

173<sup>rd</sup> BOARD YEAR  
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
173-O-019	06/06/18 06/07/18	Land Use Finance	ORD: Accept Additional Home Investment Partnership (Home) Program Funds And Community Development Block Grant Funds (CDBG) For The 2018 Program Year And Modify The 2018 Budget
173-O-020	06/06/18 06/07/18	Public Works	ORD: Laying Out, Relocation And Improvement Of County Trunk Highway I, Ehr Drive To Point Drive, Waukesha County – Project I.D. 3773-01-00
173-O-021	06/06/18 06/07/18	Public Works Executive Finance	ORD: Approve First Amendment To Spring City Aviation, Inc. Operating Agreement
173-O-022	06/06/18 06/07/18	Public Works Finance	ORD: Approve Aircraft Maintenance Hangar Lease Agreement With Plane Safe Aircraft Maintenance, Inc. At Waukesha County Airport/Crites Field
173-O-023	06/06/18 06/07/18	H&HS	ORD: Reauthorize The Use Of The Secure And Non-Secure Detention Facilities For Short Term Detention
173-O-024	06/27/18 07/03/18	Land Use	ORD: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The Se ¼ Of Section 25, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The P-I Public And Institutional District (RZ11)
173-O-025	06/27/18 07/03/18	Land Use	ORD: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The W ½ Of The NE ¼ Of Section 19, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, To Establish A Planned Unit Development Overlay District (RZ12)
173-O-026	06/27/18 07/03/18	Land Use	ORD: Amend The Text Of The Town Of Mukwonago Zoning Code By Amending And Repealing Various Sections Relating To Conditional Use Provisions (RZ8)
173-O-027	06/28/18 07/03/18	Public Works	ORD: Modify Speed Zone On County Trunk Highway MD
173-O-028	06/28/18 07/03/18	Public Works	ORD: Modify Speed Zone On County Trunk Highway V V
173-A-011	06/28/18 07/03/18	Executive	APPT: Steven Betzler to the Airport Operations Commission
173-A-012	07/02/18 07/03/18	Executive	APPT: Richard Bayer to the Board of Adjustment
173-A-013	07/02/18 07/03/18	Executive	APPT: Analiese Smith to the Metro Waste Facilities Monitoring Committee
173-A-014	07/02/18 07/03/18	Executive	APPT: Analiese Smith to the Advanced Disposal Emerald Park Landfill Committee
173-A-015	07/02/18 07/03/18	Executive	APPT: Mary Reich to the Public Health Advisory Committee

1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY  
2 REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF SECTION 25,  
3 T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN,  
4 FROM THE A-10 AGRICULTURAL DISTRICT TO THE P-I  
5 PUBLIC AND INSTITUTIONAL DISTRICT RZ11  
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 Lisbon Town Board on April 23, 2018; 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 District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of  
18 Lisbon on April 9, 2010, is hereby amended to rezone from the A-10 Agricultural District to the  
19 P-I Public and Institutional District, certain lands located in part of the SE ¼ of Section 25, T8N,  
20 R19E, Town of Lisbon, Waukesha County, Wisconsin, and more specifically described in the  
21 “Staff Report and Recommendation” and map on file in the office of the Waukesha County  
22 Department of Parks and Land Use and made a part of this Ordinance by reference RZ11, is  
23 hereby approved.  
24

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

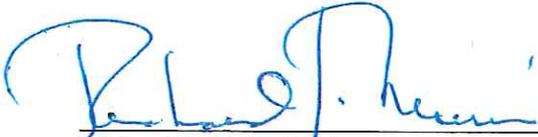
28 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
29 approval and publication.

COMMISSION ACTION

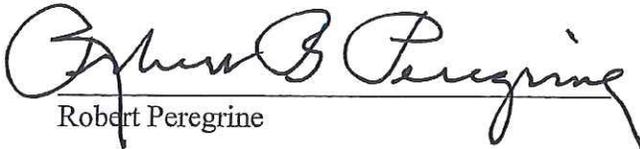
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code and Map hereby recommends approval of **RZ11 (Hamilton School District)** in accordance with the attached "Staff Report and Recommendation".

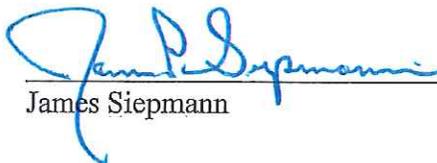
PARK AND PLANNING COMMISSION

June 21, 2018

  
Richard Morris, Chairperson

Absent  
William Mitchell

  
Robert Peregrine

  
James Siepmann

  
William Maslowski

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

**DATE:** June 21, 2018

**FILE NO.:** RZ11

**OWNER/APPLICANT:** Hamilton School District  
W220 N6151 Town Line Road  
Lisbon, WI 53089

**TAX KEY NO.:** LSBT 0244.999.004

**LOCATION:**

The subject parcel is located in part of the SE ¼ of Section 25, T8N, R19E, Town of Lisbon. More specifically, the property is located approximately 880 feet northwest of the corner of C.T.H. "VV" and C.T.H. "V" on the north side of C.T.H. "VV" and contains approximately 55.2 acres.

**EXISTING ZONING:**

A-10 Agricultural District, which requires a minimum lot size of ten acres and a minimum average width of 300 feet, and UC Upland Corridor District (Town).

**PROPOSED ZONING:**

P-I Public and Institutional District and UC Upland Corridor District (Town).

**EXISTING USES:**

Agricultural, recreational, existing school parking, and wooded

**PROPOSED USES:**

To rezone the property and construct an intermediate school.

**PUBLIC HEARING DATE:** April 12, 2018

**PUBLIC COMMENT:** None.

**TOWN PLAN COMMISSION ACTION:**

On April 12, 2018, the Town of Lisbon Plan Commission unanimously recommended approval of the rezoning request to the Town Board.

**TOWN BOARD ACTION:**

On April 23, 2018, the Town Board unanimously approved Ordinance No. 06-18 specific to the subject rezoning request.

**COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY, THE VILLAGE OF SUSSEX CDP, AND THE TOWN OF LISBON CDP:**

The Waukesha County CDP designates the subject property partly as Governmental and Institutional, INRA, and Other Open Lands to be Preserved in northern portion, and Industrial and Other Open Lands to be Preserved in the southern portion of the site.

The Town of Lisbon's CDP similarly designates the lands with the exception of the Industrial lands which are designated as Industrial Special Use in accordance with the Border Agreement with the Village of Sussex.

Since the Industrial (Special Use) designated lands required a CDP amendment from both the Town and the County, and the property is located within the Border Agreement area with the Village of Sussex, during the Development Review Team meeting on February 12, 2018, the County agreed to forego their requirements for a CDP amendment since the Village's CDP amendment would be automatically incorporated into the County's CDP upon adoption. Once the Village amended their CDP, the then Town needed to amend their CDP. This was accomplished through Ordinance 05-18 on April 12, 2018, which amended the Town's CDP from Industrial Special Use to Government and Institutional. The other Open Lands to be Preserved category was not amended as no soils documentation was submitted and the intermediate school will not have a basement. The INRA remains unchanged.

Therefore, the proposed zoning change will be consistent with the purpose and intent of the Town, County and Village Comprehensive Development Plans and the proposed development will comply with all three plans.

#### **STAFF ANALYSIS:**

The subject property is located approximately 880 feet northwest of the corner of C.T.H. "VV" and C.T.H. "V" on the north side of C.T.H. "VV" and contains approximately 55.2 acres and the wooded area is designated as an INRA.

The Hamilton School District is proposing to construct an intermediate school, parking, a play yard, play fields, and detention areas on the property (refer to Exhibit A). The school will be located south of the INRA. Some play fields have already been constructed in the northeast corner of the site in conjunction with play field development for the high school and middle school, both located adjacent to the north of the subject property.

The lands adjoining this parcel are zoned as used: P-I Public and Institutional to the north; R-1 Residential to the southeast; A-10 Agricultural and C-1 Conservancy to the east; and Village of Sussex lands are adjacent to the west (church) and across C.T.H. "VV" to the south.

The lands adjoining this parcel are designated on the CDP as: Government and Institutional to the north and west; Commercial and Office Park (Commercial Special Use on Lisbon's CDP) and INRA to the east; and Industrial to the south across C.T.H. "VV".

#### **STAFF RECOMMENDATION:**

Based on the above analysis, the Planning and Zoning Division Staff recommends **approval** of this request in accordance with the Town of Lisbon's adopted Ordinance approving the same. The proposed zoning change complies with the Town and County CDPs and adjacent zoned land. Therefore, this zoning change is consistent with the existing uses in the area. The rezone will allow for the development of a new intermediate school for the District, which provides for essential public

and institutional buildings, facilities and grounds for not only the Town of Lisbon but the other communities served by the District having a direct bearing on those communities' quality of life and general welfare. Therefore, this zoning amendment is within the purpose and intent of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

*Sandra L Scherer*

Sandy Scherer  
Senior Planner

Attachments: Town Ordinance 06-18  
Exhibit A  
Rezone Map

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\RZ11 Hamilton School District lst.doc

Ord. 06-18

**ORDINANCE REZONING HAMILTON SCHOOL DISTRICT PROPERTY FROM AGRICULTURAL 10 (A-10) DISTRICT AND UPLAND CORRIDOR (UC) DISTRICT TO PUBLIC AND INSTITUTIONAL (P-I) DISTRICT AND UPLAND CORRIDOR (UC) DISTRICT IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

**WHEREAS**, the Hamilton School District, property owner, petitioned the Town of Lisbon to rezone property from the A-10 Agricultural District to the P-I Public and Institutional District, and

**WHEREAS**, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan Land-Use amendment as adopted by the Town Board of Supervisors on April 23, 2018; and

**WHEREAS**, the Lisbon Plan Commission and Town Board of Supervisors held a Joint Public Hearing on the rezoning request on Thursday, April 12, 2018; and

**NOW, THEREFORE**, the Town Board of the Town of Lisbon, Waukesha County, Wisconsin, does ordain as follows:

**SECTION 1:** The following described property is rezoned from the Agricultural 10 (A-10) District and Upland Corridor (UC) District to the Public and Institutional (P-I) District and Upland Corridor (UC) District.

Legal Description:

PT SE1/4 SEC 25 T8N R19E COM E1/4 COR S 623.35 FT N89°12'W 700 FT S 900.18 FT S33°07'W 204.98 FT N56°52'W 432.75 FT N57°01'W 1176.02 FT N 761.57 FT N88°45'E 2178.29 FT TO BGN R1892/897 EX R1990/518 EX R2674/305 :: ALSO COM NW COR N88°45'E 125.04 FT THE BGN N88°45'E 376.90 FT S00°18'W 115.62 FT S88°45'W 376.90 FT N00°18'E 115.62 FT TO BGN :: EX COM NE COR OF SE1/4 SEC; S00°47'25"W 623.35 FT; N89°12'35"W 55.00 FT; N00°47'25"E 623.09 FT; N00°15'29"E 1322.88 FT TO S LI CERT SURV #236; N88°36'34"E 55.02 FT TO E LI NE1/4 SEC; S00°15'29"W 1324.72 FT TO BGN :: R2674/303

Tax Key No. LSBT 0244.999.004.

