



**CITY OF WAUKESHA**

**Administration**

201 Delafield Street, Waukesha, WI 53188  
 Tel: 262.524.3701 fax: 262.524.3899  
 www.waukesha-wi.gov

<b>Committee:</b> Click here to enter text.	<b>Date:</b> Click here to enter a date.
<b>Common Council Item Number:</b> 19-1448	<b>Date:</b> 11/5/2019
<b>Submitted By:</b> Brian Running	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator KL
<b>Finance Department Review:</b> Rich Abbott, Finance Director Click here to enter text.	<b>City Attorney's Office Review:</b> Brian Running, City Attorney BER
<b>Subject:</b> Resolution to exercise extraterritorial zoning jurisdiction in certain parts of the Town of Waukesha.	

<p><b>Details:</b>          Cities are given the authority to exercise zoning powers beyond their municipal boundaries in unincorporated lands, by Wis. Stats. §62.23(7a). That authority is called extraterritorial zoning, or ETZ. For Class 3 cities, ETZ jurisdiction can extend as far as 3 miles outside the City's borders. The principle underlying ETZ is that unincorporated lands adjacent to cities may be annexed into cities, so it's sensible to make sure that zoning is compatible with the zoning of the city into which the lands might eventually be annexed. There are many islands of the Town of Waukesha within the boundaries of the City of Waukesha, and the boundary between the City and Town is extremely irregular, making those areas very likely for eventual annexation into the City. Therefore, the City should exercise its ETZ authority in those areas to ensure compatibility with the City's comprehensive plan. The first step in doing that is to pass a resolution declaring the City's intent to do so, and then publishing the resolution after its passage.</p> <p>After the resolution is passed, an interim zoning ordinance is passed, which places a hold on any zoning changes within the ETZ area and directs the Plan Commission to prepare a comprehensive zoning ordinance for the ETZ area, in compliance with the City's comprehensive land-use plan.</p>
<p><b>Options &amp; Alternatives:</b>          Not exercising ETZ jurisdiction would allow the Town of Waukesha to create zoning regulations that are incompatible with the City's land use plan. This would defeat the purpose of good land-use policy and perpetuate the fractured state of the town islands and irregular boundaries on the south side of the City.</p>
<p><b>Financial Remarks:</b>          There is no financial impact to the City.</p>
<p><b>Executive Recommendation:</b>          Pass the resolution as presented and direct City staff to proceed according to its terms.</p>

