

## **OVERVIEW – What Did The RFP Request And Was That Addressed In The Discussions?**

1. Work with the City Attorney to assure that the new Zoning Code meets the requirements of Wisconsin State Statutes, and that the City considers amendments to other municipal ordinances to assure compatibility with the new Zoning Code. **YES**

2. The City desires a Zoning Code that is based on sound principles of Smart Growth, mixed-use and sustainable development. The City has a strong, on-going sustainability initiative and is interested in learning how some of these principles can be codified. **VERY MINOR**

3. The City desires a Zoning Code that incorporates both land use-based (Euclidean) and form-based zoning provisions. The provisions shall address the design and land use recommendations and provisions of the City's various codes, ordinances and plans. The Code shall include design standards (text and graphics).

4. The City desires a Zoning Code that includes mixed-use zoning district options and attendant regulations for both built-up areas of the city as well as the undeveloped areas of the city. **YES**

5. The City desires a Zoning Code that includes provisions that will help the City achieve high-quality infill and redevelopment projects that are sensitive to the context of existing development in the area. **NO**

6. The City desires a Zoning Code that includes performance standards such as noise and lighting standards. **PARTIAL**

7. The City desires a Zoning Code that maintains the fabric of existing neighborhoods. **YES**

8. Interface the new Zoning Code with other ordinances of the City in collaboration with the City Attorney. Ensure that the new Zoning Code implements the City's adopted Comprehensive Plan (February, 2010), as may be amended following the Zoning Code rewrite process. **PARTIAL**

9. The City desires a Zoning Code that contains form-based Sign standards. **NO**

10. The City desires a Zoning Code that includes graphics that illustrate regulations and make the Code easy to use. Graphics should be produced and provided to the City in such a manner that involves their easy editing later, and shall not be produced using proprietary software. **PARTIAL**

11. The City desires a Zoning Code that is logically organized, easy to read and understand, and is consistent in terms of processes and requirements. **YES**

12. Provide for the possible replacement or enhancement of Planned Community Development District (PCD) zoning districts, if feasible, with other appropriate approaches. This district, which is the City's PUD district, has been overused in some people's opinion, which is due in part to the inadequacy of some current standard zoning district options. **YES**

13. Identify locations that may become nonconforming, as to actual use of the property or by dimensions, under the proposed code and map, and attempts to minimize nonconforming uses or structures where practical. **YES**

14. The City desires a Zoning Map that establishes or maintains a zoning district for all properties within the City and aligns with the Zoning Code text. **YES**

15. Provide for a hierarchy of approvals that requires lesser and simpler processes for simpler projects and more process for more complex and controversial projects. Administrative approvals for simple or standard projects should be considered. **YES**

16. In addition to the above, the current City Comprehensive Plan identifies the following issues that should be addressed in the Zoning Code rewriting:

- Revise the zoning ordinance to more clearly and obviously present the City's non-family household size limits, which are currently difficult to locate. **YES**
- Provide a tighter definition for what constitutes a single-family home and consider more careful review of additions based on that definition. **YES**
- Revise lot coverage standards for the City's R-1, R-1 X, and R-2 zoning districts to preserve neighborhood character and to limit large backyard parking lots for aesthetic, noise and light control, and stormwater management reasons. **YES**
- Amend the City's R-1 Single-Family Residential District, potentially reducing the minimum lot size and lot width requirements to match or come closer to those same requirements for single-family homes within the R-2 One-and Two-Family Residence District. This will make the R-1 district more widely applicable to existing and future neighborhoods in the City, thereby making it more appealing to map the R-1 district than it is today. **NO**
- Amend the existing R-2 District to allow all forms of duplexes and two-flats (both converted buildings and new buildings) as conditional uses and limit the maximum allowable residential building size to duplexes/two-flats. **NO**

