

June 11, 2008

The Honorable
Members of the Zoning, Neighborhoods and Development Committee

Honorable Members:

Pursuant to s. 295-307-7-b of the Milwaukee Code of Ordinances, the Zoning Code Technical Committee, on June 5, 2008, reviewed Common Council File Number 080195, an ordinance relating to storm water management regulations.

Based on this review, the Committee found as follows:

- With respect to legality and enforceability, the City Attorney's representative on the Committee indicated that there remains one legal issue in the original version of the proposed ordinance that requires closer examination by the City Attorney's Office. This relates to the provision in the original version, under s. 295-403-2-e-4, which requires a property owner or developer to make a one-time contribution of \$1,000 for each parking space for a general retail establishment above the maximum number permitted by the zoning code. Contributions made by property owners and developers would be placed in a special purpose fund known as the dedicated green space fund and used for the acquisition of land to be preserved as open space, improving existing open space, funding storm water best management practice projects, etc.
- With respect to administration efficiency and consistency with the format of the zoning code, the proposed ordinance meets these standards, provided certain changes are made. These changes are reflected in the proposed substitute that is attached to this letter.

The Committee moved to recommend approval of the ordinance with the changes shown in the proposed substitute and subject to further City Attorney examination of the proposed dedicated green space fund provision and potential redrafting of this provision.

Respectfully Submitted,

Teodros W. Medhin, Ph.D.
Chair, Zoning Code Technical Committee