



Virtual Meeting
Mequon, WI 53092
Phone: 262-236-2904
Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development

**PLANNING COMMISSION
Policy Subcommittee
Monday, January 11, 2021
6:00 PM
Virtual Meeting**

Agenda

ELECTRONIC MEETING NOTICE: Pursuant to the current recommendation of the CDC limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting will be held virtually through the GoToMeeting platform with each member accessing the meeting remotely. Citizens may join the meeting online or by phone. Please go to <https://global.gotomeeting.com/join/116424117> to join the meeting online or call into the meeting by dialing 1.877.309.2073 and enter access code 116-424-117.

WRITTEN PUBLIC COMMENTS may be made in writing in advance of the meeting. Written comments should be directed to the Department of Community Development at least 2 hours prior to the meeting by email at DCD1@ci.mequon.wi.us addressed to the intended committee. Written public comment may also be deposited in the drop box at City Hall on 11333 N. Cedarburg Road, Mequon at least 2 hours prior to the meeting. Comments received timely will be forwarded to all members of the body for their consideration.

VERBAL PUBLIC COMMENTS will be accepted only from members of the public who register in advance. Registration shall be made by sending an email to at DCD1@ci.mequon.wi.us or by leaving a message at 262.236.2903 no later than 2 hours prior to the meeting.

- 1. Call to Order, Roll Call**
- 2. Approval of Minutes from December 7, 2020**
- 3. Ulao Creek Mixed-Use Commercial Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).**
Final Recommendation
- 4. Ulao Creek Senior Housing Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).**
Final Recommendation
- 5. Ulao Creek Neighborhood Commercial Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).**
Final Recommendation

6. **Ulao Creek Residential Cluster Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).**

Final Recommendation

7. **Land Use Plan and Zoning Map Amendment for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).**

Final Recommendation

8. **Outside Storage Permit Requirements**

Final Recommendation

9. **Announcements**

The next meeting is Monday, February 8, 2021 at 6:00 p.m.

10. **Adjourn**

Dated: January 8, 2021

/s/ John Wirth, Chair

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Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the Department of Community Development's Office at 262-236-2904, Monday through Friday, 8:00 AM – 4:30 PM



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Department of Community Development

**PLANNING COMMISSION
 Policy Subcommittee
 Monday, December 7, 2020
 6:00 PM
 Virtual Meeting**

MINUTES

1) Call to Order, Roll Call

Present:

Chair John Wirth
 Alderman Brian Parrish
 Commissioner Greg Bach
 Commissioner Dan Gentges – arrived at 6:30 p.m.
 Commissioner Stephanie Hawley
 Commissioner James Schaefer -arrived at 6:09 p.m.
 Commissioner John Stoker

2) Approval of Minutes from November 9, 2020

Action

Ald. Parrish made a motion to approve the meeting minutes from November 9, 2020.
 Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (5-0)

RESULT:	APPROVED [5 TO 0]
MOVER:	Brian Parrish, Alderman
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Parrish, Bach, Hawley, Stoker
ABSENT:	Schaefer, Gentges

3) Draft Mixed-Use Commercial Zoning Standards for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Public Comment

Sonja Leonard stated that there were a few differences in the packet from previous packets; namely that Senior Housing has been pushed back south of Bonniwell Road. She believes this type of use could be viable for her parent's property on the west side of Port Washington Road (immediately south of Pioneer Road) and she requests that it be an approved use. She also

commented that they would like some more flexibility to consider market-rate senior housing on the east side of the street north of Bonniwell Road; closer to the Unitarian Church.

Dir. Tollefson stated that this zoning district has been reviewed several times and four different commercial classifications have been clarified and refined within each category:

- Specialty Trade
- Manufacturing Trade
- Building Construction
- Flex Use

She explained that the senior housing classification has been removed from this mixed-use zoning district, but single-family housing remains as an approved use. This change was made based on the discussions by the Subcommittee at the November meeting in which it was determined that the desired density and character required for senior housing was a better fit south of Bonniwell Road; especially with access to sewer in that area. She commented that both types of senior housing; market-rate and senior housing with care facilities, are included. She added that previous comments by some of the Subcommittee members and internal staff; there is a concern regarding the wide range of uses in this mixed-use district and their compatibility with each other. Dir. Tollefson concluded by offering that a text amendment could be added in the future if a desired use comes forward that is not an allowed use in the zoning district.

The Subcommittee offered the following feedback:

- Change the open space ratio to 30% (instead of 25%).
- 30,000 sq. ft. buildings are too large for this area, 20,000 sq. ft. – 25,000 sq. ft. was suggested as more appropriate.
- Positive support for required sidewalks.
- The proposed uses are too heavy for this district.

Action

Mayor Wirth made a motion to reduce the building size maximum to 20,000 sq. ft.
Commissioner Schaefer seconded the motion.

Ald. Parrish made an amendment to the motion for a building size maximum of 25,000 sq. ft.
Commissioner Stoker seconded the amendment to the amendment.

The Subcommittee discussed the difference between the two proposed building sizes and the FAR was debated as well.

Mayor Wirth made a friendly amendment to Ald. Parrish's amendment to allow for a 25,000 sq. ft. building with a 25% FAR.

Ald. Parrish accepted the friendly amendment made by Mayor Wirth.

There was discussion about the differences in FAR percentages required, green space requirements and required lot size and how those requirements affect potential development.

Action

Amend the proposed ordinance to include a 25,000 sq. ft. maximum building size, 30% required open space requirement and 25% FAR requirement.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED AS AMENDED [7 TO 0]
MOVER:	John Wirth, Chair
SECONDER:	Brian Parrish, Alderman
AYES:	Wirth, Parrish, Bach, Gentges, Hawley, Schaefer, Stoker

Action

Mayor Wirth made a motion to delete paragraph (b)(3).
Commissioner Gentges seconded the motion.

Mayor Wirth explained that he prefers that the standards required for development be very clear as he feels it leaves less room for negotiation at the Planning Commission level.

A voice vote was taken; vote passed (7-0)

Action

Mayor Wirth made a motion to delete paragraph (p). He stated that the standards should be changed rather than negotiated. He prefers stricter adherence to the technical standard requirements rather than so many waivers requested.

There was discussion about the process applicants would follow for requesting waivers as well as feedback from the Subcommittee on whether paragraph (p) should be removed. Mayor Wirth suggested to change the language in this paragraph as he believes that it is too permissive.

There was unanimous support from the Subcommittee that applicants be required to show the Planning Commission a concept plan of both their project meeting the requirements as well as a concept plan showing the requested deviations. This should be done as a concept plan review by the Planning Commission before requests for final approvals are granted.

The Subcommittee made a recommendation to add language to incorporate this concept review process and asked for this to be back in front of the Subcommittee at the next meeting.

Uses Chart

There was discussion about the bed and breakfast category and what is allowed in the city.

Referring to the industrial uses page, for each of the four-industrial building/commercial building categories the definition includes; manufacturing, assemblage, warehouse and distribution.

Motion

Ald. Parrish made a motion to add the word “light” in front of the word manufacturing for each of the four categories.

Mayor Wirth seconded the motion.
A voice vote was taken; vote passed (7-0)

The Subcommittee also discussed the proposed use addition of “manufacturing of prefabricated buildings” to the uses chart.

Motion

Ald. Parrish made a motion to strike “manufacturing of prefabricated buildings” from the use chart.

Commissioner Dan Gentges seconded that motion.

A voice vote was taken; vote passed (7-0)

4) Land Use Plan and Zoning Map Amendment for Mixed Use Commercial Zoning Standards for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

RESULT:	APPROVED AS AMENDED [7 TO 0]
MOVER:	Brian Parrish, Alderman
SECONDER:	Dan Gentges, Commissioner
AYES:	Wirth, Parrish, Bach, Gentges, Hawley, Schaefer, Stoker

5) Draft Senior Housing Standards for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

The Subcommittee discussed senior housing and which parcels/location are the best fit for this type of use.

Dir. Tollefson explained the differences between the two types of senior housing and what the standards are for each type of use:

Age Restricted Housing 55 and Older (Market-Rate Senior Housing):

- Limit of 2-story building.
- No more than 4 units per building.
- Lifestyle Programming and Components required.
- Only allowed through a PUD.

Senior Housing (Residential Community-Based Living Facility):

- Must have continuum of care programming.
- Density of no more than 10 units per acre.
- Allowed up to 3 stories.
- Only allowed through a PUD.

Ald. Parrish stated that he is supportive of senior housing allowed on the parcel immediately south of the southwest corner parcel at Pioneer Road and Port Washington Road but does not support industrial use on the west side of Port Washington Road.

