

172nd BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
172-O-014	07/05/17 07/06/17	Land Use	ORD: Approve Distribution Easement To The School District Of Waukesha To Construct, Install, Operate, Maintain, Repair, Replace And Extend Underground Fiber Optic Duct And Cable On Waukesha County Property Known As Retzer Nature Center
172-O-015	07/05/17 07/06/17	Public Works	ORD: First Revision, Laying Out, Relocation And Improvement Of County Trunk Highway KF And County Trunk Highway JK Waukesha County Project I.D. 2762-00-00
172-O-016	07/06/17 07/06/17	Public Works	ORD: Laying Out, Relocation And Improvement Of County Trunk Highway Q, County Line Road At The Oconomowoc River Bridge, Waukesha County Project I.D. 2751-00-00
172-A-023	07/05/17 07/06/17	Executive	APPT: Dr. Myra Martz Huth to the Delafield Public Library Board of Trustees
172-A-024	07/05/17 07/06/17	Executive	APPT: Carol Stienstra to the Mukwonago Community Library Board of Trustees
172-R-001	07/05/17 07/06/17	Executive Finance	RES: Adopt The Waukesha County 2017-2021 Library Services Plan And Approve The New County Library Standards
172-O-017	07/05/17 07/06/17	Executive Finance	ORD: Amend The Waukesha County Code Of Ordinances Section 11-8 Based Upon The Adoption Of The Waukesha County 2017-2021 Library Services Plan
172-O-018	07/05/17 07/06/17	HR Finance	ORD: Accept Child Support Employment And Training Partnership Award And Modify The 2017 Corporation Counsel, Child Support Division Budget To Appropriate The Award
172-O-019	07/25/17 08/03/17	Land Use	ORD: 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)
172-O-020	07/25/17 08/03/17	Land Use	ORD: Amend The Text Of The Town Of Genesee Zoning Code Relative To Miscellaneous Zoning Matters (ZT-1851)
172-O-021	07/25/17 08/03/17	Land Use	ORD: Adopt Revised District Zoning Maps Of The Waukesha County Shoreland Floodland Protection Ordinance And The Waukesha County Zoning Code (SCZ-1841)
172-O-022	08/02/17 08/03/17	Land Use Finance	ORD: Execute Subgrantee Agreements And HUD Grant Agreement For Community Development Block Grant (CDBG) And Home Investment Partnership (HOME) Programs For The 2018 Program Year
172-O-023	08/01/17 08/03/17	Public Works	ORD: Approve New Parking Regulation For County Trunk Highway B (Valley Road) In The City Of Oconomowoc
172-O-024	07/27/17 08/03/17	Public Works	ORD: First Revision To The Laying Out, Relocation And Improvement Of County Trunk Highway VV And County Trunk Highway E, Waukesha County Project I.D. 2774-01-00
172-O-025	07/28/17 08/03/17	Judiciary Finance	ORD: Accept The 2017 State Of Wisconsin Department Of Transportation Highway Safety Grant And Modify Waukesha County Sheriff Department's 2017 Budget To Authorize Grant Expenditures
172-O-026	08/02/17 08/03/17	Judiciary Finance	ORD: Modify The Sheriff's Department 2017 Budget To Accept And Appropriate Additional Revenue From Washington County For Mutual Aid Assistance

172nd BOARD YEAR
 LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
172-O-027	08/02/17 08/03/17	Judiciary Finance	ORD: Modify The 2017 Sheriff's Department Budget To Accept And Appropriate Additional Revenue From The State Of North Dakota For Mutual Aid Assistance
172-O-028	08/02/17 08/03/17	HHS Finance	ORD: Accept A 2017 Grant To Expand Substance Abuse Treatment Capacity In Adult Treatment Drug Courts Award Through The U.S. Department Of Health And Human Services, Substance Abuse And Mental Health Services Administration (SAMHSA) And Amend The Department Of Health And Human Services 2017 Budget
172-O-029	08/02/17 08/03/17	HHS Finance	ORD: Accept State Targeted Response To Opioid Crisis Grant And Modify Department Of Health And Human Services 2017 Budget
172-O-030	08/02/17 08/03/17	HHS Finance	ORD: Accept Dementia Crisis Innovation Grant And Modify Health And Human Services 2017 Budget To Appropriate Grant Expenditures

1 AMEND THE TEXT OF THE TOWN OF DELAFIELD ZONING CODE BY REPEALING
2 AND RECREATING SECTION 17.08 REGARDING SIGNAGE, CREATE SECTION
3 17.05.5.Z-5 RELATING TO MASTER SIGN PROGRAM CONDITIONAL USES AND
4 REPEAL AND RECREATE THE DEFINITION OF CODE ENFORCEMENT OFFICER
5 (ZT-1850)
6
7

8 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
9 this Ordinance was approved by the Delafield Town Board on May 23, 2017; and
10

11 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
12 Planning Commission, which recommended approval and reported that recommendation to the
13 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
14 as required by Section 60.62, Wis. Stats.
15

16 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
17 that the text of the Town of Delafield Zoning Code adopted by the Town of Delafield on July 20,
18 1998, be amended by repealing and recreating section 17.08 regarding signage, create section
19 17.05.5.Z-5 relating to master sign program conditional uses and repeal and recreate the
20 definition of code enforcement officer, more specifically described in the “Staff Report and
21 Recommendation” on file in the office of the Waukesha County Department of Parks and Land
22 Use and made a part of this Ordinance by reference ZT-1850, is hereby approved.
23

24 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
25 this Ordinance with the Town Clerk of Delafield.
26

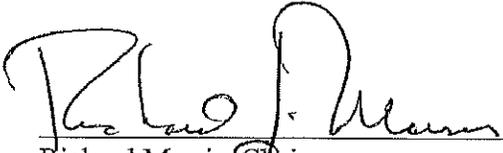
27 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
28 approval and publication.

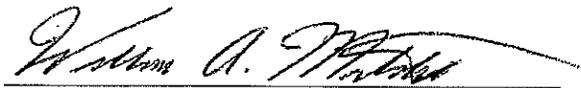
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance text amendments to the Town of Delafield Zoning Code, hereby recommends approval of **ZT-1850 (Text Amendments)** in accordance with the attached "Staff Report and Recommendation".

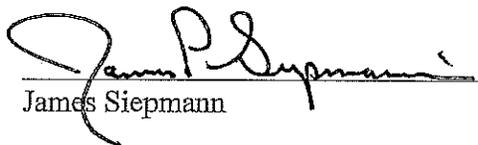
PARK AND PLANNING COMMISSION

July 20, 2017


Richard Morris, Chairperson


William Mitchell


Robert Peregrine


James Siepmann

Absent
William Maslowski

Absent
Robert Hamilton

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

DATE: July 20, 2017

FILE NO.: ZT-1850

PETITIONER/OWNER: Town of Delafield Board
W302 N1254 Maple Avenue
Delafield, WI 53018

NATURE OF REQUEST:
Repeal and recreate Section 17.08 regarding signage, create Section 17.05.5.Z-5 regarding master sign program Conditional Uses, and repeal and recreate the definition of “Code Enforcement Officer” in Section 17.02.2.

PUBLIC HEARING DATE:
May 23, 2017.

PUBLIC REACTION:
None.

TOWN PLAN COMMISSION ACTION:
The Town of Delafield Plan Commission recommended that a public hearing be held on the proposed amendments at their meeting of April 5, 2017.

TOWN BOARD ACTION
On May 23, 2017, the Town of Delafield Board approved the request.

STAFF ANALYSIS:
The Town Attorney and Engineer assisted the Town in drafting the proposed zoning code amendments relative to signage. The amendments are, in part, a reaction to a recent U.S. Supreme Court case that determined that sign requirements cannot be directly applied based upon the nature/content of a given sign. The current code identifies some sign regulations specific to content type (i.e. schools, churches, etc.). The proposed provisions 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. Much of the existing regulatory scheme continues. There are no proposed changes to area and locational standards for signs. The list of sign types that are generally prohibited (i.e. projecting signs and electronic message boards) also remains unchanged.

Temporary signs will be allowed up to 120 days, whereas the current code specifies 30 days. The proposed language also provides that basic sign requirements may also be modified by grant of a conditional use. The Town Plan Commission and Board would consider such requests.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The amendments bring the Town of Delafield's signage provisions into conformity with recently established case law on the topic. Administrative flexibility, in the form of a conditional use process, is being provided to ensure that the Town can react to unique conditions where strict enforcement of the code may not be desirable.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachment: Town Ordinance

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STATE OF WISCONSIN

TOWN OF DELAFIELD

WAUKESHA COUNTY

ORDINANCE NO.

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 17.08
OF THE TOWN OF DELAFIELD MUNICIPAL CODE,
REGARDING TO SIGNS TO CREATE SECTION 17.055.Z-5 REGARDING MASTER
SIGN PROGRAM CONDITIONAL USES, AND TO REPEAL AND RE-CREATE THE
DEFINITION OF "CODE ENFORCEMENT OFFICER" IN SECTION 17.022. OF THE
TOWN OF DELAFIELD MUNICIPAL CODE

WHEREAS, following the decision of the United States Supreme Court in the case of *Reed v. Town of Gilbert, Arizona* (135 S.Ct. 2218 (U.S. 2015)), sign codes throughout nation have come under close scrutiny; and

WHEREAS, the Town of Delafield, Town Attorney has recommended that Section 17.08 of the Town of Delafield Zoning Code be amended in light of this recent U.S. Supreme Court decision, to ensure that the Town regulation of signs complies with constitutional free speech guarantees; and

WHEREAS, the Town of Delafield Plan Commission has carefully considered the matter along with Town Staff and has initiated this zoning amendment procedure pursuant to Section 17.10 5. B. of the Town of Delafield Zoning Code; and

WHEREAS, the Town Plan Commission for the Town of Delafield has recommended that the Town Board revise the Town Zoning Code in this regard to update Section 17.08 of the Town of Delafield Zoning Code, along with related amendments as described herein, to appropriately regulate signs in the Town of Delafield; and

WHEREAS, following Class 2 notice, the Town Board of the Town of Delafield held a public hearing concerning the recommendation of the Town Plan Commission, as provided in Section 62.23(7)(d) of the Wisconsin Statutes and Section 17.10(6) of the Town of Delafield Code of Ordinances; and

WHEREAS, the Town Board finds that this change to the Town Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Town Board has determined that the adoption of the Plan Commission's recommendation will promote the public health, safety and general welfare of the community, and will be consistent with the Town of Delafield Comprehensive Plan.

RECEIVED
6/7/2017
DEPT OF PARKS &
LAND USE

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN as follows:

SECTION 1: Chapter 17 of the Town of Delafield Municipal Code entitled "Zoning Code," Section 17.08 entitled "Signs," is hereby repealed and re-created as follows:

SECTION 17.08

SIGNS

A. PURPOSE.

It is declared that the regulation of signs within the Town is necessary and in the public interest to: (a) protect property values within the Town; (b) preserve the beauty and the unique character of the Town; (c) aesthetically complement the development which a sign identifies; (d) promote a healthy and properly designed business environment; (e) safeguard the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the Town; (f) protect against hazards to vehicular traffic movement through improper placement of signs; and (g) promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the Town; (h) prevent blight; (i) prevent clutter; and (j) encourage free speech.

B. REQUIREMENT OF CONFORMITY.

A sign permit is required before the erection, re-erection, construction, alteration, placement, maintenance or location of all signs except as otherwise provided in this chapter. Where signs are illuminated electrically, a separate electrical permit shall be obtained as required by the Electrical Code of the Town. It shall be illegal for a sign to be erected, constructed, repaired, altered, located or maintained in the Town except as provided in this chapter. All new signs constructed or maintained contrary to the provisions of this chapter are declared to be illegal and a public nuisance. Any person or entity violating any provisions of this chapter or failing to comply with any orders or regulations made hereunder shall be subject to the penalties hereof, and those otherwise provided by law.

3. SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A PERMIT.

A permit shall not be required for the following signs or activities; provided, however, that such signs or activities shall be subject to any and all applicable provisions of this chapter.

- A.** Any temporary sign eleven (11) square feet or less in area, subject to compliance with all applicable total sign area limitations of the applicable lot.
- B.** Repainting of signs without changing wording, composition or colors, or minor non-structural repairs of signs (except electrical repair).
- C.** Relocation of signs if required by the Town.
- D.** Window signs, as permitted under subsection 6.G.

- E. Signs located in the interior of any building or structure, not visible from the exterior.
- F. Government signs, as defined herein.
- G. The United States flag, State of Wisconsin flag, Waukesha County flag, or flag bearing the official emblem or insignia of the Town of Delafield, and associated poles; as such signs are tantamount to government signs for the observance of the applicable institutions of our participatory democracy.
- H. Address markers and nameplate signs, not to exceed 4 sq. ft. in total area; as such signs are tantamount to government signs, to assist with the provision of emergency services.

4. TEMPORARY SIGNS.

Temporary signs shall be placed in conformance with this Code for no longer than 120 days, unless a longer time is expressly allowed by Wisconsin Statutes Section 12.04, or other applicable laws, or as follows. In the event a longer time is expressly allowed by Wisconsin Statutes Section 12.04 such sign shall be placed for no longer than the time expressly allowed by such statute.

- A. **Signs on Property Under Construction.** Temporary signs may be permitted by the Code Enforcement Officer in any district for the duration of a building permit, where a building permit is in effect and construction is occurring. The Code Enforcement Officer may restrict the number, size, and location of temporary signs on any property to ensure safety for traffic and pedestrians.
- B. **Signs on Property Marketed for Sale or Lease.** Temporary signs may remain on a property for all time that the property is actively marketed, as defined herein, for sale or lease. Whether the property is being actively marketed for sale or lease shall be subject to the determination of the Code Enforcement Officer. Any such sign that would exceed 11 square feet in area shall require a permit, and such sign shall be treated as a permanent sign for purposes of permitting, but shall remain a temporary sign for purposes of removal once the marketing of the property is concluded. The sign must be removed no later than ten calendar days after the marketing of the property is concluded. The total sign area requirements of the district in which the sign is located shall apply.
- C. **Signs on Property Under Development.** Temporary signs may remain on a property under some circumstances while the property is under development, subject to the following limitations. A sign permit is required for any Development Sign. A Development Sign shall be treated as a permanent sign for purposes of permitting, but shall remain a temporary sign for purposes of removal once the approval for the Development Sign expires. All Development Signs may remain on the lot for one year following the date the sign permit is granted, unless otherwise restricted in the grant of the sign permit. Prior to expiration of the sign permit or any extension thereof, upon request of the owner or developer, the Plan Commission may extend the sign permit for successive periods of up to one year each, if the Plan Commission finds the development is actively proceeding and the sign is not otherwise in violation of the standards of this Section. The Development Sign must be removed no later than thirty calendar days following the expiration of the permit unless specified otherwise by the Plan Commission. The total sign area requirements of the district in which the sign is located shall apply, except as follows: If during the process of development, the property is rezoned, the sign area calculations of the original zoning district shall continue to

apply for the duration of the development; and if the property being developed includes multiple contiguous parcels, the calculation of sign area shall include all such contiguous parcels as though they were one parcel.

