

CITY OF FRANKLIN

ENVIRONMENTAL COMMISSION MEETING

Wednesday, June 23, 2021 – 7:00 P.M.

FRANKLIN CITY HALL

Common Council Chambers

9229 West Loomis Road, Franklin, Wisconsin

AGENDA

- I. CALL TO ORDER AND ROLL CALL**
- II. CITIZEN COMMENT**
- III. APPROVAL OF MINUTES**
 - A. Minutes of the regular meeting of May 26, 2021
- IV. UNFINISHED BUSINESS**
 - A. Environmental Commission involvement in the City of Franklin's National Night Out program Tuesday, August 3, 2021.
 - B. Review of articles for the City of Franklin Newsletter, from the Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program [this item/event is in process due to COVID-19 related restrictions], including educational materials for Buckthorn (invasive species), that is, website information and QR (Quick Response) code (a two-dimensional barcode used to share website links).
 - C. Wisconsin Department of Natural Resources programs for presentation at the City of Franklin Library-dates/schedule [this item/event is in process due to COVID-19 related restrictions].
 - D. Update on Buckthorn Subcommittee activity and/or proposals.
- V. NEW BUSINESS**
 - A. City of Franklin street tree list update-best list reviews.
 - B. Environmental Commission participation in City of Franklin Unified Development Ordinance (UDO) Task Force, to provide assistance in revisions to the Natural Resource Protection Standards and other elements of the City of Franklin UDO.
- VI. SCHEDULE NEXT MEETING**
 - A. July 28, 2021

VII. DISCUSSION OF FUTURE AGENDA ITEMS

- A. Audubon Society new program on gardening for the birds, bees and butterflies update.

VIII. ADJOURNMENT

Notice is given that a majority of the Common Council may attend this meeting to gather information about an Agenda item over which they have decision making responsibility. This may constitute a meeting of the Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

Notice is given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's office at (414) 425-7500.

CITY OF FRANKLIN
ENVIRONMENTAL COMMISSION MEETING MINUTES
May 26, 2021

unapproved

CALL TO ORDER & ROLL CALL

- I. Chairman Arthur Skowron called the May 26, 2021 regular meeting of the Environmental Commission to order at 7:00 p.m. in the Common Council Chambers, Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

On roll call, the following were in attendance: Chair Arthur Skowron, Vice Chair Linda Horn, Alderman Dan Mayer and Commissioners Patricia Pomahac, Jamie Groark, Sudarshan Sharma and James Cieslak. Also present was Associate Planner Marion Ecks.

CITIZEN COMMENT

- II. The citizen comment period opened at 7:01 p.m. and closed at 7:06 p.m.. One citizen was present.

APPROVAL OF MINUTES

Minutes of the special meeting of April 28, 2021.

III.

- A. Commissioner Cieslak moved and Alderman Mayer seconded approval of the minutes of the regular meeting held April 28, 2021 as presented. On roll call vote, all voted 'aye'. Motion carried (7-0-0).

UNFINISHED BUSINESS

Review of Arbor Day event on May 1, 2021.

IV.

- A. Turnout was very good; residents lined up before library opened. Tom Riha, City of Franklin Forester, and Pat Bruss, Wild Ones, were present along with Environmental Commission members to hand out tree saplings to Franklin residents. Suggestions for Arbor Day 2022:

- 1) have more shrubs available
- 2) patio planter trees would be a good idea for condo residents.

Discussion only. No action taken.

Review of articles for the City of Franklin Newsletter, from the Root-Pike WIN (Watershed Initiative Network), a 501(c)(3) non-profit organization founded in 2001, program [this item/event is in process due to COVID-19 related restrictions], including educational materials for Buckthorn (invasive species), that is, website information and QR (Quick Response) code (a

- B. The current June 2021 newsletter contains an article on Buckthorn identification and infestation along with resources containing additional information. Associate Planner Ecks reported Nan Calvert, Root-Pike, WIN will also have future articles. The next newsletter deadline is June 18 with July 19, 2021 as delivery date. Discussion only. No action taken.

two-dimensional barcode used to share website links).

Wisconsin Department of Natural Resources programs for presentation at the City of Franklin Library-dates/schedule [this item/event is in process due to COVID-19 related restrictions].

City of Franklin rain garden (2 at City Hall, 1 at City of Franklin public library) bed status.

NEW BUSINESS

Natural Resource Features Special Exception application by Croatian Eagles Soccer Club, (Federation of Croatian Societies, Inc., property owner) for the purpose of allowing for grading of approximately 0.05 acres of wetland buffer and 0.19 acres of wetland setback, and installation of stormwater facilities (west of the turf field), for conversion of the existing grass soccer field into a 230 foot by 355 foot artificial turf soccer field, and installation of additional lighting, upon properties located at 9100 South 76th Street and 9220 South 76th Street, such properties zoned P-1 Park District and C-1 Conservancy District (Tax Key Nos. 884-9995-000 and 884-9996-000).

Election of Officers: Chairman, Vice-Chairman and Chairman's appointment of the Secretary.

C. Commissioner Pomahac will check with the library director to see what dates are available for early October 2021. Contact will be made with the Wisconsin DNR and Milwaukee Riverkeeper to see their speaker topics and availability. Discussion only. No action taken.

D. Library rain garden to be maintained by library volunteers. City of Franklin rain gardens (2) will be maintained by citizen present at meeting who lives adjacent to City Hall. Discussion only. No action taken.

V. Natural Resource Features Special Exception
A. application by Croatian Eagles Soccer Club, (Federation of Croatian Societies, Inc., property owner) for the purpose of allowing for grading of approximately 0.05 acres of wetland buffer and 0.19 acres of wetland setback, and installation of stormwater facilities (west of the turf field), for conversion of the existing grass soccer field into a 230 foot by 355 foot artificial turf soccer field, and installation of additional lighting, upon properties located at 9100 South 76th Street and 9220 South 76th Street, such properties zoned P-1 Park District and C-1 Conservancy District (Tax Key Nos. 884-9995-000 and 884-9996-000).

Commissioner Cieslak moved and Vice Chair Horn seconded a motion to approve the Natural Resource Special Exception application by the Croatian Eagle Soccer Club. Approval is subject to the following conditions:

- a) the applicant shall provide mitigation for Natural Resource impacts.
- b) the applicant shall submit conservation easements for areas of preserved natural resources
- c) the applicant shall provide conservation and mitigation information on related plans, including maintenance information and provide for financial sureties for their implementation. On voice vote, all voted 'aye'. Motion carried (7-0-0).

B. Election of Officers: Chairman, Vice-Chairman and Chairman's appointment of the Secretary

Chairman

Alderman Mayer moved and Commissioner Pomahac seconded a motion to nominate Vice Chair Linda Horn

as Chair. On voice vote, all voted 'aye'. Motion carried (7-0-0).

