

MEMORANDUM

Hoisington Koegler Group Inc.



TO: Onalaska Plan Commission

FROM: Jeff Miller and Rita Trapp, Hoisington Koegler Group Inc. (HKGi)

SUBJECT: Onalaska Unified Development Code (UDC) / Zoning Re-write Project

DATE: July 16, 2019

CC: Katie Aspenson, Planning Manager

The July 26th Plan Commission work session meeting will be focused on finishing up the restructured Zoning Districts followed by presentation and discussion of potential rezoning areas on the Zoning Map.

We will be reviewing the revised Principal Uses Table and Accessory Uses Table based on the PC's feedback at the last work session as well as follow up work with Staff. Attached is a revised draft of both the Principal Uses Table and the Accessory Uses Table. A key component of these two tables is identifying uses as either permitted (P) or permitted with standards (PS). The City's general intent is to move away from conditional uses to meet the requirements of WI Act 65. At the work session we invite PC members to ask questions and provide feedback on these two draft uses tables. When reviewing the table prior to the work session, we suggest that you review each of the zoning districts (columns) and see if the uses allowed make sense to you.

For the uses identified as permitted with standards (PS), we have begun to identify the Use Specific Standards. Attached is the draft section of the new UDC called Use Specific Standards. These standards are organized in the same sequence as the Principal Uses Table, e.g. residential, public/social/healthcare, commercial, etc. Some PS uses do not have Use Specific Standards identified yet, which are highlighted in yellow on the Principal Uses Table and as To Be Determined in the Use Specific Standards. We will be discussing these uses at the work session.

Next we will present and discuss the Zoning Map (attached) that identifies potential rezoning areas based on guidance from the Comprehensive Plan, Downtown and SR 16 Redevelopment Studies, and the restructured Zoning Districts. The areas shown on the map are intended to identify general areas rather than specific properties that should be considered for rezoning. Please treat this map as a first pass at identifying potential rezoning areas. There will be

additional opportunities to review and discuss this topic. Based on the discussion, we will prepare a more detailed map for the next PC meeting.

Finally, we will present draft Lot Dimension Standards (lot area and lot width) and Site Dimension Standards (front/rear/side yard setbacks, building height, and building width) at the work session.

We look forward to presenting all of this information to you and getting your feedback at next week's meeting.

**DRAFT Principal Uses Table
7/11/2019**

Principal Use Type	Residential					Business			Mixed Use			Industrial		Agricultural	Public	Number of Districts Conditional Use (non-TND)	Standards Established	
	R-1	R-2	R-3	R-4	R-MMH	B-1	B-2	B-3	Neighborhood Mixed Use/TND	Community Mixed Use	MCD	M-1	M-2	A-1	P-1			
Residential																		
Household Living																		
Dwelling, single-family	P	P	P						P						P			
Dwelling, manufactured home					P													
Dwelling, mobile home					P													
Dwelling, two-family		P	P						P									
Dwelling, zero lot line		PS	PS						PS									Y
Dwelling, attached townhouses or rowhouses			P	P					P	P								
Dwelling, apartment mixed use							P	P	P	P								
Dwelling, live/work				P			P	P	P	P								
Dwelling, apartment				P					P	P								
Dwelling, apartment with residential support services			PS	PS					PS	PS								Y
Planned Residential Development			PS															Y
Existing residences						P	P		P	P								
Group Living																		
Adult family home	P	P	P						P									
Community living arrangement for adults	P	P	P	P					P									
Community living arrangement for children	P	P	P	P	P				P									
Senior care facility			PS	PS					PS	PS							2	Y
Lodging																		
Bed and breakfast establishment		PS				PS			PS								6	Y
Hotel or motel						P	P	P	P	P	P						1	
Tourist home	P	P	P	P	P	P			P								9	
Public, Social or Health Care																		
Cemetery															P		2	Y
Clinic, including medical, dental or therapeutic						P	P	P			P						1	
Club, lodge or meeting place of a non-commercial nature		PS	PS	PS		P	P	P	P	P							2	Y
Correctional facility															P		2	Y
Day care center, licensed group (child or adult)						PS	PS	PS	PS	PS	PS				PS		5	Y
Diagnostic or medical laboratory						P	P	P	P	P	P							
Funeral home or mortuary							PS	PS									1	Y
Hospital											P							Y
Inpatient nursing, supervision, and other rehabilitative services								P			P				P			
Municipal social, cultural, or recreational facility						P	P	P	P	P					P		13	
Municipal, county, state or federal administrative or services building						P	P	P	P	P	P				P		13	
Nursery or preschool						PS	PS								PS		2	Y