**SECTION 2:** All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

**SECTION 3:** This ordinance shall take effect upon passage and posting as provided by law.

RECEIVED

JUN 08 2018

DEPT OF PARKS & LAND USE

**PASSED AND ADOPTED** by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this  
23<sup>th</sup> day of April, 2018.

TOWN BOARD, TOWN OF LISBON  
WAUKESHA COUNTY, WISCONSIN

BY: *[Signature]*  
JOSEPH OSTERMAN, Chairman

BY: *[Signature]*  
TEDIA GAMINO, Supervisor

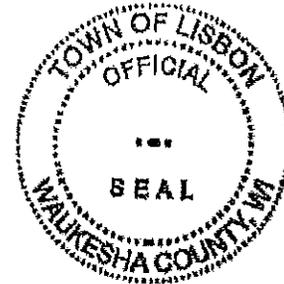
BY: *[Signature]*  
MARC MOONEN, Supervisor

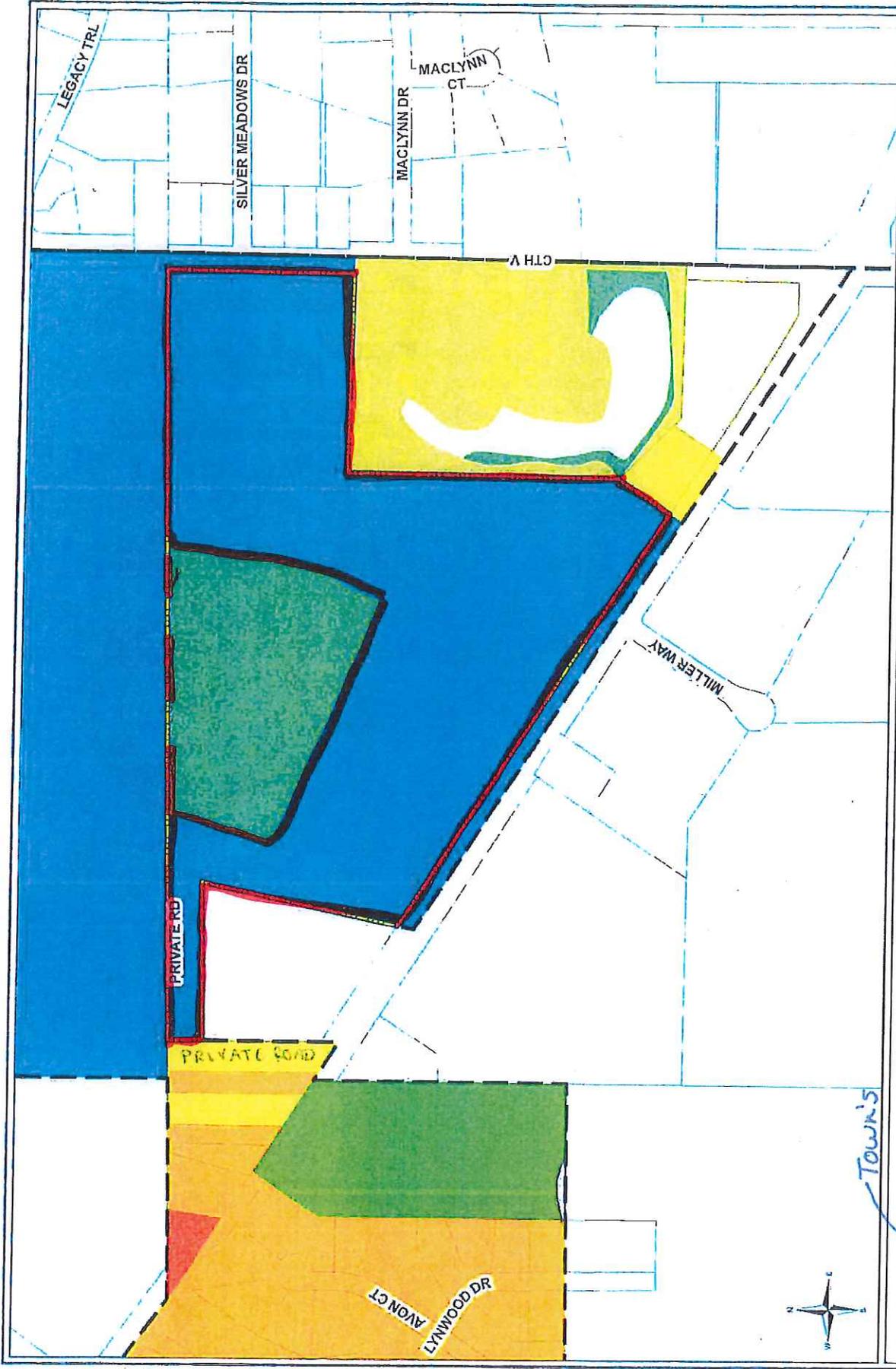
BY: *[Signature]*  
LINDA BEAL, Supervisor

BY: *[Signature]*  
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: *[Signature]*  
Gina C. Gresch, MMC/WCPC  
Town Clerk