Vice-Chairman

Commissioner Cieslak moved and Alderman Mayer seconded a motion to nominate Commissioner Jamie Groark as Vice Chair. On voice vote, all voted 'aye'. Motion carried (7-0-0).

Secretary

Chair Horn appointed Commissioner Pomahac as Secretary.

Chairman Arthur Skowron was thanked for his years of service to the Environmental Commission.

Commission appointment of subcommittee members to review Buckthorn proposals for addition to noxious weeds list.

Commission appointment of subcommittee members to review Buckthorn proposals for addition to noxious weeds list.

C.

Motion #1

Vice Chair Groark moved and Alderman Mayer seconded a motion to form a subcommittee to review Buckthorn proposals and to look at addition of Buckthorn to the noxious weed list. On voice vote, all voted 'aye'. Motion carried (7-0-0).

Motion #2

Alderman Mayer moved and Chair Horn seconded a motion to approve Commissioner Cieslak and Vice Chair Groark to the subcommittee. On voice vote, all voted 'aye'. Motion carried (7-0-0).

City Forester Tom Riha was not present. Discussion to be continued at the June 23rd meeting.

D.

City of Franklin street tree list update-best list reviews.

June 23, 2021

VI.

SCHEDULE NEXT MEETING

A.

DISCUSSION OF FUTURE AGENDA ITEMS

VII.

Commissioner Cieslak contacted Audubon Society and Wild Ones for participation in Franklin's National Night Out.

A.

Environmental Commission involvement in the City of Franklin's

National Night Out program
Tuesday, August 3, 2021.

Audubon Society new program on
gardening for the birds, bees and
butterflies update.

ADJOURNMENT

Notice is given that upon reasonable
notice, efforts will be made to
accommodate the needs of disabled
individuals through appropriate aids
and services. For additional
information, please contact the
Franklin City Clerk's office at (414)
425-7500.

B.

Alderman Mayer moved and Vice Chair Groark
seconded to adjourn the Environmental Commission
meeting on May 26, 2021 at 8:12 p.m.. On voice vote,
all voted 'aye'. Motion carried (7-0-0).

VIII.

DRAFT

Marion Ecks

From: Russart, Brian <Brian.Russart@milwaukeecountywi.gov>
Sent: Wednesday, June 9, 2021 11:09 AM
To: James Cieslak
Cc: Tom Niemiec; Diane Lembck; Marion Ecks; Burmeister, Emilie
Subject: Re: Buckthorn

Good Morning Jim,

I apologize for the slow reply, but this is a very busy time of year for my staff and me. I also wanted to think through your request so I could provide you with the most meaningful response. I'm basing my comments on my 24 years of land management experience, with a heavy invasives management component, and from my experience as a past President of the SE WI Invasive Species Consortium which is our regional invasive species education/outreach organization.

I've always felt Franklin has been one of our more pro-active municipalities within the county when it comes to promoting conservation, and I have always appreciated your efforts. I certainly understand the City's desire to get a better handle on invasive species populations within your municipal boundaries. My staff, our partner organizations, and our dedicated volunteers spend a significant amount of time each year working to remove invasive species from the Park System's natural areas across the larger county. At last count we work on roughly 40 different invasive plant species within the Park System on an annual basis. We do spend the majority of our staff time focusing on what we consider *rapid response* invasive species within the Park System's natural areas. These are species that are not yet common in the Park System, and we do have some ability to control their spread before they become more widespread like buckthorn, garlic mustard, etc. That doesn't mean we don't target common invasives such as buckthorn, however those control efforts are typically focused on our highest quality upland forests where we can make meaningful and measurable progress.

In hearing about the Environmental Commission's initial draft of the new buckthorn restrictions in Franklin I did have some concerns from the County's perspective. Milwaukee County Parks owns approximately 3,400 acres of natural areas within Franklin's municipal boundaries. The reality is that we only have 4 full-time Natural Areas staff to manage those 3,400 acres, and invasive species control is only one component of the work we do in our natural areas. The same 4 employees also have to manage another 7,000 acres of the Park System's natural areas that aren't located in Franklin. To be honest, from a purely logistical standpoint, I don't see how the Parks Dept. could ever meet the standards of a restrictive buckthorn control requirement in the City of Franklin. We just don't have the necessary resources.

Another concern is that large scale invasive species removal at any site can have potential negative impacts on sensitive species of wildlife that are currently using that habitat. One example would be Franklin Savanna which has a heavy buckthorn understory. Based on our recent wildlife research, this site has the largest breeding population of wood thrushes in Milwaukee County. Wood thrushes, a bird species of conservation concern across North America, prefer to nest in a dense understory under a mature tree canopy, which are the current habitat conditions at the site. If Franklin required the immediate removal of buckthorn from this site it would mean the complete loss of this breeding wood thrush population. It would also require a significant and repeated application of pesticides across the site. We also have several rare amphibians that breed at Franklin Savanna and wide scale use of pesticides at the site could be very detrimental to these

species which only breed at a handful of other sites within the county. While the ultimate removal of invasives at the site is the Parks desire, it has to be at a very measured pace to replace habitat as other habitat is removed.

Managing buckthorn in a residential backyard is relatively straight forward but managing it across an ecologically diverse site is far more complex. In reality, in ecologically more complex sites it may take decades to remove embedded invasive species populations in a way that causes the least harm and restores a site in a way that is ecologically and logistically feasible to manage/preserve long-term.

My advice to the Environmental Commission, and truly just advice because I do not feel it is ever my place to tell another municipality how to conduct their business, is to fully consider the pro's and con's of mandating a strict buckthorn control policy. From the perspective of removing invasive species from Franklin's jurisdiction you may want to consider focusing on those invasive species that aren't yet common in Franklin. Making sure your citizens are not planting and your retailers aren't selling species listed on the DNR's NR40 invasive species list, making sure contractors aren't introducing invasives by transporting soil and vegetation on heavy equipment into Franklin, and inventorying your invasive species populations on City owned properties. This would allow you to prevent new invasives from becoming the next buckthorn, educate your citizens and businesses, and get a clear picture of how restrictive ordinances would directly impact the important natural areas owned by the City.

With common and widespread invasive species, a measured and well thought out approach has always been the most successful avenue for Parks as we've worked to reduce invasive species from our natural areas. I've been in my position with Parks for 13 years now and we are just now starting to see the benefit of consistent invasives species removal from some of the Park System's most important natural areas. We admittedly have a long way to go, but many of our highest quality sites are down to maintenance level invasive species populations. Meaning we can work at a site for 1-2 days on invasives each year vs spending 1-2 months at the site removing invasives.