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Outpatient health care center							P	P			P							
Place of worship						PS	PS	PS	PS	PS	PS					PS		Y
School, college/university/trade/business						PS	PS	PS			PS					PS	2	Y
School, elementary or secondary						PS	PS	PS								PS	4	Y
Social assistance, welfare, or charitable services						PS	PS	PS	PS	PS	PS					PS	2	Y
Commercial																		
Food or Beverage Services																		
Bar or drinking place						P	P	P	PS	P								
Brewpub						P	P	P	PS	P							1	
Specialty food or coffee shop						P	P	P	P	P							1	
Restaurant						P	P	P	P	P							1	
Restaurant with drive-through or drive-in						PS	P	P	PS	PS							1	
Retail Sales or Services																		
Animal/veterinary clinic or hospital							P	P		PS		P					4	Y
Animal daycare center, kennel or shelter							PS	PS				P					4	
Automobile fueling and service station						PS	PS	PS	PS	PS								Y
Automobile repair and service, minor						P	P	P				P	P					
Automobile repair and service, major							P	P				P	P					
Automobile sales, leasing and service							P	P									3	Y
Department store								P									1	
Warehouse store								P										
Neighborhood commercial center						P	P	P	P	P								
Community commercial center							P	P		P								
Regional commercial center								P										
Retail with residential above street level						PS	P	P	P	P								
Retail with office above street level						P	P	P	P	P								
Standalone store, retail or service						P	P	P	P	P								
Standalone store with drive-through							P	P		PS								
Storage facility, personal												PS	PS					
Business or Technical Services																		
Laboratory, research/scientific/medical							P	P				P	P				1	
Office building with drive-through						PS	P	P	PS	P								
Office building						P	P	P	P	P	P	P	P					
Publishing							P	P				P	P					
Studio or gallery						P	P	P	P	P		P	P					

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Industrial																	
Manufacturing, heavy													P				
Manufacturing, light												P	P				
Brewery, winery or distillery							PS	PS				PS	PS			2	
Makerspace						P	P	P		P		P	P				
Outside storage and manufacturing area													PS			1	Y
Printing							P	P				P	P				
Public works facility												P	P		P		
Scrap or salvage storage yard													PS			1	
Storage and sale of machinery and equipment								PS				PS	PS			1	
Construction contractor yard												P	P				
Warehouse and distribution facility												P	P				
Wholesale trade establishment												P	P			1	
Arts, Entertainment or Recreation																	
Adult oriented entertainment business												PS	PS			2	Y
Indoor recreational facility, commercial							P	P				P	P			2	
Indoor recreational facility, public							P	P				P	P		P	2	
Outdoor recreational facility, commercial							PS	PS				PS	PS			2	Y
Outdoor recreational facility, public							PS	PS				PS	PS		PS	2	Y
Active park or playground	P	P	P	P	P	P	P	P	P			P	P		P		
Theater, dance or music performance facility						P	P	P							P	7	
Theater, drive-in														PS		1	Y
Natural Resources or Agriculture																	
Agriculture - raising of crops														P			Y
Agriculture - raising of livestock														P			
Arboretum														P	P		
Commercial greenhouse or nursery								P				P	P	P			
Community garden	PS	PS	PS	PS	PS				PS	PS	PS			P	PS		
Extraction of sand, gravel, or other materials														P			
Forestry														P	P		
Wildlife or nature preserve/conservation area														P	P		
Transportation																	
Airport												PS	PS	PS	PS	4	Y
Public passenger transportation terminal (air, bus or rail)						PS	PS	PS	PS	PS		PS	PS	PS	PS	6	Y
Ambulance or medical carrier service								P			P	P	P		P		
Parking facility						PS	P	P	PS	P		P	P		P		
Freight terminal or transshipment facility													P				
Freight rail yard													P				
Utilities																	
Municipal earth or sanitary landfill operation												P	P	P		4	
Essential public services	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		Y
Waste collection, storage or processing (sewer, solid, hazardous)												P	P			4	N
Stormwater ponding															P		
Telecommunication structure or tower	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	13	Y

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Water reservoir															P		

minimize conflicts with normal automotive traffic. If an internal walkway system is provided, away from streets, bicycle paths shall be incorporated in the walkway system. Street crossings shall be held to a minimum on such walkways and shall be located and designated to provide safety and shall be appropriately marked and otherwise safeguarded. Ways for pedestrians and cyclists, appropriately located, designed and constructed may be combined with other easements and used by emergency, maintenance or service vehicle but shall not be used by other automotive traffic.

