to approve Ordinance 172-O-019. Motion carried 7-0.

Discuss and Consider Ordinance 172-O-020: Amend The Text Of The Town Of Genesee Zoning Code Relative To Miscellaneous Zoning Matters (ZT-1851)

Fruth reported that this ordinance deals with modified and new definitions, accommodations for persons with disabilities, clarification of building height and size restrictions, an increased number of livestock allowed on minimum three-acre lots, accommodations for the keeping of chickens, and other technical and drafting modifications. Nuisance provisions have been provided to prevent neighbor conflicts. Cummings asked about accommodations to persons with disabilities. Fruth went over several scenarios,

such as when accommodations are constructed only later to be removed. This ordinance allows for exceptions to be made, and for the town to go case-by-case as it is more difficult to make generalizations about circumstances that may arise.

MOTION: Mitchell moved, second by Hammitt to approve Ordinance 172-O-020. Motion carried 6-1 Cummings voted no.

Discuss and Consider Ordinance 172-O-021: Adopt Revised District Zoning Maps Of The Waukesha County Shoreland Floodland Protection Ordinance And The Waukesha County Zoning Code (SCZ-1841)

Fruth said the amendments pertain to unincorporated shoreland areas and non-shoreland portions of the towns of Oconomowoc and Ottawa. Shorelands are lands located within 1,000 feet of public lakes or ponds, lands within 300 feet of navigable streams or to the full extent of the associated 100-year floodplain if the floodplain extends a distance greater than 1,000 feet from a lake or public pond or 300 feet from a navigable stream. The proposed map modernizations would rezone lands to and from various zoning categories. The mapping updates encompass revisions to the eleven township zoning maps for the communities within the County. Draft maps were circulated months in advance of the public hearing to solicit comments from communities.

Fruth provided an overview of the amendments in multiple towns. The changes include C-1 District conversion, EC District boundary conversions, Rock River Basin FEMA mapping, finalize conversion to HG District, P-I Zoning public lands, recent navigability determinations, and remove aerial map background. Town specific zoning map revisions took place in Brookfield, Delafield, Eagle, Genesee, Merton, Oconomowoc, Ottawa, and Vernon. Kolb shared his concerns about changes this wide and said the responsibility to make changes should remain with the County. Cummings asked when the base maps are updated, and Fruth said something must prompt them to look at base maps, like changes to the zoning code, whereas overlay maps are reviewed constantly.

MOTION: Hammitt moved, second by Wysocki to approve Ordinance 172-O-021. Motion carried 6-1 (Kolb).

Discuss and Consider Ordinance 172-O-022: Execute Subgrantee Agreements And Hud Grant Agreement For Community Development Block Grant (CDBG) And Home Investment Partnership (HOME) Programs For The 2018 Program Year

Silva said the U.S. Department of Housing and Urban Development (HUD) has qualified the County as an entitlement Urban County and is eligible to receive federal funding. This funding will provide benefits primarily to low and moderate income households, as well as to meet specific community needs through the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs. The Department's 2018 proposed budget includes HUD funding estimated at \$1,186,082 for the CDBG program and \$959,909 for the HOME program for total of \$2,145,991. The County estimates revolving loan for CDBG of \$275,000 which is also included in the 2018 proposed budget. This number is up from the previous years. If actual federal HUD award notification amounts are less than estimated, an appropriate reduction of subgrantee grant amounts will be required by the CDBG and HOME Boards and notification of any decreases will be sent to the Finance Committee and the Community Development expenditures will be limited to the amount of the award notification. Zimmermann asked why the amount is not approved after the funding is received. Silva said the timing does not match up to be able to do that. Cummings asked about projects that are not completed within the timeline originally given. Silva said these projects must present to the board for an extension.

MOTION: Wysocki moved, second by Schellinger to approve Ordinance 172-O-022. Motion carried 7-0.

MOTION: Wysocki moved, second by Mitchell to adjourn the meeting at 9:27 a.m. Motion carried 7-0.

Respectfully submitted,

Keith Hammitt
Secretary