Parks is working on the final draft of an internal invasive species management policy, and it should be finished later in the year for the Parks Executive Director to review and approve. When that is complete, I would be happy to share it with the City.

I'm also happy to answer any additional questions you may have, and please feel free to share my response with the full Environmental Commission.

Thank you and have an excellent day

Brian Russart

Natural Areas Supervisor

Milwaukee County Parks

T: 414-257-6521 / 414-378-5521

Brian.Russart@milwaukeecountywi.gov
countyparks.com

From: James Cieslak <cieslakjames3@gmail.com>

Sent: Saturday, May 29, 2021 1:25 PM

To: Russart, Brian <Brian.Russart@milwaukeecountywi.gov>

Cc: Tom Niemiec <kneemic@gmail.com>; Diane Lembck <lombck6492@wi.rr.com>; Marion Ecks <mecks@franklinwi.gov>

Subject: Buckthorn

This email originated from outside of Milwaukee County. Use the Phish Alert Report button to have IMSD review this message if you think it is a phishing attempt.

As you probably know, Franklin is considering a very strict ordinance to eradicate this plant as much as possible. Given all the county-owned land within the city, I am wondering how aggressive the county is in dealing with this problem? Is this realistic? Are there other plants that are a bigger problem, or should be included in this project? Does the county have an eradication plan or process that could be shared with the city? I could probably go on with more questions, but it would be better if someone from the county could attend the next Environmental Commission meeting. We meet next on June 25th at 7 pm and a Zoom connection is possible. Please let me know if someone from the county can join us, and I will have the city clerk's staff contact your person with the Zoom details. Thanks for all your help.

Jim Cieslak

262-666-0931

Franklin Environmental Commission

Wisconsin Metro Audubon

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Province of Alberta

WEED CONTROL ACT

Statutes of Alberta, 2008
Chapter W-5.1

Current as of December 15, 2017

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Weed Control Act* that are filed as Alberta Regulations under the Regulations Act.

Alta. Reg. *Amendments*

Weed Control Act

Weed Control19/2010 125/2016

WEED CONTROL ACT

Chapter W-5.1

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HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Definitions

- 1** In this Act,
- (a) “bylaw” includes, in respect of an improvement district or special area, an order made by the local authority;
 - (b) “chief administrative officer” means
 - (i) the chief administrative officer of a local authority appointed under the *Municipal Government Act*, or
 - (ii) if subclause (i) does not apply, an officer of a local authority designated by the local authority;
 - (c) “control” means

- (i) to inhibit the growth or spread, or
- (ii) to destroy;
- (d) “destroy” means
 - (i) to kill all growing parts, or
 - (ii) to render reproductive mechanisms non-viable;
- (e) “inspector” means a person appointed as an inspector pursuant to Part 2;
- (f) “land” includes
 - (i) fixtures on the land, and
 - (ii) the land down to the low water mark of a stream, lake or other body of water that borders or is located on land;
- (g) “local authority” means
 - (i) in respect of an improvement district or a special area, the Minister responsible for the *Municipal Government Act*, or
 - (ii) in respect of all other municipalities, the council of the municipality;
- (h) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (i) “municipality” means
 - (i) a municipality or improvement district formed under the *Municipal Government Act*,
 - (ii) a municipality formed under a special Act, or
 - (iii) a special area constituted under the *Special Areas Act*;
- (j) “noxious weed” means a plant designated in accordance with the regulations as a noxious weed and includes the plant’s seeds;
- (k) “occupant” means, subject to section 26, a person who occupies, exercises control over or has the right to occupy or exercise control over land;
- (l) “owner” means

- (i) in respect of land, subject to section 26, the person who is registered as an owner of the land under the *Land Titles Act*, or
- (ii) in respect of personal property, the person who
 - (A) is the legal owner of it,
 - (B) has lawful possession of it, or
 - (C) has the right to exercise control over it;
- (m) “prohibited noxious weed” means a plant designated in accordance with the regulations as a prohibited noxious weed and includes the plant’s seeds;
- (n) “seed-cleaning facility” means a building, structure or vehicle that is designed, intended or used to clean, grade or size seed.

Part 1 Weed Control

Noxious weeds — control

2 A person shall control a noxious weed that is on land the person owns or occupies.

Prohibited noxious weeds — destroy

3 A person shall destroy a prohibited noxious weed that is on land the person owns or occupies.

Spread of weeds prohibited

4(1) Subject to the regulations, a person shall not use or move any thing that, if used or moved, might spread a noxious weed or prohibited noxious weed.

(2) Subsection (1) does not apply if the thing is used or moved in a manner directed by an inspector under section 13.

Disposal and storage of weed seeds

5(1) A person shall not deposit or permit to be deposited noxious weed seeds or prohibited noxious weed seeds where they might spread.

(2) A person shall store refuse that may contain noxious weed seeds or prohibited noxious weed seeds, including screenings from

cleaning, sizing or grading seed, in a container that will prevent the scattering of the seeds.

(3) Subsection (2) does not apply if the refuse is disposed of in a manner directed by an inspector under section 13.

Seed-cleaning facility

6(1) A person shall not operate a seed-cleaning facility or provide a seed-cleaning facility for rent or lease

- (a) unless the person is licensed under the regulations, and
- (b) except in accordance with the terms of the licence.

(2) Despite subsection (1), a farmer may operate a seed-cleaning facility the farmer owns to process seed for the farmer's personal use.

Part 2 Inspectors

Municipal inspectors

7(1) A local authority shall appoint inspectors to enforce and monitor compliance with this Act within the municipality.

(2) If the Minister directs an inspector appointed under section 8 to enforce and monitor compliance with this Act within a municipality on the municipality's behalf,

- (a) an appointment of an inspector previously made by the local authority is void, and
- (b) the local authority shall not make any further appointments until the Minister revokes the direction.

Provincial inspectors

8(1) The Minister may appoint inspectors to enforce and monitor compliance with this Act within Alberta.

(2) The Minister may direct an inspector appointed under subsection (1) to enforce and monitor compliance with this Act on behalf of a municipality if

- (a) the Minister gives advance written notice to the municipality, and
- (b) in the opinion of the Minister,

- (i) the local authority failed to appoint sufficient inspectors to enforce and monitor compliance with this Act, or
- (ii) the inspectors appointed by the local authority are not properly enforcing and monitoring compliance with this Act.

Municipal inspectors — joint authority

9 An inspector appointed by a municipality may, with the consent of the local authority of another municipality, enforce and monitor compliance with this Act within the other municipality.

Inspector's identification

10(1) A person who appoints an inspector shall provide the inspector with identification in the form required by the Minister.

(2) An inspector shall, on request, produce the inspector's identification while acting under the authority of this Act

- (a) in respect of land, to the occupant or owner of the land, and
- (b) in respect of personal property, to the owner of the personal property.

