



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
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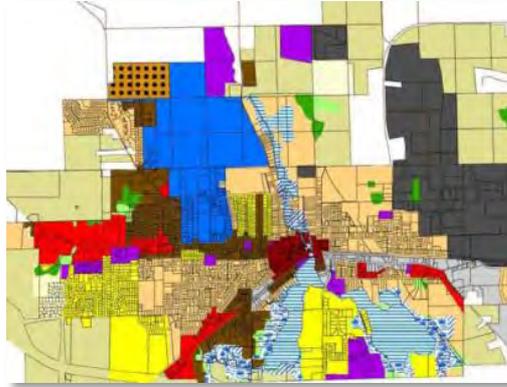
ZONING REWRITE STEERING COMMITTEE Agenda

City of Whitewater Municipal Building
Community Room
312 W. Whitewater St., Whitewater, Wisconsin
May 9th, 2012
6:00 – 8:00 p.m.

1. Discuss new process
2. Discuss track changes (proposed text changes)
3. Next steps

Anyone requiring special arrangements is asked to call the Neighborhood Service Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items, but unable to attend the meeting are asked to send their comments to Latisha Birkeland, 312 W. Whitewater Street, Whitewater, WI, 53190 or lbirkeland@whitewater-wi.gov.

May 9, 2012



Proposed R-1 Code Change, pg. 2

23 **Chapter 19.15 R-1 ONE-FAMILY RESIDENCE DISTRICT**

24 Sections:

- 25 [19.15.010 Purpose.](#)
26 [19.15.020 Permitted uses.](#)
27 [19.15.030 Conditional uses.](#)
28 [19.15.040 Lot area.](#)
29 [19.15.050 Lot width.](#)
30 [19.15.060 Yards.](#)
31 [19.15.070 Coverage.](#)
32 [19.15.080 Building height.](#)
33 [19.15.090 Park fees.](#)

34

35 **19.15.010 Purpose.**

36 The R-1 one-family residence district is established to stabilize and protect the essential characteristics
37 of low-density residential areas. [A non-family household in R-1 shall be limited to three unrelated](#)
38 [persons.](#)

39 [\(Ord. 994 § 3.6\(part\), 1982\).](#)

40

41 **19.15.020 Permitted uses.**

42 Permitted uses in the R-1 district include:

43 A. One-family detached dwellings;

44 B. The second or greater wireless telecommunications facility located on an alternative support
45 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
46 telecommunications facility, with wireless telecommunications support facilities allowed as permitted
47 accessory uses, all per the requirements of Chapter 19.55.

48 [\(Ord. 1499 § 4, 2001; 1149 § 1, 1988; Ord. 994 § 3.6\(A\), 1982\).](#)

49

Proposed R-2 Code Change, pg. 3

101

102 **Chapter 19.18 R-2 ONE- AND TWO-FAMILY RESIDENCE DISTRICT**

103 Sections:

104 [19.18.010 Purpose.](#)

105 [19.18.020 Permitted uses.](#)

106 [19.18.030 Conditional uses.](#)

107 [19.18.040 Lot area.](#)

108 [19.18.050 Lot width.](#)

109 [19.18.060 Yard requirements.](#)

110 [19.18.070 Lot coverage.](#)

111 [19.18.080 Building height.](#)

112 [19.18.090 Park fees.](#)

113

114 **19.18.010 Purpose.**

115 The R-2 two-family residence district is established to provide medium-density residential areas. A

116 [non-family household in R-2 shall be limited to three unrelated persons.](#)

117 [\(Ord. 994 § 3.7\(part\), 1982\).](#)

118

119 **19.18.020 Permitted uses.**

120 Permitted uses in the R-2 district include:

121 | A. One-family detached dwellings;

Proposed R-2 Code Changes, pg. 4

122 | B. Attached (townhouse and condominium) dwellings, up to four units per building; minimum lot area
123 | requirements for such uses shall be regulated by Chapter 19.21;

124 | C. Two-family attached dwellings;

125 | D. Home occupations/professional home offices for non-retail (goods and services for businesses that
126 | do not require customer access);

127 | E. The second or greater wireless telecommunications facility located on an alternative support
128 | structure already supporting a wireless telecommunications facility or on a pre-existing wireless
129 | telecommunications facility, with wireless telecommunications support facilities allowed as permitted
130 | accessory uses, all per the requirements of Chapter 19.55.

131 | (Ord. 1499 § 6, 2001; Ord. 1174 § 3(A), 1990; Ord. 1149 § 2, 1988; Ord. 994 § 3.7(A), 1982).

132 |

133 | **19.18.030 Conditional uses.**

134 | Conditional uses in the R-2 district include:

135 | A. Attached (townhouse and condominium) dwellings, more than~~up to~~ four units per building, up to
136 | eight units per building; minimum lot area requirements for such uses shall be regulated by Chapter
137 | 19.21;

138 | ~~B. Two family attached dwellings (new construction only);~~

139 | C. Planned residential developments (See Section 19.15.030);

140 | D. Public and semipublic uses;

141 | E. Retail goods and services (businesses requiring customer access) ~~h~~Home occupations/professional
142 | home offices, conditions for hours of operation and parking;

143 | F. The first wireless telecommunications facility located on an alternative support structure only, per
144 | the requirements of Chapter 19.55;

145 | G. Real estate sales offices, subject to the following requirements:

146 | 1. May only be placed within a major subdivision with twenty or more lots or a multiple-family
147 | residential development with forty or more dwelling units,

148 | 2. Shall occupy a maximum of one building within any major subdivision, or one unit within any
149 | multiple-family residential development.

Proposed R-3 Code Changes, pg. 5

169

170 **Chapter 19.21 R-3 MULTIFAMILY RESIDENCE DISTRICT**

171 Sections:

172 [19.21.010 Purpose.](#)

173 [19.21.020 Permitted uses.](#)

174 [19.21.030 Conditional uses.](#)

175 [19.21.040 Lot area.](#)

176 [19.21.050 Lot width.](#)

177 [19.21.060 Yard Requirements.](#)

178 [19.21.070 Lot coverage.](#)

179 [19.21.080 Building height.](#)

180 [19.21.090 Park fees.](#)

181

182 **19.21.010 Purpose.**

183 The R-3 multifamily residence district is established to provide high-density residential areas, and to
184 allow mixing of certain compatible land uses. A non-family household in R-3 shall be limited to five
185 unrelated persons.

186 (Ord. 994 § 3.8(part), 1982).

187

188 **19.21.020 Permitted uses.**

189 Permitted uses in the R-3 district include:

190 A. One-family detached dwellings;

191 B. Two-family attached dwellings (new construction);

192 C. Attached dwellings, up to ~~eight~~^{four} units per building. Minimum lot area requirements for such uses
193 shall be regulated by Chapter 19.21. "Attached dwelling" means a one-family dwelling attached to two
194 or more one-family dwellings by common vertical walls;

195 D. Home occupations/professional home offices for non-retail (goods and services for businesses that
196 do not require customer access);

197 ED. The second or greater wireless telecommunications facility located on an alternative support
198 structure already supporting a wireless telecommunications facility or on a pre-existing wireless

Proposed R-3 Code Changes, pg. 5

203 **19.21.030 Conditional uses.**

204 Conditional uses in the R-3 district include:

205 A. Professional business offices in a building where the principal use is residential;

206 B. Multifamily dwellings and attached dwellings, over ~~eight~~four units, new construction only;

207 C. Walk-in type retail trade (food stores, bookstores, gift shops, galleries, beauty shops and similar
208 uses) located in a building where the principal use is residential and fronts on an arterial street;
209 (Conditional use approval under this provision shall be granted for a specified use. Any subsequent
210 change in use or expansion shall require additional conditional use approval.)

211 D. Fraternity or sorority houses and group lodging facilities;

212 E. Any building over ~~three stories or~~ forty feet;

213 F. Planned residential developments (see Section 19.15.030);

214 G. Conversions of existing structures resulting in more than eight dwelling units;

215 H. Public and semipublic uses;

216 I. Retail goods and services (businesses requiring customer access) hHome occupations/professional
217 home office, ~~in one and two family dwellings~~ conditions for hours of operation and parking;

Proposed B-1 Code Change, pg. 9

372 **19.27.020 Permitted uses.**

373 Permitted uses in the B-1 district include:

405 FF. Tourist homes;

406 GG. Existing residences regulated by R-2 dimensional standards;

407 HH. [New residential uses meeting the standards of the R-3 district, when mixed with permitted uses in a](#)
408 [unified project;](#)

409 IIHH. Any other similar uses not specifically listed above that are consistent with the purpose of this
410 district;

Proposed B-1 Code Changes, pg. 10-11

439 **19.27.030 Conditional uses.**

440 Conditional uses in the B-1 district include:

441 A. Entertainment establishments, including dancehalls and clubs;

442 B. All uses with drive-in and drive-through facilities;

443 C. Automobile and small engine vehicle sales or rental facilities, including incidental repair and service
444 within the principal building;

445 D. Automobile repair and service within the principal building;

446 E. Car washes;

447 F. Private recreation uses;

448 G. Public and semipublic uses;

449 H. Taverns and other places selling alcoholic beverages by the drink, the following conditions shall be
450 considered;

451 1. parking

452 2. type of business

453 3. signage

454 4. outdoor seating

455 5. provisions for avoiding noise and lighting nuisances

456 6. buffering and fencing;

457 I. New residential uses meeting the standards of the R-3 district, when mixed with
458 conditional~~commercial~~ uses in a unified project;

459 J. 1. Light assembly/retail uses such as:

460 a. Electronics,

461 b. Pottery,

462 c. Printing,

Proposed B-2 Code Changes, pg. 13

561 **19.30.030 Conditional uses.**

562 Conditional uses in the B-2 district include:

563 A. Drive-in or drive-through type establishments;

564 B. Entertainment establishments, not including adult entertainment establishments;

565 C. Taverns and other places selling alcoholic beverages by the drink, including expansion of existing
566 uses; the following conditions shall be considered:

567 1. parking

568 2. type of business

569 3. signage

570 4. outdoor seating

571 5. provisions for avoiding noise and lighting nuisances

572 6. buffering and fencing;

573 D. Liquor or tobacco stores;

574 E. Public and semipublic uses, except for parking;

575 F. Automotive servicing and repairs;

576 G. First floor residential uses are allowed as a conditional use; except as provided below:

577 First floor residential uses are prohibited in any building located in the area within the boundary of
578 Whitewater Creek on the east (prohibited on west side of creek only), North Street on the north
579 (prohibited on south side of street only), Fremont Street on the west (prohibited on east side of street
580 only), Whitewater Street on the south (prohibited on north side of street only), and the portion of West
581 Main Street from the intersection of Whitewater Street east to the Whitewater Creek (prohibited on
582 north side of street only).

Proposed B-2 Code Changes, pg. 14

604

605 | **19.30.040 ~~Development~~ Architectural design standards.**

606 | Within the B-2 district, there shall be no minimum required ordinance design and dimensional standards
607 | or setbacks. This is being done to allow the most flexibility in the reuse and redevelopment of the
608 | downtown. Because of the lack of predefined architectural design ~~ordinance-development~~ standards, all
609 | proposed construction and remodeling activities requiring a zoning permit shall require the design
610 | review and approval of the city plan and architectural review commission in compliance with Chapter
611 | 19.63, Plan Review. Also within the B-2 district, all uses are exempted from the parking requirements of
612 | Section 19.51.130, except if off-street parking is specifically required for a particular conditional use
613 | under Section 19.30.030.

614 | (Ord. 1611A § 1(part), 2006).

615

Proposed B-3 Code Changes, pg. 15

679 **19.33.030 Conditional uses.**

680 Conditional uses in the B-3 district include:

681 A. Taverns and other establishments selling alcoholic beverages by the drink; the following conditions
682 shall be considered:

683 1. parking

684 2. type of business

685 3. signage

686 4. outdoor seating

687 5. provisions for avoiding noise and lighting nuisances

688 6. buffering and fencing;

689 B. All uses with drive-through facilities;

690 C. More than one principal structure on a lot;

691 D. New residential uses in conformance with the standards of the R-3 multifamily residence district;

692 E. Automobile repair and service within a principal or accessory building;

693 F. Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental
694 repair and service within a principal or accessory building;

695 G. Car washes;

696 H. Entertainment establishments, including dancehalls and clubs;

Proposed PCD Code Changes, pg. 21

945

946 Chapter 19.39 ~~PCD~~PDD PLANNED ~~COMMUNITY~~ DEVELOPMENT DISTRICT*

947 Sections:

948 [19.39.010 Purpose and intent.](#)

949 [19.39.020 Permitted uses.](#)

950 [19.39.030 Lot, building, yard and parking requirements.](#)

951 [19.39.040 Proposed developments--Criteria for approval.](#)

952 [19.39.050 Procedures for rezoning, general development plan, and specific implementation plan approval.](#)

953 [19.39.055 Design standards for traditional neighborhood developments \(PCD-TND\).](#)

954 [19.39.060 Modifications and changes.](#)

955 [19.39.070 Park fees.](#)

956 * Prior Ordinance History: [Ords. 994, 1452, and 1481.](#)

957

958 **19.39.010 Purpose and intent.**

959 A. The planned ~~community~~-development (PCD) district is established to promote improved
960 environmental design and innovative uses of land in the city. To this intent, this district allows variation
961 in the relationship of uses, structures and open spaces in developments conceived and implemented as
962 cohesive, unified projects.

963 B. The PCD~~PD~~ District is intended to allow desirable innovative development activities that
964 demonstrate cohesive site planning. This district is not intended solely to simply circumvent the intent of
965 other zoning districts, or seek variance from other district regulations.

966 C. The following design principles are encouraged when developing a PD district. The principles reflect
967 the character of a traditional neighborhood. The Traditional Neighborhood Development (TND) option
968 of the PCD District is intended to promote the development and redevelopment of land consistent with
969 the design principles of traditional neighborhoods. Lands developed under the traditional neighborhood
970 option of the PCD District shall be labeled as PCD TND on the zoning map. Specifically, a traditional
971 neighborhood development:

972 1. ~~Is~~Incorporates compact design;

973 2. ~~Is~~ Designed for the human scale (sizes of buildings in proportion to sizes of people);

974 3. Provides a mix of uses, including residential, commercial, civic, and open space uses in close
975 proximity to one another;

976 4. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and
977 incomes;

Proposed PCD Code Changes, pg. 21-22

986 **19.39.020 Permitted uses.**

987 | In the PCD District, any permitted or conditional use in any of the other districts in this title,
988 | or mix of uses, may be permitted subject to the criteria listed below. ~~Within a PCD TND District, t~~the mix

21

989 | of permitted uses shall be further defined by Section 19.39.055(A). Any plans, uses, or requirements
990 | approved by the city as part of a PCD general development plan or specific implementation plan
991 | shall be construed to be and enforced as part of this title.

992 | (Ord. 1511 § 2(part), 2002).

993

994 **19.39.030 Lot, building, yard and parking requirements.**

995 | In the PCD District, there shall be no specified lot area, lot width, yard, height, parking or
996 | open space requirements. Recommendations to be discussed are ~~Within a PCD TND District, the lot,~~
997 | ~~building, yard, and parking requirements shall be further~~ defined by Sections 19.39.055(AB) through (G).
998 | Any lot, building, yard, or parking requirements approved by the city as part of a PCD general
999 | development plan or specific implementation plan shall be construed to be and enforced as part of this
1000 | title.

1001 | (Ord. 1511 § 2(part), 2002).

Proposed PCD Code Changes, pg. 22

1003 **19.39.040 Proposed developments--Criteria for approval.**

1004 | As a basis for determining the acceptability of applications for rezoning to the **PCD**PD District,
1005 the following criteria shall be applied to the proposed development:

1006 A. The proposed development shall be compatible with the physical nature of the site with particular
1007 concern for preserving natural features, existing vegetation and topography.

1008 B. The proposed development shall be an asset to the community aesthetically. The buildings and uses
1009 shall blend in with the surrounding neighborhood.

1010 C. The proposed development shall not create a traffic or parking demand incompatible with existing or
1011 proposed facilities. The width and location of streets, other paving and lighting should be appropriate to
1012 the uses proposed. In no case shall standards be less than those necessary to insure public safety as
1013 determined by the city.

1014 D. The proposed development shall not place avoidable stress on the city's water supply, sanitary
1015 sewer and storm water drainage systems.

1016 E. The proposed development shall make adequate provisions for the permanent preservation and
1017 maintenance of open space.

1018 | ~~F. For a PCD TND development, the minimum zoning district area shall be five acres and the design~~
1019 ~~shall meet the requirements of Section 19.39.055.~~

1020 (Ord. 1511 § 2(part), 2002).