Action

Mayor Wirth made a motion that residential community-based senior housing should be specified in the Use Chart to only be allowed south of Bonniwell Road on the east side of Port Washington Road.

Commissioner Stoker seconded the motion.

A voice vote was taken; vote passed (7-0)

The Subcommittee provided supportive feedback to require a robust programming component for this type of use which must be approved by the Common Council.

Action

Ald. Parrish made a motion to change the open space ratio to 30%.

Mayor Wirth seconded the motion.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED AS AMENDED [7 TO 0]
MOVER:	Brian Parrish, Alderman
SECONDER:	John Wirth, Chair
AYES:	Wirth, Parrish, Bach, Gentges, Hawley, Schaefer, Stoker

6) Land Use Plan and Zoning Map Amendment for Senior Housing Zoning Standards for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Mayor Wirth stated that based on the discussions and approved amendments by the Subcommittee, the only change to the map is that the parcel on the west side of the road (immediately south of the southwest parcel at Pioneer Road and Port Washington Road) should be changed from gray to orange.

Based on discussions from earlier meetings and concerns about too much traffic in this corridor and potentially necessitating a four-lane road, Dir. Tollefson stated that she did a calculation of all of the acreage per zoning districts. She calculated the amount of square footage, the number of units and assigned the average daily trips to those general land uses consistent with previous calculations. Based on the change to a 25% FAR, it brings the daily trips to approximately an additional 16,500 daily trips. This is under one of the 20,000 daily trip thresholds of requiring a four-lane road.

This supports that the land use choices and technical standards are in line with the original goals of the Subcommittee for rezoning this corridor.

RESULT: **APPROVED AS AMENDED [7 TO 0]**
MOVER: John Wirth, Chair
SECONDER: Brian Parrish, Alderman
AYES: Wirth, Parrish, Bach, Gentges, Hawley, Schaefer, Stoker

7) Outdoor Storage Permit Requirements

Dir. Tollefson stated that the outside storage proposal is similar to what has been in front of the Subcommittee previously. Since most of the uses are permitted and not conditional, staff added controls to these uses in the form of some regulations and a permit was created.

The changes include:

- Fence height increased.
- Hierarchy created to allow for a certain amount of outdoor storage can be approved via permit at staff level. If a business or development require more storage than they will go before the Planning Commission at the same time as their building and site plan approval.

The Subcommittee discussed the proposed outside storage requirements. There was feedback that it is believed that it will be too expensive for a developer to be required to use the same materials as the building materials and masonry. There was discussion that the proposed 2.5% total site lot coverage or minimum lot size to be approved at staff level was too low of a number.

Motion

Commissioner Stoker made a motion to amend the language to allow for outdoor storage approval via permit at staff level of up to 7.5% of the total site lot coverage or minimum lot size. Ald. Parrish seconded the motion.

A voice vote was taken; vote passed (7-0)

Motion

Mayor Wirth made a motion that the required materials be consistent with the colors and design of the building but are not required to be the same materials and masonry.

Commissioner Schaefer seconded the motion.

A voice vote was taken; vote passed (7-0)

Motion

Ald. Parrish made a motion to change the language in (C)(2) to state that the fence shall not be less than 6 feet in height nor exceed 8 feet or more in height unless approved by the Planning Commission.

Commissioner Gentges seconded the motion.

A voice vote was taken; vote passed (7-0)

The Subcommittee recommended some changes to the language for both (D)(iii) and (D)(iv) to read:

- iii. Any institutional, public, quasi-public or commercially developed property where there is public access or view to the areas of the outdoor storage;

- iv. Any institutional, public, quasi-public or commercially developed property where there is public access or view to areas adjoining the outdoor storage;

There was some discussion regarding whether screening should be required at the rear of the properties facing 1-43. Nothing was recommended at this time.

RESULT:	APPROVED AS AMENDED [7 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Brian Parrish, Alderman
AYES:	Wirth, Parrish, Bach, Gentges, Hawley, Schaefer, Stoker

8) Announcements

- 1) 2021 Meeting Calendar included was in the packet.

9) Adjourn

Motion

Commissioner Schaefer made a motion to adjourn.

Commissioner Bach seconded the motion.

A voice vote was taken; vote passed (7-0)

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,
Kim Tollefson



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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Ulao Creek Mixed-Use Commercial Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Background

A review of the land use chart and technical standards for the Ulao Creek Mixed Use zoning district by the Committee at the November and December meeting resulted in the following changes:

- Modification to the minimum open space (30%), maximum building size (25,000 square feet) and maximum floor area ratio (25%).
- Removal of a general requirement standard that required the Planning Commission to evaluate permitted uses with standards typically associated with conditional uses such as traffic and operations, among others.
- Modification to the standard process and evaluation for granting exceptions to any zoning requirement requested by an applicant.
- Adding the term 'light' for the manufacturing use of the four industrial uses allowed in the district.
- Removal of a use previously allowing for the manufacturing of prefabricated buildings.

Additional Analysis

Since the December meeting, staff meet with property owners affected by the new zoning. In many of the cases property owners offered additional uses believed to be marketable and of interest. Those uses include senior housing, market rate multiple-family residential, academic facilities, student housing and medical offices. Because the Committee has vetted each of these uses prior to the most recent draft regulations, staff advise as to why these uses are not included in the district.

Staff Recommendation

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the technical standards and use chart for the Ulao Creek Mixed Use zoning district and forward to the Planning Commission for action.

Attachments:

UCMUFinalTechStandards01.2021 (DOCX)

NEW USE CHARTS_Mixed-Use_01.25.21 (XLSX)

Sec. 58-305. –Ulao Creek Mixed Use Commercial (UCMU) district.

- (a) *Purpose.* The Ulao Creek Mixed Use (UCMU) Commercial district is established to provide a limited rural designed, commercial and light institutional uses desired in the City and not otherwise allowed in commercial zoning districts along the interstate.
- (b) *General requirements.*
- (1) Buildings shall be designed in individual or small groupings and shall not exceed 25,000 square feet per structure, nor exceed two stories in height. The commercial development shall be designed and sized in a manner which is architecturally, aesthetically and operationally harmonious with surrounding development.
 - (2) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings. Outside storage is permitted through an Outdoor Storage Permit authorized by the Department of Community Development.
 - (3) Building and site plan review required. The Planning Commission shall review and act on development within the UCMU district. All applicants are required to meet with city staff for a pre-application meeting. All development is subject to the following minimum building and site standards:
 - a. Primary and secondary conservation features, including but not limited to, wetlands, floodplains, drainage courses, steep slopes, specimen trees, woodlands, meadows, scenic features and viewsheds shall be integrated into an open space and landscaping plan.
 - b. Access to the development shall be minimized and shall be accessed from roadway that are classified as Arterials: Primary and Secondary as described in Resolution 607.
 - c. Street alignments and cross street connections are required. Roads shall be designed to ensure that adjacent parcels have adequate connection to maximize development. Connections shall be required even if the adjacent sites do not yet have streets. The approved alignment and cross connection(s) are to be constructed in its entirety or in a phasing plan approved by the Planning Commission.
 - d. A sidewalk internal to the site, connecting internal site and external neighborhood amenities shall be installed at the time of street construction and prior to occupancy.
 - e. Open space and features adjacent to the site's entire extent of perimeter public right of way shall be identified. Open space adjacent to the entire extent of any public right-of-way shall be a minimum of 20 feet in width and include light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space. An asphalt multi-use path of 8 feet in width is required if the open space is located on the west side of North Port Washington Road.
 - f. Entryway open space amenities include signage, landscaping, light fixture(s), utilities and utility accessories. These entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to

private lands. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space.

