

ENROLLED ORDINANCE 174-009

AMEND THE TEXT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
SUBDIVISION CONTROL ORDINANCE TO INCORPORATE MINIMUM LOT SIZE AND
WIDTH REQUIREMENTS FOR THE DOWNTOWN OKAUCHEE DISTRICT (RZ31)

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, the proposed amendments were prepared in accordance with the recommendations of the Downtown Okauchee Zoning Advisory Committee and were the subject of a public hearing held on February 21, 2019; 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 Table 1 entitled "Proposed 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 upon passage and approval.

TABLE 1
Proposed Amendments to the
Waukesha County Shoreland and Floodland Subdivision Control Ordinance

Modify Table 1 as follows (additions are in italics):

Minimum Lot Area and Width Requirements

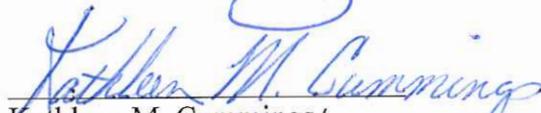
	Minimum Lot Size	Minimum Lot Width
A-B Agricultural Business District	Five (5) acres, unless the Town Plan Commission determines that an existing use on a smaller parcel is appropriate and consistent with Section 13(a) of the County Shoreland & Floodland Protection Ordinance.	Three hundred (300) feet.
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.	
<i>DOD Downtown Okauchee District</i>	<i>Fourteen thousand (14,000) square feet.</i>	<i>Eighty-four (84) feet.</i>
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

(over)

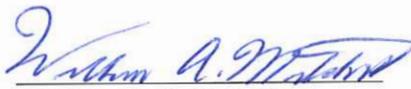
AMEND THE TEXT OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND
SUBDIVISION CONTROL ORDINANCE TO INCORPORATE MINIMUM LOT SIZE AND
WIDTH REQUIREMENTS FOR THE DOWNTOWN OKAUCHEE DISTRICT (RZ31)

Presented by:
Land Use, Parks, and Environment Committee

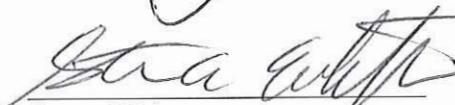

David D. Zimmermann, Chair

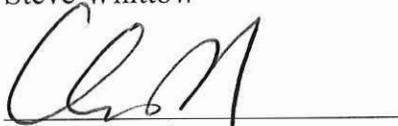

Kathleen M. Cummings


Keith Hammitt


William A. Mitchell


Thomas J. Schellinger


Steve Whittow


Chuck Wood

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

Date: April 26 2019, 
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 4/29/19, 
Paul Farrow, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Subdivision Control Ordinance, hereby recommends approval of **(RZ31 Waukesha County Park and Planning Commission - Text Amendments)** in accordance with the attached "Staff Report and Recommendation."

PARK AND PLANNING COMMISSION

March 21, 2019


Robert Peregrine, Chairman


William Mitchell, Vice Chairman


Richard Morris


James Siepmann

Absent
William Maslowski


Thomas Michalski

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.: RZ31
DATE: March 21, 2019
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 for the newly proposed Downtown Okauchee District.

PUBLIC HEARING DATE:
February 21, 2019.

PUBLIC COMMENT:
None.

STAFF ANALYSIS:
As part of a concurrent text amendment (RZ29), a new Downtown Okauchee Zoning District is proposed. Minimum lot size and lot width standards need to be established for the creation of new lots. Recent state law changes prohibit the county from establishing variable lot size and width standards as part of the shoreland zoning ordinance. Therefore, in 2016, the county established a lot size and width table (Table 1) as part of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance. This amendment proposes to incorporate a minimum lot size of 14,000 sq. ft. and a minimum lot width of 84 ft. for lots within the Downtown Okauchee Zoning District. The proposed lot size and width are the same as the R-3 Residential District. The District further allows reductions to the proposed lot size and width requirements as part of a Conditional Use process in order to accommodate well designed mixed-use and multi-family developments, neo-traditional neighborhoods and residential cluster developments.

STAFF RECOMMENDATION:
It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposal to incorporate the minimum lot size and width requirements for the newly proposed Downtown Okauchee District ensures that lot sizes within the new district are appropriately cross referenced within the land division control ordinance.

Respectfully submitted,

Amy Barrows

Amy Barrows
Senior Planner

Attachment: Proposed Table 1 of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance



Voting Results for Ordinance 174-O-008

Amend The Text Of The Waukesha County Shoreland And Floodland Subdivision Control Ordinance To Incorporate Minimum Lot Size And Width Requirements For The Downtown Claiborne District (R231)

Passed By Majority Vote

AYE: 22

NAY: 0

ABSENT: 3

D1 - Foti	AYE
D2 - Zimmermann	Motion
D3 - Morris	AYE
D4 - Batzko	AYE
D5 - Dondlinger	AYE
D6 - Walz	AYE
D7 - Grant	AYE
D8 - Michalski	AYE
D9 - Heinrich	AYE
D10 - Swan	AYE
D11 - Howard	ABSENT
D12 - Wolff	ABSENT
D13 - Decker	AYE

D14 - Wood	Second	AYE
D15 - Mitchell		AYE
D16 - Crowley		AYE
D17 - Paulson		AYE
D18 - Nelson		AYE
D19 - Cummings		AYE
D20 - Schellinger		AYE
D21 - Gaughan		AYE
D22 - Wysocki		AYE
D23 - Hammitt		AYE
D24 - Whittow		ABSENT
D25 - Johnson		AYE