Proposed PCD Code Changes, pg. 24

- 1105 | **19.39.055 Design standards ~~for traditional neighborhood developments (PCD-TND districts).~~**
1106 | ~~PCDPDD-TND~~ developments that meet the following design standards and any other applicable
1107 | ordinance provisions shall be entitled to approval or conditional approval:
- 1108 | A. ~~Allowed~~ ~~Required~~ Mix of Uses. A traditional neighborhood development ~~should~~ ~~shall~~ consist of a mix
1109 | of residential uses, a mixed use area, and open space areas as provided below:
- 1110 | 1. ~~Allowed~~ Mix of Residential Uses. ~~A mix of two or more of the following uses are encouraged~~ ~~shall be~~
1111 | ~~proposed~~ within the ~~PCDPDD-TND~~:
- 1112 | a. Single-family Detached Dwellings. Minimum lot size ~~shall~~ ~~should~~ be four thousand five hundred
1113 | square feet. Minimum lot width ~~shall~~ ~~should~~ be forty-five feet with an attached garage and forty feet
1114 | with a detached garage. Dwellings within condominium developments ~~shall~~ ~~should~~ be subject to similar
1115 | density standards.
- 1116 | b. Single-family attached dwellings, including duplexes, townhouses, and row houses. Minimum lot size
1117 | ~~shall~~ ~~equals~~ three thousand five hundred square feet per dwelling unit. Minimum lot width ~~shall~~ ~~should~~
1118 | equal thirty feet per dwelling unit. Dwellings within condominium developments ~~shall~~ ~~should~~ be subject
1119 | to similar density standards.
- 1120 | c. Multi-family dwellings, including senior housing. Minimum lot size ~~shall~~ ~~equals~~ one thousand two
1121 | hundred fifty square feet for ~~each efficiency~~ dwelling unit, with an additional two hundred fifty square
1122 | feet of lot area required for each additional bedroom in the dwelling unit.
- 1123 | ~~d. "Special needs" housing, including community living arrangements and assisted living facilities on~~
1124 | ~~lots of suitable size to accommodate the project.~~
- 1125 | 2. ~~Allowed~~ Mixed-Use Area. A mixed-use area ~~is encouraged~~ ~~shall be included within the PCD-TND. At~~
1126 | ~~least ninety percent of the residences within the PCD-TND shall be within 1/4 mile from a mixed use~~
1127 | ~~area within or outside of the project. The total gross land area of nonresidential development uses,~~
1128 | ~~including off street parking areas, shall not exceed twenty five percent of the area of the entire PCD-~~
1129 | ~~TND.~~ A mixed-use area ~~should~~ ~~within the PCD-TND shall~~ include a mix ~~of~~ ~~er~~ two or more of the following
1130 | uses:

Proposed PCD Code Changes, pg. 25

- 1131 a. Commercial uses, such as services, retail, restaurants, and accommodations. Individual businesses
1132 | ~~should~~ shall not exceed six thousand square feet each in primary floor area.
- 1133 b. Attached residential dwellings, including single-family attached, multi-family, second-story
1134 residential units, live/work units, and "special needs" housing.
- 1135 c. Civic or institutional uses, such as municipal offices, libraries, post offices, places of worship, and
1136 educational facilities.
- 1137 d. Small open space areas, such as a central square, neighborhood park, or playground.
- 1138 | 3. Open Space Area. Protected common open space, in public or private ownership, ~~should~~ shall be
1139 | incorporated into the ~~PDDCD-TND~~. At least fifteen percent of the gross land area of the ~~PCDPDD-TND~~
1140 | must remain as permanently protected common open space, not including private yards. Large outdoor
1141 | recreation areas should generally be located at the periphery of the ~~PCDPDD-TND~~ rather than a central
1142 | location. Open spaces may include environmental corridors, other protected natural areas, parks, or
1143 | ~~stormwater~~ facilities. At least ninety percent of the residences within the ~~PCDPDD-TND~~ ~~should~~ shall be
1144 | within one-fourth mile from a protected common open space area. The ~~PCDPDD-TND~~ ~~is~~ shall be subject
1145 | to all city parkland dedication and fee requirements.
- 1146 | B. ~~Stormwater~~ Management. The design and development of the ~~PCDPDD-TND~~ shall meet the
1147 | requirements of the city's ~~stormwater~~ management ordinance and demonstrate the following
1148 | principles:
- 1149 | 1. Minimize off-site ~~stormwater~~ runoff;
 - 1150 | 2. Promote on-site filtration;
 - 1151 | 3. Utilize natural ~~stormwater~~ management systems wherever practical;
 - 1152 | 4. Utilize ~~stormwater~~ management Best Management Practices (BMPs);
 - 1153 | 5. Minimize the discharge of pollutants to ground and surface water; and
 - 1154 | 6. Maintain and protect natural topography and existing land cover to the extent reasonably
1155 | practicable.
- 1156 | C. Lot and Block Design Standards.
- 1157 | 1. Block and Lot Size Diversity. Street layouts ~~should~~ shall provide for perimeter blocks that are a
1158 | maximum of four hundred feet deep and eight hundred feet long. A variety of lot sizes in accordance
1159 | with subsection (A)(1) shall be provided to facilitate housing choice and meet the requirements of

Proposed PCD Code Changes, pg. 25

1156 C. Lot and Block Design Standards.

1157 1. Block and Lot Size Diversity. Street layouts ~~should~~shall provide for perimeter blocks that are a
1158 maximum of four hundred feet deep and eight hundred feet long. A variety of lot sizes in accordance
1159 with subsection (A)(1) shall be provided to facilitate housing choice and meet the requirements of
1160 people with different housing needs.

1161 2. Building Setbacks.

Table 1: Building Setbacks

1162 TABLE INSET:

1164

| Use Area | Maximum Front Yard Setback | Minimum Building Separation |
|------------------------|----------------------------|----------------------------------|
| Mixed Residential Area | 25 feet | 150 feet ² |
| Mixed Use Area | 15 feet ¹ | 150 feet ² |

1165 1. Commercial, civic or institutional buildings should generally ~~abut~~abut the sidewalks in the mixed-
1166 use area.

1167 2. Minimum building separation standards shall substitute for required side and rear lot
1168 setbacks.

1169 D. Circulation Standards. The circulation system shall allow for different modes of transportation,
1170 provide functional and visual links among the residential areas, mixed-use area, and open space areas
1171 within the ~~PCD~~PDD-TND; connect to existing and proposed development outside the ~~PCD~~PDD-TND;
1172 provide adequate traffic capacity, provide connected pedestrian and bicycle routes including off-street
1173 paths or bicycle lanes on streets; control through traffic; limit direct lot access on streets with higher

Proposed PCD Code Changes, pg. 26-27

1213

| Type of Street | Street Width, curb-face to curb-face feet | Curb & Gutter | Street Terrace | Sidewalks | Bicycle Lanes |
|------------------|---|-------------------------|------------------------------|-------------------------------|---------------------------------|
| Collector Street | 36 (2-sided parking) | Both sides, 2 feet wide | Both sides, min. 8 feet wide | Both sides, min. 5 feet wide* | Where required, add 4 foot wide |

| | | | | | |
|--------------|---|-------------------------|------------------------------|-------------------------------|-------|
| | | | | | lanes |
| | 32 ³⁰ (1-sided parking) | | | | |
| | 24 (no parking) | | | | |
| Minor Street | 36 ²⁸ (2-sided parking) | Both sides, 2 feet wide | Both sides, min. 6 feet wide | Both sides, min. 5 feet wide* | None |
| | 32 ²⁶ (1-sided parking) | | | | |
| | 24 ⁰ (no parking) | | | | |
| Alley | 20 ¹⁴ (no parking) | None | None | None | None |

1214

*The city also requires one foot between the edge of the sidewalk and the property line. □

Proposed AT Code Changes, pg. 30

1334 **Chapter 19.42 AT AGRICULTURAL TRANSITION DISTRICT**

1335 Sections:

1336 19.42.010 Purpose.

1337 19.42.020 Permitted uses.

1338 19.42.030 Conditional uses.

1339 19.42.040 Lot area.

1340 19.42.050 Yard requirements.

1341 19.42.060 Building height.

1342 19.42.070 Existing residences.

1343

1344 **19.42.010 Purpose.**

1345 The purposes of the AT agricultural transition district are to provide for the orderly transition of
1346 agricultural land to other uses in areas planned for eventual city expansion. This district is generally
1347 intended to apply to lands located in the city where such lands are predominantly in agricultural or open
1348 space use but where conversion to nonagricultural use is expected to occur in the forseeable future.

1349 (Ord. 994 § 3.15(part), 1982).

1350

1351 **19.42.020 Permitted uses.**

1352 Permitted uses in the AT district include:

1353 A. Dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, grazing,
1354 greenhouses, forest and game management, livestock and poultry raising (except for commercial
1355 operations), road-side stands not exceeding one per farm, and similar agricultural uses;

1356 B. Two single-family dwelling units for resident owner/operators and their children, siblings, and
1357 parents or laborers principally engaged in conducting a permitted or approved conditional use;

1358 C. The second or greater wireless telecommunications facility located on an alternative support
1359 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
1360 telecommunications facility, per the requirements of Chapter 19.55.

1361 (Ord. 1499 § 20, 2001; 994 § 3.15(A), 1982).

1362

Parking Code Discussion

5636 **19.51.080 Front and side yard parking limitation.**

5637 A. In all residential districts, except as provided in subsections B, C and D below or as otherwise allowed
5638 by a previously granted zoning permit, not more than three vehicles shall be parked in any combination

5639 of the front or side yard area. In no case shall vehicles be parked closer than three feet to any abutting
5640 property line (except for shared parking areas for which a zoning permit has been granted) or any lawn
5641 or landscaped area. All parking must take place in legally established and maintained parking areas or
5642 driveways outside of any required vehicular circulation areas.

5643 B. A legally established two-family dwelling may have up to six vehicles parked in any combination of
5644 the front and side yard area.

5645 C. In the R-3 Multifamily Residence District, except for legally established two-family dwellings or
5646 otherwise allowed by a zoning permit, not more than five vehicles may be parked in any combination of
5647 the front or side yard area. Newly constructed or reconstructed properties as of the date of this chapter
5648 may have no more than three vehicles in front and side yards.

5649 D. The number of vehicles allowed within front and side yard areas of lots occupied by single family
5650 residences may be increased to one per licensed driver legally occupying the property, not to exceed
5651 five vehicles.

5652 (Ord. 1082 § 8, 1986).

5653 (Ord. No. 1688A, 6-17-2008; Ord. No. 1715A, 2-3-2009)

Proposed Definition Change

BUILDING HEIGHT definition:

Building height means the vertical distance measure from the main elevation of the finished lot grade along the street yard face of the structure to the highest level between the eaves and ridges of gable, gambrel, hip and pitch roofs; or to the deck line of mansard roofs.

PROPOSED BUILDING HEIGHT definition:

Building height means the vertical distance measure from the main elevation of the finished lot grade along the street yard face of the structure to the mid-point between the eave and highest point of the roof, not including ornamental features.

Driveway Definition

5603 **19.51.040 Adequate access--Driveways.**

5604 Adequate access to a public street shall be provided for each parking space, and driveways shall
5605 be at least ten feet wide for parking areas for less than ten vehicles, and at least two ten-foot lanes for
5606 parking lots for ten or more vehicles, except as otherwise provided in Section 19.51.050(A)(2).
5607 Driveways shall not exceed twenty-four feet in width at the street right-of-way line, except as otherwise
5608 determined by the plan and architectural review commission during site plan review. No driveway may
5609 be closer than three feet to an abutting property line, except where two adjacent lots have a common
5610 driveway then the three-foot minimum distance shall not apply. Common, shared, and cross-access
5611 driveways between adjacent lots are permitted, provided that such driveways are established by
5612 recorded easement that may not be removed except by approval of the city.

5613 (Ord. 1452 § 6(part), 2000; Ord. 994 § 4.3(A), 1982).

5614

Proposed Definition

DRIVEWAY definition:

A paved surface, maximum of 24 feet, providing access from the street to the garage, or permitted parking area. Additional paved areas shall be made of approved pervious materials. One driveway is permitted per parcel.

Approved pervious materials:

Pavers

Pervious concrete

Pervious asphalt

Grasscrete



Next Steps

- **City presentation of project status to the Plan Commission and Council**
- **Revise Track Changes**
- **Ongoing discussion of technical issues and formatting with City staff**



Zoning: Proposed Changes

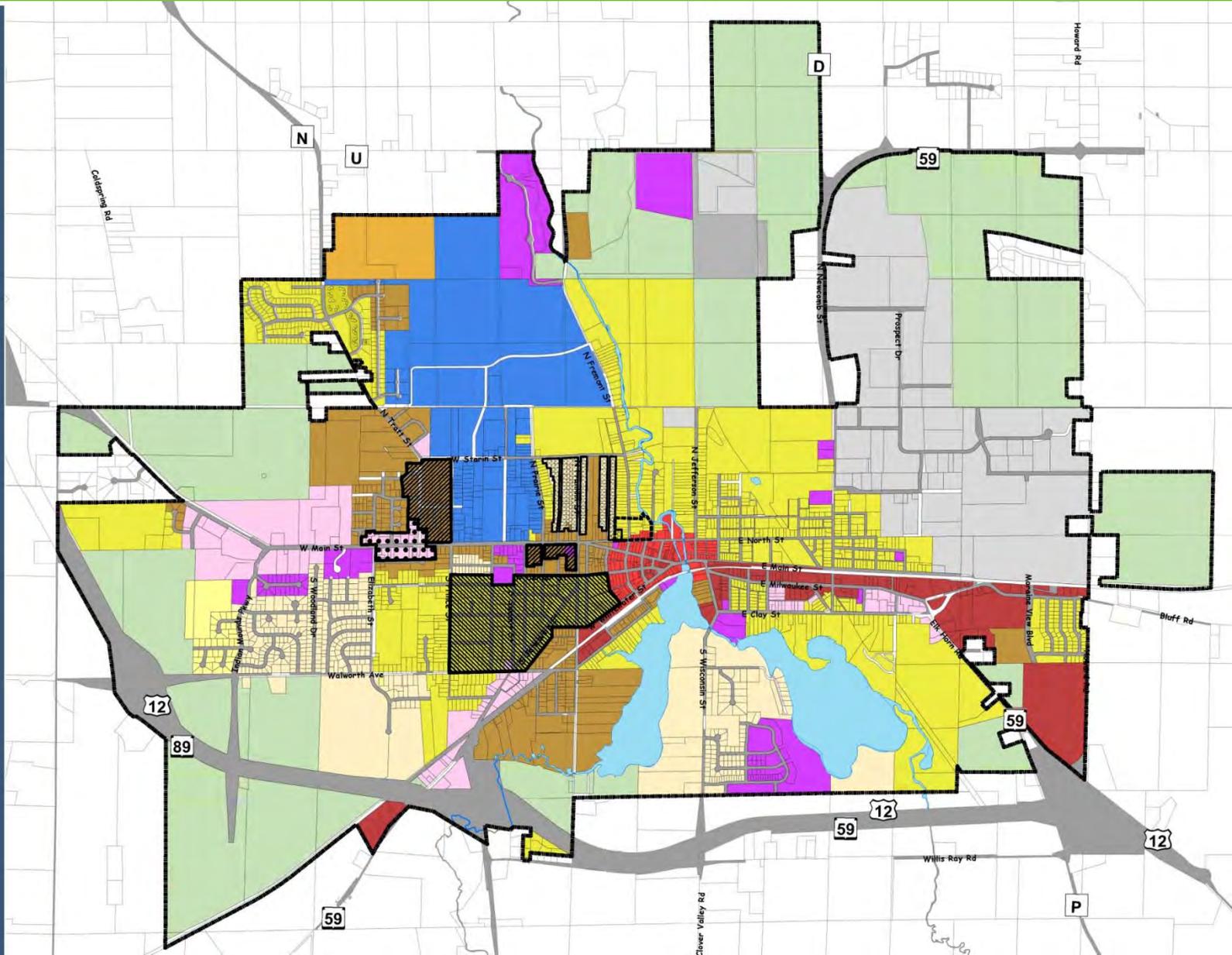
ZONING MAP PROPOSED AMENDMENTS CITY OF WHITEWATER WISCONSIN

- Area_of_Interest
- Proposed R-2 Overlay
- Proposed R-3 Overlay
- Proposed University Overlay
- AT
- B-1
- B-2
- B-3
- I
- M-1
- M-2
- PCD
- R-1
- R-1x
- R-2
- R-3
- R-4
- R-O



1 in = 1,200 ft

GRAEF



Parking Code

5678 **19.51.130 Number of parking stalls--General requirements.**

5679 The minimum number of parking stalls required is as follows:

5680 TABLE INSET:

5681

| | |
|---|---|
| Uses within the B-2 central business district are exempted from this requirement, except if specifically required for a particular conditional use in that district under Section | |
| 19.30.030 | |
| Single-family dwellings | 2 stalls |
| Mobile homes | 2 stalls for each dwelling unit |
| Duplex and multifamily dwellings | |
| Efficiency/one bedroom | 2 stalls for each dwelling unit |
| Two bedrooms | 3 stalls for each dwelling unit |
| Three or more bedrooms | 4 stalls for each dwelling unit |
| Hotels, motels | 1 stall for each guest room plus 1 stall for each 2 employees working per shift |

Parking Code

| | |
|---|--|
| Sororities, dormitories, boardinghouses and similar group-dwelling quarters | 1 stall for each 2 persons plus 1 stall for each 3 employees working per shift |
| Nursing homes | 1 stall for each 5 beds plus 1 stall for each 2 employees working per shift |
| Medical and dental clinics and offices | 3 stalls for each doctor plus 1 stall for each 2 employees |
| Churches, theaters, community centers, and other places of public assembly | 1 stall for each 5 seats |
| Schools (elementary and secondary) | 2 for each classroom |
| Restaurants, bars, places of entertainment | 1 stall for each 200 square feet of primary floor area |
| Retail and service, commercial | 1 stall for each 250 square feet of primary floor area |
| Manufacturing and processing plants, laboratories and warehouses | 1 stall for each 2 employees per working shift |
| Financial institutions; business, governmental and professional offices | 1 stall for each 300 square feet of primary floor area |

1 **Title 19 ZONING***

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5 **Chapter 19.12 ZONING DISTRICTS**

6 Sections:

7 [19.12.010 Districts--Established.](#)

8 [19.12.020 Districts--Boundaries.](#)

9 [19.12.030 Vacation of streets and alleys.](#)

10 [19.12.040 Annexations and consolidations.](#)

11 [19.12.050 Zoning map.](#)

12

13 **19.12.010 Districts--Established.**

14 For the purpose of this title, the city is divided into the following zoning districts:

15 TABLE INSET:

16

| | |
|--------------------|---|
| R-1 | One-family residence district |
| R-2 | One and two-family residence district |
| R-3 | Multifamily residence district |
| R-4 | Mobile home district |
| B-1 | General business district |
| B-2 | Central business district |
| B-3 | Commercial service and light manufacturing district |
| M-1 | General manufacturing district |
| PCD PDD | Planned community development district |
| AT | Agricultural transition district |
| I | Institutional district |
| C-1 | Shoreland wetland district |
| C-2 | Nonshoreland wetland district |
| FW | Floodway district |
| FWW | Floodway/wetland district |
| FFO | Floodplain fringe overlay district. |

17 (Ord. 1196 § 1(part), 1990).

18

19 **19.12.020 Districts--Boundaries.**

20 A. Boundaries of all districts shall be as shown on the map entitled "Zoning Map, City of Whitewater,
21 Wisconsin," which accompanies and is a part of the ordinance codified in this title. The district
22 boundaries in all districts, except the C-1 shoreland wetland district, the C-2 nonshoreland wetland

23 district, FW floodway district, the FWW floodway/wetland district, and the FFO floodplain fringe overlay
24 district, shall be construed to follow: corporate limits; U.S. Public Land Survey lines; lot or property lines;
25 centerlines of streets, highways, alleys, easements, and railroad rights-of-way or such lines extended.

26 B. Boundaries of the FW floodway district shall be determined by use of the scale contained on the
27 map. The boundaries of the FFO floodplain fringe overlay district shall be determined by the floodland
28 limits shown on the map entitled, "Flood Hazard Investigation--Whitewater Creek, Spring Brook-City of
29 Whitewater," dated May 1979, which accompanies and is made a part of the ordinance codified in this
30 title. The flood stages, under floodway conditions, contained in the Flood Hazard Investigation map
31 were developed from technical data contained in the "Flood Insurance Study--City of Whitewater,
32 Walworth County, Wisconsin," published by the Federal Emergency Management Agency (FEMA) and
33 dated December 1, 1981. The information contained in the flood insurance study is further illustrated in
34 FEMA "Floodway and Flood Boundary Map" and "Flood Insurance Rate Map," both maps dated June 1,
35 1982. Where a conflict exists between the floodland limits as shown on the flood hazard investigation
36 map and actual field conditions, the elevations from the one hundred year recurrence interval flood
37 profile shall be the governing factor in locating the regulatory floodland limits.

