

Call to Order and Roll Call

Approval of Minutes from March 22, 2012

Oath of Office

1. City Plan Commission Resolution to Amend the Comprehensive Plan for the City of Kenosha: 2035, regarding the FEMA Flood Insurance Rate Maps. PUBLIC HEARING
2. By the Mayor - To Rezone various properties located in the City of Kenosha in accordance with the Federal Emergency Management Agency Flood Insurance Rate Maps with an effective date of June 19, 2012. PUBLIC HEARING
3. By the City Plan Commission - To Create Subsection 18.02 q. of the Zoning Ordinance to adopt the revised FEMA Flood Insurance Rate Maps. PUBLIC HEARING
4. By the Mayor - To Create, Repeal and Recreate various sections of the Zoning Ordinance Regarding Floodplains for the City of Kenosha to conform with FEMA and DNR regulations. PUBLIC HEARING
5. Petition to Rezone properties at 5031 and 5035 28th Avenue from M-2 Heavy Manufacturing District to RG-1 General Residential District in conformance with Section 10.02 of the Zoning Ordinance. (Evans/Chairez) (District #7) PUBLIC HEARING
6. City Plan Commission Resolution to Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035, regarding property at 720 59th Place. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING
7. Petition to Rezone property at 720 59th Place from IP Institutional Park District to B-4 Mixed-Use District in conformance with Section 10.05 of the Zoning Ordinance. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING
8. By the Mayor - To Create Subsection 18.02 r. of the Zoning Ordinance to amend the Land Use Map for the City of Kenosha: 2035. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING
9. City Plan Commission Resolution to Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035, regarding property at 6325 120th Avenue. (The Landri Hub, LLC) (District #16) PUBLIC HEARING
10. Petition to Rezone a portion of the property at 6325 120th Avenue from C-1 Upland Resource Conservancy District to B-2 Community Business District and a portion of the property from B-2 Community Business District to C-1 Upland Resource Conservancy District in conformance with Section 10.05 of the Zoning Ordinance. (The Landri Hub, LLC) (District #16) PUBLIC HEARING
11. By the Mayor - To Create Subsection 18.02 s. of the Zoning Ordinance to amend the Land Use Map for the City of Kenosha: 2035. (The Landri Hub, LLC) (District #16) PUBLIC HEARING
12. Conditional Use Permit for a contractor's storage yard to be located at 9009 58th Place. (Pieper Electric) (District #16) PUBLIC HEARING
13. By Alderperson Jesse Downing - To Create Paragraph 3.19 A.25 of the Zoning Ordinance of the City of Kenosha Regarding Medical Transportation Offices and to Repeal and Recreate Paragraphs 3.19 B.2 and 3.19 B.7.e. PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

CITY PLAN COMMISSION

Minutes

March 22, 2012

MEMBERS PRESENT: Mayor Bosman, Alderman Michalski, Anita Faraone, Art Landry, Anderson Lattimore, Jessica Olson, Ron Stevens

MEMBERS EXCUSED: Alderman Downing, Alderman Kennedy, Robert Hayden

STAFF PRESENT: Jeffrey B. Labahn, Rich Schroeder

The meeting was called to order at 5:00 p.m. by Mayor Bosman and roll call was taken.

A motion to approve the minutes from March 8, 2012 was made by Mr. Stevens and seconded by Mr. Lattimore. The motion passed. (Ayes 6; Noes 0).

**1. Conditional Use Permit for an off-premises sign to be located at 2920 Roosevelt Road. (Adams Outdoor) (District #8 - formerly District #12)
PUBLIC HEARING**

Public hearing opened.

Jason Saari, Real Estate Manager for Adams Sign, 122 Lori Lane, Cottage Grove, was available for questions. Mr. Saari agrees with Staff comments, except for Item #6, he will comment at that time.

Public hearing closed.

Rich Schroeder, Interim Deputy Director, explained that as a result of the New Off-Premises Sign Ordinance, the review of a sign application is done through one of the following four categories: 1) Staff level Site Plan Review; 2) Conditional Use Permit for a digital sign; 3) Conditional Use Permit for signs that don't meet certain criteria; and 4) Some signs only require a sign permit. Also, the City has a cap on the number of signs within the City. An applicant would need to do a one for one exchange of signs - removing one sign face before a new sign face is approved..

Ms. Faraone arrived.

This application is for 2 new sign faces at this location, while 2 faces must be removed elsewhere in the City. The application requires a Conditional Use Permit because they would like that sign at 45 feet high instead of the 35 feet required by Ordinance.

Mayor Bosman asked if Staff knows which sign they are removing to install this sign.

Jeffrey B. Labahn, Interim Director, said a list of signs to be removed was included in the Settlement Agreement. Mr. Schroeder added that Adams must notify Staff exactly which sign and remove it before they install a new one.

A motion was made by Alderman Michalski and seconded by Ms. Olson to approve.

The motion passed. (Ayes 7; Noes 0)

Conditions of Approval
Adams Outdoor Sign at 2920 Roosevelt Road

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The two (2) existing sign faces in the City of Kenosha shall be removed prior to the issuance of permits for the two (2) new sign faces.
 - b. A structural report shall be submitted indicating the existing pole can support the additional sign faces.

2. Conditional Use Permit for an off-premises sign to be located at 3906 30th Avenue. (Adams Outdoor) (District #10 - formerly District #10) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Schroeder said this application is for 4 new sign faces. The application requires a Conditional Use Permit because the new sign faces would be approximately 48 feet at the closest point, instead of the required 150 feet from a residential district. Also, the application is to have the sign at 30 feet and Staff would like this lowered to 20 feet.

A motion was made by Mr. Stevens and seconded by Mr. Landry to approve with Staff

recommendation. The motion passed. (Ayes 7; Noes 0)

Conditions of Approval
Adams Outdoor Sign at 3906 30th Avenue

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The height of the sign shall be lowered to a maximum of twenty (20') feet or a height determined by the Review Authority.
 - b. Provide the City Assessor's office a detailed breakdown of the cost to install the proposed structure.
 - c. The plans shall show that the concrete block to be used around the landscaped planter are decorative concrete blocks.
 - d. Four (4) existing sign faces in the City of Kenosha shall be removed prior to the issuance of permits for the four (4) new sign faces.
 - e. The existing grades show the lot does not drain. Provide a drainage plan for this lot taking into consideration the raised planting bed around the sign.

3. Conditional Use Permit for an off-premises sign to be located at 2429 60th

Street. (Adams Outdoor) (District #3 - formerly District #7) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Schroeder said this application is for 1 sign face to be installed where 1 was previously removed. The application requires a Conditional Use Permit because the new sign faces would be approximately 116 feet at the closest point, instead of the required 150 feet from a residential district.