5. MAXIMUM SIGN AREA PERMITTED BY ZONING DISTRICT.

- a) **Residential Districts (R-1, R-1(A), R-2, R-3, R-L, and A-3).** The total sign area allowed on a lot that is zoned R-1, R-1(A), R-2, R-3 R-L, or A-3, shall be eleven (11) sq. ft., subject to such additional square footage as may be permitted by the standards of this Section. Monument signs may be allowed to exceed the foregoing size limitations, subject to Section 6(E), below. Unless specifically approved as a Monument Sign pursuant to Section 6(E), below, or pursuant to the grant of a conditional use permit for a use described in Section 17.05 5. of this Code, all of the following are prohibited: awning signs; changeable copy signs; electrical message boards; permanent signs; projecting signs; roof signs; seasonal signs; shingle signs; and wall signs.
- b) **Agricultural Districts (A-1, A-E, and A-2).** The total sign area allowed on a lot that is zoned A-1, A-E, and A-2 shall be 11 square feet for every 200 lineal front feet of the lot line abutting a public roadway. In making this calculation, the lineal front feet of the lot line shall be rounded down to the nearest number divisible by 200. Notwithstanding the foregoing, if the lot abuts less than 200 feet of public roadway, the total sign area allowed on the lot is 11 square feet.
- c) **Business Districts (B-1, B-2, and B-3), Industrial Districts (M-1), Park & Conservancy Districts (P-1 and WF-1).** The total sign area allowed on a lot that is zoned B-1, B-2, B-3, M-1, P-1 and WF-1 shall be computed as either .5 sq. ft. x the lineal front foot of the lot line or .65 sq. ft. x the building or structure front foot, whichever is greater, to a maximum of 120 sq. ft. for retail and 80 sq. ft. for office, mixed use, or other uses, as allowed by the Plan Commission in its consideration of the site plan.

6. SIGN REQUIREMENTS FOR SPECIFIC TYPES OF SIGNS.

Particular types of signs are subject to the following requirements, which are in addition to, and not in lieu of, the other requirements of this Section 17.08.

A. Changeable Copy Signs.

- 1. The computation of sign area for changeable copy signs shall be included in the total permitted sign area allowed for the building or development, where changeable copy signs are permitted by this chapter and/or by the Plan Commission.
- 2. Changeable copy signs must be integrated into the free-standing or wall sign for such building or development.
- 3. In addition to the uses specifically enumerated elsewhere in this chapter, changeable copy signs may be permitted for businesses of a seasonal nature, public uses, institutional uses, schools, churches, motels/hotels and theaters, if approved by the Plan Commission to be justified at such location and for such use. Unless in the discretion of the Plan Commission such use is justified, changeable copy signs shall not be permitted for retail use.
- 4. Where changeable copy signs are allowed, the following restrictions apply in all cases, subject to further restriction as may be imposed by the Plan Commission to particular applications:

- a. There shall be only one changeable copy sign on each lot or parcel of land.
- b. If free-standing, the sign may be double-faced.
- c. Each sign shall be permanently installed or located.
- d. Each sign shall be placed in such a manner so as to not interfere with, confuse, or present any hazard to traffic.

B. Flags. Except as excluded by subsection 3(G), all flags are subject to the following limitations.

- 1. Maximum area of a flag shall be 24 square feet.
- 2. Flags may be suspended on a pole no higher than 35 feet.
- 3. The flag pole shall be located in a setting of meaningful open space, as defined in this chapter.

C. Free-standing Signs.

- 1. Application. All applications for free-standing signs shall be filed with the Code Enforcement Officer and forwarded to the Plan Commission for consideration pursuant to the procedure outlined in subsection 7.B.2.
- 2. Placement and Construction Requirements.
 - a. A free-standing sign shall be permanent in construction and subject to the requirements of the Building Code of the Town as determined, imposed and inspected by the Code Enforcement Officer.
 - b. The sign may be double-faced if so permitted by the Plan Commission. Only one face of a double-faced sign shall contribute to the calculation of total sign area.
 - c. The height of a free-standing sign shall be regulated and approved by the Plan Commission in consideration of the location of the proposed sign, the height, size, appearance, number and location of other signs in the vicinity of the proposed sign, the propriety of the proposed sign with respect to a master sign plan, if any, and such other facts as the Plan Commission deems appropriate, provided that the height shall not exceed the limits shown in subsection d., below.
 - d. The allowable height of a free-standing sign at a particular site is to be established by drawing a line from the height of the building or structure at setback to a theoretical wall of five (5) feet at the center line of the adjacent road. A free-standing sign must be of no greater height than what can be placed within the area of the resulting geometric figure. (See Figure 1). However, in no event shall the height of such sign be greater than twelve (12) feet for office, retail or mixed use. Notwithstanding the foregoing, the Plan Commission may allow a sign to exceed the limits provided in this subsection if the topography of the lot slopes down from the center line of the adjacent road, by adding the difference between the elevation at the centerline of the adjacent road and the elevation where the sign will be located to the sign height limitations, so that the intent of this subsection is maintained. Dimensions shall be provided by the applicant. An offset of no less than five (5) feet from the ultimate right-of-way line should be maintained.

** INSERT Figure 1: Sign height/setback standards. **

- e. The area of a free-standing sign shall be regulated and approved by the Plan Commission in consideration of the factors enumerated in subsection c., above, subject to the maximum sign area limitations of the district in which it is located. Should the Plan Commission approve both a free-standing sign and a wall sign for a given building or center, the area allowed must be apportioned between these signs.
- f. The sign shall be located in an area of meaningful open space, which shall be appropriately landscaped.
- g. Free-standing signs located on the subject property or adjoining or abutting properties must be at least 150 feet apart.
- h. The sign structure or post of a free-standing sign must be wrapped in or constructed of a material compatible with the materials utilized in the construction of the building or structure to which the sign refers. The sign must also be architecturally compatible with the building or structure to which it refers.

D. Master Sign Program.

A Master Sign Program is required for multi-tenant operations, office parks, industrial parks, multi-tenant office and retail buildings, and commercial developments that include separate commercial activities, and shall be considered by conditional use per Section 17.05 of this Code. The requirements of this Section may be modified by the express terms of the Master Sign Program conditional use order.

E. Monument Signs.

Monument Signs placed at the entrance to a subdivision, residential development or commercial development shall be not less than 5 feet from a side or rear lot line and may be placed in the right-of-way only within an easement granted for said purpose and upon approval of the Town for the same. The Plan Commission shall determine the appropriate size of the sign based on the design of the sign, its impact on traffic safety and its compatibility with adjacent land uses.

F. Wall Signs.

- 1. Application. All applications for wall signs shall be filed with the Code Enforcement Officer and forwarded to the Plan Commission for consideration pursuant to the procedure outlined in subsection 7.B.2.
- 2. Total Area. The area of a wall sign shall be regulated and approved by the Plan Commission in consideration of the location of the proposed sign, the height, size, appearance, number and location of other signs in the vicinity of the proposed sign, the propriety of the proposed sign with respect to a master sign plan, if any, and such other facts as the Plan Commission deems appropriate.
- 3. Placement.
 - a. A wall sign may not project more than twelve (12) inches from the wall surface.
 - b. A wall sign must be placed on an exterior wall of the business which the sign identifies.
 - c. No part of a wall sign shall extend more than four (4) feet above the plate line, nor shall a wall sign extend above a roof line except when it is erected on a parapet wall or fascia which extends above the roof line of a flat roof on at least three (3) sides of a building.

- d. A wall sign may be allowed on a roof surface only if the roof surface is within twenty-five (25) degrees of vertical (such as a mansard roof), and only if the Code Enforcement Officer deems that such use is acceptable.
- e. The height of a free-standing sign shall be regulated and approved by the Plan Commission in consideration of the location of the proposed sign, the height, size, appearance, number and location of other signs in the vicinity of the proposed sign, the proximity of the proposed sign with respect to a Master Sign Plan, if any, and such other factors as the Plan Commission deems appropriate, provided that the height shall not exceed the height that could be allowed for a free-standing sign per Section 8.C.2.d.

G. **Window Signs.** Permanent window signs do not need a permit if less than ten (10) percent of all of the windows are covered by all of the window signs. If greater than ten (10) percent of the window is covered, a sign permit must be obtained pursuant to the procedures outlined in subsection 7.B. In no instance, may more than twenty-five (25) percent of the window space be covered by window signs. All window signs which are to be illuminated must be inspected and cannot be installed except upon prior written approval by the Code Enforcement Officer.

7. PERMITS, REQUIREMENTS AND PROCEDURES.

A. Permit Application and Expiration.

1. **Application.** All applications to obtain a sign permit shall be made on forms furnished by the Code Enforcement Officer. All such applications shall be signed by the owner(s) of the premises on which the sign is to be located and the lessee(s) of the premises to which the sign pertains, which signatures shall indicate agreement to be bound by the terms of this ordinance. Throughout this chapter, these owner(s) and lessee(s) may be referred to collectively as holders of the permit, as defined herein.
2. **Requirement of Plans.** Two copies of specifications, plans, renderings, or other visual representations of nonresidential signs shall be submitted with the application. One copy shall be returned to the applicant(s) at the time the permit is granted. Such submissions shall detail the size of the sign, the method of attachment or support, the location of the proposed sign, the location of any building(s) on the premises and any other signs located or proposed to be located on the premises or within 150 feet of the proposed sign, the materials to be used, and the name, address and profession of the person designing plans and specifications for such sign. The content of the sign message is not required, and need not be submitted. Plans for supports for any sign subject to excessive stress as determined by the Code Enforcement Officer shall be accompanied by structural computations. Sufficient data shall be submitted to show that the supporting surface and other members of an existing building to which the sign is to be attached are in good condition and are adequate to support the load, including the proposed sign.
3. **Permit Fees.** In conjunction with the filing of an application for a sign permit, the applicants must tender a fee as set from time-to-time by separate resolution of the Town Board, except as follows. No fee is required to bring a legal nonconforming sign into compliance with the terms of this Section. If work for which a permit is required by this

Section began before a permit was obtained, the fees specified shall be quadrupled, but the payment of such quadrupled fee shall not relieve any persons from complying fully with the requirements of this Section in the execution of the work or from any penalties prescribed herein.

B. Procedure.

1. Initial Review. All applications for sign permits shall be reviewed initially by the Code Enforcement Officer, who may issue permits for temporary signs and such other signs which pursuant to this chapter can be issued without review by the Plan Commission. The Code Enforcement Officer shall have the authority to deny such permits if the proposed signs do not comport with the requirements of this chapter.
2. Plan Commission. Should the Code Enforcement Officer conclude, in his discretion, that the Plan Commission should review an application for a sign permit, or should this chapter require such review for a particular sign, the application will be forwarded to the Plan Commission for review at its next regularly scheduled meeting subject to established agenda length limits. The Plan Commission may vote to approve or deny the application based on the following factors:
 - a. The exterior architectural presentation and functional plan of the proposed sign will not be so at variance with or so similar to the exterior architectural presentation and functional plan of signs already constructed or in the course of construction in the area, or so out of harmony with the area, as to potentially contribute to substantial depreciation in the property values of said area.
 - b. The proposed sign conforms to the location, size and style requirements set forth in this chapter.
 - c. The proposed sign conforms to the Town's long-range planning for the area as set forth in the Town's Master Plan as that term is defined in Section 62.23(3), Wis. Stats., and Comprehensive Plan per Section 66.1001, Wis. Stats., or relevant portions thereof.
 - d. The Plan Commission may establish guidelines, with the confirmation of the Town Board, which further define and interpret this chapter. Those guidelines, if any, shall be made available to all sign applicants.

C. Construction Requirements.

1. Wind Pressure and Dead Load Requirements. All signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area and shall be constructed to receive dead loads as required in the Building Code or other ordinances of the Town.
2. Lighting. Illumination shall be so installed to avoid any glare or reflection into any adjacent property, or onto a street or alley to create a traffic hazard as determined by the Code Enforcement Officer.
3. Town of Delafield Marking. Permanent signs shall be marked prominently with the words "Town of Delafield" beneath the sign content, to aid in the purpose of this chapter, including promotion of the public safety, welfare, convenience, and enjoyment of travel in the Town of Delafield, except as follows: this is not required for signs that require no permit, per subsection 3 or that are temporary signs per Section 4, or may be waived by the Plan Commission if it finds that the purpose of this

subsection would not be met by the Town of Delafield Marking in the circumstances applicable to any particular sign.

D. Prohibitions.

1. Lighting. Bare light bulbs shall not be permitted. No flashing, blinking, or rotating lights shall be permitted for either permanent or temporary signs other than for Time and Temperature signs if so permitted by the Plan Commission.
2. Action Signs. No sign shall be permitted which moves by any means, except flags as permitted in subsection 6.B.
3. Prohibited Signs. It shall be unlawful to erect or maintain the following signs:
 - a. Electronic Message Boards
 - b. Portable Signs
 - c. Projecting Signs
 - d. Off Premise Signs
 - e. Roof Signs
 - f. Pennants or Streamers
 - g. Sandwich Boards

E. Required Signs. Every building or group of buildings must be identified by a street number.

F. Location Requirements.

1. Obstruction of Exits. No sign shall be constructed or maintained so as to obstruct any door, window, stairway or fire escape of any building.
2. Obstruction and interference prohibited. No sign shall be erected, placed, located or maintained at or near the intersection of any streets, roads or highways so as to obstruct free and clear vision; or at any location where, by reason of position, shape and color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP", "LOOK", "DANGER" or other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.
3. Signs Prohibited Within or in Proximity to Limits of any Street or Highway.
 - a. No sign shall be erected, placed, located, or maintained within the limits of any street, road or highway, except as allowed by subsections d., below. Street, road or highway limits include all the dedicated right-of-way, encompassing the travelled portion of the street, road or highway, the shoulders, ditches and adjacent dedicated areas. This prohibition applies to free-standing signs and those placed on trees, utility poles, fence post stakes, and all other structures within the right-of-way limits.
 - b. Failure to comply with the provisions of this subsection shall be a violation of Section 86.19, Wis. Stats., as well as this chapter.
 - c. Any sign in violation of this subsection shall be removed without notice by the Highway Department or the Police Department.
 - d. This prohibition shall not apply to signs placed within the limits of streets, roads or highways by duly constituted municipal, county, or state authorities for the guidance or warning of traffic, as provided in Sections 86.19(1) and (4), Wis. Stats., or to mail boxes and paper boxes. This prohibition also does not apply to approved Monument Signs.
4. Construction Over Public Property. No person or entity shall erect or cause to be erected any sign which projects over any public sidewalk, street, road, highway, alley or public place.

G. Inspections. Unless waived by the Code Enforcement Officer, all signs for which a permit is required shall be subject to the following inspections:

1. Electrical inspection on all illuminated signs.
2. Site inspection to ensure that the sign has been constructed according to an approved application and a valid sign permit.

H. Maintenance. Each sign, including those specifically exempt from the permit requirements of this code, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports thereof that are not galvanized or of rust-resistant material. The Code Enforcement Officer shall have the authority at any time to inspect and order the painting, repair, alteration, or removal of a sign which constitutes a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or change in local conditions. The Code Enforcement Officer shall follow the procedure of notification concerning such maintenance or removal as outlined in subsection 13.

8. CONFLICT OF LAWS.

In the event that Wisconsin Statutes Section 12.04 would permit a sign that is larger than the size limitations described in this Section, such sign, regardless of sign content, is allowed only for the period described in Wisconsin Statutes Section 12.04.

9. NON-COMMERCIAL SIGNS PERMITTED.

Any sign authorized or otherwise permitted under this ordinance shall be allowed to contain non-commercial copy in lieu of any other copy.

10. SIGN ORDINANCE VARIANCES.

A. Purpose. Sign Ordinance variances are intended to allow flexibility in sign regulation while fulfilling the purpose of the ordinance. Nothing in this Section, however, is intended to permit the erection or maintenance of signs which create the potential of public harm or for which there is no public benefit or which are in conflict with the Town's Master Plan or relevant portions thereof.

B. Procedure.

1. Any applicant who desires a variance from any provision or requirement of this chapter may request an oral hearing before the Plan Commission by submitting a written request therefor to the Town Clerk not less than twenty one (21) days before the next regularly scheduled meeting of the Plan Commission. A fee of \$75.00 shall be required of the applicant at the time that a request for a hearing before the Plan Commission is made.
2. The Plan Commission shall review such requests for variances using the following criteria:
 - a. Area Enhancements.
 - (1) The sign as proposed will not result in an undue concentration of signage which renders it difficult or confusing to read existing signs;
 - (2) The proposed sign is unique and of exceptional design or style, so as to enhance the area.
 - b. Site Difficulties. Unusual site factors preclude the construction of a sign in accordance with this chapter which would be visible to the roadway adjacent to the site frontage.

