

ENROLLED ORDINANCE 171-37

AMEND THE TEXT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
SUBDIVISION CONTROL ORDINANCE TO INCORPORATE MINIMUM LOT
SIZE AND WIDTH REQUIREMENTS (SZ-1459N)

WHEREAS, the Waukesha County Board of Supervisors, on June 23, 1970, passed and adopted the Waukesha County Shoreland and Floodland Subdivision Control Ordinance, and

WHEREAS, the Waukesha County Board of Supervisors may make amendments to such Ordinance pursuant to Section 236.45, Wisconsin Statutes, and

WHEREAS, recent changes to State shoreland zoning laws and rules prompt the need to re-locate minimum lot size and width requirements from the Waukesha County Shoreland and Floodland Protection Ordinance to the Waukesha County Shoreland and Floodland Subdivision Control Ordinance, and

WHEREAS, the proposed amendments were prepared in accordance with the recommendations of the Waukesha County Shoreland Zoning Advisory Committee and were the subject of a public hearing held on July 12, 2016, and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the Ordinance amendments approved by the Land Use, Parks and Environment Committee and as set forth on the attached Exhibit "A" entitled "Amendments to the Waukesha County Shoreland and Floodland Subdivision Control Ordinance" are hereby approved.

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

BE IT FURTHER ORDAINED that this Ordinance shall become effective on September 28, 2016.

EXHIBIT “A”

Proposed Amendments to the Waukesha County Shoreland and Floodland Subdivision Control Ordinance

- Repeal and re-create Section 7.5(A) to read as follows:

The lengths, widths, and shapes of blocks shall be determined by provisions for building sites suitable to meet the needs of the type of use contemplated; lot size and dimension requirements of this section and Table 1; needs for convenient access; circulation, control and safety of street traffic; and limitation and opportunities of topography. Block lengths shall normally not exceed two thousand (2,000) feet, or be less than six hundred (600) feet in length.

- Create Section 7.5(E) to read as follows:

Lot area and width shall comply with the standards set forth in Table 1 of this Ordinance. Said standards are also cross-referenced in the Waukesha County Shoreland and Floodland Protection Ordinance.

- Create Table 1 as follows:

Minimum Lot Area and Width Requirements

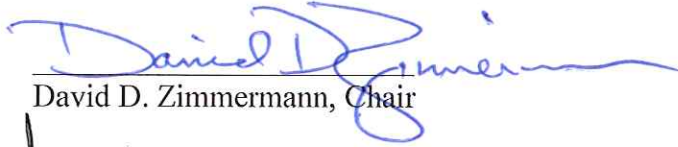
	Minimum Lot Size	Minimum Lot Width
A-B Agricultural Business District	Five (5) acres, unless the Town Plan Commission determines that an existing use on a smaller parcel is appropriate and consistent with Section 13(a) of the County Shoreland & Floodland Protection Ordinance.	Three hundred (300) feet.
A-1 Agricultural District	Three (3) acres.	Two hundred (200) feet.
A-2 Rural Home District	Three (3) acres.	Two hundred (200) feet.
A-3 Suburban Estate District	Two (2) acres.	One hundred seventy-five (175) feet.
A-4 Country Estate District	One and one-half (1 1/2) acres.	Two hundred (200) feet.
A-5 Mini-Farm District	Five (5) acres.	Three hundred (300) feet.
AD-10 Agricultural Density-10 District	One acre.	One hundred fifty (150) feet.
A-T Agricultural Transition District	Twenty (20) acres.	Three hundred (300) feet.
B-1 Restricted Business District*	Thirty thousand (30,000) square feet.	One hundred twenty (120) feet.
B-2 Local Business District*	Thirty thousand (30,000) square feet.	One hundred twenty (120) feet.
B-3 General Business District*	Thirty thousand (30,000) square feet.	One hundred twenty (120) feet.

