



FRANKLIN CITY HALL CHAMBERS
9229 W. LOOMIS ROAD
FRANKLIN, WISCONSIN

PLAN COMMISSION MEETING AGENDA
Thursday, April 17, 2025 at 6:00 P.M.

A. Call to Order and Roll Call

B. Approval of Minutes

Approval of the regular meeting of April 3, 2025.

C. Public Hearing Business Matters

1. **Update to the city's noise regulations.** An Ordinance to amend Chapter 183 Article XIII Noise and Vibrations of the Municipal Code and repeal Section 15-3.1107 Noise of the Unified Development Ordinance.

D. Citizen comment period. Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.

E. Business Matters

1. **Rock'n Food Truck Rally, Temporary Use.** Food truck event from May 29 to October 31, 2025 (Thursdays only) at the Umbrella Bar upon property located at 7005 S. Ballpark Drive (744 1003 000).
2. **Franklin Field, Temporary Use.** 2025 baseball season from March 21 to September 1, and related operations: food and beverage sales, beverage carts, food truck, graduation ceremony and candy drop; upon property located at 7035 S. Ballpark Drive (744 1003 000).
3. **Department of City Development annual report (2024).**

F. Adjournment

The YouTube channel "City of Franklin WI" will live stream the Plan Commission meeting so the public can watch and listen to it at <https://www.youtube.com/c/CityofFranklinWIGov>. Any questions on this agenda may be directed to the Department of City Development's office at 414-425-4024, Monday through Friday, 8 AM – 4:30 PM.

*Supporting documentation and details of these agenda items are available at City Hall during regular business hours.

**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 Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at 414- 425-7500.]

REMINDERS: Next Regular Plan Commission Meeting: May 8, 2025.

City of Franklin
Plan Commission Meeting
April 3, 2025
Minutes

unapproved

A. Call to Order and Roll Call

Mayor John Nelson called the April 3, 2025 Plan Commission meeting to order at 6:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor John Nelson, Alderwoman Courtney Day, Alderwoman Michelle Eichmann, Commissioners Kevin Haley, Michael Shawgo, Rebecca Specht and Patrick Leon. Also present were City Attorney Jesse Wesolowski, Planning Manager Régulo Martínez-Montilva, Principal Planner Marion Ecks, Planning Associate Nick Fuchs and Director of Administration Kelly Hersh.

Commissioner Leon left the meeting at 6:55. Commissioner Specht left the meeting at 7:20 and returned at 7:21.

B. Approval of Minutes – Regular Meeting of March 20, 2025.

Commissioner Leon moved and Commissioner Shawgo seconded a motion to approve the March 20, 2025 meeting minutes. On voice vote, all voted ‘aye’; motion carried (6-0-0).

C. Public Hearing Business Matters

- 1. Ryan Commons, Planned Development District.** Request for recommendation of an Ordinance to create Section 15-3.0448 of the Unified Development Ordinance for a new Planned Development District (PDD) for a mixed-use development upon property located at 7220 W. Ryan Road (884 9999 000) and to rezone said property from R-8 Multiple-Family Residence District to Planned Development District No. 43 (Ryan Commons).

Planning Associate Fuchs presented the Planned Development District (PDD) request.

The Official Notice of Public Hearing was read in to the record by Planning Associate Fuchs and the Public Hearing opened at 6:07 pm and closed at 6:07 pm.

Commissioner Leon moved and Commissioner Specht seconded a motion to recommend approval of an Ordinance to create Section 15-3.0448 of the Unified Development Ordinance for a new Planned Development District (PDD) for a mixed-use development upon property located at 7220 W. Ryan Road (884 9999 000) and to rezone said property from R-8 Multiple-Family Residence District to Planned Development District No. 43 (Ryan Commons). On voice vote, all voted ‘aye’; motion carried (6-0-0).

E. Business Matters

- 1. Ryan Commons, Comprehensive Master Plan Amendment.** Request to amend the Future Land Use Map designation for property located at 7220 W. Ryan Road (884 9999 000) from Commercial Use to Mixed Use and Areas of Natural Resource Features

Planning Associate Fuchs presented the Comprehensive Master Plan Amendment request.

Alderwoman Eichmann moved and Commissioner Haley seconded a motion to recommend approval of a request to amend the Future Land Use Map designation from Commercial Use to Mixed Use and Areas of Natural Resource Features for property located at 7220 W. Ryan Road (Tax Key No. 884 9999 000). On voice vote, all voted 'aye'; motion carried (6-0-0).

C. Public Hearing Business Matters

1. **Excel Custom Contractors, Area Exception.** Request for approval of an Area Exception to allow for a lot coverage increase for the installation of a deck and stairs, upon property located at 8017 W Bruss Lane (TKN 792 0256 000).

Planning Manager Martínez-Montilva presented the Area Exception request.

The Official Notice of Public Hearing was read in to the record by Planning Manager Martínez-Montilva and the Public Hearing opened at 6:17 pm and closed at 6:17 pm.

Commissioner Leon moved and Alderwoman Eichmann seconded a motion to recommend approval of an Area Exception from Table 15-3.0207 of the Unified Development Ordinance to allow for a maximum lot coverage of 29% (2,994.5 square feet) for the installation of a deck and stairs, exceeding the R-6 Suburban Single-Family Residence District maximum lot coverage of 25% (2,581.5 square feet), upon property located at 8017 W Bruss Lane (TKN 792 0256 000). On voice vote, all voted 'aye'; motion carried (6-0-0).

- D. **Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this meeting agenda.

The citizen comment period opened at 6:19 p.m. and closed at 6:30 p.m..

E. Business Matters

2. **Robert Montgomery, Certified Survey Map.** Request for recommendation of a 2 Lot Certified Survey Map for the creation of two single-family residential lots upon property located at 8570 South 116th Street (Tax Key No. 842 9995 015).

Planning Associate Fuchs presented the Certified Survey Map application request.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend approval of a 2-Lot Certified Survey Map for the creation of two single-family residential lots upon property located at 8570 South 116th Street (Tax Key No. 842 9995 015). On voice vote, all voted 'aye'; motion carried (6-0-0).

3. **Ridgewood Reserve, Final Plat.** Request for recommendation of a Final Plat for the creation of nine single-family residential lots and one outlot upon four existing parcels generally located to the north of West Drexel Avenue, east of South Ridgewood Drive, and west of South 76th Street (Tax Key Nos. 792-9003-000, 792-9005-000, 792-9994-000, and 792-9996-003).

Planning Associate Fuchs presented the Final Plat request.

Alderwoman Eichmann moved and Commissioner Specht seconded a motion to recommend approval of a Final Plat for the creation of nine single-family residential lots and one outlot upon four existing parcels generally located to the north of West Drexel Avenue, east of South Ridgewood Drive, and west of South 76th Street (Tax Key Nos. 792-9003-000, 792-9005-000, 792-9994-000, and 792-9996-003). On voice vote, all voted 'aye'; motion carried (6-0-0).

4. **Cape Crossing Addition No. 2, Final Plat.** Request for recommendation of a Final Plat for the creation of forty-two single-family residential lots upon Outlots 9 and 10 of the Cape Crossing subdivision and Outlot 13 of the Cape Crossing Addition No. 1 subdivision, generally located north of West Ryan Road and west of 116th Street (Tax Key Nos. 890 1072 000, 890 1073 000, and 890 1101 000).

Planning Associate Fuchs presented the Final Plat request.

Commissioner Leon moved and Alderwoman Eichmann seconded a motion to recommend approval of a Final Plat for the creation of forty-two single-family residential lots upon Outlots 9 and 10 of the Cape Crossing subdivision and Outlot 13 of the Cape Crossing Addition No. 1 subdivision, generally located north of West Ryan Road and west of 116th Street (Tax Key Nos. 890 1072 000, 890 1073 000, and 890 1101 000). On voice vote, all voted 'aye'; motion carried (6-0-0).

5. **Whitnall Park Golf Course Clubhouse, Miscellaneous.** Request for an issuance of a Certificate of Appropriateness for proposed alterations to the Whitnall Park Golf Course Clubhouse, a structure within the Historic Root River Parkway District, upon property located at 6751 S 92nd Street (TKN 746 9999 000). Planning Associate Fuchs presented the Final Plat request.

Commissioner Leon moved and Alderwoman Day seconded a motion to approve a Certificate of Appropriateness for alterations to the Whitnall Park Golf Course Clubhouse, a structure within the Historic Root River Parkway District upon property located at 6751 S 92nd Street (TKN 746 9999 000), this approval should be valid for 24 months contingent upon code review by staff. On voice vote, all voted 'aye'; motion carried (6-0-0).

6. **Unified Development Ordinance (UDO) Rewrite.** The City of Franklin proposes to repeal and replace its Unified Development Ordinance (UDO) and Zoning Map. A major component of the update includes consolidating redundant zoning districts to make the UDO and Zoning Map more user-friendly. This remapping action is not intended to "downzone" properties, affect property rights, or limit development potential – rather, it is intended to improve clarity around allowable uses, reduce confusion, and increase alignment between the UDO regulations and the type of development on the ground in Franklin. [The Plan Commission held a public hearing for this item on January 23, 2025, and a second meeting on March 6].

Alderwoman Day moved and Commissioner Haley seconded a motion to recommend listing outdoor commercial place of assembly as conditional use in the Institutional zoning district. On voice vote, all voted 'aye'; motion carried (5-0-0).

Commissioner Haley moved and Commissioner Specht seconded a motion to recommend a compensation ratio of 1.5 for Environmental Corridors (primary and secondary), as well as Isolated Natural Resource Areas. On voice vote, all voted 'aye'; motion carried (5-0-0).

Alderwoman Day moved and Commissioner Shawgo seconded a motion to recommend to the Common Council the adoption of this Unified Development Ordinance (UDO) and Zoning Map, and repeal the current UDO (Ordinance 98-1493), subject to changes of items as discussed on the record at the meeting and approved by staff upon further review. On voice vote, all voted 'aye'; motion carried (5-0-0).

F. Adjournment

Commissioner Haley moved and Alderwoman Eichmann seconded to adjourn the meeting at 8:13 pm. On voice vote, all voted 'aye'; motion carried (5-0-0).

DRAFT

Noise and Vibrations

Update to Municipal Code Chapter 183, Article XIII

April 17, 2025, Public Hearing

Prepared for:
City of Franklin Plan Commission

Prepared by:
Department of City Development (Planning)
Régulo Martínez, AICP CNUa, Planning Manager

April 10, 2025

City Development staff is pleased to present this draft of Municipal Code Chapter 183, Article XIII Noise and Vibrations. Currently, some of the City's noise regulations are contained in the Unified Development Ordinance (UDO) while others are in the Municipal Code, these differing locations make noise regulations difficult to administer. Therefore, staff is proposing to have noise prevention standards in the UDO and noise abatement in the Municipal Code.

UDO

Performance Standards
(Art. 5, §15-5-13)

Noise prevention, Zoning Administrator:

- Review of new development.
- Sound study required for conditional uses with outdoor operations (events venues, sports fields).

Municipal Code

Noise and Vibrations
(Ch. 183, Art. XIII)

Noise abatement, Police Dept:

- Review of noise complaints.
- Sound measurement.
- Enforcement.

It's worth noting that the Plan Commission recommended approval of the UDO Rewrite on April 3.

Background

City Development staff and the project's consultant (Houseal Lavigne Associates) conducted the following activities to prepare this code draft:

- Budget augmentation. This update to the City's noise regulations was not part of the original scope for the UDO Rewrite project. The Common Council authorized a budget augmentation for updating noise regulations and other services for the UDO Rewrite (Jan 16, 2024).
- Noise Regulations Comparative Analysis. The project consultant compared the City's noise regulations with those of other municipalities (May 8, 2024).
- Working sessions with city staff and project consultant (Spring-Fall 2024).
- Workshop with the Plan Commission (August 6, 2024).

Major differences between current and proposed regulations

The goal of this update is to ensure that regulations are objective and easy to interpret and enforce. Below is a summary of major changes:

	Current regulations	Proposed regulations
Responsible parties	<ul style="list-style-type: none"> - Police Department (Municipal Code). - Zoning Administrator (Unified Development Ordinance). 	<ul style="list-style-type: none"> - Police Department: enforcement and noise abatement (Municipal Code). - Zoning Administrator: noise prevention through development review. (Unified Development Ordinance).
Sound metric	A-weighted decibels (dBA), but the Municipal Code and the UDO are not specific enough on what sound metric to use, for example average Equivalent Continuous Sound Level Leq or maximum level LSmax.	<p>A-weighted decibels (dBA), as well as three different sound metrics depending on the type of sound measured:</p> <ul style="list-style-type: none"> - Continuous (i.e. live music): 5-min Leq. - Intermittent (i.e. baseball): 1-min Leq. - Impact (i.e. fireworks): LSmax over a 10-min period. <p>These sound metrics are based on recommendations from the Rock Sports Complex Sound Study (Exhibit D, page 62).</p>
Sound Measurement	"measured at the real property boundary of the noise source" Sec. 183-41.A.	<p>Provide specific standards on:</p> <ul style="list-style-type: none"> - Equipment (sound level meter). - Location of sound level meter. (property line of receiving land use). - Duration of measurement. - Sound metric.
Max. sound levels	Maximum sound levels for zoning districts (i.e. B-1, B-2).	Maximum sound levels for receiving land use (i.e. residential, retail).
Sound levels for Special Events	<ul style="list-style-type: none"> - Special Events: 70-79 dBA. - Variance: 80-89 dBA. <p>It's not clear for events under 70 or over 89 dBA.</p>	<ul style="list-style-type: none"> - Special Events: up to 79 dBA. - Variance: over 79 dBA.

	Current regulations	Proposed regulations
Sound levels for events with speech and/or music	Same level as events without speech and/or music.	Provide a 5-dBA penalty for events with music and/or speech. This penalty is based on recommendations from the Rock Sports Complex Sound Study (Exhibit D, page 62).

Exhibits

- A. Municipal Code Chapter 183, Article XIII Noise and Vibrations (draft), with footnotes for reference.
- B. Adoption ordinance (draft).
- C. Noise Regulations Comparative Analysis (May 8, 2024).
- D. Rock Sports Complex Sound Study dated May 22, 2023 (selected pages).

Municipal Code Chapter 183

Article XIII. Noise and Vibrations

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183-38. General Provisions

- A. **Purpose.** The City of Franklin recognizes that excessive noise and high levels of vibration severely threatens public health and welfare, public safety, quality of life, and property values. Therefore, it is the policy of the City to prevent and decrease excessive noise that may jeopardize public health, safety, or welfare, harm property values, or impair the quality of life within the City.
- B. **Applicability.** This article shall apply to all sound and vibration originating within the limits of the City, except as may be subject to Chapter 178, Nuisances, § 178-1, or § 183-49.

183-39. Stationary Noise Limitations

- A. **Types of Stationary Noise** ¹.
1. **Continuous Noise (i.e., Concerts, live music).** Noise which remains constant and stable over a given period of time at least one minute.
 2. **Intermittent Noise (i.e., Baseball).** Any noise which goes on and off during a course of measurement of at least five minutes, but which exceeds 10 seconds in duration each time it is on.
 3. **Impulse/Impact Noise (i.e., Fireworks).** Noise which occurs suddenly and is typically generated by the rapid release of compressed gases (impulse) or the collision of solid objects (impact) and is defined as the instantaneous change in sound pressure over a short period of time.