**Exhibit A: Zoning Map Amendment**

Town of Lisbon

1 inch = 417 feet

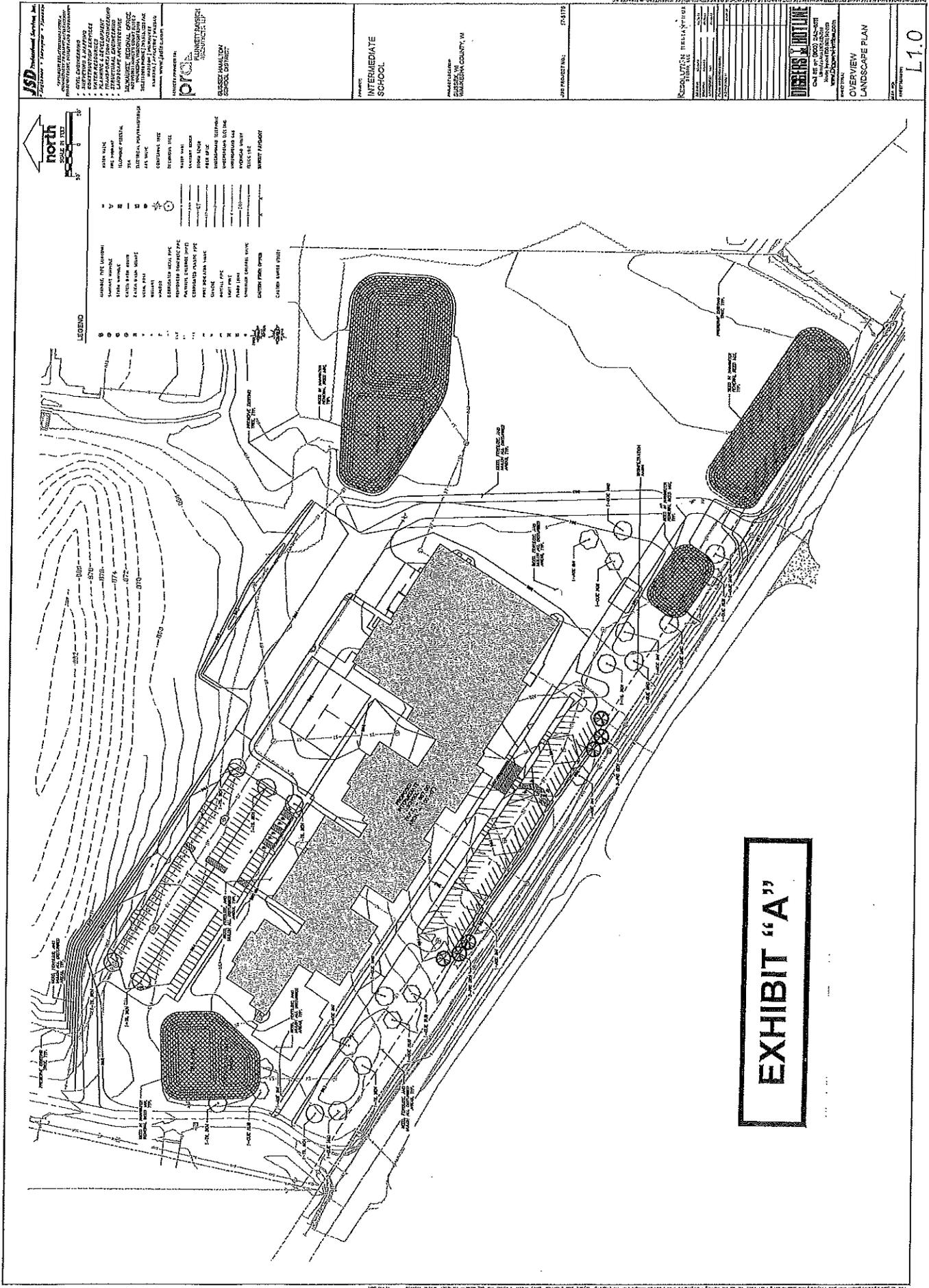


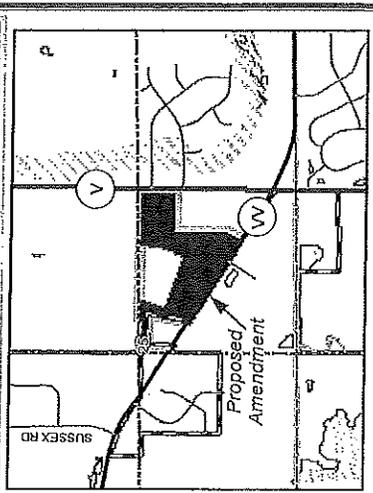
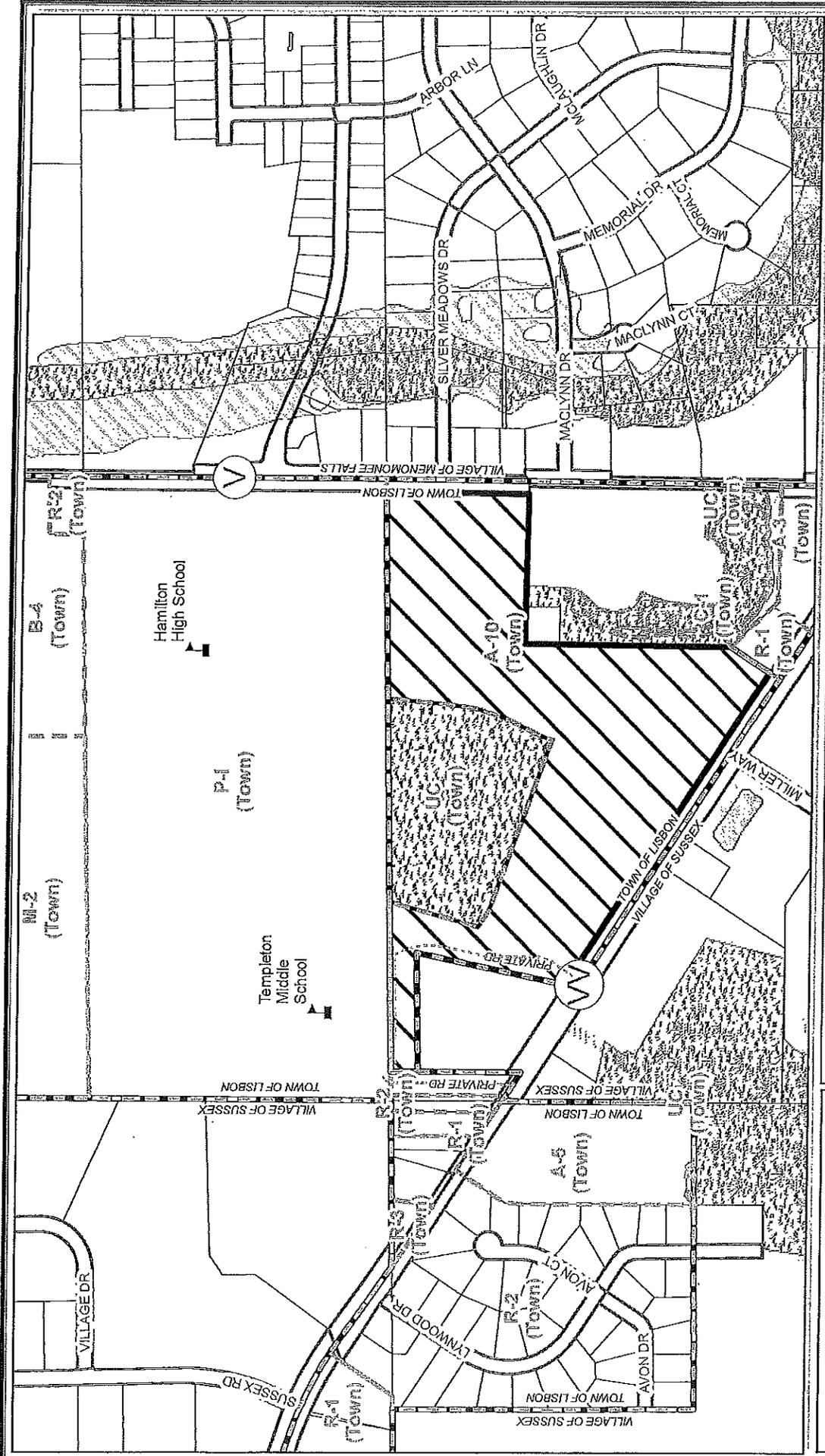
Town's

- Waukesha Shoreland Zoning
- Surface Water
- AD-10
- RD-5
- A-10
- A-5
- A-3
- A-10
- R-1
- R-2
- R-3
- R-1
- B-1
- B-2
- B-3
- RM
- M-1
- M-2
- P-1
- Q-1
- C-1
- UC
- PR

**vierbicher**  
planners engineers advisors

REDEBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO  
1127 W 3357 Paul Road, Suite 105, Pewaukee, WI 53072  
Phone: (262) 875-5000 Fax: (408) 824-6530





**TOWN ZONING CHANGE FROM A-10 AGRICULTURAL DISTRICT TO P-1 PUBLIC AND INSTITUTIONAL DISTRICT**

FILE.....RZ11  
 DATE OF PLAN COMMISSION.....09/21/18  
 AREA OF CHANGE.....39.2 ACRES  
 TAX KEY NUMBER.....LSBT 0244.999.004

1 inch = 600 feet  
 Feet  
 0 300 600

**ZONING AMENDMENT**

PART OF THE SE 1/4 SECTION 25  
 TOWN OF LISBON

Wetland  
 Environmental Corridor  
 100-Year Floodplain

1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY  
2 CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE W ½  
3 OF THE NE ¼ OF SECTION 19, T8N, R19E, TOWN OF LISBON, WAUKESHA  
4 COUNTY, WISCONSIN, TO ESTABLISH A PLANNED UNIT  
5 DEVELOPMENT OVERLAY DISTRICT (RZ12)  
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 Lisbon Town Board on May 29, 2018; 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 District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of  
18 Lisbon on April 9, 2010, is hereby amended to conditionally rezone and establish a Planned Unit  
19 Development Overlay District, for certain lands located in part of the W ½ of the NE ¼ of  
20 Section 19, T8N, R19E, Town of Lisbon, and more specifically described in the "Staff Report  
21 and Recommendation" and map on file in the office of the Waukesha County Department of  
22 Parks and Land Use and made a part of this Ordinance by reference RZ12, is hereby approved,  
23 subject to the following conditions:  
24

- 25 1. The number of Single Family Residential Dwelling Units shall not exceed fifty-two (52)  
26 units.  
27
- 28 2. The minimum lot size shall be not less than one half (1/2) acre for any Single Family  
29 Residential Unit.  
30
- 31 3. The minimum lot size, lot width, public road set back, and yard set backs may  
32 be modified from those minimum requirements contained in the underlying R-1  
33 Suburban Single Family Residential Zoning Classification, such reductions, if any, to be  
34 determined by the Plan Commission and Town Board upon review and approval of a  
35 specific development plan.  
36
- 37 4. This Zoning Ordinance is contingent upon the approval, not later than December 31,  
38 2018, of a Specific Development Plan as required by the Town Zoning Code of the Town  
39 of Lisbon. In the event a Specific Development Plan implementing the Planned Unit  
40 Development authorized by this Ordinance is not adopted and approved by the Town  
41 Board on or before December 31, 2018, then this Ordinance shall lapse and the right to  
42 develop the Property as a Planned Unit Development under the terms of this Ordinance  
43 shall automatically terminate.  
44

45 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
46 this Ordinance with the Town Clerk of Lisbon.  
47

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

COMMISSION ACTION

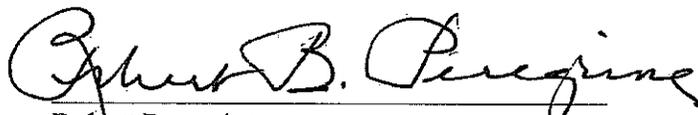
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code and Map hereby recommends approval of RZ12 (Meissner Family Farm LLC/Miller Marriott Construction Co.-Barnwood Conservancy) in accordance with the attached "Staff Report and Recommendation".

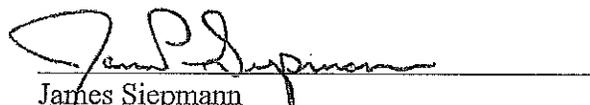
PARK AND PLANNING COMMISSION

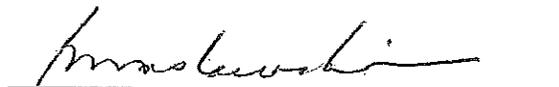
June 21, 2018

  
Richard Morris, Chairperson

Absent  
\_\_\_\_\_  
William Mitchell

  
Robert Peregrine

  
James Siepmann

  
William Maslowski

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

**DATE:** June 21, 2018

**FILE NO.:** RZ12

**OWNER:** Meissner Family Farm, LLC.  
c/o Darlene Igl  
140 North Prairie Drive  
Oconomowoc, WI 53066

**APPLICANT:** Chris Miller  
Miller Marriott Construction Co.  
249 Pawling Avenue, Suite 201  
Hartland, WI 53029

**TAX KEY NO.:** LSBT 0217.998

**LOCATION:**  
The subject parcel is located in part of the W½ of the NE¼ of Section 19, T8N, R19E, Town of Lisbon. More specifically, the property is located at W274 N6942 Lake Five Road and contains approximately 78 acres.

**EXISTING ZONING:**  
R-1 Suburban Single Family Residential District (minimum lot size one acre, minimum lot width 150 feet, unsewered), and C-1 Conservancy

**PROPOSED ZONING:**  
To establish a PUD Overlay District through the submittal of a General Development Plan required by the Town of Lisbon Zoning Ordinance.

**EXISTING USES:** Residential and agricultural

**REQUESTED USES:**  
To divide the property into 52 subdivision lots. The preliminary plat is a mix of several conventional lots with the remainder of the property being developed as a Planned Unit Development including common open space (41.8%) with a park and proposed pavilion and multi-use trails throughout the development. It is the intent of the developers to comply with the Comprehensive Development Plan requirements of the Town and the County, the recently approved underlying zoning, except as may be modified by the recently approved Planned Unit Development requirements of the Town's Overlay District which is being requested herein specifically for this property, as well as the platting regulations of all agencies required to review the subdivision plat.

**PUBLIC HEARING DATE:** May 10, 2018

**PUBLIC COMMENT:**  
One citizen spoke in favor of the proposal and appreciated that the developer changed their original plan to blend the new and existing lots.

**TOWN PLAN COMMISSION ACTION:**

On May 10, 2018, the Plan Commission unanimously recommended approval of the rezoning request to the Town Board and Waukesha County.

**TOWN BOARD ACTION:**

On May 29, 2018, the Lisbon Town Board of Supervisors approved Ordinance No. 07-18 specific to the subject rezoning request by a vote of 4 to 1.

**COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF LISBON CDP:**

Both the Town of Lisbon and Waukesha County Comprehensive Development Plans designate the subject property as Low Density Residential allowing 20,000 square feet to 1.4 acres of area per dwelling unit. There is also a small area of Open Lands to be Preserved in the southeast corner of the property. The proposed overlay district will be consistent with the purpose and intent of the Town and County Comprehensive Development Plans as the proposed development will meet the density required and the Open Lands to be Preserved will be preserved as part of an outlot.

**STAFF ANALYSIS:**

The subject property is located on the northeast corner of C.T.H. "VV" and Lake Five Road and contains an area of hydric soils in the southern portion of the property. There are also two very small pockets of steep slopes along the east property line. A 78-acre subdivision development is proposed on the former farmland, and in addition to compliance with this rezone request, the developers must comply with the Town and County Comprehensive Development Plans (CDPs) which requires 40% open space, the Town's general Planned Unit Development (PUD) Overlay requirements, and the subdivision platting requirements of all agencies required to review the subdivision plat. As noted above, the proposed overlay district will be consistent with the Town and County CDPs. The subdivision plat is being considered by the appropriate governing agencies and would be contingent upon the approval of this overlay district request. It should be noted the C-1 Conservancy zoned land has been determined by the WDNR not to be wetland.

All of the adjoining land surrounding this parcel is developed, and much of it is zoned R-1 Residential - to the east, southeast, and north. Village of Merton land lies to the west across Lake Five Road and is also zoned R-1 under the Village's Zoning Code, and two parcels zoned A-5 Mini-Farm and A-3 Agricultural/Residential Estate (in the Town) lie to the south across CTH VV. The entire area on the CDP is designated as Low Density Residential from three quarters of a mile up to two miles in any direction from the subject parcel, except for some sporadic commercial mainly along CTH VV to the west and a small area of Rural Density (5 acre) to the south of CTH VV (approximately 80 developed acres).