13.02.52 M-2 Heavy Industrial District

- A) Whenever an M-2 Heavy Industrial District shall border property having another zoning classification, there shall be a ten (10) foot setback requirement on the M-2 land.

13.02.53 A-1 Agricultural District

- A) Farm dwellings for those resident owners and laborers actually engaged in the permitted uses are accessory uses and shall comply with all of the provisions of the R 2 Residential District.

Division 6 Use Specific Standards

13.02.61 Specific Residential Principal Uses

- A) Bed and Breakfast Establishment
- 1) Compliance with State Standards. All bed and breakfast establishments and licensees shall be subject to and comply with Chapter DHS 197, Wis. Adm. Code, relating to bed and breakfast establishments or Wis. Adm. Code DHS 195 relating to hotels, motels and tourist rooming houses.
 - 2) Registry. Each bed and breakfast establishment shall provide a register and require all guests to register their true names and addresses before assigning quarters. The register shall be kept intact and available for inspection by a City representative for a period of not less than one (1) year.
 - 3) City Permit Required. In addition to the permit required by Chapters DHS 195 or HSS 197, Wis. Adm. Code, before opening for business every bed and breakfast establishments shall obtain a bed and breakfast use permit from the City Clerk Department by application made upon a form furnished by said officer and shall obtain a Conditional Use Permit.
 - 4) Display of Permit. The permit issued by the City Clerk Department shall be conspicuously displayed in the bed and breakfast establishment.
 - 5) Off Street Parking Required. Permits shall be issued only to those establishments that provide a minimum of one (1) improved off street parking space for each room offered for occupancy. Establishments otherwise qualifying under this Section regulating bed and breakfast establishments shall not be subject to the other requirements of the UDC with respect to traffic, parking and access.
 - 6) On-Site Signs. Total signage shall be limited to a total of twelve (12) square feet and may be lighted in such manner and nature as to not alter or deteriorate the nature of the surrounding neighborhood. Establishments otherwise qualifying under this Section regulating bed and breakfast establishments shall not be subject to the requirements of this UDC with respect to signs.
 - 7) Termination of Permit. A bed and breakfast use permit shall be void upon the sale or transfer of the property ownership. **The Plan Commission shall review and conditionally approve or disapprove an application submitted by a person anticipating the purchase of premises for such use.** A permit issued in accordance with the above standards shall be valid until terminated by action of the City Clerk Department or their designee for violation of the provisions of this Section,

or of State of Wisconsin regulations as set forth in Chapter DHS 195 or Chapter DHS 197, Wis. Adm. Code, or as above provided.

- B) Dwelling, Zero Lot Line
 - 1) An appropriate document shall be submitted to the Inspection Department and filed with the Register of Deeds which provides for the maintenance of common areas and facilities and resolution of disputes with respect to maintenance of the entire structure and grounds. Said document to be signed, recorded and remain as a condition on the real estate. This provision shall only apply to new construction commenced after September 17, 1984.
- C) Dwelling, Apartment with Residential Support Services
 - 1) The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design, including all common structures, facilities, utilities, access and open spaces shall be assured by deed restrictions and/or by contract.
- D) Planned Residential Development
 - 1) The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design, including all common structures, facilities, utilities, access and open spaces shall be assured by deed restrictions and/or by contract.
 - 2) The following provisions shall be complied with:
 - a) Lot Area. Minimum of two-thirds (2/3) of the minimum of the R-3 District minimum lot area.
 - b) Lot Width. Minimum of two-thirds (2/3) of the minimum of the R-3 District minimum lot width.
- E) Senior Care Facility
 - 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- F) Tourist Home
 - 1) To be determined.

13.02.62 Specific Public and Institutional Uses

- A) Club, Lodge or Meeting Place of a Non-Commercial Nature
 - 1) All principal structures and uses shall be a minimum of twenty-five (25) feet from any lot line.
- B) Day Care Center (Child or Adult)
 - 1) All principal structures and uses shall have the greater of the applicable district front/street setback and side yard setback or a six (6) foot side yard setback.
- C) Funeral Home or Mortuary
 - 1) All principal structures and uses shall be a minimum of twenty-five (25) feet from any lot line.
- D) Hospital
 - 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- E) Nursery or Preschool
 - 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- F) Place of Worship
 - 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- G) School, College/University/Trade/Business
 - 1) The lot area shall be a minimum of two (2) acres and all principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- H) School, Elementary or Secondary
 - 1) The lot area shall be a minimum of two (2) acres and all principal structures and uses shall be a minimum of forty (40) feet from any lot line.