Footnotes are for reference only and not part of the proposed Chapter.

¹ NEW. The proposed code distinguishes three noise types and sets specific sound metrics.

B. Maximum Allowed Stationary Noise Level.

1. **Maximum Continuous and Intermittent Noise Level.** All continuous and intermittent noise emitted from any stationary source, as measured at the property line of the receiving land use nearest the noise source, shall not exceed the dB(A) limits established in Table 183-39(B)(1).

Table 183-39(B)(1): Maximum Allowed Continuous and Intermittent Sound Level					
Event Type	Time of Day	Measurement Metric	Receiving Land Use (As Defined in UDO)		
			<i>Residential ²; Place of Assembly; Institutional</i>	<i>Agricultural; Recreation; Lodging; Retail; Service; Eating and Drinking</i>	<i>Vehicle Related; Industrial; Utility and Transportation</i>
<i>Events Without Speech or Music</i>	<i>Maximum Daytime dB(A)</i>	<i>Continuous, 5-Minute Leq</i>	50	65	75
		<i>Intermittent, 1-Minute Leq</i>			
	<i>Maximum Nighttime dB(A)</i>	<i>Continuous, 5-Minute Leq</i>	45	60	70
		<i>Intermittent, 1-Minute Leq</i>			
<i>Events With Speech and/or Music</i>	<i>Maximum Daytime dB(A)</i>	<i>Continuous, 5-Minute Leq</i>	45	60	70
		<i>Intermittent, 1-Minute Leq</i>			
	<i>Maximum Nighttime dB(A)</i>	<i>Continuous, 5-Minute Leq</i>	40	55	65
		<i>Intermittent, 1-Minute Leq</i>			

2. **Maximum Impulse/Impact Noise Level ³.** No planned impulse/impact noise shall exceed the 70 dB(A) in the daytime or 60 dB(A) in the nighttime unless approved as a Special Event, per Section 183-42(B) and Section 121-9 of the Franklin Municipal Code.

² Sound levels for residential districts retained from UDO Sec. 15-3.1107 Noise. These sound levels are also recommended by the Rock Sports Complex Sound Study (page 62).

³ Sound levels recommended by the Rock Sports Complex Sound Study (page 62).

183-40. Mobile Noise Limitations⁴

- A. **Maximum Allowed Mobile Noise Level.** No person may operate or permit the operation of a motor vehicle on a public right-of-way within the City under any conditions of grade, load, acceleration, or deceleration in a manner which exceeds the sound level limits specified in Table 183-40(A) for the category of vehicle at the posted or advisory speed:

Table 183-40(A): Maximum Motor Vehicle Permissible Sound Levels, dBA Highway Operations Speed Limit		
Vehicle Class	35 mph or less	Above 35 mph
All motor vehicles or combination vehicles having a Gross Vehicle Weight Rating or Gross Combined Weight Rating of less than 10,000 pounds, including passenger motor vehicles, amphibious craft on land, and dune buggies	72 dBA	79 dBA
All motor vehicles or combination vehicles having a Gross Vehicle Weight Rating or Gross Combined Weight Rating of less than 10,000 pounds, including passenger motor vehicles, amphibious craft on land, and dune buggies	86 dBA	90 dBA
Motorcycles	78 dBA	87 dBA

183-41. Measuring Noise

1. **Noise Monitoring.**
 - a. **Complaint-Based Monitoring.** After receiving a noise complaint, the Department shall measure stationary noise, in accordance with the standards of this subsection, to determine if the noise level is in violation of the standards of this Chapter.
 - b. **Special Event and On-Going Monitoring.** If on-going sound monitoring is a condition of the approval of a conditional use permit or special event permit, an automated remote sound level monitoring device shall be utilized and real time results shall be shared with the City of Franklin Police Department. If noise exceeds the established maximum, the Police Department shall proceed to Violation Remedies (Section 183-44(B)) and surpass the noise measuring requirements of this section.
2. **Equipment.** Stationary and mobile noise measurements shall be made with an ANSI S1.4 (Type 2) integrating sound level meter for precision and accuracy.
3. **Location of Sound Level Meter.**
 - a. **Stationary Noise.**
 - I. Stationary noise measurements shall be made at the property line of the receiving land use nearest the noise source.
 - II. The sound level meter shall be placed at a height of at least three (3) feet above the ground and at least three (3) feet away from walls, barriers, obstructions, and other sound-reflective surfaces.
 - b. **Mobile Noise.**
 - I. **Distance.** Mobile noise measurements shall be conducted at a distance of 25 feet from the closest approach to the vehicle.
 - II. **Height.** Measurements shall be taken at a height of three to five feet above ground level.
4. **Duration of Measurement.** Noise measurements shall be made for:

⁴ Retained from current Municipal Code.

- a. **Continuous Noise (i.e., Concerts, live music).** Five-minute intervals over a ten-minute period.
 - b. **Intermittent Noise (i.e., Baseball).** One-minute intervals over a ten-minute period.
 - c. **Impulse/Impact Noise (i.e., Fireworks).** One-second intervals over a ten-minute period.
5. **Required Metrics.**
- a. **Continuous and Intermittent Noise.** Noise violation complaints for continuous noise and intermittent noise shall be calculated utilizing the Equivalent Continuous Sound Level (Leq) metric.
 - b. **Impulse/Impact Noise.** Noise violation complaints for impulse/impact noise shall be calculated using the maximum root mean square (Lsmax) metric.

183-42. Stationary and Mobile Noise Limitation Exemptions and Exceptions

- A. **Stationary and Mobile Noise Limitation Exemptions⁵.** The following types of stationary and mobile noise shall be exempt from the standards of this Article.
- 1. **Airplanes.** Aircraft operations which are controlled specifically by federal law and enforcement shall be exempted from the provisions of this Chapter.
 - 2. **Construction Sites, Public Utilities, Public Works.** The daytime criteria as set forth in Section 183.39 shall not apply to construction sites, public utilities and public works projects and operations from 7am to 7pm Monday through Saturday, inclusive; provided, however, that noise production shall be minimized through proper equipment operation and maintenance. Stationary equipment on construction projects lasting more than ten (10) days within residential districts shall be shielded or located so as not to cause unnecessary noise.
 - 3. **Emergency Sound and Operations.** The provisions of this article shall not apply to the emission of sound to alert persons to an emergency or perform emergency work. Emergency short-term operations necessary to protect health and welfare, such as utility and street repair, fallen tree removal, or emergency fuel oil delivery, shall be exempt from Section 183.39, provided reasonable steps are taken to minimize noise.
 - 4. **Home Appliances:** Home appliances used as intended are exempt.
 - 5. **Lawn Mowers, Garden Tools, etc.** Power equipment such as lawn mowers, small lawn and garden tools, riding tractors and snow removal equipment which is necessary for the maintenance of property, is kept in good repair and maintenance and which equipment, when new, would not comply with the standards set forth in this Chapter, shall be exempted from the provisions of Section 183-45. No person shall operate such equipment, with the exception of snow removal equipment, during the hours of 9:00 P.M. through 7:00 A.M., inclusive.
 - 6. **Noises required by Law.** The provisions of Section 183.39 shall not apply to any noise required specifically by law for the protection of the safety of people or property.
 - 7. **Occasionally Used Safety Signals:** Occasionally used safety signals, warning and emergency signals, and emergency pressure relief valves are exempt.
 - 8. **Sirens, Whistles, and Bells (Public Purpose):** Sirens, whistles, and bells maintained and used solely for a public purpose are exempt from the sound level standards of this ordinance.

⁵ Some of these exemptions are retained from current UDO: constructions operations, home appliances, lawn mowers, emergency signals, unamplified home voice, agricultural operations and others. Sec. 15-3.1107 Noise

9. **Unamplified Human Voice:** Unamplified human voice, when not intended to disrupt the peace, is exempt.
 10. **Vehicles (Normal Use):** Noises of vehicles used for normal vehicle use activities, as the vehicles were originally intended, are exempt from maximum stationary sound levels.
 11. **Voices of Animals and Agricultural Equipment:** The lowing of cattle, the clucking of fowl, the neighing of horses, the baying of hounds, or other sounds of reasonably cared-for agricultural or domestic animals, as well as the sound of necessary farming equipment for a bona fide agricultural operation, are exempt.
- B. **Exceptions for Special Events.** A special event, as defined and regulated by Section 121-9 of the Franklin Municipal Code, may exceed the stationary noise limitations established in Section 183-39 in accordance with the following:
1. **Maximum Decibels Established.** A maximum dB(A) is established as a part of the special event license. In no instance shall the maximum dB(A) allowed exceed 79 dB(A) as measured at the nearest property line. The maximum dB(A) shall take into account:
 - a. Whether the proposed noise would include lyrics and/or spoken word;
 - b. Whether the event is to take place during the daytime, nighttime, or both; and
 - c. Whether the location of the event is adjacent to residential dwellings.
 2. **Monitoring Device may be Required.** An automated remote sound level monitoring device may be required if noise from a Special Event may adversely affect adjoining property considering the provisions contained in Section 183-42.B.1 and 183-44.C.5. Such device shall be installed per specifications of Section 183-41 and sound data shall be provided upon request by the City of Franklin Police Department.
 3. **Point of Contact Required.** A single point of contact for noise management and mitigation is identified and their contact information shared with the City of Franklin Police Department.
 4. **Variances for Special Events.**
 - a. The City Council may issue variances for single events that create noise exceeding 79 dB(A) measured at the real property boundary or 50 feet from the source for noise originating on public land consisting of special public events, such as parades, Fourth of July celebrations, St. Martins' Fair, school band playing and similar public, community events which are limited in duration
 - b. The variance, if granted may limit the hours and duration of the variance and may be conditioned upon the applicant taking technologically reasonable steps to minimize the noise.
 - c. The variance may be granted upon payment of a fee as established in the adopted City of Franklin fee schedule.

183-43. Vibration Limitations

- A. **Adoption by Reference.** Except as otherwise specifically provided in this article, the provisions of Ch. SPS 307, Wis. Adm. Code, as amended from time to time, are hereby adopted by reference and made a part of this article as though fully set forth herein, exclusive of provisions relating to penalties. Any act required to be performed or prohibited by Ch. SPS 307 is required or prohibited by this article.
- B. **Contractor Notification.** In addition to pre-blast notice required by Ch. SPS 307.41, Wis. Adm. Code, the contractor shall notify the Department as well as residents and property owners at least 24 hours prior to the initial blasting at a blast site. The notification can be done digitally, in writing or verbally.

183-44. Enforcement, Violation Remedies, and Penalties

- A. **Enforcement Responsibility.**

1. **Administration.** The noise control program established by this article shall be administered by the City Police Department.
2. **Powers of the Police Department.** To implement and enforce this article and for the general purpose of sound and vibration abatement and control, the Department shall have, in addition to any other authority vested in it, the power to:
 - a. **Inspection.**
 - I. Stop and inspect any motor vehicle or motorcycle operated on public rights-of-way, public spaces or private property open to the public, reasonably suspected of violating any provision of this article;
 - II. Enter and inspect any place open to the public during the operating hours \ without consent and without a warrant;
 - III. Enter and inspect any private property or place with consent or with a warrant.
 - b. **Records.**
 - I. Require the owner or operator of any commercial or industrial activity to establish and maintain records of noise levels and activities per Section 183-42.B.2.
 - II. Prescribe and collect reports on noise emissions, compliance with noise regulations, and mitigation efforts that the Department may reasonably prescribe.

B. Violation Remedies.

1. **Cessation or Modification.** Upon notification by the Police Department, the responsible party must stop or modify the activity to comply with noise limits within 15 minutes.
2. **Immediate Termination Order.** Upon confirmation of a noise violation, the Police Department is authorized to issue an immediate termination order to the responsible party, requiring the immediate reduction of noise to permissible levels.
3. **Shutdown of Machines, Devices, or Equipment.** If the noise source is a machine, device, or equipment, the responsible party shall shut down such machine, device, or equipment immediately upon receiving the order from the Police Department.
4. **Temporary Seizure of Equipment.** If the responsible party fails to comply with the Immediate Termination Order, the Police Department is authorized to temporarily seize the noise-producing equipment. Seized equipment will be returned once compliance is assured and any applicable fines or fees have been paid.

C. Penalties.

1. Any person who violates any provision of this article shall be subject to a penalty, as detailed in Table 183-44(C)(1).

Table 183-44(C)(1): Noise and Vibrations Penalties	
<i>Violation</i>	<i>First Offense</i>
Stationary Noise	\$450
Mobile Noise	\$500
Vibration	\$550

2. The penalty shall double for each subsequent offense. For example, if the penalty for a first offense is \$450, the penalty for the second offense would be \$900, third offense \$1,800, fourth offense \$3,600, etc.
3. Subsequent offenses shall be those occurring within three-hundred sixty-five days of the first offense for a single site. For example, a second offense shall be any offense occurring within three hundred sixty-five days of the first offense

on a site. After three-hundred sixty-five days of a first offense, the penalties shall re-set if no subsequent offenses have occurred within the year.

4. A noise violation offense shall be considered for a 4-hour period during which a noise violation has not been remedied, unless a more restrictive noise violation offense definition is included in a Special Event license.
5. In addition to penalties, the Department shall implement additional monitoring for properties with three or more violations within a specified timeframe and for special events with excessive or continuous noise. This monitoring may include requiring the property owner or Special Event license holder to acquire, install per City specifications, and utilize permanent sound devices or temporary portable equipment to measure and report sound levels over time, as determined by the Department.
6. Each motor vehicle or motorcycle permitted to be operated in a single space at one time shall constitute a separate offense.

183-45. Definitions

- A. All terminology used in this article not defined below shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body.
- B. As used in this article, the following terms shall have the meanings indicated:
 1. **Airblast.** An airborne shock wave resulting from detonation of explosives.
 2. **A-Weighted Sound Level.** The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.
 3. **Daytime.** Daytime shall be considered the hours between 7am and 10pm.
 4. **Decibel (Db).** A unit measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure which is 20 micropascals (20 micronewtons per square meter).
 5. **Department.** The City Police Department.
 6. **Emergency.** Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.
 7. **Emergency Work.** Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.
 8. **Equivalent A-Weighted Sound Level (LEQ).** The constant sound level that in a given situation and time period conveys the same sound energy as the actual time varying A-weighted sound.
 9. **Nighttime.** Nighttime shall be considered the hours between 10pm and 7am.
 10. **Noise.** Any sound that which is unnecessary, excessive, unnatural, annoying, prolonged or unusually loud in relationship to its time, place and use effect.
 11. **Root Mean Squared Sound Level.** The highest sound level measured during a single noise event as measured by root mean squared.
 12. **Sound.** An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that cause compression and rare action of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

13. **Sound Level Meter.** The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B or C, as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.
14. **Sound Pressure.** The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space as produced by sound energy.
15. **Sound-Amplifier.** Any machine or device for the amplification of the human voice, music or any other sound, but shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.
16. **Stationary Noise:** Noise which the source thereof is either affixed to or operated upon a fixed point of land, building or other real property.
17. **Unreasonable Annoyance.** An excessive, repeated noise, action or other disturbance that is not justified by reason.
18. **Vibration.** An oscillatory motion of solid bodies of deterministic or random nature described by displacement, velocity, or acceleration with respect to given reference point.