**STAFF RECOMMENDATION:**

Based on the above analysis, the Planning and Zoning Division Staff recommends **approval** of this request in accordance with the Town of Lisbon's adopted Ordinance approving the same. The proposed overlay district complies with the Town and County CDPs. Therefore, this proposed overlay district will be consistent with the existing residential uses in the area. The rezone will allow for the development of a subdivision as infill between existing subdivisions, partially as a PUD design, which will allow for the retention of beneficial common open space which complies with the

40% open space standard of the CDP, a trail system, and a creative living environment providing for variety in the physical development of the Town. Therefore, this zoning amendment is within the purpose and intent of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

*Sandra L. Scherer*

Sandy Scherer  
Senior Planner

Attachments: Town Ordinance 07-18  
Development Plan page 1  
Development Plan page 2  
Rezone Map

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\RZ12 Meissner Miller Marriott 1st.doc

Ord. 07-18

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**AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT  
OVERLAY ZONING CLASSIFICATION OF PROPERTY LOCATED  
AT THE NORTHEAST CORNER OF LAKE FIVE ROAD AND  
SILVER SPRING DRIVE (C.T.H. "VV"), LSBT 0217.998**

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**WHEREAS**, the owner of the property located at the northeast corner of Lake Five Road and Silver Spring Drive (C.T.H. "VV"), identified by Tax Key No. LSBT 0217.998, and described more particularly on Exhibit A which is appended hereto and incorporated herein by reference, has requested that the Town of Lisbon establish a Planned Unit Development Overlay Zoning Classification, the purpose of which is to allow a development of the property as a Planned Unit Development, but consistent with the underlying R-1 Suburban Single Family Residential District and C-1 Conservancy/Wetland and Floodplain District Zoning Classifications; and,

**WHEREAS**, in accordance with the Zoning Code of the Town of Lisbon, the applicant has submitted a General Development Plan outlining the proposed development of the property; and,

**WHEREAS**, the Town Plan Commission, on May 10, 2018, considered the request for establishment of a Planned Unit Development Zoning District in accordance with the terms of the Development Plan, and after conducting a Public Hearing, has recommended to the Town Board that the Planned Unit Development Zoning Classification be established as it relates to the property;

**NOW THEREFORE**, the Town Board of Lisbon does ordain as follows:

**SECTION 1:** In accordance with a General Development Plan submitted by the Property owner, and incorporated in this Ordinance by reference, the Property described on Exhibit A may be developed as a Planned Unit Development, consistent with the underlying R-1 Suburban Single Family Residential District and C-1 Conservancy/Wetland and Floodplain District Zoning Classifications, subject to the following conditions:

- A. The number of Single Family Residential Dwelling Units shall not exceed fifty-two (52) units.
- B. The minimum lot size shall be not less than one half (1/2) acre for any Single Family Residential Unit.

RECEIVED

JUN 06 2018

DEPT OF PARKS &amp; LAND USE

C. The minimum lot size, lot width, public road set back, and yard set backs may be modified from those minimum requirements contained in the underlying R-1 Suburban Single Family Residential Zoning Classification, such reductions, if any, to be determined by the Plan Commission and Town Board upon review and approval of a specific development plan.

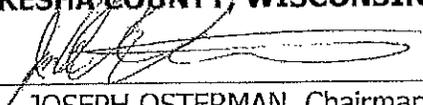
**SECTION 2:** All ordinances or parts of this ordinance conflicting or contravening the provisions of this ordinance are hereby repealed.

**SECTION 3:** This Ordinance shall become effective upon passage and publication as required by law, and upon satisfaction of the contingencies set forth in the Resolution of the Plan Commission which modified the Comprehensive Plan as referenced above.

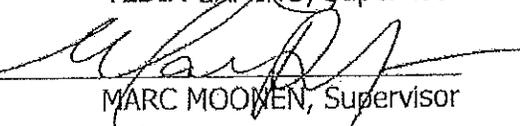
**SECTION 4:** Notwithstanding anything contained in this Ordinance to the contrary, this Zoning Ordinance is contingent upon the approval, not later than December 31, 2018, of a Specific Development Plan as required by the Town Zoning Code of the Town of Lisbon. In the event a Specific Development Plan implementing the Planned Unit Development authorized by this Ordinance is not adopted and approved by the Town Board on or before December 31, 2018, then this Ordinance shall lapse and the right to develop the Property as a Planned Unit Development under the terms of this Ordinance shall automatically terminate.

**PASSED AND ADOPTED** by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 29<sup>th</sup> day of May, 2018.

**TOWN BOARD, TOWN OF LISBON  
WAUKESHA COUNTY, WISCONSIN**

BY:   
JOSEPH OSTERMAN, Chairman

BY:   
TEDIA GAMINO, Supervisor

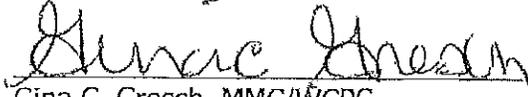
BY:   
MARC MOONEN, Supervisor

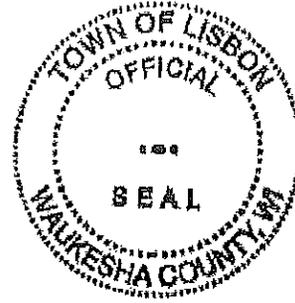
BY: \_\_\_\_\_  
LINDA BEAL, Supervisor

BY:   
REBECCA PLOTECHER, Supervisor

ATTEST:

BY:

  
Gina C. Gresch, MMC/WCPC  
Town Clerk



**ORD 07-18**

**EXHIBIT A – LEGAL DESCRIPTION**

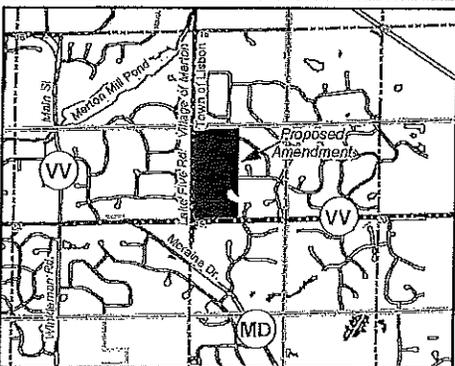
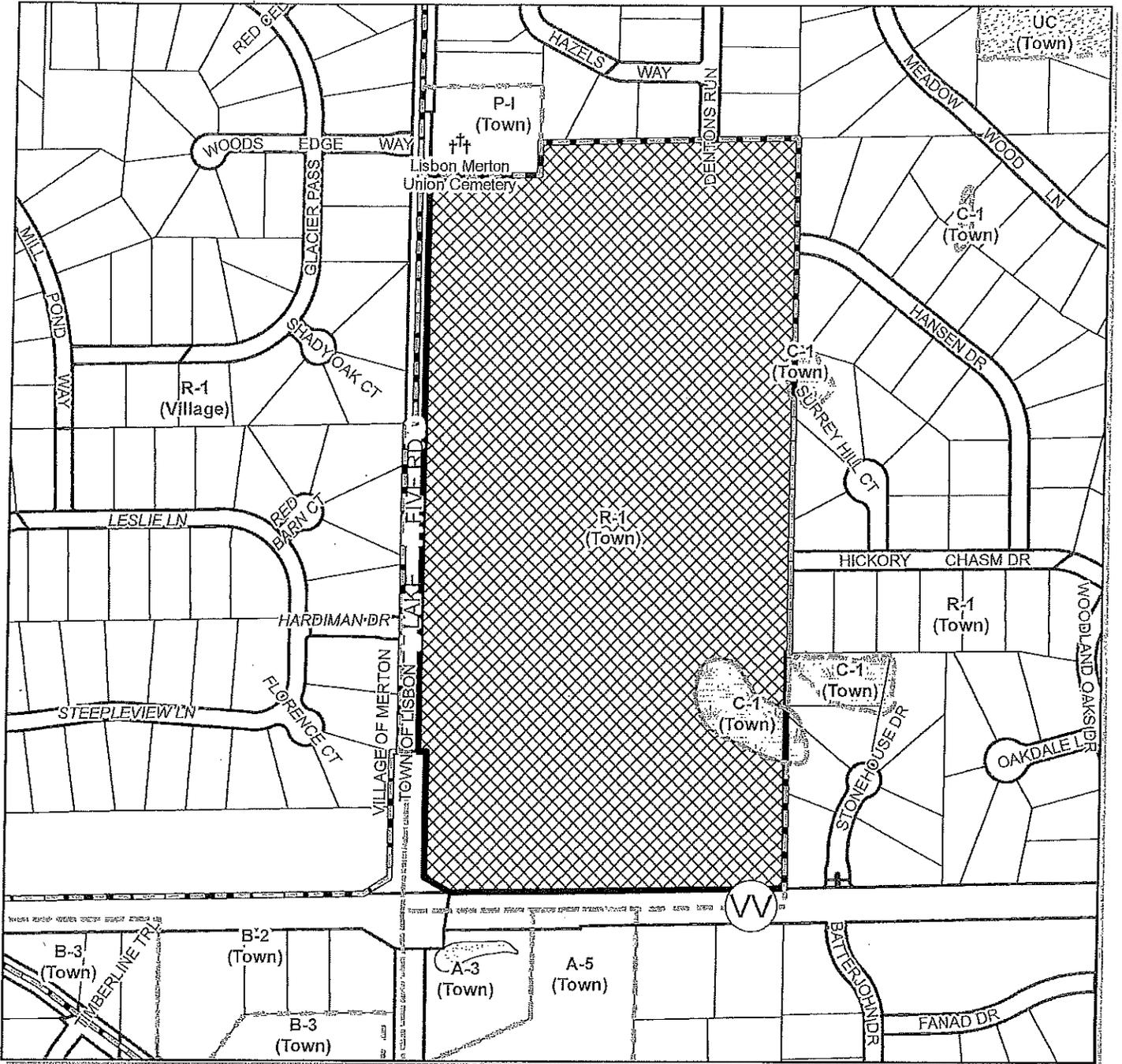
W1/2 NE1/4 SEC 19 T8N R19E EX VOL 41/116 EX VOL 683/162 EX VOL 1062/254-258  
DOC# 3126777 & DOC# 3126779 & DOC# 3126780 & DOC# 3126782





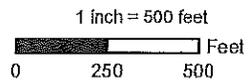
# ZONING AMENDMENT

PART OF THE NE 1/4 OF SECTION 19  
TOWN OF LISBON



 CONDITIONAL TOWN ZONING CHANGE FROM R-1 RESIDENTIAL DISTRICT TO R-1 RESIDENTIAL DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) OVERLAY

FILE NO. .... RZ12  
 DATE OF PLAN COMMISSION ..... 06/21/18  
 AREA OF CHANGE ..... 73.4 ACRES  
 TAXKEY NUMBER ..... LSBT 0217.998



Prepared by the Waukesha County Department of Parks and Land Use

1 AMEND THE TEXT OF THE TOWN OF MUKWONAGO ZONING CODE BY  
2 AMENDING AND REPEALING VARIOUS SECTIONS RELATING  
3 TO CONDITIONAL USE PROVISIONS (RZ8)  
4  
5

6 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of  
7 this Ordinance was approved by the Mukwonago Town Board on April 4, 2018; and  
8

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

14 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
15 that the text of the Town of Mukwonago Zoning Code, adopted by the Town of Mukwonago on  
16 February 27, 2007, is hereby amended to repeal and amend various sections relating to  
17 Conditional Use provisions, more specifically described in the "Staff Report and  
18 Recommendation" on file in the office of the Waukesha County Department of Parks and Land  
19 Use and made a part of this Ordinance by reference RZ8, is hereby approved.  
20

21 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of  
22 this Ordinance with the Town Clerk of Mukwonago.  
23

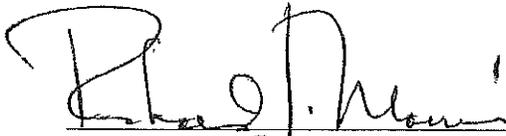
24 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,  
25 approval and publication.