B-4 Community Business District	Sewered: Twenty thousand (20,000) square feet. Unsewered: Total site may not be less than ten (10) acres with outlots being created by a PUD.	One hundred twenty (120) feet (sewered) and two hundred forty (240) feet (unsewered).
B-P Mixed Use Business Park District	<u>Sewered</u> : Twenty thousand (20,000) square feet. <u>Unsewered</u> : Forty thousand (40,000) square feet.	One hundred twenty (120) feet (sewered) and two hundred forty (240) feet (unsewered).
C-1 Conservancy District and C-1 Conservancy Overlay District	There are no specific minimum lot area or width requirements although conservancy zoned lands that lie within a larger parcel or tract of land, the remainder of which is zoned in any other district, shall have a minimum area requirement of that non-conservancy district, as specified in this table.	
EC Environmental Corridor District and E-C Environmental Corridor Overlay District	Two acres. Density parameters also apply pursuant to the Waukesha County Shoreland & Floodland Protection Ordinance.	None
EFD Existing Floodplain Development Overlay District	The lot area requirements of the base underlying zoning district shall apply. If no underlying use district has been established, the lot size provisions of the R-3 District shall apply.	The lot width requirements of the underlying zoning district shall apply. If no underlying use district has been established, the lot width provisions of the R-3 District shall apply.
FLC Farmland Conservancy District	Thirty-five (35) acres for agricultural parcels. New residences require rezoning to R-1 District and compliance with maximum parcel size standards of the Waukesha County Shoreland and Floodland Protection Ordinance.	None
FLP Farmland Preservation District	Thirty-five (35) acres for agricultural parcels. New residences require rezoning to R-1 District and compliance with maximum parcel size standards of the Waukesha County Shoreland and Floodland Protection Ordinance.	None
HG High Groundwater District	Five (5) acres, except that for HG lands that lie within a larger parcel or tract of land, the remainder of which is zoned in any other district, said parcel shall comply with the minimum (gross) parcel size requirement of that non HG district.	None
M-1 Limited Industrial District	One (1) acre.	One hundred fifty (150) feet.
M-2 General Industrial District	One (1) acre.	One hundred fifty (150) feet.
Q-1 Quarrying District	Three (3) acres.	Two hundred (200) feet.

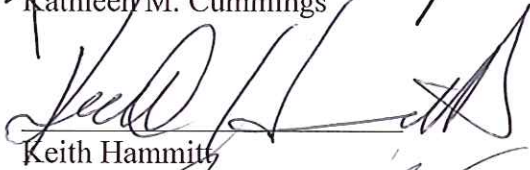
R-1 Residential District*	One (1) acre. Note: Maximum parcel size requirements of the Waukesha County Shoreland & Floodland Protection Ordinance apply to lands rezoned R-1 from FLP or FLC Districts.	One hundred fifty (150) feet.
R-2 Residential District*	Thirty thousand (30,000) square feet.	One hundred twenty (120) feet.
R-3 Residential District*	Twenty thousand (20,000) square feet.	One hundred twenty (120) feet.
RRD-5 Rural Residential Density District	One (1) acre.	One hundred and fifty (150) feet.
*Thirty percent (30%) reduction in lot area and width requirements available if property is served by public sewer.		
Lot size and lot width requirements may be reduced pursuant to Conditional Use or other provisions of the Waukesha County Shoreland and Floodland Protection Ordinance.		

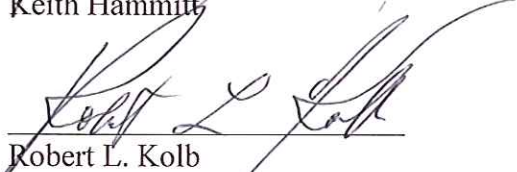
AMEND THE TEXT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
SUBDIVISION CONTROL ORDINANCE TO INCORPORATE MINIMUM LOT
SIZE AND WIDTH REQUIREMENTS (SZ-1459N)

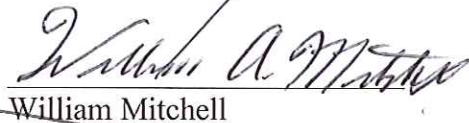
Presented by:
Land Use, Parks, and Environment Committee