Part 3

Inspector's Powers and Notices

Obstruction of inspector

11 A person shall not wilfully obstruct or delay an inspector in the exercise of the inspector's duties or powers to enforce and monitor compliance with this Act.

Entry and inspection power

12(1) An inspector may enter land or inspect land or personal property at a reasonable time

- (a) to monitor compliance with this Act, including making inquiries, taking samples or performing tests, or
- (b) to enforce an inspector's notice, local authority's notice or Minister's notice in accordance with section 18.

(2) An inspector shall not enter a building unless the owner or occupant of the land on which the building is situated

- (a) consents, or

(b) has been given a written notice.

(3) Subsection (2) does not apply if the building is, or is part of, a seed-cleaning facility, grain-handling facility or auction market.

(4) An inspector shall not enter a private residence unless the occupant of the land consents.

(5) A written notice under subsection (2)(b) must

(a) name a reasonable time of entry, and

(b) be given at least 24 hours before the time of entry.

Inspector's notice

13(1) If an inspector finds non-compliance with this Act, an inspector may give an inspector's notice in writing requiring compliance

(a) in respect of land, to the occupant of the land and to the owner of the land, and

(b) in respect of personal property, to the owner of the personal property.

(2) If an inspector finds prohibited noxious weeds that have not been destroyed, the inspector shall give an inspector's notice requiring the prohibited noxious weeds to be destroyed.

Contents of inspector's notice

14(1) An inspector's notice must direct the method, subject to the regulations, and time for compliance with this Act.

(2) The notice may contain directions, including limiting the use of land, for the year in which it is given and the following year.

(3) The notice must not require the destruction of crops unless in the inspector's opinion the destruction of crops is necessary to control noxious weeds or destroy prohibited noxious weeds.

(4) The notice must not require the destruction of more than 20 acres of growing crops unless the local authority of the municipality in which the crops are growing has consented in writing.

(5) Subsection (4) does not apply if the growing crop

(a) does not have a significant commercial value, or

- (b) is a crop of noxious weeds or prohibited noxious weeds.

Local authority's notice

15(1) A local authority may give a local authority's notice to control noxious weeds and to destroy prohibited noxious weeds to the owners and occupants of land in a subdivided area that does not exceed 20 acres.

(2) The notice may direct the method, subject to the regulations, and the time for the destruction of the weeds.

(3) The notice may contain directions for the year in which it is given.

Minister's notice

16(1) The Minister may, by order, give a Minister's notice requiring a person to cease an activity that, in the opinion of the Minister, is in contravention of this Act.

(2) The notice may prohibit

- (a) the activity that, in the opinion of the Minister, is in contravention of this Act,
- (b) the use of any facility, and
- (c) the use or movement of anything as specified in the order.

(3) The notice must

- (a) contain the reasons for the making of the notice, and
- (b) be served on the person to whom it is directed.

(4) The Minister may apply by way of originating notice to the Court of Queen's Bench to seek an order of the court directing the person to comply with the Minister's notice.

Compliance with notice

17(1) A person given a notice under this Part in accordance with section 24 shall, subject to the right to appeal an inspector's notice or a local authority's notice, comply with the notice.

(2) If a notice of appeal is filed, a notice is stayed until

- (a) the appeal is disposed of, and

- (b) a review by the Minister under section 20 is completed or the time to apply for a review has expired.
- (3) If there is a conflict between notices given under this Act,
 - (a) a Minister's notice prevails over a local authority's notice or an inspector's notice, and
 - (b) an inspector's notice prevails over a local authority's notice.

Enforcement of notice

18 An inspector, or any person authorized by an inspector, may take any action that the inspector determines is necessary to fulfil a requirement of a notice given under this Part that has not been complied with when

- (a) in respect of an inspector's notice or a local authority's notice,
 - (i) the appeal period in the regulations has expired or the appeal has been determined, and
 - (ii) the request for review period in the regulations has expired or the request has been considered,
- or
- (b) in respect of a Minister's notice, a court order referred to in section 16 has been served on the person to whom the notice was directed.

Part 4

Appeal of Inspector's Notice or Local Authority's Notice

Appeals

19(1) A local authority shall establish, at least annually, an independent appeal panel to determine appeals of inspector's notices, local authority's notices and debt recovery notices.

(2) A person who is given an inspector's notice, local authority's notice or debt recovery notice may, in accordance with the regulations, appeal it to an appeal panel.

(3) The appeal panel may confirm, reverse or vary the inspector's notice, local authority's notice or debt recovery notice.

Review

- 20(1)** An appellant may, in accordance with the regulations, request a review by the Minister of a decision of an appeal panel.
- (2)** The Minister may confirm, reverse or vary the decision of the appeal panel and the decision of the Minister is final.

Part 5

Recovery of Inspector's Expenses

Inspector's notices and local authority's notices

- 21(1)** Expenses incurred by an inspector enforcing an inspector's notice or a local authority's notice are a debt due to the local authority by the person subject to that notice.
- (2)** The chief administrative officer shall give a debt recovery notice to the debtor
- (a) demanding recovery of the debt due, including a statement of expenses, and
 - (b) advising of the debtor's right to appeal the debt recovery notice.
- (3)** A local authority may recover the debt due in accordance with subsection (4) from any person who is given a debt recovery notice if
- (a) the person has agreed in writing to repay the debt due,
 - (b) the person's rights of appeal and review of the debt recovery notice under sections 19 and 20 have expired, or
 - (c) the appeal and review of the debt recovery notice have been determined.
- (4)** A local authority may recover the debt due from any person who is given a debt recovery notice in either or both of the following manners:
- (a) in the same manner as property taxes against land to which the inspector's notice or local authority's notice relates;
 - (b) by filing a certificate with the clerk of the Court of Queen's Bench at any judicial centre certifying the amount owing.
- (5)** A certificate filed under subsection (4)(b) becomes an order of the Court of Queen's Bench and may be enforced as a judgment of that court.

(6) Repealed 2017 c22 s51.

2008 cW-5.1 s21;2011 c14 s29;2017 c22 s51

Minister's notice

22(1) Expenses incurred by the Minister to enforce a Minister's notice are a debt due to the Minister by the person subject to the notice.

(2) The debt due may be recovered by an action in debt.

Appointment of municipal inspector

23(1) The salary and expenses incurred by the Minister with respect to an inspector directed by the Minister to enforce and monitor compliance with this Act on behalf of a municipality under section 8 are a debt due to the Minister by the municipality.

(2) The debt due may be recovered

- (a) by withholding it from a grant or other money payable to the municipality by the Crown, or
- (b) by bringing an action in debt.