A motion was made by Ms. Faraone and seconded by Alderman Michalski to approve with Staff recommendation. The motion passed. (Ayes 7; Noes 0)

Conditions of Approval
Adams Outdoor Sign at 2429 60th Street

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. Provide the City Assessor's office a detailed breakdown of the cost to install the proposed structure.
 - b. The plans shall show that the concrete block to be used around the landscaped planter are decorative concrete blocks.

- c. One existing sign face in the City of Kenosha shall be removed prior to the issuance of permits for the one (1) new sign face.
- d. The site does not drain. Provide a Drainage Plan for this lot taking into consideration the raised planting bed around the sign.

**4. Conditional Use Permit for an off-premises sign to be located at 8016 - 8020 75th Street. (Adams Outdoor) (District #16 - formerly District #17)
PUBLIC HEARING**

Public hearing opened, no comments, public hearing closed.

Mr. Schroeder said this application is for 2 sign faces to be installed and 2 sign faces will need to be removed elsewhere in the City. The application requires a Conditional Use Permit because the new sign faces would be approximately 115 feet at the closest point, instead of the required 150 feet from a residential district. Also, the height of the sign is 61 feet, but the Ordinance allows up to 35 feet over the highest point of road grade of the adjacent State highway. Since this is by an overpass, the applicant must provide additional survey information to confirm the sign will comply with the 35 foot requirement.

A motion was made by Ms. Faraone and seconded by Mr. Landry to approve. The motion passed. (Ayes 7; Noes 0)

Conditions of Approval
Adams Outdoor Sign at 8016-8020 75th Street

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.

- f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The properties shall be combined prior to the issuance of any permits.
 - b. Provide the City Assessor's office a detailed breakdown of the cost to install the proposed structure. Also, provide a copy of the Lease Agreement between the applicant and the property owner. A letter is needed from the property owner authorizing the Conditional Use Permit application.
 - c. The plans shall show that the concrete block to be used around the landscaped planter are decorative concrete blocks.
 - d. Two (2) existing sign faces in the City of Kenosha shall be removed prior to the issuance of permits for the two (2) new sign faces.
 - e. Some of the backup information in the application indicates the sign faces will be two (2) side by side twelve foot by twenty-four foot (12' x 24') signs with an extension for a fourteen foot by forty-eight foot (14' x 48') sign. Other parts of the application backup information indicate this approval is for one (1) 14' x 48' sign face per side. Please amend the backup information to indicate this approval is for one (1) 14' x 48' sign face per side.
 - f. Provide a Topographical Plan that shows the top of the proposed sign structure is no more than thirty-five (35') feet higher than the road grade of STH 50.
 - g. The Survey/Site Plan shows a "V" shaped sign with the support pole to the side of the structure. The Building Plans indicate a back-to-back sign structure with the support pole in the center of the structure. Please revise
 - h. Provide a Drainage Plan for this lot taking into consideration the raised planting bed around the sign.

**5. Conditional Use Permit for an off-premises sign to be located at 7010 Sheridan Road. (Adams Outdoor) (District #3 - formerly District #3)
PUBLIC HEARING**

Public hearing opened, no comments, public hearing closed.

Mr. Schroeder said this application is for 2 sign faces, both 672 s.f. to be installed where 4 sign faces, 300 s.f. each, will be removed. Adams will earn 2 sign face credits with this change. The application requires a Conditional Use Permit because the new sign faces would be approximately 85 feet at the closest point, instead of the required 150 feet from a residential district. and from St. Mark's Church and school.

A motion was made by Ms. Faraone and seconded by Mr. Landry to approve with Staff recommendation.

Alderman Michalski said this is within his district and he doesn't have any objection.

The motion passed. (Ayes 7; Noes 0)

Conditions of Approval
Adams Outdoor Sign at 7010 Sheridan Road

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The plans shall show that the concrete block to be used around the landscaped planter are decorative concrete blocks.

6. Conditional Use Permit for an off-premises sign to be located at 3312 52nd Street. (Adams Outdoor) (District #7 - formerly District #10) PUBLIC HEARING

Public hearing opened.

Mr. Saari said he has discussed the application with the new and former Aldermen of the district, with no objections. The proposed height of the new sign is 45 feet, but the Ordinance allows up to 35 feet. The applicant would like it higher to avoid obstruction of the existing on-premise signs. The existing sign is at 45 feet tall. Since four new sign faces will be taken down and only 2 installed, Adams will earn 2 sign face credits.

Public hearing closed.

Alderman Michalski asked the applicant if he talked to Alderman Kennedy. Mr. Saari said he did and he had no objections.

Public hearing closed.

Mr. Schroeder said this application is for 2 sign faces, both 672 s.f. to be installed where 4 sign faces, 300 s.f. each, will be removed. Adams will earn 2 sign face credits with this change. The application requires a Conditional Use Permit because the new sign faces would be approximately 23 feet at the closest point, instead of the required 150 feet from a residential district. Also, the proposed height is 45 feet, instead of the 35 feet allowed by Ordinance. If the Commission wants to require less than the 45 feet, they must add a Condition of Approval.

Ms. Olson asked why Staff recommends the 35 feet. Mr. Schroeder said that is what the Ordinance requires and Staff does not see the need for the additional height. The applicant claims the sign is blocked by on-premise signs. Mr. Saari added that they want the height to remain the same as it is currently, they would just expand the sign horizontally instead of vertically. Ms. Olson said she supports the sign at a lower height.

A motion was made by Ms. Faraone and seconded by Ms. Olson to approve the sign and 35 feet instead of the requested 45 feet. The motion passed. (Ayes 6; Noes 1) Stevens voted no.

Mr. Schroeder said Staff will add the Condition that the height be reduced to 35 feet.

A motion was made by Alderman Michalski and seconded by Mr. Lattimore to approve as recommended.

Mr. Stevens asked Mr. Saari if this changes their decision to construct the sign. Mr. Saari said no, there is some obstruction at 35 feet, so we wanted to ask if it could be raised. We will ask the Council to review this. Mr. Stevens asked if the current sign is obstructed. Mr. Saari said the upper sign is great, but the lower sign is not desirable.

The motion passed. (Ayes 7; Noes 0)

Conditions of Approval - Revised
Adams Outdoor Sign at 3312 52nd Street

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
 - b. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.

- c. Prior to the issuance of any permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - d. Compliance with City and State and/or Federal Codes and Ordinances.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The plans shall show that the concrete block to be used around the landscaped planter are decorative concrete blocks.
 - b. The sign height shall be lowered to thirty-five (35') feet.

