

ENROLLED ORDINANCE 178-62

AMENDMENTS TO THE ZONING MAPS OF THE WAUKESHA COUNTY SHORELAND PROTECTION ORDINANCE, THE WAUKESHA COUNTY FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE
(RZ132)

WHEREAS, the Federal Emergency Management Agency (FEMA) has published new floodplain mapping for Waukesha County, effective October 19, 2023; and

WHEREAS, the Waukesha County Board of Supervisors approved the new FEMA floodplain mapping on August 22, 2023; and

WHEREAS, the county's zoning maps are proposed to be revised to update floodplain and other natural resource boundaries and to make other minor modifications as further described in the "Staff Report and Recommendation" for RZ 132; and

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Waukesha County Park and Planning Commission on October 19, 2023; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Sections 59.69, 59.692 and 87.30 Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Amendments to the zoning maps of the Waukesha County Shoreland Protection Ordinance, the Waukesha County Floodland Protection Ordinance and the Waukesha County Zoning Code, and more specifically described in the "Staff Report and Recommendation" and maps on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference RZ132, is hereby approved.

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

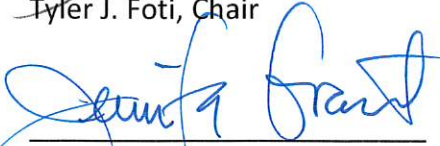
AMENDMENTS TO THE ZONING MAPS OF THE WAUKESHA COUNTY SHORELAND PROTECTION
ORDINANCE, THE WAUKESHA COUNTY FLOODLAND PROTECTION ORDINANCE AND THE
WAUKESHA COUNTY ZONING CODE (RZ132)

Presented by:

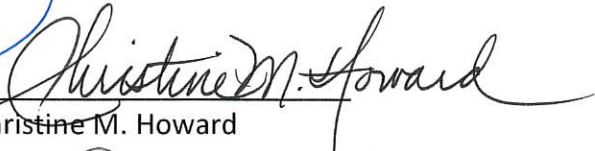
Land Use, Parks, and Environment Committee



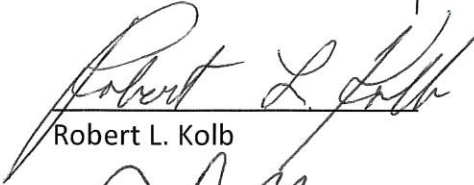
Tyler J. Foti, Chair



Jennifer Grant



Christine M. Howard



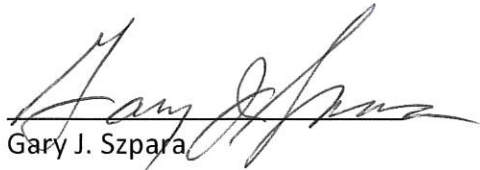
Robert L. Kolb



Brian Meier

Absent

Chris Mommaerts



Gary J. Szpara

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

Date: 12/1/23, Kelly Yager, Deputy
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 12/4/2023, Paul Farrow
Paul Farrow, County Executive

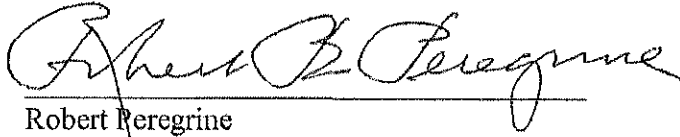
COMMISSION ACTION

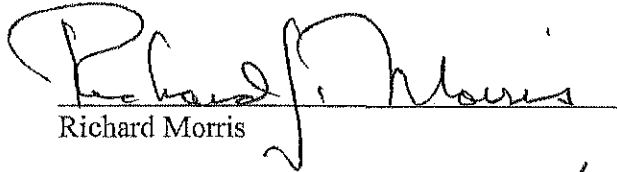
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Zoning Maps for the Waukesha County Shoreland Protection Ordinance, the Waukesha County Floodland Protection Ordinance and the Waukesha County Zoning Code hereby recommends approval of **RZ132 (Zoning Map Amendment)** in accordance with the attached "Staff Report and Recommendation".

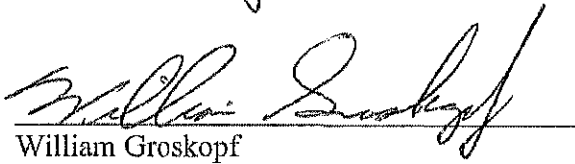
PARK AND PLANNING COMMISSION

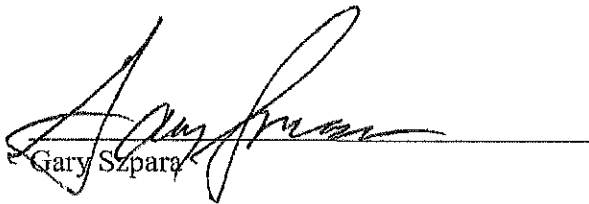
October 19, 2023


James Siepmann, Chairperson


Robert Reregrine


Richard Morris


William Groskopf


Gary Szpara

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

FILE NO.: RZ132
DATE: October 19, 2023
PETITIONER: Waukesha County Park and Planning Commission

LOCATION:

These comprehensive map amendments pertain to shoreland and floodplain areas within the unincorporated parts of the county that are subject to the Waukesha County Shoreland Ordinance and the Waukesha County Floodland Protection Ordinance and the areas of the towns of Oconomowoc and Ottawa that are subject to the County Zoning Code. Shorelands are lands that are located within 1000' of public lakes or ponds, lands within 300' of navigable streams or to the full extent of the associated 100-year floodplain if the floodplain extends a distance greater than 1000' or 300', respectively.