- g. Building Placement and Composition shall comply with the City approved Ulao Creek Design Standards.
- (4) Redevelopment of an existing building, where 50 percent or more of the existing building area is removed, shall be subject to the regulations in subsection (c) unless the city modifies the regulations in accordance with a conditional use process.
- (c) *Permitted, accessory and conditional uses.* Table 58-305-1, Uses in the Ulao Creek Mixed Use Commercial District, lists all the permitted and conditional uses.
 - (d) *Lot size.* The minimum lot size shall have an area of not less than two (2) acres.
 - (e) *Building size/floor area ratio.* The building(s) floor area ratio shall not exceed 25 percent.
 - (f) *Building height.* The height of any structure shall not exceed 42 feet unless otherwise allowed in accordance with section 58-418.
 - (g) *Minimum and maximum building setback.* All structures within the UC MU shall be set back from the ultimate road right-of-way as follows:
 - (1) A minimum building front yard setback of 50 feet and a maximum of 75 feet when located on a highway,
 - (2) A minimum building front yard setback of 30 feet and a maximum of 50 feet when located on a local street
 - (h) *Minimum building offset.* No building or structure, hereafter erected, shall be placed closer than 20 feet to a side or rear lot line. If, however, adjacent properties are zone or used as a residential land use, no commercial building or structure shall be placed closer than 50 feet to the adjoining residential land use or zoning. The offset area adjacent to residential land uses or zoning shall include landscaping that screens operations associated with commercial use activities including, but not limited to, vehicular headlights, service door and operations and parking.
 - (i) *Open space ratio.*
 - (1) The open space ratio shall not be less than 30 percent and include the following open space features:
 - a. Create large and contiguous areas that represent an integrated system that connects to features on adjacent sites and public amenities within the surround neighborhood.
 - b. Distribute common, open space throughout the development to serve as connection from the streets and structures to areas of contiguous open space. Small or fragmented open space shall be minimized.

- c. Protection of site features.
 - d. Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.
 - e. Maintain a perimeter, low-maintenance open space buffer with a minimum width of 20 feet along public streets, paved and unpaved paths.
 - f. Include outdoor plazas and hardscape features intended for informal use or gatherings of customers and employees.
- (j) *Lot width and lot length.* The minimum average lot width and minimum average lot length shall be 150 feet.
- (k) *Off-street parking.* In accordance with applicable regulation set forth in section 58-441 of this chapter.
- (l) *Minimum parking and driveway offset.* No driveway or parking area shall be located closer than 20 feet from a side or rear lot line unless specifically waived by the planning commission.
- (m) *Minimum parking setback.* No driveway (excluding the portion of driveway required for road access) or parking area shall be located closer than 30 feet to the ultimate road right-of-way and shall not project further into the front yard than the building(s).
- (n) *Park and Open Space Plan and Impact Fee.* A park and open space impact fee of \$X / lot is required for the development of open space, including a trail system, and shall comply with the City approved Ulao Creek Neighborhood Park and Open Space.
- (o) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned and shall comply with the City Standard Specifications for Land Development, latest edition. The development agreement is subject to the approval of the City Planning Commission and Common Council.
- (p) *Exceptions to the district requirements.* All district requirements shall be met unless a concept plan review application is submitted to the Planning Commission that includes the following:
1. Project concept plan meeting all district requirements.
 2. Project concept plan detailing any requested exceptions to district requirements.
 3. Project narrative addressing reason for exception, impact and effect of exception and the additional amenities proposed to mitigate the impact and effect of such exception.

The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the spirit and intent of this district always remains on the applicant.

The Planning Commission may approve exceptions to the district requirements upon finding that the use or development includes building or site amenities that address any adverse effects of the exception and where the Planning Commission finds that strict compliance to the requirements is impractical because of site conditions or location.

Further, Planning Commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding Planning Commission approval of the exception.

Table 58-305-1 Uses in the Ulao Creek Mixed-Use Commercial District

<u>Land Use:</u>	<u>Ulao Creek Mixed Use Commercial</u>	<u>Specific Development Standards Notes</u>
<u>Agricultural</u>		
Agriculture, horticulture or forestry	P	located on a lot of 10 acres or more in size
Community Gardens	P	Private, not for profit, gardens in which accessory structures and other structural or art features are prohibited
<u>Residential</u>		
Single-family detached dwellings	P	located on a lot platted prior to December 1, 2020
Residential Cluster developments	P	Development shall be in accordance with 58-334
Community Living arrangements of eight or fewer persons	P	in accordance with Wis. Stats. 62.23(7)(l)
Animals and animal-related uses specified in division 11	P	as described in 58-239(b)(2)
Long-term rental of a structure	P	as described in 58-239(b)(1)
Single-family residential developments created through a conventional subdivision design	PUD	Subject to physical land constraints or surrounding development pattern that prevents the ability to meet the standards of 58-334(j)(2) and 58-334(j)(3). The lots shall meet the standards of Table 58-334-1
Single-family detached dwellings, 4 lots or less	P	Subject to no further lots being derived from the parent parcel and the ability to meet the standards of 58-334(j)(2) and 58-334(j)(3). The lots shall meet the standards of Table 58-334-1
<u>Accessory Residential</u>		
Private garages and paved parking areas as permitted in the R-4 district	P	as described in 58-239(c)(1)
Short term rental of a structure	P	as described in 58-239(c)(4)
Residential Quarters for the owner/proprietor located in the same building as the owner's business	P	as described in 58-294(d)(1)
Artists live/work units	P	as described in 58-303
Home occupations	P	as described in 58-239(c)(2)
Private outdoor recreational facilities without lights	P	
Private outdoor recreational facilities with lights	C	Hours of operation for use and illumination are permitted Sunday through Thursday; until 9:00 p.m. and Friday and Saturday; until 10:00 p.m. Organized or league play is prohibited. Parking associated with the use of the court is limited to four (4) vehicles. Submittal of a lighting plan and pole heights no greater than 16 feet is subject to staff review and approval.
<u>Institutional and Public</u>		
Public Park	P	Subject to Park and Open Space Commission and Common Council approval
Roadside farmers market	P	May be a principal use or accessory to farmstead and dwelling and shall comply with section 58-236(c)(1). May include an indoor market and accessory structures. Operations, including special, annual or seasonal events, are subject to Planning Commission approval and may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Golf courses and driving ranges	P	May include club facilities. An operational plan including hours, staffing, capacity, lighting, noise, safety and security regulations is subject to Planning Commission approval. Competitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.

Horse riding academies and stables	P	May include indoor and outdoor club facilities. An operational plan including hours, staffing, capacity, lighting, noise, safety and security regulations is subject to Planning Commission approval. Competitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Outdoor Recreational Facilities without lights	P	Commercial, for-profit sports operations including one or more of the following; archery ranges, basketball, volleyball, baseball, biking, disc or club golf or similar sports activities. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Competitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Outdoor Recreational Facilities with lights	C	Commercial, for-profit sports operations including one or more of the following; archery ranges, basketball, volleyball, baseball, biking, disc or club golf or similar sports activities. An operational plan including hours, staffing, capacity, lighting, noise, safety and security regulations is subject to Planning Commission approval. Competitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Religious Institutions	P	An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Public or Private schools, colleges, universities	C	An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Cmpetitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such. Clarify ability to seek waivers?
Public administrative or service facilities	P	An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
<u>Commercial</u> Bed & Breakfast	P	Floor plans and an operational plan are subject to staff review and approval. The use shall be in accordance with Wis. Admin. Code § ATCP 73
Salon & Spa	C	Operations shall include a combination of open space components including areas for private services, pools, dining, hardscape plazas and gardens or other amenities as approved by the Planning Commission. Lodging is limited to no more than 10% of the total building.An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.

Performing Arts Center	C	May include studios for photography, painting, music, sculpture, and dance or similar related arts. The performance arts center shall be a minimum of 20,000 square feet. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Private Lodge / Clubs	C	Operations shall include a combination of open space components including areas for private services, pools, dining, hardscape plazas and gardens or other amenities as approved by the Planning Commission. Lodging is limited to no more than 10% of the total building. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Commercial Greenhouse or Plant Nursery	P	May be a principal use or accessory to farmstead and dwelling and shall comply with section 58-236(c)(1). May include an indoor market and accessory structures. Operations, including annual, special or seasonal events, are subject to Planning Commission approval and may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Wineries	P	As defined and subject to Wis. Stat. § 125.53. Operations shall include a combination of open space components including areas for private services, pools, dining, hardscape plazas and gardens or other amenities as approved by the Planning Commission. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Breweries	P	As defined and subject to Wis. Stats. 125.29. Operations shall include a combination of open space components including areas for private services, pools, dining, hardscape plazas and gardens or other amenities as approved by the Planning Commission. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Specialty Trade contractor and material suppliers including landscaping, exterminating, carpentry, plumbing, electrical, environmental control, janitorial, painting, signage and furniture repair. Uses may include light manufacturing, assemblage, warehouse and distribution.	P	Each business use shall maintain a minimum 20% of the tenant building area as office, sales area, showroom, or combination thereof and a minimum 20% of the tenanat building area as the zoning defined commercial use. Principle structures shall be a minimum of 10,000 square feet. All storage associated with each business use shall be either enclosed within the principle structure or subject to an approved Outdoor Storage Permit. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Light manufacturing Trade related to building construction including businesses that manufacture and sell prefebricated equipment and the incidental installation of such and manufctureers of major household products, appliances, windows, doors or partitions. Uses may include light manufacturing, assemblage, warehouse and distribution.	P	Each business use shall maintain a minimum 20% of the tenant building area as office, sales area, showroom, or combination thereof and a minimum 20% of the tenanat building area as the zoning defined commercial use. Principle structures shall be a minimum of 10,000 square feet. All storage associated with each business use shall be either enclosed within the principle structure or subject to an approved Outdoor Storage Permit. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.

