

170th BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
170-O-023	05/06/15 05/07/15	Judiciary Finance	ORD: Approve Revised 2 nd Amendment To Old Health And Human Services Building Smokestack Cellular Tower Lease
170-O-024	05/06/15 05/07/15	Judiciary Finance	ORD: Approve Third Amendment To Nashotah Substation Cellular Tower Lease
170-O-025	06/01/15 06/04/15	Land Use	ORD: Adoption Of Town Of Genesee Zoning Code And Map To Replace General County Zoning In The Town Of Genesee (ZT-1728A)
170-O-026	06/01/15 06/04/15	Land Use	ORD: Amend The Text Of The Town Of Mukwonago Zoning Code To Modify Subsection 82-131(1) Relating To The Keeping Of Livestock In The A-1 Agricultural District (ZT-1808)
170-O-027	06/01/15 06/04/15	Land Use	ORD: Amend The District Zoning Map Of The Town Of Mukwonago Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼, SW ¼ And NE ¼ Of Section 18, T5N, R18E, Town Of Mukwonago, Waukesha County, Wisconsin, From The A-P Agricultural Land Preservation District To The A-1 Agricultural District (ZT-1809)
170-O-028	06/01/15 06/04/15	Land Use	ORD: Year 2015 Approval Of Amendment To The Comprehensive Development Plan For Waukesha County (1A – Oconomowoc Town Board), Section 23, T8N, R17E, Town Of Oconomowoc
170-O-029	06/01/15 06/04/15	Land Use Finance	ORD: Accept Site Assessment Grant From Wisconsin Economic Development Corporation And Amend 2015 Waukesha County Department Of Parks And Land Use Budget To Authorize Grant Expenditures
170-O-030	06/01/15 06/04/15	Executive Land Use	ORD: Amend The Waukesha County Code Of Ordinances By Repealing And Recreating Sec. 14-167(a) Park Rules Regarding Certain Flotation Devices
170-O-031	06/03/15 06/04/15	Executive Finance	ORD: Create A Two-County Federated Library System Consisting Of Waukesha County And Jefferson County And Amend The Code Of Ordinances, Chapter 11
170-A-011	06/01/15 06/04/15	Executive	APPT: Christine Howard To The Aging & Disability Resource Center (ADRC) Board
170-A-012	06/01/15 06/04/15	Executive	APPT: William Steele To The Aging & Disability Resource Center (ADRC) Board
170-O-032	07/08/15 07/09/15	Land Use	ORD: Authorize Continued Participation In Outdoor Recreation Trail Aid Funding For Waukesha County Snowmobile Trails
170-O-033	07/07/15 07/09/15	Land Use	ORD: Amend The Text Of The Waukesha County Shoreland And Floodland Protection Ordinance By Repealing And Recreating Table 6(b)1.B.ii. To Incorporate The Saylesville Dam Failure Analysis (SZ-1806A)

170th BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
170-O-034	07/07/15 07/09/15	Land Use	ORD: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Genesee By Rezoning Certain Lands Located In Part Of Sections 25 And 36, T6N, R18E, Town Of Genesee, Waukesha County, Wisconsin, From The A-E Exclusive Agricultural Conservancy, E-C Environmental Corridor And R-1 Residential Districts To The C-1 Conservancy District In Order To Incorporate The Saylesville Dam Failure Study Boundaries (SZ-1806)
170-O-035	07/07/15 07/09/15	Land Use	ORD: Amend The District Zoning Map Of The Town Of Delafield Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 10, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-1A Residential District (ZT-1810)
170-O-036	07/07/15 07/09/15	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 18, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The R-1 Suburban Single Family Residential District To The A-3 Agricultural/Residential Estate District (ZT-1740A)
170-O-037	07/07/15 07/09/15	Land Use	ORD: Amend The District Zoning Map Of The Town Of Delafield Zoning Code By Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 11, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The A-2 Rural Home District (ZT-1811)
170-O-038	07/07/15 07/09/15	Land Use	ORD: Amend The Text Of The Town Of Waukesha Zoning Code To Repeal And Recreate Subsection 13-2-5(a) Entitled Building Must Be On A Lot, Subsection 13-2-9(i)(16) Entitled Multi-Family Unit And Section 13-3-1 Entitled Establishment Of Districts (ZT-1812)
170-O-039	07/08/15 07/09/15	Public Works Finance	ORD: Modify The 2015 Transportation Fund Budget To Appropriate Revenues And Expenditures To Purchase Two (2) Self-Propelled Pavement Crack Routers And One (1) Skid Steer Mounted Shouldering Attachment
170-O-040	07/08/15 07/09/15	Public Works Finance	ORD: Modify The 2015 Department Of Public Works, Central Fleet Division Budget To Appropriate Additional Revenue And Fund Balance To Purchase A New Vehicle Lift
170-A-013	07/08/15 07/09/15	Executive	APPT: Elaine Ludka to the Aging & Disability Resource Center (ADRC) Advisory Board
170-A-014	07/08/15 07/09/15	Executive	APPT: William Zaborowski to the Aging & Disability Resource Center (ADRC) Advisory Board
170-A-015	06/25/15 07/09/15	Executive	APPT: Richard Bayer to the Board of Adjustment
170-A-016	06/25/15 07/09/15	Executive	APPT: Walter Schmidt to the Board of Adjustment
170-A-017	06/25/15 07/09/15	Executive	APPT: William Maslowski to the Park and Planning Commission
170-O-041	07/08/15 07/09/15	Executive Finance	ORD: Modify Waukesha County Federated Library System 2015 Budget To Appropriate Café Reserve Funds To Increase Expenditures For Migration Of Jefferson County Libraries

1 AUTHORIZE CONTINUED PARTICIPATION IN OUTDOOR RECREATION TRAIL
2 AID FUNDING FOR WAUKESHA COUNTY SNOWMOBILE TRAILS
3
4

5 WHEREAS, the Waukesha County Department of Parks and Land Use, in cooperation with the
6 Waukesha County Snowmobile Alliance, utilizes the State of Wisconsin Department of Natural
7 Resources – Outdoor Motorized Recreation Trails Aid for acquisition, insurance, development
8 and maintenance of public snowmobile trails, and
9

10 WHEREAS, Waukesha County Snowmobile Alliance acquires, insures and maintains
11 snowmobile trails for public outdoor snowmobile trail use, and
12

13 WHEREAS, a Waukesha County Board ordinance indicating a desire to participate in the
14 program is required to receive Outdoor Motorized Recreation Trails funding for public
15 snowmobile trails under section 23.09(26), Wisconsin Statutes, and
16

17 WHEREAS, the State of Wisconsin requires Waukesha County to coordinate, apply for and
18 disburse snowmobile funds; and a separate signed agreement with Waukesha County
19 Snowmobile Alliance requires all required grant documentation for funding to be provided to
20 Waukesha County, and
21

22 WHEREAS, the grant funds received and dispersed are already incorporated in the 2015
23 Waukesha County, Department of Parks and Land Use annual budget and will also be
24 incorporated into the 2016 budget.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
27 that Waukesha County desires to continue to receive Outdoor Motorized Recreational Trail aid
28 pursuant to s. 23.09(26), Wis. Stats., for program year 2016.
29

30 BE IT FURTHER ORDAINED that the Director of the Department of Parks and Land Use or his
31 designee is authorized to act on behalf of Waukesha County to submit an application to the State
32 of Wisconsin Department of Natural Resources for any financial aid that may be available
33 pursuant to section 23.09(26), Wisconsin Statutes, sign documents, and take all necessary actions
34 to undertake, direct and complete approved projects with aid received.

1 AMEND THE TEXT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
2 PROTECTION ORDINANCE BY REPEALING AND RECREATING TABLE 6(b)1.B.ii.
3 TO INCORPORATE THE SAYLESVILLE DAM FAILURE ANALYSIS (SZ-1806A)
4
5

6 WHEREAS, the Waukesha County Board of Supervisors enacted the Waukesha County
7 Shoreland and Floodland Protection Ordinance on January 23, 1970, and
8

9 WHEREAS, the Waukesha County Board of Supervisors may make amendments to such
10 Ordinance pursuant to Section 59.692, and
11

12 WHEREAS, the matter of this Ordinance having been duly referred to and considered by the
13 Waukesha County Park and Planning Commission, after Public Hearing and the giving of
14 requisite notice of said hearing and the recommendation thereon reported to the Land Use, Parks
15 and Environment Committee and the Waukesha County Board of Supervisors, as required by
16 Section 59.692, Wis. Stats.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
19 ORDAINS:
20

21 Table 6(b)1.B.ii. of the Waukesha County Shoreland and Floodland Protection Ordinance is
22 repealed and recreated to read as follows:
23

24 **Table 6(b)1.B.ii.**
25

26 **List of Official Maps Based Upon Other Studies to be Used in Conjunction with the**
27 **Waukesha County Shoreland and Floodland Protection Ordinance Zoning Maps is as**
28 **follows:**
29

- 30 1. Dam Failure Analysis and Emergency Action Plan for Wambold and Kroll Dams on
31 Eagle Spring Lake, prepared by Graef, Anhalt, Schloemer & Associates, Inc., revised
32 April 2002. Approved by the WDNR in April of 2002 and adopted by the Waukesha
33 County Board on April 13, 2004.
34
- 35 2. Dam Failure Analysis and Proposed Dam Capacity Analysis-Monches Dam, Hey and
36 Associates, Inc., April 17, 2006; amended on October 13, 2006 by Hey and Associates,
37 Inc.; further amended on May 17, 2011 by the Waukesha County Department of Public
38 Works; and further amended by R.A. Smith National on January 19, 2012. Approved by
39 the WDNR on January 24, 2012 and adopted by the Waukesha County Board on March
40 27, 2012.
41
- 42 3. Dam Failure Analysis – Monterey Dam, prepared by Kunkel Engineering Group, LLC on
43 September 2, 2011. Approved by the WDNR and adopted by the Waukesha County
44 Board on December 18, 2012.

- 47 4. Dam Failure Analysis – Mukwonago Dam, prepared by Mead & Hunt, June 2012.
48 Approved by the WDNR on July 11, 2012 and adopted by the Waukesha County Board
49 on November, 26, 2013.
50
- 51 5. Waukesha County Flood Storage District Maps, Panels 1, 2, 3, 4, 5, 6, 7, 8, 11, 12.
52 Dated November 05, 2014. Prepared by the WDNR. Approved by the WDNR.
53
- 54 6. Saylesville Dam Failure Analysis and Assessment, prepared by Bloom Companies, Inc.
55 on July 9, 2014. Approved by the WDNR on July 14, 2014 and adopted by the
56 Waukesha County Board on July 28, 2015.
57

58 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
59 approval and publication.
60

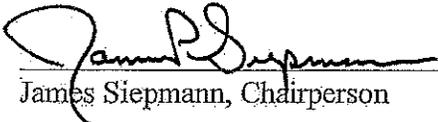
61 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
62 provisions of this Ordinance are hereby repealed.

COMMISSION ACTION

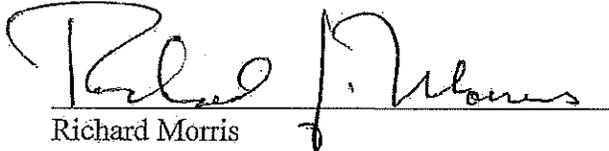
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends **approval** of SZ-1806 (Map Amendments/Saylesville Dam, Town of Genesee) in accordance with the attached "Staff Report and Recommendation".

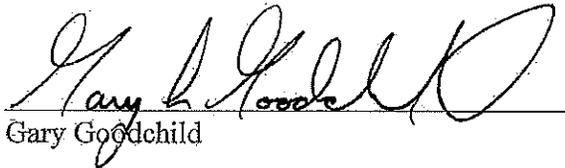
PARK AND PLANNING COMMISSION

June 18, 2015

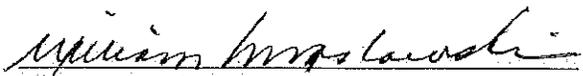

James Siepmann, Chairperson

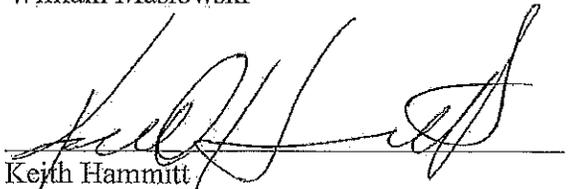

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

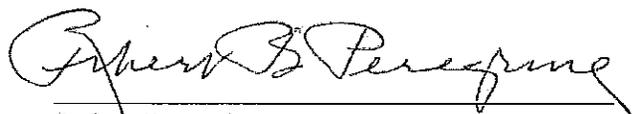
COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of SZ-1806A (Text Amendment/Saylesville Dam, Town of Genesee) in accordance with the attached "Staff Report and Recommendation".

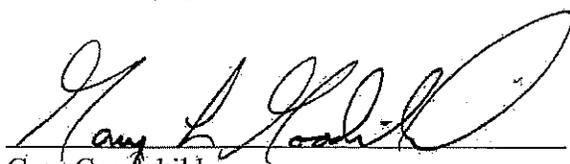
PARK AND PLANNING COMMISSION

June 18, 2015

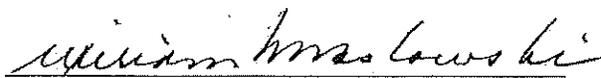

James Siepmann, Chairperson


Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

FILE NO.: SZ-1806 (Map) and SZ-1806A (Text)

DATE: June 18, 2015

PETITIONER: Waukesha County Park and Planning Commission
515 W. Moreland Blvd.
Waukesha, WI 53188

LOCATION:

The eight properties that are the subject of the rezone amendment are located downstream of the Saylesville Dam and are located in part of the SW ¼ of Section 25 and part of the NW ¼ of Section 36, T6N, R18E, Town of Genesee, Tax Key No's. GNT 1539.981, GNT 1539.996, GNT 1539.987, GNT 1539.995.002, GNT 1539.988.003, GNT 1539.984, GNT 1539.988.001, GNT 1582.999 (Exhibit "A"). 35.2 acres are subject to the rezone request.

PROPOSED ZONING:

Amend the text and map of the Waukesha County Shoreland and Floodland Protection Ordinance in order to adopt a new Dam Failure Analysis for the Saylesville Dam in accordance with NR 116 of the Wisconsin Administrative Code per WDNR standards. The hydraulic shadow of the Dam Failure Analysis must be mapped as a new floodplain boundary along Genesee Creek from the Saylesville Dam to approximately 2,400 ft. downstream of the dam. A portion of the area will be rezoned from the E-C Environmental Corridor, R-1 Residential, and A-E Exclusive Agricultural Conservancy Districts to the C-1 Conservancy District. Most lands that lie within the failure shadow are currently zoned C-1 because the lands are also designated as wetlands and /or FEMA floodplain. Because the County's shoreland jurisdictional limits extend to the full extent of the floodplain limits, a small area of additional shoreland jurisdiction is proposed to be created where the floodplain extends further than 300 ft. from a stream or 1,000 ft. from Saylesville Pond.

PUBLIC HEARING DATE:

April 27, 2015.

PUBLIC REACTION:

Several residents asked general questions about the rezone and asked if regulations changed on their individual properties.

TOWN OF GENESEE PLAN COMMISSION ACTION:

On April 27, 2015, the Town of Genesee Plan Commission recommended approval to the Town Board to amend the text and zoning maps of the Waukesha County Shoreland and Floodland Protection Ordinance to adopt the Dam Failure Analysis and Assessment of the Saylesville Dam and create a new C-1 Conservancy District boundary along Genesee Creek between the dam and approximately 2,400 ft. downstream of the dam.

TOWN OF GENESEE BOARD ACTION:

On May 11, 2015, the Town of Genesee Board recommended approval of the map amendment, see attached Resolution 15-10R. On May 11, 2015, the Town of Genesee Board recommended approval of the text amendment, see attached Resolution 15-11R.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF GENESEE LAND USE PLAN:

Prevention of flooding is a key natural resource protection recommendation of both land use plans, and the proposed rezoning will protect the newly studied floodplain from fill and prevent future property damage and personal injury for the portion of the properties to be rezoned and on the properties upstream and downstream of the subject area.