PROPOSED ZONING:

The proposed map changes would rezone lands to and from various zoning categories to coincide with the adoption of new FEMA floodplain maps. The draft mapping is available for viewing in an "App" environment at www.waukeshacounty.gov/planningandzoning (click the "Mapping Resources" tab and the Draft County Zoning Map image to launch the app). The draft maps are also presented in PDF format for each affected town on the same webpage.

PUBLIC HEARING DATE:

October 19, 2023

PUBLIC REACTION:

Any comments offered by the public at the October 19, 2023 hearing will be addressed as part of the final staff recommendation. Notice of the availability of the draft maps was transmitted to all affected towns in September 2023. The FEMA floodplain mapping was subject of prior DNR-hosted open house sessions.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY:

The proposed map update implements several key recommendations of the County Development Plan. Wetlands and floodplains will continue to be protected with lowland zoning overlay classifications. Upland Environmental Corridors and Isolated Natural Resource Areas will continue to be protected with Environmental Corridor zoning overlays. Other lands will be zoned as used.

OTHER CONSIDERATIONS:

This map update has been initiated in response to the recent adoption of new Federal Emergency Management Agency (FEMA) floodplain mapping. The new FEMA floodplain maps were adopted by the County Board on August 22, 2023 and become effective on October 19, 2023. The revised FEMA floodplain boundaries have now been incorporated into the county zoning maps that are effective in the shoreland/floodland areas of the towns of Brookfield, Delafield, Eagle, Genesee, Merton, Mukwonago, Oconomowoc and Ottawa. The new County Floodland Protection Ordinance that also becomes effective on October 19, 2023 contains new zone names for floodplain zones. Floodplains are proposed to be zoned

as either Floodfringe or General Floodplain District and flood areas that are subject to flood flows will be designated as floodways. The current adopted dam failure floodplains will also continue to be designated as floodways, pursuant to state requirements. Finally, flood storage districts will be maintained in a separate layer.

The county is also required by state law to zone wetlands to protective zoning categories consistent with the most current available 2015 state wetlands inventory. Wetlands are proposed to continue to be designated with a C-1 Conservancy Overlay zoning designation. Similarly, the Southeastern Wisconsin Regional Planning Commission maintains a regional environmental corridor mapping inventory. The zoning maps incorporate the most current 2015 dataset with the Environmental Corridor Overlay designation matching the inventory boundaries.

Other minor changes relate to public and institutional land designations. Portions of two Town of Mukwonago private parcels had been zoned P-I District in the vicinity of Willow Spring Lake. They are proposed to be corrected to conventional zoning categories. Other lands that have been acquired by public entities for recreation or preservation are proposed to be zoned P-I District to reflect current ownership and use. A number of these parcels are part of the county's Monches Park holdings in Merton.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The modernized zoning maps fulfill statutory obligations with the incorporation of required effective floodplain and wetland mapping. The modernized maps also serve to implement key recommendations of the County Development Plan by consistently zoning Environmental Corridors to protective zoning categories. The new maps will continue to display effective county zoning ordinance data upon a single map for each respective town and will allow for continued digital display of zoning data on the County GIS website making zoning information readily available to the public.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning & Zoning Manager

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VOTE RESULTS >

24 YES

0 NO


0 ABSTAIN

1

ABSENT

Ordinance 178-O-062

Ordinance 178-O-062: Amendments to the Zoning Maps of the Waukesha County Shoreland Protection Ordinance and the Waukesha County Zoning Code (RZ132)

 **Passed By Majority Vote**

D1 - Foti	AYE	D10 - Thieme	AYE	D19 - Enriquez	AYE
D2 - Weil	AYE	D11 - Howard	AYE	D20 - Schellinger	AYE
D3 - Morris	AYE	D12 - Wolff	AYE	D21 - Gaughan	AYE
D4 - Batzko	AYE	D13 - Decker	AYE	D22 - Szpara	AYE
D5 - Grant	AYE	D14 - Mommaerts	AYE	D23 - Hammitt	AYE
D6 - Walz	AYE	D15 - Kolb	ABSENT	D24 - Bangs	AYE
D7 - LaFontain	AYE	D16 - Crowley	AYE	D25 - Johnson	AYE
D8 - Koremenos	AYE	D17 - Meier	AYE		
D9 - Heinrich	AYE	D18 - Nelson	AYE		

9th Meeting, 178th Year of the County Board of Supervisors - November 28 2023 07:07:11 PM

November 28, 2023