Exhibit B

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

Draft [04-08-2025] RM

ORDINANCE NO. 2025-_____

AN ORDINANCE TO AMEND CHAPTER 183 ARTICLE XIII NOISE AND
VIBRATIONS OF THE MUNICIPAL CODE AND REPEAL SECTION 15-3.1107 NOISE
OF THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, on June 1, 2021, the City of Franklin entered into a contract with Houseal Lavigne Associates, LLC, an urban planning consultant, to assist in the full rewrite of the Unified Development Ordinance (UDO), to update the City zoning and land division regulations; and on January 16, 2024, the City amended such agreement for additional services such as updating the City's noise regulations; and

WHEREAS, the Plan Commission held a public hearing on April 17, 2025, to hear public input about this update to the City's noise regulations; Planning staff and the consultant presented a draft of the City's noise regulations before the Plan Commission on August 6, 2024; and

WHEREAS, the Plan Commission having reviewed the subject amendment, and having recommended approval of such amendment at its meeting on _____; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

- SECTION 1: Chapter 183 Article XIII Noise and Vibrations of the Municipal Code is hereby amended (attached hereto as Exhibit A and incorporated herein).
- SECTION 2: Section 15-3.1107 Noise of the Unified Development Ordinance is hereby repealed and all other ordinances or parts of ordinances inconsistent or conflicting with this ordinance, to the extent of the inconsistency are hereby repealed.
- SECTION 3: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2025, by Alderperson _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2025.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____



MEMORANDUM

Date: May 8, 2024

SENT VIA EMAIL

To: City of Franklin, WI
 Régulo Martínez-Montilva, AICP, Principal Planner
 Marion Ecks, AICP, Principal Planner
 Kelly Hersh, Director of Administration

From: Houseal Lavigne Associates
 Jackie Berg, AICP, Practice Lead
 Ruben Shell, AICP, Planner II
 Hema Dunakhe, Planner II

Re: Noise Regulations Comparative Analysis

This memorandum summarizes a comparative analysis of Noise Regulations across neighboring municipalities within 10–70 miles of Franklin to identify areas where the City's Noise Regulations can be improved by adopting new or amending existing standards. The following are key takeaways from our findings and suggestions for updating Franklin's Noise Regulations to ensure best practices according to the community's needs and requirements.

— **RESPONSIBLE PARTIES FOR CODE ENFORCEMENT:**

The neighboring communities have designated the Health Department or the Police Department for enforcing the provisions of the code. Similar provisions, like those in nearby communities, could enhance the City's enforcement efficiency. For example, the code could identify primarily responsible parties, the duration of enforcement, and the part of the code enforced by the Planning Department versus the Police Department.

— **DETAILED TABLE FOR SOUND LEVEL STANDARDS:**

Achieve more precise noise control and enforcement by establishing a maximum sound level rather than range for each zoning district. In addition, the City can add a provision for the maximum permissible sound level in places of public entertainment, especially those closer to residential zoning districts.

— **STRUCTURED PENALTY SYSTEM FOR CODE VIOLATION:**

The provision of transparent penalties for each category of noise violations, including forfeiture amounts and enforcement procedures, could ensure consistent enforcement and serve as an effective deterrent.

— **VARIANCE PERMIT PROCESS:**

Other municipalities have well-defined processes for obtaining variance permits for special events or businesses generating excessive noise. Integrating a procedure with well-defined application steps for temporary and indefinite duration variances can simplify permit issuance and ensure compliance.

— **REVISE NOISE DEFINITIONS:**

Defining excessive noise as a Public Nuisance under the Municipal code section and detailing the steps for addressing it can help residents comprehend the code more easily.

— **LOCATING NOISE REGULATIONS UNDER MUNICIPAL CODE:**

Based on our findings from neighboring communities, noise regulation provisions are typically found as a section within the code of ordinances in the Health or Environment chapter or as Performance Standards in the subsections of the Zoning Ordinance. It is recommended that all

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ASSOCIATES, LLC

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noise-related regulations be consolidated within the Municipal Code for easier access and enforcement, and that cross-reference language be created under the Unified Development Code for the development review.

CITY OF RACINE

Population 76,462 (2022)

Location: Located approximately 20 miles in the south-east corner of the City of Franklin

Link to the code section: (Under Code of Ordinance)

https://library.municode.com/wi/racine/codes/code_of_ordinances?nodeId=PTIIMUCO_CH42EN_ARTVNO

Responsible parties for enforcing the Noise Ordinance:

The Health officer is primarily responsible for enforcing the provisions of the article. However, enforcement regarding traffic sounds is the duty of the chief of police, and enforcement concerning excessive sounds during specific hours is also the responsibility of the chief of police.

Utilization of Noise Control Regulations to regulate development in the City:

In the City of Racine, there is no explicit provision or reference under the Zoning chapter of the Code of Ordinance to regulate noise regulations in the development process. All the Noise Control Regulations are outlined under the Environment chapter, Article V. Noise.

Maximum allowable hourly average sound level limits for various categories of receiving land use:

Receiving Land Use Category	Time	One-hour average sound level (dBA)
Institutional	10:00 PM-7:00 AM	60
	7:00 AM-10:00 PM	65
Residential (all categories)	10:00 PM-7:00 AM	60
	7:00 AM-10:00 PM	65
Uses Bordering Festival Park	Anytime	70
Commercial	10:00 PM-7:00 AM	70
	7:00 AM-10:00 PM	75
Manufacturing	Anytime	80

Penalty for violating the code:

Anyone violating the article's provisions shall forfeit an amount as prescribed in section 1-15 upon conviction.

Per section 1-15 the following fines to be paid for the offenses listed below at the office of the municipal court:

Code Section numbers	Violation	Forfeiture
42-127	Excessive sound prohibited	\$100.00
42-128	Unreasonable disturbance prohibited	\$200.00
42-134	Excessive sound by residential air conditioner	\$50.00
42-135	Radios, television sets, and similar devices	\$30.00
42-137(d)	Radios and sound amplification	\$100.00

Variance Permits:

Temporary variance permit:

These permits may be issued upon request for necessary work promoting public health and welfare or for special community events. Applications must be made in writing to the health officer, specifying dates, time and place of operation, equipment involved, necessity for the permit, steps to minimize noise, and the person responsible present during operation.

Link to the application process:

https://www.cityofracine.org/uploadedFiles/_MainSiteContent/Departments/Health/_Documents/Environmental_Health/Applications%20for%20Temporary%20Noise%20Variance%20Permit.pdf

Variance permits of indefinite duration:

Indefinite permits may be issued for existing business operations and equipment producing excessive sound if it is not technically or economically feasible to reduce the sound to within prescribed standards. Applications must be made in writing to the health officer, and penalties are tolled until a final order or decision is issued on the application.

CITY OF NEW BERLIN

Population 40,315 (2022) [Similar to the City of Franklin]

Location: Located approximately 10 miles in the north-west of the City of Franklin

Link to the code section: ((Under Unified Development Ordinance)

<https://ecode360.com/7765510?highlight=dba&searchId=22812572042165302#7765510>

<https://ecode360.com/7772097?highlight=noise&searchId=22812675197895046#7772097>

<https://ecode360.com/7766441#7766441>

Responsible parties for enforcing the Noise Ordinance:

It is not mentioned under the performance standards or the noise regulations, but under the table of penalties section, it says the Law Enforcement department is responsible.

The City is utilizing “Performance Standards” within the Zoning Code to regulate the Noise in the development process by:

- Setting specific sound level limits for activities in specific industrial and extractive districts to prevent excessive noise outside the zoning district boundaries.
- Providing sound level limits for activities in all other zoning districts to ensure noise level outside boundaries remains within the allowable noise levels.
- Providing language mentioning the requirement of all noise to be controlled to prevent objectionable issues such as intermittence, duration, beat frequency, impulse or periodic character, or shrillness.

General Sound Level Standards:

Activities in the M-2 General Industrial District and Q-1 Quarrying and Extractive District shall not produce a sound level outside the district boundary that exceeds the specified decibel levels across various octave band frequencies, as provided in the tables below:

Octave Band Frequency (cycles per second)	Sound Level (decibels)
0 to 75	79
75 to 150	74
150 to 300	66
300 to 600	59
600 to 1,200	53
1,200 to 2,400	47
2,400 to 4,800	47
Above 4,800	39

Activity in any other district shall produce a sound level outside its premises that exceeds the following:

Octave Band Frequency (cycles per second)	Sound Level (decibels)
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1,200	46
1,200 to 2,400	40
2,400 to 4,800	34
Above 4,800	32

What sound producing devices are exempt from the sound level standards:

Sirens, whistles, and bells maintained and utilized solely to serve a public purpose are exempt from the sound level standards outlined in this section.

Standards for emitted vibration for outside premises and districts:

No activity in any district shall emit discernible vibrations without instruments outside its premises. Additionally, specific displacement limits are provided for different frequency ranges both outside the premises and outside the district.

Requirement for the sound level of an installed signal in relation to the ambient sound level:

The sound level of an installed signal should be 15 decibels (dBA) above the average ambient sound level for that occupancy. It should also be adequate to perform its intended function and meet the requirements of the authority.

Average ambient sound level guidelines provided for different occupancies:

Type of Occupancy	Sound Level (dBA)
Business	45
Educational	45
Industrial	80
Institutional	80
Mercantile	40
Places of assembly	40
Residential	35
Storage	30

Tower	35
Underground structures and windowless buildings	35

Penalties related to noise, vibration, amplifiers, and excessive noise:

- 152-10F (2): Unreasonable noise - \$75
- 171-1A: Loud and unnecessary noise prohibited - \$75
- 171-1C: Use of amplifier - \$75

CITY OF KENOSHA:

Population: 98,484 (2022)

Location: Located approximately 30 Miles in the south-east corner of the City of Franklin

Link to the code sections: (Under Code of Ordinance)

https://library.municode.com/wi/kenosha/codes/code_of_ordinances?nodeId=SUHITA_CHXXIIINOCO

https://library.municode.com/wi/kenosha/codes/code_of_ordinances?nodeId=SUHITA_CHIVHE_4.08PE

Primarily responsible parties for enforcing noise regulations:

The Health Department is primarily responsible for enforcement during regular City Hall working hours, while the Police Department is primarily responsible for enforcement during all other hours.

The City is utilizing Noise Regulations by imposing it across different sections of the zoning code for the development, such as:

- Home occupations in residential areas must not create loud or unpleasant noises.
- Conditional use permits enforce noise level standards from the City's Noise Control Chapter XXIII of the City Code of General Ordinances.
- Additionally, the Review Authority can require site grading to mitigate noise disturbance.

Definition of a Public Nuisance according to Section 23.04, and actions can be taken in response: (Additional steps)

"Noise" as defined in this Chapter is declared to be a public nuisance. Abatement procedures may be initiated, in addition to administrative proceedings, fines, and penalties as provided in this Chapter.

Specific acts are declared to be in violation of noise regulations:

Acts such as operating radios, televisions, musical instruments, loudspeakers, public address systems, and powered model vehicles in certain manners or during specific hours are declared to be in violation of this Chapter.

Noise levels regulated based on land use zoning:

Noise levels are regulated based on land use zoning by setting maximum permissible sound levels during various times of the day. Different sound level limits are specified for residential, commercial, and industrial zoning districts.

Transmitting Land Use Zoning	Time	Sound Level Limit, (dBA)
A-1, A-2, C-1, IP, FW, RR-1, RR-2, RS-4, RS-2, RS-3, RD, RG-1, RG-2, RM-1, RM-2, and All Other Zoning Not Specifically Listed In This Table.(Residential, Public Space, Open Space, Agricultural or Institutional)	7:00 A.M.-10:00 P.M. 10:00 P.M.-7:00 A.M.	60 50
B-1, B-2, B-3, B-4	At All Times	70
M-1, M-2	At All Times	75

Variance Permits:

Temporary variance permit:

To obtain a Variance Permit, we must submit a written application to the Health Officer, with details such as dates requested, time and place of operation, equipment involved, necessity for the permit, steps to minimize noise, and responsible person(s). The Health Officer may issue a Variance Permit for necessary work promoting public health and welfare or for special community events, among other circumstances.

Variance permits of indefinite duration:

Indefinite permits may be issued for existing business operations and equipment producing excessive sound if it is not technically or economically feasible to reduce the sound to within prescribed standards. Applications must be made in writing to the health officer, and penalties are tolled until a final order or decision is issued on the application.

Penalties for violating the code:

The penalty for noise regulation violations is adopted by reference from Chapter IV, Ordinances.

According to the Chapter IV; Health, sec. 4.08 Penalties, Unless otherwise provided in this Chapter, any person, party, firm or corporation violating any provision of this Chapter shall, upon conviction thereof, be punished by payment of a forfeiture not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00), and in default of such payment of forfeiture and costs, shall be committed to the County Jail for a period of not more than sixty (60) days.

CITY OF SUN PRAIRIE

Population: 36,653 (2022) [Similar to the City of Franklin]

Location: Located approximately 75 Miles north-west of the City of Franklin

Link to the code sections: (Under Code of Ordinance; Zoning title)

https://library.municode.com/wi/sun_prairie/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.36PEST_17.36.090NOST

Primarily responsible parties for enforcing Noise Regulations:

Zoning administrators can make determinations of the performance standards.

Utilization of Noise Regulations as “Performance Standards” to regulate development in the City:

The Noise and Vibration standards are outlined in the zoning title; under the “Performance Standards” chapter. By adding those sections under the zoning title, the City of Sun Prairie is utilizing them in the development review process to set standards to regulate activities that generate detectable noise and vibrations. These standards ensure that noise levels at property lines comply with permissible limits based on zoning districts, with adjustments for specific conditions such as daytime operations or impulsive

noise. Regarding vibrations, the standards establish maximum permitted displacement levels and mandate that activities producing detectable vibrations be illustrated on development site plans.

Maximum permitted noise level at lot line for noise radiated continuously:

Zoning District	Sound Pressure Decibels re 0.0002 dyne/cm ²

RH-35ac, CR-5ac, ER-1, SR-4, MR-8, UR-12	65
SO, SC, SI, NC, UC, CC	70
UI, HI	75

Type of operation in character noise	Correction in decibels

Daytime operations only	Plus 5
Noise source operates less than 20% of any one-hour period	Plus 5*
Noise source operates less than 5% of any one-hour period	Plus 10*
Noise source operates less than 1% of any one-hour period	Plus 15*
Noise of impulsive character (Hammering, etc.)	Minus 5
Noise of periodic character (hum, speech, etc.)	Minus 5

CITY OF WEST ALLIS

Population: 58,950 (2022)

Location: Located approximately 10 Miles to the north-east of the City of Franklin

Link to the code sections: **(Municipal Code)**

https://westallis.municipalcodeonline.com/book?type=ordinances#name=7.035_Noise_Control_Regulations

Utilization of Noise Control Regulations to regulate development in the City:

In the City of West Allis, there is no explicit provision or reference under the Zoning Code chapter to regulate noise regulations in the development process. All the noise control regulations are outlined under the municipal code.