7. Request to amend the Conditional Use Permit for property at 6300 67th Street. (Parkside Manor) (District #16 - formerly District #17) PUBLIC HEARING

Mr. Labahn said this request was sent to the City Plan Commission for their review by the Public Safety & Welfare Committee. The owner of the Assisted Living Facility is concerned about the traffic for the north utilizing the cross-access driveway. They would like to barricade that access to the north.

A motion was made by Ms. Faraone and seconded by Alderman Michalski to approve.

Alderman Michalski asked if Police or Fire had any objections. Mr. Labahn said they had no problems. Mr. Schroeder said Fire will dictate the type of the gate to be used.

Mr. Landry said when this project first started, there was concern about the Elementary School in the area and the retention basin. Have there been any problems? Mr. Labahn said no.

The motion passed. (Ayes 7; Noes 0)

Amended - Conditions of Approval
Parkside Manor at 6300 67th Street

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. Condition #18 of the Conditional Use Permit dated June 12, 2008 is Amended to read "*Cross-access shall be provided to the property to the west. The cross-access to the north may be obstructed with gate as approved by Staff and Fire Department.*"

b. All other Conditions of the June 12, 2008 approval shall remain in full force and effect.

Public Comments

No public comments.

Commissioner Comments

Ms. Faraone asked if the campaign signs are regulated in any way. Mr. Labahn said no, they are exempt under the sign ordinance, as long as they are not in the vision clearance area.

Staff Comments

A motion to adjourn was made by Alderman Michalski and seconded by Ms. Olson. The motion passed unanimously (Ayes 7; Noes 0). The meeting adjourned at 5:45 p.m.

Certification that the minutes have been approved by the City Plan Commission.

Jeffrey B. Labahn, Interim Director of Community Development & Inspections

Minutes Prepared by: Kay Schueffner, Department of Community Development & Inspections

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 1
City Plan Commission Resolution to Amend the Comprehensive Plan for the City of Kenosha: 2035, regarding the FEMA Flood Insurance Rate Maps. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: City-Wide

NOTIFICATIONS/PROCEDURES:

This City Plan Commission Resolution recommends the Common Council approve the Amendment through a Zoning Ordinance Amendment.

ANALYSIS:

- Wisconsin Statutes require the City Plan Commission to adopt a City Plan Commission Resolution to recommend that the Common Council adopt amendments to the Comprehensive Plan.
- The attached Resolution satisfies this requirement and will be attached to the Zoning Ordinance to create Subsection 18.02 q. to Amend the *Comprehensive Plan for the City of Kenosha: 2035*.
- With the adoption of this Resolution and the amending of the Comprehensive Plan, the revised Federal Emergency Management Agency Flood Insurance Rate Maps (FEMA FIRM's) will be referenced, and the City may amend its Zoning Maps to reflect the new maps.

RECOMMENDATION:

A recommendation is made to approve the City Plan Commission Resolution amending the Comprehensive Plan.



 Brian R. Wilke, Development Coordinator



 Jeffrey B. Labahn, Interim Director

CITY PLAN COMMISSION RESOLUTION # ____-12

By: City Plan Commission

***To Amend the Comprehensive Plan for the City of Kenosha: 2035
Revised FEMA Flood Insurance Rate Maps***

WHEREAS, the City of Kenosha, pursuant to Section 62.23 of the Wisconsin Statutes, has established the City Plan Commission; and

WHEREAS, the Common Council adopted "A Comprehensive Plan for the City of Kenosha: 2035" on April 19, 2010, following extensive public participation; and

WHEREAS, the City Plan Commission finds that the Comprehensive Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the Wisconsin Statutes and the Comprehensive Plan, with the proposed amendment, is internally consistent; and

WHEREAS, the Federal Emergency Management Agency has requested that the City adopt its revised Flood Insurance Rate Maps with an effective date of June 19, 2012; and

WHEREAS, the City has duly noticed and will hold a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 66.1001(4)(b), the City Plan Commission for the City of Kenosha, Wisconsin, hereby approves the amendment to "A Comprehensive Plan for the City of Kenosha: 2035".

BE IT FURTHER RESOLVED, that the City Plan Commission, for the City of Kenosha, Wisconsin, does hereby recommend that the Common Council enact a Zoning Ordinance adopting the Comprehensive Plan Amendment.

Adopted this ____ day of _____, 2012

ATTEST:

Jeffrey B. Labahn, Secretary of City Plan Commission

APPROVE:

Mayor Keith Bosman, Chairman of City Plan Commission

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 2
By the Mayor - To rezone various properties located in the City of Kenosha in accordance with the Federal Emergency Management Agency Flood Insurance Rate Maps with an effective date of June 19, 2012. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: City-Wide

NOTIFICATIONS/PROCEDURES:

The properties are located City-Wide. The Common Council is the final review authority. Owners who have property which will be placed within a floodplain, removed from a floodplain or remain in a floodplain have been notified. FEMA has also published the required Federal notices.

ANALYSIS:

- The City's current Flood Insurance Rate Maps (FIRM) are dated December 5, 1996.
- As part of the National Flood Insurance Program, FEMA reevaluates and updates the FIRM on a county-wide and state-wide basis.
- FEMA has prepared new FIRM for Kenosha with an effective date of June 19, 2012.
- For the majority of the properties located in the City, there is no impact. However, some parcels will be impacted as follows:
 - The property is currently in a floodplain, under the new maps the property will be removed from the floodplain.
 - The property is currently in a floodplain, under the new maps the property will remain in a floodplain.
 - The property is currently not in a floodplain, but under the new maps the property will now be in a floodplain.
- Owners of a property which is in one of the three (3) categories have been notified by the City of the change. FEMA previously published notices of these changes.
- Properties that are impacted by the new FIRM will be zoned into the appropriate floodplain designation of either Floodplain Fringe Overlay (FFO), Floodway (FW) or General Floodplain District (GFP). This is based in the zone designation on the FIRM.
- City Staff believes some of the information used by FEMA in preparing the maps may not represent current conditions. As a result, the City will be working with property owners in submitting additional information to FEMA to pursue possible map revisions. Any revisions or amendments to the FEMA maps must occur after the City adopts the maps as prepared by FEMA.

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 2
By the Mayor - To rezone various properties located in the City of Kenosha in accordance with the Federal Emergency Management Agency Flood Insurance Rate Maps with an effective date of June 19, 2012. PUBLIC HEARING			

FEMA - Flood Map Modernization - Questions:

- **Why are there new Flood Insurance Rate Maps (FIRM)?**
 - A. The current FIRM are from December 5, 1996. As a part of the National Flood Insurance Program, (NFIP) FEMA reevaluates and updates the FIRM on a county-wide and state-wide basis. The new maps will be effective June 19, 2012.
- **Why is the City adopting thees new FIRM?**
 - A. The City is required by State Statute 87.30 and WI Administrative Code NR 116 to adopt floodplain regulations, which include the FEMA maps.
- **What happens if the City does not adopt the maps and/or Ordinance changes?**
 - A. First the City would be in violation of State Statutes and the DNR will require the City to enforce the floodplain regulations.