3. Should the Plan Commission find that a variance should be granted, the application will be forwarded to the Code Enforcement Officer with directions to issue a permit in accordance with its decision. If the Plan Commission finds that a variance should not be granted, it shall inform the applicant of the reasons for such decision in writing within ten (10) days of the date of such decision. The decision of the Plan Commission shall be final unless the Plan Commission requests review of same by the Town Board.

11. SIGN ORDINANCE MODIFICATION BY CONDITIONAL USE.

Additional sign square footage and alteration of otherwise applicable height, setback, offset or other standards of this Chapter may be granted by the Town Board in its consideration and grant of a conditional use pursuant to Section 17.05 of this Code. In considering this possible grant, the Plan Commission and Town Board shall be guided by the purpose of this Section 17.08 along with the basis for approval described in Section 17.05(2), without consideration of the content of any such signage.

12. LEGAL NONCONFORMING SIGNS.

- A. Reasonable repairs and alterations may be made to legal nonconforming signs provided that they may not be relocated, expanded, enlarged, repositioned or raised in height. However, in the event any such sign and/or its supporting structure is hereafter damaged or altered to an extent exceeding fifty (50) percent of the reproduction value according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an act of God, such sign must be restored, reconstructed, altered or repaired to conform with the provisions of this chapter, subject to the following. Repair, maintenance, reconstruction or replacement is permitted if, and to the extent that, Wisconsin Statutes Section 62.23(7)(hb) or (hc) (applicable per 60.62, and 61.35, Wis. Stats.) specifically preempt local control and permit the same.
- B. Any change in ownership or tenancy of premises which is accompanied by any change in the signs for the premises shall necessitate that the signs for the premises be brought into compliance with the provisions of this chapter.

13. REMOVAL OF SIGNS.

- A. The Code Enforcement Officer is hereby authorized to remove any illegal sign as defined by this chapter.
- B. Except as described in subsection H, below, before taking action to require removal of any illegal sign, the Code Enforcement Officer shall give a written compliance notice to the holders of the permit for the sign or, if no permit has been issued, to the owner(s) of the premises on which such sign is located and to the lessee(s) of the premises to which such sign pertains. The notice shall state the reasons and grounds for removal, specifying the deficiencies or defects in such sign with reasonable definiteness, and the violations charged, if any. Such notice shall specify what repairs, if any, will make the sign conform to the requirements of this chapter and specify that the sign must be removed or made to conform with the provisions of this chapter within the compliance period provided below. Service of notice shall be made on the parties specified above (a) by delivering personally copies of the notice to said parties, or (b) by leaving a copy of the notice with any person in charge of the premises, or (c) in the event that no such person

can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by the certified mailing of copies of the notice to the post office addresses of the holders of the permit as specified in the application for the permit, if any, or to the last known post office addresses of the parties specified above.

- C. Except as described in subsection H, below, the compliance period shall be:
 - 1. Ten (10) days for permanent signs.
 - 2. Forty-eight (48) hours for temporary signs.
- D. Re-erection of any sign or any substantially similar sign on the same premises after a compliance notice has been issued shall be deemed a continuance of the original violation.
- E. If the holders of the permit or the owner(s) and lessee(s) of the premises upon which the sign is located have not demonstrated to the satisfaction of the Code Enforcement Officer that the sign has been removed or brought into compliance with the provisions of the chapter by the end of the compliance period, the Code Enforcement Officer shall certify the violations to the Town Attorney for prosecution.
- F. The Code Enforcement Officer is authorized to cause the removal of any sign adjudged to be illegal by a court of competent jurisdiction if the court so orders. The actual cost and expense of any such removal by the Code Enforcement Officer shall be borne by the holders of the permit or, if no permit had been issued, by the owner(s) of the premises on which the sign is located and the lessee(s) of the premises to which such sign pertains. All such parties shall be jointly and severally liable for such cost and expense and subject to the penalties provided by the provisions of this chapter.
- G. In addition to any remedies and penalties noted above, any person who fails to remove a sign after being notified to remove the sign by the Code Enforcement Officer shall be subject to penalties as provided in Section 17.10 of this chapter.
- H. Notwithstanding the foregoing procedures, any temporary sign located in violation of this chapter on Town property or within any right-of-way may be summarily removed by the Code Enforcement Officer immediately upon observing the noncompliant sign. The Code Enforcement Officer shall retain the sign for a period of 48 hours and if the sign is claimed by the owner during such time, the Code Enforcement Officer shall make the sign available to the owner for return. Any such sign not claimed within 48 hours may be summarily destroyed. This exception is intended to preserve the Town's authority as proprietor of Town property, and also to preserve the health, safety and welfare of the travelling public along public rights-of-way.

14. DEFINITIONS.

The following definitions, unless further defined or applied herein, specifically apply to this Section 17.08:

"Actively Marketed" means (1) proactive measures are being taken to connect and engage with potential customers, which may include listing with a real estate agent,

publishing advertisements in a newspaper or other print publications, or engaging in online advertising activities, such as posting on a website; and (2) these actions are repeated, updated, and modified regularly to continue to seek engagement with potential purchasers. The mere fact of placing a sign on a lot does not itself demonstrate that the property is being actively marketed.

"Awning Sign" means a fireproof space frame structure with translucent flexible reinforced vinyl or similar covering designed in awning form, but whose principal purpose and use is signage. Such signs may be internally illuminated by fluorescent or other light sources in fixtures approved under national and local electrical codes.

"Area of Sign" means that area enclosed by one continuous line, connecting the extreme limits or edges of writing, representation or similar figures or characters together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed on a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any point. This area does not include the main supporting sign structure, but other ornamental attachments are to be included in determining area of sign.

"Banner Sign" means any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic, fabric, or similar flexible material of any kind.

"Building Front Foot" means the maximum building width measured at grade on a straight line parallel to the street on which the building is addressed.

"Business Front Foot" means the lineal distance of the building space occupied by the particular business measured on a straight line parallel to the street. Where a business does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business.

"Changeable Copy Sign" means a sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or the surface of the sign.

"Commission" means the Plan Commission of the Town.

"Development Sign" means any temporary sign used to identify future residential or nonresidential development, or such a development under construction or completed.

"Double-faced Sign" means one sign that is constructed in a single plane that has two faces or sides designed for use.

"Electronic Message Board" means a type of changeable copy sign whose message or display is presented with patterns of lights or other means that may be changed at intermittent intervals by an electronic process.

"Flag" means banner sign as defined above.

"Free-Standing Sign" means any sign which is supported by structures or supports in or upon the ground and independent from any building.

"Government Sign" means any sign that is owned, operated, or required by a governmental entity having jurisdiction, including, but not limited to, the signs designated in this chapter as government signs, and signs that are required by applicable laws.

Such signs include official traffic, fire and police signs, signals, devices, and markings of the State of Wisconsin and the Town or other public authorities, or posted notices required by law.

"Height of Sign" means the overall height of a sign and/or the supporting structure of a sign, where applicable, measured from the nearest adjacent road grade at the edge of the pavement to the highest point of the sign and/or supporting structure of the sign.

"Holders of Permit" means collectively the owner(s) of the premises on which a sign is located and the lessee(s) of the premises to which such sign pertains, all of whom must sign the application for a sign permit. (See subsection 7.)

"Illegal Sign" means any sign except the following:

- i) A sign allowed by this chapter and not requiring a permit.
- ii) A sign allowed by this chapter carrying a valid permit.
- iii) A sign not allowed by this chapter but which has been legalized by variance or conditional use and proper permit granted.

"Legal Nonconforming Sign" means a sign that met code regulations when it was originally erected, either by adherence to a previous sign ordinance or by a variance granted to that ordinance, but which does not comply with all the present regulations of this chapter.

"Maintenance" means the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner, or the reprinting of existing copy without changing the wording, composition or color of said copy.

"Master Sign Program" means the establishment of an identification program for any multi-tenant operation within the town, including but not limited to office parks, industrial parks and multi-tenant office and retail buildings. A Master Sign Program may also include a commercial development in which there exists a number of separate commercial activities, in which there are appurtenant facilities (such as parking or pedestrian mall), and which is designed to provide a single area in which the public can obtain varied products and services. The intent of a Master Sign Program is to give a uniform theme of size, color and style to signs in such a development.

"Meaningful Open Space" means the area around the base of a sign, determined to be necessary for aesthetics and safety by the Board. Meaningful Open Space shall be no less than 250 square feet and shall be landscaped with plantings and grass or ground cover as per site development standards.

"Monument Sign" means a sign placed upon or supported by the ground independent of any other structure for the purpose of delineating a neighborhood or a commercial development area. Monument signs are tantamount to government signs, to identify neighborhoods or commercial development areas, and assist with the provision of emergency services.

"Off-Premise Sign" means a sign which is not appurtenant to the use of the property or to a product sold or a service offered upon the property where the sign is located, and which does not identify the property where the sign is located as a purveyor or source of the merchandise or services advertised upon the sign.

"Pennant" means a tapered or dove-tailed banner, sign, streamer or flag, with or without any representation or writing thereon.

"Permanent Sign" means any sign which is intended to be and is so constructed as to be lasting and enduring, remaining unchanged in character, condition (beyond normal wear) and position, and in some permanent manner affixed to the ground, wall or building.

"Portable Sign" means any sign not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building, including but not limited to trailerized signs and vehicles.

"Projecting Sign" means any sign other than a wall sign affixed to any structure, building or wall whose leading edge extends beyond such structure, building or wall.

"Roof Line" means the highest point of the main roof structure or highest point on a parapet but shall not include cupolas, pylons, projections or minor raised portions of the roof.

"Roof Sign" means a sign extending above the roof line.

"Sandwich Board" means a two-sided portable sign constructed of wood, cardboard or similar rigid material generally displayed outside of a commercial establishment to identify a product or service.

"Seasonal Sign" means a sign for seasonal commercial establishments, including but not limited to garden centers, Christmas tree lots and fruit and vegetable stands.

"Shingle Sign" means a sign whose front is under a roof overhang, covered walkway, covered porch, or open lattice walkway.

"Sign" means any device for visual communications and the structure which supports it, which is used or is intended to attract the attention of the public, when the display of this device is visible beyond the boundaries of the property upon which the display is made.

"Streamer" means pennant as defined above.

"Temporary Sign" means any sign constructed of cloth, canvas, wood, light fabric, cardboard, wallboard, plastic or other like materials, with or without frames, and any type of sign not permanently attached to the ground, wall or building which is permitted for display for a limited period of time only.

"Wall Sign" means any sign painted on, or attached to and erected parallel to the face of, or erected and confined within the limits of, the exterior wall of any building or structure and supported by such wall, building or structure and which displays only one advertising surface. This definition includes signs composed of individual letters or symbols.

"Window Sign" means any sign placed inside or upon a window facing the outside of a building and which is usually intended to be seen from the exterior of the building. Signs displayed on glass panels which are integral to doors visible from the exterior of the building will be considered to be window signs for purposes of this chapter.

SECTION 2: Chapter 17 of the Town of Delafield Municipal Code entitled "Zoning Code," Section 12.05 entitled "Conditional Uses," subsection 5 entitled "Conditional Uses Permitted," subsection Z-5 entitled "Master Sign Program" is

hereby created and inserted between the conditional uses for "Marina" and "Mobile Home Parks" as follows:

17.05 5. Z-5
NEW CONDITIONAL USE

Z-5 Master Sign Program.

1. Where Permitted.

- A-1 Agricultural District
- A-E Exclusive Agricultural District
- A-2 Rural Home District
- B-1 Restricted Business District
- B-2 Shopping Center District
- B-3 Business Park District
- M-1 Industrial District
- P-1 Park and Recreation District
- WF-1 Wetland-Floodplain District

2. Conditions Under Which Permitted.

A Master Sign Program is necessary to establish the uniform theme of size, color and style to signs in multi-tenant operations, office parks, industrial parks, multi-tenant office and retail buildings, and commercial developments that include separate commercial activities. The requirements of Section 17.08 may be modified by the express terms of the Master Sign Program conditional use order.

SECTION 3: Chapter 17 of the Town of Delafield Municipal Code entitled "Zoning Code," Section 17.02 entitled "Rules and Definitions," subsection 2. entitled "Specific Words and Phrases," the definition of "Code Enforcement Officer" is hereby repealed and re-created as follows:

Code enforcement officer. The Town employee or Town contractor charged by the Town Board with the application and interpretation of this chapter

SECTION 4 SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section

or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: CONTINUATION OF EXISTING PROVISIONS.

The provisions of this ordinance, to the extent that they are substantively the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance, for the time that such provision was in effect.

SECTION 6: EFFECTIVE DATE.

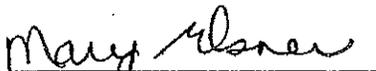
This ordinance shall be effective upon publication or posting as provided by law.

Dated this 23rd day of May, 2017.

TOWN OF DELAFIELD


Lawrence G. Krause, Town Chair

ATTEST:


Mary Elsner, Town Clerk

This ordinance posted or published _____
C:\MyFiles\Delafield\Sign Ordinance\Sign Ordinance 4.10.17.docx

1 AMEND THE TEXT OF THE TOWN OF GENESEE ZONING CODE RELATIVE
2 TO MISCELLANEOUS ZONING MATTERS (ZT-1851)
3
4

5 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
6 this Ordinance was approved by the Genesee Town Board on June 6, 2017; and
7

8 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
9 Planning Commission, which recommended approval and reported that recommendation to the
10 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
11 as required by Section 60.62, Wis. Stats.
12

13 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
14 that the text of the Town of Genesee Zoning Code, adopted by the Town of Genesee on July 23,
15 2015, is hereby amended relative to various zoning matters more specifically described in the
16 "Staff Report and Recommendation" on file in the office of the Waukesha County Department of
17 Parks and Land Use and made a part of this Ordinance by reference ZT-1851, is hereby
18 approved.
19

20 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
21 this Ordinance with the Town Clerk of Genesee.
22

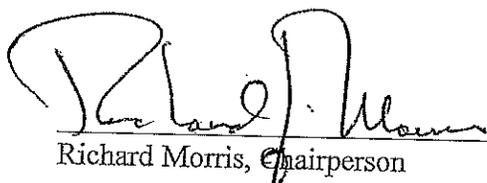
23 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
24 approval and publication.

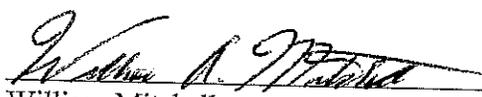
COMMISSION ACTION

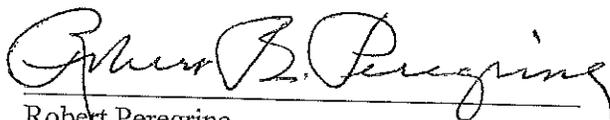
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance text amendments to the Town of Genesee Zoning Code, hereby recommends approval of **ZT-1851 (Text Amendments)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

July 20, 2017


Richard Morris, Chairperson


William Mitchell


Robert Peregrine


James Siepmann

Absent
William Maslowski

Absent
Robert Hamilton

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

FILE NO.: ZT-1851

DATE: July 20, 2017

PETITIONER: Town of Genesee Board
Town of Genesee Hall
P.O. Box 242
Genesee Depot, WI 53127

NATURE OF REQUEST:
Amend various sections of the Town of Genesee Zoning Code.

PUBLIC HEARING DATE:
April 24, 2017 and June 6, 2017.

PUBLIC REACTION:
Two residents spoke in favor of changes to accommodate chickens and another resident supported increasing the number of livestock (cattle/horses) allowed on three (3) acres from one (1) to two (2).

TOWN PLAN COMMISSION:
The Town of Genesee Plan Commission unanimously recommended approval of the proposed text amendments on June 6, 2017.

TOWN BOARD ACTION:
The Town of Genesee Board unanimously approved the text amendments on June 6, 2017.