COMMISSION ACTION

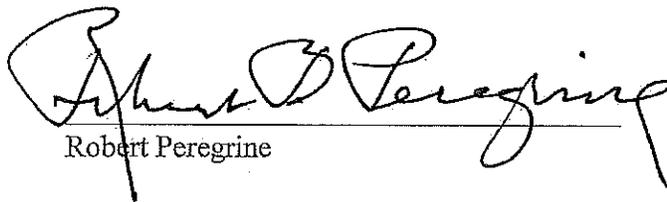
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Mukwonago Zoning Code hereby recommends approval of **RZ8 (Text Amendment)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

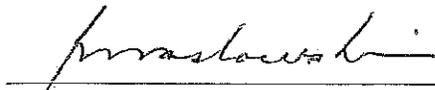
June 21, 2018

  
Richard Morris, Chairperson

Absent  
William Mitchell

  
Robert Peregrine

  
James Siepmann

  
William Maslowski

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

**FILE NO:** RZ8  
**TAX KEY NUMBER:** N/A  
**DATE:** June 21, 2018  
**NAME OF PETITIONER:** Town Board of Mukwonago  
Town of Mukwonago Hall  
W320 S8315 Beulah Road  
Mukwonago, WI 53149

**NATURE OF REQUEST:**

Amend and repeal various sections of the Town of Mukwonago Zoning Code relating to conditional use provisions.

**PUBLIC HEARING DATE:**

April 4, 2018.

**PUBLIC REACTION:**

A few individuals asked questions or expressed concern about the length of time that it would take the Town to restore conditional use provisions for specific uses. Others made comments or asked questions regarding the minimum acreage for commercial horse boarding operations, provisions for selling produce and commercial vehicle parking.

**TOWN PLAN COMMISSION ACTION:**

At their meeting of April 4, 2018, the Town of Mukwonago Plan Commission recommended approval of the proposed text amendments to the Town Board.

**TOWN BOARD ACTION:**

At their meeting of April 4, 2018, the Town of Mukwonago Board unanimously approved the proposed text amendments to Town of Mukwonago Zoning Code.

**COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY (WCCDP) AND THE TOWN OF MUKWONAGO COMPREHENSIVE PLAN:**

The Town and County plans call for a broad range of uses to be provided for in the community. The Town is taking short-term steps to comply with recently adopted law changes relative to the administration of conditional use provisions and is engaged in a process to bring forward modernized conditional use provisions. Therefore, the proposed amendments do not run counter to plan recommendations provided that the Town brings forward another set of text amendments, as planned, in the relative near future to restore and modernize various use options consistent with new law requirements.

**STAFF ANALYSIS:**

The Town of Mukwonago has proposed this interim set of text amendments to be responsive to recent changes to State law regarding conditional use administration. The Town has been working to comprehensively update its zoning ordinance over the past couple of years. As the Town neared the end of the code update process, a law change was enacted that impacts the manner in which communities consider and process conditional use requests. Conditional use options are provided for a wide variety of use types. Such uses require special approval upon consideration of specific proposals and particular neighborhood/contemporary circumstances.

The 2017 law changes (see attached Exhibit "A") clarify that conditions imposed by communities in their processing of such applications must be consistent with the purpose of the ordinance and be based upon substantial evidence. Law also states that requirements and conditions must be reasonable, and to the extent practicable, measurable. Accordingly, the Town is proposing to slightly modify the standards for several conditional use types (religious institutions, commercial stables, in-law units) and is proposing to temporarily repeal most of the other 30+ conditional use types so that those provisions can be further assessed and modernized in light of the new law changes.

The Town Planner has advised that a committee that is guiding the preparation of new text provisions is expected to share input with the Town Plan Commission/Board within the next couple of months regarding modified conditional use language. The Town Planner has also advised that individuals wishing to seek approval for the various use types being temporarily repealed from the conditional use section of the code can either seek approval prior to the effective date of this proposed ordinance, wait until the new code provisions are approved or an individual can apply for a text amendment to accommodate a particular use.

**STAFF RECOMMENDATION:**

The Planning and Zoning Division Staff recommends **approval** of the Town of Mukwonago's request. While individuals seeking approvals for certain use types may face some delay in moving projects forward as the Town takes this interim step, the Town is reacting to a law change that was enacted without a phased implementation schedule, which creates practical difficulties for administering parties. The Town is taking immediate steps to comply with the law. Because the Town is already fully engaged in an effort to bring forward a subsequent set of text amendments, it appears as though the interim period between the two sets of code amendments is likely to be fairly brief.

Respectfully submitted,

*Jason Fruth*

Jason Fruth  
Planning and Zoning Manager

Attachments: Town Ordinance No. 2018-O-040  
Exhibit "A"

STATE OF WISCONSIN

TOWN OF MUKWONAGO

WAUKESHA COUNTY

ORDINANCE 2018-O-40

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING REGULATIONS RELATING TO CONDITIONAL USES AND RELATED MATTERS**

WHEREAS, the Town Board for the Town of Mukwonago adopted a zoning code for the Town of Mukwonago in 1953 and has amended it from time to time since then; and

WHEREAS, that zoning code is codified as Chapter 82 of the Town of Mukwonago Municipal Code, titled "Zoning;" and

WHEREAS, the Plan Commission for the Town of Mukwonago prepared a recommended ordinance to revise various sections of the zoning code with regard to conditional uses and related matters; and

WHEREAS, the Town Clerk for the Town of Mukwonago has properly referred the matter to the Plan Commission and to the Waukesha County Park and Planning Commission, pursuant to Section 82-265(c) of the Town of Mukwonago Zoning Code; and

WHEREAS, the Town Board has conducted the necessary investigation, and scheduled a public hearing for the Plan Commission and the Town Board, pursuant to Section 82-265(c)(2) of the Town of Mukwonago Zoning Code; and

WHEREAS, upon due notice as required by Section 82-267(a), the Plan Commission and Town Board held a joint public hearing on April 4, 2018 pursuant to Section 82-265(d) of the Town of Mukwonago Zoning Code; and

WHEREAS, within a reasonable time after the hearing, the Plan Commission has reported its recommendation to the Town Board; and

WHEREAS, the Town Board for the Town of Mukwonago, after carefully reviewing the recommendation of the Plan Commission for the Town of Mukwonago and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Town of Mukwonago, will enhance property values in the Town and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Town or for any other reason cause a substantial adverse effect on the property values and general desirability of the Town.

NOW, THEREFORE, the Town Board for the Town of Mukwonago, Waukesha County, does hereby ordain as follows:



**Section 1.** Subsection 82-20(d) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (d) Reserved

**Section 2.** Subsection 82-21(d)(2) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (2) *Agricultural businesses including fur farms, pea vineries, creameries, food mills, egg production facilities, commercial greenhouses and condenseries.* Repealed.

**Section 3.** Subsection 82-21(d)(3) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (3) *Airports, landing field, and take-off strips.* Repealed.

**Section 4.** Subsection 82-21(d)(4) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (4) *Animal hospitals and commercial kennels.* Repealed.

**Section 5.** Subsection 82-21(d)(5) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (5) *Antique shops, gift shops, arts and craft studios and similar uses.* Repealed.

**Section 6.** Subsection 82-21(d)(6) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (6) *Arcades and other amusement places.* Repealed.

**Section 7.** Subsection 82-21(d)(7) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (7) *Automobile service stations.* Repealed.

**Section 8.** Subsection 82-21(d)(8) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (8) *Cemeteries and mausoleums for the burial of human remains only.* Repealed.

**Section 9.** Subsection 82-21(d)(9) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- 
- (9) *Churches, synagogues, and other buildings for religious assembly.* In any district except E-C, C-1, and A-E, A-P, A-T or industrial districts, subject to the following requirements:
- a. The location building, site plan and plan of operation shall be submitted to and approved by the plan commission.
  - b. A floor area ratio of no more than 50 percent is allowed.
  - c. Off-street parking be provided for one automobile for each four seats providing the main assembly area of the building.
  - d. Such use shall conform to the setback, height and double the offset requirements of the district in which it is located.
  - e. The height limitation may be extended to a maximum of 50 feet provided the minimum required setback and offset shall be increased two for each additional foot of height in excess of the permitted maximum in the district. The height regulation shall not apply to the spire or belfry of a church except where airport safety zoned regulations specifically limit the maximum height.
  - f. The primary access to a facility with 600 seats or more shall be off of a road classified as a collector or a higher classification as depicted on a highway width map as may be adopted by the Waukesha County Board of Supervisors pursuant to s. 63.1031, Wis. Stats.

**Section 10.** Subsection 82-21(d)(10) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (10) *Commercial fish, bait, ponds or hatcheries.* Repealed.

**Section 11.** Subsection 82-21(d)(11) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (11) *Commercial stables.* Such uses are permitted uses by right in the EFO, A-E, A-P, A-T and A-1 districts on parcels 20 acres or greater in size, such uses are not permitted uses and may not be allowed as conditional uses on any size parcel in the C-1, R-1, R-2 and R-3 districts, such uses may be permitted as conditional uses in the EFO, A-E, A-P, A-T, A-1, R-H, S-E, B-1, B-2, B-3, M-1 and M-2 districts subject to the following:
- a. *Minimum lot size.* The minimum lot size for a commercial stable is 20 acres.
  - b. *Number of animals.* Not more than one head of livestock shall be kept for each full open acre over 2 acres of open lot area, unless the plan commission makes a specific finding that the subject parcel can maintain a greater number of livestock

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based on the proposed building plan, site plan, plan of operation, and manure management plan.

- c. *Buildings.* Nonresidential buildings and other structures related to a commercial stable, such as barns, stables, riding arenas, and sheds, are allowed subject to compliance with all other requirements of this chapter.
- d. *Location of buildings.* A building that houses livestock shall be located at least 100 feet from any lot line of any adjoining lot in a district permitting a residential use.
- e. *Manure management plan.* The property owner shall submit a manure management plan to the plan commission for review and obtain approval of the same.
- f. *Special events.* Special events related to a commercial stable, such as horse shows, exhibitions, and contests, may be permitted with plan commission approval.

**Section 12.** Subsection 82-21(d)(12) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (12) *Commercial truck parking.* Repealed.

**Section 13.** Subsection 82-21(d)(13) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (13) *Conservation design developments.* Repealed.

**Section 14.** Subsection 82-21(d)(14) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (14) *Conversions.* Repealed.

**Section 15.** Subsection 82-21(d)(15) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (15) *Drive-in establishments serving food or beverages to customers other than at a booth or table.* Repealed.

**Section 16.** Subsection 82-21(d)(16) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (16) *Feed lot operation, including livestock and poultry of all types.* Repealed.