13.02.63 Specific Commercial Uses

- A) Animal/Veterinary Clinic or Hospital
 - 1) All principal structures and uses shall be a minimum of one hundred (100) feet from any Residential District. The aforesaid minimum lot area and minimum distance from any Residential

District shall not be required for animal hospitals which do not provide outside boarding for animals.

- B) Animal Daycare Center, Kennel or Shelter
 - 1) All principal structures and uses shall be a minimum of one hundred (100) feet from any Residential District.
- C) Automobile Fueling and Service Station
 - 1) All gas pumps and tanks shall be a minimum of thirty (30) feet from any side or rear lot line and twenty (20) feet from any existing or proposed street line.
- D) Bar or Drinking Place
 - 1) To be determined.
- E) Brewpub
 - 1) To be determined.
- F) Office Building with Drive-Through
 - 1) To be determined.
- G) Restaurant with Drive-Through or Drive-In
 - 1) To be determined.
- H) Retail with Residential Above Street Level
 - 1) To be determined.
- I) Standalone Store with Drive-Through
 - 1) To be determined.
- J) Storage Facility, Personal
 - 1) To be determined.
- K) Theater, Drive-in
 - 1) A planting screen at least twenty five (25) feet wide shall be created along any side abutting a Residential District and no access is permitted to or within one thousand (1,000) feet of an arterial street.

13.02.64 Specific Industrial Uses

- A) Brewery, Winery or Distillery
 - 1) To be determined.
- B) Outside Storage and Manufacturing Area
 - 1) Use shall be surrounded by a solid fence or evergreen planting screen completely preventing a view from any other property or public right of way and shall be at least six hundred (600) feet from Residential, Public and Semi-Public Districts.
- C) Scrap or Salvage Storage Yard
 - 1) To be determined.
- D) Storage and Sale of Machinery and Equipment
 - 1) To be determined.

13.02.65 Specific Arts, Entertainment or Recreation Uses

- A) Adult Oriented Entertainment Business
 - 1) Such use shall not be located within one thousand (1,000) feet of any Residential District.
 - 2) Such use shall not be located within one thousand (1,000) feet of any school, including private schools and preschools, public library, daycare facility, recreational facility, place of worship, church or senior/elderly housing facility.
 - 3) Such use shall not be located within two thousand five hundred (2,500) feet of another adult oriented use as measured by the radius from each business.
 - 4) Such use shall not be located within one thousand (1,000) feet of an establishment licensed to sell or dispense fermented malt beverages or intoxicating liquor.

- 5) Such use shall not be operated between the hours of 2:00 a.m. and 8:00 a.m. Monday through Saturday or between the hours of 2:00 a.m. and 12:00 noon Sundays.
 - 6) Such use shall not permit any public view of its stock in trade or adult entertainment from the exterior of the establishment.
 - 7) Such use shall not permit entry to any person under the age of eighteen (18) years.
 - 8) No employees shall solicit business outside the building in which the Adult Orientated Entertainment Business is located.
 - 9) No male or female person, while on the premises, shall impose to public view his or her genitals, pubic area, anus or anal cleft. Full nudity is prohibited.
 - 10) No person on the premises shall engage in sexual conduct, sadomasochistic abuse or in any way fondle their genitals.
 - 11) Nudity is prohibited for any employee of an adult orientated business where such person is in direct, personal contact with another person.
 - 12) The building's exterior shall meet the following requirements:
 - a) Colors shall be earth or neutral tones with primary accents to be in the same color family;
 - b) The exterior shall be adequately maintained in good condition.
- B) Outdoor Recreational Facility, Commercial
- 1) All structures shall be a minimum of fifty (50) feet from any district boundary.
- C) Outdoor Recreational Facility, Public
- 1) All structures shall be a minimum of fifty (50) feet from any district boundary.

13.02.66 Specific Natural Resource and Agricultural Uses

- A) Agriculture – Raising of Crops
- 1) The combination of all nutrient sources applied or available on individual fields may not exceed University of Wisconsin soil test recommendations for that field.
- B) Community Garden
- 1) **To be determined.**