OTHER CONSIDERATIONS:

The Town is proposing a set of amendments that addresses miscellaneous topics including the following:

- Several modified and new definitions
- Accommodations for persons with disabilities
- Clarification of building height and size restrictions
- Increase number of livestock allowed on minimum three acre lots
- Accommodations for the keeping of chickens
- Other technical and drafting modifications

The Zoning Administrator will be granted the authority to modify ordinance standards to provide reasonable accommodations for persons with disabilities. Relief will be limited to the minimum necessary to provide reasonable use of a facility. Such accommodations are becoming common in newer ordinances. Building height provisions are proposed to be simplified and modified slightly to generally match the height parameters specified within the County zoning ordinances. All residential districts will allow for a maximum roof height of 44', except for flat roofed structures which will be limited to 35' in height. The Town is also proposing a requirement that requires accessory buildings of more than 1600 square feet to obtain Town Plan Commission approval. This requirement is intended to ensure harmony with surrounding uses.

The keeping of chickens is proposed to be allowed on lots less than three acres. A maximum of six chickens will be allowed on such lots, while lots greater than 3 acres will be allowed up to 20 chickens for the first three acres and 20 additional chickens for each additional acre. Roosters will not be permitted on lots under three acres. Chicken coops will be required to be located at least 25' from property lines and 50' from existing dwellings on neighboring properties. Nuisance provisions have also been provided to prevent neighbor conflicts. Other animal regulations have been eased to allow for two head of livestock on the first three acres of land rather than the current limitation of one.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The amendments provide clarification to definitions and terms, simplify ordinance height requirements and provide more flexibility to Town residents regarding the keeping of chickens and other animals.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning & Zoning Manager

Attachment: Town Ordinance

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\1851 Text Amendment Gnt.Docx

JUN 09 2017

STATE OF WISCONSIN

TOWN OF GENESEE

DEPT OF PARKS & LAND USE
WAUKESHA COUNTY

ORDINANCE NO. 17-4

AN ORDINANCE TO AMEND THE ZONING CODE FOR THE TOWN OF GENESEE; TO CLARIFY THE DEFINITIONS OF SINGLE-FAMILY DWELLING, FLOOR AREA, LOT, LOT AREA, SUSTAINED YIELD FORESTRY, AND CREATE DEFINITIONS OF LOCAL ROAD, WETLAND SETBACK AND WETLANDS; ESTABLISH A PROCESS TO ALLOW ACCOMMODATIONS TO BE GRANTED FOR PERSONS WITH DISABILITIES; CLARIFY REGULATIONS CONCERNING BUILDINGS REQUIRED TO BE LOCATED ON LOTS; CLARIFY MAXIMUM HEIGHT RESTRICTIONS AND SIZE RESTRICTIONS; INCREASE THE NUMBER OF LIVESTOCK ALLOWED ON A THREE (3) ACRE LOT; ADDRESS THE KEEPING OF CHICKENS; AND MAKE OTHER TECHNICAL AND DRAFTING MODIFICATIONS TO THE ZONING CODE

WHEREAS, the Town of Genesee Town Board has been authorized to exercise Village powers pursuant to Wisconsin Statutes Section 60.10(2)(c); and

WHEREAS, the Town of Genesee Town Board has received approval of the Town Meeting to exercise Town zoning authority, pursuant to Wisconsin Statutes Section 60.10(2)(h), and Wisconsin Statutes Section 60.62(2); and

WHEREAS, the Town Board on March 23, 2015 adopted a zoning code pursuant to Wisconsin Statutes Section 60.62(1), 61.35, and 62.23(7), and other applicable laws, and exercises such authority; and

WHEREAS, the Town Board's does hereby exercise its right to amend certain sections of the Town of Genesee Zoning Code which is subject to approval of the Waukesha County Board pursuant to Wisconsin Statutes Section 60.62(3); and

WHEREAS, the Town Board for the Town of Genesee has initiated this proposed ordinance to amend the zoning code for the Town of Genesee and has referred to the matter to the Town Plan Commission pursuant to Wisconsin Statutes Section 62.23(7)(d)(1)(a); and

WHEREAS, following the formation of tentative recommendations a public hearing was held by the Town Board upon due notice as required by Wisconsin Statutes Section 62.23(7)(d)(1)(a); and

WHEREAS, the Town Board has received a recommendation from the Town Plan Commission in favor of adopting the ordinance to amend certain sections of the Zoning Code for the Town of Genesee; and

WHEREAS, the Ordinance that is hereby adopted has been available for public inspection for not less than two weeks before its enactment, and shall be published as a code pursuant to Wisconsin Statutes Section 66.0103; and

WHEREAS, pursuant to Wis. Stats. §66.10015(3), as enacted within 2015 Wisconsin Act 391, a two-thirds vote of the members-elect of the Town Board is required for the ordinance to be adopted, because this ordinance is found to reduce the permitted uses of the property in the Town of Genesee in some limited respects, in order to comply with all applicable State mandates; and

WHEREAS, the Town Board of the Town of Genesee having carefully reviewed the recommendation of the Town Plan Commission, being fully informed and advised, having determined that all procedural requirements and notice requirements have been satisfied, having determined that the Ordinance is consistent with the recommendations found in the Town of Genesee Comprehensive Plan, having given the matter due consideration, and having based its determination on the effect of the adoption of such Ordinance on the health, safety and welfare of the community, and having given due consideration to such municipal issues as noise, dust, smoke and odor, and others, hereby determines that the amendment to the Town of Genesee Zoning Code will be a benefit to, and will not be contrary to, the public health, safety and general welfare of the Town of Genesee, and further finds that these amendments are consistent with the recommendations found within the Town of Genesee Comprehensive Plan – 2035.

WHEREAS, The proposed amendments herein replace the amendments approved by the Town Plan Commission and Town Board on April 24, 2017, which have been determined to be inadequate; and

NOW, THEREFORE, the Town Board of the Town of Genesee, Waukesha County, Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1

The Town of Genesee Zoning Code Section 4 entitled "Definitions," subsection (8) entitled "Specific Words and Phrases," the existing definitions of one-family dwelling, floor area, lot, lot area, and sustained yield forestry are hereby repealed and re-created as follows (with the definition of one-family dwelling being revised to define instead the term "single-family" dwelling), with the remaining definitions within such subsection B unchanged:

Dwelling, Single-family: A detached or semi-detached building designed for and occupied exclusively by one (1) family.

Floor area: The sum of the horizontal areas of each floor of an enclosed building as measured to the outside edges of the outside walls. This definition does not include basements, exterior balconies or unenclosed porches and as further described in this Code.

Lot: A parcel of contiguous land with described boundaries and abutting or having access via an approved easement to a public street or other approved way and exclusive of any land lying in any public right-of-way, mil tax roads, or below the ordinary high water mark of navigable waters. Where public rights-of-way divide a single described parcel into two or more parts, such severed portions shall be considered separate individual Lots if such

separate parcels individually meet the use regulations, building location and area regulations of the zoning district in which they are located. Where such separate parcels do not meet those requirements and have been described as a single parcel of record, together such severed portions shall be considered to be a single lot for regulatory purposes, under the provisions of this Ordinance, and such severed areas shall not be sold separately.

Lot area: The area of a lot as defined herein bounded by lot lines exclusive of land provided for public rights-of-way, mill tax roads, and lands below the ordinary high water mark any navigable waters.

Sustained yield forestry: The management of forested lands, including planting, thinning, and harvesting to provide annual or periodic crops of forest products.

SECTION 2

The Town of Genesee Zoning Code Section 4 entitled "Definitions," subsection (B) entitled "Specific Words and Phrases," is hereby amended to add the following definitions, which will be inserted within said subsection 4(B) in alphabetical order as follows:

Road, Local: A public road that is not a county, state, or federal Highway.

Setback, Wetland: The horizontal distance between the closest point of a structure or Building and the wetland boundary, excluding a roof Overhang measuring twenty-four inches (24") or less.

Wetlands: Those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

SECTION 3

The Town of Genesee Zoning Code, Section 7 entitled "Use Permit," subsection (B) entitled "Application," subsection (5) entitled "Accommodations for persons with disabilities," is hereby created as follows:

- (5) Accommodations for persons with disabilities: The Zoning Administrator may issue a permit to modify the standards of this Ordinance in order to provide reasonable accommodations as required by provisions of federal and state law. Such modification shall be the minimum necessary to be consistent with federal guidelines for accommodation of persons with disabilities and shall, where practicable, be terminated when the facility is no longer used by the disabled person(s). A person applying for a permit for construction under the section shall establish the nature and extent of the

disability and that the modification requested is the minimum necessary to provide reasonable use of the facility. The reasonable accommodations shall be evidenced by an instrument that is reviewed and approved by the Zoning Administrator and recorded in the Office of the Register of Deeds.

SECTION 4

The Town of Genesee Zoning Code Section 10 entitled "Site Regulations; building must be on a lot" is hereby repealed and re-created as follows:

Building on a lot: Every building hereafter erected, structurally altered, or relocated shall be located on a lot as defined in this Ordinance. Any building used for the Principal Use permitted in a particular District shall constitute the Principal Building and in no case, except in Restricted Business, Limited Business and General Business Districts and Planned Unit Developments, shall there be more than one (1) principal building on a lot unless otherwise stated in this Ordinance. An accessory Building is considered attached to and part of a Principal Building only if the attachment consists of a breezeway that is at least six (6) feet in width and contains an entire roof structure as determined by the Town Building Inspector. The principal building, as herein described, shall be built first in all districts. In any residential district where a building other than a residence is considered principal, such construction shall be subject to the prior approval of the Town Plan Commission. The Town Plan Commission may allow the issuance of a new residential home building permit and the occupancy of an existing residential structure on a parcel for one continuous two-year period, subject to specific Town Plan Commission approval and the following conditions:

- (1) Subject to the occupancy of the existing single-family residential structure being made by the same person who will occupy the new single-family residential structure for which the new residential home building permit is issued.
- (2) Subject to the applicant submitting to and receiving approval from the Town Plan Commission written proof that the waste disposal system for the property upon which the current residence exists conforms to the applicable sanitary ordinances of the county environmental health division or is otherwise allowed to be used by the county environmental health division.
- (3) Subject to the applicant submitting to the Town Board and receiving approval as to form from the Town Attorney and as to amount from the Town Building Inspector or Town Engineer, a letter of credit or cash in the amount of 115 percent of the removal and restoration costs relative to the existing single-family residence as determined by the Town Building Inspector or Town Engineer; and also submitting to and receiving approval from the Town Attorney and the Town Building Inspector or Town Engineer, an agreement which would allow the Town to access the property and remove the existing structure at the applicant's expense if the new applicant fails to do so within sixty (60) days of issuance of an occupancy permit for the new residence; upon either of the following occurrences:

- (a) Prior to the issuance of a new residential home building permit for any lot on which an existing residential home is occupied; or
 - (b) Prior to occupancy of any existing residential home on any lot for which a new residential home building permit has been issued.
- (4) Subject to such additional conditions as the Town Plan Commission may require in the interest of the health, safety and welfare of the Town.

SECTION 5

The Town of Genesee Zoning Code Section 17 entitled "Height regulations" is hereby repealed and re-created as follows:

Section 17 - Height regulations.

- (A) **Maximum height.** Principal Structures: The following height provision applies to principal structures in all Districts except for the P-I, Q-1, M-1 and M-2 Districts, where height regulations are specified in each respective District section: Overall Maximum building height, forty-four (44) feet. A structure with a flat roof is limited to an overall height of thirty-five (35) feet.
- (B) **Maximum height.** Accessory Structures: The following height provisions apply to accessory structures in all Districts except for A-E, A-B, P-I, Q-1, M-1 and M-2 Districts, where height regulations are specified in each respective District section:
- (1) Maximum overall height is limited to eighteen (18) feet, or
 - (2) Maximum overall height is limited to sixty (60) feet if the structure is used for farm or agricultural purposes in the A-5 and A-1 Districts.
- (C) **Exceptions; no Town Plan Commission approval required.** The following should be excepted from the height regulations of all districts, but are subject to all other regulations of the Town:
- (1) Chimneys and flues.
 - (2) Electrical transmission and distribution facilities.
 - (3) Roof-mounted television and radio receiving antennas not exceeding ten feet in height from the roof and roof-mounted licensed amateur radio operator antennas not exceeding ten (10) feet in height from the roof.

- (D) **Exemptions; Town Plan Commission approval required.** The following shall be exempted from the height regulations of all districts, subject to the approval of the Town Plan Commission, but are subject to all other regulations of the Town: Cooling towers, elevator bulkheads, fire towers, monuments, penthouses, stacks, scenery lofts, tanks, water towers, ornamental towers, wind towers, spires, masts, free standing towers, roof-mounted licensed amateur radio operator antennas ten (10) feet or more in height from the roof, aerial and necessary mechanical appurtenances.
- (D) **Increase permitted.** All other buildings or structures not exempted by subsections (C) and (D) of this Section may be increased by not more than ten (10) feet, subject to satisfying the following conditions:
- (1) All required offsets and setbacks are increased by one foot for each foot which such building or structure exceeds the height limit of the district in which it is located.
 - (2) Subject to all other regulations of the Town.

SECTION 6

The Town of Genesee Zoning Code Section 19 entitled "Accessory Use and Structures", subsection (A) entitled "Size and location", subsection (1) is hereby repealed and re-created as follows:

- (1) No accessory buildings shall be erected, structurally altered or placed on a lot in any district so that any portion thereof is closer than ten (10) feet to the principle building or other accessory buildings and structures on such lot unless it complies with all local building code requirements. All requests for accessory structures in excess of one thousand six hundred (1,600) square feet shall be submitted to the Town Plan Commission prior to the erection of the building and the Town Plan Commission may approve, conditionally approve or reject the request based upon the following standards. In reaching its decision, the Town Plan Commission shall consider the purposes of the Zoning Code, the extent to which the structure would exceed the limits of the Zoning District requirements and the development patterns in the surrounding area, and the structure might have on neighboring properties.

SECTION 7

The Town of Genesee Zoning Code Section 19 entitled "Accessory Use and Structures," subsection (B) entitled "Number of Accessory Structures," subsection (1) is hereby repealed and re-created as follows:

- (1) No more than two (2) accessory buildings per parcel are permitted in any district except as follows:
 - (a) On parcels of fifteen (15) acres or more, in area used solely for agricultural purposes, more than two (2) accessory buildings may be permitted by the Town Plan Commission subject to compliance with the floor area ratio requirements of the Zoning Code.
 - (b) In all Business, Industrial, Public and Institutional and Quarrying Districts (B-1, B-2, B-3, B-4, BP, Q-1, M-1, M-2 and P-1, when approved by the Town Plan Commission as part of a site plan and plan of operation review, and where said buildings are used accessory to the principal use on the Lot, and when consistent with the maximum overall Floor Area Ratio requirements of this Ordinance.
 - (c) Where a Conditional Use Permit has been issued for the lot that expressly permits more than two accessory buildings/structures.
 - (d) Where more than two (2) accessory buildings are proposed, the Town Plan Commission shall review the request and render a finding to allow or disapprove said structure.

SECTION 8

The Town of Genesee Zoning Code Section 40 entitled "Conditional Uses," subsection (B) entitled "Conditional Uses permitted," subsection (27) entitled "Multi-family units and condominiums," subsection (a) is repealed and re-created as follows:

- (a) The minimum lot area shall be determined by the number of units to be constructed. The number of units shall be based on a density of one (1) unit for each fifteen thousand (15,000) square feet of land area, exclusive of Wetlands or Lands Zoned C-1. Where the use will be served by municipal sewerage, the density requirements can be reduced to a minimum of nine thousand (9,000) per dwelling unit. The width of the Lot shall be increased as the size of the Lot increases in order to avoid excessively long and narrow lots and shall, however, be no less than one hundred and eighty (180) feet in width. The amount of green space, exclusive of parking areas, sidewalks driveways, roads and other paved areas or impervious surfaces shall be five thousand (5,000) square feet per unit.

SECTION 9

The Town of Genesee Zoning Code Section 40 entitled "Conditional Uses," subsection (B) entitled "Conditional Uses permitted," subsection (27) "Multi-family units and condominiums," subsection (e) is repealed and re-created as follows:

- (e) There shall be two (2) off-street parking spaces for each dwelling unit. The location and arrangement of these spaces is subject to approval of the Plan Commission.