BACKGROUND ANALYSIS:

The Saylesville Dam is located within the Town of Genesee and is owned and operated by Drake and Evelyn Reid. The dam is located at the mouth of Genesee Creek and serves as a control structure for the 45-acre Saylesville Millpond. The dam is more specifically located northwest of Saylesville Road between Ridgefield Road and Rockwood Trail. The dam consists of an earthen embankment extending approximately 445 ft. southwest and 155 ft. northeast of the principal spillway. The principal spillway consists of a concrete overflow structure measuring 47 ft. long and 15 ft. tall with approximately 19 inches of stoplogs. The elevation at the top of the earthen embankment is 800 ft. amsl NAVD 88 and the elevation at the top of the spillway is 796.6 ft. amsl NAVD 88.

The WDNR required that the property owner complete a dam failure analysis in accordance with Wisconsin Administrative Code NR 333. The results of a dam failure analysis allow the WDNR to assume a dam hazard rating according to NR 333. The purpose of NR 333 is to ensure that dams are designed, constructed and reconstructed so as to minimize the danger to life, health and property

A dam failure analysis determines the hydraulic shadow for the failure of a dam, which is the area that would flood during a regional flood if the dam failed. A "regional flood" is defined as a flood with a one (1) percent chance of being equaled or exceeded in any given year. In accordance with Wisconsin Administrative Code NR 116, the hydraulic shadow is then required to be regulated as floodway and be placed in the appropriate zoning category by the local floodplain regulatory entity as part of the community or county's floodplain zoning program. Once the dam failure analysis is approved by the WDNR and floodplain zoning is established, the dam hazard rating can be lowered, if appropriate. There are three (3) dam hazard ratings established by the Wisconsin Administrative Code: high hazard, which indicates a potential loss of life if the dam fails; significant hazard, which indicates a potential for structural loss if the dam fails; and low hazard, which indicates that there would only be environmental impacts if the dam fails. Insurance costs are higher and design and maintenance requirements are greater with higher hazard ratings.

The required dam failure analysis was completed by Bloom Companies, LLC on July 9, 2014 and was approved by the WDNR on July 14, 2014. Eight parcels are affected by the proposed dam failure floodplain shadow and are located within approximately 2,400 ft. downstream or southeast of the dam. The lands affected are largely regulated as wetland and existing floodplain and no structures appear to be located within the dam failure shadow. Because it was determined by the WDNR that there are no residences within the newly determined dam failure floodplain (hydraulic shadow) exist, the WDNR determined that the dam, as improved, could be rated as a low-hazard dam if the hydraulic shadow for the dam failure is adopted by Waukesha County. Without an amendment to the zoning designation, the dam would need to be rated as high-hazard and insurance and maintenance costs would be increased.

There are a total of 35.2 acres proposed to be rezoned, but only 0.38 acres are not already designated in a lowland conservancy zoning category because most of the subject acreage is already mapped floodplain or wetland. Below is a table that quantifies and describes the existing zoning designations relative to the affected lands.

Current Zoning Designation of Affected Lands and Acreage of Current Zoning Designation

Existing Zoning District	Acreage
A-E Exclusive Agricultural Conservancy	0.07
E-C Environmental Corridor	0.16
R-1 Residential	0.15
Remains in the C-1 Conservancy District (currently DNR wetland and/or FEMA floodplain)	34.82

All of the land area that is being rezoned from an upland district to the C-1 Conservancy District is located on the Reid property (dam owners) and the Murn property. The Murn property is proposed to be developed as a Planned Unit Development subdivision and the affected acreage is proposed to be preserved in common open space.

As noted above, the areas that would be inundated by a dam failure are required to be regulated as floodway, since flowing floodwater will be discharged downstream as part of a dam failure. The dam failure floodplain boundary covers a slightly larger area than the existing FEMA floodplain boundary downstream of the dam. However, FEMA does not acknowledge the dam failure floodplain boundary in its regulatory maps. Therefore, the existing FEMA floodplain boundary and associated elevations are still valid for flood insurance purposes.

As required per Wisconsin Administrative Code NR 116, Waukesha County must also add the Dam Failure Analysis to the list of Official Studies identified in Section 6(b)1.B.ii. of the Waukesha County Shoreland and Floodland Protection Ordinance. The table in Section 6(b)1.B.ii of the ordinance will be repealed and re-created in its entirety (see Exhibit "B").

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. Because adoption of the dam failure study is required by the WDNR under NR 116 of the Wisconsin Administrative Code, adoption of the flood study by text reference and incorporation of the floodplain boundaries into the Waukesha County Shoreland and Floodland Protection Ordinance brings the Saylesville Dam into compliance with State standards and provides the public with the most current and accurate information. Rezoning the dam failure shadow as floodway on the County zoning map prevents development within said areas, which ultimately protects the subject landowners and upstream and downstream property owners and their improvements from flooding and danger. The 0.38 upland acres proposed to be rezoned to conservancy categories are already primarily unbuildable because of hydric soil conditions and effective wetland and floodplain setback regulations. Therefore, the change in zoning results in very little practical change as to how the owners of the 0.38 acres can use said areas.

Respectfully submitted,

Amy Barrows

Amy Barrows
Senior Land Use Specialist

Enclosures: Exhibits "A" and "B", Rezone Map (SZ-1806)

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1806 and 1806A Saylesville Dam gnt.doc

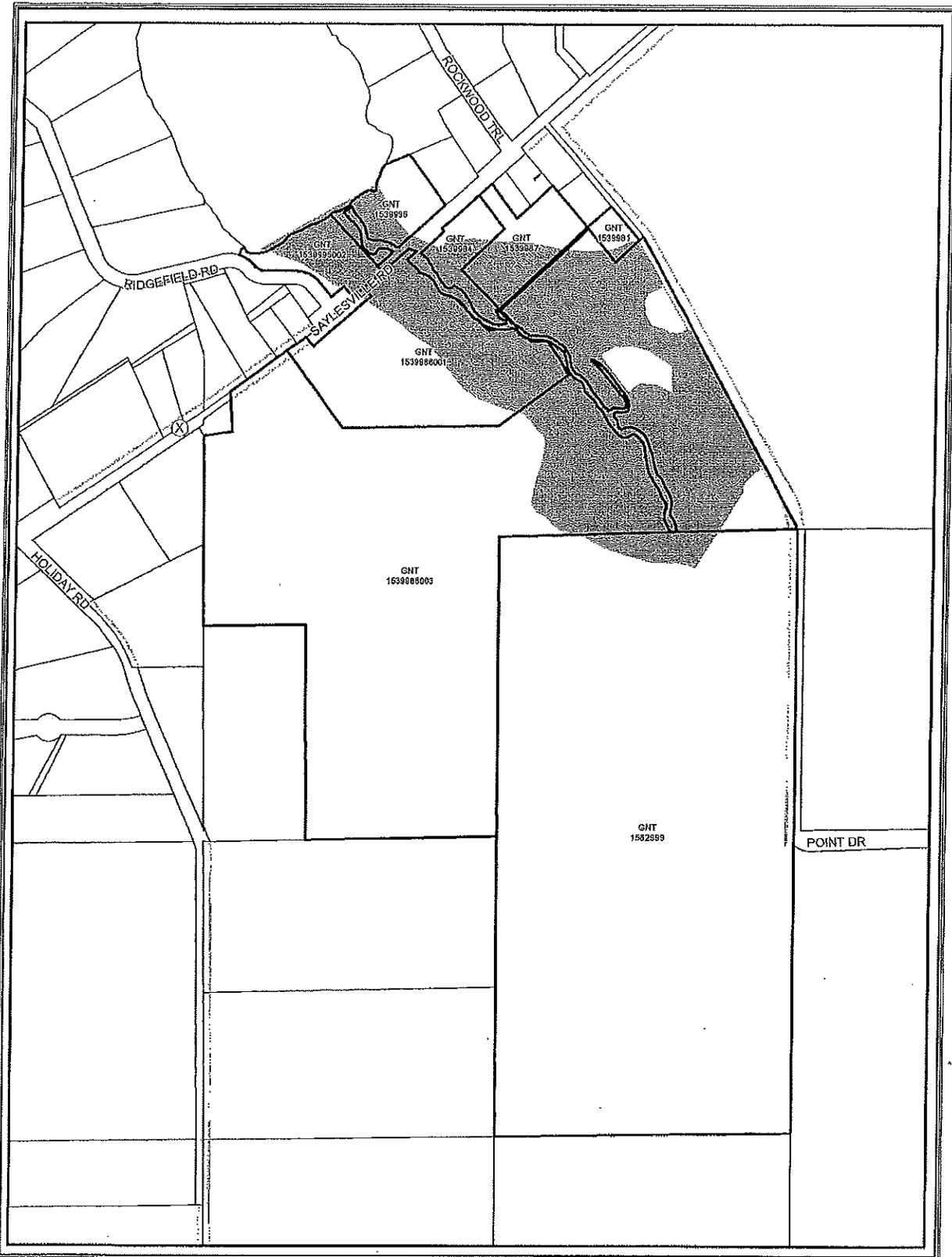


EXHIBIT A

SECTIONS 25 & 36
T 06 N - R 18 E
TOWN OF GENESEE

Hydraulic Flood Shadow (Floodway)

Parcel Boundary

1 inch = 400 feet

Prepared by the Waukesha County Department of Parks and Land Use

**PROPOSED AMENDMENT
TO THE WAUKESHA COUNTY
SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

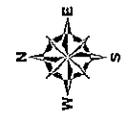
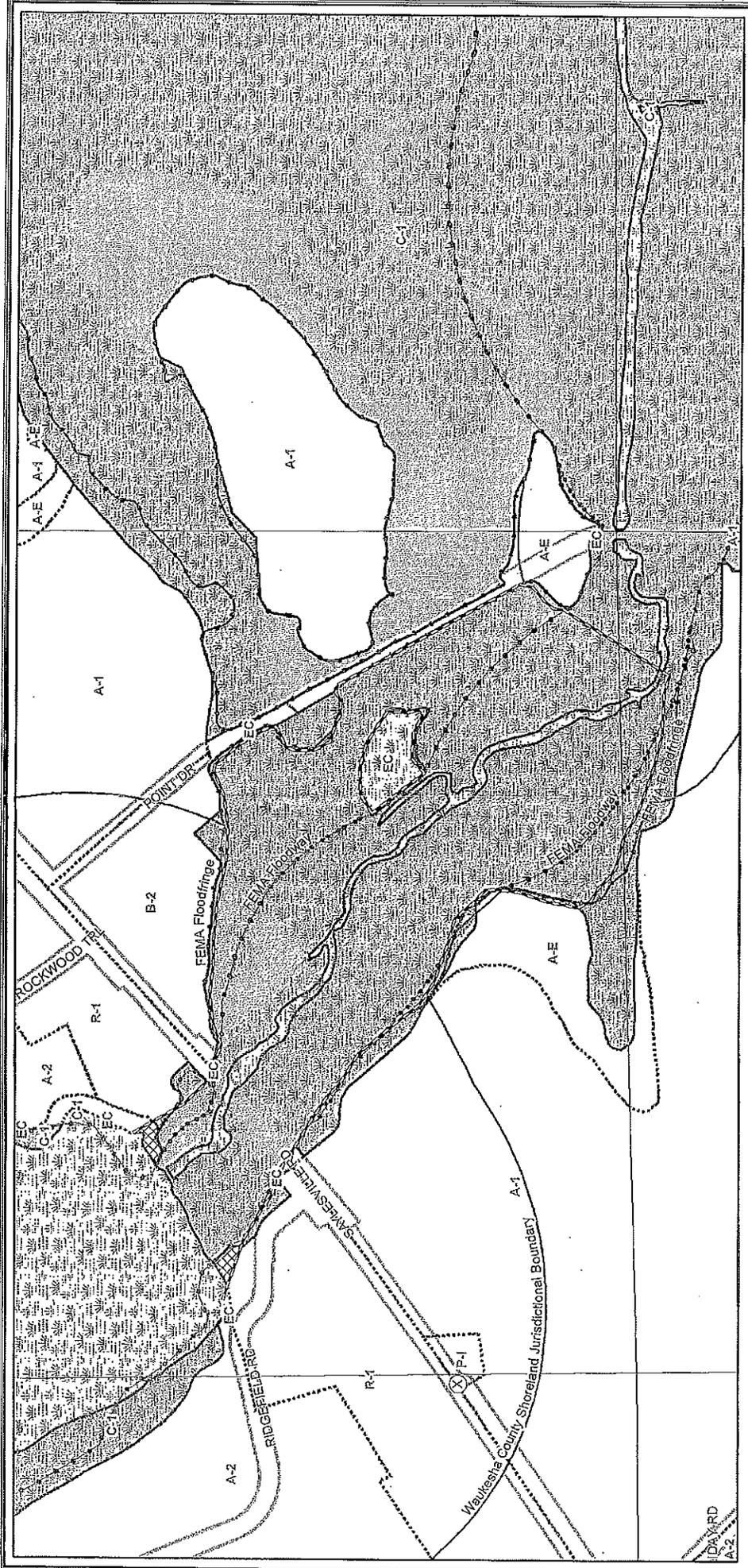
Notes: *Text to be added appears in italics. Some formatting may change as the Editor incorporates the proposed amendments into the existing code.*

Table 6(b)1 B-ii

List of Official Maps Based Upon Other Studies to be Used in Conjunction with the Waukesha County Shoreland and Floodland Protection Ordinance Zoning Maps is as follows:

1. Dam Failure Analysis and Emergency Action Plan for Wambold and Kroll Dams on Eagle Spring Lake, prepared by Graef, Anhalt, Schloemer & Associates, Inc., revised April 2002. Approved by the WDNR in April of 2002 and adopted by the Waukesha County Board on April 13, 2004.
2. Dam Failure Analysis and Proposed Dam Capacity Analysis-Monches Dam, Hey and Associates, Inc., April 17, 2006; amended on October 13, 2006 by Hey and Associates, Inc.; further amended on May 17, 2011 by the Waukesha County Department of Public Works; and further amended by R.A. Smith National on January 19, 2012. Approved by the WDNR on January 24, 2012 and adopted by the Waukesha County Board on March 27, 2012.
3. Dam Failure Analysis – Monterey Dam, prepared by Kunkel Engineering Group, LLC on September 2, 2011. Approved by the WDNR and adopted by the Waukesha County Board on December 18, 2012.
4. Dam Failure Analysis – Mukwonago Dam, prepared by Mead & Hunt, June 2012. Approved by the WDNR on July 11, 2012 and adopted by the Waukesha County Board on November, 26, 2013.
5. Waukesha County Flood Storage District Maps, Panels 1, 2, 3, 4, 5, 6, 7, 8, 11, 12. Dated November 05, 2014. Prepared by the WDNR. Approved by the WDNR.
6. *Saylesville Dam Failure Analysis and Assessment, prepared by Bloom Companies, Inc. on July 9, 2014. Approved by the WDNR on July 14, 2014 and adopted by the Waukesha County Board on _____.*

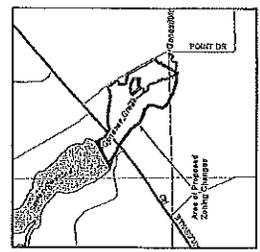
N:\PRK\ANDLU\Planning and Zoning\Rezoning\Staff Reports\1806 and 1806A Saylesville Dam text exhibit gnt.doc



ZONING MAP AMENDMENT

SECTIONS 25 & 36
T06 N - R 18 E
TOWN OF GENESEE

-  Shoreland Zoning to C-1 Conservancy District (Hydraulic Flood Shadow) (0.38 acres)
-  Hydraulic Flood Shadow (Floodway)
-  100-Yr. Floodplain from 2014 FEMA DFIRM Maps
-  C-1 Conservancy District to remain unchanged (includes 2010 DNR Wetlands Inventory & 2014 FEMA Floodplain)
-  County Zoning District Boundary



1 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
2 ORDINANCE DISTRICT ZONING MAP OF THE TOWN OF GENESEE BY REZONING
3 CERTAIN LANDS LOCATED IN PART OF SECTIONS 25 AND 36, T6N, R18E, TOWN
4 OF GENESEE, WAUKESHA COUNTY, WISCONSIN, FROM THE A-E EXCLUSIVE
5 AGRICULTURAL CONSERVANCY, E-C ENVIRONMENTAL CORRIDOR AND
6 R-1 RESIDENTIAL DISTRICTS TO THE C-1 CONSERVANCY DISTRICT IN
7 ORDER TO INCORPORATE THE SAYLESVILLE DAM FAILURE
8 STUDY BOUNDARIES (SZ-1806)
9

10
11 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
12 this Ordinance was approved by the Genesee Town Board on May 11, 2015, and
13

14 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
15 Planning Commission, which recommended approval and reported that recommendation to the
16 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
17 as required by Section 59.692, Wis. Stats.
18

19 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
20 that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map
21 for the Town of Genesee, Waukesha County, Wisconsin, adopted by the Waukesha County
22 Board of Supervisors on June 23, 1970, is hereby amended to rezone certain lands located in part
23 of Sections 25 and 36, T6N, R18E, Town of Genesee, from the A-E Exclusive Agricultural
24 Conservancy, E-C Environmental Corridor and R-1 Residential Districts to the C-1 Conservancy
25 District to incorporate the Saylesville Dam Failure Study boundaries, and more specifically
26 described in the "Staff Report and Recommendation" and map on file in the office of the
27 Waukesha County Department of Parks and Land Use and made a part of this Ordinance by
28 reference ZT-1806, is hereby approved.
29

30 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
31 this Ordinance with the Town of Genesee Clerk.
32

33 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
34 approval and publication.
35

36 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
37 provisions of this Ordinance are hereby repealed.