38 C. Boundaries of the C-1 shoreland wetland district, the C-2 nonshoreland wetland district, and the
39 FWW floodway/wetland district are based on the Wisconsin Wetland Inventory Maps for the City of
40 Whitewater, dated July 2, 1987, and stamped "FINAL." The C-1 district includes all shoreland wetlands,
41 five acres or greater in area shown on those maps.

42 (Ord. 1196 § 1(part), 1990).

43

44 **19.12.030 Vacation of streets and alleys.**

45 Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same
46 district as the abutting side to which the vacated land reverts.

47 (Ord. 994 § 3.3, 1982).

48

49 **19.12.040 Annexations and consolidations.**

50 A. Annexations to or consolidations with the city subsequent to June 24, 1982, the effective date of the
51 ordinance codified in this title shall be placed in the AT agricultural transition district, unless the
52 annexation ordinance temporarily places the land in another district. Within one year, the city plan
53 commission shall evaluate and recommend a permanent classification to the common council.

54 B. Annexations containing floodlands and shorelands shall be governed in the following manner:

55 1. Annexations containing floodlands shall be governed by the provisions of the Walworth County
56 floodplain zoning ordinance until such time that the Wisconsin Department of Natural Resources (DNR)
57 certifies that amendments to the City of Whitewater zoning ordinance meet the requirements of
58 Chapter NR 116 of the Wisconsin Administrative Code.

59 2. Annexations containing shorelands. Pursuant to Section 59.971(7) of the Wisconsin Statutes, any
60 annexation of land after May 7, 1982, which lies within shorelands, as defined in this title, shall be
61 governed by the provisions of the Walworth County shoreland zoning ordinance until such time that the
62 City of Whitewater adopts an ordinance which is at least as restrictive as the Walworth County
63 shoreland zoning ordinance. Said regulations shall be administered and enforced by the City of
64 Whitewater building inspector.

65 (Ord. 1196 § 1(part), 1990).

66

67 **19.12.050 Zoning map.**

68 A certified copy of the zoning map shall be adopted and approved with the text as part of this title, and
69 shall bear upon its face the attestation of the city manager and city clerk and shall be available to the

70 public in the office of the city clerk. Changes thereafter to the districts shall be entered and attested on
71 this certified copy.
72 (Ord. 994 § 3.5, 1982).

73
74

75 **Chapter 19.15 R-1 ONE-FAMILY RESIDENCE DISTRICT**

76 Sections:

- 77 [19.15.010 Purpose.](#)
- 78 [19.15.020 Permitted uses.](#)
- 79 [19.15.030 Conditional uses.](#)
- 80 [19.15.040 Lot area.](#)
- 81 [19.15.050 Lot width.](#)
- 82 [19.15.060 Yards.](#)
- 83 [19.15.070 Coverage.](#)
- 84 [19.15.080 Building height.](#)
- 85 [19.15.090 Park fees.](#)

86

87 **19.15.010 Purpose.**

88 The R-1 one-family residence district is established to stabilize and protect the essential characteristics
89 of low-density residential areas. [A non-family household in R-1 shall be limited to three unrelated](#)
90 [persons.](#)

91 (Ord. 994 § 3.6(part), 1982).

92

93 **19.15.020 Permitted uses.**

94 Permitted uses in the R-1 district include:

95 A. One-family detached dwellings;

96 B. The second or greater wireless telecommunications facility located on an alternative support
97 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
98 telecommunications facility, with wireless telecommunications support facilities allowed as permitted
99 accessory uses, all per the requirements of Chapter 19.55.

100 (Ord. 1499 § 4, 2001; 1149 § 1, 1988; Ord. 994 § 3.6(A), 1982).

101

102 **19.15.030 Conditional uses.**

103 Conditional uses in the R-1 district include:

104 A. Public and semipublic uses, to include public and private schools; churches and religious institutions;
105 government facilities; active recreational parks; museums, hospitals, public transportation terminals,
106 and similar uses;

107 B. Planned residential developments such as townhouses, condominiums and cluster housing. In order
108 to allow increasing the intensity of use, the plan commission may allow as a conditional use the
109 following variations from the district requirements:

110 1. In an approved planned residential development, each dwelling structure need not have an
111 individual lot or parcel having the requisite size and dimensions normally required in the districts.
112 However, the size and the entire development parcel divided by the number of dwellings shall be equal
113 to or larger than the minimum lot area for the district where the site is located,

114 2. The yard requirements between buildings shall be fixed by the plan commission. Building setbacks
115 from the perimeter of the site shall comply with the front yard, rear yard and side yard requirements of
116 the district,

117 3. Private streets may be approved to serve uses within the site, provided that the site proposed for
118 PRD has frontage on a public street;

- 119 C. Home occupations/professional home offices. (Subject to issuance of zoning permit.)
120 D. The first wireless telecommunications facility located on an alternative support structure only, per
121 the requirements of Chapter 19.55.
122 E. Real estate sales offices, subject to the following requirements:
123 1. May only be placed within a major subdivision with twenty or more lots;
124 2. Shall occupy a maximum of one building within any major subdivision;
125 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than
126 ninety days from the date when ninety percent of the lots or units within the subdivision or
127 development are initially sold or leased, or five years from the date of initial establishment of the use,
128 whichever comes first;
129 4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than
130 two thousand dollars shall be required, with such deposit or guarantee released by the city once the
131 sales office is removed or converted to a permitted use in the district;
132 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related
133 uses open to the public;
134 6. Shall be compatible in character, materials, placement, and design with other existing and planned
135 buildings within the subdivision;
136 7. Signage shall be in accordance with standards for conditional uses in the district, per Section
137 19.54.052 of this title.
138 F. Bed and breakfast establishments.
139 G. Keeping of horses, subject to the standards in Section 19.57.160 of this title.
140 (Ord. 1589A § 1, 2005; Ord. 1580A § 2, 2005; Ord. 1499 § 5, 2001; Ord. 1149 § 5, 1988; Ord. 1082 § 5,
141 1986; Ord. 994 § 3.6(B), 1982).

142

143 **19.15.040 Lot area.**

144 Minimum lot area in the R-1 district is ten thousand square feet.
145 (Ord. 1174 § 1, 1990; Ord. 994 § 3.6(C), 1982).

146

147 **19.15.050 Lot width.**

148 Minimum lot width in the R-1 district is eighty feet.
149 (Ord. 994 § 3.6(D), 1982).

150

151 **19.15.060 Yards.**

152 Minimum yard requirements in the R-1 district are as follows:

- 153 A. Front, twenty-five feet;
154 B. Side, ten feet, corner lot, twenty-five feet;
155 C. Rear, thirty feet;
156 D. Shore, seventy-five feet.

157 (Ord. 994 § 3.6(E), 1982).

158

159 **19.15.070 Coverage.**

160 Maximum lot coverage in the R-1 district is thirty percent.
161 (Ord. 994 § 3.6(F), 1982).

162

163 **19.15.080 Building height.**

164 Maximum building height in the R-1 district is two and one-half stories or thirty-five feet.
165 (Ord. 994 § 3.6(G), 1982).

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19.15.090 Park fees.

All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable before a building permit is issued. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during the first quarter of each year by a percentage equal to the rate of consumer inflation based on the percent of yearly change for the previous year for the Milwaukee metropolitan area, as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
(Ord. 1481 § 1, 2001).

Chapter 19.16 R-1X DISTRICT

Sections:

- [19.16.010 R-1 district provisions--Applicability.](#)
- [19.16.020 Lot area.](#)
- [19.16.021 Maximum lot coverage.](#)
- [19.16.030 Lot width.](#)
- [19.16.040 Yards.](#)
- [19.16.050 Park fees.](#)

19.16.010 R-1 district provisions--Applicability.

All of the provisions of the R-1 district not in conflict with the requirements of this chapter shall apply in the R-1X district.
(Ord. 1174 § 2(part), 1990).

19.16.020 Lot area.

Minimum lot area in the R-1X district is twelve thousand square feet.
(Ord. 1174 § 2(part), 1990).

19.16.021 Maximum lot coverage.

Maximum lot coverage by buildings in the R-1X district shall be twenty percent.
(Ord. 1364 § 7, 1997).

19.16.030 Lot width.

Minimum lot width in the R-1X district is one hundred feet.
(Ord. 1174 § 2(part), 1990).

19.16.040 Yards.

Minimum yard requirements in the R-1X district are:

- A. Front, thirty feet;
- B. Side, fifteen feet; corner lot, thirty feet;
- C. Rear, thirty feet;
- D. Shore, seventy-five feet.

(Ord. 1174 § 2(part), 1990).

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19.16.050 Park fees.

All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable before a building permit is issued. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during the first quarter of each year by a percentage equal to the rate of consumer inflation based on the percent of yearly change for the previous year for the Milwaukee metropolitan area, as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
(Ord. 1481 § 2, 2001).

Chapter 19.18 R-2 ONE- AND TWO-FAMILY RESIDENCE DISTRICT

Sections:

- [19.18.010 Purpose.](#)
- [19.18.020 Permitted uses.](#)
- [19.18.030 Conditional uses.](#)
- [19.18.040 Lot area.](#)
- [19.18.050 Lot width.](#)
- [19.18.060 Yard requirements.](#)
- [19.18.070 Lot coverage.](#)
- [19.18.080 Building height.](#)
- [19.18.090 Park fees.](#)

19.18.010 Purpose.

The R-2 two-family residence district is established to provide medium-density residential areas. [A non-family household in R-2 shall be limited to three unrelated persons.](#)
(Ord. 994 § 3.7(part), 1982).

19.18.020 Permitted uses.

Permitted uses in the R-2 district include:

- A. One-family detached dwellings;
- [B. Attached \(townhouse and condominium\) dwellings, up to four units per building: minimum lot area requirements for such uses shall be regulated by Chapter 19.21;](#)
- [C. Two-family attached dwellings;](#)
- [D. Home occupations/professional home offices for non-retail \(goods and services for businesses that do not require customer access\);](#)

[E](#)**B.** The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.
(Ord. 1499 § 6, 2001; Ord. 1174 § 3(A), 1990; Ord. 1149 § 2, 1988; Ord. 994 § 3.7(A), 1982).

19.18.030 Conditional uses.

Conditional uses in the R-2 district include:

- 260 | A. Attached (townhouse and condominium) dwellings, more than up to four units per building, up to
261 | eight units per building; minimum lot area requirements for such uses shall be regulated by Chapter
262 | 19.21;
- 263 | ~~B. Two-family attached dwellings (new construction only);~~
- 264 | C. Planned residential developments (See Section 19.15.030);
- 265 | D. Public and semipublic uses;
- 266 | E. Retail goods and services (businesses requiring customer access) ~~h~~Home occupations/professional
267 | home offices, conditions for hours of operation and parking;
- 268 | F. The first wireless telecommunications facility located on an alternative support structure only, per
269 | the requirements of Chapter 19.55;
- 270 | G. Real estate sales offices, subject to the following requirements:
- 271 | 1. May only be placed within a major subdivision with twenty or more lots or a multiple-family
272 | residential development with forty or more dwelling units,
- 273 | 2. Shall occupy a maximum of one building within any major subdivision, or one unit within any
274 | multiple-family residential development,
- 275 | 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than
276 | ninety days from the date when ninety percent of the lots or units within the subdivision or
277 | development are initially sold or leased, or five years from the date of initial establishment of the use,
278 | whichever comes first,
- 279 | 4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than
280 | two thousand dollars shall be required, with such deposit or guarantee released by the city once the
281 | sales office is removed or converted to a permitted use in the district,
- 282 | 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related
283 | uses open to the public,
- 284 | 6. Shall be compatible in character, materials, placement, and design with other existing and planned
285 | buildings within the subdivision or development,
- 286 | 7. Signage shall be in accordance with standards for conditional uses in the district, per Section
287 | 19.54.052 of this title;
- 288 | H. Bed and breakfast establishments;
- 289 | I. Keeping of horses, subject to the standards in Section 19.57.160 of this title.
290 | (Ord. 1589A § 2, 2005; Ord. 1580A § 3, 2005; Ord. 1499 § 7, 2001; Ord. 1299 § 1, 1994; Ord. 1174 § 3(B),
291 | 1990; Ord. 1149 § 6, 1988; Ord. 1082 § 6, 1986; Ord. 994 § 3.7(b), 1982).

292
293 | **19.18.040 Lot area.**

- 294 | Minimum lot area in the R-2 district is:
- 295 | A. Eight thousand square feet for single-family;
- 296 | B. Twelve thousand square feet for two-family.
297 | (Ord. 1174 § 3(C), 1990; Ord. 994 § 3.7(C), 1982).

298
299 | **19.18.050 Lot width.**

- 300 | Minimum lot width in the R-2 district is:
- 301 | A. Sixty-six feet for all lots of record at the time of adoption of the ordinance codified in this section;
- 302 | B. Seventy feet for all new single-family development after the adoption of the ordinance codified in
303 | this section;
- 304 | C. One hundred feet for all duplexes developed after the adoption of the ordinance codified in this
305 | section.
306 | (Ord. 1174 § 3(D), 1990; Ord. 994 § 3.7(D), 1982).

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19.18.060 Yard requirements.

Minimum yard requirements in the R-2 district are:

- A. Front, twenty-five feet;
- B. Side, ten feet for one family, fifteen feet for two family and multifamily; corner lots, twenty-five feet;
- C. Rear, thirty feet;
- D. Shore, seventy-five feet;
- E. For all structures larger than a one-family dwelling unit, the building setback standards established in the R-3 multifamily residence district shall apply.
(Ord. 1174 § 3E, 1990; Ord. 994 § 3.7(E), 1982).

19.18.070 Lot coverage.

Maximum lot coverage in the R-2 district is thirty percent.
(Ord. 994 § 3.7(F), 1982).

19.18.080 Building height.

Maximum building height in the R-2 district is thirty-five feet, or two and one-half stories.
(Ord. 994 § 3.7(G), 1982).

19.18.090 Park fees.

All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable before a building permit is issued. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during the first quarter of each year by a percentage equal to the rate of consumer inflation based on the percent of yearly change for the previous year for the Milwaukee metropolitan area, as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
(Ord. 1481 § 3, 2001; Ord. 1174 § 3F, 1990).

Chapter 19.21 R-3 MULTIFAMILY RESIDENCE DISTRICT

Sections:

- [19.21.010 Purpose.](#)
- [19.21.020 Permitted uses.](#)
- [19.21.030 Conditional uses.](#)
- [19.21.040 Lot area.](#)
- [19.21.050 Lot width.](#)
- [19.21.060 Yard Requirements.](#)
- [19.21.070 Lot coverage.](#)
- [19.21.080 Building height.](#)
- [19.21.090 Park fees.](#)

19.21.010 Purpose.

The R-3 multifamily residence district is established to provide high-density residential areas, and to allow mixing of certain compatible land uses. [A non-family household in R-3 shall be limited to five unrelated persons.](#)

355 (Ord. 994 § 3.8(part), 1982).

356

357 **19.21.020 Permitted uses.**

358 Permitted uses in the R-3 district include:

359 A. One-family detached dwellings;

360 B. Two-family attached dwellings (new construction);

361 C. Attached dwellings, up to ~~eight~~four units per building. Minimum lot area requirements for such uses
362 shall be regulated by Chapter 19.21. "Attached dwelling" means a one-family dwelling attached to two
363 or more one-family dwellings by common vertical walls;

364 D. Home occupations/professional home offices for non-retail (goods and services for businesses that
365 do not require customer access);

366 ~~E~~D. The second or greater wireless telecommunications facility located on an alternative support
367 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
368 telecommunications facility, with wireless telecommunications support facilities allowed as permitted
369 accessory uses, all per the requirements of Chapter 19.55.

370 (Ord. 1499 § 8, 2001; 1174 § 4A, 1990; Ord. 1149 § 3, 1988; Ord. 994 § 3.8(A), 1982).

371

372 **19.21.030 Conditional uses.**

373 Conditional uses in the R-3 district include:

374 A. Professional business offices in a building where the principal use is residential;

375 B. Multifamily dwellings and attached dwellings, over ~~eight~~four units, new construction only;

376 C. Walk-in type retail trade (food stores, bookstores, gift shops, galleries, beauty shops and similar
377 uses) located in a building where the principal use is residential and fronts on an arterial street;
378 (Conditional use approval under this provision shall be granted for a specified use. Any subsequent
379 change in use or expansion shall require additional conditional use approval.)

380 D. Fraternity or sorority houses and group lodging facilities;

381 E. Any building over ~~three stories or~~ forty feet;

382 F. Planned residential developments (see Section 19.15.030);

383 G. Conversions of existing structures resulting in more than eight dwelling units;

384 H. Public and semipublic uses;

385 I. Retail goods and services (businesses requiring customer access) hHome occupations/professional
386 home office, ~~in one and two family dwellings~~ conditions for hours of operation and parking;

387 J. Bed and breakfast establishments;

388 K. The first wireless telecommunications facility located on an alternative support structure only, per
389 the requirements of Chapter 19.55;

390 L. Real estate sales offices, subject to the following requirements:

391 1. May only be placed within a major subdivision with twenty or more lots or a multiple-family
392 residential development with forty or more dwelling units,

393 2. Shall occupy a maximum of one building within any major subdivision, or one unit within any
394 multiple-family residential development,

395 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than
396 ninety days from the date when ninety percent of the lots or units within the subdivision or
397 development are initially sold or leased, or five years from the date of initial establishment of the use,
398 whichever comes first,

399 4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than
400 two thousand dollars shall be required, with such deposit or guarantee released by the city once the
401 sales office is removed or converted to a permitted use in the district,

- 402 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related
 403 uses open to the public,
 404 6. Shall be compatible in character, materials, placement, and design with other existing and planned
 405 buildings within the subdivision or development,
 406 7. Signage shall be in accordance with standards for conditional uses in the district, per Section
 407 19.54.052 of this title.
 408 (Ord. 1668A § 2, 2007; Ord. 1580A §§ 4, 5, 2005; Ord. 1499 § 9, 2001; Ord. 1174 § 4B, 1990; Ord. 1149 §
 409 7, 1988; Ord. 994 § 3.8(B), 1982).

410

411 **19.21.040 Lot area.**

412 A. Minimum lot area in the R-3 district is as follows:

413 TABLE INSET:

414

| | |
|----------------|---------------------|
| 1. One-family | 8,000 square feet; |
| 2. Two-family | 12,000 square feet; |
| 3. Multifamily | 15,000 square feet; |

415 Provided, however, that minimum parcel sizes for multifamily dwellings and group lodging facilities may
 416 be increased if the following ratios indicate a larger parcel size.

417 B. Ratios to determine minimum parcel size, (to be used if operation of the table indicates parcel size in
 418 excess of twelve thousand square feet):

419 TABLE INSET:

420

| <u>Type of Unit</u> | <u>Square Feet</u> |
|------------------------|---|
| Efficiency | 2,000 |
| One-bedroom | 2,500 |
| Two-bedroom | 3,000 |
| Three-bedroom and over | 3,500 plus 300 additional square feet for each bedroom over three |

421 C. Minimum lot area for group lodging facilities will be set in conditional use review.
 422 (Ord. 1174 § 4C, 1990; Ord. 994 § 3.8(C), 1982).

