

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
JOINT AGENDA ITEM WITH THE COMMON COUNCIL
U.W.-Whitewater Campus
University Center Room 275 (Second Floor Ball Room)
800 W. Main Street
March 18, 2014

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

Council President called the meeting to order at 6:30 p.m.

Plan Commission:

Present: Greg Meyer, Lynn Binnie, Bruce Parker, Kristine Zaballos, Karen Coburn, Dan Comfort, Sherry Stanek (Alternate). Absent: Cort Hartmann.

Others: Larry Witzling (Zoning Rewrite Consultant), Latisha Birkeland (City Planner).

City Council:

Present: Phil Frawley, Stephanie Abbott, James Winship, Lynn Binnie, Patrick Singer, Sarah Bregant, Ken Kidd. Absent: None.

Others: Cameron Clapper (City Manager), Michele Smith (City Clerk).

Continue the meeting from March 10, 2014 for consideration of changes to the City of Whitewater Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code. The proposed amendments are considered a rewrite of Title 19, the City of Whitewater Zoning Ordinance. The amendments to be considered at this hearing are primarily related to Residential Sections of the Zoning Code. Changes include, but are not limited to, amendments to, or creation of, the following chapters in Title 19 (chapters: 19.06 General Provisions; 19.09 Definitions; 19.12 Zoning Districts; 19.15 R-1 One-Family Residence District; 19.16 R-1X District; 19.18 R-2 One and Two-Family Residence District; 19.19 R-2A Residential Occupancy Overlay District (new District); 19.21 R-3 Multifamily Residence District; 19.22 R-3A University Residential Density Overlay District (new District); 19.24 R-4 Mobile Home District; 19.25 R-O Non-Family Residential Restriction Overlay District; 19.28 B-1A University Mixed-Use Neighborhood Overlay District (new District); 19.31 B-2A Downtown Housing Overlay District (new District); 19.39 PD Planned Development District; 19.49 Wellhead Protection; 19.51 Traffic, Parking and Access; 19.54 Signage Regulations; 19.55 Wireless Telecommunications Facilities; 19.57 General Performance Standards; 19.58 Noise Restrictions; 19.63 Plan Review; 19.66 Conditional Uses; 19.69 Changes and Amendments; 19.72 Board of Zoning Appeals; 19.75 Administration and Enforcement. Plan Commission Chair Meyer introduced the item. The meeting started at the R-3 Zoning District.

Larry Witzling gave an introduction for the R-3 (Multi-family Residence) Zoning District.

The Plan Commission and City Council went through the remaining portions of the Zoning Rewrite document. There were discussions on many topics including: the overlay zonings, increasing the number of units on a property, green space, and sky exposure plane.

There was concern of the number of people, the number of bedrooms and parking. In an R-3 Zoning District, up to five unrelated persons are permitted to reside in one unit. Moved by Binnie and seconded by Zaballos to recommend to the City Council to make it a conditional use for six or more unrelated occupants per unit in an R-3 Zoning District. Aye: Binnie, Zaballos, Meyer, Coburn, Comfort, Stanek (Alternate). No: Parker. Absent: Hartmann. Motion approved.

There was discussion that any increase in the number of units on a property in an R-3 Zoning should be a conditional use permit. Moved by Binnie and seconded by Stanek to recommend to City Council to strike “than 4” in line 2227. Aye: Binnie, Zaballos, Meyer, Parker, Coburn, Comfort, Stanek (Alternate). No: None. Absent: Hartmann. Motion approved.

Moved by Parker and seconded by Binnie to recommend to the City Council to change yard requirements for all residential districts to have street yard requirements of 60% green space (for grass, landscaping, shrubs, bushes, trees); 10 % can be used for at-grade patios, sidewalks and above ground decks. Side yard requirement of 25% green space (for grass, landscaping, shrubs, bushes, trees). Rear yard requirements of 50% green space (for grass, landscaping, shrubs, bushes, trees). Aye: Binnie, Zaballos, Meyer, Parker, Coburn, Comfort, Stanek (Alternate). No: None. Absent: Hartmann. Motion approved.

Plan Commission Member Parker suggested crafting a provision that the yard requirements for an existing flag lot may be approved by city staff.

Moved by Comfort and seconded by Coburn to put Section 19.21.060(E) and the graph “Sky Exposure Plane” (referred to in lines 2285 & 2286) back in the document. Aye: Binnie, Meyer, Parker, Coburn, Comfort, Stanek (Alternate). No: Zaballos. (Zaballos voted no because the graph was not included in the code. They could not see what they were voting for.) Absent: Hartmann. Motion approved.

City Planner Latisha Birkeland explained that code enforcement is very difficult. There are two sides, one that says the City is not doing enough and one that says the City is doing too much. In order to do enforcement well, clarification must be made. Words like “consistently” or “constantly” are hard to enforce. She needs to have information and investigation tools to make code enforcement easier. The City Council decides what level of code enforcement there should be for the City of Whitewater.

Moved by Binnie and seconded by Zaballos to recommend to the Common Council the adoption of the changes to the Zoning Ordinance Regulations as discussed during this extended meeting. Aye: Binnie, Zaballos, Meyer, Coburn, Parker, Stanek (Alternate). No: Comfort. Absent: Hartmann. Motion approved.

Council and Plan Commission member Binnie wanted to make the public aware that the City Planner Latisha Birkeland will be leaving the City of Whitewater in about 10 days. Moved by Binnie and seconded by Zaballos that the Plan Commission express appreciation for Latisha Birkeland's years of service with us and wish her well on her next professional endeavor. Motion approved by unanimous voice vote.

Plan Commission Member Zaballos also wanted to thank the City Council for accommodating the Plan Commission into their meeting.

Moved by Coburn and seconded by Zaballos to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 8:55 p.m.

Chairperson Greg Meyer