Building Construction including general and sub contractors and operative builders for dwellings, offices, stores, industrial and farms. Manufacturing of prefabricated buildings is prohibited. Uses may include light manufacturing, assemblage, warehouse and distribution	P	Each business use shall maintain a minimum 20% of the tenant building area as office, sales area, showroom, or combination thereof and a minimum 20% of the tenanat building area as the zoning defined commercial use. Principle structures shall be a minimum of 10,000 square feet. All storage associated with each business use shall be either enclosed within the principle structure or subject to an approved Outdoor Storage Permit. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Flex Industrial including laboratories (medical, dental, photofinishing, audio visual) and research & development (biotechnology, physical, engineering and life sciences) and data centers. Uses may include light manufacturing, assemblage, warehouse and distribution.	P	Each business use shall maintain a minimum 20% of the tenant building area as office, sales area, showroom, or combination thereof and a minimum 20% of the tenanat building area as the zoning defined commercial use. Principle structures shall be a minimum of 10,000 square feet. All storage associated with each business use shall be either enclosed within the principle structure or subject to an approved Outdoor Storage Permit. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Pet Kennel	C	Use shall be in compliance with regulations as described in Division 11 and shall not include retail pet supplies . A 24 hour emergency operational plan and outdoor use and plan is subject to staff review and approval.An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Animal hospitals and veterinary clinics	C	Use shall be in compliance with regulations as described in Division 11 and shall not include retail pet supplies . A 24 hour emergency operational plan and outdoor use plan is subject to staff review and approval. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Catering facilities	C	Use shall include a minimum 20% of building area to office and/or retail showroom and a minimum 20% of defined catering use. Use shall be a minimum of 3,000 square feet. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Bakeries	C	Use shall include a minimum 20% of building area to office and/or retail showroom and a minimum 20% of defined baking use. Use shall be a minimum of 3,000 square feet. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.



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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Ulao Creek Senior Housing Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Background

A review of the land use chart and technical standards for the Ulao Creek Senior House zoning district by the Committee at the November and December meeting resulted in a modification to the minimum open space (30%). In addition, the Committee recommended that community based residential facilities only be located south of Bonniwell Road and only on the east side of North Port Washington Road. This change noted as such in the use chart.

Additional Analysis

Since the December meeting, staff meet with property owners affected by the new zoning. In many of the cases property owners noted a demand and desire for senior housing and the need for public sewer associated with that use. Multiple-family dwellings, office, academic facilities and student housing as optional uses were raised for this area of the neighborhood. Because the Committee has vetted each of these uses prior to the most recent draft regulations, staff advise as to why these uses are not included in the district. In addition, some of the owners expressed the importance of design to provide continuity within the neighborhood, especially given the mix of uses throughout the corridor.

Staff Recommendation

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the technical standards and use chart for the Ulao Creek Senior Housing zoning district and forward to the Planning Commission for action.

Attachments:

UCSHFinalTechStandards02.2021 (DOCX)
NEW USE CHARTS_Mixed-Use_01.25.21 (XLSX)

Sec. 58-244. –Ulao Creek Senior Housing (UC SH) district.

- (a) *Purpose.* The Ulao Creek Senior Housing (UCSH) district is established to provide a limited rural designed, senior housing component to the neighborhood, where such uses like the hospital, university and nearby commercial uses create compatible living environments for residents 55 years of age and older and are not otherwise allowed in zoning districts on the east side of the city.
- (b) *General requirements.*
- (1) Buildings shall be designed in individual or small groupings and sized in a manner which is architecturally, aesthetically and operationally harmonious with surrounding development.
 - (2) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.
 - (3) Building and site plan review required. The Planning Commission shall review and act on development within the UCSH district. All applicants are required to meet with city staff for a pre-application meeting. All development is subject to the following minimum building and site standards:
 - a. Primary and secondary conservation features, including but not limited to, wetlands, floodplains, drainage courses, steep slopes, specimen trees, woodlands, meadows, scenic features and viewsheds shall be integrated into an open space and landscaping plan.
 - b. Access to the development shall be minimized and shall be accessed from roadway that are classified as Arterials: Primary and Secondary as described in Resolution 607.
 - c. Street alignments and cross street connections are required. Roads shall be designed to ensure that adjacent parcels have adequate connection to maximize development. Connections shall be required even if the adjacent sites do not yet have streets. The approved alignment and cross connection(s) are to be constructed in its entirety or in a phasing plan approved by the Planning Commission.
 - d. A sidewalk internal to the site, connecting internal site and external neighborhood amenities shall be installed at the time of street construction and prior to occupancy.
 - e. Open space and features adjacent to the site's entire extent of perimeter public right of way shall be identified. Open space adjacent to the entire extent of any public right-of-way shall be a minimum of 20 feet in width and include light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space. An asphalt multi-use path of 8 feet in width is required if the open space is located on the west side of North Port Washington Road.
 - f. Entryway open space amenities include signage, landscaping, light fixture(s), utilities and utility accessories. These entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to

private lands. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space.

- g. Building Placement and Composition shall comply with the City approved Ula Creek Design Standards.
- (4) Redevelopment of an existing building, where 50 percent or more of the existing building area is removed, shall be subject to the regulations in subsection (c) unless the city modifies the regulations in accordance with a conditional use process.
- (c) *Permitted, accessory and conditional uses.* Table 58-244-1, Uses in the Ula Creek Senior Housing District, lists all the permitted and conditional uses.
- (d) *Lot size.* The minimum lot size shall have an area of not less than two (2) acres.
- (e) *Building size/floor area ratio.* The building(s) floor area ratio shall not exceed 30 percent.
- (f) *Building height.* The height of any structure shall not exceed 42 feet unless otherwise allowed in accordance with section 58-418.
- (g) *Minimum and maximum building setback.* All structures within the UCSH shall be set back from the ultimate road right-of-way as follows:
- (1) A minimum building front yard setback of 50 feet and a maximum of 75 feet when located on a highway,
 - (2) A minimum building front yard setback of 30 feet and a maximum of 50 feet when located on a local street
- (h) *Minimum building offset.* No building or structure, hereafter erected, shall be placed closer than 20 feet to a side or rear lot line. If, however, adjacent properties are zone or used as a residential land use, no institutional, public or commercial building or structure shall be placed closer than 50 feet to the adjoining residential land use or zoning. The offset area adjacent to residential land uses or zoning shall include landscaping that screens operations associated with commercial use activities including, but not limited to, vehicular headlights, service door and operations and parking.
- (i) *Open space ratio.*
- (1) The open space ratio shall not be less than 30 percent and include the following open space features:
 - a. Create large and contiguous areas that represent an integrated system that connects to features on adjacent sites and public amenities within the surround neighborhood.
 - b. Distribute common, open space throughout the development to serve as connection from the streets and structures to areas of contiguous open space. Small or fragmented open space shall be minimized.
 - c. Protection of site features.

- d. Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.
 - e. Maintain a perimeter, low-maintenance open space buffer with a minimum width of 20 feet along public streets, paved and unpaved paths.
 - f. Include outdoor plazas and hardscape features intended for informal use or gatherings of customers and employees.
- (j) *Lot width and lot length.* The minimum average lot width and minimum average lot length shall be 150 feet.
- (k) *Off-street parking.* In accordance with applicable regulation set forth in section 58-441 of this chapter.
- (l) *Minimum parking and driveway offset.* No driveway or parking area shall be located closer than 20 feet from a side or rear lot line unless specifically waived by the planning commission.
- (m) *Minimum parking setback.* No driveway (excluding the portion of driveway required for road access) or parking area shall be located closer than 30 feet to the ultimate road right-of-way and shall not project further into the front yard than the building(s).
- (n) *Park and Open Space Plan and Impact Fee.* A park and open space impact fee of \$X / lot is required for the development of open space, including a trail system, and shall comply with the City approved Ulao Creek Neighborhood Park and Open Space.
- (o) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned and shall comply with the City Standard Specifications for Land Development, latest edition. The development agreement is subject to the approval of the City Planning Commission and Common Council.
- (p) *Exceptions to the district requirements.* All district requirements shall be met unless a concept plan review application is submitted to the Planning Commission that includes the following:
1. Project concept plan meeting all district requirements.
 2. Project concept plan detailing any requested exceptions to district requirements.
 3. Project narrative addressing reason for exception, impact and effect of exception and the additional amenities proposed to mitigate the impact and effect of such exception.