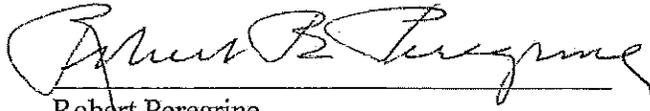
COMMISSION ACTION

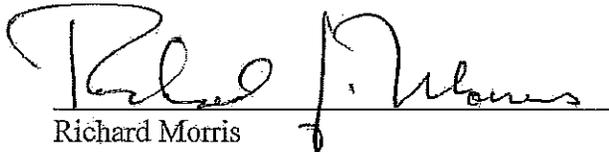
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of SZ-1806 (Map Amendments/Saylesville Dam, Town of Genesee) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

June 18, 2015

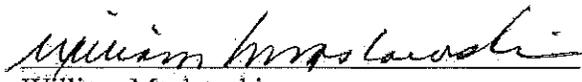

James Siepmann, Chairperson

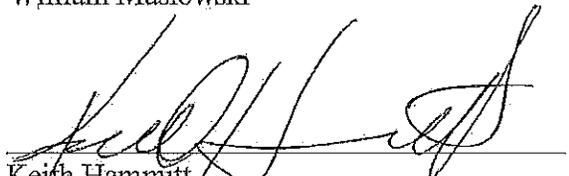

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski

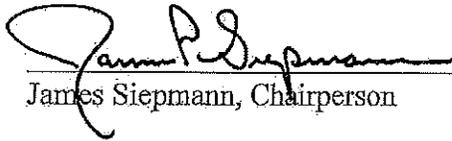

Keith Hammitt

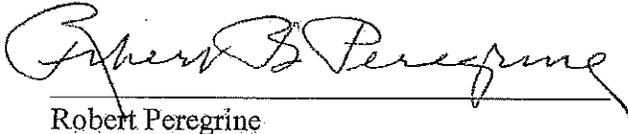
COMMISSION ACTION

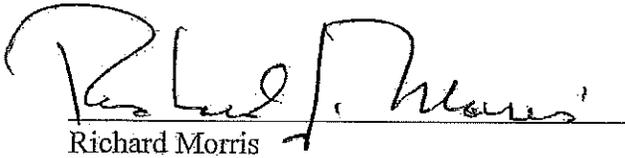
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of **SZ-1806A (Text Amendment/Saylesville Dam, Town of Genesee)** in accordance with the attached "Staff Report and Recommendation".

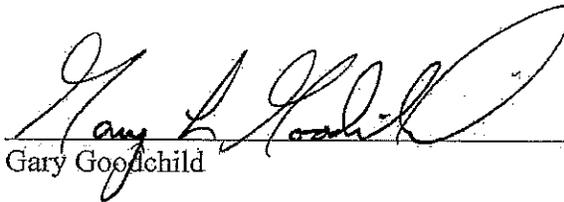
PARK AND PLANNING COMMISSION

June 18, 2015


James Siepmann, Chairperson

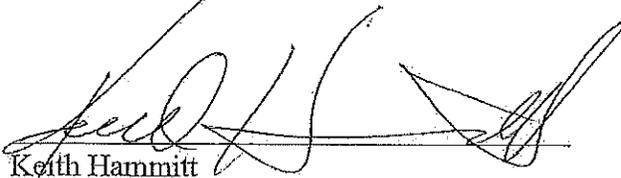

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

FILE NO.: SZ-1806 (Map) and SZ-1806A (Text)

DATE: June 18, 2015

PETITIONER: Waukesha County Park and Planning Commission
515 W. Moreland Blvd.
Waukesha, WI 53188

LOCATION:

The eight properties that are the subject of the rezone amendment are located downstream of the Saylesville Dam and are located in part of the SW ¼ of Section 25 and part of the NW ¼ of Section 36, T6N, R18E, Town of Genesee, Tax Key No's. GNT 1539.981, GNT 1539.996, GNT 1539.987, GNT 1539.995.002, GNT 1539.988.003, GNT 1539.984, GNT 1539.988.001, GNT 1582.999 (Exhibit "A"). 35.2 acres are subject to the rezone request.

PROPOSED ZONING:

Amend the text and map of the Waukesha County Shoreland and Floodland Protection Ordinance in order to adopt a new Dam Failure Analysis for the Saylesville Dam in accordance with NR 116 of the Wisconsin Administrative Code per WDNR standards. The hydraulic shadow of the Dam Failure Analysis must be mapped as a new floodplain boundary along Genesee Creek from the Saylesville Dam to approximately 2,400 ft. downstream of the dam. A portion of the area will be rezoned from the E-C Environmental Corridor, R-1 Residential, and A-E Exclusive Agricultural Conservancy Districts to the C-1 Conservancy District. Most lands that lie within the failure shadow are currently zoned C-1 because the lands are also designated as wetlands and /or FEMA floodplain. Because the County's shoreland jurisdictional limits extend to the full extent of the floodplain limits, a small area of additional shoreland jurisdiction is proposed to be created where the floodplain extends further than 300 ft. from a stream or 1,000 ft. from Saylesville Pond.

PUBLIC HEARING DATE:

April 27, 2015.

PUBLIC REACTION:

Several residents asked general questions about the rezone and asked if regulations changed on their individual properties.

TOWN OF GENESEE PLAN COMMISSION ACTION:

On April 27, 2015, the Town of Genesee Plan Commission recommended approval to the Town Board to amend the text and zoning maps of the Waukesha County Shoreland and Floodland Protection Ordinance to adopt the Dam Failure Analysis and Assessment of the Saylesville Dam and create a new C-1 Conservancy District boundary along Genesee Creek between the dam and approximately 2,400 ft. downstream of the dam.

TOWN OF GENESEE BOARD ACTION:

On May 11, 2015, the Town of Genesee Board recommended approval of the map amendment, see attached Resolution 15-10R. On May 11, 2015, the Town of Genesee Board recommended approval of the text amendment, see attached Resolution 15-11R.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF GENESEE LAND USE PLAN:

Prevention of flooding is a key natural resource protection recommendation of both land use plans, and the proposed rezoning will protect the newly studied floodplain from fill and prevent future property damage and personal injury for the portion of the properties to be rezoned and on the properties upstream and downstream of the subject area.

BACKGROUND ANALYSIS:

The Saylesville Dam is located within the Town of Genesee and is owned and operated by Drake and Evelyn Reid. The dam is located at the mouth of Genesee Creek and serves as a control structure for the 45-acre Saylesville Millpond. The dam is more specifically located northwest of Saylesville Road between Ridgefield Road and Rockwood Trail. The dam consists of an earthen embankment extending approximately 445 ft. southwest and 155 ft. northeast of the principal spillway. The principal spillway consists of a concrete overflow structure measuring 47 ft. long and 15 ft. tall with approximately 19 inches of stoplogs. The elevation at the top of the earthen embankment is 800 ft. amsl NAVD 88 and the elevation at the top of the spillway is 796.6 ft. amsl NAVD 88.

The WDNR required that the property owner complete a dam failure analysis in accordance with Wisconsin Administrative Code NR 333. The results of a dam failure analysis allow the WDNR to assume a dam hazard rating according to NR 333. The purpose of NR 333 is to ensure that dams are designed, constructed and reconstructed so as to minimize the danger to life, health and property

A dam failure analysis determines the hydraulic shadow for the failure of a dam, which is the area that would flood during a regional flood if the dam failed. A "regional flood" is defined as a flood with a one (1) percent chance of being equaled or exceeded in any given year. In accordance with Wisconsin Administrative Code NR 116, the hydraulic shadow is then required to be regulated as floodway and be placed in the appropriate zoning category by the local floodplain regulatory entity as part of the community or county's floodplain zoning program. Once the dam failure analysis is approved by the WDNR and floodplain zoning is established, the dam hazard rating can be lowered, if appropriate. There are three (3) dam hazard ratings established by the Wisconsin Administrative Code: high hazard, which indicates a potential loss of life if the dam fails; significant hazard, which indicates a potential for structural loss if the dam fails; and low hazard, which indicates that there would only be environmental impacts if the dam fails. Insurance costs are higher and design and maintenance requirements are greater with higher hazard ratings.

The required dam failure analysis was completed by Bloom Companies, LLC on July 9, 2014 and was approved by the WDNR on July 14, 2014. Eight parcels are affected by the proposed dam failure floodplain shadow and are located within approximately 2,400 ft. downstream or southeast of the dam. The lands affected are largely regulated as wetland and existing floodplain and no structures appear to be located within the dam failure shadow. Because it was determined by the WDNR that there are no residences within the newly determined dam failure floodplain (hydraulic shadow) exist, the WDNR determined that the dam, as improved, could be rated as a low-hazard dam if the hydraulic shadow for the dam failure is adopted by Waukesha County. Without an amendment to the zoning designation, the dam would need to be rated as high-hazard and insurance and maintenance costs would be increased.

There are a total of 35.2 acres proposed to be rezoned, but only 0.38 acres are not already designated in a lowland conservancy zoning category because most of the subject acreage is already mapped floodplain or wetland. Below is a table that quantifies and describes the existing zoning designations relative to the affected lands.

Current Zoning Designation of Affected Lands and Acreage of Current Zoning Designation

Existing Zoning District	Acreage
A-E Exclusive Agricultural Conservancy	0.07
E-C Environmental Corridor	0.16
R-1 Residential	0.15
Remains in the C-1 Conservancy District (currently DNR wetland and/or FEMA floodplain)	34.82

All of the land area that is being rezoned from an upland district to the C-1 Conservancy District is located on the Reid property (dam owners) and the Murn property. The Murn property is proposed to be developed as a Planned Unit Development subdivision and the affected acreage is proposed to be preserved in common open space.

As noted above, the areas that would be inundated by a dam failure are required to be regulated as floodway, since flowing floodwater will be discharged downstream as part of a dam failure. The dam failure floodplain boundary covers a slightly larger area than the existing FEMA floodplain boundary downstream of the dam. However, FEMA does not acknowledge the dam failure floodplain boundary in its regulatory maps. Therefore, the existing FEMA floodplain boundary and associated elevations are still valid for flood insurance purposes.

As required per Wisconsin Administrative Code NR 116, Waukesha County must also add the Dam Failure Analysis to the list of Official Studies identified in Section 6(b)1.B.ii. of the Waukesha County Shoreland and Floodland Protection Ordinance. The table in Section 6(b)1.B.ii of the ordinance will be repealed and re-created in its entirety (see Exhibit “B”).

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. Because adoption of the dam failure study is required by the WDNR under NR 116 of the Wisconsin Administrative Code, adoption of the flood study by text reference and incorporation of the floodplain boundaries into the Waukesha County Shoreland and Floodland Protection Ordinance brings the Saylesville Dam into compliance with State standards and provides the public with the most current and accurate information. Rezoning the dam failure shadow as floodway on the County zoning map prevents development within said areas, which ultimately protects the subject landowners and upstream and downstream property owners and their improvements from flooding and danger. The 0.38 upland acres proposed to be rezoned to conservancy categories are already primarily unbuildable because of hydric soil conditions and effective wetland and floodplain setback regulations. Therefore, the change in zoning results in very little practical change as to how the owners of the 0.38 acres can use said areas.

Respectfully submitted,

Amy Barrows

Amy Barrows
Senior Land Use Specialist

Enclosures: Exhibits "A" and "B", Rezone Map (SZ-1806)

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1806 and 1806A Saylesville Dam gnt.doc

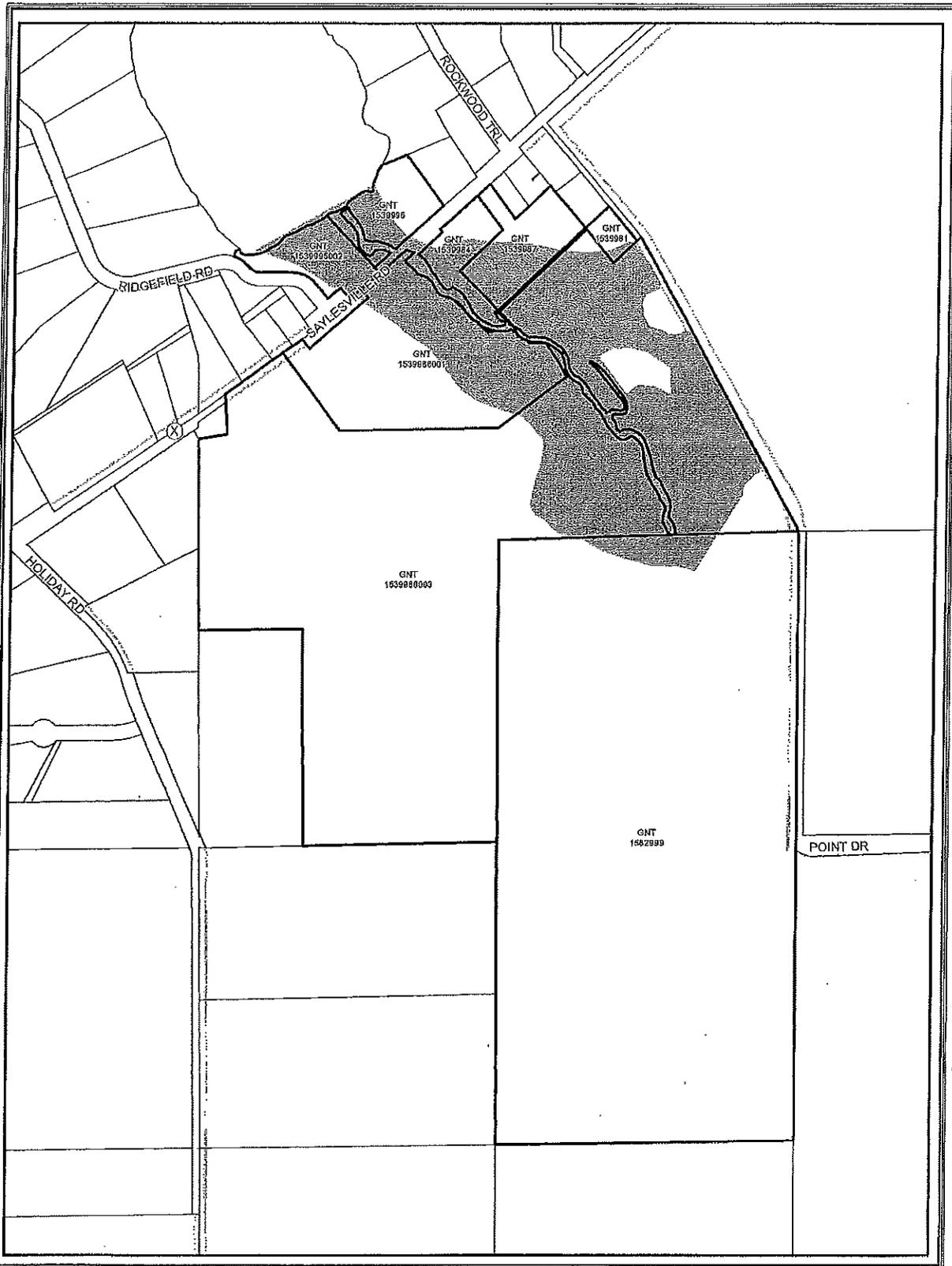


EXHIBIT A

SECTIONS 25 & 36

T06N - R18E

TOWN OF GENESSEE

Hydraulic Flood Shadow (Floodway)