423

424 **19.21.050 Lot width.**

425 Minimum lot width in the R-3 district is:

426 A. One-family and two-family dwellings, sixty-six feet for all improved lots existing at the time of
 427 adoption of the ordinance codified in this section;

428 B. One family, sixty-six feet for all new single-family dwellings constructed after the adoption of the
 429 ordinance codified in this section;

430 C. Two-family, eighty-feet for all newly constructed two-family dwellings;

431 D. Multifamily dwellings, one hundred feet.

432 (Ord. 1174 § 4D, 1990; Ord. 994 § 3.8(D), 1982).

433

434 **19.21.060 Yard Requirements.**

- 435 A. Front, thirty feet first floor;
- 436 B. Side, fifteen feet; corner lots twenty-five feet;
- 437 C. Rear, thirty feet;
- 438 D. Shore, seventy-five feet;
- 439 E. Modifications to Minimum Required Yards. All structures within the R-3 district will be further
- 440 required to comply with the sky exposure plane setback requirements (see graph attached to the
- 441 ordinance codified in this section).
- 442 (Ord. 1174 § 4E, 1990: Ord. 994 § 3.8(E), 1982).

443

444 **19.21.070 Lot coverage.**

- 445 A. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for
- 446 structures with two or more units.
- 447 B. Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a
- 448 required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-
- 449 street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum
- 450 prescribed dimension shall be available to all occupants of the building and shall be usable for greenery,
- 451 drying yards, recreational space, gardening and other leisure activities normally carried on outdoors.
- 452 Where and to the extent prescribed in these regulations, balconies and roof areas, designed and
- 453 improved for outdoor activities, may also be considered as usable open space. The usable open space
- 454 shall be planned as an assemblage or singularly designed area that maximizes the size for open space
- 455 usage. The only exception to this standard is where the required open space is designed to be a part of
- 456 the individual living units in the form of patios or decks.
- 457 (Ord. 1174 § 4F, 1990: Ord. 994 § 3.8(F), 1982).

458

459 **19.21.080 Building height.**

- 460 | Maximum building height in the R-3 district is forty-five feet ~~or four stories~~.
- 461 (Ord. 994 § 3.8(G), 1982).

462

463 **19.21.090 Park fees.**

- 464 All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars
- 465 per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable
- 466 before a building permit is issued. The amount of these fees may be reduced by any fee amount
- 467 previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if
- 468 sufficient land area was provided for park purposes at the time of subdivision, based on the calculations
- 469 in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during
- 470 the first quarter of each year by a percentage equal to the rate of consumer inflation based on the
- 471 percent of yearly change for the previous year for the Milwaukee metropolitan area, as reported by the
- 472 U.S. Department of Labor, Bureau of Labor Statistics.
- 473 (Ord. 1481 § 4, 2001: Ord. 1174 § 4G, 1990).

474

475

476 **Chapter 19.24 R-4 MOBILE HOME DISTRICT**

477 Sections:

478 | [19.24.010 Purpose.](#)

479 | [19.24.020 Permitted uses.](#)

- 480 [19.24.030 Conditional uses.](#)
- 481 [19.24.040 Lot area.](#)
- 482 [19.24.050 Lot width.](#)
- 483 [19.24.060 Yard requirements.](#)
- 484 [19.24.070 Lot coverage.](#)
- 485 [19.24.080 Wrecked or damaged homes.](#)
- 486 [19.24.090 Park fees.](#)

487

488 **19.24.010 Purpose.**

489 The R-4 mobile home district is established to provide areas for placing mobile homes and associated
490 service facilities.
491 (Ord. 994 § 3.9(part), 1982).

492

493 **19.24.020 Permitted uses.**

494 Permitted uses in the R-4 district include:

- 495 A. Single-family mobile home dwellings, and the sanitary, washing, recreational, and office facilities to
496 service mobile home dwellings;
- 497 B. The second or greater wireless telecommunications facility located on an alternative support
498 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
499 telecommunications facility, with wireless telecommunications support facilities allowed as permitted
500 accessory uses, all per the requirements of Chapter 19.55.
501 (Ord. 1499 § 10, 2001; Ord. 1149 § 4, 1988; Ord. 994 § 3.9(A), 1982).

502

503 **19.24.030 Conditional uses.**

504 Conditional uses in the R-4 district include:

- 505 A. Public and semipublic uses;
- 506 B. Home occupations;
- 507 C. The fire wireless telecommunications facility located on an alternative support structure only, per
508 the requirements of Chapter 19.55;
- 509 D. Real estate sales offices, subject to the following requirements:
 - 510 1. May only be placed within a manufactured or mobile home development with twenty or more home
511 sites,
 - 512 2. Shall occupy a maximum of one building within any mobile home development,
 - 513 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than
514 ninety days from the date when ninety percent of the lots or units within the subdivision or
515 development are initially sold or leased, or five years from the date of initial establishment of the use,
516 whichever comes first,
 - 517 4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than
518 two thousand dollars shall be required, with such deposit or guarantee released by the city once the
519 sales office is removed or converted to a permitted use in the district,
 - 520 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related
521 uses open to the public,
 - 522 6. Shall be compatible in character, materials, placement, and design with other existing and planned
523 buildings within the development,
 - 524 7. Signage shall be in accordance with standards in the district, per Section 19.54.052 of this title.
525 (Ord. 1580A § 6, 2005; Ord. 1499 § 11, 2001; Ord. 1149 § 8, 1988; Ord. § 3.9(B), 1982).

526

527 **19.24.040 Lot area.**

528 Minimum lot area in the R-4 district is:
529 A. Exterior boundaries, four acres;
530 B. Mobile home space, three thousand, six hundred square feet.

531
532 **19.24.050 Lot width.**

533 Minimum lot width in the R-4 district is:
534 A. Exterior boundaries, two hundred feet;
535 B. Mobile home space, thirty-six feet.
536 (Ord. 994 § 3.9(D), 1982).

537
538 **19.24.060 Yard requirements.** Minimum yard requirements in the R-4 district are:

539 TABLE INSET:
540

| | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------------------|--------------|-------------|-------------|
| A. Exterior boundaries | 30 | 30 | 30 |
| B. Interior boundaries | 10 | 10 | 10 |

541 (Ord. 994 § 3.9(E), 1982).

542
543 **19.24.070 Lot coverage.**

544 Maximum lot coverage in the R-4 district is as follows:
545 The mobile home dwelling unit shall not occupy more than fifty percent of the mobile home space.
546 (Ord. 994 § 3.9(F), 1982).

547
548 **19.24.080 Wrecked or damaged homes.**

549 Wrecked, damaged or dilapidated mobile homes shall not be kept or stored on a lot in a mobile home
550 park. The health officer shall determine if a mobile home is damaged or dilapidated to a point which
551 makes such mobile home unfit for human occupancy on either a temporary or permanent basis.
552 Whenever such a determination is made, the mobile home shall be vacated and removed from the
553 premises by the owner of the lot within thirty days of formal notice by the health officer.

554 (Ord. 994 § 3.9(G), 1982).

555
556 **19.24.090 Park fees.**

557 All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars
558 per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable
559 before a building permit is issued. The amount of these fees may be reduced by any fee amount
560 previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if
561 sufficient land area was provided for park purposes at the time of subdivision, based on the calculations
562 in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during
563 the first quarter of each year by a percentage equal to the rate of consumer inflation based on the
564 percent of yearly change for the previous year for the Milwaukee metropolitan area, as reported by the
565 U.S. Department of Labor, Bureau of Labor Statistics.
566 (Ord. 1481 § 5, 2001).

567

568 **Chapter 19.25 R-O NON-FAMILY RESIDENTIAL OVERLAY DISTRICT**

569 Sections:

570 [19.25.010 Purpose and intent.](#)

571 [19.25.020 Overlay district application.](#)

572 [19.25.030 Non-family residential overlay district additional restrictions.](#)

573 [19.25.040 Exceptions.](#)

574 [19.25.050 Non-conforming use and registration.](#)

575

576 **19.25.010 Purpose and intent.**

577 The purpose and intent of the non-family residential overlay district is to stabilize and protect property
578 values and to provide a mechanism to protect, preserve, and enhance essential characteristics of low-
579 density single-family residential areas, in particular, areas where due to economic factors and housing
580 pressure in the immediate area there is the potential for the reduction of family-occupied residences,
581 and therefore the loss of the single-family character of the neighborhood which will potentially lead to
582 overcrowding, undue population concentration and lower property values.

583 (Ord. No. 1788A, § 1, 6-1-2010)

584

585 **19.25.020 Overlay district application.**

586 The restrictions set forth herein are in addition to the restrictions and requirements of the basic district
587 applicable to a particular site. To the extent there is a conflict between the restrictions or requirements
588 associated with the district, the requirements that most restrictively limit the use of the site shall apply.
589 No party other than the owner of the property may initiate an action for the imposition of R-O non-
590 family residential zoning on any particular property if such a petition has been made within the previous
591 twelve months.

592 (Ord. No. 1788A, § 1, 6-1-2010)

593

594 **19.25.030 Non-family residential overlay district additional restrictions.**

595 In all non-family residential overlay districts, the non-family household limitation set forth in
596 Whitewater Municipal Ordinance [Section] 19.09.520 is reduced from three to two. Therefore, in any
597 non-family residential overlay district, a non-family household shall be limited to two unrelated persons.

598 (Ord. No. 1788A, § 1, 6-1-2010)

599

600 **19.25.040 Exceptions.**

601 This limitation shall not apply to community living arrangements allowed by federal and state law (such
602 as foster homes and adult family homes for the disabled) and, in particular, those allowed under Wis.
603 Stats. § 62.23.

604 (Ord. No. 1788A, § 1, 6-1-2010)

605

606 **19.25.050 Non-conforming use and registration.**

607 In order to assist the enforcement of this zoning classification, the owner of any property claiming non-
608 conforming use status regarding the unrelated persons limitation imposed by R-O zoning shall register
609 with the city clerk on a form provided by the clerk within ninety days of the imposition of the zoning on
610 the property. The information required on the registration form shall include the history of the property
611 that supports its designation as a non-conforming use which shall include the three letter initials and
612 dates of residency of current tenants (or most recent tenants if not currently occupied), and the three
613 letter initials and dates of residency of all tenants who resided at the premises for the last one hundred
614 twenty days. The party claiming the non-conforming use status shall also have a continuing requirement
615 to update the registration information to provide the initials of current tenants. Failure to register within

616 ninety days of the imposition of the R-O zoning classification shall cause the non-conforming use status
617 to terminate. The city shall mail a notice of this requirement to the address on the property's real estate
618 tax statement within fifteen days of the imposition of the zoning on the property. The non-conforming
619 use status of any property under this chapter will be subject to the provisions contained in City of
620 Whitewater Ordinance [Section] 19.60.010, existing non-conforming uses.
621 (Ord. No. 1788A, § 1, 6-1-2010)

622

623 **Chapter 19.27 B-1 COMMUNITY BUSINESS DISTRICT**

624 Sections:

625 [19.27.010 Purpose.](#)

626 [19.27.020 Permitted uses.](#)

627 [19.27.025 Permitted accessory uses.](#)

628 [19.27.030 Conditional uses.](#)

629 [19.27.040 Lot area.](#)

630 [19.27.050 Lot width.](#)

631 [19.27.060 Yard requirements.](#)

632 [19.27.070 Lot coverage.](#)

633 [19.27.080 Building height.](#)

634 [19.27.090 Plan review.](#)

635 [19.27.100 Park fees.](#)

636

637 **19.27.010 Purpose.**

638 The B-1 community business district is established to accommodate retail shopping and service needs in
639 a manner compatible with the desired community character. The district should be located in relative
640 proximity to residential areas and major traffic routes. High quality site layout, building design, and
641 landscaping is required.

642 (Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(part), 1982).

643

644 **19.27.020 Permitted uses.**

645 Permitted uses in the B-1 district include:

- 646 A. Art, music and school supply stores and galleries;
- 647 B. Antique, hobby and craft shops;
- 648 C. Automotive and related parts stores, without servicing;
- 649 D. Hotels and motels;
- 650 E. Small appliance repair stores;
- 651 F. Barbershops and beauty parlors;
- 652 G. Banks and other financial institutions without drive-through facilities;
- 653 H. Camera and photographic supply stores;
- 654 I. Caterers;
- 655 J. Clothing and shoe stores and repair shops;
- 656 K. Clinics, medical and dental;
- 657 L. Department stores;
- 658 M. Drugstores;
- 659 N. Florist shops;
- 660 O. Food and convenience stores without gasoline pumps;
- 661 P. Furniture stores;
- 662 Q. Hardware stores;
- 663 R. Insurance agencies;
- 664 S. Jewelry stores;

- 665 T. Liquor stores without drive-through facilities;
- 666 U. Meat markets;
- 667 V. Resale shops;
- 668 W. Paint, wallpaper, interior decorating and floor covering stores;
- 669 X. Professional offices;
- 670 Y. Restaurants without drive-through facilities;
- 671 Z. Self-service laundries and drycleaning establishments;
- 672 AA. Sporting goods stores;
- 673 BB. Stationery stores;
- 674 CC. Variety stores;
- 675 DD. Movie theaters;
- 676 EE. Charitable or nonprofit institutions and facilities;
- 677 FF. Tourist homes;
- 678 GG. Existing residences regulated by R-2 dimensional standards;
- 679 [HH. New residential uses meeting the standards of the R-3 district, when mixed with permitted uses in a](#)
- 680 [unified project;](#)
- 681 ~~IIHH~~. Any other similar uses not specifically listed above that are consistent with the purpose of this
- 682 district;
- 683 ~~JJH~~. The second or greater wireless telecommunications facility located on an alternative support
- 684 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
- 685 telecommunications facility, per the requirements of Chapter 19.55.
- 686 (Ord. 1499 § 12, 2001; 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(A), 1982).

687

688 **19.27.025 Permitted accessory uses.**

- 689 Permitted accessory uses in the B-1 district include:
- 690 A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the
 - 691 principal use on the lot;
 - 692 B. Off-street parking and loading areas, subject to landscaping and screening requirements where
 - 693 applicable;
 - 694 C. Outside storage and trash Dumpsters where located outside of the required yards in Section
 - 695 19.27.060 of this chapter and enclosed by a decorative opaque fence, wall or landscaping designed to
 - 696 provide a total visual screen;
 - 697 D. Outside display of merchandise, which may be subject to limitations as part of site plan review;
 - 698 E. Outside display and temporary storage of motor vehicles where the principal use on the lot includes
 - 699 the sale, repair or servicing of such motor vehicles. No vehicle in inoperable condition shall be stored for
 - 700 greater than thirty days;
 - 701 F. Up to two vending machines for dispensing of a product, but only if accessory to a commercial
 - 702 business use. Vending machines may be lit only when the principal use on the lot is in operation, unless
 - 703 such machines are screened from the public right-of-way and adjacent properties;
 - 704 G. Outdoor seating for restaurants within designated areas;
 - 705 H. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning
 - 706 administrator, who may set specific time and area limitations;
 - 707 I. Essential services;
 - 708 J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.
 - 709 (Ord. 1499 § 13, 2001; 1452 § 1(part), § 4(part), 2000).

710

711

712 **19.27.030 Conditional uses.**

713 Conditional uses in the B-1 district include:

- 714 A. Entertainment establishments, including dancehalls and clubs;
 - 715 B. All uses with drive-in and drive-through facilities;
 - 716 C. Automobile and small engine vehicle sales or rental facilities, including incidental repair and service
717 within the principal building;
 - 718 D. Automobile repair and service within the principal building;
 - 719 E. Car washes;
 - 720 F. Private recreation uses;
 - 721 G. Public and semipublic uses;
 - 722 H. Taverns and other places selling alcoholic beverages by the drink, [the following conditions shall be](#)
723 [considered](#);
 - 724 [1. parking](#)
 - 725 [2. type of business](#)
 - 726 [3. signage](#)
 - 727 [4. outdoor seating](#)
 - 728 [5. provisions for avoiding noise and lighting nuisances](#)
 - 729 [6. buffering and fencing](#);
 - 730 I. New residential uses meeting the standards of the R-3 district, when mixed with
731 [conditional](#)~~commercial~~ uses in a unified project;
 - 732 J. 1. Light assembly/retail uses such as:
 - 733 a. Electronics,
 - 734 b. Pottery,
 - 735 c. Printing,
 - 736 d. Contractor shops (heating, electrical, plumbing, general contractor office),
 - 737 e. Other similar uses,
 - 738 2. Subject to the following restrictions:
 - 739 a. No environmental emission (noise, odor, waste),
 - 740 b. All truck delivery during weekdays,
 - 741 c. All of the requirements of Chapter 19.51, Traffic, Parking and Access, and Chapter 19.57, General
742 Performance Standards, to be met;
 - 743 K. Gasoline service stations, including incidental repair and service within the principal building;
 - 744 L. Day care centers, adult and child;
 - 745 M. Funeral homes and crematory services;
 - 746 N. Veterinary clinics, provided that no service including animal boarding is offered outdoors;
 - 747 O. More than one principal structure on a lot;
 - 748 P. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
 - 749 Q. The first wireless telecommunications facility located on an alternative support structure only, per
750 the requirements of Chapter 19.55.
- 751 (Ord. 1499 § 14, 2001; 1452 § 1(part), § 4(part), 2000: Ord. 1379 § 1, 1997; Ord. 1314 § 1, 1995; Ord.
752 1296 § 2(part), 1994; Ord. 994 § 13.10(B), 1982).
753 (Ord. No. 1796A, § 1, 8-3-2010)

754

755 **19.27.040 Lot area.**

756 Minimum lot area in the B-1 district is seven thousand square feet for lots existing at the time of
757 adoption of the ordinance codified in this chapter, and fifteen thousand square feet for all other lots.

758 (Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(C), 1982).

759

760 **19.27.050 Lot width.**

761 Minimum lot width in the B-1 district is sixty feet for lots existing at the time of adoption of the
762 ordinance codified in this chapter, and one hundred feet for all other lots.

763 (Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.19(D), 1982).

764

765 **19.27.060 Yard requirements.**

766 Minimum required yards for principal buildings, outside storage, and Dumpsters in the B-1 district are:

767 A. Front and street side, thirty feet;

768 B. Interior side, ten feet, except that no side yard will be required for buildings designed for common
769 wall construction;

770 C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen
771 feet under a conditional use;

772 D. Shore yard, seventy-five feet;

773 E. Any yard abutting a residential district or residential use, thirty feet or the height of the nearest
774 principal building or structure on the lot being developed, whichever is greater. Such yards shall be
775 subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a
776 railroad right-of-way with the approval of the plan and architectural review commission;

777 F. There shall be no parking areas, circulation drives or accessory buildings within the required front
778 yard.

779 (Ord. 1460 § 2, 2000; Ord. 1452 § 1(part), § 4(part), 2000; Ord. 994 § 3.10(E), 1982).