Part 6 Miscellaneous Matters

Service of notices

24(1) A notice given under Part 3 or 5 must

- (a) be in the form required by the Minister, and
- (b) be served on a person in accordance with subsection (2) or (3).

(2) The notice, except for a local authority's notice, must be served on a person

- (a) by delivering it personally to the person,
- (b) by leaving it with a person who appears to be 18 years of age or older at the private residence or place of business of the person, or
- (c) if service under clause (a) or (b) is impractical,
 - (i) by posting the notice
 - (A) on the land or, if practicable, on the personal property to which the notice relates, or

(B) at the private residence of the person intended to be served,

and

(ii) by sending a copy of the notice by regular mail

(A) in respect of land, to the last address listed in the assessment roll of the municipality for the owner of the land, or

(B) in respect of personal property, to the last known address of the owner.

(3) A local authority's notice must be sent by regular mail to the last address listed in the assessment roll of the municipality for the owner of the land subject to the notice.

(4) For the purpose of this section, a notice sent by regular mail is deemed to have been received by the person 7 days from the date of mailing.

Subsequent owner or occupant subject to notice

25(1) A notice given under this Act is effective against a subsequent owner or occupant of the land or a subsequent owner of personal property from the time the notice was originally given.

(2) An owner of land or personal property shall provide a copy of the notice to a person before that person enters into an agreement to acquire the interest in the land or personal property.

(3) A chief administrative officer shall, on request, provide a mortgagee or purchaser of land a copy of all active notices given under this Act that relate to that land.

Highways — designated owner or occupant

26(1) If a highway is owned or occupied by a municipality, the local authority may

(a) in respect of an improvement district or a special area, by order, or

(b) in respect of all other municipalities, by bylaw,

provide that for the purposes of this Act a person is the owner or occupant of the highway to the highway's midpoint to the extent that the person is the owner or occupant of land that borders the highway.

(2) If a local authority makes an order or bylaw under subsection (1), the municipality is not an owner or occupant of the land for the purposes of this Act.

(3) A bylaw or order made under subsection (1) is not effective unless the Minister approves it.

(4) In this section, “highway” means a highway as defined in the *Traffic Safety Act* and includes the land on which it is situated.

Refusal, revocation or suspension of licence

27 The Minister may refuse, revoke or suspend a seed-cleaning facility licence if the applicant or holder has, in the Minister’s opinion, contravened this Act.

Offence and penalty

28 A person who contravenes this Act is guilty of an offence and liable to a fine of not more than \$5000 or, in the case of failure to comply with a Minister’s notice, a fine of not more than \$1000 for each day the offence continues.

Disposition of fines

29 A fine imposed for an offence under this Act committed within a municipality belongs to the municipality.

Regulations

30 The Minister may make regulations

- (a) respecting the designating of a plant as a noxious weed or prohibited noxious weed, generally or in respect of any part of Alberta;
- (b) respecting the directions that may be given in a notice under Part 3 of this Act;
- (c) respecting the sale, use, handling or movement of a thing that might contain or cause the growth or spread of noxious weeds or prohibited noxious weeds;
- (d) respecting appeals, appeal panels and reviews of appeals;
- (e) respecting the licensing of a person who operates a seed-cleaning facility or who provides a seed-cleaning facility for rent or lease;
- (f) respecting forms for the purposes of this Act.

Act binds Crown

31 The Crown is bound by this Act.

32 *(This section amends the Public Lands Act; the amendment has been incorporated into that Act.)*

Repeal


33 The *Weed Control Act*, RSA 2000 cW-5, is repealed.

Coming into force

34 This Act comes into force on Proclamation.

(NOTE: Proclaimed in force June 17, 2010.)



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INVASIVE PLANTS OF OHIO

Fact Sheet 2

Common & Glossy Buckthorns *Rhamnus cathartica*, *Frangula alnus*

GLOSSY BUCKTHORN



DESCRIPTION:

Glossy and common buckthorns are woody shrubs or small trees that can attain a height of 20 feet. The cut stems reveal a distinctive yellow sapwood and pink to orange heartwood.

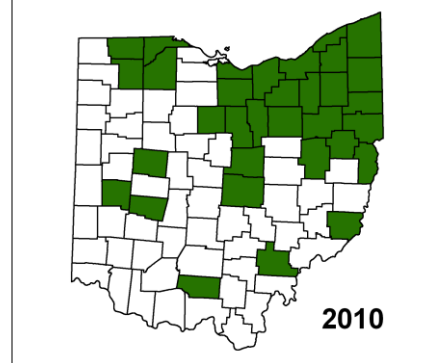
Glossy buckthorn has gray-brown bark and lightly-colored lenticels giving the bark a speckled appearance. Leaves are 1-3 inches long, shiny dark green above, oval-shaped and slightly wavy. The creamy-green flowers are 5-

petaled. Plants flower from May to June. The purple-black fruits ripen from July to September. The fernleaf buckthorn variety 'Asplenifolia' has been discovered in bogs and other peatlands in northeastern Ohio. Another form, tallhedge buckthorn 'Columnarus,' is a rare, local escape.

Common buckthorn has slender, glabrous stems often tipped with a spine. Leaves are 1 to 2½ inches long, oval, rounded or pointed at the tip and have jagged, toothed margins. The upper and lower leaf surfaces are without hairs. Leaves appear dark, glossy green on the upper surface and stay green late into fall. This dioecious shrub has small, 4-petaled yellowish-green flowers. Its dark purple-black fruits ripen July to September.

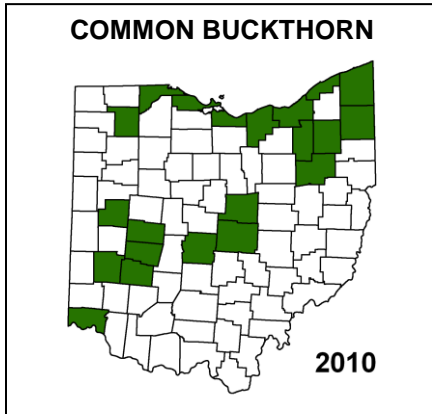
These buckthorns were introduced to North America from Eurasia as ornamental shrubs for fence rows and wildlife habitat. Introduction of buckthorn was based on its hardiness and ability to thrive in a variety of soil and light conditions. Both species are well-established in central and northern Ohio. These species may be confused with Ohio's native buckthorns, alder-leaved (*Rhamnus alnifolia*), lance-leaved (*R. lanceolata*), and Carolina buckthorns (*R. caroliniana*), which are uncommon or rare in the state.

GLOSSY BUCKTHORN



HABITAT:

Glossy buckthorn invades wetlands, which includes swamps, bogs, fens and wet meadows. It also occurs in upland habitats such as open woods, woodland edges, old fields and roadsides. Common buckthorn is primarily an invader of uplands, such as open woods, woodland edges, prairies, and open fields. It also invades flat woods, fens, and other moist to wet habitats, but less frequently than glossy buckthorn.



