

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER,  
WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.**

September 20, 2016

The regular meeting was called to order by Council President Singer. MEMBERS PRESENT: Langnes, Grady, Binnie, Goettl, Singer, Allen. MEMBERS ABSENT: Wellnitz. LEGAL COUNSEL PRESENT: Wallace McDonell.

It was moved by Binnie and seconded by Goettl to acknowledge receipt and filing of the Manually-Issued checks for August, 2016; Financial Reports for August, 2016; and the Plan and Architectural Review Commission minutes of 6/13/16 and 7/11/16. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**PAYMENT OF INVOICES.** It was moved by Binnie and seconded by Goettl to approve payment of city invoices in the total sum of \$307,171.09. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**STAFF REPORTS:** City Manager Clapper reported on the Update on Embracing Unity through Peace Event and presented a Proclamation declaring CROP Walk Day to CROP walk representatives Mariann Scott and Gerald Wendt.

**CITIZEN COMMENTS.** None.

**FIRST READING OF ORDINANCE AMENDING ZONING MAP AT 426 W.  
WHITEWATER.**

AWAITING ORDINANCE FROM CMP

**FIRST READING OF ORDINANCE AMENDING CHAPTER 19 OF THE MUNICIPAL  
CODE BY ADDING CHAPTER 19.52, "ACCESS STANDARDS."**

**AN ORDINANCE AMENDING TITLE 19 REGARDING ACCESS STANDARD  
REGULATIONS**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code is here by amended by creating Chapter 19.52, which shall read as follows:

19.52. 010 Purpose.

The purpose of this ordinance is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Access management encompasses the careful planning of the location, design and operation of driveways, median openings, interchanges, and street connections. If access systems are not properly designed, the primary transportation network, including arterials and highways, will be unable to accommodate the access needs of development and retain their primary transportation function.

This ordinance is intended to promote safe and efficient travel within the City of Whitewater WI by limiting the number of conflict points, providing safe spacing standards between driveways, encouraging shared access between abutting properties, and ensuring safe access by emergency vehicles.

#### 19.52. 020 Authority .

These regulations are adopted under the authority granted by Article XI, Section 3, Wisconsin Constitution and Sections 62.23, and 66.0101 of the Wisconsin Statutes and amendments thereto.

#### 19.52. 030 Definitions.

Arterial Road (or Arterial Street): is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways and between urban centers (see 18.04.06 for design standards).

Frontage Street: means a minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development (see 18.04.06 for design standards).

Major Collector (Street): are longer in length, have lower connective driveway densities, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor collectors (see 18.04.06 for design standards).

Minor Collector (Street): are low to moderate capacity roads which service (should be serve) to move traffic from residential areas to major collectors (see 18.04.06 for design standards).

Local Street (or Residential Streets): Local streets comprise all facilities not on one of the higher systems. They serve primarily to provide direct access to abutting land and access to the higher order systems. Local streets offer the lowest level of mobility, and service to through-traffic movement on this system is usually discouraged. (see 18.04.06 for design standards).

State Roads: State roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

US Highway: US Highway roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

#### 19.52. 040 Applicability.

The requirements of this Section shall apply to each access point onto a public street or right-of-way in all developments.

#### 19.52. 050 Approval.

Through the site plan review process (see Chapter 19.63), the Neighborhood Service Department shall review and approve all new and existing access drives on the subject property.

#### 19.52. 060 Standards.

##### 1. Number of Access Points.

- a. Each lot shall have not more than two (2) access points on any street frontage adjacent to any lot. More than two (2) access points shall require a Conditional Use Permit.
- b. No lot shall be permitted more than one (1) access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
- c. On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
- d. For residential uses, two (2) access points serving the same street frontage may be approved as a conditional use.

- e. If the City anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.
  - f. The City shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.
2. Residential Uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.
3. Nonresidential Uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage. A second access point may be granted by a Conditional Use Permit.
4. Access Near Street Intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. Nonconforming driveways may be replaced in their current location.
5. Distance Between Access Drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrant a greater distance.
6. Angle of Intersection with Public Right-of-Way. All access drives shall intersect with any public right-of-way at an angle of not less than 75 degrees, and shall intersect at an angle of 90 degrees wherever possible.
7. Distance from Property Line. The distance from an access drive to the property line of an adjacent property shall not be less than three (3) feet, as measured along the right-of-way line in residential areas (see 19.51.040).
8. Width of Driveways. All access drives shall have a minimum width of 10 feet for Driveways and shall not exceed twenty-four feet in width at the street right-of-way line (19.51.040). No such driveway shall exceed thirty-five (35) feet in width at the curb line unless special permission be obtained from the city's common council. (12.16.030).
9. Traffic Control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving 6 or more parking spaces shall be forward moving, with no backing into streets or pedestrian ways. Traffic control devices shall be required as determined by the City of Whitewater.
10. Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property. Site plan requirements can be found under Chapter 19.63 Plan Review.

