

**Minutes of Land Use, Parks and Environment (LUPE) Committee
Tuesday, April 21, 2015**

Chair Jaske called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Committee Present: Supervisors Pauline Jaske, Eric Highum, Keith Hammitt, Jennifer Grant, Jim Batzko, Bill Mitchell and Tom Schellinger.

Also Present: Legislative Policy Advisor Sarah Spaeth, Administrative Specialist Karen Phillips, Parks and Land Use Director Dale Shaver, Environmental Health Manager Sarah Ward, Park System Manager Duane Grimm, Planning and Zoning Manager Jason Fruth, Attorney Kim Haines, Humane Animal Officer Jill Miorana, and Senior Financial Analyst Steve Trimborn.

Approve Minutes of March 17, 2015

MOTION: Mitchell moved, second by Hammitt to approve the minutes of March 17, 2015. Motion carried 7-0.

Executive Committee Report of April 20, 2015

Jaske reviewed the items discussed at the April 20 Executive Committee meeting:

- The following ordinances were approved:
 - Ordinance 170-O-009 relative to amending the Waukesha County Code of Ordinances section regarding dangerous animals
 - Ordinance 170-O-010 regarding a change to the Waukesha County Code of Ordinances regarding the Airport to define fixed base operator
 - Ordinance 170-O-011 relative to acceptance the Waukesha County Federated Library System regarding acceptance of grant funding to purchase hearing loop systems
 - Ordinance 170-O-020 relative to approving Stein's Aircraft Services LLC as an aircraft fuels and oil aeronautical service provider at Waukesha County Airport and amendment to hangar lease agreement
- Report on the 2014 Thriving Waukesha County Initiative by Chairman Decker

Correspondence

- Letter from the Town of Genesee to Jason Fruth regarding the Town's zoning code and map

Future Agenda Items

- Overview of the County's zoning jurisdiction over towns' zoning codes

Legislative Update

Spaeth stated that the Joint Finance Committee (JFC) began voting on the governor's 2015-2017 biennial budget last week. JFC removed the countywide assessment proposal from the budget. This week JFC will vote on general transportation aids and repeal of car-killed deer appropriations.

Future Meeting Date

- May 19, 2015

Ordinance 170-O-009: Amend The Waukesha County Code Of Ordinances By Repealing And Recreating Sections 14-452 And 14-454 Regarding Dangerous Animals

Ward and Miorana were present to discuss this ordinance which amends the Waukesha County Code of Ordinances (Chapter 14) relative to dangerous animals for the purposes of consistency with surrounding communities, including the name change from “vicious” to “dangerous”. The proposed tiered approach for declaring animals “dangerous” will be more effective and will allow for better consideration of the broad array of circumstances that occur when domestic animals cause harm.

Ward presented background information of the Humane Animal Program. A handout titled “Summary of the Proposed Amendments to the Waukesha County Vicious Animals Ordinance” was distributed. Ward reviewed each of the proposed changes as detailed in the handout and provided clarification of definitions and language as requested by the committee during discussion.

MOTION: Hammitt moved, second by Mitchell to approve Ordinance 170-O-009. Motion carried 7-0.

Ordinance 170-O-007: Accept Donation Of Croxice® Hockey Boards At Nagawaukee Ice Arena

Grimm discussed this ordinance which authorizes the acceptance of a donation from the Waukesha County Youth Hockey Association, Inc. for a set of Croxice® hockey boards for use at the Nagawaukee Ice Arena. (A set of boards for Elbe Ice Arena was declined because there is no practical place to store them properly). The board set is valued at approximately \$6500; donations valued over \$5000 must be approved by the County Board.

Grimm explained that the hockey boards are dividers that allow the ice rink to be sectioned off. Each section can be simultaneously used for different purposes, e.g. hockey league games, practices, lessons, etc. In response to Schellinger’s questions, Grimm stated that the number of adult and youth hockey leagues has been on the rise. Ice arena staff hold hockey camps for 5-10 year olds to generate an interest in youth hockey.

MOTION: Grant moved, second by Schellinger to approve Ordinance 170-O-007. Motion carried 7-0.

Ordinance 170-O-001: Amend The Text Of The Town Of Delafield Zoning Code To Create Section 17.05 5. AR To Create A Commercial Planned Unit Development Conditional Use Option (ZT-1804)

Fruth discussed this ordinance amending the Town of Delafield zoning code to provide for commercial and industrial planned unit developments which will allow for more flexibility for unified commercial or industrial development projects that might come forward in the form of a business or industrial park. Planning and Zoning staff recommends approval in accordance with the Town’s request.

MOTION: Mitchell moved, second by Batzko to move Ordinance 170-O-001. Motion carried 7-0.

