



OFFICIAL PUBLIC HEARING NOTICE

By: *Common Council, City of Brookfield*

Date and Time: *September 7, 2021 at 7:45 pm*

Location: *Council Chambers, Brookfield City Hall
2000 N. Calhoun Rd.
Brookfield, WI 53005*

Applicant: City of Brookfield

Request/Content: Proposal to amend Section 17.112.030 of the Zoning Code to read as follows:

17.112.030 Maintenance and use of setback and offset area.

Any such required setback or offset area shall be landscaped per City standards and kept clean and free from the accumulation of debris or refuse and shall not be used for the storage or display of equipment, products, vehicles or any other material or paved with hard surfaces except approved grass-crete paving systems where consistent with the City's Site Development Standards, provided nothing herein contained shall prevent the installation of a driveway across setbacks or offsets except as provided in district regulations ~~within offset area necessary and incidental to the proper use of the buildings erected on the lot.~~

*The proposed ordinances can be viewed at the City Clerk's office, the City's Web Page at www.ci.brookfield.wi.us, and the Brookfield Public Library

Dated this 19th day of August, 2021

Kelly Michaels, MMC, WCPC
Brookfield City Clerk

Post/Publish Date: August 24 with 2nd summary insertion on August 31, 2021

ANY PERSON WHO HAS A QUALIFYING DISABILITY AS DEFINED BY THE AMERICANS WITH DISABILITY ACT THAT REQUIRES THE MEETING OR MATERIALS TO BE IN AN ACCESSIBLE LOCATION OR FORMAT, MAY CONTACT THE CITY CLERK AT (262)782-9650 OR 2000 NORTH CALHOUN ROAD, FOR ACCOMMODATIONS. REQUESTS FOR ACCOMMODATIONS FOR MEETINGS SHOULD BE MADE AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING. EVERY EFFORT WILL BE MADE TO ARRANGE ACCOMMODATIONS FOR ALL MEETINGS.

Note: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in this notice.

Public Hearing Draft

Proposed changes to existing Code are shown as: new with double underline and deleted with strike-out.

ORDINANCE # _____ OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Plan Commission

Committee Date: [insert mtg date]

Committee Recommendation:[Appr/Deny #-#]

Public Hearing: September 7, 2021

Council Date: [insert mtg date]

Council Action: [Appr/Deny #-#]

Amending §17.112.030 regarding the “Maintenance and use of setback and offset areas”; and §§17.120.040; 17.120.050 and 17.120.060 regarding “Off Street Parking and Loading”

WHEREAS, the City planning staff recommended changes to the regulations regarding offsets and setbacks in non-residential properties to ensure that the required greenspace contained in those areas are not paved, except for the very limited purpose of driveways crossing those spaces; and

WHEREAS, a public hearing was held on September 7, 2021, and

WHEREAS, the Plan Commission considered the request and made a recommendation to the Common Council to adopt such changes to the Code.

NOW THEREFORE, the Common Council of the City of Brookfield do ordain as follows:

PART I. Section 17.112.030 is hereby repealed and recreated as follows:

17.112.030 Setback and offset landscaping, maintenance, and use requirements.

A. Landscaping. Setbacks for all non-residential and those residential uses required to be by §16.16.070 shall be landscaped in accord with the appropriate City site development standards. Offsets for non-residential uses shall be landscaped per the City site development standards for non-residential uses.

B. Maintenance and use. Setbacks and offsets shall be kept clean and free from the accumulation of debris or refuse and shall not be used for the storage or display of equipment, products, vehicles or any other material except as authorized by zoning district regulations.

C. Paving. No offsets in any district nor parking setbacks in non-residential districts may be paved with impervious materials, except for driveways or shared access drives that cross the offset or parking setback.

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PART II. Section 17.120.040 entitled “Screening” is amended as follows:

17.120.040 Screening.

Any off-street parking area other than that provided for a residence which abuts or faces a residence district or which is abutting a street shall provide a planting screen, landscape fence or wall at least four feet in height along the side abutting or fronting on a residence district or abutting a street the width of which has been established as sixty (60) feet or less and said street is abutted on its opposite side by a residence district in accord with the City’s non-residential site development standards.

PART III. Section 17.120.050 entitled “Offset” is amended as follows:

17.120.050 Offset.

In any off-street parking area located in a nonresidential district, no parking, driveways, loading spaces, paving or vehicle storage shall be permitted within twenty-five (25) feet of an abutting residential district, except where the specific regulations of the district in which the use is located require a greater offset or permit a different offset or where the intensive use regulations of Section 17.108.090 apply. No parking, driveways, loading spaces, paving or vehicle storage may be located in the offset.

PART IV. Section 17.120.050 entitled “Setbacks” is amended as follows:

17.120.060 Setbacks.

A minimum twenty-five (25) foot setback is required for parking areas, to be measured from the base setback line, unless specific regulations of the district permit otherwise. No parking, driveways, loading spaces, paving or vehicle storage may be located in the setback.

PART V. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART VI. If any section or portion of this ordinance shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any

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other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

PART VII. The provisions of this ordinance shall be in full force and effect from and after its passage and publication.

Adopted this [insert day] day of [insert month] [insert year].

Approved:

Mayor Steven V. Ponto

Attested:

City Clerk Kelly Michaels

Publication Date: