

# Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: REPEAL AND RECREATE CHAPTER 475 OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE, ALSO REFERRED TO AS THE ZONING CODE AND MAP

Date: 14 August 2020

In 2018, the Village of Allouez contracted with Duncan and Codametrics to assist in rewriting the Village Zoning Code. This project followed years of research and discussion of how to address the existing outdated code. The current zoning code was written in 1972, when the village was growing in a different way; developing new commercial nodes and subdivisions on farm fields and wooded lots. Today, development and growth is primarily infill; taking place near established neighborhoods or along built commercial corridors. The intent is that a new zoning code would align with the goals identified in our Comprehensive Plan and streamline development, while protecting the character and charm of Allouez.

The public had multiple opportunities to be involved and provide needed input over the past two years. We plan to formally repeal the existing code and adopt the new code at the August 18<sup>th</sup> Village Board meeting. There will one more opportunity for public input before then.

The Plan Commission received an electronic copy of the Public Hearing Draft in June, with the changes incorporated from the Plan Commission presentation and open house earlier this year. Primary changes from the existing code include:

- Ordinance Structure – improving overall organization and format, as well as including tables and graphics for easier use.
- Zoning Districts – created all new names for the zoning districts and added options for mixed-use, public/civic uses, and small residential lots. Also created an all new zoning map.
- Uses – modernized use classifications and ensured compliance with new conditional use legislation.
- Parking and Transportation – adjusted parking ratios to market trends (primarily fewer than before), update parking dimensional standards, adopting bicycle parking standards, requiring better pedestrian connections, and setting standard minimums for new streets. Also included a primary street map.
- Administration and Procedures – increase reliance on objective standards, reorganize and streamline processes (including ability for staff review only on smaller projects), removing the PDD process and replacing with appropriate regulatory relief and customization tools (allow minor exceptions by staff or major ones to be approved by Plan Commission and Village Board), provided a flow chart for procedures, added neighborhood meeting requirements to the code, and addressed existing nonconformities and the update of nonconformity provisions.
- Sustainability – promote sustainable development practices (e.g. encouraging green roofs, renewable energy, community gardens, and comprehensive landscape requirements).
- Housing – allowing a broader range of housing types, including backyard cottages/ADUs (accessory dwelling units) through a conditional use permit.
- Signs – added graphics and tables, but retained much of the existing sign regulations with the exception of needed changes to match Reed v. Town of Gilbert SCOTUS ruling.
- Design requirements – added a clear and comprehensive table and section on design requirements for new and remodeled buildings.

The changes above reflect several years of discussion at public and meetings, as well as the goals identified in the Comprehensive Plan and other village planning documents. Staff recommends approval of the new zoning code for these reasons.

The Plan Commission recommended approval and adoption of the new zoning code at the July 27, 2020 meeting, with the attached amendment.

**The Village Board is asked to review the proposed new zoning code and to repeal and recreate Chapter 475 of the Village of Allouez Municipal Code, also referred to as the Zoning Code and Map.**

## Amendment to Public Hearing Draft from Plan Commission July 27, 2020

Replace Section 475-26.E(3) with the following: **Temporary Mobile Storage Units.** See 475-78.H.

Replace Section 475-78.H with the following: **Mobile Storage Units and Construction Dumpsters.** Temporary mobile storage units and construction dumpsters are permitted as a temporary accessory use, subject to issuance of a permit from the village and compliance with the following supplemental regulations:

- (1) Temporary mobile storage units and construction dumpsters are permitted for a period not to exceed a total of 30 days within any calendar year unless a valid building or construction permit is in place for the subject property, in which case the temporary mobile storage unit or dumpster may remain in place for a maximum of 90 days or until the permit expires, whichever occurs first. If a principal building on the subject lot has been damaged by natural disaster act of God, the planning and zoning administrator is authorized to grant time extensions of otherwise applicable time limits.
- (2) No more than one temporary mobile storage unit or construction dumpster may be located on any R-zoned lot. A maximum combined total of 3 temporary mobile storage units or construction dumpsters may be located on other (non-R-zoned) lots.
- (3) Temporary mobile storage units or construction dumpsters in R districts may not exceed 16 feet in length, 8 feet in width, and 8.5 feet in height. Temporary mobile storage units or construction dumpsters in non-R districts may not exceed 20 feet in length, 8 feet in width, and 8.5 feet in height.
- (4) All temporary mobile storage units and construction dumpsters must be set back at least 5 feet from all property lines.
- (5) Temporary mobile storage units and construction dumpsters must be placed on an existing all-weather surface unless no such surface exists on the subject lot. Storage units and dumpsters are prohibited within landscape areas, open spaces, stormwater basins, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and development.
- (6) No materials may be stacked or stored on the exterior of the mobile storage unit or construction dumpster.
- (7) Shipping containers may be not used as mobile storage units, dumpsters, or principal or accessory structures in R districts.