Agency primarily responsible for enforcing the Noise Regulations:

The West Allis Health Department is the primary agency responsible for enforcement, while the West Allis Police Department may also enforce the provisions (see notice of violation section of the code).

Permissible sound level limits during the day and night for residential and commercial districts?

Sound Pressure Level		
Zone	Time	Decibel (dB(A)) Level
Residential, Park District	10:00 p.m. to 6:59 a.m.	55 dB(A)
	7:00 a.m. to 9:59 p.m.	65 dB(A)
Commercial, Manufacturing	10:00 p.m. to 6:59 a.m.	60 dB(A)
	7:00 a.m. to 9:59 p.m.	70 dB(A)

Excessive noise and vibration defined in the Noise Regulations:

Excessive noise and vibration are defined as a public nuisance and subject to summary abatement procedures, as provided in Section 7.03(3) and Section 18.04 of this Code. Such abatement shall be in addition to administrative proceedings, forfeitures, and penalties provided in this section.

Restrictions regarding the operation of sound reproduction devices during the day and night:

During the day, such devices should not be plainly audible from 150 feet beyond the real property line, and at night, they should not be plainly audible across a real property boundary.

Restrictions on loading and unloading activities at night:

Loading, unloading, or handling activities should not be conducted at night in a manner that is plainly audible across a real property boundary.

Restrictions apply to noise disturbances within multifamily dwellings at night:

Noise disturbances that are plainly audible in another occupied space within a multifamily dwelling within the real property boundary at night are prohibited.

Maximum permissible sound level within places of public entertainment:

100 dB(A) as read by the slow response on a sound level meter at any point occupied by a customer.

No person shall operate or permit the operation of any device or combination of devices that creates vibration which exceeds the amounts listed in the table below as measured at or across a real property boundary of the premises from which it emanates or from the source if located in a public street, public park, or other public place:

Event Frequency	Lv (VdB)
Frequent (more than 70 events per day)	72
Occasional	75
Infrequent (less than 30 events per day)	80

Activities exempt from the Noise Control Regulations:

Activities such as emergency work, warning devices for public safety, authorized emergency vehicle operations, public works projects, and certain special events are exempt.

What actions are taken when the ambient noise or vibration level equals or exceeds the specified limits?

A notice is provided to the owner and occupant of the premises describing the violation and requiring them to remove or abate the condition within a specified time.

The process for seeking a variance from the Noise Control Regulations: (see variance section of the code for the detailed steps)

The owner or occupant may file an application specifying the grounds for the variance, which is then subject to a public hearing before the common council.

Notice of violation:

When the ambient noise or vibration level of a noise producing device equals or exceeds the decibel limits provided in this section, the Health Commissioner or his/her designee shall serve a notice, by first-class mail, on the owner and occupant of the premises that is creating or maintaining the noise. The notice shall be dated, contain a description of the violation, require the person to remove or abate the condition described in the order within the time specified therein, and advise such person of the right to apply for a variance permit and the office or person to whom the variance permit application shall be filed.

For violations of Subsection (8)(a) through (g), officers of the West Allis Police Department may issue a citation without prior notice of the violation.

Penalties apply for violating the Noise Control Regulations:

Any person violating any provision of this section shall, upon conviction, be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense.



ROCK SPORTS COMPLEX SOUND STUDY



May 22, 2023

Prepared for Milwaukee County

11.0 NOISE ORDINANCE RECOMMENDATIONS

This chapter provides clarification of the existing City of Franklin noise ordinance and suggestions on how it may be further refined to reduce annoyance and complaints from residences near the ROC. A review of relevant ordinances and recommendations regarding the City of Franklin's ordinance and enforcement is provided in Appendix J.

11.1 CLARIFICATIONS OF EXISTING REGULATIONS

The current Franklin noise ordinance, at Section 183-41, prohibits noises between 70 to 79 dBA as measured at the real property boundary (or 50 feet from the noise source). As described in Chapter 9.0, we recommend that the Franklin noise limit be enforced when sound levels exceed 70 dBA L_{Smax} . These violations can be easily identified by the City's enforcement officer using the existing data that is provided by the ROC compliance monitors. The ROC compliance monitors provide L_{Smax} for each one-minute duration and also for trigger events. Identification from either of these logged data would be sufficient to detect a violation if audio files are available to ensure that the sound source generating the exceedance is related to ROC activities. If sound source attribution cannot be used, we would recommend the use of the "typical maximum" L_{01} metric (so, 70 dBA L_{01}), similar to the analysis conducted in Section 9.1.

Section 178-1 of the Franklin ordinances also prohibits public nuisances, defined as acts or conditions that "substantially annoy, injure or endanger the comfort, health, repose or safety of the public." Given the widespread negative community reaction under the City's approach to regulating its noise limits, and our knowledge of other noise limits cited in this report that address the comfort, health, repose, and safety of the public, which are below 74 dBA, we believe that other noise standards can be implemented under the regulation that protect the comfort, health, repose, and safety of the public.

70 dBA is used in the Greendale Code as the sound limit for daytime impulsive sounds. We agree that 70 dBA L_{Smax} or L_{01} limit may be appropriate for daytime impulsive sound sources, like fireworks (assuming they occur during daytime hours) but is not appropriate to avoid sleep disturbance or to reduce more steady state sound sources to be compatible with the adjacent residential soundscape. Given that the Village of Greendale has already provided noise limits for other types of sound characteristics and that the 70 dBA L_{Smax} or L_{01} threshold is in line with the City of Franklin's noise limit, the Greendale Code limits can be applied directly to use metrics that are already being provided by the ROC compliance monitors, as shown in Table 10.⁶

⁶ RSG can train the City of Franklin's Code Enforcement Officer on how to identify violations of noise limits in this table using the ROC compliance monitor data.

TABLE 10: RECOMMENDED PERMISSIBLE SOUND LEVELS

	PERMISSIBLE SOUND LEVEL, dBA	
	Residential, agricultural, historic, and park districts	
	Daytime (7 am to 8 pm)	Nighttime (8 pm to 7 am)
Perpetual / Continuous, 5-minute L_{eq}	50	45
Intermittent, 1-minute L_{eq}	60	55
Impulsive, L_{Smax} or L_{01}	70	60

Again, these violations can be identified by the City's enforcement officer using the existing data that is provided by the ROC compliance monitors. The ROC compliance monitors provide L_{eq} for each one-minute duration. For example, identification of a single L_{eq} that exceed the 1-minute limits or five consecutive one-minute L_{eq} 's that exceed the 5-minute limit would be a violation.

11.2 RECOMMENDATIONS FOR IMPROVED REGULATION

As described in Chapter 10.0, people tend to be more annoyed by sounds with speech or music content. Many of the ROC events, including concerts, baseball games, and the Hills Have Eyes all include speech and music (and, in the case of the Hills Have Eyes, a chainsaw). If enforcement of the limits specified in Table 10 are not sufficient to reduce complaints from the community, it is recommended that a penalty be added to account for the speech and music content of the sounds. A common penalty that is applied for noise consisting primarily of speech or music is 5 dB.⁷ Table 11 shows what the limits would look like with a 5 dB penalty applied to activities that consist primarily of speech or music.

TABLE 11: RECOMMENDED PERMISSIBLE SOUND LEVELS FOR IMPROVED REGULATION, dBA

	Events without speech or music (Fireworks, snowmaking, golf)		Events with speech and/or music (Baseball games, concerts, Hills Have Eyes)	
	Daytime (7 am to 8 pm)	Nighttime (8 pm to 7 am)	Daytime (7 am to 8 pm)	Nighttime (8 pm to 7 am)
5-minute L_{eq}	50	45	45	40
1-minute L_{eq}	60	55	55	50
L_{Smax} or L_{01}	70	60	65	55

11.3 ATTRIBUTION OF SOUND SOURCES

As described in Section 8.3, the City's current enforcement process includes listening to recordings for the day of the complaint to determine if the sounds are generated by the ROC or by background sound sources. The current practice of recording for a period of 10-seconds with a trigger level of 65 dBA L_{max} is not adequate to attribute sound source origins for exceedances

⁷ See Oakland, California or Sonoma County, California for examples of the use of the 5 dB speech and music penalty.



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION
Meeting of April 17, 2025
TEMPORARY USE

Item E.1.

RECOMMENDATION: City Development staff recommends approval of this Temporary Use permit, subject to the conditions set forth in the attached resolution and in this report.

Project name:	Rock’n Food Truck Rally at Umbrella Bar (2025)
Property Owner:	BPC County Land LLC
Applicant:	Carinn Hoffman. ROC Ventures, LLC
Property Address/TKN:	7005 S. Ballpark Drive / 744 1003 000
Aldermanic District:	District 6
Zoning District:	PDD No. 37 (The Rock Sports Complex)
Staff Planner:	Régulo Martínez-Montilva, AICP, CNUa, Planning Manager
Submittal date:	03-12-2025
Application number:	PPZ25-0046

PROJECT DESCRIPTION AND ANALYSIS

Temporary Use application for the Rock’n Food Truck Rally at the Umbrella Bar. The applicant is proposing the same location and hours of operation as previous temporary use permits. The food trucks will operate in the vicinity of the Umbrella Bar from 5:00 p.m. to 9:00 p.m. on Thursday nights from May 29 to October 30, 2025. Each event day will have a maximum of ten (10) food trucks selling food and non-alcoholic beverages.

Plan Commission approval was not required for previous approvals as this event doesn't exceed 30 days. City Development staff is referring such application to the Plan Commission since 2024 due to noise complaints. Pursuant to the Unified Development Ordinance (UDO) Section 15-3.0804 "Detailed Standards for Temporary Uses", the zoning administrator may refer any application for a Temporary Use to the Plan Commission for review and approval if "there is a question as to whether the proposed temporary use may adversely affect adjoining property due to the nature of, size or area of, noise, debris, lighting, or the like or other resultant from the proposed temporary use".

STAFF RECOMMENDATION

City Development staff recommends approval of this Temporary Use permit, subject to the conditions set forth in the attached resolution, which are also listed below:

1. The Rock’n Food Truck Rally Temporary Use is hereby approved from May 29 to October 30, 2025, Thursdays only. This temporary use is not approving alcoholic beverage sales.
2. The Rock’n Food Truck Rally Temporary Use shall be operated in the vicinity of the Umbrella Bar at Ballpark Commons in accordance with the Site Plan, City file-stamped March 12, 2025, attached and on file with the Department of City Development.

3. The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C), unless the Common Council approves higher sound levels pursuant to Municipal Code §183-41A.

Note: The Plan Commission may refer applicant's request for 65 and 69 dBA sound levels to the Common Council.

4. The maximum number of food trucks at an event shall be ten (10).
5. Hours of operation for the event shall be limited from 5:00 p.m. to 9:00 p.m.
6. All extension cords (if used) must be 3-wire (grounded), be approved for outdoor use, and be unplugged when not in use.
7. No display, sales, or parking shall obstruct vehicular traffic. Twenty-five feet of drive aisle must be maintained at all times to allow safe and efficient vehicular access throughout the parking lots.
8. Trash receptacles must be provided to properly dispose of any waste generated by this event.
9. Any temporary signage associated with the event shall be approved by the Department of City Development.
10. Tents and other event activities shall be positioned on the exterior of the building so as not to impede building exits, pedestrian or vehicle traffic, "fire lanes" and accessible routes to the public right of way.
11. Approval is based on adequate sanitary facilities being provided for the event.
12. All food trucks operating at this event must hold a current Mobile Retail Food License from DATCP or a DATCP agent. Organizers of Food Truck Rally will provide the Franklin Health Department (FHD) with a list of vendors that will be attending this event. License information will be verified by FHD prior to operating. Vendors must submit an application for inspection and applicable fees to the FHD at least 48 hours prior to the event date. Inspections will be conducted per the Franklin Health Department Policy and Procedures. All Wisconsin Food Code requirements must be met by all licensed establishments participating.
13. The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).
14. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses which are required through the Building Inspection Department, Clerks Office, and Health Department.

RESOLUTION NO. 2025-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A TEMPORARY USE FOR THE ROCK'N FOOD TRUCK
RALLY FOR PROPERTY LOCATED AT 7005 S. BALLPARK DRIVE
(ROC VENTURES, LLC, APPLICANT)

WHEREAS, ROC Ventures, LLC having petitioned the City of Franklin for the approval of a Temporary Use to allow for the Rock'n Food Truck Rally at the Umbrella Bar, for a maximum of ten food truck locations, from May 29 to October 30, 2025, Thursdays only, upon property located at 7005 S. Ballpark Drive; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 and §15-3.0442 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of ROC Ventures, LLC for the approval of a Temporary Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. The Rock'n Food Truck Rally Temporary Use is hereby approved from May 29 to October 30, 2025, Thursdays only. This temporary use is not approving alcoholic beverage sales.
2. The Rock'n Food Truck Rally Temporary Use shall be operated in the vicinity of the Umbrella Bar at Ballpark Commons in accordance with the Site Plan, City file-stamped March 12, 2025, attached and on file with the Department of City Development.
3. The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C), unless the Common Council approves higher sound levels pursuant to Municipal Code §183-41A.
4. The maximum number of food trucks at an event shall be ten (10).
5. Hours of operation for the event shall be limited from 5:00 p.m. to 9:00 p.m.
6. All extension cords (if used) must be 3-wire (grounded), be approved for outdoor use, and be unplugged when not in use.

ROC VENTURES, LLC – ROCK’N FOOD TRUCK RALLY TEMPORARY USE
RESOLUTION NO. 2025-_____

Page 2

7. No display, sales, or parking shall obstruct vehicular traffic. Twenty-five feet of drive aisle must be maintained at all times to allow safe and efficient vehicular access throughout the parking lots.
8. Trash receptacles must be provided to properly dispose of any waste generated by this event.
9. Any temporary signage associated with the event shall be approved by the Department of City Development.
10. Tents and other event activities shall be positioned on the exterior of the building so as not to impede building exits, pedestrian or vehicle traffic, “fire lanes” and accessible routes to the public right of way.
11. Approval is based on adequate sanitary facilities being provided for the event.
12. All food trucks operating at this event must hold a current Mobile Retail Food License from DATCP or a DATCP agent. Organizers of Food Truck Rally will provide the Franklin Health Department (FHD) with a list of vendors that will be attending this event. License information will be verified by FHD prior to operating. Vendors must submit an application for inspection and applicable fees to the FHD at least 48 hours prior to the event date. Inspections will be conducted per the Franklin Health Department Policy and Procedures. All Wisconsin Food Code requirements must be met by all licensed establishments participating.
13. The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).
14. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses which are required through the Building Inspection Department, Clerks Office, and Health Department.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2025.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2025.