INVASIVE CHARACTERISTICS:

Glossy and common buckthorns tend to form dense, even-aged thickets (of seedlings, saplings, or sprouts), crowding and shading out native shrubs and herbs, often completely displacing them.

CONTROL:

Mechanical: Hand-pulling can be effective for small populations. The entire plant, including the roots, should be removed or re-sprouting may occur. For thickets of seedlings or small saplings, repeated mowing or bush-hogging may be effective, but

vigorous re-sprouting will occur. Cutting or mowing invigorates both buckthorn species to resprout, often creating a larger problem, particularly in wetlands, so mechanical methods are generally ineffective. Prescribed burning may be used, but fire only top-kills the stems and must be repeated on a 3-5 year frequency to reduce sprouting. Most glossy buckthorn sites are often too wet to accomplish effective burning.

Chemical: Selective herbicide application is the most effective control method for woody, invasive plants. Herbicide can be applied to foliage during the growing season, cut stems (at the time of cutting), or the bark of the lower portions of the stems/trunks. Cut stem and basal bark application can be done in the dormant season, but is most effective when temperatures are above freezing. Herbicides for foliar application include Roundup, AquaNeat, Garlon 3A with Escort, Krenite with Escort, Razor, Accord, and Arsenal. Herbicides for cut stem or basal bark include Garlon 4, Stalker, Pathfinder II, and Pathway (RTU). Residual herbicides such as Escort may be necessary to control re-sprouting, but care should be taken if non-target plants are in the vicinity. Only some of these herbicides are approved for wetland habitats. Many herbicides require a penetrating or sticking agent such as Penevator Basal Oil or Nu-Film-P.



Biological: Biological controls are not available for either buckthorn species at this time.

Credits and additional information:

Plant Conservation Alliance-Alien Plant Working Group
 Ohio Department of Natural Resources, www.ohiodnr.gov
 The Nature Conservancy, Ohio Chapter
 OIPC website, www.oipc.info

Note: Maps of species' ranges are based on records as of 2010.

Invasive Plants in Alberta



February 2014

Agdex 640-14

Acreages

Land owners and occupiers are responsible for controlling noxious weeds and destroying prohibited noxious weeds under the *Alberta Weed Control Act*. Listed plants in the Act cause problems for the environment, health or economy. Know your responsibilities under the Act. Regardless of where plants are located, prevention is always the most effective approach in dealing with invasive plants.

What You Need to Know

What is the problem?

Acreages are the interface between urban and rural living. They offer the opportunity to enjoy gardening, hobby farming and closer contact with nature while being within reach of the amenities of urban life.

Acreage owners often do not have an agricultural background and may sometimes be less familiar with invasive plants than those who grew up in rural areas.

Ornamental plants can escape from gardens and become invasive, spreading into natural areas or agricultural land.

Acreage owners may not use commercial class pesticides available to farmers and commercial pesticide applicators without proper certification, except for those authorized in provincial legislation.

Currently, herbicides available to acreage owners have the following active ingredients:

- acetic acid

- glyphosate
- 2,4-D alone or in combination with dicamba or mecoprop or both

Acreage owners can purchase these products in domestic as well as commercial class products and sizes. For further information, please refer to the Alberta Government Environmental Code of Practice for Pesticides.

Species to watch out for

Many agricultural and pasture weeds can occur on acreages:

- leafy spurge (*Euphorbia esula*)
- yellow toadflax (*Linaria vulgaris*)
- scentless chamomile (*Tripleurospermum inodorum*)
- Canada thistle (*Cirsium arvense*)
- perennial sow-thistle (*Sonchus arvensis*)
- common tansy (*Tanacetum vulgare*)
- field scabious (*Knautia arvensis*)
- burdock (*Arctium* species)



Leafy spurge (*Euphorbia esula*)

Some plants grown as ornamentals can also escape and become invasive. Watch out for the following:

- ox-eye daisy (*Leucanthemum vulgare*)
- purple loosestrife (*Lythrum salicaria*)
- creeping bellflower (*Campanula rapunculoides*)
- yellow clematis (*Clematis tangutica*)
- dame's rocket (*Hesperis matronalis*)
- Himalayan balsam (*Impatiens glandulifera*)

What you can do

- Be alert for new or unfamiliar plants growing on your property and get them identified.
- Overgrazing can allow weeds to take over in pastures, so limit the number of animals on pastures. Use weed-free hay, if available, when feeding horses and cattle.



Field scabious (*Knautia arvensis*)



Yellow clematis (*Clematis tangutica*)

- Avoid planting invasive species. Non-invasive alternatives are available for many problem ornamentals, such as blazing star (*Liatris*) instead of purple loosestrife. Check out “Weed Wise Gardening” from the Alberta Invasive Species Council.
- Do not plant “wild flower” seed mixes: many of these mixes contain invasive plants. Many Alberta growers can provide native trees, shrubs, grasses and wild flowers.
- Hand pull or dig out small patches of invasive plants before they go to seed or start to spread.
- Some weeds with deep root systems like Canada thistle and perennial sow-thistle can be set back by repeated mowing.
- Re-vegetate disturbed ground with grasses, shrubs or trees to provide strong competition for weeds.



Burdock (*Arctium species*) great, common, woolly

Learn More

Find out more on this topic and access these additional resources at the following web page:
www.agriculture.alberta.ca/invasive-weeds

Green Acreages Guide, from the Land Stewardship Centre

Weed Wise Gardening

Alberta Certified Weed Free Hay Program

Alberta Native Plant Source List



Creeping bellflower (*Campanula rapunculoides*)



Ox-eye daisy (*Leucanthemum vulgare*)



Dame's rocket (*Hesperis matronalis*)



Purple loosestrife (*Lythrum salicaria*)

General principles and resources

- Land owners and occupiers are responsible for controlling noxious weeds and destroying prohibited noxious weeds. Know your responsibilities under the *Alberta Weed Control Act*.
- Learn to identify invasive plants.
- Be alert for invasive plants and respond early when they are found.
- Reduce the introduction of invasive plants as well as the reproduction and movement of their seeds and plant parts.
- Reduce soil disturbance, which makes openings where invasive plants can establish.
- Use effective, appropriate methods to control invasive plants. Alberta Agriculture and Rural Development, Environment and Sustainable Resource Development, municipal Agricultural Fieldmen and Alberta Ag-Info Centre, call 310-FARM (3276), can provide advice on control methods. Always follow label instructions when applying any herbicide.