Parcel Boundary

1 inch = 400 feet

Prepared by the Waukesha County Department of Parks and Land Use

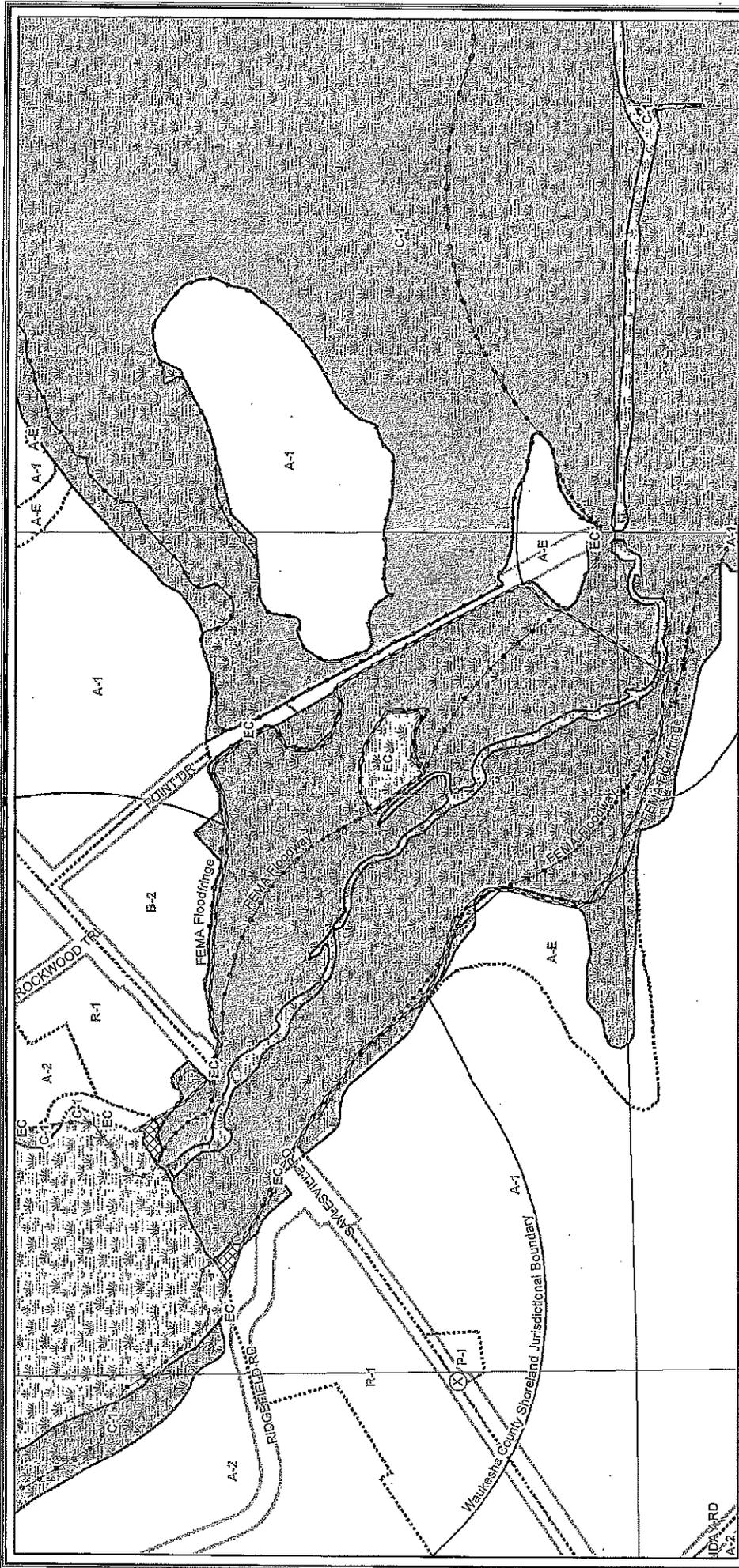
**PROPOSED AMENDMENT
TO THE WAUKESHA COUNTY
SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Notes: *Text to be added appears in italics. Some formatting may change as the Editor incorporates the proposed amendments into the existing code.*

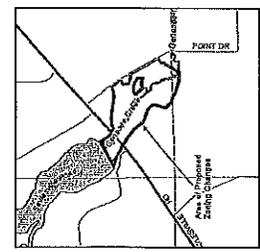
**Table 6(b)I.B.ii:
List of Official Maps Based Upon Other Studies to be Used in Conjunction with the
Waukesha County Shoreland and Floodland Protection Ordinance Zoning Maps is
as follows:**

1. Dam Failure Analysis and Emergency Action Plan for Wambold and Kroll Dams on Eagle Spring Lake, prepared by Graef, Anhalt, Schloemer & Associates, Inc., revised April 2002. Approved by the WDNR in April of 2002 and adopted by the Waukesha County Board on April 13, 2004.
2. Dam Failure Analysis and Proposed Dam Capacity Analysis-Monches Dam, Hey and Associates, Inc., April 17, 2006; amended on October 13, 2006 by Hey and Associates, Inc.; further amended on May 17, 2011 by the Waukesha County Department of Public Works; and further amended by R.A. Smith National on January 19, 2012. Approved by the WDNR on January 24, 2012 and adopted by the Waukesha County Board on March 27, 2012.
3. Dam Failure Analysis – Monterey Dam, prepared by Kunkel Engineering Group, LLC on September 2, 2011. Approved by the WDNR and adopted by the Waukesha County Board on December 18, 2012.
4. Dam Failure Analysis – Mukwonago Dam, prepared by Mead & Hunt, June 2012. Approved by the WDNR on July 11, 2012 and adopted by the Waukesha County Board on November, 26, 2013.
5. Waukesha County Flood Storage District Maps, Panels 1, 2, 3, 4, 5, 6, 7, 8, 11, 12. Dated November 05, 2014. Prepared by the WDNR. Approved by the WDNR.
6. *Saylesville Dam Failure Analysis and Assessment, prepared by Bloom Companies, Inc. on July 9, 2014. Approved by the WDNR on July 14, 2014 and adopted by the Waukesha County Board on _____.*

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\1806 and 1806A Saylesville Dam text exhibit gnt.doc

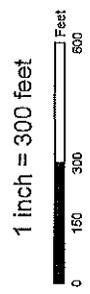
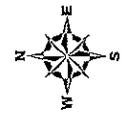


-  Shoreland Zoning to C-1 Conservancy District (Hydraulic Flood Shadow) (0.38 acres)
-  Hydraulic Flood Shadow (Floodway)
-  100-Yr. Floodplain from 2014 FEMA DFIRM Maps
-  C-1 Conservancy District to remain unchanged (includes 2010 DNR Wetlands Inventory & 2014 FEMA Floodplain)
-  County Zoning District Boundary



ZONING MAP AMENDMENT

SECTIONS 25 & 36
TOWN OF GENESSEE



Prepared by the Wauteska County Department of Parks and Land Use
Referred to: LU 10

File Number: 170-O-034

Referred on: 07/09/15

1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE
2 BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SE ¼ OF SECTION 10,
3 T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE
4 A-1 AGRICULTURAL DISTRICT TO THE R-1A RESIDENTIAL DISTRICT (ZT-1810)
5
6

7 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
8 this Ordinance was approved by the Delafield Town Board on May 12, 2015, and
9

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

15 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
16 that the District Zoning Map for the Town of Delafield Zoning Code, adopted by the Town of
17 Delafield on July 20, 1998, is hereby amended to rezone from the A-1 Agricultural District to the
18 R-1A Residential District, certain lands located in part of the SE ¼ of Section 10, T7N, R18E,
19 Town of Delafield, Waukesha County, Wisconsin, and more specifically described in the “Staff
20 Report and Recommendation” and map on file in the office of the Waukesha County Department
21 of Parks and Land Use and made a part of this Ordinance by reference ZT-1810, is hereby
22 approved.
23

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

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

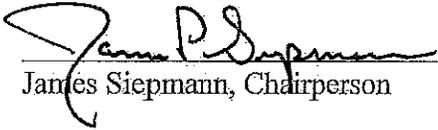
30 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
31 provisions of this Ordinance are hereby repealed.

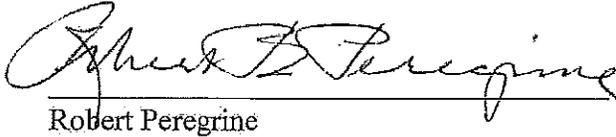
COMMISSION ACTION

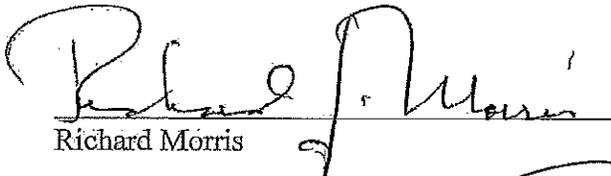
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends **approval** of **ZT-1810 (RM100 Inc./Dale Bergman)** in accordance with the attached "Staff Report and Recommendation".

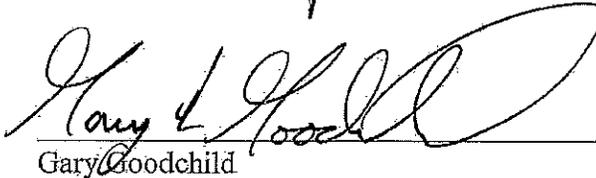
PARK AND PLANNING COMMISSION

June 18, 2015

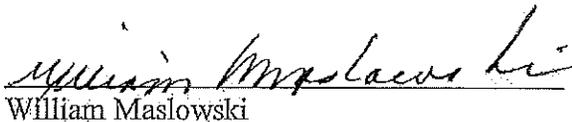

James Siepmann, Chairperson

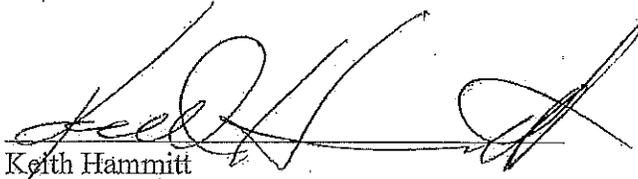

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

DATE: June 18, 2015

FILE NO.: ZT-1810

PETITIONER/OWNER: RM 100 Inc.
Dale Bergman
155 E. Capitol Dr.
Hartland, WI 53029

TAX KEY NO.s: DELT 0760.998.004 and DELT:0760.998.005

LOCATION:

Part of the SE ¼ of Section 10, T7N, R18E, Town of Delafield. More specifically the properties are located at approximately W300 N3317 Maple Avenue and contain approximately 16.8 acres.

EXISTING ZONING:

A-1 Agricultural District.

EXISTING LAND USE:

Former landscape center, agricultural

PROPOSED ZONING:

R-1A Residential District.

PROPOSED LAND USE:

Residential.

PUBLIC HEARING DATE:

May 3, 2015.

PUBLIC REACTION:

Three nearby property owners spoke. One suggested that debris was incorporated into the berm near the property line and expressed concerns that Rookery Rd. will become a construction entrance. She also expressed concerns about flooding. Another resident expressed that she likes the privacy of the berm but is concerned about the information provided by the prior speaker about the composition of the berm. Another resident expressed concern about additional traffic on Rookery Rd. and suggested that the development should be served by Maple Ave.

TOWN PLAN COMMISSION ACTION:

The Town of Delafield Plan Commission, at their meeting of May 5, 2015 recommended approval of the request to the Town Board conditioned upon development of the land in general conformance with the Hawks Haven Conceptual Plan dated March 2015 and limited to no more than eleven home sites.

TOWN BOARD ACTION

On May 12, 2015, the Town of Delafield Board approved the rezoning request.

CONFORMANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF DELAFIELD COMPREHENSIVE DEVELOPMENT PLAN:

The Waukesha County Comprehensive Development Plan and the Town of Delafield Comprehensive Plan designate the lands in the Suburban I Density Residential category, which calls for a maximum density of 1.5 acres per dwelling unit. The proposal complies with the plan recommendations.

STAFF ANALYSIS:

The petitioner is seeking the ability to, in the future, subdivide two parcels that constitute approximately 16.8 acres along the west side of Maple Avenue in the Town of Delafield. The current zoning designation for the lands is A-1 Agriculture District which requires a minimum parcel size of 40 acres. The proposal is to rezone to the R-1A Residential District which would allow for minimum one-acre lots.