780

781 **19.27.060 Yard requirements.**

782 Minimum required yards for principal buildings, outside storage, and Dumpsters in the B-1 district are:

783 A. Front and street side, thirty feet;

784 B. Interior side, ten feet, except that no side yard will be required for buildings designed for common
785 wall construction;

786 C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen
787 feet under a conditional use;

788 D. Shore yard, seventy-five feet;

789 E. Any yard abutting a residential district or residential use, thirty feet or the height of the nearest
790 principal building or structure on the lot being developed, whichever is greater. Such yards shall be
791 subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a
792 railroad right-of-way with the approval of the plan and architectural review commission;

793 F. There shall be no parking areas, circulation drives or accessory buildings within the required front
794 yard.

795 (Ord. 1460 § 2, 2000; Ord. 1452 § 1(part), § 4(part), 2000; Ord. 994 § 3.10(E), 1982).

796

797 **19.27.070 Lot coverage.**

798 Maximum building lot coverage in the B-1 district is fifty percent. Minimum landscaped surface area is
799 thirty percent. The plan and architectural review commission may reduce the minimum landscaped
800 surface area by up to ten percent if the project provides plantings in highly visible locations and includes
801 ten canopy trees, twenty understory and/or evergreen trees, and sixty-four shrubs per acre, or fraction
802 thereof.

803 (Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(F), 1982).

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19.27.080 Building height.

Maximum building height in the B-1 district is three stories or forty-five feet, whichever is less.
(Ord. 1580A § 7, 2005: Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(G), 1982).

19.27.090 Plan review.

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-1 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan; contribute to the uniqueness and character of the neighborhood, district and community; and include materials, colors, styles and features tailored to the building's site and context. Substantial modifications to standardized prototype and corporate franchise designs may be required to meet these criteria. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; generous in quantity; aesthetically pleasing; appropriate to the site, community and region; and in accordance with a plan prepared by a registered landscape architect or designer.
(Ord. 1452 § 1(part), § 4(part), 2000: Ord. 994 § 3.10(H), 1982).

19.27.100 Park fees.

All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars per dwelling unit, payable before a building permit is issued. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during the first quarter of each year by a percentage equal to the rate of consumer inflation based on the percent of yearly change from the previous year for the Milwaukee metropolitan area, as reported by the U.S. Department of Labor, Bureau of Labor Statistics.
(Ord. 1481 § 6, 2001).

Chapter 19.30 B-2 CENTRAL BUSINESS DISTRICT*

Sections:

- [19.30.010 Purpose.](#)
- [19.30.020 Permitted uses.](#)
- [19.30.025 Permitted accessory uses.](#)
- [19.30.030 Conditional uses.](#)
- [19.30.040 Development standards.](#)
- [19.30.050 Park fees.](#)

* Prior ordinance history: Ords. 994, 1296 and 1481.

19.30.010 Purpose.

The B-2 district is established in the city's historic downtown area to accommodate retail, service, office, community, and support residential uses for citywide and regional benefit; and to advance the city's downtown revitalization objectives as expressed in adopted city plans.
(Ord. 1611A § 1(part), 2006).

19.30.020 Permitted uses.

Permitted uses in the B-2 district include:

- A. Art and school supply stores;
- B. Arts and crafts galleries;

- 852 C. Automotive parts sales stores, automobile sales lot and show rooms and lots;
- 853 D. Antique or collectible shops;
- 854 E. Bakeries or candy stores, with products for sale on premises only;
- 855 F. Catalog and e-commerce sales outlets;
- 856 G. Hotels and motels;
- 857 H. Appliance repair stores;
- 858 I. Barbershops, day spas, and beauty parlors;
- 859 J. Banks and other financial institutions;
- 860 K. Bookstores, stationery stores, and newsstands;
- 861 L. Caterers;
- 862 M. Clothing and shoe sales and repair shops;
- 863 N. Clinics, medical and dental;
- 864 O. Coffee shops;
- 865 P. Cultural arts centers and museums;
- 866 Q. Department stores;
- 867 R. Drug stores;
- 868 S. Florist or garden shops;
- 869 T. Gift shops;
- 870 U. Grocery stores;
- 871 V. Hardware stores;
- 872 W. Insurance, real estate, or similar agencies;
- 873 X. Interior decorating shops;
- 874 Y. Jewelry stores;
- 875 Z. Paint stores;
- 876 AA. Offices;
- 877 BB. Post offices;
- 878 CC. Public parking lots;
- 879 DD. Restaurants, ice cream shops, and cafes;
- 880 EE. Sporting goods shops;
- 881 FF. Tourist information and hospitality centers;
- 882 GG. Toy stores;
- 883 HH. Travel agencies;
- 884 II. Variety stores;
- 885 JJ. Dance studios;
- 886 KK. Movie theaters;
- 887 LL. Charitable or nonprofit institutions and facilities; MM. Tourist homes and bed and breakfasts;
- 888 NN. Residential uses above the first floor, limited to non-family household sizes applicable in the R-1
889 and R-2 districts (see Section 19.09.520);
- 890 OO. Existing residences regulated by R-2 standards;
- 891 PP. Any other similar uses not specifically listed above.
- 892 (Ord. 1611A § 1(part), 2006).

893

894 **19.30.025 Permitted accessory uses.**

895 Permitted accessory uses in the B-2 district include:

- 896 A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the
897 principal use on the lot;
- 898 B. Off-street parking and loading areas, subject to landscaping and screening requirements where
899 applicable;

- 900 C. Outside storage or trash dumpsters where enclosed by a decorative opaque fence, wall and/or
- 901 landscaping designed to provide a total visual screen;
- 902 D. Outside display and temporary storage of motor vehicles where the principal use on the lot includes
- 903 the sale, repair, or servicing of such motor vehicles. No vehicle in an inoperable condition shall be stored
- 904 outdoors for greater than thirty days;
- 905 E. Outdoor seating for restaurants, coffee shops, cafes, taverns, or similar uses, within areas designated
- 906 by site plan review or other city approval processes;
- 907 F. Essential services.
- 908 (Ord. 1611A § 1(part), 2006).

909

910 **19.30.030 Conditional uses.**

911 Conditional uses in the B-2 district include:

- 912 A. Drive-in or drive-through type establishments;
- 913 B. Entertainment establishments, not including adult entertainment establishments;
- 914 C. Taverns and other places selling alcoholic beverages by the drink, including expansion of existing
- 915 uses; the following conditions shall be considered:
- 916 1. parking
- 917 2. type of business
- 918 3. signage
- 919 4. outdoor seating
- 920 5. provisions for avoiding noise and lighting nuisances
- 921 6. buffering and fencing;

- 922 D. Liquor or tobacco stores;
- 923 E. Public and semipublic uses, except for parking;
- 924 F. Automotive servicing and repairs;
- 925 G. First floor residential uses are allowed as a conditional use; except as provided below:
- 926 First floor residential uses are prohibited in any building located in the area within the boundary of
- 927 Whitewater Creek on the east (prohibited on west side of creek only), North Street on the north
- 928 (prohibited on south side of street only), Fremont Street on the west (prohibited on east side of street
- 929 only), Whitewater Street on the south (prohibited on north side of street only), and the portion of West
- 930 Main Street from the intersection of Whitewater Street east to the Whitewater Creek (prohibited on
- 931 north side of street only).
- 932 H. Light industrial/retail uses such as:
- 933 1. Electronics,
- 934 2. Pottery,
- 935 3. Craft/woodwork,
- 936 4. Printing,
- 937 5. Contractor shops (heating, electrical, plumbing, general contractor office),
- 938 6. Lumberyards,
- 939 7. Other similar uses,

940

941 Subject to the following restrictions:

- 942 1. No outside storage, unless screened as to Chapter 19.57,
- 943 2. No environmental emission,
- 944 3. All truck delivery during weekdays,
- 945 4. All dumpster locations outdoors must be screened by a fence and landscaping,
- 946 5. All of the requirements of Chapter 19.51, Traffic, Parking and Access, and Chapter 19.57, General
- 947 Performance Standards, to be met;

- 948 I. Laundromats or dry cleaning;
- 949 J. Hospitals;
- 950 K. Wholesale trade of durable and nondurable goods.
- 951 (Ord. 1611A § 1(part), 2006).
- 952 (Ord. No. 1681A, 5-20-2008)

953

954 | **19.30.040 ~~Development~~ Architectural design standards.**

955 | Within the B-2 district, there shall be no minimum required ordinance design and dimensional standards
956 | or setbacks. This is being done to allow the most flexibility in the reuse and redevelopment of the
957 | downtown. Because of the lack of predefined [architectural design](#) ~~ordinance-development~~ standards, all
958 | proposed construction and remodeling activities requiring a zoning permit shall require the [design](#)
959 | review and approval of the city plan and architectural review commission in compliance with Chapter
960 | 19.63, Plan Review. Also within the B-2 district, all uses are exempted from the parking requirements of
961 | Section 19.51.130, except if off-street parking is specifically required for a particular conditional use
962 | under Section 19.30.030.
963 | (Ord. 1611A § 1(part), 2006).

964

965 | **19.30.050 Park fees.**

966 | All residential development shall be subject to a park acquisition fee of \$214.00 per dwelling unit and a
967 | park improvement fee of \$505.00 per dwelling unit, payable before a building permit is issued. The
968 | amount of these fees may be reduced by any fee amount previously paid or credited at the time of
969 | subdivision, or by fifty percent (50%) if the new housing units are created as a result of the conversion or
970 | remodeling of a preexisting building. The park acquisition fee may also be reduced if sufficient land area
971 | was provided for park purposes at the time of subdivision, based on the calculations in Section
972 | 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during the first
973 | quarter of each year by a percentage equal to the rate of consumer inflation based on the percent of
974 | yearly change for the previous year for the Milwaukee metropolitan area, as reported by the U.S.
975 | Department of Labor, Bureau of Labor Statistics.
976 | (Ord. 1611A § 1(part), 2006).

977

978

979 | **Chapter 19.33 B-3 HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT**

980 | Sections:

981 | [19.33.010 Purpose.](#)

982 | [19.33.020 Permitted uses.](#)

983 | [19.33.025 Permitted accessory uses.](#)

984 | [19.33.030 Conditional uses.](#)

985 | [19.33.040 Lot area.](#)

986 | [19.33.050 Lot width.](#)

987 | [19.33.060 Yard requirements.](#)

988 | [19.33.070 Lot coverage.](#)

989 | [19.33.080 Building height.](#)

990 | [19.33.090 Plan review.](#)

991 | [19.33.100 Park fees.](#)

992

993 | **19.33.010 Purpose.**

994 | The B-3 highway commercial and light industrial district is established to accommodate nonnuisance
995 | type industrial commercial uses that are highway oriented or have large land area requirements. To
996 | ensure a minimum of disruption to residential neighborhoods, no development within this district shall

997 take direct access to a local residential street, except by conditional use permit. High quality site layout,
998 building design and landscaping is required.
999 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(part), 1982).

1000

1001 **19.33.020 Permitted uses.**

1002 Permitted uses in the B-3 district include:

1003 A. All uses listed as permitted uses in the B-1 district;

1004 B. Agricultural services;

1005 C. General contracting shops;

1006 D. Lumberyards, building supply stores, and greenhouses;

1007 E. Private recreation facilities;

1008 F. Mini-warehouses;

1009 G. Public and semipublic uses;

1010 H. Other similar uses not specifically listed in this section that are consistent with the purpose of this
1011 district;

1012 I. The second or greater wireless telecommunications facility located on an alternative support
1013 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
1014 telecommunications facility, per the requirements of Chapter 19.55.

1015 (Ord. 1499 § 15, 2001; Ord. 1452 § 1(part), § 5(part), 2000: Ord. 1082 § 7, 1986; Ord. 994 § 3.12(A),
1016 1982).

1017

1018 **19.33.025 Permitted accessory uses.**

1019 Permitted accessory uses in the B-3 district include:

1020 A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the
1021 principal use on the lot;

1022 B. Off-street parking and loading areas, subject to landscaping and screening requirements if
1023 applicable;

1024 C. Outside storage and trash Dumpsters, which may be subject to screening as part of site plan review;

1025 D. Outside display of merchandise, which may be subject to limitations as part of site plan review;

1026 E. Outside display and temporary storage of motor vehicles where the principal use on the lot includes
1027 the sale, repair, or servicing of such motor vehicles. No vehicle in inoperable condition shall be stored
1028 for greater than thirty days;

1029 F. Outdoor seating for restaurants within designated areas;

1030 G. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning
1031 administrator, who may require specific time and area limitations;

1032 H. Vending machines for dispensing of a product, but only if accessory to a commercial business use. If
1033 more than two vending machines are accessory to one business use, such vending machines shall be
1034 screened from the public right-of-way and adjacent properties. Vending machines may be lit only when
1035 the principal use on the lot is in operation, unless such machines are completely screened from the
1036 public right-of-way and adjacent properties;

1037 I. Essential services;

1038 J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

1039 (Ord. 1499 § 16, 2001; 1452 § 1(part), § 5(part), 2000).

1040

1041 **19.33.030 Conditional uses.**

1042 Conditional uses in the B-3 district include:

- 1043 A. Taverns and other establishments selling alcoholic beverages by the drink; [the following conditions](#)
1044 [shall be considered:](#)
1045 [1. parking](#)
1046 [2. type of business](#)
1047 [3. signage](#)
1048 [4. outdoor seating](#)
1049 [5. provisions for avoiding noise and lighting nuisances](#)
1050 [6. buffering and fencing;](#)
1051 B. All uses with drive-through facilities;
1052 C. More than one principal structure on a lot;
1053 D. New residential uses in conformance with the standards of the R-3 multifamily residence district;
1054 E. Automobile repair and service within a principal or accessory building;
1055 F. Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental
1056 repair and service within a principal or accessory building;
1057 G. Car washes;
1058 H. Entertainment establishments, including dancehalls and clubs;
1059 I. Funeral homes and crematory services;
1060 J. Gasoline service stations, including incidental repair and service within the principal building;
1061 K. Light industry;
1062 L. Motor freight transportation;
1063 M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;
1064 N. Warehousing;
1065 O. Wholesale trade of durable and nondurable goods;
1066 P. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
1067 Q. All nonresidential uses with vehicular access onto a local (not a collector or arterial) street that is
1068 intended to provide access to mostly residential uses;
1069 R. The first wireless telecommunications facility located on an alternative support structure only, per
1070 the requirements of Chapter 19.55.
1071 (Ord. 1499 § 17, 2001; 1452 § 1(part), § 5(part), 2000: Ord. 1380 § 1, 1997; Ord. 994 § 3.12(B), 1982).
1072 (Ord. No. 1796A, § 2, 8-3-2010)

1073
1074 **19.33.040 Lot area.**
1075 Minimum lot area in the B-3 district is ten thousand square feet for lots existing at the time of adoption
1076 of the ordinance codified in this chapter, and fifteen thousand square feet for all other lots.
1077 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(C), 1982).
1078

1079 **19.33.050 Lot width.**
1080 Minimum lot width in the B-3 district is one hundred feet.
1081 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(D), 1982).
1082

1083 **19.33.060 Yard requirements.**
1084 Minimum required yards for principal buildings, outside storage, and Dumpsters in the B-3 district are:
1085 A. Front and street side, thirty feet;
1086 B. Interior side, fifteen feet;
1087 C. Rear, thirty feet, except the rear yard setback to any railroad right-of-way shall be fifteen feet under
1088 a conditional use;
1089 D. Shore yard, seventy-five feet;

1090 E. Any yard abutting a residential district or use, thirty feet or the height of the nearest principal
1091 building or structure being developed, whichever is greater. Such yards shall be subject to the landscape
1092 buffer yard requirements of Section 19.57.140, except where abutting a railroad right-of-way with the
1093 approval of the plan and architectural review commission.
1094 (Ord. 1460 § 1, 2000; Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(E), 1982).

1095
1096 **19.33.070 Lot coverage.**
1097 Maximum building lot coverage in the B-3 district is fifty percent. Minimum landscaped surface area is
1098 twenty percent. The plan and architectural review commission may reduce the minimum landscaped
1099 surface area by up to ten percent if the project provides plantings in highly visible locations and includes
1100 eight canopy trees, sixteen understory and/or evergreen trees, and forty-eight shrubs per acre, or
1101 fraction thereof.
1102 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(F), 1982).

1103
1104 **19.33.080 Building height.**
1105 Maximum building height in the B-3 district is three stories or forty-five feet, whichever is less.
1106 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(G), 1982).

1107
1108 **19.33.090 Plan review.**
1109 Plan review in accordance with Chapter 19.63 shall be required for any development in the B-3 district.
1110 Building design shall be consistent with the recommendations of the city's comprehensive (master) plan
1111 and include materials, colors, styles, and features tailored to the building's site and context. Landscaping
1112 shall be consistent with the recommendations of the city's comprehensive (master) plan; appropriate to
1113 the site, community and region; and in accordance with a plan prepared by a registered landscape
1114 architect or designer.
1115 (Ord. 1452 § 1(part), § 5(part), 2000: Ord. 994 § 3.12(H), 1982).

1116
1117 **19.33.100 Park fees.**
1118 All residential development shall be subject to a park acquisition fee of two hundred fourteen dollars)
1119 per dwelling unit and a park improvement fee of five hundred five dollars per dwelling unit, payable
1120 before a building permit is issued. The amount of these fees may be reduced by any fee amount
1121 previously paid or credited at the time of subdivision. The park acquisition fee may also be reduced if
1122 sufficient land area was provided for park purposes at the time of subdivision, based on the calculations
1123 in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be adjusted during
1124 the first quarter for each year by a percentage equal to the rate of consumer inflation based on the
1125 percent of yearly change for the previous year for the Milwaukee metropolitan area, as report by the
1126 U.S. Department of Labor, Bureau of Labor Statistics.
1127 (Ord. 1481 § 8, 2001).

1128
1129

1130 **Chapter 19.36 M-1 GENERAL MANUFACTURING DISTRICT**

- 1131 Sections:
1132 [19.36.010 Purpose.](#)
1133 [19.36.020 Permitted uses.](#)
1134 [19.36.030 Conditional uses.](#)
1135 [19.36.040 Lot area.](#)
1136 [19.36.050 Lot width.](#)
1137 [19.36.060 Yard requirements.](#)

1138 | [19.36.070 Lot coverage.](#)
1139 | [19.36.080 Building height.](#)
1140 | [19.36.090 Buffer screening.](#)

1141

1142 **19.36.010 Purpose.**

1143 The M-1 general manufacturing district is established to accommodate a wide range of
1144 industrial uses, and to preserve and protect lands for future industrial use.
1145 (Ord. 994 § 3.13(part), 1982).