Alberta Invasive Plant Identification Guide (from Wheatland County)

www.wheatlandcounty.ca/DocumentCenter/View/12

Alberta Invasive Species Council factsheets

www.abinvasives.ca

Alberta *Weed Control Act* and Regulations

www.agriculture.alberta.ca/weedcontrol-act

Alberta Weed Monitoring Network

www.agriculture.alberta.ca/weeds



Himalayan balsam (*Impatiens glandulifera*)



Yellow toadflax (*Linaria vulgaris*)



Scentless chamomile (*Tripleurospermum inodorum*)



Canada thistle (*Cirsium arvense*)



Perennial sow-thistle (*Sonchus arvensis*)



Common tansy (*Tanacetum vulgare*)



Common buckthorn

Rhamnus cathartica (Aka Buckthorn, European buckthorn)

Provincial Designation:
Prohibited Noxious



Photo: Jan Samanek, State Phytosanitary Administration, Bugwood.org



Photo: Chris Evans, River to River CWMA, Bugwood.org

Overview:

Common buckthorn is a deciduous shrub or small tree, introduced from Europe in the early 1800's as an ornamental hedge plant. In Canada common buckthorn was valued for its compact structure and ease of propagation and hardiness, and was widely planted for shelterbelts and ornamental purposes. By the 1920's it was discovered that common buckthorn was an alternate host for an oat crop rust.¹

This shrub is dioecious (each produces only male or female flowers) therefore fruiting trees are always female. Reproduction is primarily by seed – cut stems will re-sprout but roots do not have rhizomes. The extent of the root system seems to vary with site characteristics.

Common buckthorn begins flowering late spring/early summer and flowers can appear with leaf-out. Fruits turn from green to red and to black when ripe by late summer/early fall. The fruits tend to remain on the plant through most of the winter.¹

Common buckthorn forms dense, even-aged

stands which crowd and shade out native understory plants. Most of the fruits fall directly below the parent plant, creating a dense understory of buckthorn seedlings.²

Common buckthorn barks, leaves, and fruits have a strong laxative effect when consumed. Other effects include nausea, stomach cramps, diarrhea, and irritation of the lining of bowels to the point of bleeding.¹

Habitat:

Common buckthorn grows in well drained sand or clay soils, or poorly drained calcareous or alkaline soils. It has a wide range of environmental tolerances (temperature, moisture, substrate, shade) but grows best on fertile, sunny, moist, and disturbed sites. It is hardy to -40 °C.¹

Identification:

Stems: Grow 1-4 m tall in shrub form with many stems and branches. In tree form a single main stem with ascending branches growing to 5-8 m tall. Many branches are

tipped with a thorn 0.5-2.2 cm long. Young bark is smooth with lighter-colored lenticels and older bark is grey scaly.¹ Branches have prominent leaf scars and terminal buds are hairy in winter.³

Leaves: Are simple, elliptic, dull green, and smooth on both surfaces with minutely toothed edges.³ Leaf size is 1.5-7 cm long and 0.9-7 cm wide. Leaves occur near branch tips, are usually opposite but sometimes alternate, and often remain green until falling in late autumn.¹

Flowers: Are small, inconspicuous, and occur in small clusters. Two to eight staminate flowers are clustered in leaf axils, and pistillate flowers occur in clusters of 2 to 15. Fruits can be single or in clusters, borne in leaf axils or at the end of spur branches. Fruits are 5-10 mm in diameter bearing 1-4 seeds. Seeds are 4-5 mm long.¹

Prevention:

Common buckthorn seeds germinate best in disturbed sites. Germination and seedling survival is poor under thick litter layers. Therefore under-planting disturbed wooded

continued next page

Common buckthorn (Continued)

area with native woody species is potentially effective to prevent primary invasion or reinvasion of buckthorns.¹ Seed dispersal is aided by rodent caches and birds consuming the fruits. Common buckthorn fruits have a laxative effect which facilitates dispersal.

Control:

Grazing: Consumption of common buckthorn by cattle in sufficient quantity causes poisoning, and reduces milk quantity and quality. Sheep grazing as control has been experimented with.¹ Invasive plants should never be considered as forage.

Mechanical: Prescribed burning will top kill stems and destroy the seeds but will require repetition. Common buckthorn can also be difficult to ignite. In wetland areas, raising the water table can effectively kill the shrub.² Small plants can be hand pulled when the soil is moist. Larger plants will require some digging to get the root out. Soil disturbance will aid germination of buried seed so these areas will require future control efforts.³

Chemical: Triclopyr is registered for use on buckthorn. Always check product labels to ensure the herbicide is registered for use on the target plant in Canada by the Pest Management Regulatory Agency. Always read and follow label directions. Consult your local Agricultural Fieldman or Certified Pesticide Dispenser for more information.

Biological: As of 2008 two potential agents were being tested.⁴



PhotoS: Leslie J. Mehrhoff, University of Connecticut, Bugwood.org



PhotoS: Leslie J. Mehrhoff, University of Connecticut, Bugwood.org

REFERENCES

- 1 Zouhar, Kris. 2011. *Rhamnus cathartica*, *R. davurica*. In: Fire Effects Information System, [Online]. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory (Producer). Available: <http://www.fs.fed.us/database/feis/> [2012, March 13].
- 2 *Rhamnus cathartica*. Global Invasive Species Database, Invasive Species Specialist Group (ISSG) of the IUCN Species Survival Commission. www.issg.org
- 3 Common buckthorn. Wisconsin Dept. of Natural Resources. www.dnr.wi.gov/invasives/fact/buckthorn_com.htm



City of Franklin UDO Rewrite RFP

Section II - SPECIFICATIONS

I. **Statement of Need**

The City of Franklin is seeking a professional planning consultant to review the current City of Franklin Unified Development Ordinance (hereinafter, "UDO") and prepare a comprehensive revision of the UDO that to better align with the City's environmental and economic development goals. The existing UDO has not been substantially updated since it was formatted for online coding in 2004. This, plus significant procedural and design handicaps, along with changes to state statutes, the City recognizes the need for more than just an incremental reform or modernization of the current UDO. The new ordinance must be readable, understandable by the public, and enforceable.

Background Information

The City of Franklin (City) is issuing a Request for Proposal (RFP) to select a consultant (or team of consultants) to assist in the development and adoption of a comprehensive update to the City's Unified Development Ordinance (UDO) and associated Zoning Map. The UDO is the primary source of land use regulations for the City, including both zoning and subdivision ordinances. The updated UDO is expected to be complimentary to the eventual update of the City's Comprehensive Master Plan. The City anticipates that the new UDO will express a progressive vision that promotes thoughtful growth and protects the health, safety and welfare of the community.