A conceptual layout for the property was provided along with the rezone petition (see Exhibit "A"). The concept plan shows that future proposed lots would be accessed via an extension of Rookery Road. Rookery Road serves the Hawks Nest subdivision and currently terminates at the south property line. A buffer of Maple Avenue is shown along the east property line and an outlot for storm water management is proposed in the northwest part of the site. There are no mapped natural resources on the site and soils are generally well drained. The site is fairly level and there is a large berm along the south property line. The site previously contained a landscaping operation.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning is consistent with Town and County Plan recommendations and will provide the property owner with the ability to subdivide his land in the future. Specific layout issues and road access issues will be further considered by the Town during the review of any subsequent subdivision plat submittal.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachments: Exhibit "A", Map and Town Ordinance

EXHIBIT "A"

RECEIVED

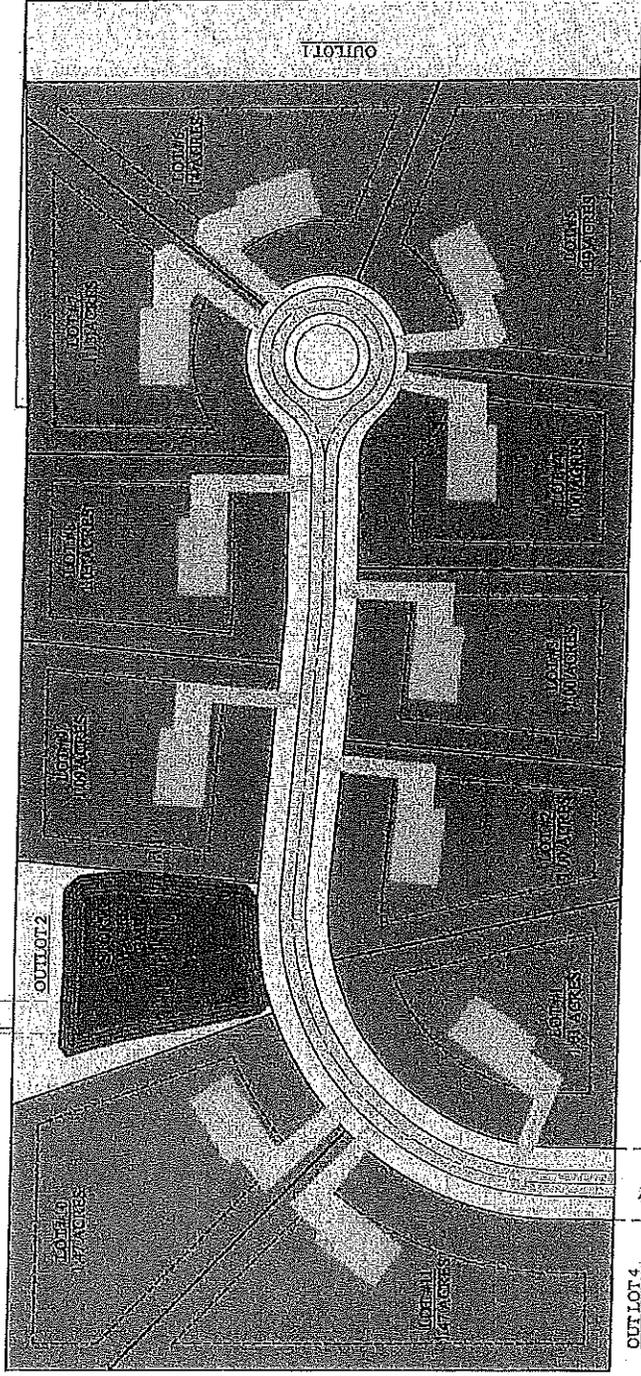
JUN 02 2015

DEPT OF PARKS & LAND USE

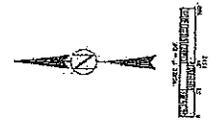
HAWKS HAVEN CONCEPTUAL LAND USE PLAN

ALL OF THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWN 1 NORTH, RANGE 13 EAST IN THE TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

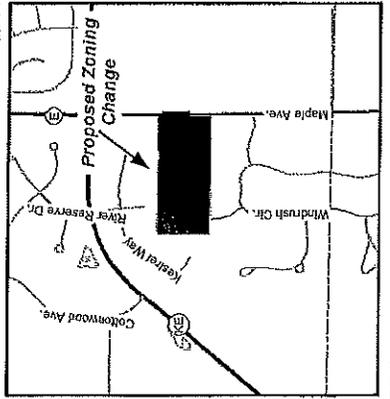
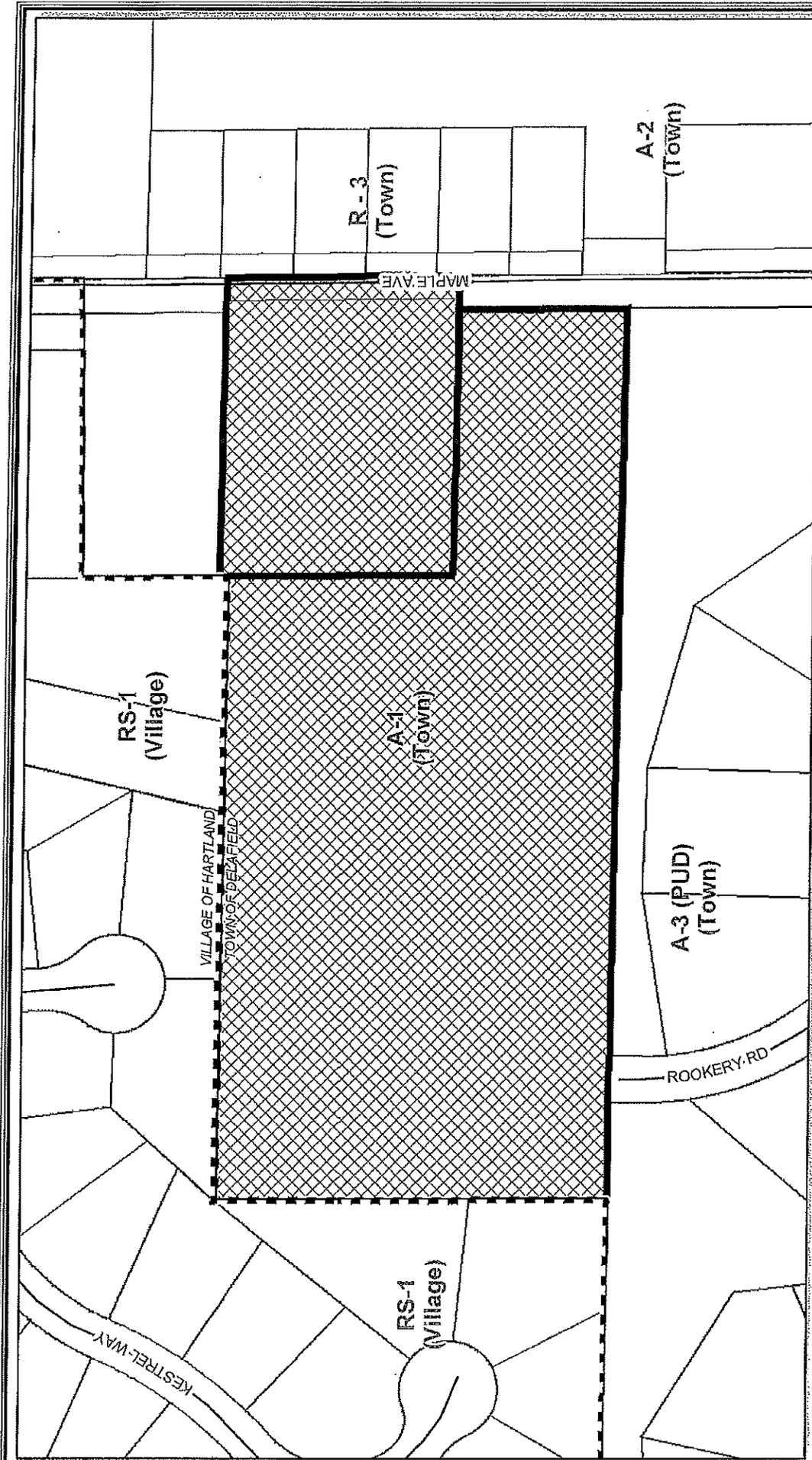
RIVER RESERVE II



add walking trail



CONCEPTUAL LAND USE PLAN	PROJ. # 15-2823	SHEET # 1 OF 1
HAWKS HAVEN SUBDIVISION	DATE BERGMAN MAPLE AVENUE	SE 1/4, S10, T. 17N., R. 18E., TOWN OF DELAFIELD
Lake Country Engineering, Inc. Consulting Engineers - Surveyors 5705 SawLabs Blvd. 105, Delafield, WI 53009 Phone: 262-599-9977 Fax: 262-599-9978 www.lakecountryeng.com	DATE: 5/15/15 DRAWN BY: J.M.A. CHECKED BY: J.M.A. DATE: 5/15/15	REVISION DATE
REVISIONS		



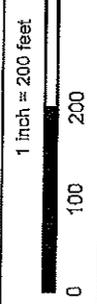
ZONING MAP AMENDMENT

PART OF THE NE 1/4 OF SECTION 10 TOWN OF DELAFIELD



 TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO R-1A RESIDENTIAL DISTRICT

FILE.....ZT-1810
 DATE.....06/18/15
 AREA OF CHANGE.....16.83 ACRES
 TAX KEY NUMBERS.....DELT 0760.998.004 & .006



Prepared by the Waukesha County Department of Parks and Land Use

Revised on: 07/09/15

File Number: 170-O-035

Referred to: LU

State of Wisconsin

Town of Delafield

Waukesha County

Ordinance No. 2015-03

An Ordinance to amend the Zoning Map of the Town of Delafield from A-1 to R-1A on lands located in the Northeast ¼ of the Southeast ¼ of Section 10, Town 7 North Range 18 East, Town of Delafield, Waukesha County Wisconsin

The Town Board of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from A-1 to R-1A on the following described parcels of land:

PT NE1/4 SE1/4 SEC 10 T7N R18E COM NE COR; S00°40'14"E 1331.16 FT; N89°21'49"W, 594.51 FT THE BGN; N89°21'49"W 724.64 FT; N00°14'06"W 562.25 FT; S89°22'22"E 889.76 FT; S00°30'45"E 322.38 FT; N89°21'49"W 168.51 FT; S00°40'14"E 240.07 FT TO BGN :: ALSO PT NE1/4 SE1/4 SEC 10 T7N R18E COM NE COR; S00°41'14"E 1331.16 FT; N89°21'49"W 50.01 FT THE BGN; N89°21'14"W 544.50 FT; N00°40'14"W 240.07 FT; S89°21'49"E 544.50 FT; S00°40'14"E 240.07 FT TO BGN DOC# 3235027 & DOC# 3951959 and

PT SE1/4 NE1/4 SE1/4 SEC 10 T7N R18E COM SE COR NE1/4 SE1/4; WLY 1320.00; FT NLY 561.00 FT; ELY 1320.00; FT SLY 561.00 FT TO BGN EX VOL 219/366 DEEDS :: ALSO COM SE COR NE1/4 SE1/4 SEC 10 N00°40'47"W, 240.07 FT; N89°22'21"W, 405.53 FT THE BGN; N89°22'21"W, 20.47 FT; N00°40'47"W, 322.33 FT; S89°22'21"E, 20.47 FT; S00°40'47"E, 322.33 FT TO BGN DOC# 3951957

Section 2:

The rezoning of these lands is conditioned upon satisfaction of the following items:

- A. The development of the lands shall generally conform to the concept plan for Hawks Haven dated March, 2015.
- B. Under no circumstances shall the development exceed 11 homesites.

Section 3: Severability.

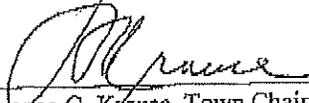
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision,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

Section 4: Effective Date.

This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

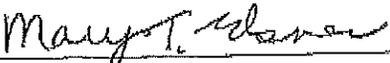
This ordinance passed this 12th day of May, 2015.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:



Lawrence G. Krause, Town Chairman

ATTEST:



Mary T. Eisner
Town Clerk/Treasurer

tgb H:\1151600\Doc\O 150508 Bergman Rezoning.docx

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 18, T8N,
3 R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE R-1
4 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO THE A-3
5 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT (ZT-1740A)
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 January 12, 2015, 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 R-1 Suburban Single Family
19 Residential District to the A-3 Agricultural/Residential Estate District, certain lands located in
20 part of the SE ¼ of Section 18, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, and
21 more specifically described in the "Staff Report and Recommendation" and map on file in the
22 office of the Waukesha County Department of Parks and Land Use and made a part of this
23 Ordinance by reference ZT-1740A, is 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.
30

31 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
32 provisions of this Ordinance are hereby repealed.

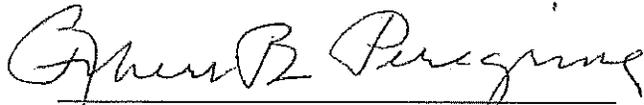
COMMISSION ACTION

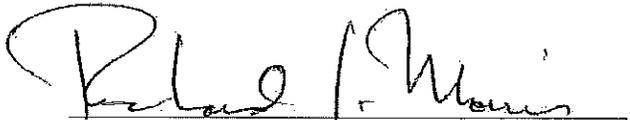
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code hereby recommends approval of ZT-1740A (Joseph Schartle) in accordance with the attached "Staff Report and Recommendation".

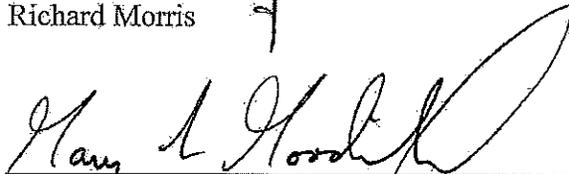
PARK AND PLANNING COMMISSION

June 18, 2015


James Siepmann, Chairperson


Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

DATE: June 18, 2015

FILE NO: ZT-1740A

PETITIONERS/OWNERS: Joseph Scharfle
Karl J Scheibengraber, etal
N75 W27133 Oakwood Road
Hartland, WI 53029

OWNERS (Lot 7): Rory and Susan Huf
W232 N7504 W. Stoneridge Ct.
Sussex, WI 53089

TAX KEY NOS.: LSBT 0216.074, .075, and .079

LOCATION AND LOT SIZES:

Lots 2, 3, and 7, and an undivided interest in Outlot 1, Pine Hill Estates, and also part of Lot 5, Block 16, and part of Lot 25, Block 9, Thousand Oaks Addition No. 6 located in the SE ¼ of Section 18, T8N, R19E, Town of Lisbon. More specifically, the properties are located at N74 W27410 Howards Pass and contain 1.6, 3.0, and 5.1 acres respectively.

EXISTING ZONING (TOWN):

Lot 2 - R-1 Suburban Single Family Residential District (one acre, 150' min. ave. width), and Lots 3 and 7 - A-3 Agricultural/Residential Estate District (three acres, 200' min. ave. width).

PROPOSED ZONING (TOWN):

Lot 7 - R-1 Suburban Single Family Residential District, and part of Lot 2 - A-3 Agricultural/Residential Estate District. The zoning of Lot 3 will remain unchanged. No County Zoning will change.

EXISTING LAND USE:

Vacant single-family residential lots/agricultural.

PROPOSED LAND USE:

Single-family residential lots.

PUBLIC HEARING DATE: December 18, 2014

PUBLIC REACTION: None.

TOWN PLAN COMMISSION ACTION:

On December 18, 2014, the Town of Lisbon Plan Commission voted to recommend approval of the rezoning of Lots 2 and 3 from the R-1 Suburban Single Family Residential District to the A-3 Agricultural/Residential Estate District; and the rezoning of Lot 7 from the A-3 Agricultural/Residential Estate District to the R-1 Suburban Single Family Residential District subject to the submittal of a Certified Survey Map (CSM).

TOWN BOARD ACTION:

On January 12, 2015, the Town of Lisbon Board of Supervisors voted to approve the proposed rezone amendment as recommended by the Plan Commission with the exception that the Board tabled the rezoning of Lot 7 until a CSM is submitted.

CONFORMANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF LISBON COMPREHENSIVE DEVELOPMENT PLAN:

The Town and County Comprehensive Development Plans designate the subject parcels as Suburban I Density Residential (1.5 to 2.9 acres per dwelling unit). The proposal complies with both plans as the overall density will remain at one dwelling unit per 2.18 acres.

STAFF ANALYSIS:

The subject parcels are located directly north of the Thousand Oaks Addition No. 6 residential subdivision (zoned R-1 Residential) and east of Lake Five Road. Waukesha County has shoreland jurisdiction over all of Lot 2, most of Lot 3, and the western portion of Lot 7, however no County zoning is changing. Waukesha County currently has the shoreland area zoned R-1 Residential, which requires a minimum lot size of one (1) acre. The proposed uses comply with the County's existing zoning.

In addition to the proposed zoning outlined above, the petitioner had originally requested a zoning change for Lot 7 contingent upon approval of a CSM to divide the lot. However, after further discussion, that part of the proposal was tabled by the Town Board until a CSM is actually submitted. Therefore, the only zoning change requested herein is for a small portion of Lot 2 that is being transferred to Lot 3 with the intent to make the zoning districts consistent with the new lot lines, the topography/natural drainage pattern, the woods and drainage easement. This transfer would reduce the size of Lot 2 to 1.4 acres and increase the size of Lot 3 to 3.2 acres. This item was given extraterritorial review and was approved by the Village of Merton Plan Commission at their June 10, 2015 meeting.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved** in accordance with the Town's action. The proposal conforms to both the Town and County Comprehensive Development Plans and is compatible with the surrounding land uses and will not affect the density of the overall development or the natural drainage pattern of the area.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance
Map

ORDINANCE 05-15

STATE OF WISCONSIN: TOWN OF LISBON: WAUKESHA COUNTY

**ORDINANCE REZONING A PORTION OF LOT 2 OF THE SCHARTLE
PROPERTY IN THE PINE HILL ESTATES SUBDIVISION FROM THE
R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL
DISTRICT TO THE A-3
AGRICULTURAL / RESIDENTIAL ESTATE DISTRICT AND TO
BE INCLUDED AS PART OF LOT 3 IN THE PINE HILL ESTATES SUBDIVISION.
IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN**

Whereas, Joseph Schartle petitioned the Town of Lisbon to rezone a portion of Lot 2 of the Pine Hill Estates subdivision for the property located at, LSBT0216-074 and to be included as part of Lot 3 in the Pine Hill Estates Subdivision for the property located at, LSBT0216-075 from R-1 Suburban Single Family Residential District to A-3 Agricultural / Residential Estate District.