1146

1147 **19.36.020 Permitted uses.**

1148 Permitted uses in the M-1 district include:

- 1149 A. Manufacturing, fabrication, packing, packaging and assembly of products from furs, glass, leather,
- 1150 metals, paper, plaster, plastics, textiles, clays and woods, and similar materials;
- 1151 B. Freight terminals, truck servicing and parking, warehousing and inside storage;
- 1152 C. Research facilities;
- 1153 D. Offices;
- 1154 E. Retail sales and services that are incidental to a manufacturing or warehousing use;
- 1155 F. Public and semipublic uses;
- 1156 G. Salvage yards;
- 1157 H. Any similar uses not specifically listed that can comply with the performance standards listed in
- 1158 Chapter 19.57;
- 1159 I. The second or greater wireless telecommunications facility located on an alternative support
- 1160 structure already supporting a wireless telecommunications facility or on a pre-existing wireless
- 1161 telecommunications facility, with wireless telecommunications support facilities allowed as permitted
- 1162 accessory uses, all per the requirements of Chapter 19.55.
- 1163 (Ord. 1499 § 18, 2001; Ord. 994 § 3.13(A), 1982).

1164

1165 **19.36.030 Conditional uses.**

1166 Conditional uses in the M-1 district include:

- 1167 A. More than one principal structure on a lot;
- 1168 B. Wireless telecommunications facilities, per the requirements of Chapter 19.55.
- 1169 (Ord. 1499 § 19, 2001; Ord. 1315 § 1, 1995; Ord. 994 § 3.13(B), 1982).

1170

1171 **19.36.040 Lot area.**

1172 Minimum lot area in the M-1 district is twenty thousand square feet.
1173 (Ord. 994 § 3.13(C), 1982).

1174

1175 **19.36.050 Lot width.**

1176 Minimum lot width in the M-1 district is one hundred fifty feet.
1177 (Ord. 994 § 3.13(D), 1982).

1178

1179 **19.36.060 Yard requirements.**

1180 Minimum yard requirements for the M-1 district are:

- 1181 A. Front, thirty feet;
- 1182 B. Side, fifteen feet, corner lots thirty feet;
- 1183 C. Rear, thirty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen
- 1184 feet under a conditional use;

1185 D. Shore, seventy-five feet.
1186 (Ord. 1460 § 3, 2000; Ord. 994 § 3.13(E), 1982).

1187
1188 **19.36.070 Lot coverage.**
1189 Maximum lot coverage in the M-1 district is fifty percent.
1190 (Ord. 994 § 3.13(F), 1982).

1191
1192 **19.36.080 Building height.**
1193 Maximum building height in the M-1 district is three stories or forty-five feet.
1194 (Ord. 994 § 3.13(G), 1982).

1195
1196 **19.36.090 Buffer screening.**
1197 Where the M-1 district boundaries adjoin any residential district boundary, a screen or buffer yard as
1198 described in Section 19.57.140 shall be required. This provision shall be applied to new construction and
1199 alterations to existing structures or uses that result in an increase in the level of nuisance. Only the area
1200 of the nuisance shall require screening.
1201 (Ord. 994 § 3.13(H), 1982).

1202
1203

1204 **Chapter 19.37 M-2 MANUFACTURING AND MISCELLANEOUS USE DISTRICT**

1205 Sections:

1206 [19.37.010 Purpose.](#)

1207 [19.37.020 Permitted uses.](#)

1208 [19.37.030 Conditional uses.](#)

1209 [19.37.040 Lot area.](#)

1210 [19.37.050 Lot width.](#)

1211 [19.37.060 Yard requirements.](#)

1212 [19.37.070 Lot coverage.](#)

1213 [19.37.080 Building height.](#)

1214 [19.37.090 Buffer screening.](#)

1215

1216 **19.37.010 Purpose.**

1217 The M-2 manufacturing and miscellaneous use district is established to accommodate a wide range of
1218 industrial uses, to preserve and protect lands for future industrial use, and to provide an opportunity for
1219 miscellaneous uses set forth herein which are not specifically allowed in other districts. Adult-oriented
1220 establishments shall only be allowed in the M-2 district.
1221 (Ord. 1613A § 1(part), 2006).

1222

1223 **19.37.020 Permitted uses.**

1224 Permitted uses in M-2 district include:

1225 A. All uses listed as permitted uses in the M-1 district;

1226 B. Adult-oriented establishments as defined in Section 19.09.025.

1227 (Ord. 1613A § 1(part), 2006).

1228

1229 **19.37.030 Conditional uses.**

1230 Conditional uses in the M-2 district include:

1231 A. All uses listed as conditional uses in the M-1 district.

1232 (Ord. 1613A § 1(part), 2006).

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19.37.040 Lot area.

Minimum lot area in the M-2 district is twenty thousand square feet. The plan commission can decrease the minimum lot area for adult-oriented establishments if it finds that a decrease is appropriate.
(Ord. 1613A § 1(part), 2006).

19.37.050 Lot width.

Minimum lot width in the M-2 district is one hundred fifty feet. The plan commission can decrease the minimum lot width for adult-oriented establishments if it finds that a decrease is appropriate.
(Ord. 1613A § 1(part), 2006).

19.37.060 Yard requirements.

Minimum yard requirements for the M-2 district are:
A. Front, thirty feet;
B. Side, fifteen feet; corner lots, thirty feet;
C. Rear, thirty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen feet under a condition use;
D. Shore, seventy-five feet.
(Ord. 1613A § 1(part), 2006).

19.37.070 Lot coverage.

Maximum lot coverage in the M-2 district is fifty percent.
(Ord. 1613A § 1(part), 2006).

19.37.080 Building height.

Maximum building height in the M-2 district is three stories or forty-five feet.
(Ord. 1613A § 1(part), 2006).

19.37.090 Buffer screening.

Where the M-2 district boundaries adjoin any residential district boundary, a screen or buffer yard as described in Section 19.57.140 shall be required. This provision shall be applied to new construction and alterations to existing structures or uses that result in an increase in the level of nuisance. Only the area of the nuisance shall require screening.
(Ord. 1613A § 1(part), 2006).

Chapter 19.38 WHITEWATER UNIVERSITY TECHNOLOGY PARK DISTRICT (WUTP DISTRICT)

- [19.38.010 Purpose.](#)
- [19.38.020 Creation of architectural review committee.](#)
- [19.38.030 Permitted uses.](#)
- [19.38.040 Conditional uses.](#)
- [19.38.050 Lot area and lot width requirements.](#)
- [19.38.060 Floor area ratio.](#)
- [19.38.070 Yard requirements.](#)
- [19.38.090 Lot coverage.](#)
- [19.38.100 Building height.](#)

1281 | [19.38.110 Development standards.](#)

1282

1283 **19.38.010 Purpose.**

1284 The WUTP district is established to provide an aesthetically attractive working environment exclusively
1285 for and conducive to the development and protection of offices; research, testing, and development
1286 institutions; and certain specialized manufacturing establishments compatible with an office and
1287 research setting, all of a non-nuisance-type and public parks. The essential purpose of this district is to
1288 achieve development which is practical, feasible and economical and an asset to the owners, neighbors
1289 and the community and to promote and maintain desirable economic development activities in a park
1290 like setting with well designed sites and buildings.

1291 (Ord. No. 1747A, § 1, 9-15-2009)

1292

1293 **19.38.020 Creation of architectural review committee.**

1294 Upon the mapping of any WUTP district, there shall be established an architectural review committee
1295 for the district. No building or improvements shall be erected, placed or altered on any building site in
1296 the technology park until the plans and use for such building or improvements, including site plans,
1297 landscaping plans, building plans, and specifications have been approved by the WUTP architectural
1298 review committee (ARC). Zoning permit applicants in the WUTP district are subject to all plan review
1299 requirements set forth in Chapter 19.63 of the Whitewater Municipal Code. The plan and architectural
1300 review commission's functions under Chapter 19.63 shall be delegated to the architectural review
1301 commission. The ARC shall consist of one city council member, a member of the plan and architectural
1302 review commission of the City of Whitewater to be appointed annually by the plan commission, the City
1303 Manager of the City of Whitewater, the Chancellor of the University of Wisconsin-Whitewater, two
1304 members appointed by the Chancellor of the University of Wisconsin-Whitewater, two citizens of the
1305 City of Whitewater appointed by the city council of the City of Whitewater, and one member of the
1306 community development authority of the City of Whitewater to be appointed by the CDA. The ARC shall
1307 organize and adopt rules for its own governance. Officers shall be elected from the membership for
1308 terms of one year. Meetings shall be open to the public unless closed for appropriate legal reasons, and
1309 shall be held at the call of the chairman. Minutes shall be kept showing actions taken, and shall be a
1310 public record. Quorum shall be five members, and all actions shall require the concurring vote of at least
1311 five members. In cases where the ARC has not been formed or is unable to act on the matter, all actions
1312 normally assigned to the ARC shall be reassigned to the City of Whitewater Plan and Architectural
1313 Review Commission. The City of Whitewater Plan and Architectural Review Commission shall retain the
1314 exclusive authority to grant and review or deny conditional use permits in the WUTP district, where
1315 required.

1316 (Ord. No. 1747A, § 1, 9-15-2009)

1317

1318 **19.38.030 Permitted uses.**

1319 Permitted uses in the WUTP district include:

1320 1. Production, or processing, cleaning, servicing, testing or repair of materials, goods or products,
1321 limited to the following uses, products, components, or circumstances:

1322 a. Electronic and electrical products and instruments, such as transistors, semiconductors, small
1323 computers, scanners, monitors and compact communication devices.

1324 b. High technology products related to the fields of physics, oceanography, astrophysics, metallurgy,
1325 chemistry, biology, or other scientific field offered for study at the University of Wisconsin-Whitewater.

1326 c. Laser technology, radiology, X-ray and ultrasound products, manufacturing and assembly.

1327 d. Medical and dental supplies.

- 1328 e. Optical, fiber optical and photographic products and equipment.
- 1329 f. Orthopedic and medical appliances, such as artificial limbs, brace supports and stretchers.
- 1330 g. Products related to process design, process simulation, computer hardware and software
- 1331 development, and safety engineering.
- 1332 h. Scientific and precision instruments and components, including robotics.
- 1333 2. Research, development and testing laboratories, including testing facilities and equipment.
- 1334 3. Business and professional offices.
- 1335 4. Pilot plants or other facilities for the testing of manufacturing, processing or fabrication methods, or
- 1336 for the testing of products or materials.
- 1337 5. Telecommunication centers (not including wireless telecommunication facilities as regulated in
- 1338 Section 19.55).
- 1339 6. Accessory uses, (which shall be accessory uses to principal use on-site), including the following:
- 1340 a. Educational or training centers or institutions.
- 1341 b. Nursery schools or day care centers for children of employees on the site.
- 1342 c. Temporary buildings for construction purposes, for a period not to exceed the duration of such
- 1343 construction.
- 1344 d. Reproduction processes related to a primary function including printing, blueprinting, photostating,
- 1345 lithographing, engraving, stereotyping, publishing and bookbinding.
- 1346 e. Wholesaling of goods and merchandise manufactured or produced on the premises.
- 1347 f. The generation of power via a local energy system, with the primary purpose of supplying energy to
- 1348 the principal use being conducted on the lot.
- 1349 g. The fabrication of products in conjunction with a research, development, or testing laboratory as the
- 1350 principal use.
- 1351 h. Garages for storage of vehicles, equipment or materials in conjunction with operation of the
- 1352 principal use on the lot;
- 1353 i. Off-street parking and loading areas, subject to landscaping and screening requirements where
- 1354 applicable;
- 1355 j. Trash dumpsters where located outside of the required yards in Section 19.38.080 of this chapter and
- 1356 enclosed by a decorative opaque fence, wall or landscaping designed to provide a total visual screen;
- 1357 k. Outdoor seating for restaurants within designated areas;
- 1358 l. Outdoor eating and recreation areas;
- 1359 m. Essential services;
- 1360 n. Health clubs, banks and other financial institutions, medical, dental and optical clinics, barbershops,
- 1361 beauty parlors, or similar retail establishments;
- 1362 o. Conference centers.
- 1363 7. Restaurants, without drive-up or drive-through service.
- 1364 8. Colleges and universities (not including housing or residential uses).
- 1365 9. Public parks and public recreation use facilities, including but not limited to Morraine View Park and
- 1366 the planned athletic facilities, trail and possible playground therein.
- 1367 (Ord. No. 1747A, § 1, 9-15-2009)

1368

1369 **19.38.040 Conditional uses.**

1370 Conditional uses in the WUTP district include:

- 1371 1. Parking facilities, open and accessory, for the storage of private passenger automobiles only, when
- 1372 located elsewhere than on the same zoning lot as the principal use served.
- 1373 2. Public utility and public service uses as follows:
- 1374 a. Bus turnarounds (off-street), bus transfer points.
- 1375 b. Electric substations.

- 1376 c. Gas regulator stations, mixing stations and gate stations.
1377 d. Radio, television, and telecommunication towers and wireless telecommunication facilities meeting
1378 the standards of Section 19.55.
1379 e. Railroad passenger stations.
1380 f. Railroad rights-of-way.
1381 g. Sewerage system lift stations.
1382 h. Telephone exchanges, microwave relay towers, telephone transmission equipment buildings and
1383 service yards.
1384 i. Electric generator which serves a principal use located on the zoning lot and is capable of providing
1385 electricity for off-site use provided:
1386 i. The electric output is less than three thousand kilowatts and said generator is operated no more than
1387 two hundred hours per year;
1388 ii. The location of every generator shall be not less than twenty feet from any zoning lot which permits
1389 residential uses; and,
1390 iii. Said generator shall be located and screened so as to reduce the visual impact of the generator from
1391 neighboring property and to be compatible with neighboring structures and the character of the
1392 community. This may include screening with materials similar in appearance to those used for the
1393 principal structure on the zoning lot, and landscaping or fencing as approved by the architectural review
1394 committee.
1395 j. Water pumping stations and reservoirs.
1396 3. Any production, or processing, cleaning, servicing, testing or repair of materials, goods or products,
1397 limited to the following uses, products, components, or circumstances:
1398 a. Cameras and other photographic equipment.
1399 b. Ceramic products, such as pottery, figurines and small glazed tiles.
1400 c. Cosmetics and toiletries, drugs, perfumes, and perfumed soaps.
1401 d. Drugs and pharmaceutical products.
1402 e. Electrical appliances, such as lighting fixtures, irons, fans and toasters.
1403 f. Electrical equipment assembly, such as home radio and television receivers and home movie
1404 equipment, but not including electrical machinery.
1405 g. Electrical supplies manufacturing and assembly, such as wire and cable assembly, switches, lamps,
1406 insulation and dry cell batteries.
1407 h. Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork,
1408 feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious and semiprecious stones,
1409 rubber, shell, wood (but not including a planing mill) and yarn.
1410 i. Products related to material research and development in such areas as prepared glass, ceramics,
1411 carbon fiber, metals, textiles, polymers, plastics, chemical foams and inorganic chemicals such as liquid
1412 crystals, and synthetic fuels.
1413 j. Small-scale products (finished weight not exceeding fifty pounds) related to energy, environmental,
1414 telecommunications, or satellite applications.
1415 k. Small-scale products (finished weight not exceeding fifty pounds) related to the resource industries
1416 of agriculture and food production, forestry, petrochemicals and mining.
1417 l. Specific products not listed above but similar in intent and character and which may be defined as
1418 being produced or assembled manually or by a light industrial process by virtue of the use of only light
1419 machinery; being conducted entirely within enclosed substantially constructed buildings; in which the
1420 open area around such buildings is not used for storage of raw materials or manufactured products, or
1421 for any industrial purpose other than loading and unloading operations; which are not noxious or
1422 offensive by reason of emission of smoke, dust, fumes, odors, noise, or vibrations beyond the confines
1423 of the building.

- 1424 5. Outside storage areas, subject to the development standards in Section 19.38.110.
1425 6. Day care centers.
1426 (Ord. No. 1747A, § 1, 9-15-2009)

1427
1428 **19.38.050 Lot area and lot width requirements.**

1429 In the WUTP district, there shall be provided a lot area of not less than one acre and a lot width
1430 of not less than one hundred feet.
1431 (Ord. No. 1747A, § 1, 9-15-2009)

1432
1433 **19.38.060 Floor area ratio.**

1434 In the WUTP district, the floor area ratio shall not exceed 1.5.
1435 (Ord. No. 1747A, § 1, 9-15-2009)

1436
1437 **19.38.070 Yard requirements.**

1438 Minimum required yards for principal buildings, outside storage areas, parking lots, and
1439 dumpsters in the WUTP district are:

- 1440 1. Front yard--Twenty-five feet, except fifty feet on any roadway with a right-of-way of eighty feet or
1441 greater existing at the time of development or as indicated on the city's official map.
1442 2. Side yard--Each side, fifteen feet. On corner lots, fifty feet for side yard adjoining an arterial highway
1443 and twenty-five feet for side yard adjoining other streets.
1444 3. Rear yard--Thirty feet.
1445 4. Environmental corridor or wetland yard. Adjacent to any mapped environmental corridor, as defined
1446 by the Southeastern Wisconsin Regional Planning Commission, or a delineated wetland as approved by
1447 the agency with jurisdiction--Thirty feet.
1448 5. Parking lots and associated circulation drive aisles may extend into normal interior side or rear yard
1449 setbacks, but not into front or street side yard setbacks.
1450 (Ord. No. 1747A, § 1, 9-15-2009)

1451
1452 **19.38.090 Lot coverage.**

1453 Minimum landscaped surface area is thirty percent.
1454 (Ord. No. 1747A, § 1, 9-15-2009)

1455
1456 **19.38.100 Building height.**

1457 Maximum building height in the WUTP district is four stories or sixty feet, whichever is less,
1458 except as may be otherwise approved by the architectural review committee upon the finding that such
1459 increased height will not be detrimental to the character of the park or adjoining buildings and uses.
1460 (Ord. No. 1747A, § 1, 9-15-2009)

1461
1462 **19.38.110 Development standards.**

1463 In the WUTP district, the following development standards shall apply, in addition to any
1464 standards that may be required by covenant:

- 1465 1. Building design and materials. The exterior appearance of any building constructed in this district
1466 shall be compatible with that of adjoining structures within the district, especially as it relates to
1467 rooflines and building materials. Permitted materials shall include masonry, concrete, stone, Exterior
1468 Insulation and Finish System (EIFS), Dry-vit, glass, and decorative architectural grade metal as a design
1469 detail, except where other quality materials are also allowed by the architectural review committee.