11. Paving of Access. All access approach areas located within a street right-of-way shall be paved to the satisfaction with a hard, all-weather surface, and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy, unless granted a time-specific extension in writing by the Neighborhood Service Department. Requirements for the paving can be found in Chapter 19.51.

19.52. 070 Off-Street Parking and Traffic Circulation

Minimum Throat Length. Figure 10-104b shall be used to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the centerline of the access drive. Also referred to as the driveway connection depth, driveway reservoir length, driveway stacking distance, driveway storage length. This regulation may be modified by a Conditional Use Permit during the site review process.

**Minimum Throat Length (Figure 10-104b)**

Land Use	Type	Scale of Development	Minimum Throat Length		
			Collector	Arterial	
Residential	Any Residential	0-100 dwelling units	25 feet	N/A	
		101-200 dwelling units	50 feet	75 feet	
		201+ dwelling units	75 feet	125 feet	
Commercial	Office	0-50,000 gross sq. ft.	25 feet	50 feet	
		50,001-100,000 gross sq. ft.	25 feet	75 feet	
		100,001-200,000 gross sq. ft.	50 feet	100 feet	
		200,001+ gross sq. ft.	100 feet	150 feet	
	In-Vehicle Sales or Service	0-2,000 gross sq. ft.	25 feet	75 feet	
		2,001+ gross sq. ft.	50 feet	100 feet	
	Commercial Indoor Lodging	0-150 rooms	25 feet	75 feet	
		151+ rooms	25 feet	100 feet	
		Other Commercial Uses	0-25,000 gross sq. ft.	25 feet	50 feet
			25,001-100,000 gross sq. ft.	25 feet	75 feet
100,001-500,000 gross sq. ft.	50 feet		100 feet		
Industrial	All Industrial Uses	500,001+ gross sq. ft.	100 feet	200 feet	
		0-100,000 gross sq. ft.	25 feet	50 feet	
		100,001-500,000 gross sq. ft.	50 feet	100 feet	
Other Uses	6+ spaces	500,001+ gross sq. ft.	50 feet	200 feet	
			25 feet	50 feet	

Ordinance introduced by Councilmember Allen, who moved its adoption. Seconded by Councilmember Goettl. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: Wellnitz. FIRST READING APPROVED: September 20, 2016.

Cameron L. Clapper, City Clerk

Michele R. Smith, City Clerk

**DENIAL OF THEODORE KRAUSE'S BEVERAGE OPERATOR LICENSE.** It was moved by Goettl and seconded by Allen to concur with the Alcohol Licensing Committee's recommendation to uphold the denial of the beverage operator's license for Theodore Krause. AYES: Langnes, Grady, Binnie, Goettl, Singer, Allen. NOES: None. ABSENT: Wellnitz.

**PRIVATE PARTY POLICY.** City staff requested input on the development of a private party policy, and inquired about the feasibility of creating a committee to work on the document. The UWW Chancellor had created a Move-In Ad Hoc Committee to review complaints of excessive student drinking and inappropriate signage on city streets during the move in period. Among the suggestions of the committee was the possibility of developing a policy for parties on private property of over 70 people. Councilmember Goettl served on the Move-In Committee. Discussion regarding creation of a Party Planning Policy committee to include councilmembers was discussed. Council requested that staff members review the Move-In Committee's recommendations, create a policy and bring it back to Council. No councilmember committee was formed.

**MEDIA SERVICES MANAGER AND FINANCE DIRECTOR RECRUITMENTS.** With the departure of Alan Luckett as media services manager in July, a new job description has been created. The description assigns more public information duties to the position. The position has been advertised, and staff is awaiting the application deadline to move forward. Finance Director Saubert has announced his resignation effective January 6, 2017. City Manager Clapper indicated that review of the position description is taking place now, and the position will be advertised soon, with the hope that a Finance Director will be starting by December, 2016.

**FUTURE AGENDA ITEMS.** Councilmember Grady suggested that a volunteer representative of the Historic Starin Park Neighborhood would be beneficial to assist those creating the Private Party policy; Councilmember Goettl requested that the Lock Box ordinance either be brought back for second reading to the next meeting, or that an update for the public be included on the next agenda.

**EXECUTIVE SESSION.** City Manager Clapper indicated that it was not necessary to enter into Closed Session and the executive session portion of the meeting was cancelled.

**ADJOURNMENT.** It was moved by Allen and seconded by Langnes to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Michele R. Smith, City Clerk