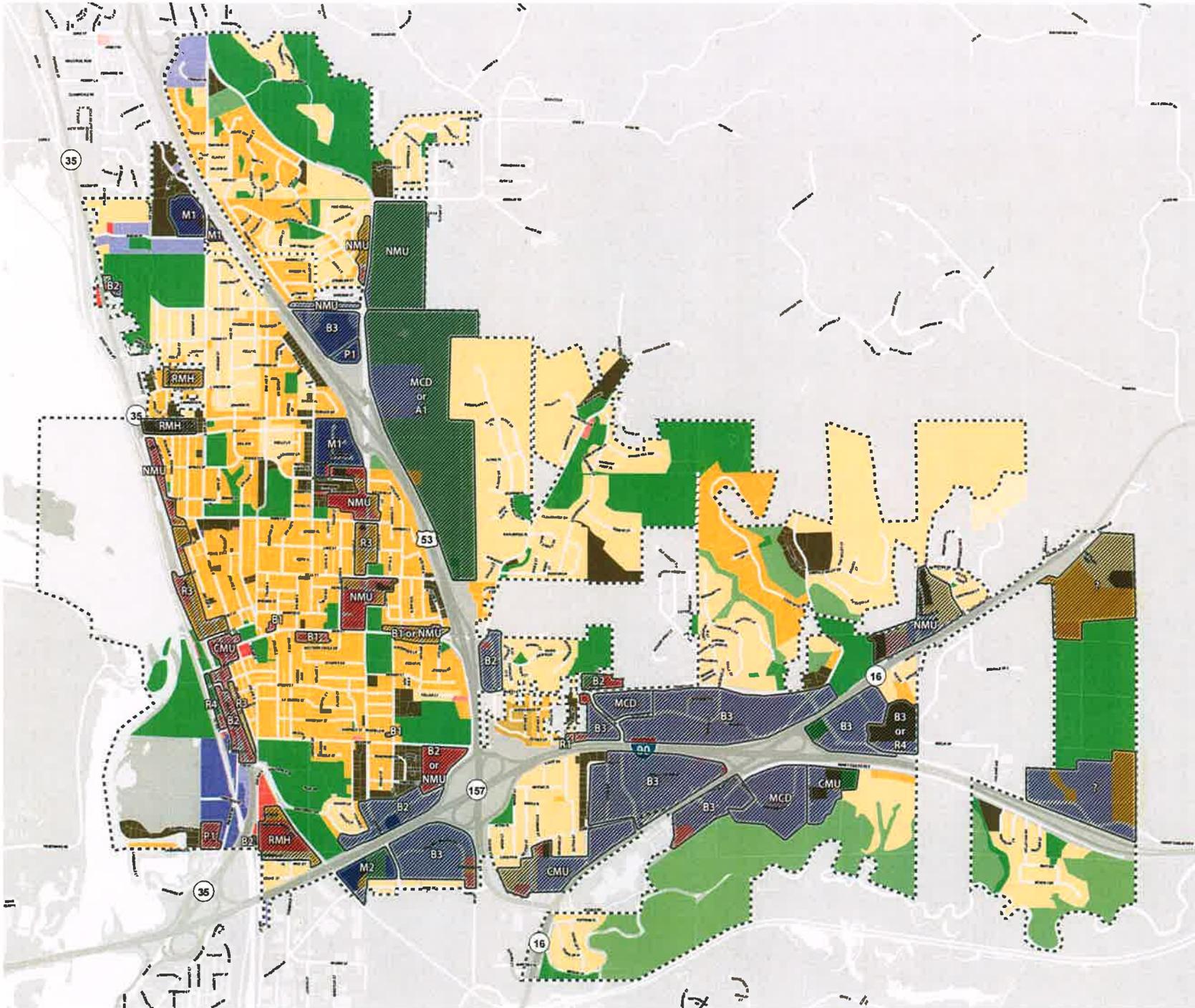
13.02.67 Specific Utility and Transportation Uses

- A) Airport
- 1) The lot area shall be a minimum of twenty (20) acres.
- B) Essential Public Services
- 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.
- C) Parking Facility
- 1) **To be determined.**
- D) Public Passenger Transportation Terminal (Air, Bus or Rail)
- 1) All principal structures and uses shall be a minimum of one hundred (100) feet from any Residential District boundary.
- E) Telecommunication Structure or Tower
- 1) All principal structures and uses shall be a minimum of forty (40) feet from any lot line.

Onalaska Zoning Districts

District Revisions

- Proposed Zoning District Changes:
- Community Mixed Use (CMU) **New**
 - Neighborhood Mixed Use (NMU) **New**
 - Middle Density Residential (R3) **New**
 - Special Single-Family Residential (R160) **Delete**
 - Heavy Industrial (M3) **Delete**
 - M1, M2 => **Change to I1, I2**



Potential Zoning Revision

City of Onalaska

Existing Zoning Districts

- A1
- B1
- B2
- I1
- I2
- I3
- MCD
- P1
- R1
- R160
- R2
- R4
- RMH
- TC