- 1470 2. Accessory off-street parking and loading. Accessory off-street parking lots, loading berths, and access
1471 driveways shall be located, designed and improved so as to provide for safe and convenient access from
1472 adjoining streets, safe and convenient circulation within the site, and an aesthetically pleasing site
1473 design. Parking lots and access driveways shall be designed and located so that such facilities do not
1474 provide a direct unlandscaped view from the street to the parking lot or access driveway.
- 1475 3. Landscaping and site development. To provide a park-like setting, all lots shall be landscaped,
1476 including the provision of canopy-type shade trees. Where possible, all existing mature, healthy trees
1477 shall be retained and protected during construction as per City of Whitewater Forestry Guidelines. All
1478 land areas not covered by buildings, structures, storage areas, parking lots, loading areas and driveways,
1479 shall be landscaped and maintained. Landscaping shall mean decorative plazas, mounds, pools or the
1480 planting of grass, shrubs, trees and other plant materials or other comparable surface cover.
- 1481 4. Storage areas. All storage, except for licensed motor vehicles in operable condition, shall be within
1482 completely enclosed buildings or effectively screened from adjoining properties and public rights-of-way
1483 by an opaque screening wall or fence with such wall or fence not less than six feet nor more than eight
1484 feet in height, and no materials stored shall exceed the height of such screening wall or fence. All
1485 outside storage areas shall be located to the rear of buildings and shall be limited to not more than five
1486 percent of the total lot area. Landscaping shall be required on the outside of the opaque screen wall or
1487 fence.
- 1488 5. Signs. All signs shall meet applicable standards in Chapter 19.54, and the specific requirements set
1489 forth for the M-1 district in the table contained in 19.54.052.
- 1490 a. No ground sign shall exceed a maximum height of eight feet and a maximum gross area of forty-eight
1491 square feet. All ground signs shall be incorporated in the landscape plan, including the provision of plant
1492 materials at the base of such signs.
- 1493 6. Prohibited site uses. No use shall be so conducted as to cause the harmful discharge of any waste
1494 materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any
1495 water system or water, or into the atmosphere. All uses shall be conducted in such a manner so as to
1496 preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics,
1497 including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter,
1498 chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to
1499 issuance of a zoning permit or occupancy permit, the zoning administrator may require evidence that
1500 adequate controls, measures, or devices have been provided to ensure and protect the public interest,
1501 health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive
1502 condition.
- 1503 7. Uses required to be enclosed. All business, servicing, or processing shall be conducted within
1504 completely enclosed buildings, except for the following:
- 1505 a. Off-street parking and off-street loading;
- 1506 b. Drive-up service windows for banks and other financial institutions.
- 1507 8. Truck parking. Parking of trucks as an accessory use, when used in the operation of a permitted
1508 business, shall be limited to vehicles of not over one and one-half tons of capacity when located within
1509 one hundred fifty feet of a residential district boundary line.
- 1510 (Ord. No. 1747A, § 1, 9-15-2009)

1511
1512

1513 | **Chapter 19.39 ~~PCDPDD~~ PLANNED ~~COMMUNITY~~ DEVELOPMENT DISTRICT***

1514 | Sections:

1515 | [19.39.010 Purpose and intent.](#)

1516 | [19.39.020 Permitted uses.](#)

1517 | [19.39.030 Lot, building, yard and parking requirements.](#)

- 1518 | [19.39.040 Proposed developments--Criteria for approval.](#)
- 1519 | [19.39.050 Procedures for rezoning, general development plan, and specific implementation plan approval.](#)
- 1520 | [19.39.055 Design standards for traditional neighborhood developments \(PCDPD-TND\).](#)
- 1521 | [19.39.060 Modifications and changes.](#)
- 1522 | [19.39.070 Park fees.](#)

1523 | * Prior Ordinance History: Ords. 994, 1452, and 1481.

1524

1525 | **19.39.010 Purpose and intent.**

1526 | A. The planned ~~community~~-development (PCD) district is established to promote improved
 1527 | environmental design and innovative uses of land in the city. To this intent, this district allows variation
 1528 | in the relationship of uses, structures and open spaces in developments conceived and implemented as
 1529 | cohesive, unified projects.

1530 | B. The PCDPD District is intended to allow desirable innovative development activities that
 1531 | demonstrate cohesive site planning. This district is not intended solely to simply circumvent the intent of
 1532 | other zoning districts, or seek variance from other district regulations.

1533 | C. [The following design principles are encouraged when developing a PD district. The principles reflect](#)
 1534 | [the character of a traditional neighborhood. The Traditional Neighborhood Development \(TND\) option](#)
 1535 | [of the PCD District is intended to promote the development and redevelopment of land consistent with](#)
 1536 | [the design principles of traditional neighborhoods. Lands developed under the traditional neighborhood](#)
 1537 | [option of the PCD District shall be labeled as PCD-TND on the zoning map. Specifically, a traditional](#)
 1538 | [neighborhood development:](#)

- 1539 | 1. ~~Is~~[Incorporates](#) -compact [design](#);
- 1540 | 2. ~~Is~~ [D](#)esigned for the human scale (sizes of buildings in proportion to sizes of people);
- 1541 | 3. Provides a mix of uses, including residential, commercial, civic, and open space uses in close
 1542 | proximity to one another;
- 1543 | 4. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and
 1544 | incomes;
- 1545 | 5. Incorporates a system of relatively narrow, interconnected streets with sidewalks and paths that
 1546 | offer multiple routes for motorists, pedestrians, and bicyclists within and through the neighborhood;
- 1547 | 6. Retains, to the extent reasonably practical, existing buildings with historical or architectural features
 1548 | that enhance the visual character of the community;
- 1549 | 7. Incorporates significant environmental features into the design; and
- 1550 | 8. Is consistent with the City of Whitewater's comprehensive (master) plan.
 1551 | (Ord. 1511 § 2(part), 2002).

1552

1553 | **19.39.020 Permitted uses.**

1554 | In the PCDPD District, any permitted or conditional use in any of the other districts in this title,
 1555 | or mix of uses, may be permitted subject to the criteria listed below. ~~Within a PCD-TND District, t~~he mix
 1556 | of permitted uses shall be further defined by Section 19.39.055(A). Any plans, uses, or requirements
 1557 | approved by the city as part of a PCDPDD general development plan or specific implementation plan
 1558 | shall be construed to be and enforced as part of this title.
 1559 | (Ord. 1511 § 2(part), 2002).

1560

1561 | **19.39.030 Lot, building, yard and parking requirements.**

1562 | In the PCDPD District, there shall be no specified lot area, lot width, yard, height, parking or
 1563 | open space requirements. [Recommendations to be discussed are](#) ~~Within a PCD-TND District, the lot,~~
 1564 | ~~building, yard, and parking requirements shall be further~~ defined by Sections 19.39.055([A](#)~~B~~) through (G).
 1565 | Any lot, building, yard, or parking requirements approved by the city as part of a PCDPD general

1566 development plan or specific implementation plan shall be construed to be and enforced as part of this
1567 title.
1568 (Ord. 1511 § 2(part), 2002).

1569
1570 **19.39.040 Proposed developments--Criteria for approval.**

1571 | As a basis for determining the acceptability of applications for rezoning to the [PCD](#) District,
1572 the following criteria shall be applied to the proposed development:

1573 A. The proposed development shall be compatible with the physical nature of the site with particular
1574 concern for preserving natural features, existing vegetation and topography.

1575 B. The proposed development shall be an asset to the community aesthetically. The buildings and uses
1576 shall blend in with the surrounding neighborhood.

1577 C. The proposed development shall not create a traffic or parking demand incompatible with existing or
1578 proposed facilities. The width and location of streets, other paving and lighting should be appropriate to
1579 the uses proposed. In no case shall standards be less than those necessary to insure public safety as
1580 determined by the city.

1581 D. The proposed development shall not place avoidable stress on the city's water supply, sanitary
1582 sewer and storm water drainage systems.

1583 E. The proposed development shall make adequate provisions for the permanent preservation and
1584 maintenance of open space.

1585 | ~~F. For a PCD-TND development, the minimum zoning district area shall be five acres and the design
1586 shall meet the requirements of Section 19.39.055.~~

1587 (Ord. 1511 § 2(part), 2002).

1588

1589 **19.39.050 Procedures for rezoning, general development plan, and specific implementation**
1590 **plan approval.**

1591 A. Step 1: Procedure for Rezoning.

1592 | 1. The procedure for rezoning to the [PCD](#) District shall be the same as for any other zoning district
1593 change (see Chapter 19.69), except that in addition, twenty copies of a general development plan shall
1594 be submitted to and approved by the city council following a recommendation by the plan commission.
1595 The general development plan of the proposed project shall include the following.

1596 a. A site inventory and analysis map with topography at two foot contours to identify site assets,
1597 resources, and constraints, including but not limited to floodplains, wetlands, soils with limitations for
1598 building development, utility easements, slopes greater than fifteen percent, and existing trees over
1599 four inches in diameter;

1600 b. A conceptual site plan or neighborhood development plan, at a scale of no less than one inch equals
1601 one hundred feet, which indicates existing and proposed building outlines, location of streets,
1602 driveways, parking areas, sidewalks and bicycle paths, service access areas for receiving material and
1603 trash removal, and other impervious surfaces;

1604 c. A utility feasibility analysis, including a map showing the general locations of proposed public utility
1605 connections;

1606 d. The location of recreational and open space areas reserved or dedicated to the public;

1607 e. A conceptual landscape plan showing general locations and types of proposed landscaping, including
1608 maintenance of existing vegetation where appropriate;

1609 f. A phasing plan, where applicable;

1610 g. A conceptual stormwater management plan identifying the proposed patterns of major stormwater
1611 run-off, locations of stormwater infiltration areas, and other significant stormwater management
1612 features;

1613 h. Typical proposed budding elevations identifying the architectural style(s) of the development;

1614 i. A written report that provides general information about the site conditions, development objectives,

1615 covenants, conservation easements, or agreements that will influence the use and maintenance of the

1616 proposed development may be required for larger or more complex projects;

1617 j. Any other data required by the plan commission in order to evaluate the development.

1618 2. Upon city council approval and adoption of the general development plan and associated zoning

1619 | change to the ~~PCD~~PD District ~~or PCD-TND District~~, all plans submitted as well as other commitments,

1620 conditions of approval, restrictions and other factors pertinent to assuring that the project will be

1621 carried out as presented, shall be filed with the zoning administrator and shall be referred to in regard

1622 to enforcement or modification of the general development plan.

1623 3. If applicant does not submit and have approved at least one specific implementation plan for a

1624 | planned ~~community~~ development within two years of city approval of a rezoning to the planned

1625 | ~~community~~ development district ~~or PCD-TND District~~, the previously approved general development

1626 plan shall be considered null and void. A new petition and approval process shall be required to obtain

1627 approval of the same or a revised general development plan.

1628 B. Step 2: Specific Implementation Plan Approval.

1629 1. Detailed plans, described below under the Specific Implementation Plan (SIP) submittal

1630 | requirements, are not required to be submitted at the time the ~~PCD~~PDD ~~or PCD-TND~~ zoning is approved;

1631 however, the GDP and SIP review process may be combined and made faster by doing so. Before any

1632 building permit is issued, the plan commission shall review and approve an SIP. If the approved GDP

1633 specified that development of the site would proceed in phases, the plan commission may approve an

1634 SIP covering only a portion of the previously approved GDP area. The applicant shall file twenty copies of

1635 the SIP with the plan commission. In addition to meeting all application requirements for plan review

1636 under Section 19.63.020, the SIP application shall include the following:

1637 a. Where a land division or lot consolidation is proposed, a final plat or CSM of the entire development

1638 area included in the SIP, meeting all requirements of Chapter 18, the city's land division and subdivision

1639 regulations;

1640 | b. For multi-lot ~~PCD~~PDD's, a detailed neighborhood development plan showing the arrangement,

1641 design, and uses of different lots, buildings, driveways, parking areas, parks and open spaces, and paths.

1642 c. Typical elevations or detailed design standards for single- and two-family residential buildings and

1643 detailed elevations of all proposed non-residential, mixed use, and multi-family residential buildings.

1644 Such detailed elevations shall meet the requirements of Section 19.63.020 and identify all wall signs; the

1645 percentage of ground floor commercial facade in windows; and the location, height and materials for

1646 screening walls and fences, including those proposed to surround outdoor trash and recyclable storage

1647 areas, electrical, mechanical and gas metering equipment, and rooftop equipment; where building

1648 construction is not imminent, detailed design standards that will apply to all non-residential buildings

1649 may substitute for detailed elevations, if approved by the zoning administrator;

1650 d. Signage plans demonstrating a unified or compatible sign design theme for major signage in the

1651 | ~~PCD~~PDD-TND;

1652 e. A detailed storm water management and erosion control plan;

1653 f. Arrangements, bylaws, provisions or covenants which govern the organizational structure, use,

1654 | architectural standards, maintenance and continued protection of the planned ~~community~~

1655 development.

1656 2. At a regular meeting, the plan commission shall approve, conditionally approve with changes

1657 | consistent with the approved general development plan, or reject the SIP. An SIP for a ~~PCD~~PDD-TND

1658 development that is consistent with the GDP and meets other applicable ordinance provisions shall be

1659 entitled to approval or conditional approval. A final plat or certified survey map associated with the

1660 development may also be subject to city council approval under the provisions of Chapter 18. Upon final

1661 approval of the SIP, it shall be filed with the zoning administrator, and shall be referred to in regard to
1662 enforcement of modification of the development plans. All covenants, restrictions or contractual
1663 agreements with the city shall be recorded with the register of deeds before final issuance of building
1664 permits.

1665 3. If an applicant does not commence construction within one year after city approval of an SIP for a
1666 planned ~~community development or PCD-TND development~~, or complete construction within two years
1667 of approval of the SIP, the previously approved SIP shall be considered null and void; except where the
1668 plan commission approves an alternative phasing plan with the SIP. A new petition and approval process
1669 shall be required to obtain SIP approval.

1670 (Ord. 1511 § 2(part), 2002).

1671

1672 **19.39.055 Design standards ~~for traditional neighborhood developments (PCD-TND districts).~~**

1673 ~~PCDPDD-TND~~ developments that meet the following design standards and any other applicable
1674 ordinance provisions shall be entitled to approval or conditional approval:

1675 A. ~~Allowed~~ ~~Required~~ Mix of Uses. A traditional neighborhood development ~~should~~ ~~shall~~ consist of a mix
1676 of residential uses, a mixed use area, and open space areas as provided below:

1677 1. ~~Allowed~~ Mix of Residential Uses. A mix of two or more of the following uses ~~are encouraged~~ ~~shall be~~
1678 ~~proposed~~ within the ~~PCDPDD-TND~~:

1679 a. Single-family Detached Dwellings. Minimum lot size ~~shall~~ ~~should~~ be four thousand five hundred
1680 square feet. Minimum lot width ~~shall~~ ~~should~~ be forty-five feet with an attached garage and forty feet
1681 with a detached garage. Dwellings within condominium developments ~~shall~~ ~~should~~ be subject to similar
1682 density standards.

1683 b. Single-family attached dwellings, including duplexes, townhouses, and row houses. Minimum lot size
1684 ~~shall~~ ~~equals~~ three thousand five hundred square feet per dwelling unit. Minimum lot width ~~shall~~ ~~should~~
1685 equal thirty feet per dwelling unit. Dwellings within condominium developments ~~shall~~ ~~should~~ be subject
1686 to similar density standards.

1687 c. Multi-family dwellings, including senior housing. Minimum lot size ~~shall~~ ~~equals~~ one thousand two
1688 hundred fifty square feet for each efficiency dwelling unit, with an additional two hundred fifty square
1689 feet of lot area required for each additional bedroom in the dwelling unit.

1690 d. "Special needs" housing, including community living arrangements and assisted living facilities on
1691 lots of suitable size to accommodate the project.

1692 2. ~~Allowed~~ Mixed-Use Area. A mixed-use area ~~is encouraged~~ ~~shall be included within the PCD-TND. At~~
1693 ~~least ninety percent of the residences within the PCD-TND shall be within 1/4 mile from a mixed use~~
1694 ~~area within or outside of the project. The total gross land area of nonresidential development uses,~~
1695 ~~including off street parking areas, shall not exceed twenty five percent of the area of the entire PCD-~~
1696 ~~TND.~~ A mixed-use area ~~should~~ ~~within the PCD-TND shall~~ include a mix ~~of~~ ~~or~~ two or more of the following
1697 uses:

1698 a. Commercial uses, such as services, retail, restaurants, and accommodations. Individual businesses
1699 ~~should~~ ~~shall~~ not exceed six thousand square feet each in primary floor area.

1700 b. Attached residential dwellings, including single-family attached, multi-family, second-story
1701 residential units, live/work units, and "special needs" housing.

1702 c. Civic or institutional uses, such as municipal offices, libraries, post offices, places of worship, and
1703 educational facilities.

1704 d. Small open space areas, such as a central square, neighborhood park, or playground.

1705 3. Open Space Area. Protected common open space, in public or private ownership, ~~should~~ ~~shall~~ be
1706 incorporated into the ~~PDDCD-TND~~. At least fifteen percent of the gross land area of the ~~PCDPDD-TND~~
1707 must remain as permanently protected common open space, not including private yards. Large outdoor
1708 recreation areas should generally be located at the periphery of the ~~PCDPDD-TND~~ rather than a central

1709 location. Open spaces may include environmental corridors, other protected natural areas, parks, or
 1710 stormwater facilities. At least ninety percent of the residences within the ~~PCDPDD-TND~~ should~~shall~~ be
 1711 within one-fourth mile from a protected common open space area. The ~~PCDPDD-TND~~ is~~shall be~~-subject
 1712 to all city parkland dedication and fee requirements.

1713 B. Stormwater Management. The design and development of the ~~PCDPDD-TND~~ shall meet the
 1714 requirements of the city's stormwater management ordinance and demonstrate the following
 1715 principles:

- 1716 1. Minimize off-site stormwater runoff;
- 1717 2. Promote on-site filtration;
- 1718 3. Utilize natural stormwater management systems wherever practical;
- 1719 4. Utilize stormwater management Best Management Practices (BMPs);
- 1720 5. Minimize the discharge of pollutants to ground and surface water; and
- 1721 6. Maintain and protect natural topography and existing land cover to the extent reasonably
 1722 practicable.

1723 C. Lot and Block Design Standards.

1724 1. Block and Lot Size Diversity. Street layouts should~~shall~~ provide for perimeter blocks that are a
 1725 maximum of four hundred feet deep and eight hundred feet long. A variety of lot sizes in accordance
 1726 with subsection (A)(1) shall be provided to facilitate housing choice and meet the requirements of
 1727 people with different housing needs.

1728 2. Building Setbacks.

Table 1: Building Setbacks

1730 TABLE INSET:

| Use Area | Maximum Front Yard Setback | Minimum Building Separation |
|------------------------|----------------------------|----------------------------------|
| Mixed Residential Area | 25 feet | 150 feet ² |
| Mixed Use Area | 15 feet ¹ | 150 feet ² |

1732 1 Commercial, civic or institutional buildings should generally abut the sidewalks in the mixed-
 1733 use area.

1734 2 Minimum building separation standards shall substitute for required side and rear lot
 1735 setbacks.