SECTION 10

The Town of Genesee Zoning Code Section 61 entitled "A-E Exclusive Agricultural Conservancy District," subsection (E) entitled "Height regulation," is repealed and re-created as follows:

- (E) Height regulations.

Height regulations for the A-E exclusive agricultural Conservancy District shall be as follows:

- (1) Principal building: Thirty-five (35) feet maximum.
- (2) Accessory structures: Farm, sixty (60) feet; other, eighteen (18) feet, except that this height limit may be increased to allow structures up to one-hundred (100) feet where the setback and offset are equal to or exceed the height of the structure itself.

SECTION 11

The Town of Genesee Zoning Code Section 64 entitled "EC Environmental Corridor District," subsection (B) entitled "Permitted Uses," is repealed and re-created as follows:

- (B) Permitted Uses:

- (1) Any uses permitted in C-1 Conservancy District.
- (2) Single family dwellings.
- (3) Keeping of poultry or livestock shall not be permitted on any lot less than three (3) acres. There shall be no more than two (2) head of livestock or twenty (20) poultry for the first three (3) acres of land. There may be one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land, except as otherwise provided herein. All lands to be utilized for the keeping of livestock or poultry must be under the same ownership or

additional leased lands may be used to increase the maximum permitted livestock or poultry if contiguous to the owners' property. Where such use lawfully existed prior to the date of this Code, such use may be continued subject to the limitations regulating non-conforming uses as regulated in Section 34 of this Code. The grazing of livestock and the keeping of poultry shall be prohibited in environmental corridors areas on parcels of land which contain areas outside of the corridor. The keeping of pigs (of any type), hogs, male goats or fur-bearing animals shall not be permitted.

- (4) The following accessory buildings and uses, subject to the conditions specified:
 - (a) Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected or commenced unless the principal building on such lot has been erected or is to be erected simultaneously with said garage.
 - (b) Quarters for household or farm employees; provided, however, that such quarters shall be occupied only by individuals employed full-time on the premises and their families.
 - (c) Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.
- (5) Signs shall comply with the Town of Genesee Sign Ordinance.
- (6) Hobby kennel in accordance with Section 19 (J) of this Code.
- (7) The establishment and enhancement of public parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves, and wildlife habitat areas, provided that any tree and vegetation removal and subsequent restoration done in the EC Environmental Corridor District and any improvements and/or construction shall be approved by the Town Administrator before beginning any development activities. Vegetative restoration may be allowed within the corridor for the purpose of improving wildlife habitat or to otherwise enhance wildlife values provided all necessary permits are obtained and said activities shall only be approved after review and approval and issuance of all permits, as required. Roads and trails to service the recreational and wildlife areas, etc. may be permitted, but said roads and trails may not include vegetation removal or other construction activity within the corridor without obtaining all approvals, as required.

- (8) Community living arrangements and community based residential facilities which have a capacity of eight (8) or fewer persons, subject to the limitations set forth in Section 62.23 (7) (I) of the Wisconsin Statutes and amendments thereto.
- (9) Family daycare home or foster family home of eight (8) or fewer persons.
- (10) Keeping of chickens shall comply with the requirements of Section 65 (A)(13).

SECTION 12

The Town of Genesee Zoning Code Section 65 entitled "A-1 Agricultural District," subsection (A) entitled "Permitted uses," is repealed and re-created as follows:

(A) Permitted uses

- (1) Any use permitted in the A-E exclusive agricultural district.
- (2) One-family dwelling.
- (3) Agricultural or farm uses on not less than five (5) acres of land, including the keeping of poultry and livestock, except that the keeping of hogs, unneutered male goats or fur-bearing animals shall not be permitted on less than twenty (20) acres. Those practicing agricultural uses under this Section must comply with standard manure disposal practices.
- (4) Horticulture, including greenhouses and nurseries.
- (5) The following accessory buildings, subject to the conditions specified:
 - (a) Private garages when located on the same lot, and not involving the conduct of a business; no private garage shall be erected unless the principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
 - (b) Quarters for household or farm employees, provided, however, those quarters shall be occupied only by those individuals employed full time on the premises and their families.
 - (c) Stables, barns, or poultry houses, which house livestock or poultry, shall not be less than fifty (50) feet from an adjacent property line.
- (6) Home occupations and professional offices as regulated in Section 19 (J) of this Code.

- (7) Signs shall comply with the Town of Genesee Sign Ordinance.
- (8) Hobby kennel as regulated in Section 19 (I) of this Code.
- (9) Private stables subject to a written refuse disposal plan being submitted to and approved by the Town Plan Commission if requested by the Town Planner, provided that not more than one horse or other head of livestock are kept for each full open acre over two acres of open lot area and provided that the keeping of hogs, pigs of any kind (except potbellied pigs as defined in this Code for which a hobby kennel use permit has been issued), male goats or fur-bearing animals shall not be permitted on less than 20 acres.
- (10) Yard sales which shall be limited to 3 consecutive days. There shall be at least thirty (30) days between the last day of a yard sale and the first day of a subsequent yard sale.
- (11) Community living arrangements and community based residential facilities which have a capacity of eight (8) or fewer persons, subject to the limitations set forth in Section 62.23 (7) (I) of the Wisconsin Statutes and amendments thereto.
- (12) Family daycare home or foster family home of eight (8) or fewer persons.
- (13) Keeping of chickens shall be regulated as follows:
 - (a) No more than six (6) chickens shall be allowed on a lot less than three (3) acres in size. Lots greater than three (3) acres in size shall contain no more than twenty (20) chickens for the first three (3) acres of land. There may be twenty (20) additional chickens for each additional one (1) acre of land. All lands to be utilized for the keeping of chickens must be under the same ownership or additional leased lands may be used to increase the maximum permitted chickens, if contiguous to the owners' property.
 - (b) The keeping of roosters is prohibited on less than three (3) acres of land.
 - (c) Chickens shall be kept in a covered enclosure or coop that is predator proof, thoroughly ventilated, of sufficient size to allow free movement of the chickens and designed to be easily accessed, cleaned and maintained by the owners. Chickens shall be kept in an enclosure or fenced in area at all times.

- (d) A covered enclosure or coop is considered a structure and is subject to all applicable zoning and building restrictions and codes. However, a small enclosure or coop less than 100 square feet shall not count toward the number of accessory buildings allowed on a lot. Only one (1) covered enclosure or coop is allowed per lot.
- (e) The covered enclosure or coop housing the chickens and chicken runs shall be located at least 25 feet off the property line and 50 feet from all existing dwellings on adjoining properties. The covered enclosure or coop and chicken run shall not be located in the front yard.
- (f) The keeping of chickens shall not cause any nuisance or unhealthy conditions or otherwise interfere with the normal use of any property.
- (g) On Lots less than three (3) acres, no commercial activities shall be permitted by the homeowner, such as the sale of eggs, sale of live or dressed chickens, sale of live chicks, feathers, etc.
- (h) Feed for chickens shall be stored indoors or in a sealed container if stored outside.
- (i) All enclosures or coops and chicken runs shall be removed from the property no later than six (6) months after the keeping of the chickens is no longer a use on the property.
- (j) All applicable Federal, State, County and Local laws, codes, licenses and requirements must be complied with and followed.

SECTION 13

The Town of Genesee Zoning Code Section 65 entitled "A-1 Agricultural District", subsection (D) entitled "Height regulations," is repealed and re-created as follows:

- (D) **Height regulations**, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 14

The Town of Genesee Zoning Code Section 66 entitled "A-2 Rural Home District," subsection (A) entitled "Permitted uses," is repealed and re-created as follows:

(A) Permitted uses:

- (1) Any use permitted in the A-1 Agricultural District, except that the keeping of poultry or livestock shall not be permitted on any lot less than three (3) acres, and the keeping of hogs, male goats or fur-bearing animals shall not be permitted. There shall be no more than two (2) head of livestock or twenty (20) poultry for the first three (3) acres of land. There may be one additional head of livestock or twenty (20) additional poultry for each additional one (1) acre of land, except as otherwise provided herein. All lands to be utilized for the keeping of livestock or poultry must be under the same ownership or additional leased lands may be used to increase the maximum permitted livestock or poultry if contiguous to the owners' property. Where such use lawfully existed prior to the date of this Code, such use may be continued subject to the limitations regulating non-conforming uses as regulated in Section 27 of this Code.
- (2) Keeping of chickens shall comply with the requirements of Section 65 (A)(13).
- (3) Nurseries and greenhouses for the private and exclusive use of the dwelling occupant are permitted.

SECTION 15

The Town of Genesee Zoning Code Section 66 entitled "A-2 Rural Home District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) **Height regulations,** See Section 17 "Height regulations" for regulations and exceptions

SECTION 16

The Town of Genesee Zoning Code Section 67 entitled "A-3 Suburban Estate District," subsection (B) entitled "Building location," is repealed and re-created as follows:

(B) Building location

- (1) Setback: Fifty (50) feet minimum.
- (2) Offset: Twenty (20) feet minimum.

SECTION 17

The Town of Genesee Zoning Code Section 67 entitled "A-3 Suburban Estate District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions

SECTION 18

The Town of Genesee Zoning Code Section 68 entitled "R-1 Residential District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 19

The Town of Genesee Zoning Code Section 69 entitled "R-2 Residential District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 20

The Town of Genesee Zoning Code Section 70 entitled "R-3 Residential District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 21

The Town of Genesee Zoning Code Section 72 entitled "B-1 Restricted Business District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 22

The Town of Genesee Zoning Code Section 73 entitled "B-2 Local Business District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 23

The Town of Genesee Zoning Code Section 74 entitled "B-3 General Business District," subsection (C) entitled "Height regulations," is repealed and re-created as follows:

- (C) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 24

The Town of Genesee Zoning Code Section 75 entitled "B-4 Community Business District," subsection (F) entitled "Height regulations," is repealed and re-created as follows:

- (F) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 25

The Town of Genesee Zoning Code Section 76 entitled "B-P Mixed Use Business Park District," subsection (E) entitled "Height regulations," is repealed and re-created as follows:

- (E) Height regulations, See Section 17 "Height regulations" for regulations and exceptions.

SECTION 26

The Town of Genesee Zoning Code Section 77 entitled "Q-1 Quarrying District," subsection (D) entitled "Height regulations," is repealed and re-created as follows:

- (D) Height regulations.
 - (1) Principal building: Thirty-five (35) feet maximum.
 - (2) Accessory buildings:
 - (a) Quarrying operations: Sixty (60) feet maximum.
 - (b) Other permitted uses: Eighteen (18) feet maximum.

SECTION 27

The Town of Genesee Zoning Code Section 100 entitled "Board of Appeals – Establishment," subsection (B) entitled "Appeals," subsection (3) entitled "Hearing," is repealed and re-created as follows:

- (3) **Hearing.** Each appeal shall be heard within a reasonable time and not to exceed 65 days from the time the appeal was filed with the Board of Appeals. Notice of hearing shall be given by publishing in a paper of general circulation in the vicinity of the appeal, at least once each week for two consecutive weeks and not less than seven days from the date of the hearing. In addition, written notice shall be given to the administrative officer appealed from, and by regular mail to the petitioner, the owners of each parcel of land within 300 feet of the land in question, and any other specifically interested parties. At the hearing, any party may appear in person or by agent or by attorney.

SECTION 28: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 29: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication as a Code of Ordinances pursuant to Wisconsin Statutes Section 66.0103, immediately upon the approval of the Waukesha County Board of Supervisors pursuant to Wisconsin Statutes Section 60.62(3).

Dated this 8th day of June, 2017.

TOWN OF GENESEE

Sharon L. Leair

Sharon L. Leair, Town Chairman

ATTEST:

Barbara A. Whitmore
Barbara A. Whitmore, Town Clerk

Published and/or posted this 8th day of June, 2017.

1 ADOPT REVISED DISTRICT ZONING MAPS OF THE WAUKESHA COUNTY
2 SHORELAND FLOODLAND PROTECTION ORDINANCE AND THE
3 WAUKESHA COUNTY ZONING CODE (SCZ-1841)
4
5

6 WHEREAS, the Waukesha County Board of Supervisors enacted the Waukesha County
7 Shoreland and Floodland Protection Ordinance on June 23, 1970 and the Waukesha County
8 Zoning Code on February 26, 1959; and
9

10 WHEREAS, the Waukesha County Board of Supervisors may make amendments to such
11 Ordinances pursuant to Sections 59.69 and 59.692, Wisconsin Statutes; and
12

13 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
14 Planning Commission, which recommended approval and reported that recommendation to the
15 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
16 as required by Sections 59.69 and 59.692 of the Wisconsin State Statutes.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
19 that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23,
20 1970 and the Waukesha County Zoning Code adopted on February 26, 1959 are hereby amended
21 to adopt revised district zoning maps. The amendments are more specifically described in the
22 "Staff Report and Recommendation" on file in the office of the Waukesha County Department of
23 Parks and Land Use and made a part of this Ordinance by reference SCZ-1841.
24

25 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
26 this Ordinance with each of the Town Clerks within Waukesha County.
27

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

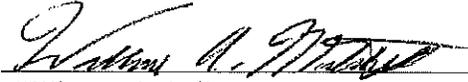
COMMISSION ACTION

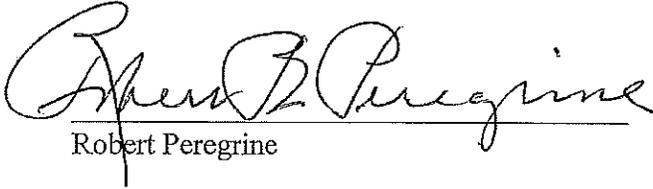
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code, hereby recommends approval of **SCZ-1841 (Adopt Revised District Zoning Maps)** in accordance with the attached "Staff Report and Recommendation".

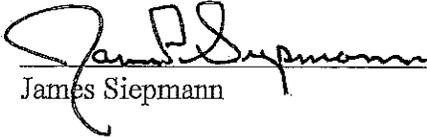
PARK AND PLANNING COMMISSION

July 20, 2017


Richard Morris, Chairperson


William Mitchell


Robert Peregrine


James Siepmann

Absent
William Maslowski

Absent
Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

FILE NO.: SCZ-1841

DATE: July 20, 2017

PETITIONER: Waukesha County Park and Planning Commission

LOCATION:

The map amendments pertain to unincorporated shoreland areas, countywide, that are subject to the Waukesha County Shoreland and Floodland Protection Ordinance. The map amendments also pertain to the non-shoreland portions of the Towns of Oconomowoc and Ottawa that are subject to the Basic County Zoning Code. Shorelands are lands that are located within 1,000' of public lakes or ponds, lands within 300' of navigable streams or to the full extent of the associated 100-year floodplain if the floodplain extends a distance greater than 1,000' from a lake or public pond or 300' from a navigable stream, respectively.

PROPOSED ZONING:

The proposed countywide map modernization 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 that are subject to County shoreland and floodplain zoning or general County zoning.

PUBLIC HEARING DATE:

July 20, 2017.

PUBLIC REACTION:

Draft maps were circulated to all eleven towns several months in advance of the public hearing to solicit comments from communities. All submitted community comments have been addressed in the preparation of the subject zoning maps. If any additional comments are offered by the public at the July 20, 2017 public hearing, such comments can be addressed as part of the Park and Planning Commission's action.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY:

The proposed map updates implement recommendations of the County Development Plan by adjusting C-1 Conservancy Overlay District boundaries to be consistent with revised FEMA mapping to ensure that lands are safe from flooding. Hydric soils that were previously zoned Exclusive Agricultural Conservancy District will be zoned HG High Groundwater District to more clearly identify soils with hydric conditions, which furthers the plan's recommendation of directing development away from severely drained soils.

OTHER CONSIDERATIONS:

The proposed zoning maps (see maps on the Planning and Zoning Division web page at www.waukeshacounty.gov/planningandzoning, click on "Mapping Resources") will, if approved, serve as the official zoning maps of the Waukesha County Shoreland and Floodland Protection Ordinance. In addition, the maps for the Towns of Oconomowoc and Ottawa would serve as the official Basic Zoning Code maps for these two towns that are subject to the Basic Zoning Code.