Ordinance 170-O-002: Amend The Text Of The Town Of Mukwonago Zoning Code By Repealing And Recreating Subsection 82-21(d)(4) Of The Town's Conditional Use Section For Animal Hospitals And Commercial Kennels To Provide For A Special Exception Process For Such Uses (ZT-1803)

Fruth discussed this ordinance which approves an amendment to the Town of Mukwonago zoning code relative to the conditional use section for animal hospitals and commercial kennels. The proposed amendment would provide for a special exception process whereby buildings housing such uses could be 50 feet from property lines, whereas 100 feet is currently required. Planning and Zoning staff recommends approval of the proposed text amendment in accordance with the Town's request.

Mitchell noted this text amendment request was approved by the Park and Planning Commission. Although a citizen request initiated this proposal, the approval of this text amendment will provide flexibility and does not authorize any specific project.

MOTION: Mitchell moved, second by Highum to approve Ordinance 170-O-002. Motion carried 7-0.

Ordinance 170-O-003: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc To Modify Conditions Of Enrolled Ordinance 164-105 For Certain Lands Located In Part Of The NW ¼ Of Section 35, T8N, R17E, Town Of Oconomowoc, (CZ-1696A)

Fruth discussed this ordinance which authorizes a five-year extension to the prior Conditional B-2 District rezoning terms that will allow the property to be used for restaurant and tavern uses. The property is located at the northeast corner of the intersection of Brown Street and W. Lake Drive in the Town of Oconomowoc. There are two properties included in the proposal, one containing a restaurant which has been vacant for seven years. Surrounding land uses include single-family residential to the east, natural lands immediately to the north and a golf course to the west. The proposal is to extend the original deadline date in the existing conditions, requiring that the property be utilized for restaurant/tavern use by April 13, 2015 to April 13, 2020. According to the petitioner, a restaurant/tavern existed for over 70 years at this location.

Planning and Zoning staff recommends approval of the proposed request, subject to the conditions of the rezone approved in 2010, with a modification to the five-year deadline to occupy the property for restaurant/tavern uses and other minor edits.

MOTION: Hammitt moved, second by Batzko to approve Ordinance 170-O-003. Motion carried 7-0.

Ordinance 170-O-004: Amend The Text Of The Town Of Waukesha Zoning Code To Repeal And Recreate Sections Relative To Conservancy District Use And Offset Requirements, Outbuilding Regulations And In-Law Unit Provisions (ZT-1805)

Fruth discussed this ordinance which authorizes the text amendments to the Town of Waukesha zoning code regarding Conservancy District use and offset requirements, outbuildings regulations and in-law unit provisions. The proposed changes are minor in nature and provide additional flexibility for those seeking in-law units to accommodate housing additional family

members. The changes also provide an administrative process whereby limited wetland disturbance can be authorized to provide access to properties or structures.

MOTION: Schellinger moved, second by Grant to approve Ordinance 170-O-004. Motion carried 7-0.

Ordinance 170-O-005: Year 2015 Approval Of Amendment To The Comprehensive Development Plan For Waukesha County (1A – Terry And Jill Van Lare Living Trust, Section 26, T8N, R17E, Town Of Oconomowoc)

Fruth discussed this ordinance which amends the land use designation for property located at W359N6168 Brown Street in the Town of Oconomowoc, from the Low Density Residential category to the Medium Density Residential category to allow for future multi-family use. Planning and Zoning staff recommends this request be approved. The proposed amendment allows the possibility for potential multi-family development along a busy highway in an area that is mixed in nature. Specific design elements can be further considered at the time of rezoning and conditional use consideration to ensure that any future project is compatible with the neighborhood.

MOTION: Batzko moved, second by Highum to approve Ordinance 170-O-005. Motion carried 7-0.

Ordinance 170-O-006: Year 2015 Approval Of Amendment To The Comprehensive Development Plan For Waukesha County (2 – Waukesha County Department Of Parks And Land Use – 2010 Environmental Corridor Inventory Mapping)

Fruth discussed this ordinance for a comprehensive map amendment to the Recommended Land Use Plan for Waukesha County-2035 to incorporate the newly available SEWRPC 2010 Environmental Corridor inventory mapping. This ordinance was initiated by the Department of Parks and Land Use. The incorporation of the most current available environmental corridor inventory mapping into County Development Plan mapping will ensure the availability of the best information to the public, the development community and local and County staff and officials. Planning and zoning staff recommends approval of this request.

MOTION: Mitchell moved, second by Schellinger to approve Ordinance 170-O-006. Motion carried 7-0.

MOTION: Mitchell moved, second by Highum to adjourn the meeting at 9:46 a.m. Motion carried 7-0.

Respectfully submitted,

Jennifer Grant
Secretary