The City last reviewed and updated the Comprehensive Master Plan in 2009, and will need to conduct an update to the Plan which would potentially result in additional revisions to the UDO. Nevertheless, this project was deemed as a higher priority by the City due to several issues arising from the existing UDO. It is envisioned that the new code will seamlessly combine conventional zoning districts with innovative techniques and approaches and 21st Century approaches to land development, management, and sustainability.

The following are pertinent resources on the City's website:

Current City of Franklin Unified Development Ordinance:

<https://www.ecode360.com/33224107>

All City of Franklin ordinances:

<https://www.ecode360.com/FR1719>

City of Franklin Comprehensive Master Plan (adopted October 21, 2009)

<https://www.franklinwi.gov/Departments/Planning/Comprehensive-Master-Plan.htm>

Objectives

The City wishes to achieve a comprehensive rewrite of the UDO based on the following objectives. Potential consultants should consider these as part of their submissions:

1. Ensure that the revised UDO implements the recommendations of the City's Comprehensive Master Plan.
2. Review of all existing zoning classifications with recommendations for additions, deletions, and modifications.
3. Inclusion of innovative and user-friendly graphics that illustrate regulations and make the codes easy to use.
4. Inclusion of provisions that will help the City achieve high-quality infill and redevelopment projects that are consistent with the context of existing development in the area.
5. Develop provisions that reflect the creation of opportunities to establish development centers.
6. Address development procedures – review and suggest improvements based upon compliance with the Comprehensive Master Plan, zoning requirements, and standards and environmental and economic impacts.
7. Incorporate steps to ensure that residential and commercial development is consistent with availability of infrastructure, public services, and the limitations of resources.
8. Promote and support multi-modal transportation options including bicycles and pedestrians.

Pages from UDO RFP 03/16/2021



City of Franklin UDO Rewrite RFP

9. Provide for and promote a sustainably built and natural environment.
10. Manage change among the City's neighborhoods.
11. Evaluate and update overlay districts.
12. Consideration of the impacts of land use on the environment and mitigation requirements for those areas prone to flooding.
13. Provide for and promote incorporation of public spaces and art.

II. Cost of Information Preparation

The costs of developing and submitting a proposal, discussions required to clarify items related to the proposal, and/or future interviews is entirely the responsibility of the applicant. All proposals and other information provided to the City becomes the property of the City. The City reserves the right to use such proposals and other material or information and any of the ideas presented therein without cost to the City.

III. Qualifications

Demonstrate and provide evidence of significant knowledge and experience in providing comprehensive planning and zoning expertise.

IV. Scope of Work

The consultant will work with the City staff and officials to develop a UDO draft that implements the City's environmental and economic development policies. The consultant will propose standards and regulations that reflect the unique place types found in the City's Future Land Use Map and other neighborhoods and employment areas. The draft UDO should reflect current practice and innovations that streamline use review approaches along with potential form-based methods and low-impact development techniques.

The final work program will be development in conjunction with City staff but the scope of work should include the following:

- A. **Current Unified Development Ordinance Diagnosis:** The consultant will work closely with City staff in assessing the advantages and shortcomings of the existing code. This assessment should include the following:
 - o Evaluate and clarify the purpose for each of the zoning districts and associated land uses and development standards.
 - i. Evaluate special (conditional) uses and advise as to what conditions, if any, should apply.
 - ii. Identify components that could provide barriers to achieving environmental sustainability and more affordable housing in the city (such as separation of uses, large building setbacks, low densities, excessive parking requirements).
 - iii. Identify and—working with staff—resolve any inconsistencies such as zoning terms and definitions references through the entire code.
- B. **Guidance regarding Best Practices.** The consultant will review model ordinances (such as the SmartCode and CNU's Project for Code Reform) and zoning regulations in other communities, and then make recommendations—as allowed by Wisconsin laws and regulations—that, at a minimum:
 - i. Allow establishment of accessory dwelling units within existing single-family residences as well as the establishment of housing co-operatives (see Madison's code in particular).
 - ii. Promote high-quality infill and redevelopment projects that are consistent with the context of the existing development area, while protecting the historic nature of downtown Middleton and other unique neighborhoods.
 - iii. Encourage pedestrian- and bicycle-oriented building and site design.
 - iv. Assess parking needs for the involved land uses while factoring in shared parking opportunities and new technologies' impact on parking demand.
 - v. Ensure provision of suitable stormwater runoff and infiltration practices.



City of Franklin UDO Rewrite RFP

- vi. Reduce the City's reliance on Planned Development District zoning.
 - vii. Allows for adaptations of building materials, with flexibility to add and revise newer and more modern technologies that promote environmental sustainability.
 - viii. Identify a process for addressing non-conforming uses.
- C. **Public Outreach.** The consultant will develop a public outreach strategy designed to inform community stakeholders and the general public about the rezoning rewrite project. The consultant will NOT be responsible for facilitating meetings and web/social media interaction.
- D. **Project Coordination and Meetings.** The consultant should anticipate up to six (6) meetings with the City's designated reviewing committee or task force, and regular consultation with the City's project manager.
- E. **Drafting the Document.** The consultant will prepare drafts of the UDO, including graphics, for review by staff and the City's designated reviewing committee or task force, culminating in a final version to be acted upon by the Plan Commission and Common Council.
- F. **Integration of the New Code into User-Friendly Formats.** The consultant will work with City staff as well as its information technology team to make the new code accessible and interactive with the public.
- G. **Process and UDO Completion.**
- i. Process:
 - a. The City wishes to develop and adopt several targeted, high priority updates to the UDO early in the process, then complete a more holistic revision of the remaining document. The consultant will be apprised of these interim amendments as City staff prepares them for adoption, and will be forwarded any adopted amendments for incorporation into the full UDO draft.
 - b. The City would like the consultant to propose an overall project schedule. The process should involve public participation, stakeholders, analysis, the adoption process, etc.
 - ii. UDO Completion:
 - a. The overall UDO process will be complete when it is adopted by the City Council; however, if any edits are included with the adoption of the UDO, the process is complete when an updated version is provided to staff following UDO adoption.
 - b. Assume approximately six (6) months for the adoption process of the final, revised UDO.
 - iii. Expectations: Staff will present and lead the adoption process, but expects the consultant to be present, either in-person or virtually via Zoom conference call, provide presentation materials, incorporate feedback, etc.

V. **Proposal Contents and Format**

In order to be considered as a qualifying proposal, the following information is required. Each submittal should include the items listed below. However, the organization may include additional materials as appropriate.

- A. Five (5) hard copies of the proposal shall be mailed to: Planning Manager, City of Franklin, 9229 W. Loomis Road, Franklin, WI 53132, and one (1) electronic copy shall be transmitted in pdf format emailed to heddy@franklinwi.gov.
- B. An officer who is authorized to execute legal documents on behalf of the organization shall sign the proposal.
- C. Information within the proposal should be clearly marked and formatted with the following sections: