



Wauwatosa, WI

Community Affairs Committee

Meeting Agenda - Final

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, July 25, 2023

7:30 PM

Council Chambers and Zoom:
<https://servetosa.zoom.us/j/82923188685>,
Meeting ID: 829 2318 8685

Regular Meeting

HYBRID MEETING INFORMATION

Members of the public may observe and participate in the meeting in-person or via Zoom at the link above. To access the Zoom meeting via phone, call 1-312-626-6799 and enter the Meeting ID.

CALL TO ORDER

ROLL CALL

ORDINANCES FOR ADOPTION CONSIDERATION

1. Memo regarding proposed Ordinance amending various portions of Chapter 24 of the Wauwatosa Municipal Code (Zoning Code) to modify procedures and update certain sign regulations [23-579](#)

Recommendation: This is the memo and information related to item #2, no action needed

2. Ordinance amending various portions of Chapter 24 of the Wauwatosa Municipal Code (Zoning Code) to modify procedures and update certain sign regulations [23-557](#)

Recommendation: Introduced on July 18, 2023, for adoption consideration

COMMUNITY AFFAIRS COMMITTEE ITEMS

1. Consideration of amendments to Sections 15.14.180, 15.14.185, 15.14.190 of the Wauwatosa Municipal Code related to Planned Unit Development (PUD) signage [23-253](#)
2. Consideration of ordinance amending section 15.14.330 D. of the Wauwatosa Municipal Code to reduce the limitation on the frequency of changes for electronic signs [23-251](#)

ADJOURNMENT

NOTICE TO PERSONS WITH A DISABILITY

Persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (414) 479-8917 or send an email to tclerk@wauwatosa.net, with as much advance notice as possible.



Wauwatosa, WI

7725 W. North Avenue
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Staff Report

File #: 23-579

Agenda Date: 7/25/2023

Agenda #: 1.

Title/Recommendation

Memo regarding proposed Ordinance amending various portions of Chapter 24 of the Wauwatosa Municipal Code (Zoning Code) to modify procedures and update certain sign regulations

Memo Body

A. Background/Options

Attached to this memo are proposed amendments to various sections of the zoning code, primarily for clarification and housekeeping purposes.

The Plan Commission reviewed the proposals at the June 12th meeting and recommended approval 7-0. The required public hearing before the Common Council was held July 18, 2023 with no one appearing to comment on the proposed amendments.

B. Recommendation

Staff recommends approval.

Recommendation: This is the memo and information related to item #2, no action needed



Wauwatosa, WI

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Staff Report

File #: 23-557

Agenda Date: 7/25/2023

Agenda #: 2.

By: Transportation Affairs Committee

Ordinance amending various portions of Chapter 24 of the Wauwatosa Municipal Code (Zoning Code) to modify procedures and update certain sign regulations

The common council of the City of Wauwatosa do ordain as follows:

Part I. Subsection 24.05.040 A. 2. k. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

- k. attractive, high-quality landscaping, lighting, and architecture, including the use of native landscaping, that reflects the unique character of the development.

Part II. Subsection 24.12.010 D. of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

- D. Exceptions. The board of public works is authorized to grant exceptions to the landscaping and screening regulations of this chapter.

Part III. Section 24.14.050 of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

24.14.005. Exceptions.

The board of public works is authorized to grant exceptions to the regulations of this chapter unless otherwise stated.

Part IV. Subsection 24.16.010 C. 4. b. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

- b. The zoning administrator must make a determination of application completeness within seven business days of application deadline.

Part V. Subsection 24.16.010 F. 5. of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

- 5. An applicant may postpone review of an application at any time prior to the scheduled time of a meeting by written or electronic communication to the city clerk. Such item shall be immediately removed from any upcoming agenda and no further action shall be taken until requested by the applicant. Applications with no activity for six months will be considered withdrawn and further consideration of said item must follow the process described within this code for a new application.

Part VI. Subsection 24.16.040 D. 2. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

2. Class 2 notice of the plan commission's required public hearing on a zoning map amendment must be published in accordance with chapter 62.23 (dm) of the Wisconsin Statutes.

Part VII. Subsection 24.16.010 J. of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

- J. Amendments. No modification or alteration of any conditional use permit approved pursuant to this section will be permitted unless approved by the Common Council.
1. Any application for an alteration, extension or other modification will be filed and processed as an original application under this section.
 2. Alterations and modifications shall be subject to the same standards and criteria as original applications and shall be in conformance with all the provisions of this section.
 3. Minor Deviations. Minor deviations to conditional uses including maintenance, repair, or renovation of existing buildings, structures or improvements and alterations, extensions, or other modifications of such uses that do not increase, intensify, expand, substantially change the character of the conditional use, or adversely affect adjacent property or property owners may be authorized by the zoning administrator and do not require approval by the common council.

Part VIII. The definition of "Lot" within subsection 24.18.010 D. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

Lot. A parcel of land under a single tax key number having frontage on a public street or permanent deeded access to a street when zoned /PUD overlay or /SP-MED District, or part of a regional shopping mall, occupied or intended to be occupied by a principal structure together with accessory buildings and uses, sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this ordinance.