APPROVED:

John R. Nelson, Chairman

ROC VENTURES, LLC – ROCK’N FOOD TRUCK RALLY TEMPORARY USE
RESOLUTION NO. 2025-_____

Page 3

ATTEST:

Shirley J. Roberts, City Clerk

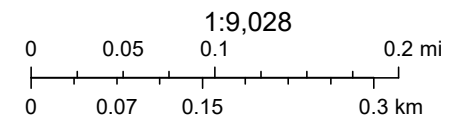
AYES _____ NOES _____ ABSENT _____

City of Franklin Property Viewer



5/1/2024, 3:28:45 PM

 Parcel



SEWRPC, Maxar, City of Franklin, WI

MEMORANDUM

Date: April 2, 2025
To: Carinn Hoffman, ROC Ventures LLC
From: Régulo Martínez-Montilva, Planning Manager
City of Franklin, Department of City Development
RE: Review comments for Rock'n Food Truck Rally Temporary Use (2025)
7005 S Ballpark Drive

Below are review comments and recommendations for the above-referenced application submitted on March 12, 2025.

Department of City Development

- **Sound level.** The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C). Higher sound levels (69 dBA) require approval by the Common Council, the Plan Commission may refer your application to the Common Council.

Health Services Department

- All food trucks operating at this event must hold a current Mobile Retail Food License from DATCP or a DATCP agent. Organizers of Food Truck Rally will provide the Franklin Health Department (FHD) with a list of vendors that will be attending this event. License information will be verified by FHD prior to operating. Vendors must submit an application for inspection and applicable fees to the FHD at least 48 hours prior to the event date. Inspections will be conducted per the Franklin Health Department Policy and Procedures. All Wisconsin Food Code requirements must be met by all licensed establishments participating.

Fire Department

- The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).

TEMPORARY USE APPLICATION
UMBRELLA BAR – BALLPARK COMMONS
7005 S BALLPARK DRIVE

PROJECT NARRATIVE

Ballpark Commons will be hosting food truck events this summer on the dates listed below. Site plans and overall layouts will be the same for each event. Food trucks and/or vendors will be limited to a maximum of 10 participants and each will be entirely self-contained and legally licensed from an authorized state or city agency. At each event, we will utilize existing beverage infrastructure. Additionally, some trucks/vendors will be allowed to sell non-alcoholic beverages.

Rock'n Food Truck Rally – Series

Event Runtime and Attendance: 5:00pm-9:00pm

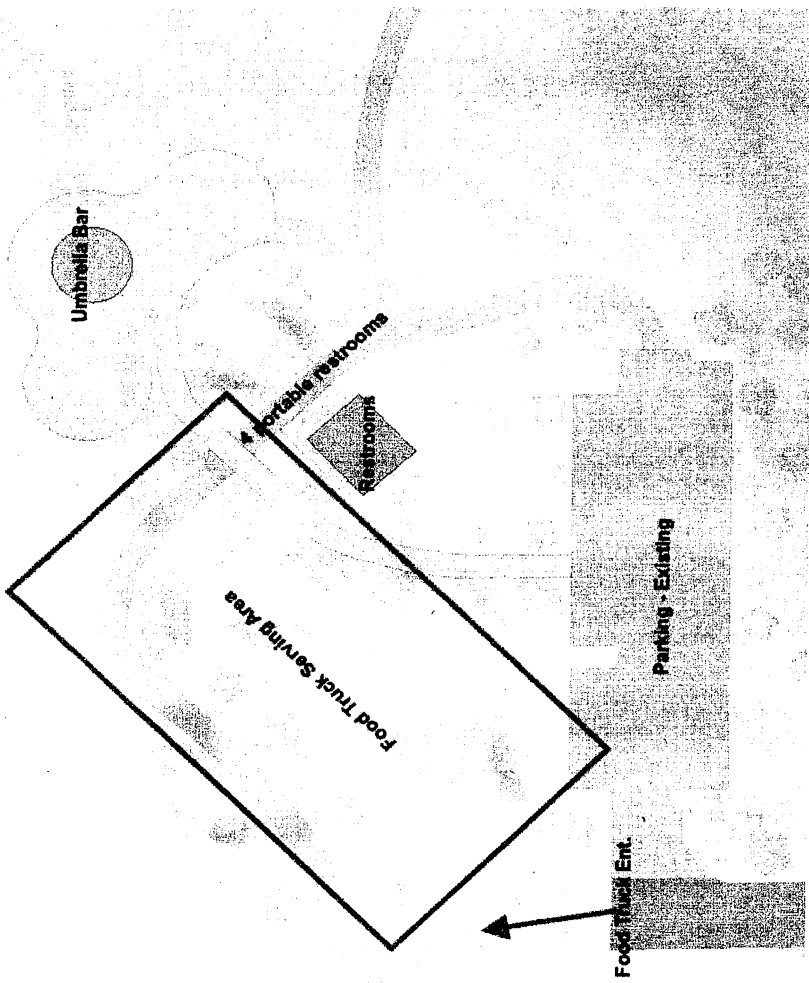
Details: Maximum 10 food trucks will be parked within the event zone selling food and non-alcoholic beverages.

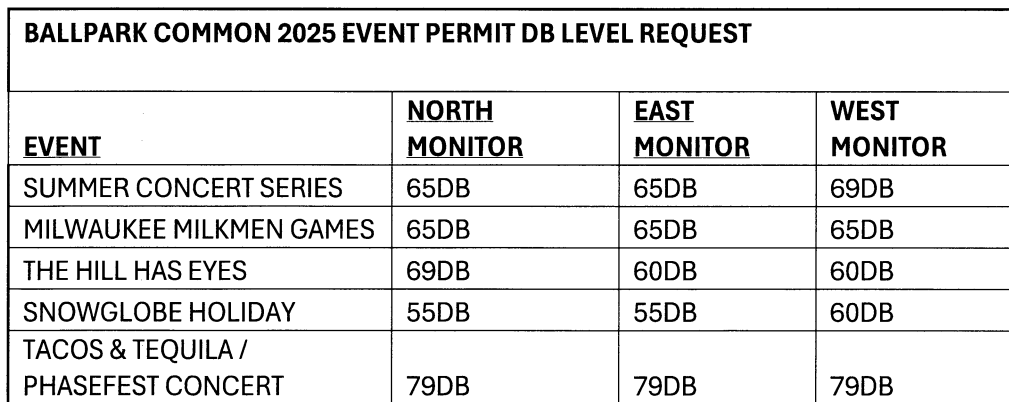
Site Plan: Food Trucks/Vendors will only be allowed to set up within the event zone shown below.

Dates: Every Thursday starting on May 29, 2025 and ending on October 31, 2025.

Decibel level maximum:

- North Monitor – 65DB
- West Monitor – 69DB
- East Monitor – 65DB
- Per our PDD we request a correction period. For this event we propose a 15-minute correction period.





**** MILKMEN GAMES DO NOT INCLUDE FIREWORK NIGHTS (PERMITTED SEPARETLY) ****



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION
Meeting of April 17, 2025
TEMPORARY USE

Item E.2.

RECOMMENDATION: City Development staff recommends approval of this Temporary Use permit, subject to the conditions set forth in the attached resolution and this report

Project name:	Franklin Field, 2025 season
Property Owner:	BPC County Land LLC
Applicant:	Christ David Conley. ROC Ventures, LLC
Property Address/TKN:	7035 S. Ballpark Drive / 744 1003 000
Aldermanic District:	District 6
Zoning District:	PDD No. 37 (The Rock Sports Complex)
Staff Planner:	Régulo Martínez-Montilva, AICP, CNUa, Planning Manager
Submittal date:	03-12-2025
Application number:	PPZ25-0048

Please note:

- Staff recommendations are *underlined and in italics*, and included in the attached resolution as conditions of approval.

The temporary uses and structures associated with the Franklin Field Stadium for this baseball season are as follows:

- Baseball games (March 21 – September 1).
- Food and beverage sales (A.1), 1 location.
- Beverage sales (A.2), 5 locations for beverage carts.
- Food truck (A.3), 1 location.
- Beverage tub (A.4), 2 locations for rolling coolers.
- Graduation ceremony.
- Candy drop.

According to the Stadium Site Plan Resolution No. 2018-016, “the applicant shall annually, at least 90 days prior to the start of each baseball season at the Ballpark Commons stadium, submit all plans and details for all semi-portable, semi-temporary, temporary, and product hawking structures, uses, and activities planned to occur at the stadium for City staff review and approval”. This application was submitted late on March 12 and the season started on March 21.

City Development staff is referring such application to the Plan Commission due to noise complaints and late submittal. Pursuant to the Unified Development Ordinance (UDO) Section 15-3.0804 "Detailed Standards for Temporary Uses", the zoning administrator may refer any application for a Temporary Use to the Plan Commission for review and approval if "there is a question as to whether the proposed temporary use may adversely affect adjoining property due to the nature of, size or area of, noise, debris, lighting, or the like or other resultant from the proposed temporary use".

The concerts, fireworks and food & beverage events are subject to separate special event permits through the Clerk's Office.

Noise

The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary pursuant to the Unified Development Ordinance Table 15-3.1107(C). Higher sound levels require approval by the Common Council per Municipal Code Section 183-41A.(2), the applicant is requesting a maximum sound level of 65 dBA, the Plan Commission may refer this request to the Common Council.

City Development staff doesn't recommend to set a maximum sound level for one candy drop event scheduled for August 10, based on the Rocks Sports Complex Sound Study (page 65): "Sound levels from fireworks and helicopter events are likely to exceed any reasonable community sound limit. Many communities, including Greendale, exempt some types of special events from their noise ordinance. The City of Franklin currently overlooks fireworks from its noise requirements. We recommend that if the City of Franklin would like to except fireworks from the requirements, that this be explicitly stated in the Development Agreement and that they limit the number of these louder events with the understanding that the noise limits will be exceeded."

Noise monitoring report

Among the conditions of approval for the Rocks Sports Complex Planned Development District, there is a requirement for the applicant to provide a noise monitoring report to the Plan Commission, such requirement is still outstanding as of writing of this report.

"The applicants shall also provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring".

Ordinance No. 2019-2368, Condition of approval No. 2 (fragment)

City Development staff recommends that the applicant must submit a noise monitoring report as required by condition of approval No. 2 of Ordinance No. 2019-2368.

STAFF RECOMMENDATION

City Development staff recommends approval of this Temporary Use permit, subject to the conditions set forth in the attached resolution and listed below:

1. This Temporary Use permit is hereby approved for uses and activities associated with the 2025 regular season of the UWM Panthers and the Milwaukee Milkmen at the Franklin Field, specifically:
 - Baseball games: UWM Panthers (March 21 – May 10) and the Milwaukee Milkmen (May 1 – September 1). See condition #14 for additional games.
 - Food and beverage sales (A.1), 1 location.
 - Beverage sales (A.2), 5 locations for beverage carts.
 - Food truck (A.3), 1 location.
 - Beverage tub (A.4), 2 locations for rolling coolers.
 - Graduation ceremony.
 - Candy drop (Sunday, August 10).

2. This 2025 Franklin Field Stadium Temporary Use permit shall be operated in accordance with the project narrative and site plan, city file-stamped March 12, 2025, attached and on file with the Department of City Development.
3. The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C), unless the Common Council approves higher sound levels pursuant to Municipal Code §183-41A.

Note: The Plan Commission may refer applicant's request for a 65-dBA sound level to the Common Council.

4. The applicant must submit a noise monitoring report as required by condition of approval No. 2 of Ordinance No. 2019-2368 no later than _____.
5. Per the Noise and Light Addendum (page 3), "continuous noise monitoring data shall be kept for twelve months" for the three sound monitors.
6. This Temporary Use permit does not include concerts, fireworks, and other food & beverage events listed in the project narrative, the applicant must submit separate special event permits through the City of Franklin Clerk's Office. The applicant must obtain all necessary licenses from the Clerk's Office for alcoholic beverage sales and consumption.
7. Pursuant to Planned Development District Ordinance 2019-2368, hours of operation for the stadium shall be limited to 7:00 a.m. to 11:00 p.m. In the event of rain delays, extra innings, technical difficulties, or lighting maintenance, a reasonable extension of the lighting curfew, up to 12:00 a.m. (midnight), is allowed. Infrequent minor extensions beyond midnight is also allowed.
8. No display, sales, or parking shall obstruct vehicular traffic. Twenty-five feet of drive aisle must be maintained at all times to allow safe and efficient vehicular access throughout the parking lots.
9. Trash receptacles must be provided to properly dispose of any waste generated by this event.
10. Approval is based on adequate sanitary facilities being provided for the event.
11. Tents and other event activities shall be positioned on the exterior of the building so as not to impede building exits, pedestrian or vehicle traffic, "fire lanes" and accessible routes to the public right of way.
12. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses which are required through the Building Inspection Department, Clerks Office, and Health Department.
13. This Temporary Use permit is not approving any tailgating activities.
14. If additional game dates are needed for playoffs, the applicant must notify the Department of City Development prior to the games.
15. All facilities serving food items must be licensed by the City of Franklin Health Department with the exception of A.2 and A.4 which are intended for selling packaged beverage items not considered "Temperature controlled for Safety" (milk, some juices, etc).

16. Any food trucks operating in A.3 must provide proof of Mobile Retail Food Licensing and are subject to inspection per the Franklin Health Department Policy and Procedures. FHD must be notified prior to trucks operating at events.
17. Any other food sales locations, equipment or vendors not specified on this application will be subject to approval by the Franklin Health Department.
18. Follow all relevant WI DSPS and IBC code requirements for fire protection systems for given occupancy, use, and construction types.
19. Fire Extinguisher placement as per NFPA 10.
20. The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).
21. No signs allowed in the road right of way.

RESOLUTION NO. 2025-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A TEMPORARY USE FOR THE FRANKLIN FIELD 2025
BASEBALL SEASON FOR PROPERTY LOCATED AT 7035 S. BALLPARK DRIVE
(ROC VENTURES, LLC, APPLICANT)

WHEREAS, ROC Ventures, LLC having petitioned the City of Franklin for the approval of a Temporary Use to allow for the Franklin Field 2025 Season (March 21 through September 1, 2025) in the Franklin Field Stadium, for UWM Panthers and Milwaukee Milkmen baseball games, one location for food and beverage sales, five locations for beverage sales, one location for food trucks, two locations for beverage tubs, graduation ceremonies and candy drop event, upon property located at 7035 S. Ballpark Drive; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 and §15-3.0442 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of ROC Ventures, LLC for the approval of a Temporary Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. This Temporary Use permit is hereby approved for uses and activities associated with the 2025 regular season of the UWM Panthers and the Milwaukee Milkmen at the Franklin Field, specifically:
 - Baseball games: UWM Panthers (March 21 – May 10) and the Milwaukee Milkmen (May 1 – September 1). See condition #14 for additional games.
 - Food and beverage sales (A.1), 1 location.
 - Beverage sales (A.2), 5 locations for beverage carts.
 - Food truck (A.3), 1 location.
 - Beverage tub (A.4), 2 locations for rolling coolers.
 - Graduation ceremony.
 - Candy drop (Sunday, August 10).
2. This 2025 Franklin Field Stadium Temporary Use permit shall be operated in accordance with the project narrative and site plan, city file-stamped March 12, 2025, attached and on file with the Department of City Development.

3. The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C), unless the Common Council approves higher sound levels pursuant to Municipal Code §183-41A.

Note: The Plan Commission may refer applicant's request for a 65-dBA sound level to the Common Council.