The City would be suspended from participation in the National Flood Insurance Program. This means when existing Federal flood policies expire, they cannot be renewed. The City would not be eligible for disaster funds or hazard mitigation funds. Transfer of real estate within a flood zone maybe difficult. Other Federal funds such as CDBG could be impacted.

- **Can the Maps be changed?**
 - A. The maps must be adopted as prepared by FEMA. After adoption, any amendments or revisions can be made to the maps. FEMA requires certain information for changes which requires approval by the DNR and FEMA.

RECOMMENDATION:

A recommendation is made to approve the rezonings based on the new FIRM with an effective date of June 19, 2012.



Rich Schroeder, Interim Deputy Director



Jeffrey B. Labahn, Interim Director

REZONING ORDINANCE NO. _____

BY: THE MAYOR

Zoning: TO REZONE VARIOUS PROPERTIES LOCATED IN THE CITY OF KENOSHA IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS WITH AN EFFECTIVE DATE OF JUNE 19, 2012.

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: That the properties located in the City of Kenosha which are in a flood hazard area as shown on Flood Insurance Rate Map Panels: 55059C0088D, 55059C0089D, 55059C0177D, 55059C0178D, 55059C0179D, 55059C0181D, 55059C0182D, 55059C0183D, 55059C0184D, 55059C0192D, 55059C0201D, 55059C0202D, 55059C0204D, 55059C0208D, 55059C0211D, 55059C0212D, and 55059C0216D on file in the Department of City Development and Inspections with an effective date of June 19, 2012, are hereby zoned and districted into the appropriate Floodway District (FW), Floodplain Fringe Overlay District (FFO), or General Floodplain District (GFP).

Section Two: This Ordinance shall become effective upon passage, publication and approval by the Wisconsin Department of Natural Resources and Federal Emergency Management Agency.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor Date: _____

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney



Frequently Asked Questions **Flood Map Modernization**

<http://www.fema.gov/plan/prevent/fhm/index.shtm>

Q: What is Flood Map Modernization?

A: Flood Map Modernization (Map Mod) is FEMA's approach to updating the Nation's flood hazard maps. Map Mod transforms flood maps into a more reliable, easy-to-use, and readily available digital product. As a result of Map Mod, communities across the country can more easily obtain flood risk information to help make sound construction and mitigation decisions.

Q: Why do flood maps need to be updated?

A: Reliable information about flood risks is the first step in preventing and reducing losses. Today, over two-thirds of the Nation's flood maps are more than 10 years old, and therefore may not portray the true flood risks. Up-to-date flood hazard data and maps support an actuarially sound flood insurance system, enable wise floodplain management, and increase the Nation's flood hazard awareness.

Q: Who benefits from Flood Map Modernization?

A: Everyone. An estimated 30 million Americans are at high risk from flooding, and almost every community is at some degree of risk from flooding. Community planners, local officials, builders, and developers use flood maps to make important determinations about where and how new structures and developments should be built. Insurance agents and lenders use flood maps to identify a property's flood zone and offer the proper protection. Home and business owners can use flood maps to be better informed about their current flood risk and make more sound financial decisions about protecting their property.

Q: How is Flood Map Modernization funded?

A: Congress appropriated funding to update flood maps across the entire country. FEMA maintains a five-year planning horizon for Map Modernization. It is anticipated that during the five-year period from Fiscal Years (FY) 2004 to 2008, Congress will appropriate \$200 million per year. In some areas, State and local governments are participating in the funding as well.

Q: Who determines what communities get mapped first?

A: FEMA's Multi-Year Flood Hazard Identification Plan (MHIP) takes into account factors such as flood risk and anticipated funding, and provides a five-year schedule and county-level budget for updating digital flood hazard data and maps. The MHIP utilizes input from States, FEMA Regional Annual Business Plans, and continual feedback from stakeholders. FEMA plans to update the MHIP twice a year and encourages feedback from mapping stakeholders. For more details, go to http://www.fema.gov/plan/prevent/fhm/mh_main.shtm.



FEMA

Q: Do map changes mean more property owners will have to buy flood insurance?

A: Utilizing the latest mapping technology and improved modeling, the new flood hazard maps, known as Digital Flood Insurance Rate Maps (DFIRMs), will show the current flood risks. As a result, some buildings will be mapped into a higher risk zone; others will be mapped into a lower risk zone; and still others will have no change in zone, but their Base Flood Elevation (BFE) may change. The percentage of structures affected and type of change will vary by community.

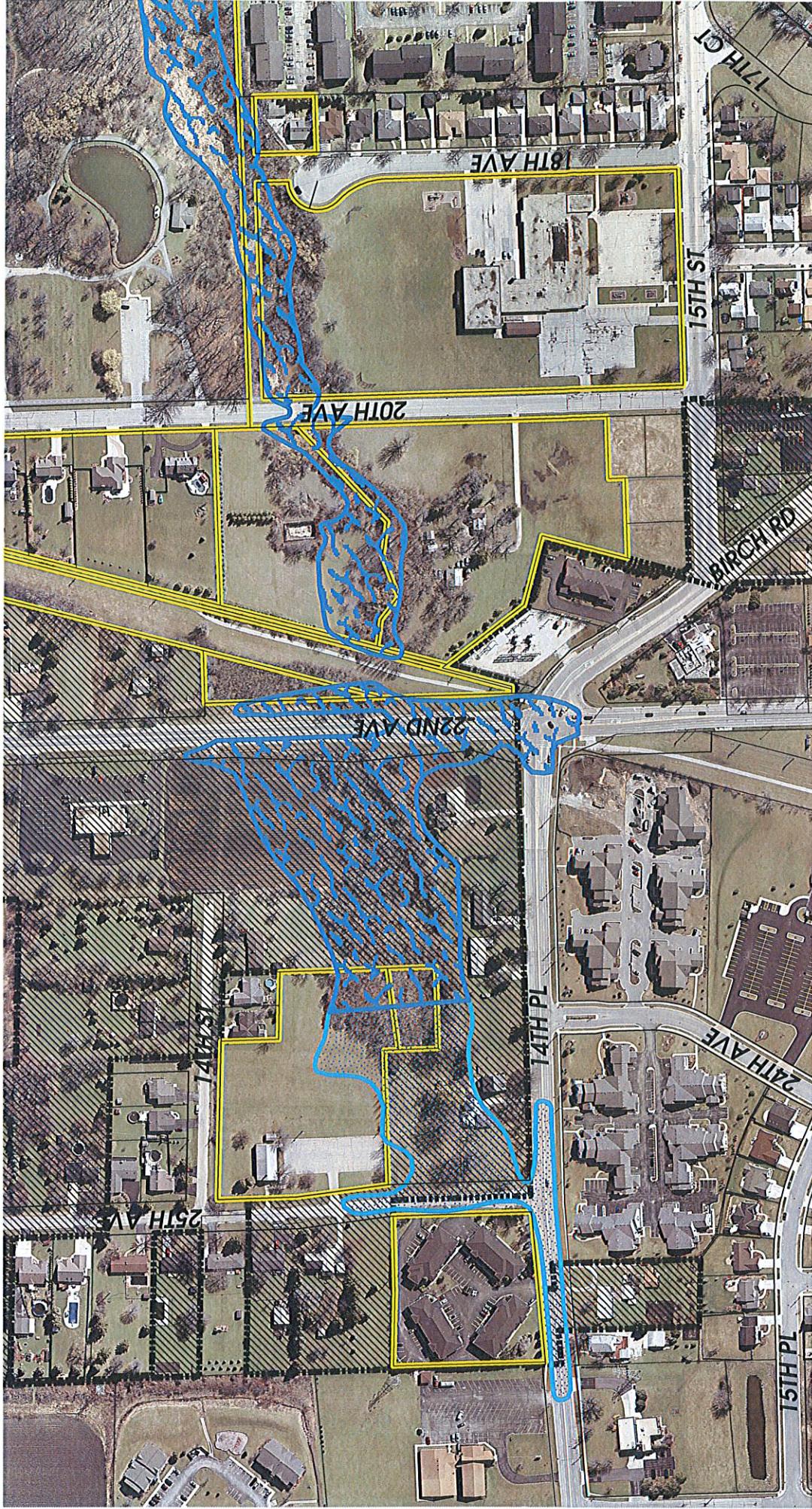
When buildings are mapped from a low- or moderate-risk zone to a higher-risk zone, most property owners with a mortgage will be required to purchase flood insurance when the new flood maps become effective, and maintain coverage as long as they have a loan. The Federal Insurance Administration has "grandfather" rules to recognize policyholders who have either built in compliance with the flood map and/or, by maintaining continuous coverage, remained loyal customers of the National Flood Insurance Program (NFIP), a federally underwritten program provided by nearly 100 insurance companies and available through licensed insurance agents.

When buildings are mapped from a high-risk zone to a moderate- or low-risk zone, there no longer is a Federal requirement to carry flood insurance when the flood maps become effective. However, the risk of flooding has not been eliminated, only reduced. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the map. Therefore, canceling or not renewing a flood insurance policy could have disastrous consequences, leaving the property owner with no insurance protection from future flood losses. If there is no change in risk, the property owner is still encouraged to talk with his or her insurance agent to learn more about specific risks and to take steps to protect his or her building and contents.

Flood insurance is available through the NFIP. Visit www.floodsmart.gov to learn more about flood insurance.

Floodplain Zoning

based on revised floodplains established by Federal Emergency Management Agency
Flood Insurance Rate Maps - effective June 19, 2012



-  Properties affected by floodplain
-  Floodway (FW) zoning district to be assigned
-  General Floodplain (GFP) zoning district to be assigned
-  properties outside the City of Kenosha



Floodplain Zoning

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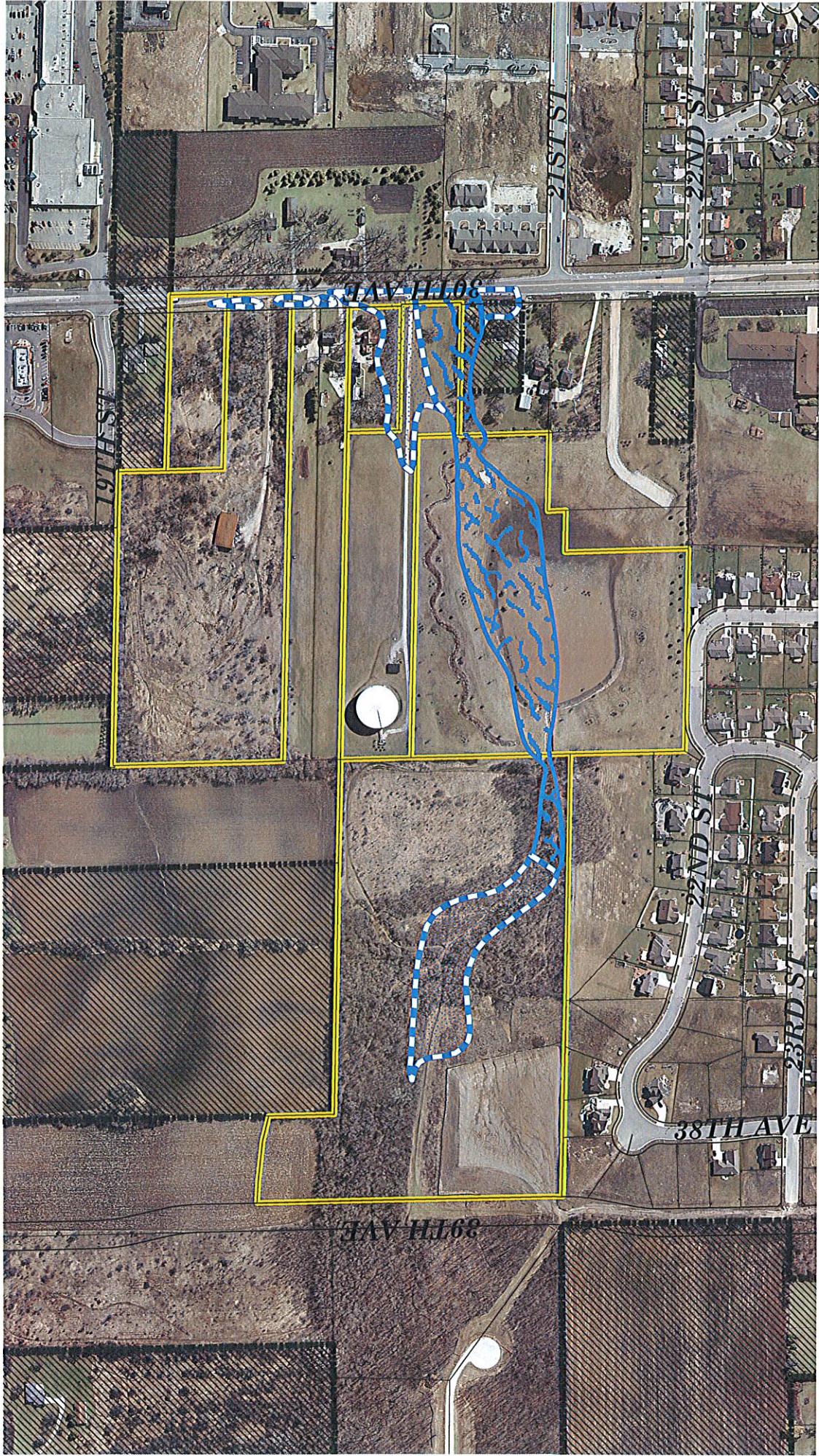
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City of Kenosha

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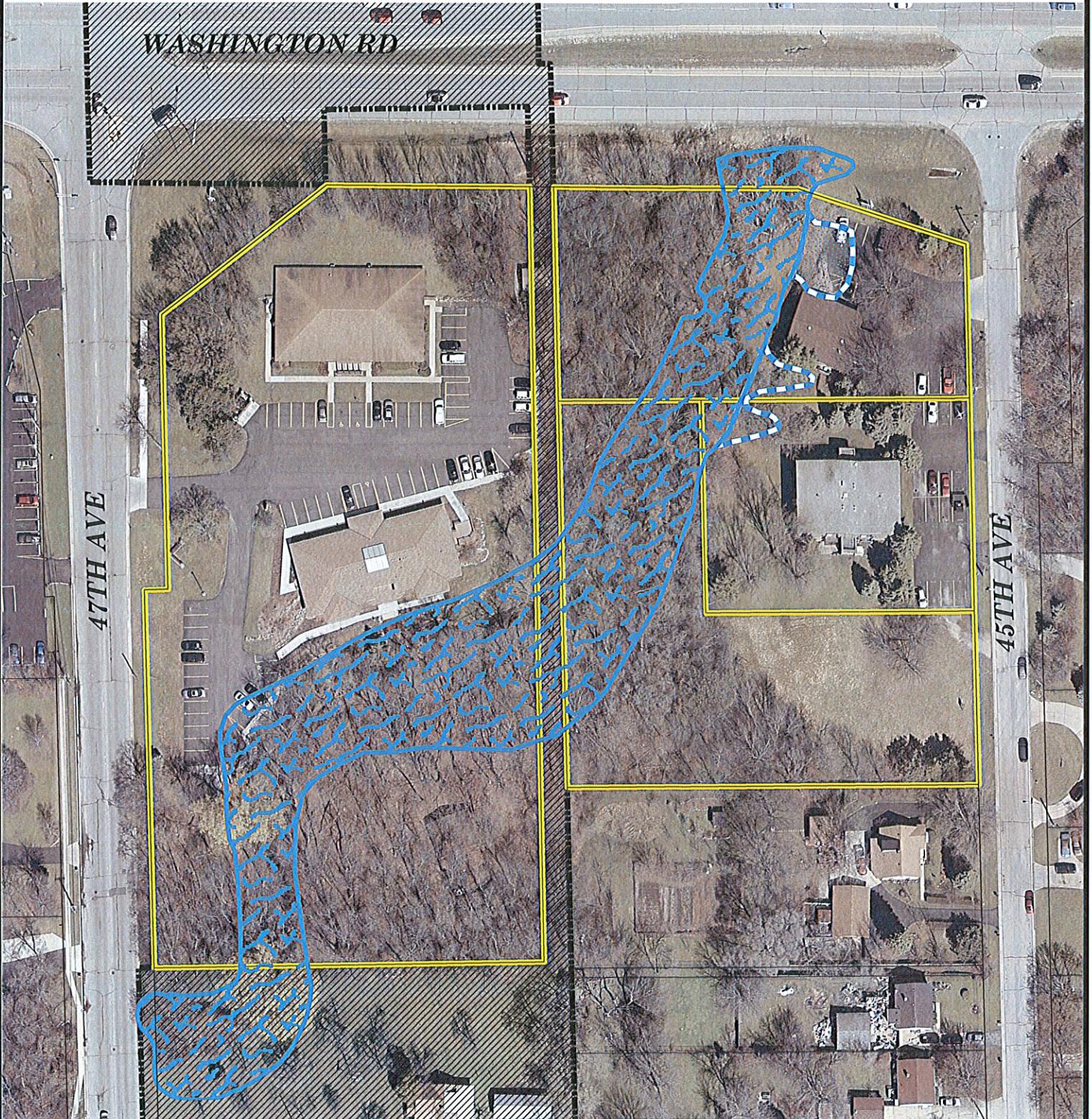


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-  properties outside the City of Kenosha



City of Kenosha Floodplain Zoning

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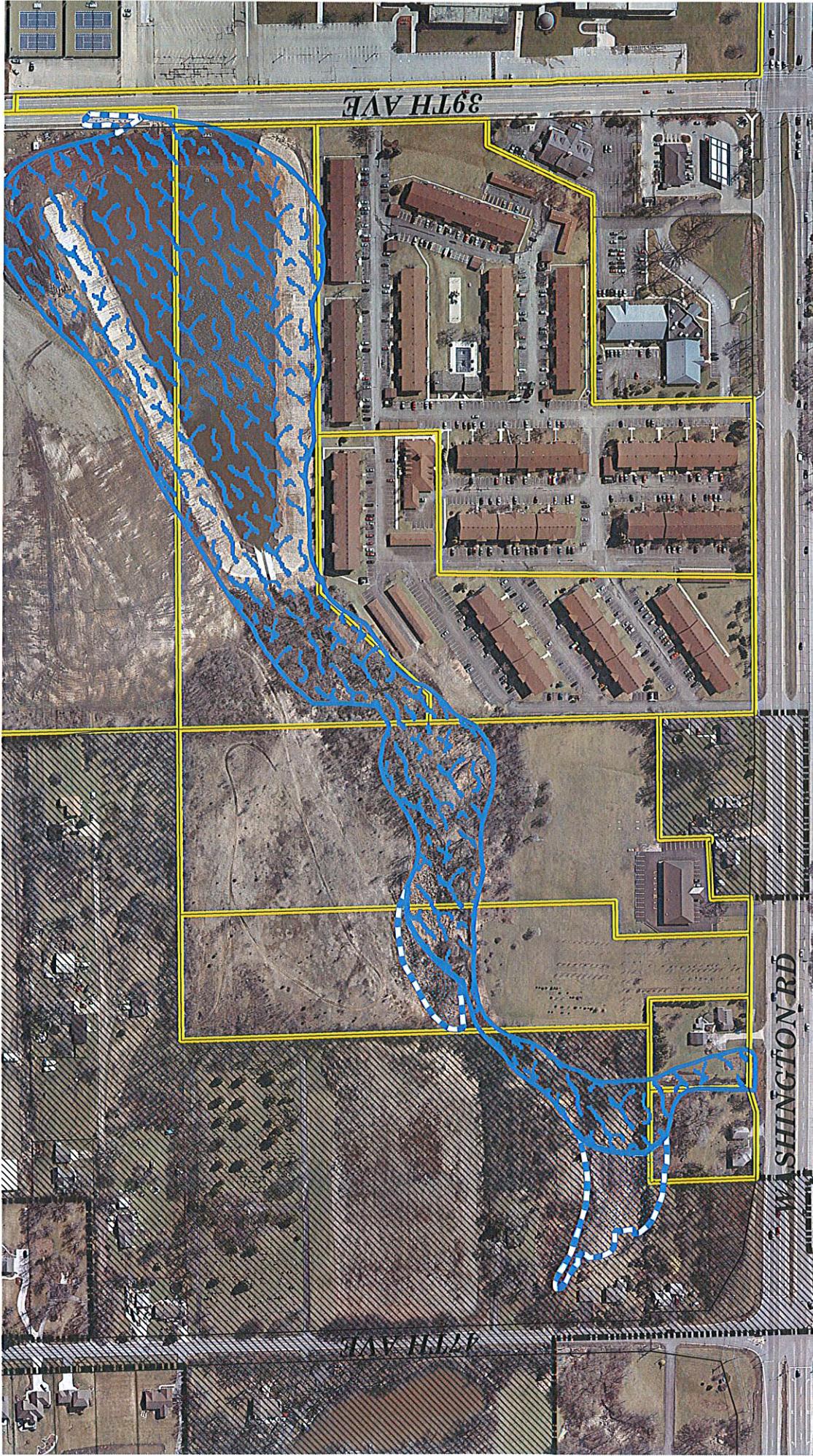
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City of Kenosha