Part IX. This ordinance shall take effect on and after its dates of passage and publication.

Recommendation: Introduced on July 18, 2023, for adoption consideration



Wauwatosa, WI

7725 W. North Avenue
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Staff Report

File #: 23-253

Agenda Date: 7/25/2023

Agenda #: 1.

Title/Recommendation

Consideration of amendments to Sections 15.14.180, 15.14.185, 15.14.190 of the Wauwatosa Municipal Code related to Planned Unit Development (PUD) signage

Memo Body

Background

Planned Unit Development (PUD) Signage:

The Committee reviewed a preliminary language for a change to section 15.14.190 on May 30, 2023 and this item is back for a second reading. Since May, staff realized the need for additional sign code amendments related to Planned Unit Developments which is included in the attachment. The May item is also linked.

Recommendation

Staff recommends suspend the rules and adopt on August 1st and amend Sections 15.14.180, 15.14.185, 15.14.190 related to Planned Unit Development signage.

AN ORDINANCE AMENDING SECTIONS 15.14.180 AND 15.14.190 OF THE WAUWATOSA MUNICIPAL CODE, AND CREATING SECTION 15.14.185, ALLOWING SIGNAGE FOR MULTIFAMILY RESIDENTIAL DEVELOPMENTS IN RESIDENTIAL ZONES

The common council of the City of Wauwatosa do ordain as follows:

Part I. Section 15.14.180 of the Wauwatosa Municipal Code of Ordinances is hereby amended by adding a new subsection G. to read in its entirety as follows:

15.14.180 - Residential districts.

Only the following signs are allowed in residential districts:

- A. Temporary signs, including those associated with rummage sales pursuant to the provisions of Chapter 15.36 of this code;
- B. Permanent identification signs located at churches;
- C. Permanent identification signs located at schools;
- D. Permanent historical signs and markers;
- E. Permanent city facility identification signs; and
- F. Election signs in compliance with Section 15.14.290 of this chapter.
- G. Residential District Multifamily Sign where the building exceeds 8 living units.

Part II. Section 15.14.185 of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

15.14.185 – Residential District Multi-Family.

- A. Where a multifamily building exceeds eight living units, a Residential District Multi-Family Sign is permitted subject to this section.
- B. Only one monument sign or building mounted sign is permitted per parcel
- C. Maximum Size. Signs shall not exceed thirty-two square feet in area.
- D. Monument Signs shall not exceed six feet in height.
- E. Monument Signs shall be set back a minimum of five feet from lot lines.
- F. Signs shall not be illuminated.

Part III. Section 15.14.190 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

15.14.190 - Planned unit development overlay districts.

Signage in a planned unit development overlay district shall be controlled by the underlying district sign regulations.

Exception: Signs installed in a planned unit development overlay district prior to July 25, 2023 may be controlled by the provisions in the plan for the development as adopted by the common council.

Part IV. This ordinance shall take effect on and after its dates of passage and publication.



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Staff Report

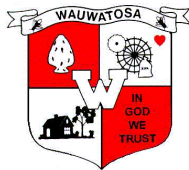
File #: 23-251

Agenda Date: 7/25/2023

Agenda #: 2.

Title

Consideration of ordinance amending section 15.14.330 D. of the Wauwatosa Municipal Code to reduce the limitation on the frequency of changes for electronic signs



ALDERPERSON AGENDA ITEM MEMO

To: Wauwatosa Common Council

From: Ald. Margaret Arney

Date: July 11, 2023

Subject: Proposed ordinance amending frequency of changes for electronic signs

A. Background/Rationale

Wauwatosa has regulated the usage of electronic signs for many years with the intention of minimizing potential traffic hazards and to maintaining the feel of neighborhood and city esthetics. However, over the years the initial restriction of one change per day (2012) was changed to once per hour (2015). We are asked to consider another reduction in interval of message change from 60-minutes to 10-minutes.

B. Key Issues for Consideration

Unity Church has approached the Common Council to change the ordinance once again to shorten the time interval of message changes. They would like their sign to display a larger variety of messages daily. The sign represents a significant investment in advancing their mission to share their faith. I believe they and other owners of electronic signs will benefit from the loosening of the current regulations.

Over the years electronic billboards and signs have become a part of our urban landscape. They appear in front of schools, churches and businesses. There is no evident threat to either traffic safety or neighborhood feel from the presence of the signs. It is unlikely that making a change of message from 60 minute to 10-minute interval will pose a perceptible disturbance.

C. Fiscal Impact

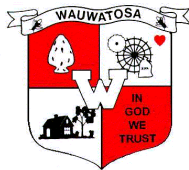
There is no fiscal impact on the Wauwatosa City budget.

D. Requested Action

As the representative for District 2, I recommend adopting the proposed ordinance change to a 10-minute interval frequency as it does not present a traffic hazard or threat to the neighborhood/city esthetic.