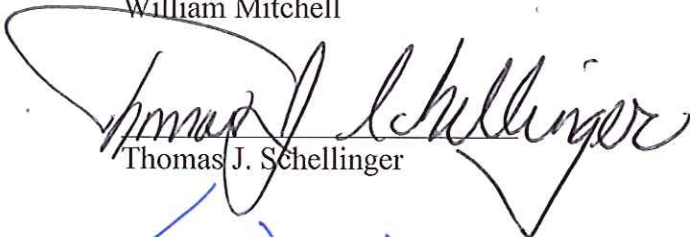

David D. Zimmermann, Chair

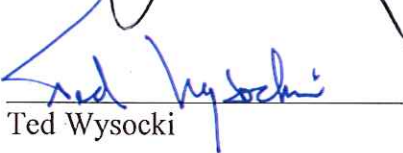

Kathleen M. Cummings


Keith Hammitt


Robert L. Kolb


William Mitchell


Thomas J. Schellinger


Ted Wysocki

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

Date: 9/27/16, 
Kathleen Novack, County Clerk

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

Approved: X
Vetoed: _____
Date: 10/4/16, 
Paul Farrow, County Executive

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENTS TO THE
WAUKESHA COUNTY SHORELAND AND FLOODLAND
SUBDIVISION CONTROL ORDINANCE

FILE NO.: SZ-1459N
DATE: August 18, 2016
PETITIONER: Waukesha County Park and Planning Commission

REQUEST:

Text amendments are proposed to the Waukesha County Shoreland and Floodland Subdivision Control Ordinance to incorporate minimum lot size and width requirements which are currently specified in the Waukesha County Shoreland and Floodland Protection Ordinance (SFPO).

PUBLIC HEARING DATE:

July 12, 2016.

PUBLIC COMMENT:

One individual stated that he did not fully understand the proposed amendment. The Planning and Zoning Staff clarified that recent law changes necessitated the insertion of minimum lot size and area requirements into the County subdivision control ordinance to ensure that the density constraints of the County Development Plan can be implemented. Staff clarified that the amendment is limited to adding a single table to the ordinance that specifies lot size requirements. The lot size information will be cross referenced within the SFPO.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY:

The County Development Plan calls for different densities and patterns of development to allow for a wide range of land uses and development patterns in appropriate settings. The proposal is to maintain the existing lot size requirements of the SFPO by introducing a table into the subdivision control ordinance which ensures that the County Development Plan can be successfully implemented as new development and land divisions are proposed.

STAFF ANALYSIS:

Recent law changes prompt the need to incorporate minimum lot size and width standards that have long been part of the SFPO into the Shoreland and Floodland Subdivision Control Ordinance. The proposal is to list zoning district lot area and width requirements in a table format within the subject ordinance. A cross reference to these area and width requirements is proposed to remain as part of the pending related SFPO update. A copy of the proposed text amendments is attached as Exhibit "A." A copy of the attached proposed text amendments (shown in final format with all changes accepted) and a "track changes" version (deletions in strike-through and text additions in colored font) are available for viewing on the Planning and Zoning Division webpage at www.waukeshacounty.gov/planningandzoning - click "2016 Shoreland and Floodland Subdivision Control Ordinance Amendments."

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved. The introduction of a table containing lot area and width standards is a minor change to the ordinance that ensures that density standards of the County Development Plan can be implemented.

Respectfully submitted,

Jason Fruth

Jason Fruth,
Planning and Zoning Manager

Exhibit "A"

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\1459N SFSCO Text Amendment.Doc

D1 - Kolb	AYE		D14 - Wood	AYE
D2 - Zimmermann	Notified		D15 - Mitchell	(M) AYE
D3 - Morris	AYE		D16 - Crowley	AYE
D4 - Batzko	AYE		D17 - Paulson	AYE
D5 - Dondlinger	AYE		D18 - Nelson	AYE
D6 - Walz	AYE		D19 - Cummings	AYE
D7 - Grant	AYE		D20 - Schellinger	AYE
D8 - Michalski	AYE		D21 - Zaborowski	AYE
D9 - Heinrich	AYE		D22 - Wyssocki	AYE
D10 - Swan	AYE		D23 - Hammitt	(2) AYE
D11 - Howard	AYE		D24 - Whittow	AYE
D12 - Wolff	AYE		D25 - Johnson	AYE
D13 - Decker	AYE			

171-O-037

Passed (24 Y - 0 N - 1 Absent)

Majority Vote