The following is a summary of the proposed amendments; the first list addresses map changes that relate to all eleven maps, while the second list addresses town-specific map changes:

Summary of proposed map amendments- multiple towns affected:

- **C-1 District.** Complete converting C-1 Conservancy District mapping to an overlay scheme, utilizing the most current 2010 DNR Wetland Inventory and FEMA floodplain mapping and other flood study boundaries, as previously adopted into the text of the Shoreland Ordinance.
- **EC District boundaries.** Complete converting EC Environmental Corridor District mapping to an overlay scheme while incorporating the revised SEWRPC 2010 Environmental Corridor boundaries, inclusive of SEWRPC's 2016 Environmental Corridor refinements that removed farmed floodplain areas from the regional Environmental Corridor inventory.
- **Rock River Basin FEMA mapping.** Incorporate FEMA floodplain mapping for the Rock River watershed in parts of Delafield, Genesee, Merton and Lisbon. The subject FEMA study was previously adopted into the text of the Shoreland Ordinance.
- **Finalize conversion to HG District.** Complete the rezoning of undeveloped lands within non-farmland preservation areas that contain hydric soils from the Exclusive Agricultural Conservancy District to the HG High Groundwater District. State farmland preservation requirements necessitated that farmland preservation lands with hydric soils be differentiated from other undeveloped lands with hydric soils.
- **P-I Zoning-public lands.** Recognize recent land acquisitions by State, County or local units of government by establishing P-I Public and Institutional District designations for publicly owned land that does not otherwise contain protected natural resources (i.e. farmland owned by the State within the Kettle Moraine State Forest).
- **Recent navigability determinations.** Incorporate shoreland jurisdictional changes as a result of recent DNR navigability determinations.
- **Remove Aerial Map Background.** Overlay district boundaries create a degree of visual clutter, so the removal of the aerial photo background helps to improve readability of paper and PDF maps. Because most map users are using the County GIS to view zoning data, aerial photos can be turned on and off in conjunction with zoning layers.

Summary of other proposed Town-specific zoning map revisions:

- **Brookfield:** Revise Shoreland zoning of parcels that encompass "The Corners" and "Poplar Creek Club" projects to more appropriate zoning districts to align with the recently approved mixed use projects.
- **Delafield:** Incorporate text in the legend of Town of Delafield map that denotes that all shoreland jurisdictional areas within the Town are subject to the Delafield Shoreland Overlay District. Add boundaries of Town Planned Unit Developments (PUDs) that are partially within County Shoreland jurisdiction. Also, amend zoning of the north part of the former Hussein property on Maple Avenue from A-2 to R-2 to provide a single zoning district for the property.
- **Eagle:** Amend the zoning of the portion of the former Camtec property within Shoreland jurisdiction to the AT Agricultural Transition District to match the Town's action regarding the same property, given the recent expiration of a conditional rezone.
- **Genesee:** Update Genesee Shoreland map to recognize Genesee's adoption of Town Zoning in non-shoreland areas while also matching use designations adopted by the Town for specific parcels.
- **Merton:** Update Merton map to incorporate the North Lake Overlay District boundary, which correlates to, recently adopted ordinance text amendments. This district was requested by the lake district and

supported by the Town in order to protect properties from flooding in areas below the documented “high floods of record elevation.”

- **Oconomowoc:** Place parcels within the right-of-way of S.T.H. 16 into the road right of way category.
- **Ottawa:**
 - Refine HG High Groundwater District mapping.
 - Amend Cramer property to FLP District per owner request and per recent plan amendment.
 - Amend St. Bruno’s Cemetery and one acre recently acquired to P-I District.
 - Amend Heath property to A-T District, consistent with recent acquisition from Lad Lake.
 - Amend Houk holdings to A-T District, consistent with current use.
 - Place all lake access points into P-I District.
- **Vernon:** Update Vernon map to recognize Vernon’s recent adoption of Town Zoning in non-shoreland areas.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The modernized zoning maps bring consistency to zoning maps in shoreland areas of all eleven towns. All eleven maps will be current with regards to 2014 FEMA floodplain boundaries and this project will also finalize the conversion to natural resource overlay districts which creates efficiency for making natural resource updates in the future. Other map edits clarify recent jurisdictional changes and address town-specific needs and requests. Several towns have either recently adopted or are in process of updating their general zoning maps to generally align with this project, which will create a new level of consistency countywide.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Enclosures: Maps (The eleven proposed zoning maps are available on the Waukesha County website (www.waukeshacounty.gov/planningandzoning; click “Mapping Resources.”)

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1841 Countywide Zoning Map Modernization.doc

1 EXECUTE SUBGRANTEE AGREEMENTS AND HUD GRANT AGREEMENT FOR
2 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT
3 PARTNERSHIP (HOME) PROGRAMS FOR THE 2018 PROGRAM YEAR
4
5

6 WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has qualified
7 Waukesha County as an entitlement Urban County, and along with participating counties and
8 municipalities is eligible to receive federal funding to provide benefits primarily to low and
9 moderate income households as well as to meet specific community needs through the
10 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)
11 programs; and
12

13 WHEREAS, Waukesha County, as the grantee, has been authorized by the Waukesha County
14 Board of Supervisors to participate and accept funding; and
15

16 WHEREAS, the Parks and Land Use Department 2018 Proposed Budget includes HUD funding
17 estimated at \$1,186,082 for the CDBG program and \$959,909 for the HOME program for total
18 HUD funding of \$2,145,991; and
19

20 WHEREAS, Waukesha County estimates revolving loan—for CDBG of \$275,000; program
21 income for CDBG of \$80,000; and program income for the HOME program of \$200,000, which
22 is also included in the 2018 Proposed Budget; and
23

24 WHEREAS, subgrantees, participating counties and municipalities will enter into subgrantee
25 agreements with Waukesha County to use HUD funds mainly designated to benefit low and
26 moderate income (at-risk) persons and specific needs of participating jurisdictions.
27

28 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
29 that the County Executive of Waukesha County is hereby authorized to:
30

- 31 1. Execute on behalf of Waukesha County, required subgrantee agreements for use of
32 HUD grant funds.
33
- 34 2. Execute appropriate amendments to subgrantee agreements, which are deemed
35 reasonable and appropriate by the County Executive and the Community
36 Development Block Grant Board and the HOME Consortium Board.
37
- 38 3. Execute on behalf of Waukesha County a Grant Agreement and an Annual Plan
39 requesting funds for Federal Fiscal Year 2018 with the U.S. Department of Housing
40 and Urban Development.
41

42 BE IT FURTHER ORDAINED that Community Development program administration is
43 authorized to accept the anticipated 2018 HUD funding for CDBG program funds of \$1,186,082
44 and HOME program funds of \$959,909.
45

46 BE IT FURTHER ORDAINED that if actual federal Housing and Urban Development (HUD)
47 award notification amounts are less than estimated, an appropriate reduction of subgrantee grant
48 amounts will be required by the CDBG and HOME Boards and notification of any decreases will
49 be sent to the Finance Committee and the Community Development expenditures will be limited
50 to the amount of the award notification.

<u>Full Agency Title</u>	<u>Project</u>	<u>Recommendation</u>
Big Brothers Big Sisters of Metropolitan Milwaukee	Mentoring Program	\$7,650
City of Waukesha	Adaptive Recreational Programs	\$5,500
City of Waukesha	Downtown Branding	\$27,000
City of Waukesha	Entrance Signs	\$35,000
City of Waukesha	Façade Program	\$35,000
City of Waukesha	Grandview Park/Hartwell Crossing	\$40,263
City of Waukesha	Landmark Paint & Repair	\$10,000
City of Waukesha	Saratoga/Haertel Field Summer Playground	\$5,500
City of Waukesha	Senior Activity Coordinator	\$9,488
City of Waukesha	Sentinel Park Summer Program	\$5,500
Community Outreach Health Services	Health Clinic	\$5,525
Easter Seals	Safe Babies/Healthy Families	\$17,425
Elmbrook Senior Taxi	Vehicle Replacement	\$6,800
ERAs Senior Network	Transportation Collaborative	\$4,675
ERAs Senior Network	Faith in Action	\$6,375
Family Promise of Waukesha Co., Inc.	Family Promise	\$7,650
Family Service Agency	C.A.R.E Center	\$9,000
Food Pantry of Waukesha County Inc.	Food Recovery Program	\$4,250
Greater Waukesha Literacy	Outreach & Recruitment	\$7,200
Habitat for Humanity	Whiterock Redevelopment	\$81,000
Hebron House	Emergency Shelter	\$56,950
Hebron House	Jeremy House	\$3,000
Hope Center	Day Center	\$11,475
Hope Center	Outreach Meal Program	\$45,000
Housing Resources Inc	Homebuyer Education & Counseling	\$18,000
La Casa de Esperanza	Early Childhood Education	\$13,500
Lake Area Free Clinic	Medication Assistance	\$5,525
MEDC	Revolving Loan Fund	\$275,000
Metropolitan Milwaukee Fair Housing	Fair Housing Services	\$13,500
Muskego Senior Taxi	Vehicle Replacement	\$6,800
NAMI	SSI/SSDI Outreach	\$4,250
Parent's Place	Community Education Program	\$7,200
Richard's Place, Inc.	HIV/AIDS Support	\$4,675
Salvation Army	Emergency Lodge	\$7,225
Salvation Army	Community Meal Program	\$16,200
St. Joseph's Medical Clinic	Prescription Payment Assist.	\$9,450
The Caring Place, Inc.	Meals-On-Wheels	\$5,400
The Women's Center	Case Management – Transitional Living	\$5,950
The Women's Center	Emergency Shelter	\$25,500
The Women's Center	Children's Sexual Abuse Counseling	\$12,750
The Women's Center	Employment Program	\$23,158
The Women's Center	Transitional Living Mechanical Systems	\$59,572
The Women's Center	Facilities Improvement	\$77,275
Village of North Prairie	Park ADA Sidewalk	\$12,250
Unallocated	TBD	\$36,573
Waukesha County	Administration	\$273,818
Wauk. Co. Community Dental Clinic	Healthy Smiles for Tots & Teens	\$9,000
Wauk. Co. Community Dental Clinic	Adult Dental Clinic	\$9,000
WI Partnership	Housing Rehabilitation	\$147,285
WWBIC	Business Owner	\$15,000
Total		\$1,541,082

Projects/Activities recommended for the 2018 HOME funding

HOME PROGRAM		
HOME Program	Administration	\$115,990
	Housing Development	\$199,933
CHDO Reserve	TBD	\$143,986
CORE Programs	Downpayment Assistance Program	\$300,000
	Housing Rehabilitation Program	\$225,000
	Purchase Rehabilitation Program	\$175,000
Total		\$1,159,909

FISCAL NOTE

EXECUTE SUBGRANTEE AGREEMENTS AND HUD GRANT AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS FOR THE 2018 PROGRAM YEAR

This ordinance authorizes the County Executive to execute agreements with the Federal Government to accept up to \$2,145,991 of Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) grants and program income as shown below.

<u>Funding Purpose</u>	<u>Programs</u>		
	<u>CDBG</u>	<u>HOME</u>	<u>TOTALS</u>
2018 Subgrantee HUD Grants Amounts	\$1,186,082	\$ 959,909	\$2,145,991
2018 Revolving Loan/Program Income	\$ 355,000	\$ 200,000	\$ 555,000
2018 Estimate	\$1,541,082	\$1,159,909	\$2,700,991

If the Federal Housing and Urban Development (HUD) funding allocation awards are less than the estimated amount, the CDBG and HOME Consortium Boards will make appropriate reductions to subgrantee grant amounts, and send a notification of any decreases to the Finance Committee. The Community Development expenditures will be limited to the amount of the HUD award notifications. According to the Department of Parks and Land Use, all subgrantee agreements for projects will include clauses providing for grant funding decreases, if necessary.

If the final Federal appropriation amount is greater than the estimated amount of \$2,145,991 an ordinance to appropriate the additional funding will require future County Board approval to increase the CDBG and HOME program expenditure appropriations and revenue budgets accordingly.

This ordinance has no direct tax levy impact.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

1 APPROVE NEW PARKING REGULATION FOR COUNTY TRUNK
2 HIGHWAY B (VALLEY ROAD) IN THE CITY OF OCONOMOWOC
3
4

5 WHEREAS, the parking, standing and stopping of vehicles along county trunk highways can
6 have a detrimental effect upon highway capacity and safety; and
7

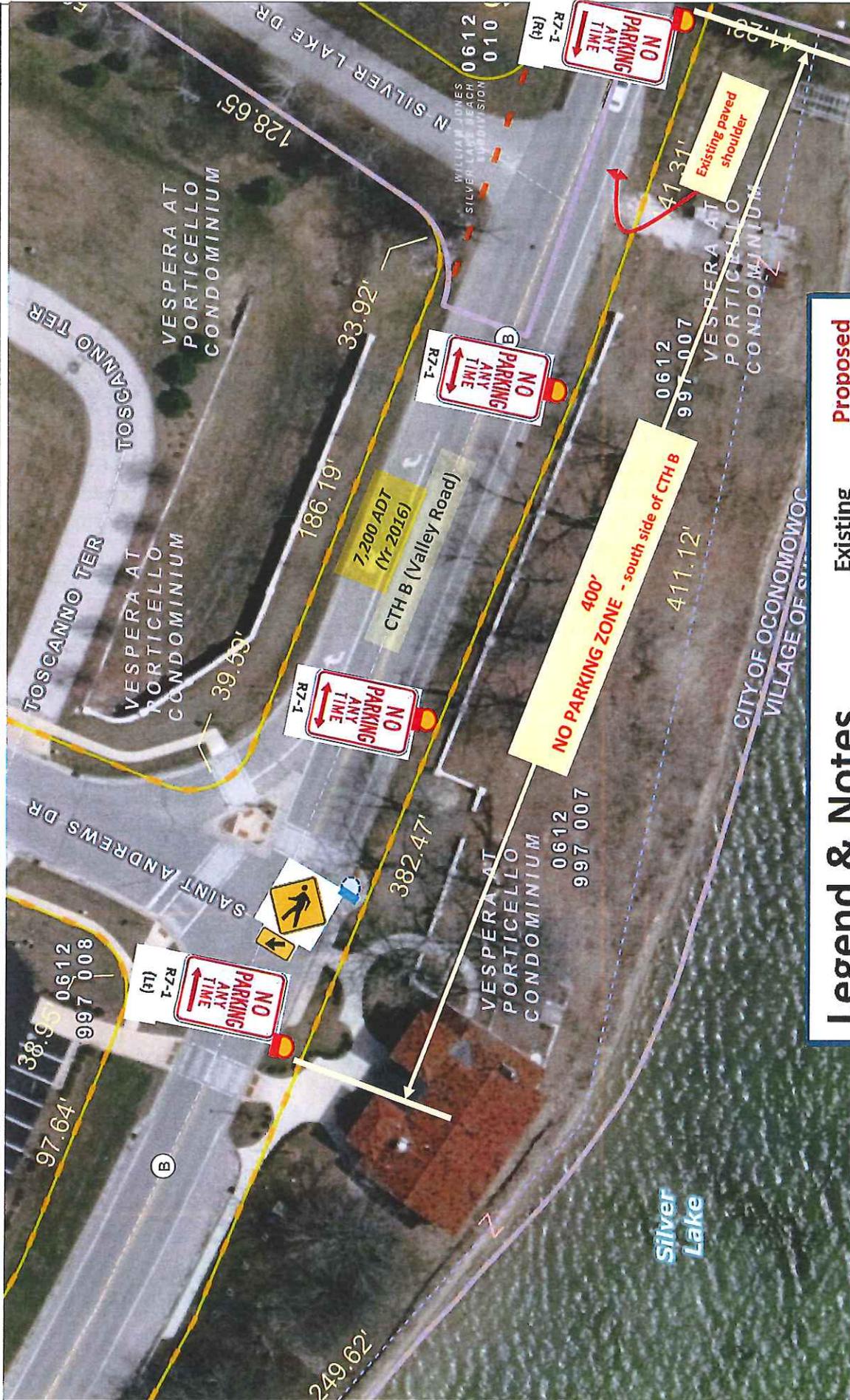
8 WHEREAS, this prohibited parking area provides safe visibility of traffic conditions for
9 motorists; and
10

11 WHEREAS, Section 349.13 of the Wisconsin Statutes provides that local authorities may
12 regulate the parking, standing and stopping of vehicles along such highways.
13

14 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
15 the following parking regulation shall be in effect upon placement of proper signs: County
16 Trunk Highway B – 400 feet along south side of County Trunk Highway B from a pedestrian
17 crosswalk at the west side of Saint Andrews Drive to a point immediately east of North Silver
18 Lake Drive in the City of Oconomowoc – NO PARKING ANYTIME.
19

20 BE IT FURTHER ORDAINED that this ordinance rescinds all other previous parking
21 regulations for the above-described portion of the County Trunk Highway System.