4. The applicant must submit a noise monitoring report as required by condition of approval No. 2 of Ordinance No. 2019-2368 no later than _____.
5. Per the Noise and Light Addendum (page 3), "continuous noise monitoring data shall be kept for twelve months" for the three sound monitors.
6. This Temporary Use permit does not include concerts, fireworks, and other food & beverage events listed in the project narrative, the applicant must submit separate special event permits through the City of Franklin Clerk's Office. The applicant must obtain all necessary licenses from the Clerk's Office for alcoholic beverage sales and consumption.
7. Pursuant to Planned Development District Ordinance 2019-2368, hours of operation for the stadium shall be limited to 7:00 a.m. to 11:00 p.m. In the event of rain delays, extra innings, technical difficulties, or lighting maintenance, a reasonable extension of the lighting curfew, up to 12:00 a.m. (midnight), is allowed. Infrequent minor extensions beyond midnight is also allowed.
8. No display, sales, or parking shall obstruct vehicular traffic. Twenty-five feet of drive aisle must be maintained at all times to allow safe and efficient vehicular access throughout the parking lots.
9. Trash receptacles must be provided to properly dispose of any waste generated by this event.
10. Approval is based on adequate sanitary facilities being provided for the event.
11. Tents and other event activities shall be positioned on the exterior of the building so as not to impede building exits, pedestrian or vehicle traffic, "fire lanes" and accessible routes to the public right of way.
12. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses which are required through the Building Inspection Department, Clerks Office, and Health Department.
13. This Temporary Use permit is not approving any tailgating activities.

14. If additional game dates are needed for playoffs, the applicant must notify the Department of City Development prior to the games.
15. All facilities serving food items must be licensed by the City of Franklin Health Department with the exception of A.2 and A.4 which are intended for selling packaged beverage items not considered “Temperature controlled for Safety” (milk, some juices, etc).
16. Any food trucks operating in A.3 must provide proof of Mobile Retail Food Licensing and are subject to inspection per the Franklin Health Department Policy and Procedures. FHD must be notified prior to trucks operating at events.
17. Any other food sales locations, equipment or vendors not specified on this application will be subject to approval by the Franklin Health Department.
18. Follow all relevant WI DSPS and IBC code requirements for fire protection systems for given occupancy, use, and construction types.
19. Fire Extinguisher placement as per NFPA 10.
20. The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).
21. No signs allowed in the road right of way.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2025.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2025.

APPROVED:

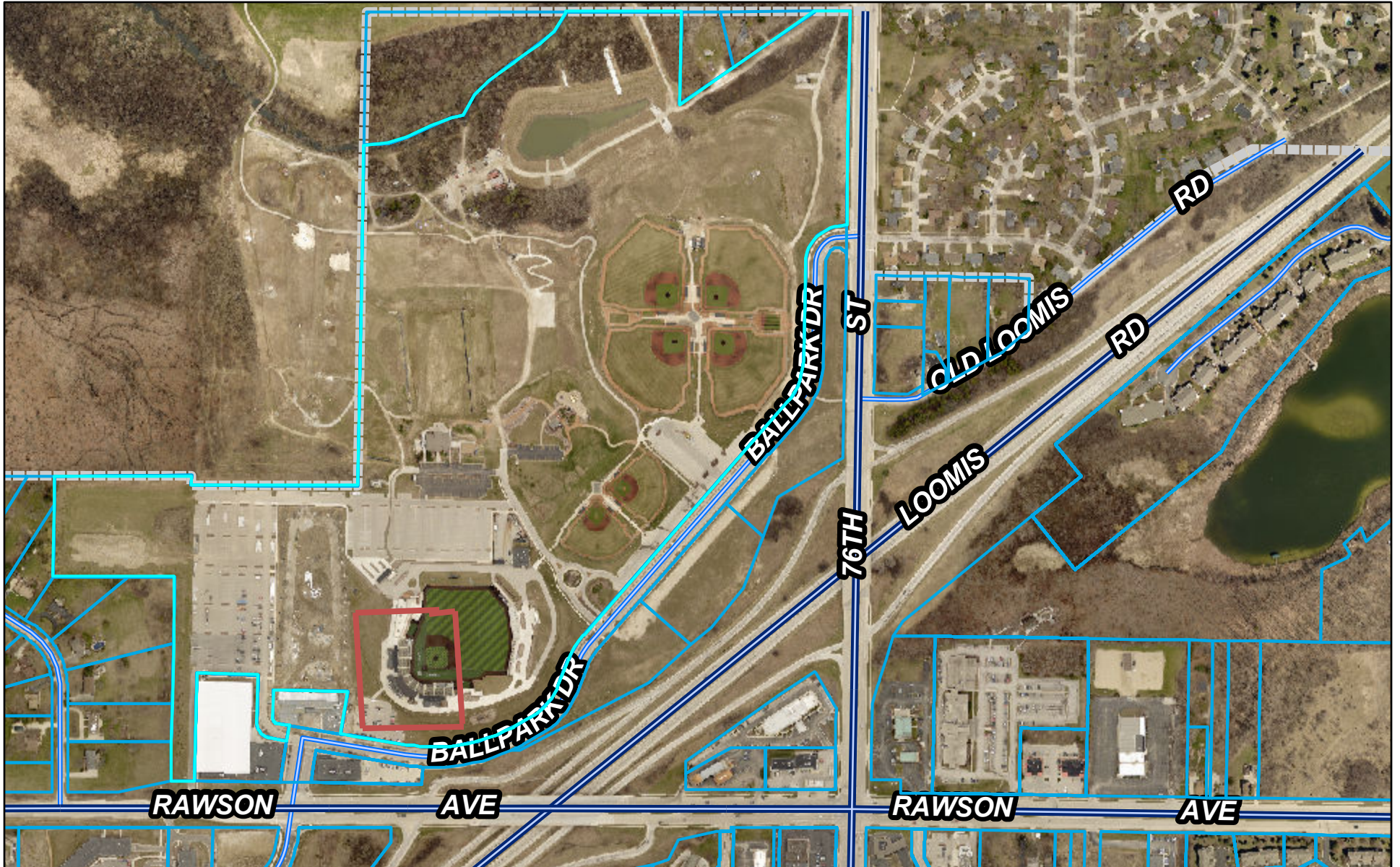
John R. Nelson, Chairman

ATTEST:

Shirley J. Roberts, City Clerk

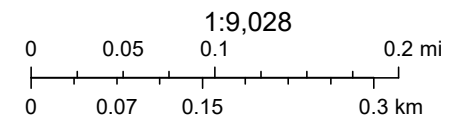
AYES _____ NOES _____ ABSENT _____

City of Franklin Property Viewer



5/2/2024, 11:06:07 AM

 Parcel



SEWRPC, Maxar, City of Franklin, WI

MEMORANDUM

Date: April 1, 2025
To: Christ Conley, ROC Ventures LLC
From: Régulo Martínez-Montilva, Planning Manager
City of Franklin, Department of City Development
RE: Review comments for Franklin Field Temporary Use (2025)
7035 S Ballpark Drive

Below are review comments and recommendations for the above-referenced application submitted on March 12, 2025.

Department of City Development

1. **Late submittal.** Pursuant to Plan Commission Resolution No. 2018-016, the applicant shall submit this application at least 90 days prior to the start of each baseball season. This application was submitted late on March 12 and the season started on March 21. Therefore, City Development staff is referring your application to the Plan Commission.
2. **Noise monitoring report.** Pursuant to Ord. 2019-2368, “The applicants shall also provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring”. This condition is still outstanding.
3. **Sound level.** The uses and activities of this Temporary Use permit must comply with the maximum sound level of 55 dBA LAeq as measured at the property boundary per Unified Development Ordinance Table 15-3.1107(C). Higher sound levels (65 dBA) require approval by the Common Council, the Plan Commission may refer your application to the Common Council.

Health Services Department

1. All facilities serving food items must be licensed by the City of Franklin Health Department with the exception of A.2 and A.4 which are intended for selling packaged beverage items not considered “Temperature controlled for Safety” (milk, some juices, etc).
2. Any food trucks operating in A.3 must provide proof of Mobile Retail Food Licensing and are subject to inspection per the Franklin Health Department Policy and Procedures. FHD must be notified prior to trucks operating at events
3. Any other food sales locations, equipment or vendors not specified on this application will be subject to approval by the Franklin Health Department.

Police Department

1. The PD’s only comment is that clearly defined decibel limits should be listed on the permit for Milkmen games and graduation ceremonies.

Fire Department

1. Follow all relevant WI DSPS and IBC code requirements for fire protection systems for given occupancy, use, and construction types.
2. Fire Extinguisher placement as per NFPA 10.
3. The operation of food trucks shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS), §§ SPS 314 Fire Prevention and NFPA 1, Fire Code-2012 (adopted by reference).

Department of Public Works

1. No signs in the road right of way.
2. Parking on Ballpark Dr. is free to the Public.

Inspection Services Department

1. Inspection Services has no comments on the proposal at this time.

Engineering Department

1. No comments.

BALLPARK COMMONS
FRANKLIN FIELD USAGE SUBMITTAL
PLAN COMMISSION

SUMMARY

The following submittal contains plans and details for all semi-portable, semi-temporary, temporary, and product hawking structures, uses and activities planned to occur at Franklin Field in 2024.

Uses/Activities detailed within this submittal are defined as follows. Milkman games type A or MM “A”: Milkmen games that have higher attendance expectations. Milkman games type B or MM “B”: Milkmen games that have average attendance expectations. Milkman games type C or MM “C”: Milkmen games that have lower attendance expectations. Also included in baseball game submittals are University of Wisconsin-Milwaukee baseball games. No temporary structures are required for these games and attendance expectations are extremely low.

Uses, temporary structures and approval requests as of this date are as follows:

Proposed Use/Structure	Type of Approval
Baseball Games	Permanent
A.1: Food and Beverage Structures	Annual Staff Approval
A.2: Beverage Only Structures	Permanent
A.3: Food Truck Structures	Annual Staff Approval
Product Hawking Structures	Permanent
Fireworks	Common Council
Graduation Ceremony	Annual Staff Approval
Candy Drop	Annual Staff Approval

BASEBALL GAMES

PROJECT NARRATIVE

Provide entertainment to fans attending a standard 9-inning baseball game. Games can last 3 hours or longer depending on gameplay. Food, Beverage, and Merchandise items will be available for purchase. This type of use is expected to occur annually on approximately the same dates.

ATTENDANCE EXPECTATIONS

UWM Baseball Game: Avg. 500 Sold
MM A: Above 75% Sold
MM B: 40-75% Sold
MM C: Below 40% Sold

Schedule

Below is the regular season schedule for the UWM Panthers and the Milwaukee Milkmen. There are a total of 69 games. Additional dates could be added for the playoffs. Changes will be forwarded as needed.

UWM BASEBALL GAMES

Friday, March 21, 3:00pm
Saturday, March 22, 2:00pm
Sunday, March 23, 1:00pm
Wednesday, March 26, 3:00pm
Tuesday, April 8, 4:00pm
Friday, April 11, 5:00pm
Saturday, April 12, 3:00pm
Sunday, April 13, 1:00pm
Tuesday, April 15, 4:00pm
Thursday, April 17, 5:00pm
Friday, April 18, 5:00pm
Saturday, April 19, 12:00pm
Tuesday, April 29, 11:00am
Wednesday, April 30, 5:00pm
Friday, May 2, 5:00pm
Saturday, May 3, 3:00pm
Sunday, May 4, 1:00pm
Friday, May 9, 11:00am
Saturday, May 10, 11:00am

MM A GAMES

Friday, May 9, 6:35pm
Saturday, May 10, 6:00pm
Tuesday, May 13, 11:00am (Kids Day)
Wednesday, May 14, 11:00am (Kids Day)
Friday, May 23, 6:35pm
Saturday, May 24, 6:00pm
Friday, May 30, 6:35pm
Saturday, May 31, 6:00pm
Friday, June 6, 6:35pm
Saturday, June 7, 6:00pm
Friday, July 11, 6:35pm
Saturday, July 12, 6:00pm
Tuesday, July 15, 12:00pm (Kids Day)
Friday, July 18, 6:35pm
Saturday, July 19, 6:00pm
Friday, August 1, 6:35pm
Saturday, August 2, 6:00pm
Friday, August 8, 6:35pm
Saturday, August 9, 6:00pm
Friday, August 29, 6:35pm
Saturday, August 30, 6:00pm

MM B GAMES

Sunday, May 1, 1:00pm
Thursday, May 15, 6:35pm
Sunday, May 25, 1:00pm
Monday, May 26, 1:00pm
Sunday, June 1, 1:00pm
Thursday, June 5, 6:35pm
Sunday, June 8, 1:00pm
Thursday, June 19, 6:35pm
Thursday, July 3, 6:35pm
Sunday, July 13, 1:00pm
Thursday, July 17, 6:35pm
Sunday, July 20, 1:00pm
Sunday, August 3, 1:00pm
Sunday August 10, 1:00pm
Thursday, August 14, 6:00pm
Thursday, August 21, 6:00pm
Sunday, August 31, 1:00pm
Monday, September 1, 1:00pm

MM C GAMES

Tuesday, June 3, 6:35pm
Wednesday, June 4, 6:35pm
Tuesday, June 17, 6:35pm
Wednesday, June 18, 6:35pm
Tuesday, July 1, 6:35pm
Wednesday, July 2, 6:35pm
Wednesday, July 16, 6:35pm
Tuesday, August 12, 6:35pm
Wednesday, August 13, 6:35pm
Tuesday, August 19, 6:35pm
Wednesday, August 20, 6:35pm

Activities

Fireworks

Fireworks shows start no later than 10 minutes after the game ends and will end no later than 10:30pm. Each date will be permitted with an Extraordinary Events Permit obtained through the Clerk's office. Services will be provided by a third-party vendor.

Fireworks dates are as follows:

Thursday, July 3

Friday, July 11

Friday, July 18

Friday, August 1

Friday, August 8

Friday, August 29

Candy Drop

A Candy Drop is an event that will happen at the conclusion of select Milwaukee Milkmen games. At a coordinated time, a helicopter will drop candy onto the field. After all the candy is dropped, we will allow kids in attendance onto the field to collect candy. Services will be provided by a third-party operator.

Candy Drop Date: Sunday, August 10th

Food and Beverage Sales

Food and beverage sales from non-permanent locations, utilizing the structures listed below.

Structures

Structures listed below can be found on the site plan that is included with this submittal package.

Semi-portable

There are no structures planned for this event.

Semi-temporary

A.1: Food and Beverage sales location. For all games scheduled. There is one location that could be utilized for these events. A diagram of the structure is attached. Locations will remain the same for each event.

Temporary

A.2 Beverage sales location. For all games scheduled. There are five locations that could be used for these events. The structure is on rollers and will be rolled into place before games and will be removed after or

closed as attendance will require. These structures are 44.5 in. x 27.25 in. x 30.33 in. (WxDxH). A picture of the structure is attached. Locations will remain the same for each event and will be dictated by attendance.

A.3 Food Truck location. For all games scheduled. There is one location that could be utilized for these events. Standard food truck structure that will arrive before the game and will leave as attendance dictates. These vendors could be operated by a third party and will comply with all Health Department requirements. Locations will remain the same for each event.