**Section 17.** Subsection 82-21(d)(17) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (17) *In-law units.* In the A-P, R-H, E-C, A-1, S-E, R-1, R-2, R-3, B-1, B-2, B-3, subject to the restrictions as set forth in section 82-200, M-1, subject to the restrictions as set forth in section 82-230, M-2, subject to the restrictions as set forth in division 18, and all planned unit developments, subject to the following:
- a. *Compliance with sanitation requirements.* Prior to the establishment of an in-law dwelling unit, the Waukesha County Health Environmental Resource Department shall certify that the existing on-site sewage disposal system can accommodate the proposed use in accordance with county sanitation requirements.
  - b. *Compliance with building codes.* Prior to establishment of an in-law dwelling unit, the town building inspector shall certify that the single-family dwelling meets all applicable building codes.
  - c. *Limitation on floor area and bedrooms.* The maximum living area in an in-law unit shall not exceed 800 square feet for a one-bedroom unit and 900 square feet for a two-bedroom unit.
  - d. *Exterior appearance.* The architecture of the residence shall be compatible with the adjacent residential neighborhood and appear to be a single-family residence.
  - e. *Exterior doors.* An in-law dwelling unit shall not have a primary exterior door. A patio-type door is allowed as a secondary exterior door if it opens onto a deck or patio and does not face the front of the lot.
  - f. *Interior door between units.* The plan commission may determine that it is appropriate to have an interior door between the living units.
  - g. *Deed restriction.* Prior to the establishment of an in-law dwelling unit, the property owner shall file a deed restriction in the Waukesha County register of deeds office, acceptable to the town planner, that includes a statement that the living unit is for family members of the principal dwelling unit only and the approval of an in-law dwelling unit is not transferable to another property owner without formal approval of the plan commission, and other provisions deemed appropriate by the reviewing authority.
  - h. *Required actions following termination of use.* At such time as the in-law dwelling unit is no longer occupied by a person that is related by blood or marriage to the family occupying the primary portion of the single-family dwelling, the property owner shall remove the stove and/or oven in the in-law dwelling unit or in the other dwelling unit and the interior door separating the two units, if allowed, shall be removed.

**Section 18.** Subsection 82-21(d)(18) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(18) *Laboratories for testing, experimental or analytical purposes.* Repealed.

**Section 19.** Subsection 82-21(d)(19) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(19) *Legal nonconforming uses.* Repealed.

**Section 20.** Subsection 82-21(d)(20) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(20) *Marinas and boat deliveries.* Repealed.

**Section 21.** Subsection 82-21(d)(21) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(21) *Mobile home parks and trailer camps.* Repealed.

**Section 22.** Subsection 82-21(d)(22) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(22) *Motels.* Repealed.

**Section 23.** Subsection 82-21(d)(23) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(23) *Multifamily units and condominiums.* Repealed.

**Section 24.** Subsection 82-21(d)(24) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(24) *Outdoor theaters.* Repealed.

**Section 25.** Subsection 82-21(d)(25) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(25) *Planned unit development.* Repealed.

**Section 26.** Subsection 82-21(d)(26) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(26) *Private clubs and outdoor recreational facilities, such as gun clubs, recreational camps, golf courses, bathing beaches, riding academies, resorts.* Repealed.

**Section 27.** Subsection 82-21(d)(27) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(27) *Private stables.* Repealed.

**Section 28.** Subsection 82-21(d)(28) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(28) *Public and commercial refuse disposal sites.* Repealed.

**Section 29.** Subsection 82-21(d)(29) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(29) *Public and semi-public structures and uses.* Repealed.

**Section 30.** Subsection 82-21(d)(30) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(30) *Quarrying.* Repealed.

**Section 31.** Subsection 82-21(d)(31) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(31) *Restaurants, supper clubs, lake resorts, taverns and similar uses.* Repealed.

**Section 32.** Subsection 82-21(d)(33) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(33) *Wrecking and salvage yards.* Repealed.

**Section 33.** Subsection 82-21(d)(34) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

(34) *Other uses.* Repealed.

**Section 34.** Subsection 82-25(b)(1) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (1) No more than (2) accessory buildings per parcel are permitted in any district except as follows:
  - a. On parcels of 15-acres or more, in area used solely for agricultural purposes, more than two accessory buildings may be permitted by the plan commission subject to compliance with the floor area ratio requirements of the Zoning Ordinance.
  - b. In the B-3 and all Industrial Districts, the plan commission may approve more than two accessory buildings as part of a site plan and plan of operation when such

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accessory buildings are accessory to the principal use and constructed and used in accordance with the approved site plan and plan of operation.

**Section 35.** Subsection 82-27(c)(3) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (3) Reserved

**Section 36.** Subsection 82-29(a) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (a) Use restricted: Signs are prohibited in all zoning districts in the town except: (1) One or more sign may be specifically authorized as part of a conditional use allowed under s. 82-21; (2) One or more sign is permitted to the extent specifically authorized by the applicable zoning district regulations.

**Section 37.** Subsection 82-32(c) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (c) Reserved

**Section 38.** Subsection 82-81(8) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (8) Private stables and commercial stables subject to the following:
  - a. Private stables on parcels of less than 20 acres subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town, provided that not more than one horse or other head of livestock are kept for each full open acre over two acres of lot area and provided that the keeping of hogs, pigs of any type (except potbellied pigs as defined in this chapter 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.
  - b. Private stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.
  - c. Commercial stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.

**Section 39.** Subsection 82-82 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 40.** Subsection 82-92(5) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (5) Private stables as follows:
- a. Private stables on parcels of less than 20 acres subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town, provided that not more than one horse or other head of livestock are kept for each full open acre over two acres of lot area and provided that the keeping of hogs, pigs of any type (except potbellied pigs as defined in this chapter 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.
  - b. Private stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.
  - c. Commercial stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.

**Section 41.** Subsection 82-93 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 42.** Subsection 82-111 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 43.** Subsection 82-130(b) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (b) The primary purpose of the A-1 agricultural district is to preserve in agriculture use those lands generally suited for such use and which may have the ultimate potential for residential use but at this time are deemed beyond the current land needs for residential use. It is intended that residential development be limited to parcels being created by certified survey map per the town land division and development control ordinance.

**Section 44.** Subsection 82-131(1) of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

- (1) Any use as permitted in the A-E exclusive agricultural conservancy district subject to the following:
  - a. Private stables on parcels of less than 20 acres subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town, provided that not more than one horse or other head of livestock are kept for each full open acre over two acres of lot area and provided that the keeping of hogs, pigs of any type (except potbellied pigs as defined in this chapter 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.
  - b. Private stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.
  - c. Commercial stables on parcels 20 acres or greater in size subject to a written refuse disposal plan being submitted to and approved by the plan commission if requested by the town.
  - d. Reserved.
  - e. Poultry raising is permitted but not more than 20 fowl may be kept for each full open acre over two acres of lot area.

**Section 45.** Subsection 82-132 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 46.** Subsection 82-141 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 47.** Subsection 82-252 of the Town of Mukwonago municipal code is repealed and recreated to read as follows:

Reserved

**Section 48.** Banquet facilities, allowed as an unspecified use determination by Town action on May 4, 2016, are no longer considered a conditional use in any of the zoning districts.

**Section 49.** Dormitories and staff housing, allowed as an unspecified use determination by Town action on March 19, 2014, are no longer considered a conditional use in any of the zoning districts.

**Section 50.** A race event (with no more than 2,000 runners over two consecutive days, not including setup and teardown, occurring on contiguous parcels with a minimum of 200 acres), allowed as an unspecified use determination by Town action on April 17, 2013, is no longer considered a conditional use in any of the zoning districts.

**Section 51.** Family wineries, allowed as an unspecified use determination by Town action on July 21, 2010, are no longer considered a conditional use in any of the zoning districts.

**Section 52.** The sale of mulch, Christmas trees, pumpkins, other holiday items, and related activities, allowed as an unspecified use determination by Town action, is no longer considered a conditional use in any of the zoning districts.

**Section 53.** Retail selling of trees, allowed as an unspecified use determination by Town action, is no longer considered a conditional use in any of the zoning districts.

**Section 54.** Retail/wholesale greenhouse and nursery operations, allowed as an unspecified use determination by Town action, are no longer considered a conditional use in any of the zoning districts.

**Section 55.** 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 56.** The Town of Mukwonago Town Clerk is directed to send three signed copies of this ordinance to the Waukesha County Clerk for approval of the Waukesha County Board of Supervisors.

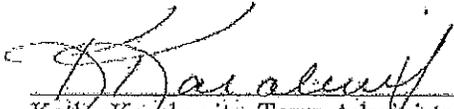
**Section 57.** This ordinance shall take effect immediately upon passage and posting or publication as provided by law following approval by the Waukesha County Board of Supervisors.

Adopted this 4th day of April 2018

TOWN OF MUKWONAGO

  
Peter Topczewski, Town Chair

ATTEST:

  
\_\_\_\_\_  
Kathy Karalewitz, Town Administrator

Published and/or posted this 16 day of May, 2018

# State of Wisconsin



EXHIBIT "A"

2017 Assembly Bill 479

Date of enactment: November 27, 2017  
Date of publication\*: November 28, 2017

## 2017 WISCONSIN ACT 67

AN ACT to renumber and amend 59.694 (7) (c) and 62.23 (7) (e) 7.; to amend 59.69 (10e) (title), 59.69 (10e) (a) 1., 59.69 (10e) (b), 60.61 (5e) (title), 60.61 (5e) (a) 1., 60.61 (5e) (b), 62.23 (7) (hb) (title), 62.23 (7) (hb) 1. a. and 62.23 (7) (hb) 2.; and to create 59.69 (5e), 59.694 (7) (c) 1., 59.694 (7) (c) 3., 60.61 (4e), 60.62 (4e), 62.23 (7) (de), 62.23 (7) (e) 7. a., 62.23 (7) (e) 7. d., 66.10015 (1) (e), 66.10015 (2) (e), 66.10015 (4), 227.10 (2p) and 710.17 of the statutes; relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; and the right to display the flag of the United States.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 2. 59.69 (5e) of the statutes is created to read:

59.69 (5e) CONDITIONAL USE PERMITS. (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a county, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be

related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the county of a class 2 notice under ch. 985, the county shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the county may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the county zoning board.

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(e) If a county denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in s. 59.694 (10).

SECTION 3. 59.69 (10e) (title) of the statutes is amended to read:

59.69 (10e) (title) REPAIR, REBUILDING, AND MAINTENANCE OF CERTAIN NONCONFORMING STRUCTURES.

SECTION 4. 59.69 (10e) (a) 1. of the statutes is amended to read:

59.69 (10e) (a) 1. "Development regulations" means the part of a zoning ordinance enacted under this section that applies to elements including setback, height, lot coverage, and side yard.

SECTION 5. 59.69 (10e) (b) of the statutes is amended to read:

59.69 (10e) (b) An ordinance enacted under this section may not prohibit, or limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.