Whereas, the change in zoning is consistent with the Town of Lisbon Comprehensive Plan land-use element; and

Whereas, the Lisbon Plan Commission and Town Board held a joint Public Hearing on the zoning change December 18, 2014.

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 R-1 Suburban Single Family Residential District to the A-3 Agricultural / Residential Estate District and to be included as part of Lot 3 in the Pine Hill Estates Subdivision.

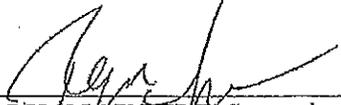
Part of Lot 2, Pine Hill Estates, located in the NW. 1/4 OF THE SE. 1/4 OF SECTION 18, T.8N., R.19E., TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN.

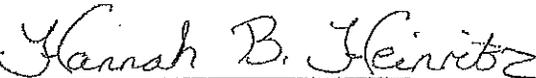
SECTION 2: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

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

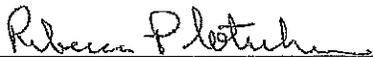
PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 12th, day of January, 2015.

BY: 
JOSEPH OSTERMAN, Chairman

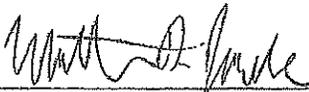
BY: 
RYAN LIPPERI, Supervisor

BY: 
HANNAH HEINRITZ, Supervisor

BY: 
STEVEN PANTEN, Supervisor

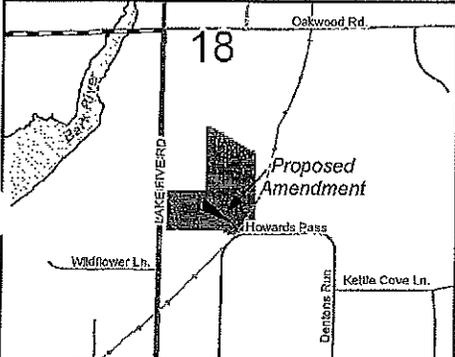
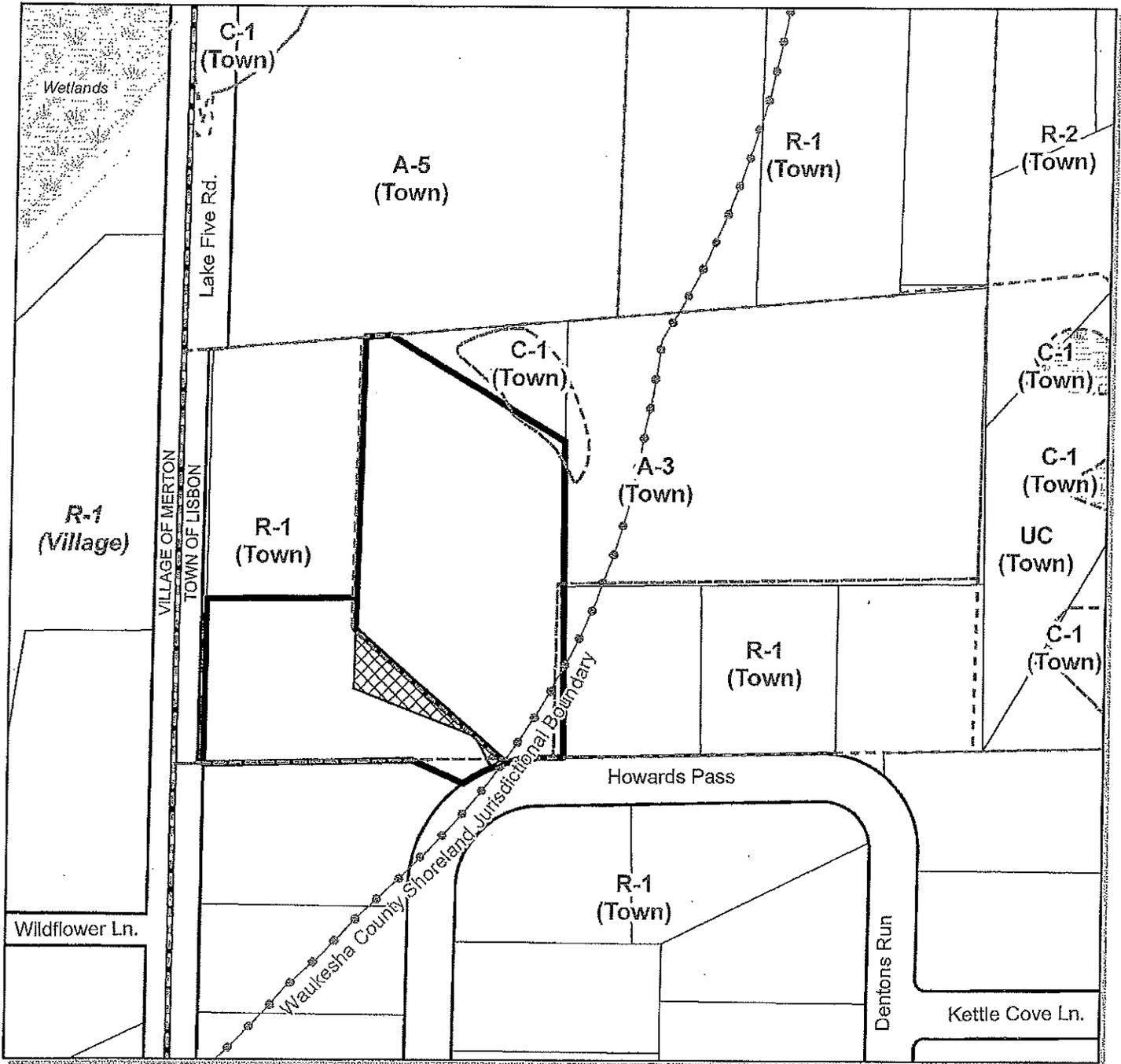
BY: 
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
MATTHEW JANECKE, Administrator/ Clerk

ZONING AMENDMENT

PART OF THE SE 1/4 OF SECTION 18
TOWN OF LISBON

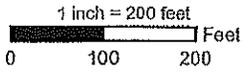


TOWN ZONING CHANGE FROM R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

FILE.....ZT-1740A
 DATE OF PLAN COMM. CONSIDERATION.....06/18/15
 AREA OF CHANGE.....0.18 ACRES
 TAX KEY NUMBERS.....LSBT 0216.074 & .075



Prepared by the Waukesha County Department of Parks and Land Use



1 AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE
2 BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 11,
3 T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE
4 A-1 AGRICULTURAL DISTRICT TO THE A-2 RURAL HOME DISTRICT (ZT-1811)
5
6

7 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
8 this Ordinance was approved by the Delafield Town Board on May 12, 2015, and
9

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

15 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
16 that the District Zoning Map for the Town of Delafield Zoning Code, adopted by the Town of
17 Delafield on July 20, 1998, is hereby amended to rezone from the A-1 Agricultural District to the
18 A-2 Rural Home District, certain lands located in part of the NW¼ of Section 11, T7N, R18E,
19 Town of Delafield, Waukesha County, Wisconsin, and more specifically described in the “Staff
20 Report and Recommendation” and map on file in the office of the Waukesha County Department
21 of Parks and Land Use and made a part of this Ordinance by reference ZT-1811, is hereby
22 approved.
23

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

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

30 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
31 provisions of this Ordinance are hereby repealed.

COMMISSION ACTION

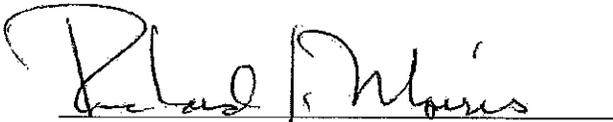
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends **approval** of ZT-1811 (Richard and Gloria Reindl) in accordance with the attached "Staff Report and Recommendation".

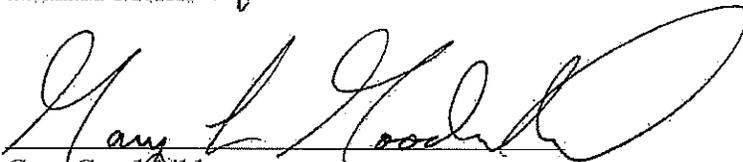
PARK AND PLANNING COMMISSION

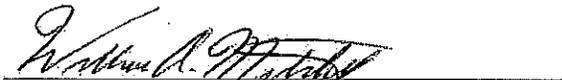
June 18, 2015

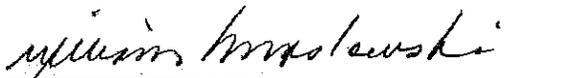

James Siepmann, Chairperson

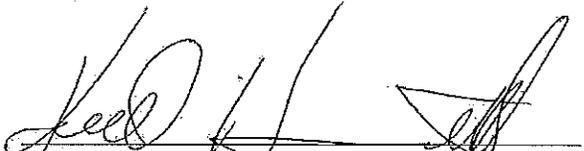

Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

DATE: June 18, 2015

FILE NO.: ZT-1811

PETITIONER: Richard and Gloria Reindl
N35 W29710 North Shore Drive
Pewaukee, WI 53072

TAX KEY NO.: DELT 0762.993

LOCATION:
Parcel A, Certified Survey Map No. 3273, part of the NW ¼ of Section 11, T7N, R18E, Town of Delafield. More specifically the property is located at N35 W29710 North Shore Drive, containing approximately 3.2 acres.

EXISTING ZONING:
A-1 Agricultural District.

EXISTING LAND USE:
Residential.

PROPOSED ZONING:
A-2 Rural Home District.

PROPOSED LAND USE:
Residential.

PUBLIC HEARING DATE:
May 5, 2015.

PUBLIC REACTION:
None.

TOWN PLAN COMMISSION ACTION:
The Town of Delafield Plan Commission, at their meeting of May 5, 2015 recommended approval of the request to the Town Board.

TOWN BOARD ACTION
On May 12, 2015, the Town of Delafield Board approved the rezoning request.

CONFORMANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF DELAFIELD COMPREHENSIVE DEVELOPMENT PLAN:
The Waukesha County Comprehensive Development Plan and the Town of Delafield Comprehensive Plan designate the lands in the Suburban I Density Residential category, which calls for a maximum density of 1.5 acres per dwelling unit. The proposal complies with the plan recommendations.

STAFF ANALYSIS:

The petitioner would like to rezone his property which contains a single-family residence, to bring it into a conforming zoning district. The property is located on the Village of Hartland/Town of Merton municipal boundary and is located immediately west of North Shore Middle School and north of C.T.H. "KE". The existing A-1 Agricultural District designation requires a minimum parcel size of 40 acres, whereas the property is only 3.2 acres in size. The proposed zoning district, the A-2 Rural Home District, requires a 3 acre minimum lot size. The parcel would conform to the A-2 area and width requirements. In addition, the A-2 District impervious surface standards are geared more towards smaller lot sizes than the A-1 standards. The A-1 District requires 95% open space per parcel, whereas the A-2 District requires 85% open space. The zoning change would enable the petitioner to construct an accessory building.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning is consistent with Town and County Plan recommendations and will bring the petitioners land into a conforming zoning district.

Respectfully submitted,

Jason Fruth

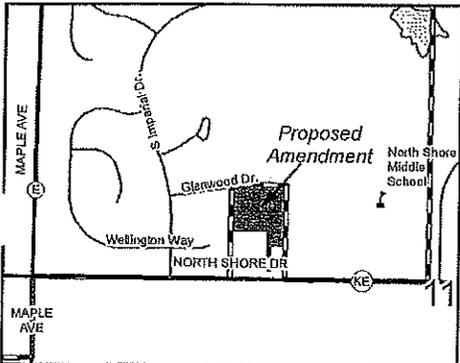
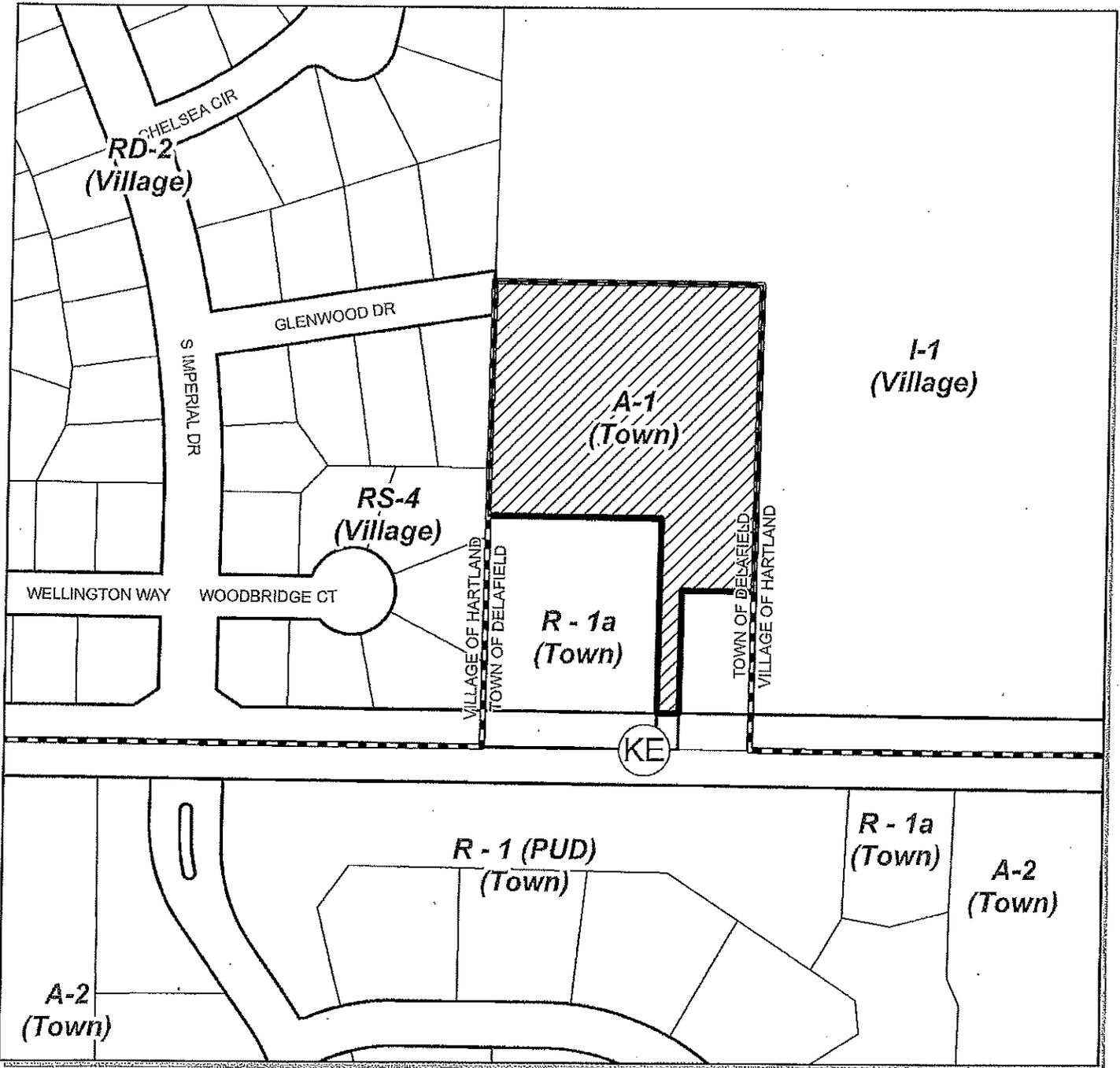
Jason Fruth
Planning and Zoning Manager

Attachments: Map and Town Ordinance

N:\PRKANDLUN\Planning and Zoning\Rezoning\Staff Reports\1811 Reindl dlt.doc

ZONING AMENDMENT

PART OF THE NW 1/4 OF SECTION 11
TOWN OF DELAFIELD

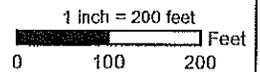


 TOWN ZONING CHANGE FROM A-1 AGRICULTURAL DISTRICT TO A-2 RURAL HOME DISTRICT

FILE.....ZT-1811
 DATE OF PLAN COMM. CONSIDERATION.....06/18/15
 AREA OF CHANGE.....3.18 ACRES
 TAX KEY NUMBER.....DELT 0762.993



Prepared by the Waukesha County Department of Parks and Land Use



State of Wisconsin

Town of Delafield

Waukesha County

Ordinance No. 2015-02

An Ordinance to amend the Zoning Map of the Town of Delafield from A-1 to A-2 on lands located in the Southeast ¼ of the Northwest ¼ of Section 11, Town 7 North Range 18 East, Town of Delafield, Waukesha County Wisconsin

The Town Board of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from A-1 to A-2 on the following described parcel of land:

Parcel A of CSM 3273 found in Volume 24 page 305, located in the Northwest ¼ of Section 11, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin.