A.4 Beverage Tub. For all games scheduled. There are two locations that could be utilized for these events. This is a small rolling cooler. Picture of the items are included in this package.

Product Hawking

For all games scheduled. There are up to 8 product hawking trays for beverages that could be utilized as attendance requires. Product hawking will be limited to concourse and seating locations. Attached is an image of the tray.

Site Plan

D.4 Main Dumpster/Trash Collection points. Receptacles will be placed throughout the event area.

A.1 Food and Beverage sales location

A.2 Beverage sales location

A.3 Food truck location

A.4 Beverage tub

D.5 Restroom locations

E.1 Emergency access point

A.5 Firework fall out/launch area. This area will be barricaded and will be a 350' diameter area.

Graduation Ceremony

Project Narrative

Standard commencement ceremony. On field staging and chairs for graduates.

Attendance Expectations

As allowed by the current capacity regulations. Not to exceed more than 100% of the stadium's capacity.

Schedule

Times included are for set up, ceremony, and load out. Operating time will be limited to 5-7 hours. The exact operating hours are TBD. Graduation date is TBD.

Activities

Food and Beverage Sales

Food and beverage sales from non-permanent locations, utilizing the structures listed below.

Structures

Structures listed below can be found on the site plan that is included with this submittal package.

Semi-portable

There are no structures planned for this event.

Semi-temporary

There are no structures planned for this event.

Temporary

Temporary structures for this event include:

C.1 Approximate stage location. 30' x 30' wooden riser stage that will feature acoustic performances. Will only be set up on event days.

Product Hawking

No product hawking is planned for this event.

Site plan

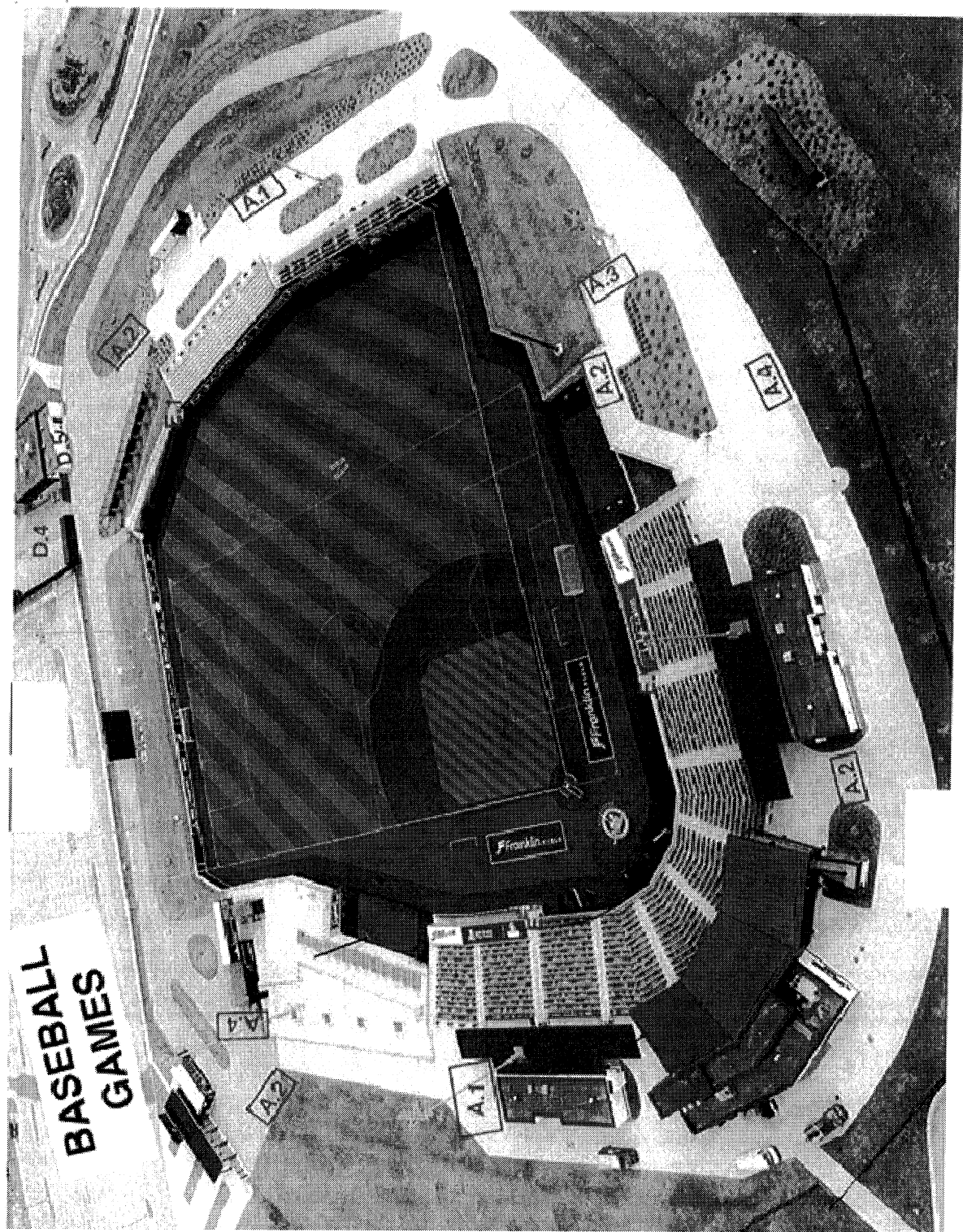
C.2 Main event seating area. This area will include chairs for graduates to sit.

D.4 main Dumpster/Trash collection points. Receptacles will be placed throughout the event area.

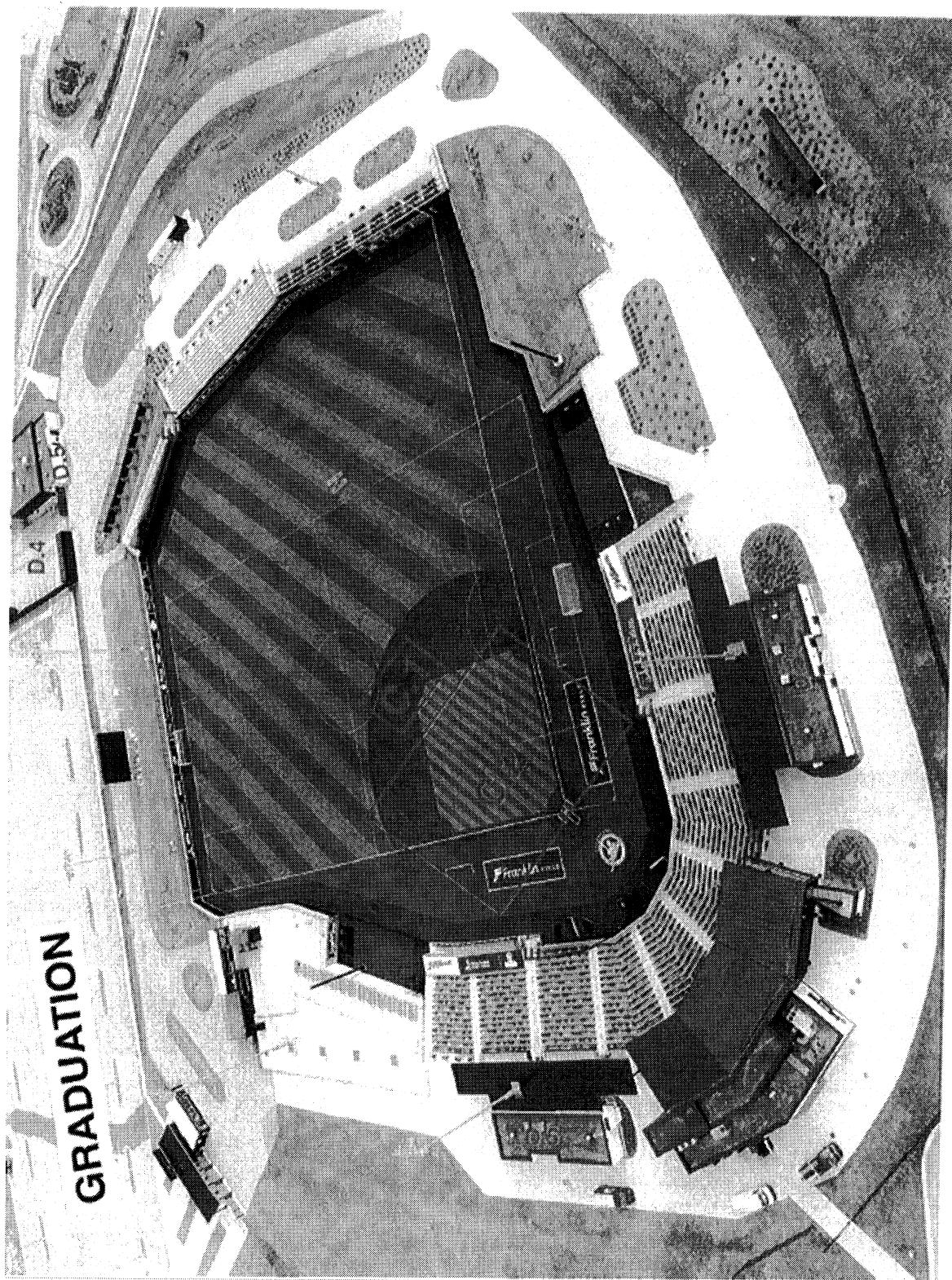
D.5 Restroom locations

E.1 Emergency access points

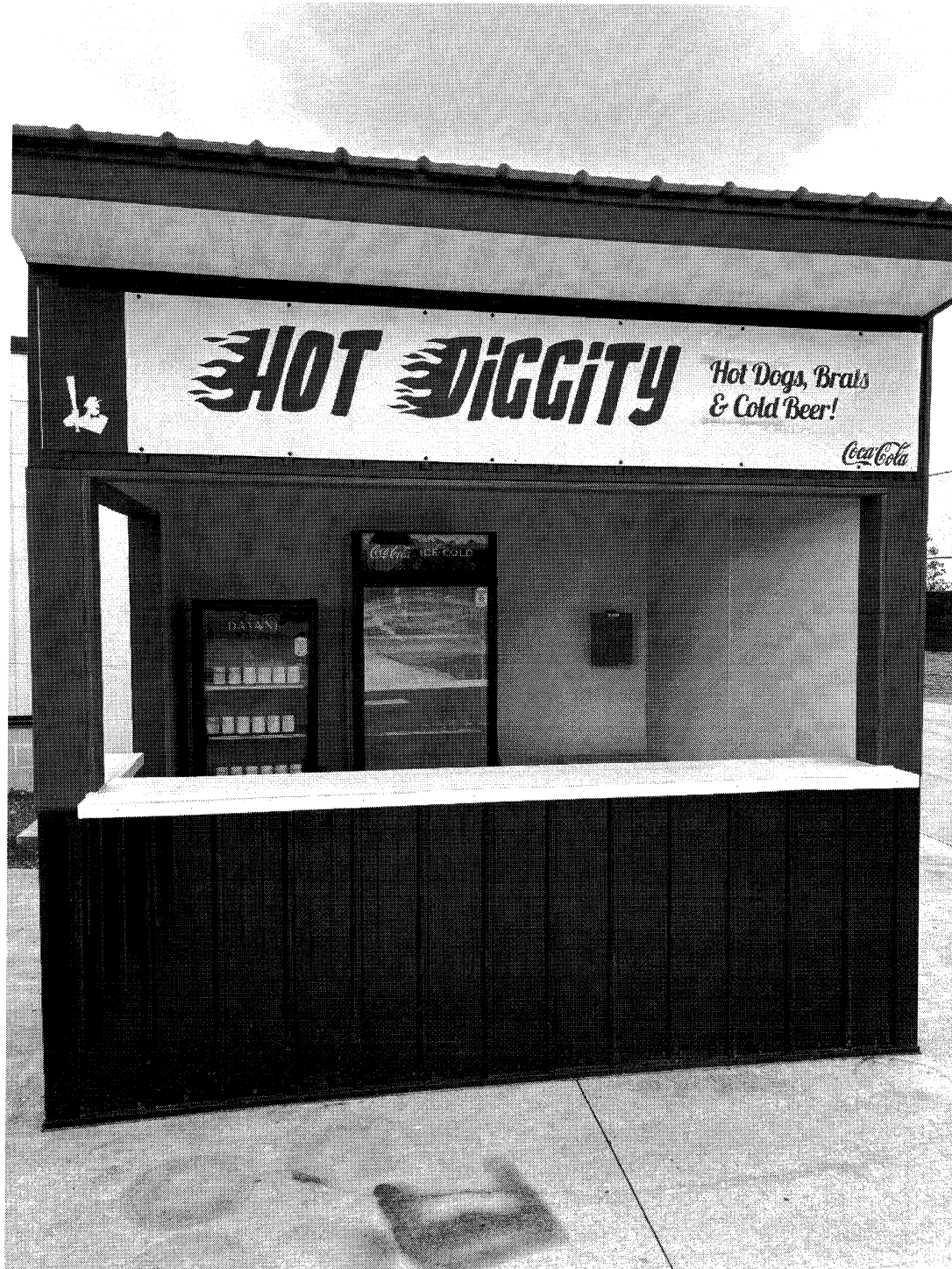
Baseball Games



Graduation



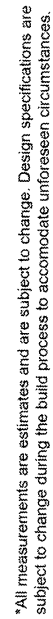
A.1 Food and Beverage sales location



A.2/A.4 Beverage Tub



A.3 Food Truck

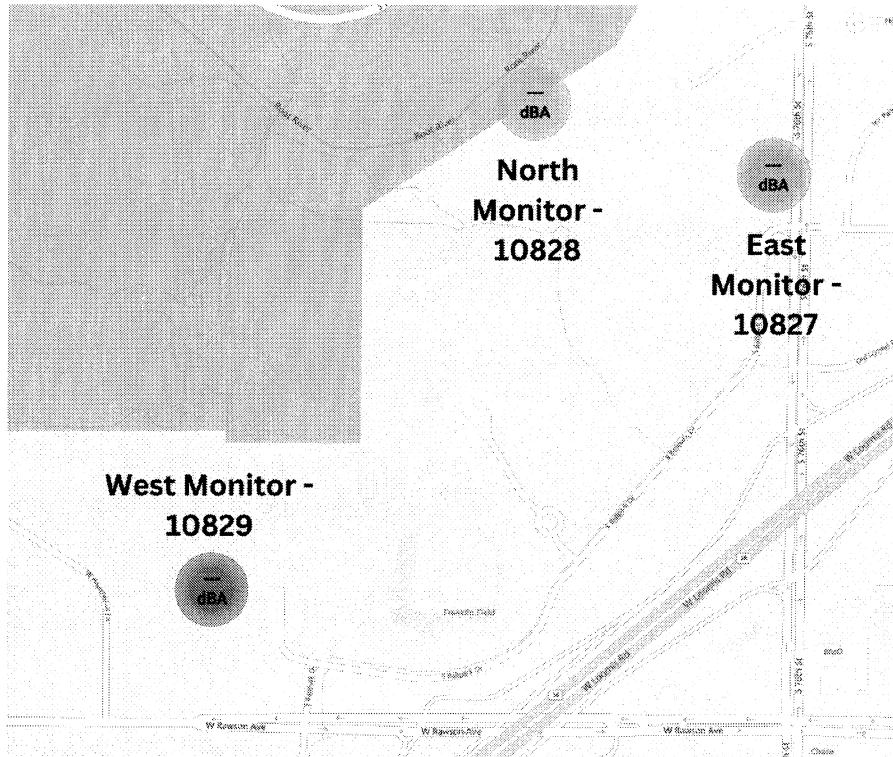


A.5 FIREWORKS FALLOUT AREA





RE: Ballpark Commons 2025 event permit – REQUESTED DB levels



BALLPARK COMMON 2025 EVENT PERMIT DB LEVEL REQUEST			
EVENT	NORTH MONITOR	EAST MONITOR	WEST MONITOR
SUMMER CONCERT SERIES	65DB	65DB	69DB
MILWAUKEE MILKMEN GAMES	65DB	65DB	65DB
THE HILL HAS EYES	69DB	60DB	60DB
SNOWGLOBE HOLIDAY	55DB	55DB	60DB
TACOS & TEQUILA / PHASEFEST CONCERT	79DB	79DB	79DB

**** MILKMEN GAMES DO NOT INCLUDE FIREWORK NIGHTS (PERMITTED SEPARATELY) ****

Department of City Development Annual Report: 2024

Prepared for:
Mayor John R. Nelson
City of Franklin Common Council
City of Franklin Plan Commission

Prepared by:
Department of City Development (Planning)

March 18, 2025

The City of Franklin's Department of City Development oversees planning and zoning activities. It is responsible for administering the Unified Development Ordinance (UDO) and implementing the Comprehensive Master Plan. The Department's role includes disseminating this information to the public and coordinating with other City departments, boards, commissions, public officials, and applicants to ensure the timely review of projects.