SECTION 8. 59.694 (7) (c) of the statutes is renumbered 59.694 (7) (c) 2. and amended to read:

59.694 (7) (c) 2. To authorize upon appeal in specific cases variances from the terms of the ordinance that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

4. A county board may enact an ordinance specifying an expiration date for a variance granted under this paragraph if that date relates to a specific date by which the action authorized by the variance must be commenced or completed. If no such ordinance is in effect at the time a variance is granted, or if the board of adjustment does not specify an expiration date for the variance, a variance granted under this paragraph does not expire unless, at the time it is granted, the board of adjustment specifies in the variance a specific date by which the action authorized by the variance must be commenced or completed. An ordinance enacted after April 5, 2012, may not specify an expiration date for a variance that was granted before April 5, 2012.

5. A variance granted under this paragraph runs with the land.

SECTION 9. 59.694 (7) (c) 1. of the statutes is created to read:

59.694 (7) (c) 1. In this paragraph:

a. "Area variance" means a modification to a dimensional, physical, or locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment under this subsection.

b. "Use variance" means an authorization by the board of adjustment under this subsection for the use of

land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

SECTION 10. 59.694 (7) (c) 3. of the statutes is created to read:

59.694 (7) (c) 3. A property owner bears the burden of proving "unnecessary hardship," as that term is used in this paragraph, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

SECTION 11. 60.61 (4e) of the statutes is created to read:

60.61 (4e) CONDITIONAL USE PERMITS. (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a town, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the town ordinance or those imposed by the town zoning board, the town shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The town's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the town of a class 2 notice under ch. 985, the town shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the town may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the town zoning board.

(e) If a town denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures described in s. 59.694 (10).

SECTION 12. 60.61 (5e) (title) of the statutes is amended to read:

60.61 (5e) (title) REPAIR, ~~REBUILDING,~~ AND MAINTENANCE OF CERTAIN NONCONFORMING STRUCTURES.

SECTION 13. 60.61 (5e) (a) 1. of the statutes is amended to read:

60.61 (5e) (a) 1. "Development regulations" means the part of a zoning ordinance ~~enacted under this section~~ that applies to elements including setback, height, lot coverage, and side yard.

SECTION 14. 60.61 (5e) (b) of the statutes is amended to read:

60.61 (5e) (b) An ordinance ~~enacted under this section~~ may not prohibit, or limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.

SECTION 15. 60.62 (4e) of the statutes is created to read:

60.62 (4e) (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a town, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the town ordinance or those imposed by the town zoning board, the town shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The town's decision

to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the town of a class 2 notice under ch. 985, the town shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the town may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the town zoning board.

(e) If a town denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures described in s. 61.35.

SECTION 16. 62.23 (7) (de) of the statutes is created to read:

62.23 (7) (de) *Conditional use permits.* 1. In this paragraph:

a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

4. Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or

renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

5. If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

SECTION 17. 62.23 (7) (e) 7. of the statutes is renumbered 62.23 (7) (e) 7. b. and amended to read:

62.23 (7) (e) 7. b. The board of appeals shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this section or of any ordinance adopted pursuant thereto; to hear and decide special exception to the terms of the ordinance upon which such board is required to pass under such ordinance; to authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

e. The council of a city may enact an ordinance specifying an expiration date for a variance granted under this subdivision if that date relates to a specific date by which the action authorized by the variance must be commenced or completed. If no such ordinance is in effect at the time a variance is granted, or if the board of appeals does not specify an expiration date for the variance, a variance granted under this subdivision does not expire unless, at the time it is granted, the board of appeals specifies in the variance a specific date by which the action authorized by the variance must be commenced or completed. An ordinance enacted after April 5, 2012, may not specify an expiration date for a variance that was granted before April 5, 2012.

f. A variance granted under this subdivision runs with the land.

c. The board may permit in appropriate cases, and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the ordinance, a building or premises to be erected or used for such public utility purposes in any location which is reasonably necessary for the public convenience and welfare.

SECTION 18. 62.23 (7) (e) 7. a. of the statutes is created to read:

62.23 (7) (e) 7. a. In this subdivision, "area variance" means a modification to a dimensional, physical, or locational requirement such as a setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of appeals under this paragraph. In this subdivision, "use variance" means an authorization by the board of appeals under this paragraph for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

SECTION 19. 62.23 (7) (e) 7. d. of the statutes is created to read:

62.23 (7) (e) 7. d. A property owner bears the burden of proving "unnecessary hardship," as that term is used in this subdivision, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

SECTION 20. 62.23 (7) (hb) (title) of the statutes is amended to read:

62.23 (7) (hb) (title) *Repair, rebuilding, and maintenance of certain nonconforming structures.*

SECTION 21. 62.23 (7) (hb) 1. a. of the statutes is amended to read:

62.23 (7) (hb) 1. a. "Development regulations" means the part of a zoning ordinance enacted under this subsection that applies to elements including setback, height, lot coverage, and side yard.

SECTION 22. 62.23 (7) (hb) 2. of the statutes is amended to read:

62.23 (7) (hb) 2. An ordinance enacted under this subsection may not prohibit, or limit based on cost, the repair, maintenance, renovation, or remodeling of a non-conforming structure.

SECTION 23. 66.10015 (1) (e) of the statutes is created to read:

66.10015 (1) (e) "Substandard lot" means a legally created lot or parcel that met any applicable lot size requirements when it was created, but does not meet current lot size requirements.

SECTION 24. 66.10015 (2) (e) of the statutes is created to read:

66.10015 (2) (e) Notwithstanding any other law or rule, or any action or proceeding under the common law, no political subdivision may enact or enforce an ordinance or take any other action that prohibits a property owner from doing any of the following:

1. Conveying an ownership interest in a substandard lot.
2. Using a substandard lot as a building site if all of the following apply:
  - a. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
  - b. The substandard lot or parcel is developed to comply with all other ordinances of the political subdivision.

SECTION 25. 66.10015 (4) of the statutes is created to read:

66.10015 (4) Notwithstanding the authority granted under ss. 59.69, 60.61, 60.62, 61.35, and 62.23, no political subdivision may enact or enforce an ordinance or take any other action that requires one or more lots to be merged with another lot, for any purpose, without the consent of the owners of the lots that are to be merged.

SECTION 26. 227.10 (2p) of the statutes is created to read:

227.10 (2p) No agency may promulgate a rule or take any other action that requires one or more lots to be merged with another lot, for any purpose, without the consent of the owners of the lots that are to be merged.

SECTION 27. 710.17 of the statutes is created to read:

710.17 Right to display the flag of the United States. (1) DEFINITIONS. In this section:

(a) "Housing cooperative" means a cooperative incorporated under ch. 185 or organized under ch. 193 that owns residential property that is used or intended to be used, in whole or in part, by the members of the housing cooperative as their homes or residences.

(b) "Member of a homeowners' association" means a person that owns residential property within a subdivision, development, or other similar area that is subject to any policy or restriction adopted by a homeowners' association.

(c) "Member of a housing cooperative" means a member, as defined in s. 185.01 (5) or 193.005 (15), of a housing cooperative if the member uses or intends to use part of the property of the housing cooperative as the member's home or residence.

(2) RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES. (a) Except as provided in sub. (3), a homeowners' association may not adopt or enforce a covenant, condition, or restriction, or enter into an agreement, that

restricts or prevents a member of the homeowners' association from displaying the flag of the United States on property in which the member has an ownership interest and that is subject to any policy or restriction adopted by the homeowners' association.

(b) Except as provided in sub. (3), a housing cooperative may not adopt or enforce a covenant, condition, or restriction, or enter into an agreement, that restricts or prevents a member of the housing cooperative from displaying the flag of the United States on property of the housing cooperative to which the member has a right to exclusive possession or use.

(3) EXCEPTIONS. A homeowners' association or housing cooperative may adopt and enforce a covenant, condition, or restriction, or enter into an agreement, that does any of the following:

(a) Requires that any display of the flag of the United States must conform with a rule or custom for proper display and use of the flag set forth in 4 USC 5 to 10.

(b) Provides a reasonable restriction on the time, place, or manner of displaying the flag of the United States that is necessary to protect a substantial interest of the homeowners' association or housing cooperative.

SECTION 28. Initial applicability.

(1) RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES. The treatment of section 710.17 of the statutes first applies to a covenant, condition, or restriction that is adopted, renewed, or modified, or to an agreement that is entered into, renewed, or modified, on the effective date of this subsection.

(2) CONDITIONAL USE PERMITS. The treatment of sections 59.69 (5e), 60.61 (4e), 60.62 (4e), and 62.23 (7) (de) of the statutes first applies to an application for a conditional use permit that is filed on the effective date of this subsection.



**TO:** Waukesha County Board of Supervisors  
**CC:** Allison Bussler, Gary Evans  
**FROM:** Bruce Barnes, P.E., PTOE  
**DATE:** June 18, 2018  
**SUBJECT:** Proposed reductions of posted speed limit along

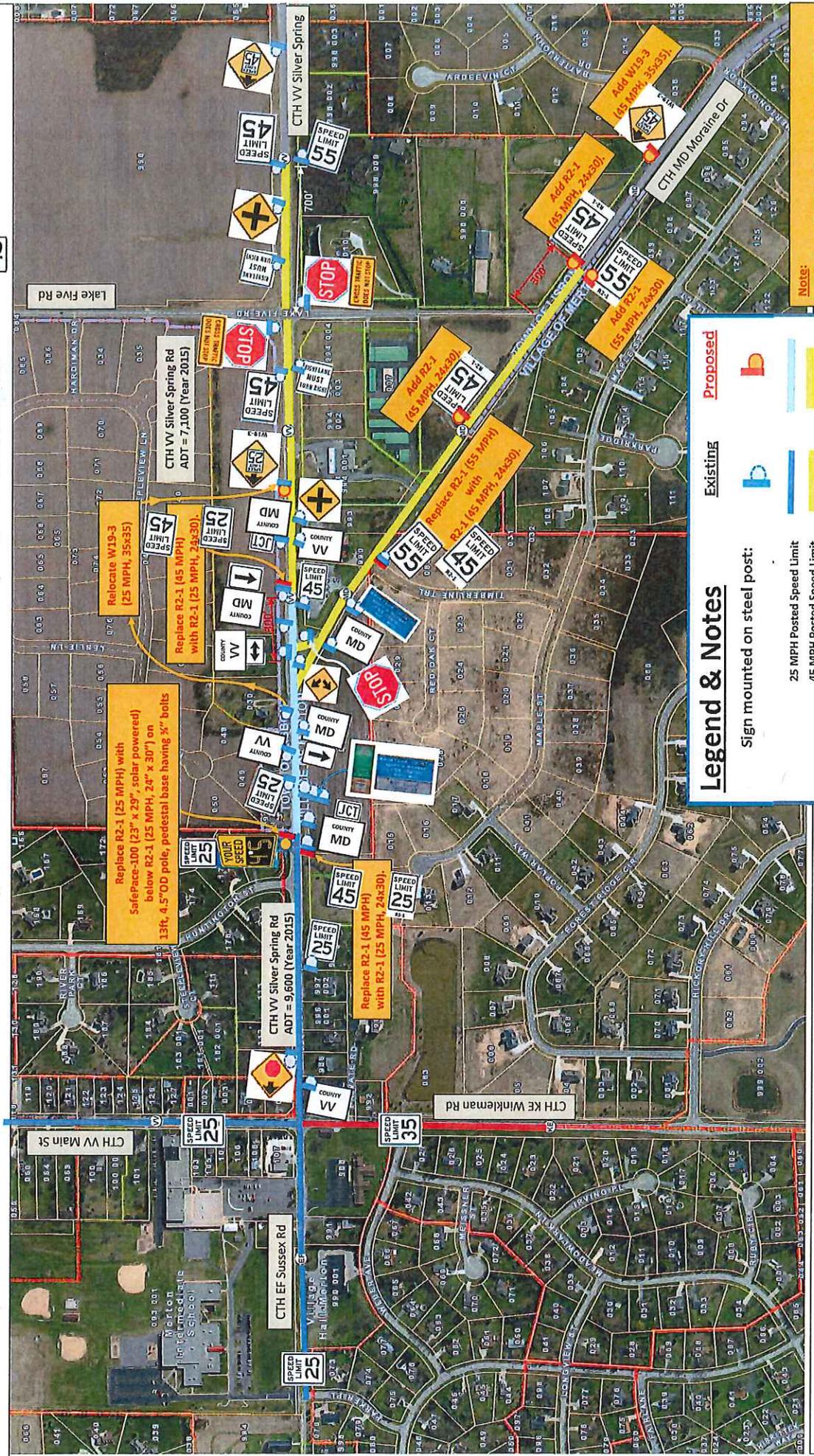
- CTH VV between Huntington St & 300-feet east of CTH MD and
- CTH MD between CTH VV and 300-feet southeast of Lake Five Road