- Consider reducing housing unit occupancy to a maximum of three unrelated individuals in certain areas where R-3 zoned lots abut lands zoned R-1, R-1 X, and possibly R-2, as a means to facilitate smoother population density transitions in these areas. **YES**
- Require Plan Commission design review of any proposed increases in the number of bedrooms of pre-existing housing units within planned "Central Area Neighborhood" areas on the future land use map in the comprehensive plan. **YES**
- Rezone lands in a manner that fully supports the City's Neighborhood Preservation Strategy. As an alternative or enhancement to rezoning lands, the City could adjust zoning standards within its residential zoning districts. **YES**
- Promote variation in the appearance of homes, including differences in color and architecture for houses located on the same street. Promote opportunities to locate garages behind the front facade of the house/building. Consider incorporating anti-monotony design standards into the City's zoning ordinance to advance these goals. **NO**
- Amend the M-1 District to establish a clearer distinction between this zoning district and M-2 Manufacturing and Miscellaneous District. The M-1 District should truly serve as the City's "light" industrial district, accommodating high quality, indoor industrial and business park-type uses. Currently, the M-1 District allows for a range of industrial uses, including salvage yards, paper mills, and plastic manufacturing facilities. While these types of uses are prohibited in the Whitewater Business Park through the use of covenants, other areas on the Future Land Use map that are classified as Business Industrial Park would not necessarily be regulated in the same manner without changes to the M-1 district. **YES**
- List community gardens as allowable land uses in several zoning districts. **NO**
- Require installation of bike racks and pedestrian amenities (e.g., benches, covered entryways) for commercial and industrial projects throughout the City. When reviewing development proposals, consider how the design of the development relates to its accessibility for bicyclists and pedestrians. **NO**
- Clarify provisions related to consistency between zoning issues and comprehensive/master plan consistency (e.g., standards for rezoning, CUP, site plan approval). **NO**
- Amend lighting standards to no longer restrict against metal halide fixtures, but perhaps to promote new lighting options (perhaps lighting levels can be a little higher if LED is used). **NO**
- Clearly define how to calculate "first floor area" for determining the allowable size and placement of wall signs. **NO**

The result of this process is an innovative Zoning Code that maintains most of its existing Euclidean provisions applied to existing single and multi-family residential, some commercial, and industrial areas, but where possible allows for the application of form-based code provisions and districts for proposed mixed-use neighborhoods, redevelopment areas and some commercial corridors. **NO**

The Comprehensive Plan shall be used to guide the zoning code re-write, but revisions to the City's Comprehensive Plan may need to occur, as appropriate, to address and acknowledge new standards developed during the zoning code rewrite process and to assure continued consistency between the Plan and zoning code as required by Wisconsin State Statutes. **YES**

The Consultant shall provide with a memo recommending Comprehensive Plan wording to address this and necessary map changes to ensure that the new zoning code and Comprehensive Plan are consistent with one another. **PARTIAL**  
 The Consultant shall propose a broad-based Public Participation Plan (PPP) that specifies how and when the public (including neighborhoods, businesses, the development community and other interested parties) will be engaged throughout the Zoning Code rewrite process. The Proposal shall specify the methods, both formal and informal, it will use to achieve meaningful public participation in the project. The PPP could use a rapid feedback technique, such as image collections and sketches, to show the public the implications of coding techniques. A community-wide charrette is one example of the type of public process desired. It is expected that the participation methods will engage the public and will include opportunities for open houses and more interactive methods. **YES**

- 1 Zoning Code Rewrite Steering Committee (referred to herein as Steering Committee): Shall consist of 5 to 11 members including resident(s), committee representative(s), Common Council member(s) and staff. It is also expected that the City Attorney will be a member of the Steering Committee and will be kept informed of and involved with all steps of the rewrite process. **YES**
- 2 There shall be meetings with other city committees that deal with relevant issues being analyzed as part of this rewrite process as well as public information meetings. Additional briefings with the Common Council, beyond those identified in the proposed public participation matrix, may be desirable. **PARTIAL**
- 3 Certain staff level meetings have been proposed; however, the number and frequency may relate to the situations **YES**

## WHAT ARE THE BIG ITEMS THAT IMPACTED THE DISCUSSION?

1. Streamlining and frustration with unfair treatment
2. Neighborhood versus landlord conflict
3. Neighborhood change and community
4. Relationship to planning vision
5. Commercial approval process
6. University accommodation
7. Committee and review and text
8. Unresolved issues (non-zoning)
  - ✓ Housing
  - ✓ Huge market shifts
  - ✓ Quality of life
  - ✓ Neighborhood revitalization
  - ✓ University as an economic driver

## OVERVIEW OF PROPOSED CHANGES

1. Process improvements – fairer process – faster ‘yes’ and faster ‘no’
  - a. Need for PC reviews
  - b. Process in other communities
  - c. Key factors
  - d. Process reviews during the last two years
2. Commercial and industrial development;
  - a. Districts – B-1, B-1A, B-2, B-2A, B-3, M-1, M-2, WUTP, PD
  - b. pages 61-93
  - c. approximately 64 changes
  - d. changes include, for example:
    - ✓ dimensional issues that restricted flexibility
    - ✓ new overlays
    - ✓ visual character
    - ✓ new types of uses
    - ✓ permitted and conditional uses
    - ✓ clearer review procedures
    - ✓ remove or clarify overly ambiguous terms or phrases
    - ✓ environmental restrictions
    - ✓ planned development applications
3. Residential
  - a. Parking impact – value, visual quality, economics
  - b. Neighborhood transitions
  - c. Overlay definition and application: permission, etc.
  - d. Quality of housing
  - e. Futures student housing
  - f. Planned development district