

City of Whitewater
Zoning Code Update Meeting
Whitewater Municipal Building, 2nd Floor
City Manager Meeting Room
January 21, 2016

MINUTES

1. Call to Order and Roll Call
 - a. Meeting was called to order by Cameron Clapper at 7:05 pm.
 - b. Present: Cameron Clapper, Christine Munz-Pritchard, Ken Kidd, Christopher Grady and Wally McDonell. Also present: Jeff Knight, Russ Walton and Larry Kachel.
2. Motion to hold meeting with less than 72 hours notice as required by Whitewater Transparency Ordinance by Ken Kidd, second by Chris Grady, motion passed, All-0.
3. Motion to approve minutes from December 8, 2015 meeting by Ken Kidd, second by Chris Grady, motion passed, All-0.
4. Review and discuss general proposed zoning changes.
 - a. Committee agrees to adopt all scriveners' errors throughout the document and will not review these changes in dept.
 - b. Committee agrees to start reviewing proposed ordinance at B-1 Community Business District to review while Russ Walton was present:
 - c. 19.27.020 (GG) Reads Existing residences must meet the following standards: limited to no more than three (3) unrelated persons. Grady requested that it match the 4 unrelated under 19.27.030 (Q). The changes was made from three (3) to four (4) unrelated for 19.27.020 (GG). (**Approved**)
 - d. Committee reviewed 19.27.030 (Q) that reads as follows:

(Q) New residential construction or existing residential modification resulting in addition of units or bedrooms. The residential must meet the following standards:

 - i. A limit of four (4) unrelated persons.
 - ii. Three hundred fifty (350) square feet of usable open space shall be required for each dwelling unit for structures with two (2) or more units.
 - iii. Number of parking spaces is determined using the R-3 parking regulations for the residential units.
 - iv. First Floor Resident may be permitted if it meets the following standards.
 - a. The Unit is ADA compliant
 - b. Any residential units access must:
 1. Exit from the rear of the principal structure or
 2. A main street access which must be through a common entry-way used by a non-residential use.
 - c. The units shall not occupy more than Forty (40%) percent of the first floor.

- e. Russ Walton requested that 19.27.030 (Q) 4.c. be changed from forty (40%) percent to fifty (50%) percent. Committee agrees (section B-1 all proposed changes are **Approved**).
- f. Russ Walton leaves meeting and the committee then begins review Definitions under chapter 19.09.
- g. After reviewing 19.09.191 Driveway the committee agrees to approve all definition changes in section 19.09 (**Approved**)
- h. Committee agrees to start reviewing Chapter 19.15 One Family Residence District.
 - 1. Planner Chris Munz-Pritchard explains that the language changes have been echoed throughout the rest of the document. She has requested that if the change is approved by the committee in R-1, it is changed throughout the document to keep the language constant. The Committee agrees to change in other place language may be in Chapter 19.
- i. 19.15.030: One accessory structure may be located in the front and side yards if it meets the following requirements. (**Approved**) All approve of language and feel more lenient than existing restrictions. Subsequently approved in all other location within the Chapter 19 document (**Approved**).
- j. 19.15.040A: Nonconforming lot that do not meet the minimum lot area above may be considered as a buildable lot if it: a. meets all other standards including 19.60.050 and b. is reviewed and approved by the City plan and architectural review commission. (**Approved**) Subsequently approved in all other location within the Chapter 19 document (**Approved**).
- k. 19.15.060 Yard Requirements due to 19.15.070 Lot Coverage being stripped of all the impervious surface regulations. The committee choose to add back in original language that could prevent issues with too much impervious surface on a lot the changes read as follows:
 - o Front, twenty-five (25) feet; not more than 40% of the front yard may be an impervious surface except as a conditional use.
 - o Side, ten (10) feet, corner lot, twenty-five (25) feet;
 - o Rear, thirty (30) feet; not more than 40% of the front yard may be an impervious surface except as a conditional use.
 - o Shore, seventy-five (75) feet, not more than 40% of the yard may be an impervious surface. All Shoreland shall be in compliance with Chapter 19.46, in addition may require DNR approval.