Section 2: Severability.

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

Section 3: Effective Date.

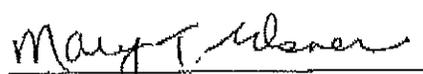
This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

This ordinance passed this 12th day of May, 2015.

BY THE TOWN BOARD OF THE TOWN OF DELAFIELD:


Lawrence G. Krause, Town Chairman

ATTEST:


Mary T. Elsner
Town Clerk/Treasurer

tgb HA1151600\Doc\O 150508 Reindl Rezoning.docx

1 AMEND THE TEXT OF THE TOWN OF WAUKESHA ZONING CODE TO REPEAL AND
2 RECREATE SUBSECTION 13-2-5(a) ENTITLED BUILDING MUST BE ON A LOT,
3 SUBSECTION 13-2-9(i)(16) ENTITLED MULTI-FAMILY UNIT AND SECTION
4 13-3-1 ENTITLED ESTABLISHMENT OF DISTRICTS (ZT-1812)
5
6

7 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
8 this Ordinance was approved by the Waukesha Town Board on May 14, 2015, and
9

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

15 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
16 that the text of the Town of Waukesha Zoning Code, adopted by the Town of Waukesha on June
17 24, 1979, is hereby amended to repeal and recreate Subsection 13-2-5(a) Entitled Building Must
18 Be On a Lot, Subsection 13-2-9(i)(16) Entitled Multi-Family Unit and Section 13-3-1 Entitled
19 Establishment of Districts, more specifically described in the "Staff Report and
20 Recommendation" on file in the office of the Waukesha County Department of Parks and Land
21 Use and made a part of this Ordinance by reference ZT-1812, is hereby approved.
22

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

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

29 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
30 provisions of this Ordinance are hereby repealed.

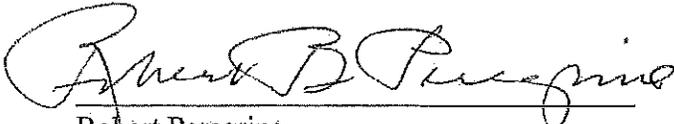
COMMISSION ACTION

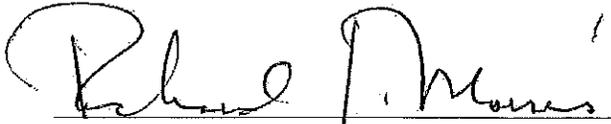
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Waukesha Zoning Code hereby recommends approval of ZT-1812 (FRED-Lathers LLC) in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

June 18, 2015


James Siepmann, Chairperson


Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


William Maslowski


Keith Hammitt

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

FILE NO: ZT-1812
TAX KEY NUMBER: N/A
DATE: June 18, 2015
NAME OF PETITIONER: FRED-Lathers, LLC.
789 N. Water Street, Ste. 200
Milwaukee, WI 53202-3530

NATURE OF REQUEST:

Text amendments to the Town of Waukesha Zoning Code relative to residential site regulations, multi-family unit Conditional Use requirements and amendments to clarify regulations relative to properties that are located partially within the Waukesha County Shoreland jurisdiction.

PUBLIC HEARING DATE:

April 9, 2015.

PUBLIC REACTION:

A resident spoke regarding drainage concerns relative to a specific development proposal. It should be noted that the hearing was not relative to said development but was instead to consider text amendments that would apply Town-wide.

TOWN PLAN COMMISSION ACTION:

On May 14, 2015, the Town of Waukesha Plan Commission voted to approve the text amendments to the Town Zoning Code.

TOWN BOARD ACTION:

On May 14, 2015, the Town of Waukesha Board approved the text amendments as recommended by the Town Plan Commission.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY:

The County Development Plan calls for the provision of a range of housing types and calls for barriers to affordable housing to be addressed by local communities. The proposed amendments better accommodate multi-family projects by allowing approvals for such developments to be sought in more parts of the Town. The Town has also expressed a willingness to continue examining its dwelling size parameters as part of the comprehensive plan update process. Both actions are consistent with the recommendations of both the Regional Housing Plan and the County Development Plan.

BACKGROUND AND SUMMARY OF CHANGES:

The petitioner proposed amendments to the Town Zoning Code relative to accommodation of multiple family development projects and Planned Unit Developments. The Town considered the request and expanded the extent of the proposed changes to more holistically propose updates to address the changes sought in the petition.

The first proposed change amends the "Site Regulations" section of the Town code to clarify that more than one building per lot can be authorized via Conditional Use, Residential Planned Unit Development or Senior Housing review procedures. Existing code language states that no more than one principal building is allowed per lot.

The proposed changes also amend the Conditional Use provisions for multi-family development to strike the existing language that calls for multi-family development to only be permitted in areas contiguous to the City of Waukesha. The revised multi-family Conditional Use standards specify that minimum provided open space shall be per the underlying district for duplexes and 40% open space will be required for larger projects. Town Planning Staff has indicated that the Town believes that substantial open space is important in order to ensure that more dense projects fit within the larger Town context. For large-scale projects, the proposed language allows for maximum floor area ratio to be two times the underlying district requirement.

Minimum multi-family dwelling unit sizes are proposed to be introduced in the multi-family Conditional Use standards, as well. For instance, the specified two bedroom minimum dwelling unit size is proposed at 1,000 square feet. The recently completed Regional Housing Plan recommends that seweried communities with a jobs/housing imbalance conduct a more detailed analysis of local conditions as part of comprehensive plan updates. The plan shows that the Town of Waukesha is part of an area with a moderate cost jobs/housing imbalance. The plan also recommends that communities with a shortage of lower cost housing in relation to lower wage jobs provide for development density of 10 units per acre and modest apartment sizes of 800 square feet or less. While the proposed language allows for densities of 15 units per acre in areas contiguous to the City of Waukesha, the proposed code is slightly more restrictive relative to minimum multi-family dwelling unit size. County Planning & Zoning Staff recommended to the Town that they consider reducing dwelling unit sizes to more closely match the recommendations of the Regional Housing Plan and to better accommodate smaller dwelling unit sizes that are becoming more common in today's marketplace. The Town Planner has indicated that the Town will re-visit this issue as they consider amendments to the Town Plan.

Finally, the amendments introduce language into the code that clarify that for those properties partially within shoreland jurisdictional areas, required area and dimensional calculations for matters such as floor area ratio and lot size shall be based upon the entire area of the parcel. This proposed scheme matches the way in which Waukesha County has long administered shoreland zoning provisions.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that the proposed text amendments to the Town of Waukesha Zoning Code be **approved**, as presented. The proposed changes remove obstacles to the development of condominium and other multi-family projects by clarifying that multiple principal structures are permissible via certain specified approval processes. In addition, the provisions update the Town's multi-family Conditional Use requirements and provide clarity relative to the calculation of site requirements for parcels partially within shoreland jurisdictional areas.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachment: Town Ordinance 2015-02

ORDINANCE NO. 2015-02

AN ORDINANCE TO REPEAL AND RECREATE
TITLE 13 ENTITLED ZONING
CHAPTER 2 ENTITLED GENERAL PROVISIONS
SECTION 13-2-5 ENTITLED SITE REGULATIONS
SUBSECTION 13-2-5(a) ENTITLED BUILDING MUST BE ON A LOT
AND
SECTION 13-2-9 ENTITLED CONDITIONAL USES
SUBSECTION 13-2-9(i) ENTITLED CONDITIONAL USES PERMITTED
SUBSECTION 13-2-9(i)(16) ENTITLED MULTI-FAMILY UNIT
AND
SECTION 13-3-1 ENTITLED ESTABLISHMENT OF DISTRICTS
AMENDMENTS TO THE TOWN OF WAUKESHA MUNICIPAL CODE

WHEREAS, a petition has been filed by FRED-Lathers, on March 24, 2015 petitioning pursuant to Section 13-2-22(b) for text amendments to the Town of Waukesha Zoning Code, and

WHEREAS, upon receipt of the petition the Town Clerk scheduled a public hearing to be held jointly by the Town Plan Commission and the Town Board on April 9, 2015 pursuant to Section 13-2-22(d), and

WHEREAS, the Town Clerk for the Town of Waukesha has properly transmitted notice to the Town Plan Commission, Town Board, and to the Waukesha County Park and Planning Commission, pursuant to Section 13-2-22(d)(2) of the Town of Waukesha Zoning Code; and

WHEREAS, the Plan Commission considered the testimony taken at the public hearing, along with other pertinent technical information and made a recommendation to the town pursuant to Section 13-2-22(d)(3) of the Town of Waukesha Zoning Code; and

WHEREAS, the Town Board for the Town of Waukesha, after carefully reviewing the recommendation of the Plan Commission for the Town of Waukesha 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, morals, comfort, prosperity and general welfare of the Town of Waukesha 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 amendments will serve the public health, safety morals, comfort, prosperity and general welfare of the Town of Waukesha, and that such amendments are intended to provide for adequate light, air, convenience of access, and safety from fire and other dangers; to promote the safety and efficiency of the public streets and highways; to aid in conserving and stabilizing the economic values of the community; to promote the orderly development of land; to preserve and promote the general attractiveness and character of the community environment; to guide the proper distribution and location of population and of the various land uses; and otherwise provide for the healthy and prosperous growth of the community, and that such amendments 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 Waukesha, Waukesha County does hereby ordain as follows:

SECTION 1: Title 13 entitled Zoning, Chapter 2 entitled General Provisions, Section 13-2-5 entitled Site Regulations, Subsection 13-2-5(a)(1) is hereby repealed and recreated to read as follows:

SEC. 13-2-5 SITE REGULATIONS.

- (a) Building Must Be on a Lot.
- (1) In all Residential Districts every building hereinafter erected, structurally altered or relocated shall be located on a lot, as defined herein, and in no case shall there be more than one principal building on a lot except as authorized through a Conditional Use Permit for Multi-Family Unit(s) per Sec. 13-2-9(i)(16), Residential Planned Unit Development(s) per Sec. 13-2-9(i)(22), and Senior Housing per Sec. 13-2-9(i)(25).
 - (2) In all other Districts where buildings are permitted, more than one principal building may be located on a lot, subject to the approval of the Town Plan Commission, and where such grant would not be contrary to the spirit or intent of this ordinance and provided that sufficient lot area is available for each principal building to be so located as to individually meet the setback, offsets, lot size, and open space requirements of the district in which they are located.
 - (3) No accessory building, except in the C-1 Conservancy District where all buildings or structures are accessory to a principal use, shall be constructed until the principal building is under construction or completed.
 - (4) In the A-1 Agricultural District, barns, storage sheds, pens, coops, and other agricultural buildings related to and necessary for the pursuit of agriculture on that parcel of land will be considered as accessory buildings and may be permitted without the requirement that a principal residential use be in existence on that parcel with Plan Commission and Town Board approval.
 - (5) In the A-1 Agricultural District where Planned Unit Developments are planned or exist, agricultural buildings related to or necessary for the pursuit of agriculture shall not be allowed without Plan Commission or Town Board approval.

SECTION 2: Title 13 entitled Zoning, Chapter 2 entitled General Provisions, Section 13-2-9 entitled Conditional Uses, Subsection 13-2-9(i)(16) is hereby repealed and recreated to read as follows:

SEC. 13-2-9 CONDITIONAL USES.

- (i) Conditional Uses Permitted. Subject to the foregoing, in addition to such uses enumerated in the district regulations, the following may be permitted in the districts specified, provided further that a joint public hearing shall be held by the Town Plan Commission and Town Board before approval for any such conditional use is granted:
- (16) Multi-Family Unit: Subject to the following conditions:
 - a. Location, building plans, site plan and plan of operation shall be submitted for approval per Section 13-2-4. Prior to the public hearing being scheduled, the petitioner shall review the proposal of the multi-family unit(s) with the Town Plan Commission and Board.
 - b. These units shall only be permitted on an arterial or collector street as defined in the Town Land Division Ordinance and not on an interior

subdivision street within the Town or be conversions of existing farm dwellings or other large structures where it is determined by the Plan Commission and Town Board that it is not reasonable to convert said structures from a single family residential use.

- c. No more than one (1) two-unit structure on a lot may be considered when served by both a private onsite waste system and a private onsite well. All provisions of the underlying zoning district shall apply except for the following:
 - 1. Each unit shall have a minimum floor area of nine hundred (900) square feet for a one-bedroom unit, one thousand (1,000) square feet for a two-bedroom unit, and one thousand one hundred (1,100) square feet for a three-bedroom unit.
 - 2. The minimum open space area as required by the underlying zoning district shall apply to each unit.
 - 3. The maximum floor area ratio shall be 1-1/2 times as required by the underlying zoning district.
 - 4. The minimum lot area and the minimum average lot width shall be 1-1/2 times as required by the underlying zoning district.
 - 5. Each two-unit structure shall provide a minimum of a two-car attached garage with a minimum size of 440 square feet.

- d. More than one (1) two-unit structure or more than two units per structure on a lot may be considered when served by both a municipal sewer system and municipal water system. All provisions of the underlying zoning district shall apply except for the following:
 - 1. Each unit shall have a minimum floor area of nine hundred (900) square feet for a one-bedroom unit, one thousand (1,000) square feet for a two-bedroom unit, and one thousand one hundred (1,100) square feet for a three-bedroom unit.
 - 2. The density shall not exceed fifteen (15) dwelling units per acre if the parcel is contiguous to an incorporated municipality, and shall not exceed eight (8) dwelling units per acre if not contiguous to an incorporated municipality.
 - 3. The minimum open space required shall be 40% and a maximum of 20% of any land zoned C-1 may be used in the calculation.
 - 4. The maximum floor area ratio shall be 2 times as required by the underlying zoning district. Structures with more than two residential units shall provide a minimum of one (1) parking stall within an attached garage and a minimum of one (1) surface parking stall. The location and arrangement of the garages are subject to approval by the Town Board upon recommendation of the Town Plan Commission.

- e. The method of waste disposal must be approved by the State of Wisconsin and/or Waukesha County.

SECTION 3: Title 13 entitled Zoning, Chapter 2 entitled General Provisions, Section 13-3-1 is hereby repealed and recreated to read as follows:

SEC. 13-3-1 ESTABLISHMENT OF DISTRICTS.

For the purpose of this ordinance, the Town is hereby divided into zoning districts that shall be designated as follows¹.

