

**AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN  
FOR THE TOWN OF DELAFIELD**

**WHEREAS**, the Town Board of the Town of Delafield adopted Ordinance No. 2009-002 on April 30, 2009, titled "AN ORDINANCE TO ADOPT THE COMPREHENSIVE PLAN FOR THE TOWN OF DELAFIELD, and

**WHEREAS**, the Wisconsin Department of Administration, Comprehensive Planning Grant Administrator provided a letter to the Town dated May 18, 2009 stating that "some of the requirements did not seem to be satisfied", specifically "goals and objectives for joint planning between the Town of Delafield and surrounding governmental jurisdictions", and "identification of existing and potential conflicts between the local government unit and other governmental units" all being part of Intergovernmental Cooperation; and

**WHEREAS**, the Town of Delafield prepared language to be incorporated into the Comprehensive Plan (Exhibit B) to address items identified in said letter; and

**WHEREAS**, on June 2, 2009 the Town Plan Commission recommended to the Town Board adoption of the proposed amendments enumerated in Resolution No. 09-587A, in the interest of the health, safety and welfare of the general public; and

**WHEREAS**, on August 11, 2009, the Town Board held a public hearing to consider public comments regarding adoption of the amendment to the Comprehensive Plan for the Town of Delafield, following due notice being provided in compliance with the requirements of Wisconsin Statutes Sections 66.1001(4)(d), 66.1001(4)(e) and 66.1001(4)(f); and

**WHEREAS**, the Town Board for the Town of Delafield, having carefully reviewed the recommendation of the Town Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, and having given the matter due consideration, has determined that the amendments to the comprehensive plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Delafield which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

**NOW, THEREFORE**, the Town Board of the Town of Delafield do hereby ordain as follows:

**Section 1.** The Town of Delafield Comprehensive Plan Chapter 2 entitled "Trends, Issues, Opportunities and Planning Standards", Section entitled "Specific Development Objectives" is hereby repealed and recreated as follows:

## SPECIFIC DEVELOPMENT OBJECTIVES

Within the framework established by the general development objectives a secondary set of more specific objectives, which are directly relatable to physical development plans, and which can be at least crudely quantified has been developed. The specific development objectives are concerned primarily with spatial allocation to, and distribution of, the various land uses; land use compatibility; resource protection; and accessibility.

1. Allocation of space to the various land use categories, which meets the social, physical and economic needs of the Town population.
2. A spatial distribution of the various land uses that will result in a convenient and compatible arrangement of land uses.
3. A spatial distribution of the various land uses which maintains biodiversity and which will result in the preservation and sustainable management of the natural resources of the County.
4. A spatial distribution of the various land uses which is properly related to the supporting transportation, utility, and public facility systems in order to assure the economical provision of transportation, utility and public facility services.
5. The availability of a range of choice among housing designs, sizes, types and costs, recognizing changing trends in age group composition, income, and family living habits.
6. The development and preservation of residential areas within a physical environment that is healthy, safe, convenient, and attractive.
7. The conservation, renewal, and use of existing urban service areas of the region and county, where such use does not conflict with the land use land for the Town of Delafield.
8. The preservation of productive agricultural lands.
9. The preservation and provision of open space to enhance the total quality of the environment, maximize essential natural resource availability, give form and structure to urban development, and provide opportunities for a full range of outdoor recreational activities.
10. Establish boundary agreements with all surrounding communities and within each agreement, set forth policies and procedures to address planning, decision making and conflict resolution.
11. Continue to participate in ongoing regional planning efforts, which include:
  - a. The development of the Waukesha County Comprehensive Plan (28 communities)
  - b. Pebble Creek Watershed Protection Plan (Waukesha County, City of Waukesha, Town of Waukesha, Town of Genesee, Village of Wales)
  - c. Upper Fox River Watershed Communities Stormwater Discharge permit (Town/City of Waukesha, Village of Sussex, City/Village of Pewaukee, Town of Brookfield)
  - d. Lake Pewaukee Sanitary District (City/ Village of Pewaukee)
  - e. Delafield Hartland Sanitary Sewer District (City of Delafield, Village of Hartland)

- f. Hartland Lakeside School District (Village of Hartland)
  - g. Arrowhead School District (Villages of Hartland, Merton, Chenequa and Nashotah, Cities of Delafield and Pewaukee, Towns of Lisbon, Merton, Oconomowoc)
  - h. Kettle Moraine School District (Town of Genesee, Town of Waukesha, Village of Wales)
  - i. Waukesha School District (City of Waukesha)
12. Work in cooperation with Waukesha County to implement the stormwater maintenance and erosion control ordinances.
  13. Provide mutual aid for fire and emergency service to surrounding communities (11 communities)
  14. Continue to follow State Statute requirements with respect to certified survey map and subdivision plat reviews by surrounding communities in which they have extraterritorial plat jurisdiction.

**Section 2.** The Town of Delafield Comprehensive Plan Chapter 2 entitled “Trends, Issues, Opportunities and Planning Standards”, new Section entitled “Existing and Potential Conflicts” is hereby created as follows:

### **Existing and Potential Conflicts**

The Town of Delafield has had and continues to have a good relationship with many of the surrounding communities. The Town has solidified the relationships by adopting border agreements with the Village of Wales, the City of Delafield, the Village of Hartland and City of Pewaukee to permanently fix the boundaries. The Town has friendly and courteous relationships with the Town of Summit and Town of Lisbon. The Town is concerned with potential annexation possibilities by the City of Waukesha, located along the southeastern border of the Town. As the City grows and expands, there is a possibility that portions of the Town could be annexed to the City. A portion of the City of Waukesha’s Sewer Service Area is included in the Town. The Town continues to seek a good working relationship with the City through joint planning and study efforts as noted above; however, it would be in the best interest in the Town to negotiate a border agreement to establish the ultimate municipal boundaries and address land use and sewer service issues.

**Section 3.** The Town engineer/planner shall incorporate said amendment language, along with the language specified in Exhibits A and B of Ordinance No. 2009-002 into the Town of Delafield Comprehensive Plan document.

**Section 4.** Notice. The Town Clerk is directed to provide a copy of this amendment ordinance to the persons and entities described in Wisconsin Statutes Section 66.1001(4)(b), as required by Wisconsin Statutes Section 66.1001(4)(c).

**Section 5.** Severability. The several sections and portions of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall

remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**Section 6.** Effective date. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

ADOPTED THIS 11th day of August, 2009

BY THE TOWN BOARD,  
TOWN OF DELAFIELD



Paul L. Kanter, Town Chair

ATTEST:



Mary T. Elsner, CMC, WCMC, Town Clerk