



City of Waukesha
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Committee: Plan Commission	Date: 12/6/2024
Agenda Item Number: 24-11295	Date: 12/18/2024
Submitted By: Brian Running	City Administrator Approval: Anthony W. Brown, City Administrator
Finance Department Review: Joseph P. Ciurro, Finance Director	City Attorney's Office Review: Brian Running, City Attorney
Subject: Repeal of Mun. Code §22.69(5)(b), supermajority voting requirement for zoning amendments.	

Details: State law formerly provided that zoning amendments would require a $\frac{3}{4}$ supermajority vote if a protest petition from adjacent property owners were filed. Our Mun. Code §22.69(5)(b) was created to mirror the state law. The state law provision was repealed in 2017, but the City opted to retain the supermajority requirement in §22.69(5)(b). Now, the state has passed 2023 Act 16, one provision of which states that zoning amendments only require a simple majority to pass. The provision takes effect on January 1, 2025, in order to give municipalities time to bring their codes into compliance. The repeal of §22.69(5)(b) will bring our code into compliance with Act 16.
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Options & Alternatives: There is no alternative, this is required by state law.

Financial Remarks: There is no financial impact to the City.
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Executive Recommendation: Approval of the repeal of Mun. Code §22.69(5)(b), and recommendation to the Common Council to pass an ordinance doing so.