CTH B (Valley Road) - - Proposed NO PARKING Zone



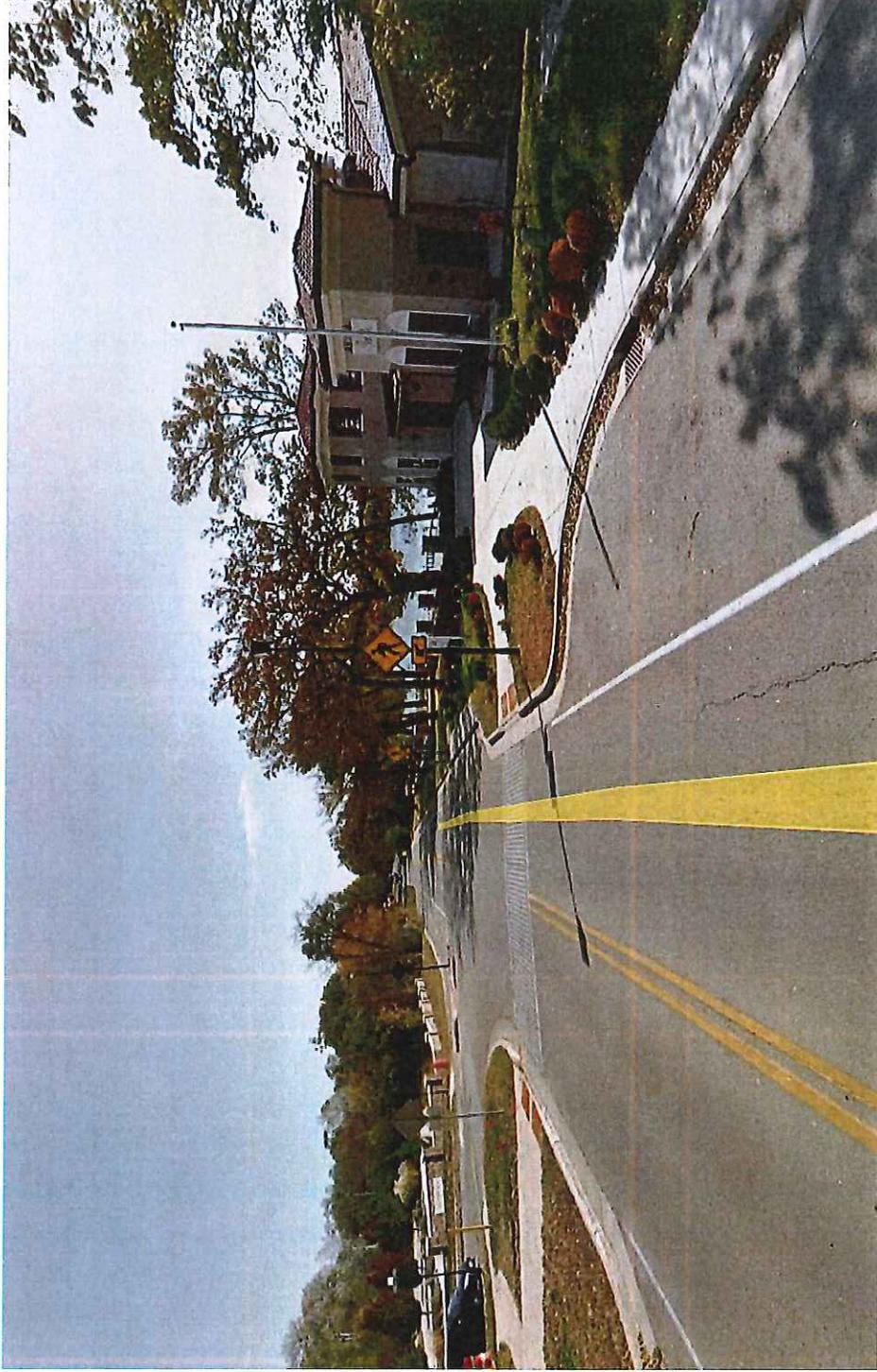
Legend & Notes

- Proposed**
- Existing**

Sign mounted on steel post:

Notes:
 Printed: 7/17/2017
 Referred to: PW

CTH B (Valley Road) looking east along Silver Lake at Saint Andrews Drive



CTH B (Valley Road) looking east along Silver Lake between Saint Andrews Dr. and N. Silver Lake Dr..

Vehicles are parked outside marked shoulder into travel way.



Eastbound traffic must travel around parked vehicles into opposing travel lane. Pedestrians & bicyclists unable to use paved shoulder.



1 FIRST REVISION TO THE LAYING OUT, RELOCATION AND IMPROVEMENT OF
2 COUNTY TRUNK HIGHWAY VV AND COUNTY TRUNK HIGHWAY E
3 WAUKESHA COUNTY PROJECT I.D. 2774-01-00
4
5

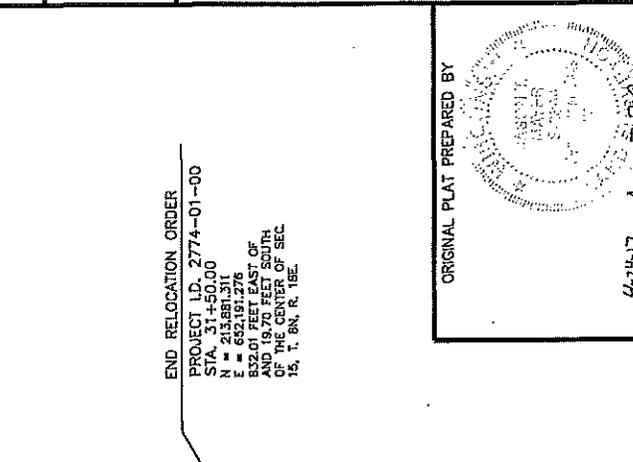
6 WHEREAS, the County Board of Supervisors of Waukesha County finds that the proper
7 improvement and maintenance of County Trunk Highway VV and County Trunk Highway E in
8 the Town of Merton from a point that is 517.67 feet West of and 12.25 feet North of the Center
9 of Section 15, Town 8 North, Range 18 East, in the Town of Merton, Waukesha County, State of
10 Wisconsin to a point that is 832.01 feet East of and 19.70 feet South of the Center of Section 15,
11 Town 8 North, Range 18 East, Town of Merton, Waukesha County, State of Wisconsin requires
12 certain relocation or changes and the acquisition of certain rights of way as shown on the plat
13 marked "Plat of Right of Way Required for C.T.H. VV Intersection with C.T.H. E, Project ID
14 2774-01-00."

15
16 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
17 ORDAIN that the plat marked "Plat of Right of Way Required for C.T.H. VV Intersection with
18 C.T.H. E, Project ID 2774-01-00", on file in the County Clerk's office is adopted by reference
19 under the authority granted by Section 83.08 and Chapter 32 of the Wisconsin Statutes.
20

21 IT IS FURTHER ORDAINED that County Trunk Highway VV and County Trunk Highway E
22 in the Town of Merton is hereby changed or relocated from a point that is 517.67 feet West of
23 and 12.25 feet North of the Center of Section 15, Town 8 North, Range 18 East, in the Town of
24 Merton, Waukesha County, State of Wisconsin to a point that is 832.01 feet East of and 19.70
25 feet South of the Center of Section 15, Town 8 North, Range 18 East, Town of Merton,
26 Waukesha County, State of Wisconsin, in accordance with the plat marked "Plat of Right of Way
27 Required for C.T.H. VV Intersection with C.T.H. E, Project ID 2774-01-00."
28

29 IT IS FURTHER ORDAINED that the County shall acquire those rights of way and other
30 interests as shown on the plat marked "Plat of Right of Way Required for C.T.H. VV Intersection
31 with C.T.H. E, Project ID 2774-01-00."

R/W PROJECT NUMBER 2774-01-00	SHEET NUMBER 4.1	TOTAL SHEETS 3
CONSTRUCTION PROJECT NUMBER 2774-01-70	PLAT OF RIGHT OF WAY REQUIRED FOR CTH VV INTERSECTION WITH CTH E	
C.T.H. VV WAUKESHA CO. CONSTRUCTION PROJECT NUMBER		

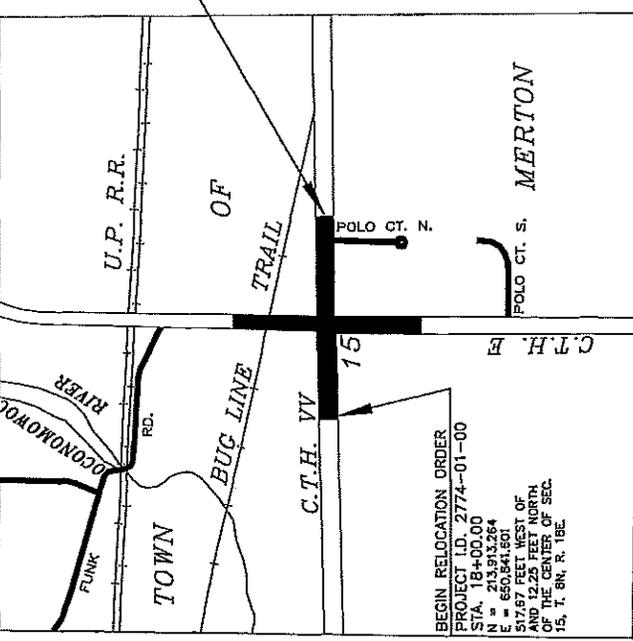


DATE 4-24-17

APPROVED FOR
WAUKESHA COUNTY
DEPARTMENT OF PUBLIC WORKS

DATE 4-24-17
DIRECTOR
ENGINEERING SERVICES MANAGER

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
APPROVED FOR THE DEPARTMENT
DATE: N/A



DATE 4-24-17

APPROVED FOR
WAUKESHA COUNTY
DEPARTMENT OF PUBLIC WORKS

DATE 4-24-17
DIRECTOR
ENGINEERING SERVICES MANAGER

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
APPROVED FOR THE DEPARTMENT
DATE: N/A

CONVENTIONAL SYMBOLS

SECTION CORNER	CONVENTIONAL SYMBOLS
QUARTER LINE	CONVENTIONAL SYMBOLS
NEW REFERENCE LINE	CONVENTIONAL SYMBOLS
NEW R/W LINE	CONVENTIONAL SYMBOLS
EXISTING R/W LINE	CONVENTIONAL SYMBOLS
PROPERTY LINE	CONVENTIONAL SYMBOLS
LOT, TRAIL & OTHER	CONVENTIONAL SYMBOLS
MAJOR LINES	CONVENTIONAL SYMBOLS
CORPORATE LIMITS	CONVENTIONAL SYMBOLS
FEES ACQUISITION AREA	CONVENTIONAL SYMBOLS
TEMPORARY LIMITED	CONVENTIONAL SYMBOLS
PERMANENT LIMITED	CONVENTIONAL SYMBOLS
RESTRICTED DEVELOPMENT	CONVENTIONAL SYMBOLS
TRANSMISSION STRUCTURES	CONVENTIONAL SYMBOLS
NATIONAL GEODETIC SURVEY MONUMENT	CONVENTIONAL SYMBOLS
SIXTEENTH CORNER MONUMENT	CONVENTIONAL SYMBOLS

CONVENTIONAL ABBREVIATIONS

AR	ACCESS RIGHTS
AC	ACRES
ALUM	ALUMINUM
ET AL	AND OTHERS
BLK	BLOCK
C/L	CENTRAL
CONC	CONCRETE
CONC	CERTIFIED SURVEY MAP
CONC	CONCRETE
CO	COUNTY
TRUNK	TRUNK HIGHWAY
DIST	DISTANCE
DOC	DOCUMENT NUMBER
EASE	EASEMENT
GA	GAS VALVE
ON	ON
DIR	DIR NORTH
HWY	HIGHWAY EASEMENT
INT	INTERSECTION
LEFT	LEFT CONTRACT
MON	MONUMENT
NAT	NATIONAL GEODETIC SURVEY
NO	NUMBER
PL	PLATE
PT	POINT OF TANGENCY
PLM	PERMANENT LIMITED
PLM	PERMANENT LIMITED
PT	POINT OF TANGENCY
PC	POINT OF CURVATURE

CONVENTIONAL UTILITY SYMBOLS

WATER	SYMBOLS
TELEPHONE	SYMBOLS
SEWER	SYMBOLS
STORM	SYMBOLS
TRANSMISSION	SYMBOLS
ELECTRIC	SYMBOLS
CABLE TELEVISION	SYMBOLS
SANITARY SEWER	SYMBOLS
STORM SEWER	SYMBOLS

CURVE DATA

LONG CURVE BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB

NOTES

HORIZONTAL POSITIONS SHOWN ON THIS PLAN ARE WISCONSIN COUNTY COORDINATES, WAUKESHA COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

RIGHT OF WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY OR OTHER SURVEYS OF PUBLIC RECORD.

THE EXISTING HIGHWAY RIGHT OF WAY SHOWN HEREON IS BASED ON THE RIGHT OF WAY PLAT FOR S.T.H. "74" PROJECT S0166(3), EXISTING CERTIFIED SURVEY MAPS, SUBDIVISION PLATS, AND OTHER SURVEYS OF PUBLIC RECORD.

DIMENSIONING TO THE NEW RIGHT OF WAY IS MEASURED ALONG AND PERPENDICULAR TO THE CENTERLINE OF CONSTRUCTION.

FILE NAME: N:\NEW\CONSTRUCTION\PROJECTS\74 E INTERSECTION HSP 2774-01-00\ACQ\RVV\RVV ROW_BASE.DWG
 EXCITED ON: 08/05/17

REVISION DATE
07/11/2017

DATE 4-24-17

APPROVED FOR
WAUKESHA COUNTY
DEPARTMENT OF PUBLIC WORKS

DATE 4-24-17
DIRECTOR
ENGINEERING SERVICES MANAGER

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION
APPROVED FOR THE DEPARTMENT
DATE: N/A

Scale

0 0.25 0.50 MI.