The committee agreed to remove all 40% impervious surface from side yard. In addition to adding in note regarding Shoreland compliance with Chapter 19.46. (**Approved**) Subsequently approved in all other location within the Chapter 19 document (**Approved**).
- l. 19.15.070: Lot Coverage: All changes under the Lot Coverage have been removed and reverting back to the original approved language. This topic shall be revisited at another time. (**Approved**) Subsequently approved in all other location within the Chapter 19 document (**Approved**).
- m. 19.15.090: Language should be changed to read: Park Fees will be proposed by the Park and Rec Board with final approval by the Common Council. Exact statement to be provided by W. McDonell. (**Changes Pending**) (**Approved**) Sub-

sequently approved in all other location within the Chapter 19 document (**Approved**).

- n. 19.21.040: Lot area: Mitch Simon and Wally McDonell were heavily involved in reworking this section to make the language more clear for citizens and examples were included to show how language was figured. No issues from committee (**Approved**). Subsequently approved in all other location within the Chapter 19 R-3A (**Approved**).
- o. 19.21.070: Lot Coverage: Approved by committee. Just some typing corrections to be made by W. McDonell and C. Munz-Pritchard. (**Approved**). Subsequently approved in all other location within the Chapter 19 R-3A (**Approved**).
- p. 19.09.064: Bedroom section needs to be moved to a better location in the ordinance.
- q. C. Munz-Pritchard recommends skipping over the Mobile Home District Section and committee begins reviewing again at 19.30 B-2 Central Business District. B-1 previously discussed. B-2 is the Downtown district and nothing has really been changed. Only language was changed to clarify existing text.
- r. 19.31: B-2A: Downtown Housing Overlay District: Refers to all vacant land or the armory. No issue with this section staying in the ordinance.
- s. 19.33: B-3 Highway Commercial and Light Industrial District (**Approved**)
- t. 19.36: M-1 General Manufacturing District- Section will be reviewed by J. Knight and M. Simon and will bring questions if any to the next committee meeting regarding lot restrictions on corner lots in M-1 and Tech Park. W. McDonell and C. Munz-Pritchard request any changes or questions to be forwarded them to them before the meeting for review.
- u. 19.37: M-2 nothing changed except Shoreland Statement added.
- v. 19.38: Whitewater University Technology Park District (WUTP): (**Nothing changed**)
- w. 19.39: PD Planned Development District: (**Nothing changed**)
- x. 19.42: Agricultural Transition District: (**Nothing changed**)
- y. 19.45/19.451 C-1/C-2: Shoreland Wetland Overlay District: Nothing changed
- z. 19.46 Floodplain Regulations: (**Nothing changed**)
- aa. 19.461: FWW Floodway/Wetland District: Nothing changed
- bb. 19.48: Institutional District: (**Nothing changed**).
- cc. 19.485: Large Retail and Commercial Service Development Standards: (**Nothing changed**.)
- dd. 19.49: Wellhead Protection: (**Nothing changed**)
- ee. 19.51.040(D): Adequate access-Driveway-All areas intended to be utilized as a driveway shall be surfaced with asphalt or concrete otherwise will need permission. (**Approved**)
- ff. 19.51.050 Size, Location and Maintenance and Surface Material of Parking Spaces: (**Approved**)
- gg. 19.51.080 Front, Side and Rear Yard Limitations: In Section (A) leave in the wording to include subsections B, C, D and E. (**Approved**)
- hh. 19.51.130 Number of parking stalls—General requirements: C.Munz-Pritchard request that this be removed for now and add back in original language because everything on the maximum is tied to impervious surfaces which was removed.

Chris has stated that a maximum is needed for developments that have been an issues in the past. J. Knight makes an open records request to see past development issues attempting to bypass state regulations. C.Munz-Pritchard will handle his request. Committee recommended and agrees to leave maximum parking stalls on chart in this section as it only serves as a reference back to Impervious Surface Regulations. (Approved)

- ii. 19.51.140 Number of parking stalls—Combination uses (Approved)
 - jj. 19.74: Cost Recovery of Professional Consultant Fees and Charges: Heavily Reviewed and prepared by Mitch Simon (Approved)
5. Discuss timeline for recommendation to the Common Council. February 2, 2016 approved ordinances will be presented to Common Council. See #7.
 6. Review and approval of proposed ordinance changes to advance to February 2, 2016 Common Council Meeting. Motion by K.Kidd to direct staff to present approved ordinances to the Common Council on February 2, 2016, second by C.Grady, All-0.
 7. Restate staff directions provided during the meeting and any required deliverables: C.Munz-Pritchard will prepare approved ordinances and make recommended changes and send out to the committee
 8. Adjournment: Motion by K. Kidd to adjourn at 9:05 pm, second by C. Grady, All-0.