This report summarizes the department's activities during 2024 related to development review, zoning enforcement, staff support to City boards and commissions, long-range planning, and department initiatives. It also outlines the department's goals for 2025.

Development Review

City Development staff are the go-to source for property development information and interpretations of the UDO and other property-related parts of the Municipal Code. Staff planners held 91 pre-application meetings with prospective applicants. Additionally, staff processed 148 inquiries from the City's website, not including phone calls and customer service at the department's counter.

The following provides a step-by-step process of a development review:

1. Pre-Application Meeting: Applicant contacts the department to schedule a pre-application meeting with a planner.
2. Application Submission.
3. Initial Review for Completeness: The planner reviews whether the application has all required materials or no. If incomplete, the planner contacts the applicant for additional information.
4. Routing for Departmental Review: The planner routes the application to other City departments for review.
5. Planning Review: The planner reviews the application for compliance with the UDO, compatibility with adjacent land uses, and consistency with the comprehensive plan.
6. Compilation of Comments: The planner compiles comments from other departments.
7. Review Comments Memo: The planner sends a memorandum with review comments to the applicant.
8. Addressing Staff Comments: Applicant addresses staff comments.

9. Board/Commission Meeting Scheduling: The application is scheduled for a board/commission meeting and public hearing (if required).
10. Report Preparation: Department staff prepares reports and other packet materials for the meeting.
11. Review and Decision: The respective board/commission reviews the application and decides to approve, conditionally approve, deny, or holdover/table the request.
12. Conditions of Approval: The planner follows up with the applicant to address conditions of approval before the next permitting stage (typically issuance of building permits, land disturbance permits, or certificate of occupancy).

It's important to note that this development review process serves as a reference and may vary depending on the type of application and specific circumstances.

The number of development applications received in 2024 decreased by 11% compared to the previous year. Staff have reviewed and completed 93% of development applications as of February 27, 2025, which is similar to the previous year (91 %).

Development applications, zoning complaints, and commission meetings in 2024:

Activity	2023	2024 Total	2024 Completed*	2024 Pending*
Site Plans/Concept Plans	48	46	45	1
Plat Reviews	7	11	9	2
Certified Survey Maps	3	3	1	2
Special Uses	15	11	11	-
Rezoning	1	3	3	-
UDO/PDD Amendments	2	8	8	-
Zoning Permits/Certificates	95	73	69	4
Sign permits	56	33	32	1
Variances	15	25	20	5
Zoning Complaints	147	133	125	8
Board & Commission Meetings	75	72	n/a	n/a
Total (Applications)	242	213	198	15
Total (Applications + Complaints)	389	346	323	23

(*) Completed or pending status as of February 27, 2025.

The project tracker table compiled by staff with all applications submitted in 2024 is available upon request.

Since August 2024, Planning staff reviews residential building permit applications for compliance with the UDO, such as building setbacks, lot coverage and building height. The Inspection Services Department receives permit applications and creates a “planning” review in BS&A for planning staff.

In September 2024, Planning staff switched to a postcard format for public hearing notices, saving staff hours, as well as mailing and printing costs.

Zoning Enforcement

The Department received 133 zoning-related complaints in 2024, which represents a 9% decrease compared to the previous year. It is important to note that a significant commitment of staff time is required in the research and resolution of most zoning enforcement actions.

Most complaints (76%) were noise complaints related to Planned Development District (PDD) No. 37 (The Rock Sports Complex) and quarry complaints.

Zoning complaints received in 2024 by type and status:

Type of Complaint	Complaints received	Complaint status*		
		Closed	Notice sent	Open
Animals	6	6	-	-
Floodplain**	-	-	-	-
Lighting	1	-	-	1
Natural resources	4	3	-	1
Noise	-	-	-	-
Noise (PDD 37)***	67	66	-	1
Outdoor storage	3	1	-	2
Parks	-	-	-	-
Signs	-	-	-	-
Structure without permit	1	1	-	-
Use without permit	12	9	2	1
Miscellaneous	4	4	-	-
Quarry	35	35	-	-
Total	133	125	2	6
%		94.0%	1.5%	4.5%

(*) Complaint status as of February 21, 2025.

(**) Not including floodplain management Community Assistance Visit (CAV)

(***) Noise complaints related to Special Events permits were referred to the Police Dept.

A list with all zoning complaints received in 2024 is available upon request; such list doesn't include quarry complaints.

Staff has reviewed and closed 94% of complaints, while only 6% complaints are still open or a notice of violation has been sent. The department has improved in this measure compared to the previous report (85% of complaints closed). Review of open complaints is a department goal for 2025.

The department is also working on older complaints received between in 2021 and 2023 that are still open. In total, there are 19 open complaints as of February 21, 2025, which is a 45% reduction from 35 open complaints on July 11, 2024 (Mid-year 2024 report).

For information on quarry complaints, please visit the Quarry Monitoring Committee page on the City's website to access detailed quarterly reports prepared by the quarry monitoring consultant.

Staff support to boards and commissions

The Department of City Development is responsible for providing planning, zoning, and development-related support to the Mayor and Common Council and primary staff support to the Plan Commission, the Board of Zoning and Building Appeals, the Environmental Commission, the Quarry Monitoring Committee, and the Parks Commission. The Department also assists the City Attorney's Office with the Community Development Authority and the Economic Development Department with the Economic Development Commission.

Meetings attended by City Development staff in 2024:

<u>Board or Commission</u>	<u>meetings</u>
Plan Commission	20
Board of Zoning and Building Appeals	10
Quarry Monitoring Committee	4
Environmental Commission	6
Parks Commission	6
Common Council	21
Committee of the Whole	1
Economic Development Commission	1
Community Development Authority	3
Total	72

Planning staff attended a total of 72 meetings, very similar to 2023 (75 meetings). Department staff is anticipated to continue supporting these boards and commissions in 2025.

Quarry Monitoring Committee

The department continued to staff the Quarry Monitoring Committee, coordinate the activities of the City's quarry monitoring consultant, and respond to citizen concerns and complaints about the quarry during 2024. The Planning Department also helped prepare a quarry monitoring contract with Stantec Consulting Services Inc. and reported annual reclamation data to the Wisconsin DNR.

Parks Commission

The Planning Department provides administrative support to the Parks Commission, including agenda building, packet production, records management, assistance with minutes, public notices, room setup, and other tasks to keep the Commission running smoothly.

The Commission is granted powers and duties (subject to approval of the Mayor and Council), through Franklin Municipal Code § 10-7E including:

- To appoint staff as may be necessary to carry out the functions of the Parks Commission.
- To have charge and supervision of all City parks and recreation programs, subject to Mayor and Council supervision.
- To make reports and recommendations, including budgetary items, to the Mayor and Council.

The department provides support to the Commission by coordinating this work:

- Special requests related to park pavilion or other park facility rentals;
- Requests to host public events in City of Franklin parks;
- Small donations of equipment and amenities such as memorial benches;
- Requests for new facilities, amenities, or parks;
- Park and trail development plans;
- Use of Park Impact Fees;
- Implementation of the Comprehensive Outdoor Recreation Plan;
- Development of Park Rules and policies; and
- other areas subject to their review as enabled by §10-7 of the Municipal Code and Wis. Stat. § 27.08

Planning staff attend all Parks Commission meetings to provide support, updates, and additional information to the Commission. The Department also serves as the Commission's point of contact with the public outside meeting times.

Environmental Commission

The Planning Department staff provides administrative support to the Environmental Commission, attends all Commission meetings, and serves as the Commission's point of contact with the public outside meeting times. The department also provides support to the Commission by coordinating its work, including:

- Policy recommendations to Common Council and other Commissions;
- Review of Natural Resource Special Exception (NRSE) applications and other natural resource reviews;
- Promoting public participation in events concerning environmental issues;
- Providing the public with information and education about environmental issues; and
- other areas subject to their review as enabled by §10-14 of the Municipal Code such as:
 - Review and recommend policies and procedures regarding City efforts to perform recycling and composting in the City as may be required from time to time due to changes in state laws, regulations or funding.

- Make recommendations regarding environmental issues of concern to the City.
- Monitor federal and state laws and policies regarding environmental issues as they relate to the City.
- Promote interest in obtaining grants to assist the City in environmental matters.
- Promote citizen participation in events concerning environmental issues.

Consolidation of Parks Commission and Environmental Commission

A 2024 goal for the Department of City Development was the merger of the Parks and Environmental Commissions.

As subcommittees for the Common Council, each commission provides review and support to the work of the Council, and has specific mandates related to that work. The proposal to consolidate these commissions stems from several practical needs for the City:

- Consolidation of the two Commissions reduces the administrative burden of meeting prep, with one distribution list and one meeting to properly notice.
- Area of work overlap; there are often resident items that go to both Commissions for review.
- The combined Commission will be a place for resident oversight of City-owned land & Natural Resource Protection.
 - The City of Franklin contains significant areas of natural resources that require protection under our ordinances. Much of this land has been impacted by development. The development ordinance requires resident input on Natural Resource Special Exception approvals.
 - The Comprehensive Outdoor Recreation Plan includes several conservancy areas that are to be City owned and maintained, but not subject to development into a programmed park.
 - Current UDO allows for dedication of parkland in lieu of impact fees.
 - Both groups wish to create “Friends of Parks” or similar resident park volunteer projects to assist with maintenance like litter cleanups or buckthorn removal.

At the January 2, 2025 Common Council Meeting, the following action was taken by the Common Council adopted Ordinance No. 2025-2660, AN ORDINANCE TO AMEND §10-7 PARKS COMMISSION, OF THE MUNICIPAL CODE TO ADD AND INCORPORATE THE POWERS AND DUTIES OF THE ENVIRONMENTAL COMMISSION AND TO ADD THE CURRENT MEMBERS THEREOF TO BE MEMBERS OF THE PARKS COMMISSION, AND TO REPEAL AND RESCIND §10-14 ENVIRONMENTAL COMMISSION, OF THE MUNICIPAL CODE.

This consolidation goes into effect on May 1, 2025.

Floodplain Management – Community Assistance Visit (CAV)

Homes and businesses in high-risk flood areas with mortgages from government-backed lenders must have flood insurance, which is provided by the Federal Emergency Management Agency through their National Flood Insurance Program (NFIP). In 2022, the Wisconsin Department of Natural Resources (DNR) and FEMA identified floodplain violations in the City of Franklin that must be resolved to maintain participation in the Flood Insurance Program.

Floodplain Ordinance

The City is responsible for implementation and enforcement of floodplain regulations at the local level. Ongoing violations of floodplain protections represent a danger to health and safety. In 2024 Planning led the work to update the local floodplain ordinance to comply with FEMA requirements. The new ordinance and related maps were adopted in August 2025.

Floodplain Violations

Planning is coordinating the City's response to the floodplain violations identified by FEMA. The Department of City Development created a work plan to resolve these violations, bring each site into compliance, and prevent future encroachments.

Violations can be resolved through permitting and review, or removal. The violations identified fall into three categories: structures that received permits from the City, structures that did not request permits from the City, and structures where a permit was not required by the City.

Site Compliance

To date, site visits have been completed for all sites, and key sites have been contacted to begin resolution.

Administrative changes

As part of the work to comply with FEMA requirements, Planning has also led efforts to prevent future issues through improvements to administrative processes. In order to create a resource for Inspection Services to for the building permitting process, Planning worked with GIS to identify all properties with floodplain on them in the permitting database BS & A. Lots with floodplain are flagged with that information, including the number of the relevant Flood Insurance Rate Map (FIRM) number to facilitate with updating property surveys.

The Department has also received an updated list of all properties which have received floodplain exemptions from FEMA. A full update on the project status will be provided to the Common Council later this spring, 2025.

Long-range Planning & Department Initiatives in 2024

In addition to the zoning and land division-related responsibilities noted earlier in this report, the Department of City Development has the duty of helping guide the City's long-range planning activities. Below is a summary of accomplishments in 2024 and early 2025:

- The Unified Development Ordinance (UDO) was amended for compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA).
- The UDO was amended to add an alderperson to the Plan Commission and remove the City Engineer.
- The UDO fee schedule was updated.
- A definition for "developer's deposit" was added to the UDO.
- The city's floodplain zoning ordinance was updated.
- The City's Rural and Urban areas map was updated.
- Staff prepared housing affordability reports (2021-2023 and 2024).
- The Franklin Industrial Park PDD Ordinance was amended to allow for administrative review of signs.
- The Business Park PDD Ordinance was amended to allow for administrative review of minor site plan amendments.
- The Common Council adopted an ordinance to combine Parks and Environmental Commissions.

Goals for 2025

Long-range Planning & Department initiatives

- Adopt the new UDO: the Plan Commission held a public hearing on January 23 and recommended approval on April 3, 2025. Staff anticipates presentations before the Common Council for decision.
- Update city's noise regulations. Planning consultant Houseal Lavigne and staff prepared a draft to update Municipal Code §183 Art. XIII Noise and Vibrations. Next steps: presentations before the Plan Commission and the Common Council.
- Update the City's Comprehensive Master Plan, the Common Council directed staff to update the plan's demographic data.
- Adopt a Traditional Neighborhood Development (TND) ordinance, the Common Council directed to staff to proceed with a draft TND ordinance as floating zoning.
- Amend the Franklin Industrial Park PDD Ordinance to allow for administrative review of minor site plan amendments.

Development review

- Continue to review pending and upcoming development applications.

Zoning Enforcement

- Continue implementation and enforcement of the CAV.
- Review open complaints.