TOTAL NET LENGTH OF CENTERLINE = 0.2557 MI. (RURAL)

Plot Date: 04/24/2017
 Plot By: MAYER, JASON
 Plot Name: 172-O-024

Referred to: PW 2

1 ACCEPT THE 2017 STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION
2 HIGHWAY SAFETY GRANT AND MODIFY WAUKESHA COUNTY SHERIFF
3 DEPARTMENT'S 2017 BUDGET TO AUTHORIZE GRANT EXPENDITURES
4
5

6 WHEREAS, the State of Wisconsin Department of Transportation has grant funds available to
7 support targeted enforcement activities to improve vehicular safety; and
8

9 WHEREAS, the Wisconsin Department of Transportation analysis identified roadway segments
10 patrolled by the Waukesha County Sheriff's Department as 'at risk' based on crash frequency
11 due to alcohol use or travel speed, thus making this funding source available to the County; and
12

13 WHEREAS, the Waukesha County Sheriff's Department applied for and received grant money
14 to fund targeted enforcement efforts to reduce alcohol impaired driving, to reduce speeding, and
15 to encourage the use of safety belts to ultimately reduce the number or severity of vehicle
16 crashes; and
17

18 WHEREAS, the Waukesha County Sheriff's Department budgeted to receive \$50,000 in
19 Highway Safety Grant funding in the 2017 budget; and
20

21 WHEREAS, the Waukesha County Sheriff's Department was notified following the adoption of
22 the 2017 budget that the Department had been awarded up to \$111,631 for targeted enforcement
23 activities; and
24

25 WHEREAS, the Waukesha County Sheriff's Department is proposing to amend the 2017
26 adopted budget by increasing the personnel appropriation unit by \$57,693 to fund overtime and
27 the operating appropriation unit by \$3,938 to purchase equipment to fund targeted enforcement
28 efforts.
29

30 THE COUNTY BOARD OF SUPERVISORS OF WAUKESHA COUNTY ORDAINS that the
31 Waukesha County Sheriff's Department be authorized to accept the Wisconsin Department of
32 Transportation grant to fund targeted enforcement activities.
33

34 BE IT FURTHER ORDAINED that the Sheriff's Department 2017 budget be modified by
35 increasing intergovernmental revenues by an additional \$61,631, and increasing the department's
36 personnel cost appropriation unit by \$57,693 to cover overtime costs associated with the targeted
37 enforcement activities and operating expenses by \$3,938 to make enforcement equipment
38 purchases.

FISCAL NOTE

ACCEPT THE 2017 STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION
HIGHWAY SAFETY GRANT AND MODIFY WAUKESHA COUNTY SHERIFF
DEPARTMENT'S 2017 BUDGET TO AUTHORIZE GRANT EXPENDITURES

This ordinance authorizes the appropriation of \$61,631 of Wisconsin Department of Transportation grant award funds in the Sheriff's 2017 budget. This amount reflects the difference between the \$50,000 included in the 2017 budget for this revenue and the \$111,631 that was ultimately awarded. The funding will be used to increase enforcement activities on road segments identified by the State as "at risk" based on crash frequency or severity due to alcohol use, travel speed, or lack of seat belt use.

Of the funds awarded, \$57,693 will be used for additional overtime and associated benefit costs, and \$3,938 will be used for eligible equipment including radar units and vehicle printers. Operating impacts are estimated to be nominal for the equipment repair and maintenance, and will be absorbed within the existing Sheriff's Department budget. No County indirect or administrative costs are covered by this grant funding.

This ordinance has no levy impact.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

JE-2017-00006737

1 MODIFY THE SHERIFF’S DEPARTMENT 2017 BUDGET TO ACCEPT AND
2 APPROPRIATE ADDITIONAL REVENUE FROM WASHINGTON
3 COUNTY FOR MUTUAL AID ASSISTANCE
4

5
6 WHEREAS, the Waukesha County Sheriff’s Department provided mutual aid assistance to
7 Washington County from June 12th through the 18th, 2017 to assist with the US Open held at
8 Erin Hills Golf Course; and
9

10 WHEREAS, the Sheriff’s Department incurred \$141,141 in overtime, personnel and travel
11 expenses associated with providing the mutual aid assistance; and
12

13 WHEREAS, Washington County has appropriated funds to cover the costs associated with the
14 mutual aid assistance provided by Waukesha County; and
15

16 WHEREAS, the Waukesha County Sheriff’s Department has submitted expenses totaling
17 \$141,141 to Washington County for reimbursement; and
18

19 WHEREAS, the Waukesha County Sheriff’s Department will receive reimbursement of the
20 expenses incurred.
21

22 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
23 that the Waukesha County Sheriff’s Department 2017 Budget be modified by appropriating
24 \$141,141 in unbudgeted revenue received from Washington County for mutual aid assistance to
25 increase the personnel appropriation by \$141,141 to pay for the costs the Department incurred to
26 provide the mutual aid.

FISCAL NOTE

ACCEPT AND APPROPRIATE ADDITIONAL REVENUE FROM WASHINGTON COUNTY
FOR MUTUAL AID ASSISTANCE

This ordinance authorizes the Waukesha County Sheriff's Department to accept and appropriate \$141,141 in revenue from Washington County as reimbursement for expenses incurred while providing crowd control and security assistance at the Erin Hills Golf Course during the US Open during the period June 12-18, 2017. The Department has incurred additional over time and vehicle related costs to provide these services. The additional vehicle costs are not projected to exceed the interdepartmental charges budget, which includes central fleet charges, however the additional over time is projected to exceed the budgeted personnel costs appropriation unit. A total of \$141,141 in expenses were submitted to Washington County for reimbursement. The Department is seeking approval to appropriate \$141,141 for personnel costs for overtime and related benefits.

This ordinance has no tax levy impact.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

BAJ #2017-00006872

1 MODIFY THE 2017 SHERIFF'S DEPARTMENT BUDGET TO ACCEPT
2 AND APPROPRIATE ADDITIONAL REVENUE FROM THE STATE
3 OF NORTH DAKOTA FOR MUTUAL AID ASSISTANCE
4
5

6 WHEREAS, the Waukesha County Sheriff's Department provided mutual aid assistance to the
7 State of North Dakota in February and March of 2017 to assist with crowd control and security
8 for the Dakota access oil pipeline; and
9

10 WHEREAS, the Sheriff's Department incurred \$125,746 in overtime, personnel and travel
11 expenses associated with providing the mutual aid assistance; and
12

13 WHEREAS, the State of North Dakota has appropriated funds to cover the costs associated with
14 the mutual aid assistance provided by local governments and other state agencies; and
15

16 WHEREAS, the Waukesha County Sheriff's Department has submitted expenses totaling
17 \$125,746 to the State of Wisconsin Emergency Management, which was forwarded on to the
18 State of North Dakota for reimbursement; and
19

20 WHEREAS, the Waukesha County Sheriff's Department has received reimbursement of the
21 expenses.
22

23 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
24 that the Waukesha County Sheriff's Department 2017 Budget be modified by appropriating
25 \$125,746 in unbudgeted revenue received from the State of North Dakota for mutual aid
26 assistance to increase the personnel appropriation by \$112,494 and the operating appropriation
27 by \$13,252 to pay for the costs associated with providing the mutual aid.

FISCAL NOTE

ACCEPT AND APPROPRIATE ADDITIONAL REVENUE FROM THE
STATE OF NORTH DAKOTA FOR MUTUAL AID ASSISTANCE

This ordinance authorizes the Waukesha County Sheriff's Department to accept and appropriate \$125,746 in revenue from the State of North Dakota as reimbursement for expenses incurred while providing crowd control and security assistance at the North Dakota Access Pipeline from February 24-March 3, 2017. A total of \$125,746 in expenses was submitted to North Dakota for reimbursement. The Department is seeking approval to appropriate \$112,494 for personnel, overtime and related benefits, and \$13,252 for other operating costs.

This ordinance has no tax levy impact.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

BAJ #2017-00006875

1 ACCEPT A 2017 GRANT TO EXPAND SUBSTANCE ABUSE TREATMENT CAPACITY
2 IN ADULT TREATMENT DRUG COURTS AWARD THROUGH THE U.S. DEPARTMENT
3 OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL
4 HEALTH SERVICES ADMINISTRATION (SAMHSA) AND AMEND THE
5 DEPARTMENT OF HEALTH AND HUMAN SERVICES 2017 BUDGET
6
7

8 WHEREAS, federal grant funds are available through the U.S. Department of Health and Human
9 Services (the Federal Administering Agency) in the amount of \$914,020 for use over a three-
10 year Federal fiscal funding period (from 9/30/17 to 9/29/20); and
11

12 WHEREAS, these grant funds were applied for by the Waukesha County Department of Health
13 and Human Services, Criminal Justice Collaborating Council (CJCC) Coordinator to expand
14 capacity and enhance substance abuse treatment services for the Drug Court program; and
15

16 WHEREAS, the County has recently been notified of the award of these federal grant funds to be
17 issued to the Waukesha County Department of Health and Human Services (HHS) as the
18 fiduciary agent for the grant; and
19

20 WHEREAS, the grant funding will be used to serve approximately 150 nonviolent, drug-
21 dependent offenders who are at least 17 years of age and Waukesha County residents over the
22 three-year grant period; and
23

24 WHEREAS, this grant program is planned to include a contract for intensive case management,
25 frequent drug testing, and recovery support services, in addition to centralized assessment and
26 treatment services through HHS for drug dependent offenders in order to reduce substance abuse
27 and subsequent recidivism; and
28

29 WHEREAS, this program is expected to sunset at the end of the three-year grant period, unless
30 other non-property tax levy funding sources are obtained to continue the program; and
31

32 WHEREAS, \$75,218 in funding appropriations are needed in the fourth quarter of 2017 to begin
33 grant implementation; and
34

35 WHEREAS, funding for this grant program in 2018-2020 are planned to be incorporated into the
36 County budget process in the Health and Human Services-CJCC Budget.
37

38 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
39 that the Waukesha County Department of Health and Human Services- Criminal Justice
40 Collaborating Council is authorized to accept the Grant To Expand Substance Abuse Treatment
41 Capacity in Adult Treatment Drug Courts Award from the U.S. Department of Health and
42 Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) in
43 the amount of \$914,020, for the purpose of expanding capacity and enhancing substance abuse
44 treatment services for the Drug Court program during the three-year grant period.
45

46 BE IT FURTHER ORDAINED that the Department of Health and Human Services – Criminal
47 Justice Collaborating Council 2017 budget be modified by increasing General Government Grant
48 revenue by \$75,218, increasing Operating expense appropriations by \$68,380 and increasing
49 Interdepartmental charge appropriations by \$6,838.

FISCAL NOTE

ACCEPT A 2017 GRANT TO EXPAND SUBSTANCE ABUSE TREATMENT CAPACITY IN ADULT TREATMENT DRUG COURTS AWARD THROUGH THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) AND AMEND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES 2017 BUDGET

This ordinance authorizes the Waukesha County Department of Health and Human Services (DHHS) to accept a three-year grant from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$914,020. The funding will be used for the purpose of expanding capacity and enhancing substance abuse treatment services for the Drug Court Program during the three-year grant period.

The ordinance also authorizes the modification of the DHHS- Criminal Justice Collaboration Council 2017 budget by appropriating \$75,218 in new expenditure authority for use in the fourth quarter as follows:

Office Supplies	\$51
Contracted Services	\$66,241
Travel	\$2,088
Administrative Overhead	\$6,838
Total	\$75,218

General Governmental Grant revenue will be increased by \$75,218.

This ordinance has no impact on 2017 tax levy. Future year grant revenues and related expenditures will be included in future budgets.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

BAJ #2017-00006855

1 ACCEPT STATE TARGETED RESPONSE TO OPIOID CRISIS GRANT AND MODIFY
2 DEPARTMENT OF HEALTH AND HUMAN SERVICES 2017 BUDGET
3
4

5 WHEREAS, the State of Wisconsin, Department of Health Services has made available State
6 Targeted Response to Opioid Crisis Grant funds of \$95,000 in 2017 and 2018 to the Waukesha
7 County Department of Health and Human Services; and
8

9 WHEREAS, available grant award revenues were not anticipated nor included in the 2017
10 budget; and
11

12 WHEREAS, the grant seeks to reduce the number of opiate related deaths in the county by
13 increasing the number of individuals with opiate use disorder who receive treatment; and
14

15 WHEREAS, the Department of Health and Human Services will utilize funding to expand
16 medication assisted treatment options through development of new treatment; and
17

18 WHEREAS, the Department of Health and Human Services will utilize available funding to
19 provide medication assisted treatment, counseling and case management to clients without
20 sufficient resources.
21

22 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
23 that the Waukesha County Department of Health and Human Services is authorized to accept the
24 State of Wisconsin Targeted Response to Opioid Crisis Grant of \$95,000 from the State of
25 Wisconsin, Department of Health Services.
26

27 BE IT FURTHER ORDAINED that the 2017 Health and Human Services Budget be modified to
28 appropriate expenditures of \$47,500 for grant activities by increasing Personnel Expenses by
29 \$11,875, increasing Operating Expenses by \$35,625, and increasing General Government
30 Revenues by \$47,500.

FISCAL NOTE

ACCEPT STATE TARGETED RESPONSE TO OPIOID CRISIS GRANT AND
MODIFY DEPARTMENT OF HEALTH AND HUMAN SERVICES 2017 BUDGET

This ordinance authorizes the Waukesha County Department of Health and Human Services (DHHS) to accept a two-year grant from the State of Wisconsin, Department of Health Services in the amount of \$95,000. The funding will be used for the purpose of providing medication assisted treatment, counseling and case management services aimed at reducing opioid-related deaths.

The ordinance also authorizes the modification of the DHHS 2017 budget by appropriating \$47,500 in new expenditure authority for use in 2017 as follows:

Personnel Expenses	\$11,875
Operating Expenses	\$35,625
Total	\$47,500

General Governmental Grant revenue will be increased by \$47,500.

This ordinance has no impact on 2017 tax levy. 2018 grant revenues and related expenditures will be included in the budget process.



Lawrence M. Dahl
Accounting Services Manager

BAJ #2017-00006857

1 ACCEPT DEMENTIA CRISIS INNOVATION GRANT AND MODIFY HEALTH AND
2 HUMAN SERVICES 2017 BUDGET TO APPROPRIATE GRANT EXPENDITURES
3
4

5 WHEREAS, it is the mission of the Department of Health and Human Services, Division of
6 Aging and Disability Resources, to provide older adults and individuals with disabilities the
7 resources needed to live with dignity and security and to achieve maximum independence and
8 quality of life; and
9

10 WHEREAS, the Division of Aging and Disability Resources is committed to improving the
11 capacity and capability within county crisis response systems and to building dementia capable
12 communities; and
13

14 WHEREAS, the Division of Aging and Disability Resources has been awarded a \$58,500 grant
15 from the State of Wisconsin, Department of Health Services, Division of Public Health, Bureau
16 of Aging and Disability Resources for 2017 and 2018; and
17

18 WHEREAS, available grant award revenues were not anticipated nor included in the 2017
19 budget; and
20

21 WHEREAS, the Department of Health and Human Services will work with local communities
22 and stakeholder groups to complete a comprehensive inventory and analysis of local dementia
23 care resources and provider level crisis response plans; and
24

25 WHEREAS, the Department of Health and Human Services will work with various stakeholders
26 to develop a crisis response plan training for community based providers focused on the
27 improvement and implementation of their internal crisis response plans.
28

29 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
30 that the Waukesha County Department of Health and Human Services is authorized to accept the
31 State of Wisconsin, Division of Public Health, Bureau of Aging and Disability Resources,
32 Dementia Crisis Innovation Grant of \$58,500 for improving dementia capable services within the
33 community.
34

35 BE IT FURTHER ORDAINED that the Department of Health and Human Services, Division of
36 Aging and Disability Resources, 2017 budget be modified by appropriating \$16,481 of operating
37 expenses and \$16,481 of General Government revenues.

FISCAL NOTE

ACCEPT DEMENTIA CRISIS INNOVATION GRANT AND MODIFY HEALTH AND HUMAN SERVICES 2017 BUDGET TO APPROPRIATE GRANT EXPENDITURES

This ordinance authorizes the Waukesha County Department of Health and Human Services (DHHS) – Division of Aging and Disability Resources (ADRC) to accept a two-year grant from the State of Wisconsin, Department of Health Services (DHS) in the amount of \$58,500. The funding will be used for the purpose of working with local and community stakeholders to complete a comprehensive inventory and analysis of local dementia care resources and provider level crisis response plans.

The ordinance also authorizes the modification of the DHHS – ADRC 2017 budget by appropriating 16,481 in new expenditure authority for use in the first year (2017) as follows:

Contracted Services	\$15,981
Travel	\$500
Total	\$16,481

General Governmental Grant revenue will be increased by \$16,481.

This ordinance has no impact on 2017 tax levy. 2018 grant revenues and related expenditures will be included in the budget process.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager

BAJ #2017-00006830