This proposed lowering of the 45 MPH posted speed limit to 25-MPH along 0.2-mile of CTH VV between Huntington Street and a point 300-feet east of CTH MD was requested by the Village of Merton as part of installing its new speed monitor equipment along CTH VV at the Village limits. New 45-MPH transition speed zone signs were installed along CTH VV earlier this year per Ordinance 172-074. Since then, the Village of Merton raised concern that some of this new 45 MPH transition speed zone area conflicts with preceding field adjustments to positions of CTH VV 25-MPH speed limit signs completed earlier by Waukesha County DPW's Highway Operations.

Lowering a 0.4-mile segment of the CTH MD 55-MPH speed limit to 45-MPH is recommended between CTH VV and 300-feet southeast of Lake Five Road. This transition speed zone would be similar to the new 45 MPH segment of CTH VV. It would address earlier concerns raised by the Village of Merton and local residents of the growing residential subdivision areas in the Village of Merton and Town of Lisbon.

# Adjust CTH VV-3 & Add CTH MD Speed Transition Zones

SPEED LIMIT 45



Relocate W19-3 (25 MPH, 35x35)  
 Replace R2-1 (25 MPH) with SafeSpace-100 (23" x 29", solar powered) below R2-1 (25 MPH, 24" x 30") on 13ft, 4.5"OD pole, pedestal base having 4" bolts

Replace R2-1 (45 MPH) with R2-1 (25 MPH, 24x30)

Replace R2-1 (45 MPH) with R2-1 (25 MPH, 24x30)

Replace R2-1 (55 MPH) with R2-1 (45 MPH, 24x30)

Add R2-1 (45 MPH, 24x30)

Add W19-3 (45 MPH, 35x35)

### Legend & Notes

Existing	Proposed

Sign mounted on steel post:

- 25 MPH Posted Speed Limit
- 45 MPH Posted Speed Limit
- 55 MPH Posted Speed Limit

**Note:**  
 These adjustments supersede Ordinance 172-074 approved March 27, 2018 by County Board.





**TO:** Waukesha County Board of Supervisors  
**CC:** Allison Bussler, Gary Evans  
**FROM:** Bruce Barnes, P.E., PTOE  
**DATE:** June 18, 2018  
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### Legend & Notes

Sign mounted on steel post:

Existing	Proposed

25 MPH Posted Speed Limit  
 45 MPH Posted Speed Limit  
 55 MPH Posted Speed Limit

Note:  
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# CTH VV & CTH MD

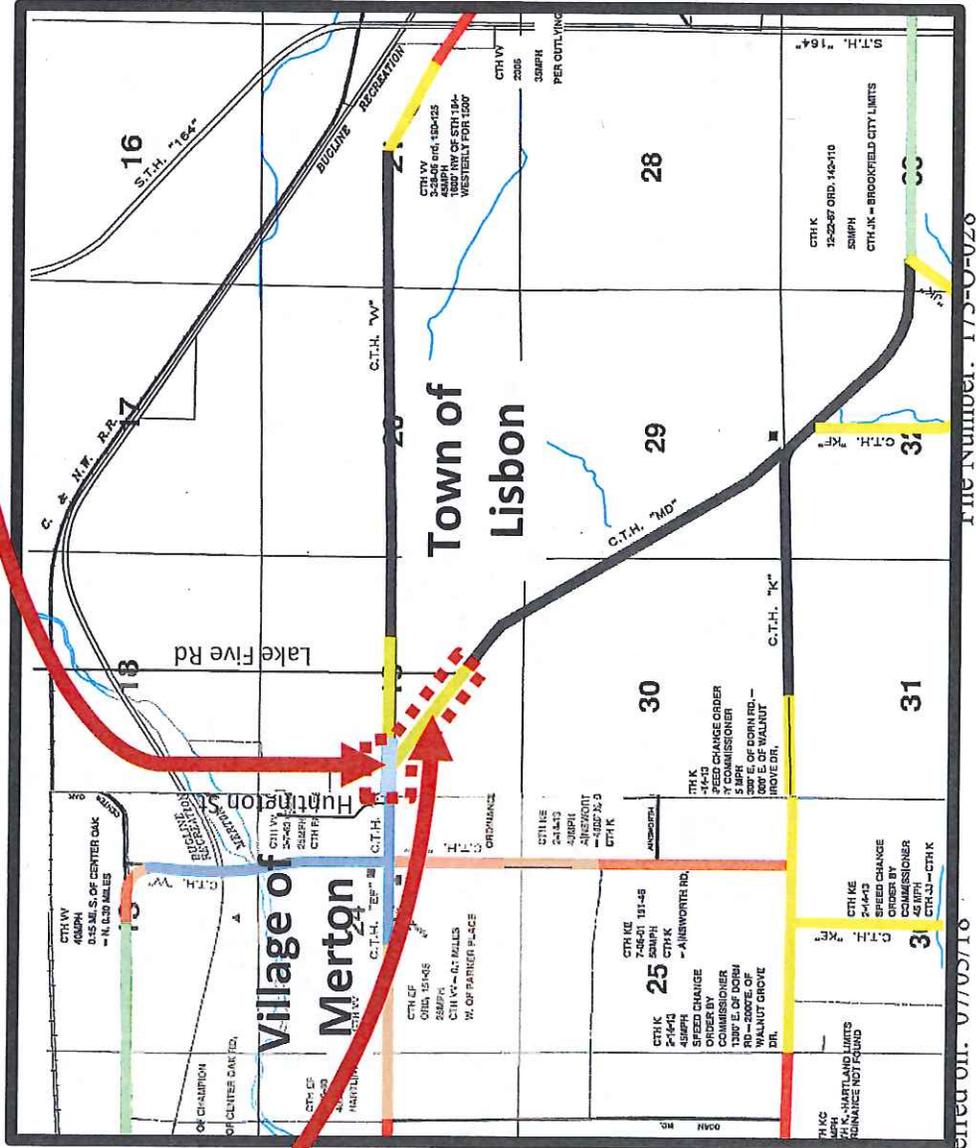
Village of Merton & Town of Lisbon  
Waukesha County

**CTH MD proposed 45-MPH posted speed limit**

**(0.4 miles, CTH VV to 300-foot east of Lake Five Road)**

**CTH VV proposed 25-MPH posted speed limit**

**(0.2 miles, Huntington Street to 300-foot east of CTH MD)**





WAUKESHA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE

**MEMO:**

---

DATE: June 28, 2018  
TO: Chairman Paul Decker  
FROM: Paul Farrow  
RE: Reappointment of Citizen Member to Airport Operations Commission

I am pleased to submit to the County Board for your consideration, the reappointment of Steven Betzler to the Airport Operations Commission. His term, if appointed, will expire in July of 2024.

PF:kb

cc: Kathleen O. Novack  
Kurt Stanich



WAUKESHA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE

**MEMO:**

---

DATE: July 2, 2018  
TO: Chairman Paul Decker  
FROM: Paul Farrow  
RE: Re-Appointment of Citizen Member to the Board of Adjustment

I am pleased to submit to the County Board for your consideration, the re-appointment of Mr. Richard Bayer to the Board of Adjustment. His term, if re-appointed will expire in July of 2021.

PF:kb

cc: Kathleen O. Novack  
Dale Shaver



WAUKESHA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE

**MEMO:**

---

DATE: July 2, 2018  
TO: Chairman Paul Decker  
FROM: Paul Farrow  
RE: Appointment to the Metro Waste Facilities Monitoring Committee

I am pleased to submit to the County Board for your consideration, the appointment of Analiese Smith, Solid Waste Supervisor, Waukesha County Parks and Land Use Department to the Metro Waste Facilities Monitoring Committee. Ms. Smith has over 10 years of experience working the solid waste and recycling field. Most recently she served as a Solid Waste Project Analyst for the City of Milwaukee. Ms. Smith will be fulfilling the vacancy left by the recent transition of Rebecca Mattano.

PF:kb

cc: Kathleen O. Novack  
Dale Shaver



WAUKESHA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE

**MEMO:**

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DATE: July 2, 2018  
TO: Chairman Paul Decker  
FROM: Paul Farrow  
RE: Appointment to the Advanced Disposal Emerald Park Landfill Committee

I am pleased to submit to the County Board for your consideration, the appointment of Analiese Smith, Solid Waste Supervisor, Waukesha County Parks and Land Use Department to the Advanced Disposal Emerald Park Landfill Committee. Ms. Smith has over 10 years of experience working the solid waste and recycling field. Most recently she served as a Solid Waste Project Analyst for the City of Milwaukee. Ms. Smith will be fulfilling the vacancy left by the recent transition of Rebecca Mattano.

PF:kb

cc: Kathleen O. Novack  
Dale Shaver



WAUKESHA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE

**MEMO:**

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DATE: July 2, 2018  
TO: Chairman Paul Decker  
FROM: Paul Farrow  
RE: Appointment of County Representative to Public Health Advisory Committee

I am pleased to submit to the County Board for your consideration, the appointment of Ms. Mary Reich, RN to the Public Health Advisory Committee. Ms. Reich is resident of Waukesha County having worked as a healthcare provider since 1995 as a cardiac RN at St. Joseph's Hospital in Milwaukee, Wisconsin, before transitioning as the Executive Director of the Lake Area Free Clinic in Oconomowoc, where she has diligently served since 2008. Mary Reich, if appointed, will be filling the vacancy left by the resignation of Dr. Marshall R. Jennison.

PF:kb

cc: Kathleen O. Novack  
Benjamin Jones