C-1 Conservancy
A-1 Agriculture
R-E Residence-Estate
R-SE Residence-Suburban Estate
R-1 Residence-Single Family
R-2 Residence-Single Family
R-3 Residence-Single Family
P-1 Park, Recreation and Public District
B-1 Restricted Business
B-2 Local Business
B-3 General Business
I-1 Limited Industrial
I-2 General Industrial

¹ Important Note: Within the Town of Waukesha, certain lands and water areas lie within the Waukesha County designated Floodland and Shoreland Districts, and are under the jurisdiction of Waukesha County. For use of these lands, see the Waukesha County Shoreland/Floodland Protection Ordinance, as well as this ordinance. Where lots are partially within the jurisdiction of the Waukesha County Shoreland/Floodplain Protection Ordinance and partially within the jurisdiction of the Town of Waukesha Zoning Code, the Town of Waukesha shall regulate as follows:

(1) *Structures.* For any structure that is located partially or fully within the Town of Waukesha's jurisdiction, the Town of Waukesha shall regulate the portion of the structure that is within the Town's jurisdiction, which must comply with all structure location regulations of this code, with the measurements to be made based upon the full dimensions of the lot. The height of structures shall be measured from within the Town's jurisdiction. Minimum square footage shall be measured based upon the entire square footage of the structure that is partially or fully within the Town of Waukesha's jurisdiction. Maximum square footage shall be measured based upon the entire square footage of the structure, and as applied to total square footage on the lot, shall include the square footage of all other structures on the lot.

(2) *Open Space and Floor Area Ratio.* Any structure or impervious surface constructed on any portion of a lot that is within the jurisdiction of the Town of Waukesha must comply with the open space and floor area ratio regulations of this code, with the calculation to be made based upon the full dimensions of the lot including consideration of any structures or impervious surfaces on any part of the lot.

(3) *Uses.* Any use that is conducted partially or fully within the Town of Waukesha's jurisdiction must comply the use regulations of this code.

(4) *Lots.* Any lot that is located partially or fully within the Town of Waukesha's jurisdiction must comply with the lot area regulations of this code, with the calculations to be made based upon the full dimensions of the lot.

(5) *Other.* In order to ensure that the intent of this code can be preserved within the Town's jurisdiction, in situations that are not specified above, the regulations of this code shall apply as follows. Where this code regulates issues based upon the entire dimensions of the lot, and the

owner seeks to make a change on a portion of the lot that is in the Town's jurisdiction, the Town shall regulate the matter arising within the Town's jurisdiction based upon the entire dimensions of the lot and the structures and uses thereon. Where this code regulates issues that are not based on the entire dimensions of the lot, the Town shall regulate solely the activities conducted within the Town's jurisdiction. Activities conducted solely outside of the Town's jurisdiction are not regulated by this code.

SECTION 4: SEVERABILITY. Several sections this ordinance are declared to be severable and if any section or portion thereof shall be declared by a decision of the 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 which shall remain. The remainder of the ordinance shall remain in full force and effect and any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE. 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.

Passed and approved this 14th day of May, 2015.

TOWN OF WAUKESHA, WI

By:



John Marek, Town Chairman

ATTEST



Kathy Nickolaus, Town Clerk-Treasurer

1 MODIFY THE 2015 TRANSPORTATION FUND BUDGET TO APPROPRIATE REVENUES
2 AND EXPENDITURES TO PURCHASE TWO (2) SELF-PROPELLED PAVEMENT CRACK
3 ROUTERS AND ONE (1) SKID STEER MOUNTED SHOULDERING ATTACHMENT
4
5

6 WHEREAS, the Waukesha County Department of Public Works provides road maintenance
7 work to the State of Wisconsin on the State Trunk Highway System, and
8

9 WHEREAS, the State of Wisconsin also reimburses the County for work performed on the State
10 Trunk Highway system through the Performance Based Maintenance quote system, and
11

12 WHEREAS, State revenues from the 2014 Performance Based Maintenance program resulted in
13 a positive revenue variance impact to the Transportation Fund balance at the end of 2014, and
14

15 WHEREAS, the State of Wisconsin desires that Waukesha County provide crack sealing and
16 shoulder maintenance services through the Performance Based Maintenance program in 2015,
17 and
18

19 WHEREAS, the State of Wisconsin believes that the use of routers prior to crack sealing and the
20 use of a shouldering attachment is a best management practice and is requiring this for all future
21 Performance Based Maintenance contracts.
22

23 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
24 that the Department of Public Works – Transportation Fund 2015 budget be modified by
25 increasing Other Revenues by \$75,000 from 2015 Performance Based Maintenance Revenue and
26 appropriating \$75,000 of Fixed Assets to purchase two (2) self-propelled pavement crack routers
27 and one (1) skid steer mounted shouldering attachment to perform the work associated with
28 Performance Based Maintenance crack sealing and shouldering maintenance services.

FISCAL NOTE

MODIFY THE 2015 TRANSPORTATION BUDGET TO APPROPRIATE REVENUES AND EXPENDITURES TO PURCHASE TWO (2) SELF-PROPELLED PAVEMENT CRACK ROUTERS AND ONE (1) SKID STEER MOUNTED SHOULDERING ATTACHMENT

This ordinance appropriates additional revenue and expenditure authority to the Department of Public Works Transportation Fund 2015 budget in the amount of \$75,000. This will fund the purchase of two self-propelled pavement crack routers for a total of \$45,000 and one skid steer mounted shouldering attachment for \$30,000. This equipment will be used primarily for work performed for the State of Wisconsin through the Performance Based Maintenance program.

If approved, this action will modify the 2015 Transportation budget by increasing Other Revenues by \$75,000 and Fixed Asset expenditures by \$75,000. The Department will absorb any associated maintenance costs in the existing 2015 budget.

This ordinance results in no additional direct tax levy impact.

Lawrence M. Dahl

Lawrence M. Dahl
Accounting Services Manager
7/8/2015

1 MODIFY THE 2015 DEPARTMENT OF PUBLIC WORKS, CENTRAL FLEET
2 DIVISION BUDGET TO APPROPRIATE ADDITIONAL REVENUE AND
3 FUND BALANCE TO PURCHASE A NEW VEHICLE LIFT
4
5

6 WHEREAS, the Central Fleet Division of the Department of Public Works provides vehicle
7 repair services for all county owned vehicles and equipment, and
8

9 WHEREAS, this division is set up as an internal service fund to account for the expenses and
10 revenues associated with this service, and
11

12 WHEREAS, internal service funds are not directly supported by tax levy, and budgets are
13 estimates of annual activity of needs by user departments, and
14

15 WHEREAS, the revenues from selling assets owned by this division are accounted for in the
16 Central Fleet Fund, and
17

18 WHEREAS, a four-post lift, which is no longer used by the division for vehicle maintenance,
19 was sold for \$10,300, and
20

21 WHEREAS, a two-post vehicle lift will increase efficiency, expedite repairs, and better serve the
22 maintenance operations of the division.
23

24 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
25 that the 2015 Department of Public Works, Central Fleet budget be modified by increasing
26 revenues by \$18,000 by appropriating \$10,300 of Other Revenues from the sale of the obsolete
27 asset and appropriating \$7,700 of Central Fleet Fund balance; and increasing Fixed Assets by
28 \$18,000 to provide for the purchase of a new two-post vehicle lift.

FISCAL NOTE

MODIFY THE 2015 DEPARTMENT OF PUBLIC WORKS, CENTRAL FLEET DIVISION
BUDGET TO APPROPRIATE ADDITIONAL REVENUE AND FUND BALANCE TO
PURCHASE A NEW VEHICLE LIFT

This ordinance would modify the 2015 Central Fleet Budget to increase the fixed assets (memo) \$18,000 to purchase a new vehicle lift for the Central Fleet Division to replace an existing four-point lift, which was under utilized. Current service work, particularly for Sheriff vehicles, was better suited to the "two-point" lift capabilities, resulting in labor efficiencies. While Central Fleet already operates two two-point lifts, Division management indicates that this requested replacement lift is needed to handle higher work volume.

The ordinance appropriates other revenue of \$10,300 from the salvage revenue from the sale of the previous lift, and \$7,700 from Central Fleet Fund Balance.

Central Fleet is an internal service fund operation funded by charges for services. Labor efficiencies are expected to benefit Department customers, some of which are funded with tax levy.

Linda Witkowski

Linda G. Witkowski
Budget Manager
7/7/15
JE 2015-00005588

MEMO

To: Chairman Paul Decker
From: Paul Farrow
Subject: Reappointment to the Aging Disability Resource Center Advisory Board
Date: July 8, 2015

I am pleased to submit to the County Board for your consideration the reappointment of Elaine Ludka to the Aging Disability Resource Center (ADRC) Advisory Board. Her term would expire August 1, 2018.

Ms. Ludka lives at 21005 George Hunt Circle, Waukesha, 53186. Her phone is (262) 717-9561. Ms. Ludka and her husband have lived in Waukesha since 1992. They have three children, five grandchildren, and five great grandchildren. She is recently retired. She has a long history of being involved in AMVETS, a veteran's organization that encourages community service. She has given many speeches and has served on many of their committees as well as serving as State President of the organization. She is a caregiver and an advocate and would like to share her success and failures to help others.

Thank you for your swift consideration.

PF:sh

cc: Kathleen Novack
Luann Page

MEMO

To: Chairman Paul Decker
From: Paul Farrow
Subject: Appointment to the Aging Disability Resource Center Advisory Board
Date: July 8, 2015

I am pleased to submit to the County Board for your consideration the appointment of William Zaborowski, District 21, to the Aging Disability Resource Center (ADRC) Advisory Board. He will replace Sandra Wolff, who has served two consecutive terms and cannot be reappointed. His term would expire August 1, 2018.

Supervisor Zaborowski previously served on the ADRC Board from 2008 to 2014.

Thank you for your swift consideration.

PF:sh

cc: Kathleen Novack
Luann Page

MEMO

To: Chairman Paul Decker
From: Paul Farrow
Subject: Reappointment to the County Zoning Board of Adjustment
Date: July 9, 2015

I am pleased to submit to the County Board for your consideration the reappointment of Richard Bayer to serve on the Waukesha County Board of Adjustment. Mr. Bayer's term will expire July 2018.

Mr. Bayer holds a B.S. degree in Construction Management from the UW-Madison and currently owns and operates a home building and remodeling company in the Milwaukee area. Richard Bayer holds a real estate broker's license.

Mr. Bayer lives at S37 W31953 Depot Hill Rd., Waukesha, 53189. His phone is (414) 529-4830 at work and (262) 968-5662 at home.

Thank you for your swift consideration.

PF:sh

cc: Kathleen Novack
Dale Shaver

MEMO

To: Chairman Paul Decker
From: Paul Farrow
Subject: Reappointment to the County Zoning Board of Adjustment
Date: July 9, 2015

I am pleased to submit to the County Board for your consideration the reappointment of Walter Schmidt to the County Zoning Board of Adjustment. His term will expire July 1, 2018.

Mr. Schmidt has been a resident of the Town of Oconomowoc for over 40 years. He is a retired lawyer who specializes in real estate law. His firm continues to operate in Brookfield. He enjoys sailing as a hobby. He resides at W346 N5608 Lake Drive, Oconomowoc, 53066. His phone number is 567-6017.

Thank you for your swift consideration.

PF:sh

cc: Kathleen Novack
Dale Shaver

MEMO

To: Chairman Paul Decker
From: Paul Farrow
Subject: Reappointment to the Park and Planning Commission
Date: June 22, 2015

I am pleased to submit to the County Board for your consideration the reappointment of William Maslowski to the Park and Planning Commission. His term will expire July 1, 2022

Mr. Maslowski resides at 2007 Bay Point Lane, Hartland, 53029. His phone is 367-7703. He is the owner of PDC Facilities, Inc. He has previously served as Alderman, Chairman of the Lake Welfare Committee, and on the Zoning Board of Appeals for the City of Delafield. Most recently, he served as the Waukesha County Executive appointment to the Miller Park Southeast Wisconsin Professional Baseball Park District.

Thank you for your swift consideration.

PF:sh

cc: Kathleen Novack
Dale Shaver

MODIFY WAUKESHA COUNTY FEDERATED LIBRARY SYSTEM 2015 BUDGET
TO APPROPRIATE CAFÉ RESERVE FUNDS TO INCREASE EXPENDITURES
FOR MIGRATION OF JEFFERSON COUNTY LIBRARIES

1
2
3 WHEREAS, Waukesha and Jefferson Counties are creating a two county Federated Library
4 System effective January 1, 2016 (Enrolled Ordinance 170-31); and
5

6 WHEREAS, funding of up to \$113,300 will be required to migrate the libraries into the wide
7 area network and onto CAFÉ—the shared integrated automation system; and
8

9 WHEREAS, to allow for a smooth transition on January 1, 2016, the work to migrate the
10 libraries must take place in 2015; and
11

12 WHEREAS, the funding to pay for the migration would initially come from the fund balance in
13 the special revenue fund, CAFÉ Fund 215; and
14

15 WHEREAS, there is sufficient fund balance in the CAFÉ Fund 215 to be used for this purpose;
16 and
17

18 WHEREAS, the repayment of the funds to the fund balance in Fund 215, would take place from
19 a combination of payments from Jefferson County libraries and state aid allocation coming to the
20 Federated Library System as a result of serving the Jefferson County libraries; and
21

22 WHEREAS, the requirement that the Jefferson County libraries' repay the fund balance in the
23 amount of \$50,000 for the migration costs will be required as a part of their CAFÉ membership
24 agreement; and
25

26 WHEREAS, the balance of the migration costs in the amount of \$63,300 will be repaid to the
27 fund from state aid (received for serving Jefferson County) over three years beginning in 2016.
28

29 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
30 that the Federated Library System 2015 CAFÉ Fund Budget be modified by appropriating Fund
31 Balance revenues of \$113,300 and increasing Operating Expenses by \$105,500 and Fixed Asset
32 appropriations by \$7,800 to cover costs associated with migrating Jefferson County into the
33 Federated Library System.

FISCAL NOTE

MODIFY WAUKESHA COUNTY FEDERATED LIBRARY SYSTEM 2015 BUDGET TO
APPROPRIATE CAFÉ RESERVE FUNDS TO INCREASE EXPENDITURES FOR
MIGRATION OF JEFFERSON COUNTY LIBRARIES

This ordinance authorizes the Waukesha County Federated Library System's CAFÉ (Catalog Access for Everyone) Fund to appropriate \$113,300 of CAFÉ Fund Balance revenue to fund the software, licensing, and professional services required for the successful migration of eight Jefferson County libraries into the CAFÉ Automation System in anticipation of the two-county system effective January 1, 2016 (Enrolled Ordinance 170-31). Revenues in the CAFÉ fund primarily come from contributions from federated system libraries for ongoing library automation services, as well as future software and equipment replacements.

This ordinance increases the 2015 CAFÉ Fund budget appropriations for operating expenses by \$105,500 and fixed assets by \$7,800.

The \$113,300 of setup costs are scheduled to be paid back to the CAFÉ Fund over the next several years.

- \$63,300 will be budgeted over three years (approximately \$21,100 per year) beginning in 2016. This funding will come from additional State Aids funds to be received from the State of Wisconsin Department of Public Instruction (DPI) upon acceptance of the Federated Library System's new territorial borders to include Jefferson County; expected to be approved by the DPI by September 1, 2015.
- \$50,000 of these costs will be charged across the eight Jefferson County member libraries, and built into each library's CAFÉ services agreement. Each library has the option to spread their setup charge over five years, but must pay their remaining balance before exiting the CAFÉ system. Each Jefferson County member library is expected to sign and return their CAFÉ services agreement by September 1, 2015.
- All funds for the project will not be spent until all CAFÉ agreements are signed, and additional state aids funding is secured.

The CAFÉ fund balance at the start of 2015 was \$412,899. The estimated CAFÉ fund balance remaining after appropriating \$113,300 to the 2015 budget is \$299,599. Currently, the Department estimates a net positive cash flow through the end of 2015. There are no County tax levy funds in the CAFÉ Fund.

Lawrence M. Dahl

Lawrence Dahl
Accounting Manager

6/22/2015

ST

BAJ #2015-00005282