The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the spirit and intent of this district always remains on the applicant.

The Planning Commission may approve exceptions to the district requirements upon finding that the use or development includes building or site amenities that address any adverse effects of the exception and where the Planning Commission finds that strict compliance to the requirements is impractical because of site conditions or location.

Further, Planning Commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding Planning Commission approval of the exception.

Table 58-244-1 Uses in the Ulao Creek Senior Housing District

<u>Land Use:</u>	<u>Ulao Creek Mixed Use</u>	<u>Specific Development Standards Notes</u>
<u>Agricultural</u> Agriculture, horticulture or forestry Community Gardens	P P	located on a lot of 10 acres or more in size Private, not for profit, gardens in which accessory structures and other structural or art features are prohibited
<u>Residential</u> Single-family detached dwellings	P	located on a lot platted prior to December 1, 2020
Residential Cluster developments	P	Development shall be in accordance with 58-334
Community Living arrangements of eight or fewer persons	P	in accordance with Wis. Stats. 62.23(7)(I)
Animals and animal-related uses specified in division 11	P	as described in 58-239(b)(2)
Long-term rental of a structure	P	as described in 58-239(b)(1)
Single-family residential developments created through a conventional subdivision design	PUD	Subject to physical land constraints or surrounding development pattern that prevents the ability to meet the standards of 58-334(j)(2) and 58-334(j)(3). The lots shall meet the standards of Table 58-334-1
Single-family detached dwellings, 4 lots or less	P	Subject to no further lots being derived from the parent parcel and the ability to meet the standards of 58-334(j)(2) and 58-334(j)(3). The lots shall meet the standards of Table 58-334-1
Age Restrictive Housing for persons of 55 years of age and older	PUD	Subject to Federal Fair Housing Act 24 C.F.R. §§ 100.300-100.308 and the following: 1) Density is authorized at 10 units/gross acre, additional units may be authorized subject to Common Council authorization, 2) Lifestyle amenity programming shall include a minimum combination of at least X# of the following amenities; household maintenance and chores, prepared meals, room service, security checks, transportation, secured parking, fitness center, pool, personal training, programming outings and events, club room, game room, art studios, business center, salons, banks, libraries, interfaith services, coffee shop, general/gift stores, theatres, outdoor amenities for gathering and activities or similar amenities as approved by the Common Council, 3) Lifestyle amenities shall be located within shared facility buildings resulting in a comprehensive campus setting with pedestrian connectivity 4) Dwelling units are permitted as one-family, two-family, three-family or four-family structures not exceeding two stories. The dwelling units of xxxx are permitted as one-family and two-family dwellings not exceeding two stories not exceeding two stories and multi-unit dwellings not exceeding three stories and lifestyle and medical service amenities which are located within shared facilitie(s), resulting in a comprehensive campus or lifestyle setting, 5) Operational plans as well as an open space plan is required and subject to Common Council review and approval.

Community Based Residential Facilities, Residential Care Complexes and Nursing Homes	PUD	Subject to a geographic location only south of Bonniwell Road and only east of North Port Washington Road. This geographic location standard is not eligible for an exception by the Planning Commission. Subject to licensing requirements of the Wisconsin Department of Health Services and the following: 1) Density is authorized at 10 units/gross acre, additional units may be authorized subject to Common Council, 2) Programming shall provide full service housing and offer a continuum of care as an opportunity for persons to age in place, and include a minimum combination of at least X# of the following medical programs; medical/health center with skilled nursing, physical therapy, specialized medical care, urgent care services, 24-hour EMT care, respite care, memory care, hospice care, adult day center or similar medical care services as approved by the Common Council, 3) Lifestyle amenity programming shall include a minimum combination of at least X# of the following amenities; household maintenance and chores, prepared meals, room service, security checks, transportation, secured parking, fitness center, pool, personal training, programming outings and events, club room, game room, art studios, business center, salons, banks, libraries, interfaith services, coffee shop, general/gift stores, theatres, outdoor amenities for gathering and activities or similar amenities as approved by the Common Council, 4) Lifestyle amenities shall be located within shared facility buildings resulting in a comprehensive campus setting with pedestrian connectivity 5) Dwelling units are permitted as one-family, two-family, three-family or four-family structures not exceeding two stories. Any multi-unit strucutres containing more than four dwellings shall not exceed three stories, 5) Operational plans as well as an open space plan is required and subject to Common Council review and approval.
Hospice		
<u>Accessory Residential</u>		
Private garages and paved parking areas as permitted in the R-4 district	P	as described in 58-239(c)(1)
Short term rental of a structure	P	as described in 58-239(c)(4)
Residential Quarters for the owner/proprietor located in the same building as the owner's business	P	as described in 58-294(d)(1)
Artists live/work units	P	as described in 58-303
Home occupations	P	as described in 58-239(c)(2)
Private outdoor recreational facilities without lights	P	
Private outdoor recreational facilities with lights	C	Hours of operation for use and illumination are permitted Sunday through Thursday; until 9:00 p.m. and Friday and Saturday; until 10:00 p.m. Organized or league play is prohibited. Parking associated with the use of the court is limited to four (4) vehicles. Submittal of a lighting plan and pole heights no greater than 16 feet is subject to staff review and approval.
<u>Institutional and Public</u> (30,000 square feet max)		
Golf courses and driving ranges	P	May include club facilities. An operational plan including hours, staffing, capacity, lighting, noise, safety and security regulations is subject to Planning Commission approval. Competitions, tournaments, or any annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.

<u>Commercial</u> (30,000 square feet max) Private Lodge / Clubs	C	Operations shall include a combination of open space components including areas for private services, pools, dining, hardscape plazas and gardens or other amenities as approved by the Planning Commission. Lodging is limited to no more than 10% of the total building. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Annual, special or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Ulao Creek Neighborhood Commercial Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Background

Staff conducted a review of the land use chart and technical standards for the Ulao Creek Neighborhood Commercial district to ensure consistency to the other new zoning districts. Staff ensured open space, floor area ratio and building size was consistent as well as the standards for seeking exceptions to any of the technical standards. In addition, the general standard for traffic and operational review, among others, was removed.

Staff Recommendation

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the technical standards and use chart for the Ulao Creek Neighborhood Commercial zoning district and forward to the Planning Commission for action.

Attachments:

UCNCFinalTechStandards01.2021 (DOCX)

Sec. 58-304. –Ulao Creek Neighborhood Commercial (UCNC) district.

- (a) *Purpose.* The Ulao Creek (UCNC) district is established to provide a limited commercial environment for office and services that enhance residential, limited commercial and institutional uses desired in the Ulao Creek neighborhood by providing neighborhood scale services for nearby residential neighborhoods.
- (b) *General requirements.*
 - (1) Buildings shall be designed in individual or small groupings and shall not exceed 25,000 square feet per structure, nor exceed two stories in height. The commercial development shall be designed and sized in a manner which is architecturally, aesthetically and operationally harmonious with surrounding development.
 - (2) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings. Outside storage is prohibited.
 - (3) Building and site plan review required. The Planning Commission shall review and act on development within the UCNC district. All applicants are required to meet with city staff for a pre-application meeting. All development is subject to the following minimum building and site standards:
 - a. Primary and secondary conservation features, including but not limited to, wetlands, floodplains, drainage courses, steep slopes, specimen trees, woodlands, meadows, scenic features and viewsheds shall be integrated into an open space and landscaping plan.
 - b. Access to the development shall be minimized and shall be accessed from roadway that are classified as Arterials: Primary and Secondary as described in Resolution 607.
 - c. Street alignments and cross street connections are required. Roads shall be designed to ensure that adjacent parcels have adequate connection to maximize development. Connections shall be required even if the adjacent sites do not yet have streets. The approved alignment and cross connection(s) are to be constructed in its entirety or in a phasing plan approved by the Planning Commission.
 - d. A sidewalk internal to the site, connecting internal site and external neighborhood amenities shall be installed at the time of street construction and prior to occupancy.
 - e. Open space and features adjacent to the site's entire extent of perimeter public right of way shall be identified. Open space adjacent to the entire extent of any public right-of-way shall be a minimum of 20 feet in width and include light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space. An asphalt multi-use path of 8 feet in width is required if the open space is located on the west side of North Port Washington Road.
 - f. Entryway open space amenities include signage, landscaping, light fixture(s), utilities and utility accessories. These entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to private lands. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space.