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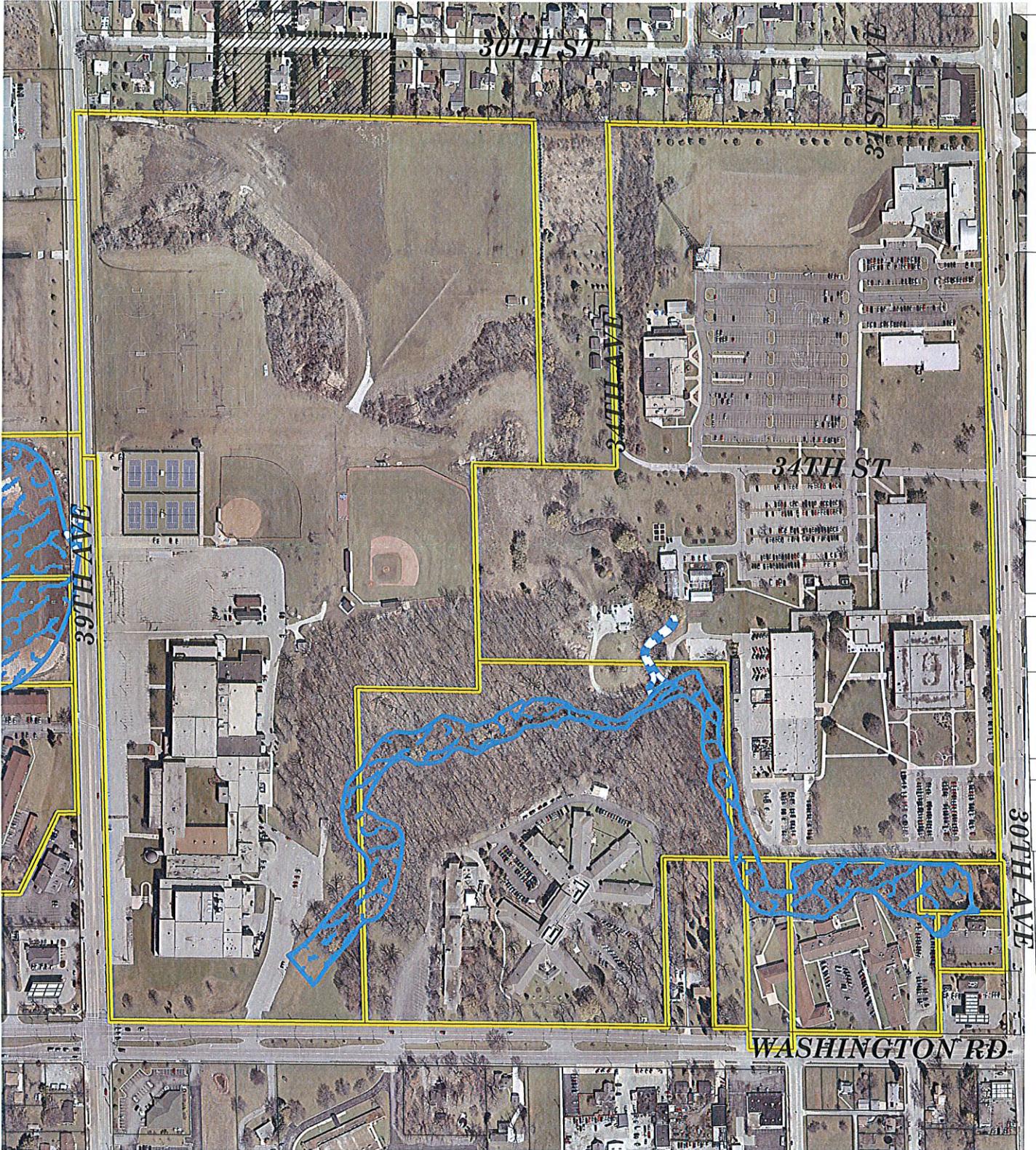
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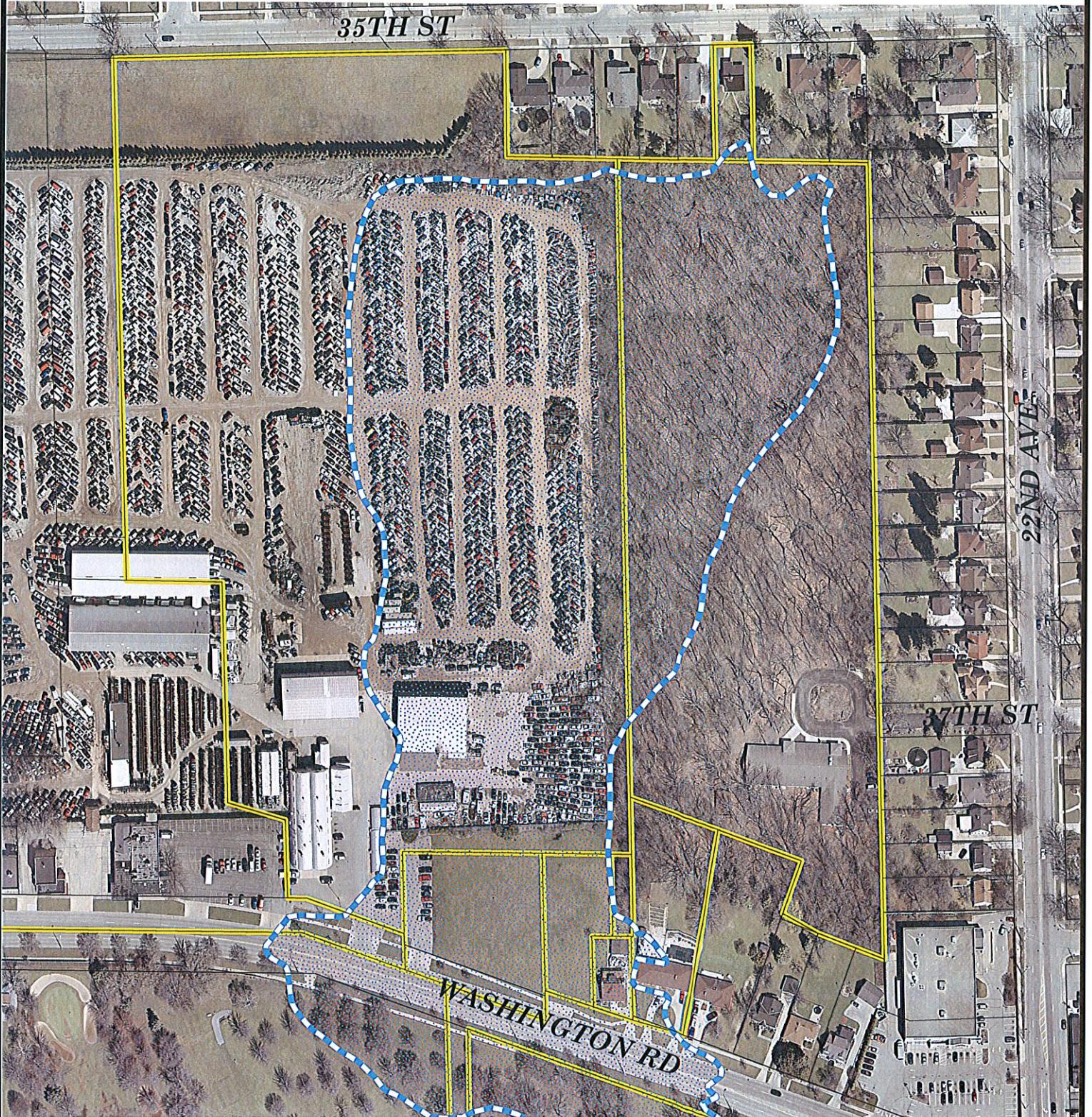