E. Attachments

Please see the change proposed below:



ALDERPERSON AGENDA ITEM MEMO

Ordinance O-15-16 AN ORDINANCE AMENDING CHAPTER 15.14 OF THE WAUWATOSA MUNICIPAL CODE MODIFYING RESTRICTIONS ON CHANGEABLE COPY SIGNS

The Common Council of the City of Wauwatosa, Wisconsin do hereby ordain as follows:

Part I: Subsection 15.14.330 D. of the Wauwatosa Municipal Code is hereby amended to read as follows:

D. The copy may only be changed once **per hour 10 minute interval.**

Part II. Subsection 15.14.330

I. of the Wauwatosa Municipal Code is hereby created to read as follows:

I. Illumination levels must be adjustable, and may not be of such brightness that they unreasonably disturb or interfere with ordinary activities in the vicinity of the sign. The Building and Safety Division may set and enforce general rules and guidelines regarding illumination levels, and may direct changes in the illumination level for any specific sign, in order to implement this provision.

Part III. This ordinance shall take effect on and after its date of publication.

Citations:

Scott, Stephanie. "Tosa says 'no' to changing messages more than once a day: Proposal to loosen electronic sign rule fails to gain ground." 21 February 2012, <https://archive.jsonline.com/news/watch/1399333393.html> accessed 11 July 2023

Ordinance 3073 - Changeable Copy Signs. 19 May 2015, <https://mcclibraryfunctions.azurewebsites.us/api/ordinanceDownload/16684/713017/pdf?forceDownload=true> accessed 11 July 2023

PRESENT: Alds. Berdan, Causier, McBride, Moldenhauer, Pantuso, Roznowski, Walz-Chojnacki, Wilke
- 8

ALSO PRESENT: P. Enders, Econ. Dev. Dir.; E. Miller-Carter, Asst. City Atty.; J. Biex, Public Health Mgr; Sgt. J. Mastrocola, Police; J. Archambo, City Admin.; A. Kesner, City Atty.; Mayor Ehley; Alds. Wilson, Birschel

Ald. Roznowski in the Chair called the meeting to order at 8:02 p.m.

Land Division – 11623 W. Mt. Vernon Avenue

Ms. Enders, Economic Development Director, reviewed a request by Stephanie Quinn for a Land Division by Certified Survey Map in the Single Family Residence District at 11623 W. Mt. Vernon Avenue. Ms. Quinn was present and explained that three existing lots are being divided into two equal parcels of more standard widths.

Moved by Ald. McBride, seconded by Ald. Causier to recommend
to Council approval of the Land Division. -8

Zoning Code Amendment – Animal Day Care and Boarding Services as Conditional Use in AA Industrial District

The committee reviewed a request by Lisa and Scott Hooper, Doggy Office LLC, and Rhody Megal, Megal Development Corp., for a zoning code amendment to add animal day care and boarding services as a Conditional Use in the AA Industrial District. Ms. Enders reported that the category currently is a Conditional Use only in the AA Light Manufacturing District, but the intent as the zoning code is being reviewed has been to add it to the AA Industrial District as well. Ald. Causier, as Plan Commission representative, explained that the applicants would like to locate their business in the business/commercial district on N. 124th Street north of W. Capitol Drive where there is no surrounding residential use.

Moved by Ald. Pantuso, seconded by Ald. Causier to recommend
to Council introduction of an ordinance and approval of a resolution
setting a public hearing date. -8

Urban Chicken Farming Discussion

Moved by Ald. Pantuso, seconded by Ald. Walz-Chojnacki to hold
this matter for further discussion in September when more information
from the City of Milwaukee will be available. -8

Transfer of Remnant Fire Station #1 Remnant Parcel to Community Development Authority

Referring to her May 3, 2012 memo regarding the question of transferring the ownership of the Fire Station #1 remnant parcel to the Wauwatosa Community Development Authority (CDA), Ms. Enders explained that this small parcel is seen as a prime redevelopment site in the Village's Strategic Development Plan. A Request for Proposals would be drafted with various criteria a potential developer

would have to meet. Ms. Enders outlined how the process would proceed if the parcel remains under city control or if under CDA control. She emphasized that, although the CDA would handle the PFP process including review and recommendation, this committee and the Common Council would maintain final responsibility in both scenarios.

Ald. Wilson, Vice-Chair of the CDA, noted that the authority was created a short time ago and has not yet had any actionable items. They are very capable and eager to jump into a project like this. In addition, it would provide seed money for future projects inasmuch as the authority is without an operating budget other than city staff assistance.

Moved by Ald. Pantuso, seconded by Ald. McBride to recommend
to Council approval of the transfer of the remnant fire station #1
parcel to the Wauwatosa Community Development Authority –

Alds. Pantuso and McBride spoke in support of the proposal, pointing out that the CDA was created to streamline the redevelopment process in this way and this is a perfect opportunity to fund the CDA without real cost to the city.

Vote on the motion, Ayes: 8

Ald. Roznowski commented that this is an example of the type of thing that would correlate with a reduction in the size of the Council, should that be under consideration again.

Changeable Copy Signs

Moved by Ald. McBride, seconded by Ald. Moldenhauer to leave the
current ordinance in place and direct staff to report back with a
recommendation for appropriate limitations on illumination –

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Vote on the motion, Ayes: 8

The meeting adjourned at 9:10 p.m.