- g. Building Placement and Composition shall comply with the City approved Ulao Creek Design Standards.
 - h. No commercial tenant space shall be less than 1,500 square feet.
- (5) Redevelopment of an existing building, where 50 percent or more of the existing building area is removed, shall be subject to the regulations in subsection (c) unless the city modifies the regulations in accordance with a conditional use process.
- (c) *Permitted, accessory and conditional uses.* Table 58-304-1, Uses in the Ulao Creek Neighborhood Commercial District, lists all the permitted and conditional uses.
- (d) *Lot size.* The minimum lot size shall have an area of not less than two (2) acres.
- (e) *Building size/floor area ratio.* The building(s) floor area ratio shall not exceed 25 percent.
- (f) *Building height.* The height of any structure shall not exceed 42 feet unless otherwise allowed in accordance with section 58-418.
- (g) *Minimum and maximum building setback.* All structures within the UCNC shall be set back from the ultimate road right-of-way as follows:
- (1) A minimum building front yard setback of 50 feet and a maximum of 75 feet when located on a highway,
 - (2) A minimum building front yard setback of 30 feet and a maximum of 50 feet when located on a local street.
- (h) *Minimum building offset.* No building or structure, hereafter erected, shall be placed closer than 20 feet to a side or rear lot line. If, however, adjacent properties are zone or used as a residential land use, no commercial building or structure shall be placed closer than 50 feet to the adjoining residential land use or zoning. The offset area adjacent to residential land uses or zoning shall include landscaping that screens operations associated with commercial use activities including, but not limited to, vehicular headlights, service door and operations and parking.
- (i) *Open space ratio.*
- The open space ratio shall not be less than 30 percent and include the following open space features:
- (1) Create large and contiguous areas that represent an integrated system that connects to features on adjacent sites and public amenities within the surround neighborhood.
 - (2) Distribute common, open space throughout the development to serve as connection from the streets and structures to areas of contiguous open space. Small or fragmented open space shall be minimized.
 - (3) Protection of site features.
 - (4) Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.

- (5) Maintain a perimeter, low-maintenance open space buffer with a minimum width of 20 feet along public streets, paved and unpaved paths.
- (6) Include outdoor plazas and hardscape features intended for informal use or gatherings of customers and employees.
- (j) *Lot width and lot length.* The minimum average lot width and minimum average lot length shall be 150 feet.
- (k) *Off-street parking.* In accordance with applicable regulation set forth in section 58-441 of this chapter.
- (l) *Minimum parking and driveway offset.* No driveway or parking area shall be located closer than 20 feet from a side or rear lot line unless specifically waived by the planning commission.
- (m) *Minimum parking setback.* No driveway (excluding the portion of driveway required for road access) or parking area shall be located closer than 30 feet to the ultimate road right-of-way and shall not project further into the front yard than the building(s).

Table 58-304-1
Uses in the East Growth Neighborhood Commercial District

Use	Neighborhood Commercial	Specific Development Standards
<i>Office and Clinic:</i>		
Office		
Medical clinics	P	
Optical and vision center	P	
Veterinary clinics or hospitals	C	Use shall comply with regulations as described in Division 11 and shall not include retail pet supplies. A 24 hour emergency operational plan and outdoor use and facility plan is subject to staff review and approval.
Financial institutions without drive-through		
Financial institutions with drive-through		

<i>Institutional and Public:</i>		
Public parks	P	Subject to Park and Open Space Commission and Common Council approval for acceptance of land and shall comply with the City's Policy Statement #14 Donation Policy.
Public administrative offices and services	P	
Religious institutions		
Public or private schools of 5,000 square feet or less	P	An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Public or private schools		
Private lodges and clubs of 5,000 square feet or less	P	Operations shall include open space components such as areas for private services, pools, dining, hardscape plazas and gardens, lodging is prohibited. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Private lodges and clubs		
Fine Arts School and studios of 2,000 square feet or less	P	May include studios for photography, painting, music, sculpture, and dance or similar related arts. The performance arts school shall not exceed 2,000 square feet
Community centers		
Libraries		
Museums		
Crematory services		

Mausoleums		
Cemeteries		
Public parking facilities, non-accessory		
<i>Residential:</i>		
Artist's live/work units	P	as described in 58-303
Residential uses, eight (8) units or less, if part of a mixed-use development		
Residential uses, nine (9) units to sixteen (16), if part of a mixed-use development		
Bed and breakfast		
Community Living arrangements for 8 or fewer persons		
Single-family residential cluster developments		
Age restrictive housing for persons of 55 years of age and older		
<i>Accessory Residential:</i>		
Residential quarters for the owner/proprietor		
Home Occupations		

Private outdoor recreational facilities without lights		
Private outdoor recreational facilities with lights		
<i>Retail and Services:</i>		
Art, hobby, game and educational supply stores, studios or galleries		
Interior design services		
Graphic design services		
Antiques, collectibles, gift or florists	P	as described in 58-303
Commercial use of a designated historic structure		
Stationary stores		
Bookstores, new		
Camera and photography supply store		
Computer and software store		
Electronic goods store		
Tobacco, cigar or nicotine product/e-cigarette store 2,000 square feet or less		
Music and musical instrument store including repairs		

Video stores		
Paint and wallpaper store		
Luggage and leather goods store		
Beauty and personal aid supply store		
Photocopying, film development, printing and publishing, packaging store of 4,000 square feet or less	P	
Dry cleaning and tailors	P	
Clothing and accessories including repairs		
Home furnishings and accessories of 4,000 square feet or less	P	
Sports and fitness centers including retail of 3,000 square feet or less	P	
Bicycle repair and sales	P	
Indoor recreation and amusement facilities		
Pet supplies, grooming and daycare		
Pet kennel		
Garden store		
Hardware store, 3,000 square feet or less, as part of	P	

a mixed use commercial building		
Child daycare facilities, preschools, learning centers, as part of a mixed use commercial building	P	An operational plan, including outdoor use and facilities, including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Specialty food stores	P	
Beer, wine and liquor stores, 3,000 square feet or less, as part of a mixed use commercial building	P	
Sports and fitness retail store greater than 3,000 square feet		
Gas stations		
Gas stations with car wash		
Convenience store, no greater than 1,500 square feet, without gas, as part of a mixed use commercial building	P	
Automobile service facilities including retail and repair		
Car dealerships		
Shopping centers		
Funeral homes		
Concert halls		

Theatres, live performances only		
Sexually oriented businesses		
Hotels		
Planned commercial development	PUD	
Grocery store of 25,000 square feet or less		An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Pharmacy, 5,000 square feet or less without drive through and as part of a mixed use commercial building Pharmacy, 5,000 square feet or less with a drive-through, and as part of a mixed use commercial building	P C	Masonry or compatible building materials shall be incorporated into any proposed drive-through facility and shall include a canopy. The drive-through service area and associated canopy shall be considered accessory and located to the rear of the building. The building, including the drive-through service canopy, shall incorporate the use of awnings, varied roof forms, roof lines and other elements to provide scale. The accessory structures, such as service or menu boards, signs, speakers shall be designed to complement the principal structure through the building materials and colors and other features. All speaker systems shall be operated at a low volume (maximum of 65 decibels) to not cause a nuisance for adjacent residential uses.
<i>Food and Beverage:</i>		
Catering services as part of a mixed use commercial building	P	
Confectionary store without drive through as part of a	P	

mixed use commercial building		
Bakeries, including retail sales without drive through as part of a mixed use commercial building	P	
Bakeries, including retail sales with drive through		
Coffee shop of 2,000 square feet of less without drive through as part of a mixed use commercial building	P	
Coffee shop of 2,000 square feet of less with drive through	C	Masonry or compatible building materials shall be incorporated into any proposed drive-through facility and shall include a canopy. The drive-through service area and associated canopy shall be considered accessory and located to the rear of the building. The building, including the drive-through service canopy, shall incorporate the use of awnings, varied roof forms, roof lines and other elements to provide scale. The accessory structures, such as service or menu boards, signs, speakers shall be designed to complement the principal structure through the building materials and colors and other features. All speaker systems shall be operated at a low volume (maximum of 65 decibels) to not cause a nuisance for adjacent residential uses.
Delicatessen without drive through as part of a mixed use commercial building	P	
Delicatessen with drive through		
Snack and non-alcoholic beverage bars without drive through as part of a mixed use commercial building	P	
Fast food restaurant without drive-through as part of a	P	As described in 58-303

mixed use commercial building		
Fast food restaurant with drive-through		
Sit-down restaurants as part of a mixed use commercial building	P	As described in 58-303
Nightclubs		
P = Permitted uses		
C = Conditional uses		

(k) *Park and Open Space Plan and Impact Fee.* A park and open space impact fee of \$X / lot is required for the development of open space, including a trail system, and shall comply with the City approved Ulao Creek Neighborhood Park and Open Space.

