

**CITY OF WAUKESHA****Administration**

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Committee: Click here to enter text.	Date: Click here to enter a date.
Common Council Item Number: 19-1435	Date: 11/5/2019
Submitted By: Brian Running	City Administrator Approval: Kevin Lahner, City Administrator KL
Finance Department Review: Rich Abbott, Finance Director Click here to enter text.	City Attorney's Office Review: Brian Running, City Attorney BER
Subject: Interim zoning ordinance to exercise extraterritorial zoning jurisdiction in certain parts of the Town of Waukesha.	

Details:

This ordinance creates Municipal Code §22.75, an interim zoning ordinance to exercise extraterritorial zoning in certain designated parts of the Town of Waukesha, in conjunction with the resolution that also appears on this agenda. The ordinance designates the parts of the Town I which ETZ will be exercised by the City. Note that it does not encompass the entire area in which the City could exercise its jurisdiction, it only covers parts that are important for the City to have control over at this time. In general, these are parts that as in parts of the Town most likely to be annexed into the City and which are likely to be developed or redeveloped. One of the areas is a town island along Sunset Drive that the Town of Waukesha proposes to be included in a tax increment district as part of its effort to incorporate as a village under the special-interest "Town of Windsor" statute, as we have previously discussed.

This ordinance is not required to go to the Plan Commission, Wis. Stat. §62.23(7a) specifically allows the Council to pass it without going through the usual steps for a zoning ordinance. This ordinance also did not go to the Ordinance & License Committee, in the interest of passing it quickly and making it effective as soon as possible. For the same reason, it is requested that the three readings rule be suspended for this ordinance and that it be passed and published immediately.

Options & Alternatives:

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.

Financial Remarks:

There is no financial impact to the City.

Executive Recommendation:

Pass the ordinance as presented, waive the three readings rule, and direct City staff to proceed according to its terms.