1736 D. Circulation Standards. The circulation system shall allow for different modes of transportation,
 1737 provide functional and visual links among the residential areas, mixed-use area, and open space areas
 1738 within the ~~PCDPDD-TND~~; connect to existing and proposed development outside the ~~PCDPDD-TND~~;
 1739 provide adequate traffic capacity, provide connected pedestrian and bicycle routes including off-street
 1740 paths or bicycle lanes on streets; control through traffic; limit direct lot access on streets with higher
 1741 expected traffic volumes; and promote safe and efficient mobility, throughout the neighborhood. More
 1742 specific design standards that shall be met are as follows:

1743 1. Pedestrian Circulation. Convenient and continuous pedestrian circulation systems, including
 1744 walkways and paths, that minimize pedestrian-motor vehicle conflicts are encouraged ~~shall be provided~~
 1745 throughout the ~~PCDPDD-TND~~ through the following design characteristics:

- 1746 a. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced.
- 1747 b. All streets, except for alleys, should~~shall~~ be bordered by sidewalks on both sides in accordance with
 1748 the specifications listed in Table 2.
- 1749 c. Clear and well lighted walkways should~~shall~~ connect building entrances to the adjacent public
 1750 sidewalk and to associated parking areas.

1751 | d. Sidewalks and walkways ~~should~~**shall** comply with the applicable requirements of the Americans with
1752 | Disabilities Act.

1753 | e. Intersections of sidewalks with streets ~~should~~**shall** be designed with clearly defined edges.
1754 | Crosswalks ~~should~~**shall** be well lit and clearly marked with contrasting paving materials at the edges,
1755 | raised pavement or with striping. Curb bulb-outs, median refuges, and other related techniques should
1756 | also be incorporated along collector streets and at key intersections to shorten the pedestrian-crossing
1757 | distance.

1758 | f. Where necessary to maintain the continuity of the pedestrian circulation system, between-lot
1759 | walkways or paths may be required.

1760 | 2. Bicycle Circulation. Facilities for bicycle travel ~~should~~**shall** be included in the project, and may include
1761 | off-street bicycle paths (generally shared with pedestrians and other non-motorized users), separate
1762 | striped, bicycle lanes on streets per Table 2, signed bicycle routes, or some combination. Any existing
1763 | bicycle routes through the site shall be preserved, enhanced, or relocated if necessary. Selected bicycle
1764 | routes and facilities ~~should~~**shall** implement the recommendations in the City of Whitewater
1765 | comprehensive bikeway plan. The developer may be required to dedicate land or easements and
1766 | construct bicycle and pedestrian facilities.

1767 | 3. Motor Vehicle Circulation. Motor vehicle circulation ~~should~~**shall** be designed to minimize conflicts
1768 | with pedestrians and bicycles. Traffic calming features such as curb extensions, traffic circles, and
1769 | medians are encouraged slow traffic speeds on local streets.

1770 | a. Street Hierarchy. Arterial streets should generally not bisect a ~~PCDPDD-TND~~. Other streets within a
1771 | ~~PCDPDD-TND~~ ~~should~~**shall** be classified as follows: Collector streets are intended to be used to carry
1772 | traffic from minor streets to arterial streets, include the principal entrance street to a residential
1773 | development, and may be subject to access controls. Minor streets are intended to be used primarily for
1774 | access to abutting properties, and are usually not subject to access controls. Alleys are special public
1775 | ways affording secondary access to abutting properties.

1776 | b. Minimum Street Design Standards. Minimum street design standards for a ~~PCDPDD-TND~~ ~~should~~**shall**
1777 | be in accordance with Table 2 and the graphic that follows.

1778 | Table 2: Minimum Street Design Requirements ~~in a Traditional Neighborhood Development~~
1779 | TABLE INSET:
1780 |

| Type of Street | Street Width, curb-face to curb-face feet | Curb & Gutter | Street Terrace | Sidewalks | Bicycle Lanes |
|------------------|---|-------------------------|------------------------------|-------------------------------|---------------------------------------|
| Collector Street | 36 (2-sided parking) | Both sides, 2 feet wide | Both sides, min. 8 feet wide | Both sides, min. 5 feet wide* | Where required, add 4 foot wide lanes |
| | 32 ⁰ (1-sided parking) | | | | |
| | 24 (no parking) | | | | |
| Minor Street | 36 ²⁸ (2-sided parking) | Both sides, 2 feet wide | Both sides, min. 6 feet wide | Both sides, min. 5 feet wide* | None |

| | | | | | |
|-------|---|------|------|------|------|
| | | | | | |
| | 32 ²⁶ (1-sided parking) | | | | |
| | 24 ⁰ (no parking) | | | | |
| Alley | 20 ¹⁴ (no parking) | None | None | None | None |

*The city also requires one foot between the edge of the sidewalk and the property line.

GRAPHIC LINK: [Click here](#)

c. Street Layout. The ~~PCDPDD-TND~~ should maintain the existing street grid, where present, and restore any disrupted street grid where feasible. The orientation of streets shall enhance the visual impact of common open spaces and prominent buildings, create lots that facilitate passive solar design, minimize street gradients, and minimize the use of double frontage lots. All streets shall extend through the development or terminate at other streets, except minor streets may temporarily "dead end" when such streets act as connections to future phases or other sites outside the ~~PCDPDD-TND~~ and may permanently terminate in a cul-de-sac only where there will be a through connection via a pedestrian way or bicycle path at the terminus.

d. Parking Requirements. All ~~PCDPDD-TND~~s shall meet the parking requirements of Section 19.51.130; the city may allow adjacent on-street parking to apply toward the minimum parking requirements. Off-street parking lots for shared or community use are encouraged. For multi-family buildings and in the required mixed-use area, off-street parking lots may not be adjacent to or opposite from a street intersection and shall be located to the rear or sides of buildings. If located to the side of a building, screening from the public street shall be provided as specified in Section 19.57.150. All businesses, civic uses, and multi-family residences shall provide adequate bicycle parking areas and facilities to serve their expected customer or resident base.

e. Service Access. All ~~PCDPDD-TND~~s shall meet the loading requirements of Section 19.51.020. In addition, site and neighborhood development plans shall provide a direct route to service or loading dock areas, while minimizing the movement of loading vehicles through parking areas.

f. Paving. All ~~PCDPDD-TND~~s shall meet the parking lot surfacing requirements of Section 19.51.110. In addition, reduction of impervious surfaces through the use of interlocking pavers is strongly encouraged for areas such as remote parking lots and parking areas for periodic uses.

g. Parking area landscaping and screening. All parking and loading areas fronting and within fifteen feet of public street rights-of-way, residential districts, or residential uses shall meet the screening requirements of Section 19.57.140. The corners of parking lots, "islands," and all other areas not used for parking or vehicular circulation shall be landscaped and curbed. Such spaces may also include architectural features such as benches, kiosks or bicycle parking. Parking lots containing more than 30 spaces shall be broken up into smaller pods including not more than 30 spaces each, with the pods separated from another by landscaped areas or buildings.

E. Architectural Standards. A variety of architectural features and building materials is encouraged to give each building or group of buildings a distinct character, while maintaining a compatible design theme throughout the ~~PCDPDD-TND~~. More specific design standards that shall be met are as follows:

1. Existing Structures. Existing structures, if determined to be historic, architecturally, or culturally significant, shall be protected from demolition or encroachment by incompatible structures or land development, to the extent reasonably practical. The U.S. Secretary of the Interior's Standards for

1818 Rehabilitation of Historic Properties shall be used as the criteria for renovating historic or architecturally
1819 significant structures.

1820 2. New Structures.

1821 | a. Height. New structures within a ~~PCD/PDD/TND~~ shall be no more than three stories for single-family
1822 detached dwellings and attached dwellings, and six stories for commercial, multi-family dwellings, or
1823 mixed use buildings. Buildings within the mixed use area shall additionally meet the standards depicted
1824 in Figure 3.

1825 | **GRAPHIC LINK:**[Click here](#)

1826 b. Entries and Facades. Similar architectural features, materials, and the articulation of a building
1827 facade shall be continued on all sides visible from a public street. The front facade of the principal
1828 building shall face onto the street yard of a public street, not directly toward a parking lot. As buildings
1829 are moved closer to the street and to each other, special attention should be paid to design details,
1830 house details, and landscaping. Compatible building designs or guidelines shall be followed for new
1831 structures on opposite sides of the same street. Porches, pent roofs, roof overhangs, hooded front
1832 doors or other similar architectural elements shall define the front entrance to all residences. For
1833 nonresidential buildings, a minimum of fifty percent of the public street facade(s) on the ground floor
1834 shall be transparent, consisting of window or door openings.

1835 3. Garages. Residential garages shall either be set back a minimum of four feet to the rear of the main
1836 front facade of the dwelling structure (not including porches or other projections) or utilize side-entry
1837 layout to ensure that the garage does not dominate the view from the street, per the standards
1838 illustrated in Figure 4. Varied garage setbacks along alleys are encouraged to create a more interesting
1839 streetscape and avoid cramped, monotonous, and claustrophobic alleys.

1840 | **GRAPHIC LINK:**[Click here](#)

1841 | 4. Signage. Business signs, entrance monuments, and other major signs within a ~~PCD/PDD/TND~~ **should**
1842 **shall** share a common or compatible style, which may be demonstrated by similarities in sizes, shapes,
1843 and/or materials. In addition, all signage for mixed residential areas shall meet the technical
1844 requirements of Chapter 19.54 applicable to the R-3 District and all signage for other areas in the
1845 | ~~PCD/PDD/TND~~ shall meet the technical requirements applicable to the B-2 District, except that the
1846 maximum height of a freestanding sign shall be six feet and the maximum area of a freestanding sign
1847 shall be thirty-two feet.

1848 5. Exterior Lighting and Utilities. The styles of proposed street and private lot lighting shall be
1849 | compatible with one another. All exterior lighting within the ~~PCD/PDD/TND~~ shall meet the technical
1850 lighting requirements of Section 19.57.150. Street lighting shall be provided on both sides of all streets
1851 at intervals of no greater than seventy-five feet. More, smaller street lights as opposed to fewer, high
1852 | intensity lights, [are encouraged](#)~~should be used~~. All new public and private utility installations shall be
1853 underground.

1854 F. Landscaping and Screening Standards. Overall composition and location of landscaping shall
1855 complement the scale of the development and its surroundings. In general, larger, well placed
1856 contiguous planting areas [are](#)~~shall be~~ preferred to smaller, disconnected areas. More specific landscape
1857 standards ~~that shall be met~~ are as follows:

1858 | 1. Street Trees. An average, minimum of one deciduous tree per thirty-five feet of public street
1859 | frontage ~~shall be required~~. Street tree placements may be clustered or adjusted to achieve a particular
1860 design objective or account for curb openings, street lighting, and other obstructions. Trees should
1861 preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or
1862 in tree wells installed in pavement or concrete. If placement of street trees within the right-of-way will
1863 interfere with pre-existing utility lines, trees may be planted within the private street yard adjacent to
1864 the sidewalk.

1865 2. Landscape Materials. All plant materials shall meet the minimum standards set forth by the
1866 American National Standards Institute in ANSI Z60.1 American Standard for Nursery Stock. Landscape
1867 species shall be indigenous or proven adaptable to the climate, but shall not be invasive.

1868 3. Minimum Planting Size. Minimum size at time of planting shall be as specified in Table 3.

1869 Table 3: Minimum Size Standards for Landscaping

1870 TABLE INSET:

1871

| Plant Type | Minimum Size at Time of Planting |
|----------------------------------|---|
| Evergreen tree | 4 feet in height |
| Deciduous canopy tree | 2 inch caliper 1 (street trees may be 1.5 inch) |
| Small deciduous/ ornamental tree | 1.5 inch caliper 1 or 4 feet in height |
| Evergreen or deciduous shrubs | 2 feet unless mature height is less than 4 feet |

1872 Note:1 For the purpose of caliper size, the diameter of the tree shall be measured 6 inches above
1873 ground level.

1874 4. Landscape Screening. Where screening is required by this ordinance, it shall meet the requirements
1875 of Section 19.57.140.

1876 (Ord. 1511 § 2(part), 2002).

1877

1878 **19.39.060 Modifications and changes.**

1879 Any subsequent change of use of any parcel of land or addition or modification of any approved
1880 development plans shall be submitted to the plan commission for approval. Minor changes can be
1881 granted by the plan commission. Major changes that involve changes to the general intent of the project
1882 as expressed in the approved GDP shall be made by the city council as specified in Chapter 19.69. A
1883 conditional use permit will be required if the total building coverage of a new or remodeled single-family
1884 detached dwelling, including the garage, exceeds sixty percent of the lot area within a ~~PCDPDD-TND~~
1885 District.

1886 (Ord. 1511 § 2(part), 2002).

1887

1888 **19.39.070 Park fees.**

1889 All residential development shall be subject to a park acquisition fee of two hundred fourteen
1890 dollars per dwelling unit in 2001 and a park improvement fee of five hundred five dollars per dwelling
1891 unit in 2001, payable before a building permit is issued. The amount of these fees may be reduced by
1892 any fee amount previously paid or credited at the time of subdivision. The park acquisition fee may also
1893 be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on
1894 the calculations in section 18.04.030(a)(1) of the Whitewater Municipal Code. The fee amounts shall be
1895 adjusted during the first quarter of each year by a percentage equal to the rate of consumer inflation
1896 based on the percent of yearly change for the previous year for the Milwaukee metropolitan area, as
1897 reported by the U.S. Department of Labor, Bureau of Labor Statistics.

1898 (Ord. 1511 § 2(part), 2002).

1899

1900

1901 **Chapter 19.42 AT AGRICULTURAL TRANSITION DISTRICT**

1902 Sections:

1903 | [19.42.010 Purpose.](#)

- 1904 | [19.42.020 Permitted uses.](#)
- 1905 | [19.42.030 Conditional uses.](#)
- 1906 | [19.42.040 Lot area.](#)
- 1907 | [19.42.050 Yard requirements.](#)
- 1908 | [19.42.060 Building height.](#)
- 1909 | [19.42.070 Existing residences.](#)

1910

1911 | **19.42.010 Purpose.**

1912 | The purposes of the AT agricultural transition district are to provide for the orderly transition of
 1913 | agricultural land to other uses in areas planned for eventual city expansion. This district is generally
 1914 | intended to apply to lands located in the city where such lands are predominantly in agricultural or open
 1915 | space use but where conversion to nonagricultural use is expected to occur in the foreseeable future.
 1916 | (Ord. 994 § 3.15(part), 1982).

1917

1918 | **19.42.020 Permitted uses.**

1919 | Permitted uses in the AT district include:

- 1920 | A. Dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, grazing,
- 1921 | greenhouses, forest and game management, livestock and poultry raising (except for commercial
- 1922 | operations), road-side stands not exceeding one per farm, and similar agricultural uses;
- 1923 | B. Two single-family dwelling units for resident owner/operators and their children, [siblings](#), and
- 1924 | parents or laborers principally engaged in conducting a permitted or approved conditional use;
- 1925 | C. The second or greater wireless telecommunications facility located on an alternative support
- 1926 | structure already supporting a wireless telecommunications facility or on a pre-existing wireless
- 1927 | telecommunications facility, per the requirements of Chapter 19.55.
- 1928 | (Ord. 1499 § 20, 2001; 994 § 3.15(A), 1982).

1929

1930 | **19.42.030 Conditional uses.**

1931 | Conditional uses in the AT district include:

- 1932 | A. Fish and fur farms, beekeeping, commercial livestock and poultry operations, livestock sales
- 1933 | facilities, veterinary services for farm animals, and similar agricultural uses;
- 1934 | B. Housing for seasonal farm laborers;
- 1935 | C. Airports;
- 1936 | D. Mineral extraction;
- 1937 | E. More than two single-family dwelling units for residential owner/operators and their children and
- 1938 | parents or laborers principally engaged in conducting a permitted approved conditional use;
- 1939 | F. The first wireless telecommunications facility located on an alternative support structure only, per
- 1940 | the requirements of Chapter 19.55.
- 1941 | (Ord. 1499 § 21, 2001; 994 § 3.15(B), 1982).

1942

1943 | **19.42.040 Lot area.**

1944 | Minimum lot area in the AT district is as follows:

- 1945 | A. Farm units, minimum thirty-five acres;
- 1946 | B. Additional farm-related housing, minimum twenty thousand square feet.
- 1947 | (Ord. 994 § 3.15(C), 1982).

1948

1949 | **19.42.050 Yard requirements.**

1950 | Minimum yard requirements for the AT district are as follows:

- 1951 | A. Additional farm-related housing shall comply with the provisions of the R-1 residential district;

- 1952 B. Farm buildings:
1953 1. Side yard, minimum fifty feet;
1954 2. Rear yard, minimum fifty feet.
1955 (Ord. 994 § 3.15(D), 1982).

1956
1957 **19.42.060 Building height.**

1958 Maximum building height for the AT district is two times their distance from adjacent lot lines.
1959 (Ord. 994 § 3.15(E), 1982).

1960
1961 **19.42.070 Existing residences.**

1962 Pre-existing residences in the agricultural transition district that do not conform to district
1963 standards may be continued in residential use and are not subject to the limitations of Chapter 19.60,
1964 Nonconforming Uses.
1965 (Ord. 994 § 3.15(F), 1982).

1966
1967
1968 **Chapter 19.45 C-1 SHORELAND WETLAND DISTRICT**

1969 Sections:

- 1970 [19.45.010 Purpose.](#)
1971 [19.45.020 Permitted uses.](#)
1972 [19.45.030 Conditional uses.](#)
1973 [19.45.040 Prohibited uses.](#)

1974
1975 **19.45.010 Purpose.**

1976 The 6-1 shoreland wetland district is intended to preserve, protect, and enhance the ponds,
1977 streams, and wetland areas within the shoreland jurisdiction of the city. The preservation, protection,
1978 and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and
1979 improve water quality, both ground and surface; prevent flood damage; control storm water runoff;
1980 protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife
1981 habitat; protect native plant communities; avoid the location of structures on soils which are generally
1982 not suitable for use; and protect the water-based recreation resources of the city.

1983 The C-1 shoreland wetland district, as shown on the zoning map, includes all wetlands within the
1984 shorelands, as defined in this title, in the city. The boundaries were determined from the Wisconsin
1985 Wetland Inventory Map for the City of Whitewater, dated July 2, 1987, and stamped "FINAL."
1986 (Ord. 1196 § 1(part), 1990).

1987
1988 **19.45.020 Permitted uses.**

1989 Permitted uses in the C-1 district are limited to the following:

- 1990 A. Hiking, fishing, trapping, swimming and boating, unless prohibited by other laws and ordinances;
1991 B. Harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds,
1992 in a manner that is not injurious to the natural reproduction of such crops, and that does not involve
1993 filling, flooding, draining, dredging, ditching, tiling, or excavating;
1994 C. Silviculture, including the planting, thinning, and harvesting of timber, provided that no filling,
1995 flooding, draining, dredging, ditching, tiling, or excavating is done except for temporary water level
1996 stabilization measures to alleviate abnormally wet or dry conditions which would have an adverse
1997 impact on silvicultural activities if not corrected;
1998 D. Construction and maintenance of fences;