(l) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned and shall comply with the City Standard Specifications for Land Development, latest edition. The development agreement is subject to the approval of the City Planning Commission and Common Council.

(m) *Exceptions to the district requirements.* All district requirements shall be met unless a concept plan review application is submitted to the Planning Commission that includes the following:

1. Project concept plan meeting all district requirements.
2. Project concept plan detailing any requested exceptions to district requirements.
3. Project narrative addressing reason for exception, impact and effect of exception and the additional amenities proposed to mitigate the impact and effect of such exception.

The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the spirit and intent of this district always remains on the applicant.

The Planning Commission may approve exceptions to the district requirements upon finding that the use or development includes building or site amenities that address any adverse effects of the exception and where the Planning Commission finds that strict compliance to the requirements is impractical because of site conditions or location.

Further, Planning Commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding Planning Commission approval of the exception.



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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Ulao Creek Residential Cluster Zoning Standards (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Background

Staff conducted a review of the land use chart and technical standards for the Ulao Creek Residential Cluster zoning district to ensure consistency with the recent amendments to the other new zoning districts. Staff ensured all technical standards that apply across the neighborhood are now consistent.

Staff Recommendation

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the technical standards and use chart for the Ulao Creek Residential Cluster zoning district and forward to the Planning Commission for action.

Attachments:

UCResClusterFinalTechStandards01.2021 (DOCX)

- **Sec. 58-243. – Ulao Creek Residential Cluster (UCRC) district.**

(a) *Purpose.* The Ulao Creek Residential Cluster (UCRC) district is established to increase the supply of single-family, market-rate dwellings located within an area not served by public sewer and provide an environment of cluster developments with a density of $\frac{3}{4}$ acre per dwelling unit in an effort to preserve critical environmental features and enhance neighborhood amenities for the public benefit.

(b) *Definitions.*

(1) *Residential cluster development.* A residential cluster development is a unified single-family residential development in which not less than five single-family lots are grouped together in order to preserve common space and reduce infrastructure for the benefit of the residents of the development and surrounding neighborhood. Cluster developments allow flexibility in the location of lots and structures and the size of individual lots in order to encourage the efficient use of land and infrastructure.

(2) *Yield Lots.* Yield lots are the total number of lots based on gross area in which the property is located and permitted based on the minimum lot size and width. The number of yield lots are the equivalent number of lots allowed as a residential cluster development. The Department of Community Development shall validate the approved number of yield lots prior to filing for approval of a preliminary plat. Yield lot standards for the Ulao Creek Neighborhood: Port Washington Road shall be a minimum of $\frac{3}{4}$ acre lot size and 100 foot width. Yield lot standards for Ulao Creek Neighborhood: Oriole Lane shall be a minimum of 1-acre lot size and 150-foot width.

(c) *Permitted uses.*

- (1) Single-family detached dwellings located on a lot platted prior to December 1, 2020.
- (2) Residential cluster developments.
- (3) Animals and animal-related uses specified in division 11.
- (4) Community living arrangements for 8 or fewer persons in accordance with Wis. Stats. §62.23(7)(i).
- (5) Long-term rental of a structure described in subsection (d)(1-2).

(d) *Permitted accessory uses.* Permitted accessory uses as allowed in the R-4 zoning district. No accessory structure shall project further into the front or corner side yard than the principle structure. Chain link or 100% opaque fencing is prohibited. Fencing is prohibited in the front and corner side yard.

(e) *Conditional uses.*

- (1) Single-family residential developments created through a conventional subdivision design or a minor land division
- (2) Public and/or private utility, transmission and distribution lines, poles and other accessories.
- (3) Community living arrangements for nine or more persons in accordance with Wis. Stats. § 62.23(7)(i).
- (4) Additional attached non-income producing living accommodation with separate bath and kitchen facilities for relatives of the individual(s) residing in the primary dwelling.
- (5) Guesthouse subject to, among other things, living quarters being within a detached accessory building which is located on the same lot with the principal residential structure. Furthermore, the guesthouse is intended for use by temporary guests of the residents and shall have no kitchen facilities, and not be rented or otherwise used as a separate dwelling.

(f) *Yard Requirements.* The yard requirements shall be as follows in Table 58-243-1:

Table 58-243-1 Lot Dimension and Yard Requirements

Uses	Min. Lot Area	Min. Lot Width	Front Yard	Interior Side / Rear Yard	Corner Side	Lot Coverage	FAR
Single-Family (S.F.)	3/4 AC	150 ft	50 ft	20 ft	50 ft	20%	n/a
Residential Cluster Developments	30,000 sq. ft.	100 ft	30 ft	15 ft/ 20 ft	30 ft	20%	n/a
All Other Uses	1 AC	150 ft	50 ft	30 ft	50 ft	n/a	25%

(g) *Dwelling standards.* Single-family dwellings within the UC Neighborhood district shall have a minimum living area of 1800 square feet for a single-story and 2,100 for a multi-story.

(h) *Building height.* The height of any dwelling unit shall not exceed 42 feet. The height of any accessory structure shall not exceed 15 feet.

(i) *Specific design standards for residential cluster developments.* Any development designed as a cluster development shall be subject to the following standards.

(1) *Density*. All density shall be provided on the subject development site but may be in different phases of the development.

(2) *Concept plan*. The concept plan is required and subject to Planning Commission approval prior to or at the time of submitting the preliminary plat and shall specify the following features for protection and installation. A final, approved concept plan in accordance with Planning Commission action shall be maintained on file with the City. The plat shall be consistent with the concept plan.

- a. Primary conservation features including but not limited to wetlands, floodplains, drainage courses, steep slopes, specimen trees shall be identified and protected.
- b. Secondary conservation features including but not limited to woodlands, natural meadows, scenic features, passive and active recreational amenities or viewsheds shall be identified and protected.
- c. Location of lots and buildable area of each lot shall be shown.
- d. Street alignments and cross street connections are required. Roads shall be designed to ensure that adjacent parcels have adequate connection to maximize development. Connections shall be required even if the adjacent sites do not yet have streets. The approved alignment and cross connection(s) are to be constructed in each phase.
- e. A roadside sidewalk internal to the site shall be installed at the time of roadway construction, prior to final plat and shall be maintained by the homeowner or homeowner's association.
- f. Hard surface (asphalt, stone or other materials) bikeway/pedestrian paths connecting internal site and external neighborhood amenities, including connections to adjacent sites are required. Connections shall be required even if the adjacent sites do not yet have paths.
- g. Driveway locations shall be identified. Driveways shall be accessed from roadways that are classified as Local Streets, Land Access, as described in Resolution 607.
- h. Distinction of lots with front entry or side entry garage option(s) shall be identified. No less than 50% of residential buildings shall present a side loading garage, a courtyard garage entry or a 15-degree turned garage entry. Of the remaining 50% that is allowed to present a front loading garage, the following shall apply: 1) no more than two garage stalls shall present on the same linear plane, 2) all front loading garages shall contain architectural details consistent with the front elevation, 3) none of the front loading garages shall have a consistent setback to that of the habitable portion of the building and 4) no more than 30% of the front loading garages shall project further into the front yard than the habitable portion of the building. There shall be no more than three front-loading garage residential buildings in a row.
- i. Open space and features adjacent to the site's entire extent of perimeter public right of way shall be identified. Open space adjacent to the entire extent of any public right-of-way shall be a minimum of 20 feet in width and include light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space. An asphalt multi-use path of 8 feet in width is required if the open space is located on the west side of North Port Washington Road.

- j. Entryway open space amenities include signage, landscaping, light fixture(s), utilities and utility accessories. These entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to private lands. City approved and designated UC entryway light fixture(s) are required within this defined entryway and open space.
- k. Building Placement and Composition shall comply with the City approved Ulao Creek Design Standards.

(3) *Common open space plan.* An open space plan is required and subject to Planning Commission approval at the time of submitting the preliminary plat. A final, approved common open space plan in accordance with Planning Commission action shall be maintained on file with the City. The common open space plan shall:

- a. Maintain not less than 30 percent of total site area as common open space and create large and contiguous areas that represent an integrated system with no one dedicated common space being less than 5,000 square feet.
- b. Distribute common, open space throughout the development to serve as connection from the streets and groupings of lots to the large and contiguous open space. Small or fragmented open space shall be minimized.
- c. Protect site features.
- d. Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.
- e. Maintain a perimeter, low-maintenance open space buffer with a minimum width of 30 feet.
- f. Include passive recreational amenities and designated areas for active recreational amenities. Amenities include, but are not limited to, features such as gardens, trail systems leading to destinations, sport courts, gathering and seating areas, children's play equipment.
- g. Comply with applicable standards set forth in the City approved Ulao Creek Neighborhood Park and Open Space Plan.

(j) *Park and Open Space Impact Fee.* A park and open space impact fee of \$X / single-family residential lot is required for the development of open space, including a trail system, and other amenities as set forth in the within the City approved Ulao Creek Neighborhood Park and Open Space.

(l) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned and shall comply with the City Standard Specifications for Land Development, latest edition. The development agreement is subject to the approval of the City Planning Commission and Common Council.

(k) *Exceptions to the district requirements.* All district requirements shall be met unless a concept plan review application is submitted to the Planning Commission that includes the following:

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Further, Planning Commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding Planning Commission approval of the exception.



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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Land Use Plan and Zoning Map Amendment Zoning Standards for Ulao Creek (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

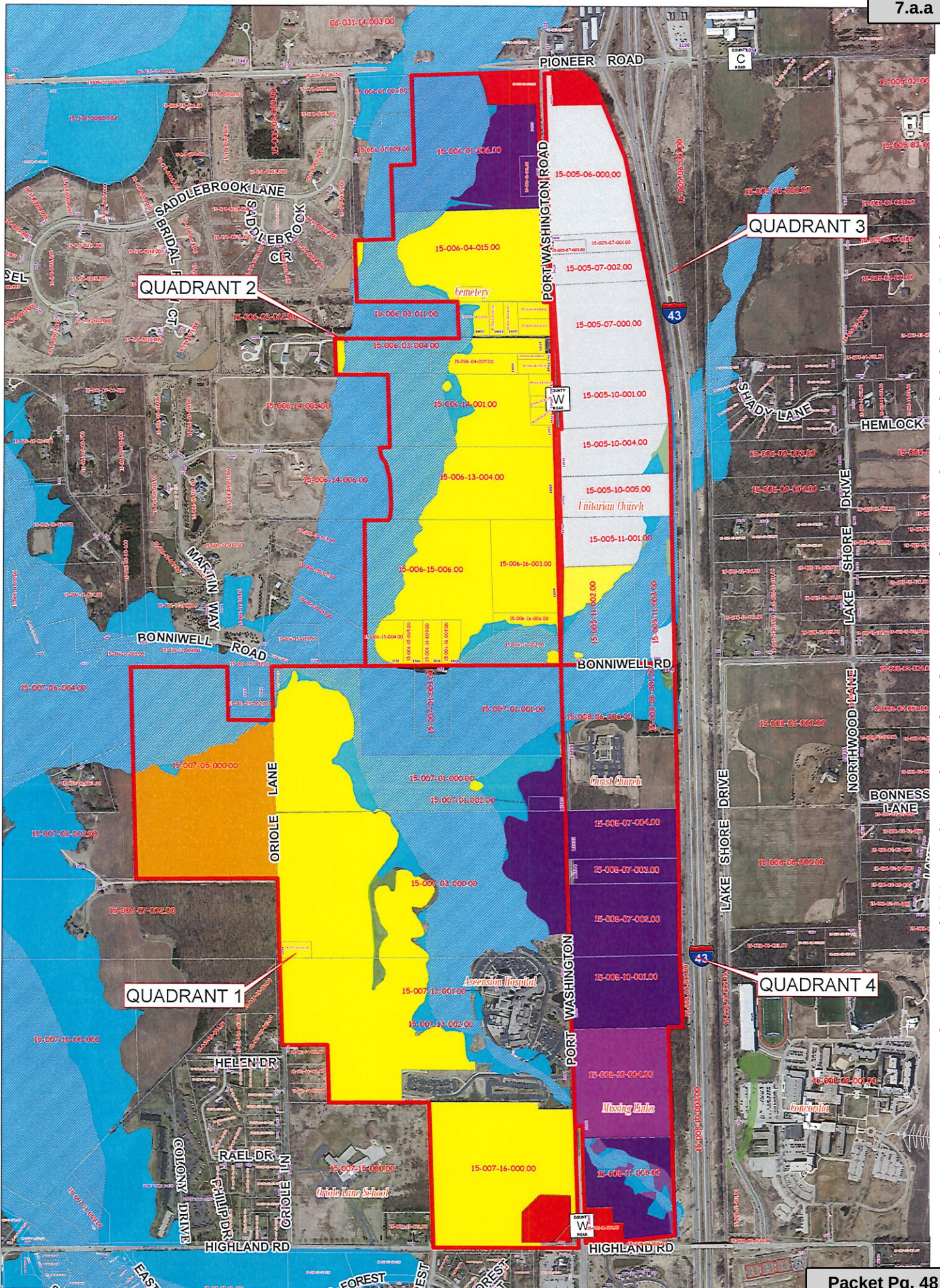
Background:

The new zoning district regulations must accompany an approved Land Use Plan Map amendment and an approved Zoning Map amendment. The attached map represents the parcels subject to a Land Use and Zoning Map amendment. As a reminder, staff notified and offered meetings to all property owners affected by these changes. In addition, property owners will be officially notified of the Planning Commission hearings as well as public hearings held by the Common Council.

Staff Recommendation:

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the associated map for documentation of the Land Use and Zoning Map changes for the Ulao Creek neighborhood and forward to the Planning Commission for action.

Attachments:
Map (PDF)



Attachment: Map (5826 : Land Use Plan and Zoning Map Amendment Zoning Standards for Ulao Creek)



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Office of Community Development

TO: Planning Commission
FROM: Kim Tollefson, Director of Community Development
DATE: January 11, 2021
SUBJECT: Outdoor Storage Permit Requirements

Background:

The Committee reviewed the draft outdoor storage standards for commercial uses at the December meeting and approved the following modifications, which are reflected in the attached provisions:

- Lot coverage standards were increased from 2.5% to 7.5%
- Screening is no longer required to include consistent building materials (including masonry).
- Screening shall remain within six (minimum) to eight (maximum) feet in height unless approved by the Planning Commission

Staff Recommendation:

Staff recommends the Planning Commission Policy Subcommittee recommend approval of the outdoor storage standards for the Ulao Creek neighborhood and forward to the Planning Commission for action.

Attachments:

UCNCFinalTechStandards01.2021 (DOCX)

Sec. 58-175. – Outdoor Storage.

Outdoor Storage. The purpose of the regulations and standards in this section is to provide consistent screening and surfacing standards for outdoor storage in the Ulao Creek zoning districts.

A. *Applicability.* Any outdoor storage for the keeping of any goods, products, materials, equipment, vehicles or debris is subject to the standards below and an Outdoor Storage permit.

B. *Permit.* Outdoor storage is subject to an approved Outdoor Storage Permit by the Department of Community Development.

C. General Requirements.

1. No outdoor storage shall be located in the required setbacks, offsets or located closer to public streets than the principle structures on the property. No outdoor storage is permitted on a vacant property.

2. Outdoor storage and associated structural screening shall not exceed eight (8) feet in height. The associated structural screening shall not be less than 6 feet in height. The Planning Commission may approve exceptions to the height requirements upon finding strict compliance is impractical because of site conditions or location.

3. Outdoor storage shall not exceed 7.5% of the total site lot coverage or minimum lot size per the zoning district standards, whichever is less.

4. A combination of structural and landscaping screening is required for outdoor storage. Structural screening shall be architecturally consistent with the colors and design of the principle structure. Landscape screening shall be consistent with the formal landscaping plan of the entire site, shall provide year-round density and shall soften the aesthetic of the structural screening. Signage hung or attached to the screening is prohibited.

5. Chain link fencing is prohibited.

D. Screening. Screening of outdoor storage is required from any of the following:

1. Public street or freeway;
2. Publicly accessible open space area, path, parking area, access driveway, or other similar thoroughfare;
3. Any institutional, public, quasi-public or commercial use, developed or undeveloped, where there is public access or view to areas adjoining the outdoor storage.
4. Existing or area zoned for residential.

E. *Surfacing.* Outdoor storage areas shall be graded and drain all surface water within the area to a public storm drain. Outdoor storage areas may be surfaced with partially permeable materials, if adequate drainage and erosion and dust control are provided.

F. *Lighting.* Any lighting used to illuminate an outdoor storage area shall be directed and shielded as to not illuminate any area other than the outdoor storage area and is subject to 58-567 – Outdoor lighting installation.