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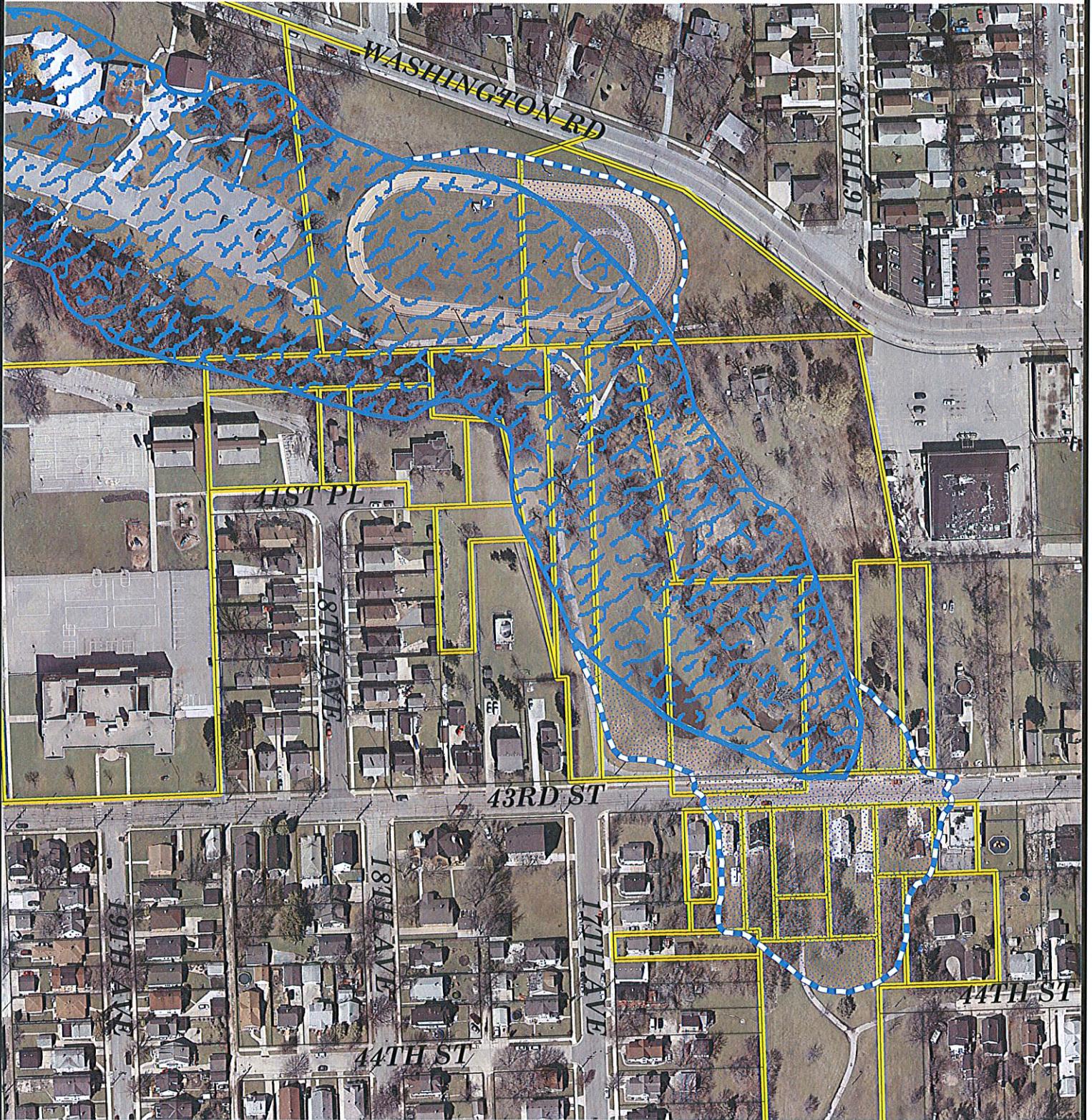


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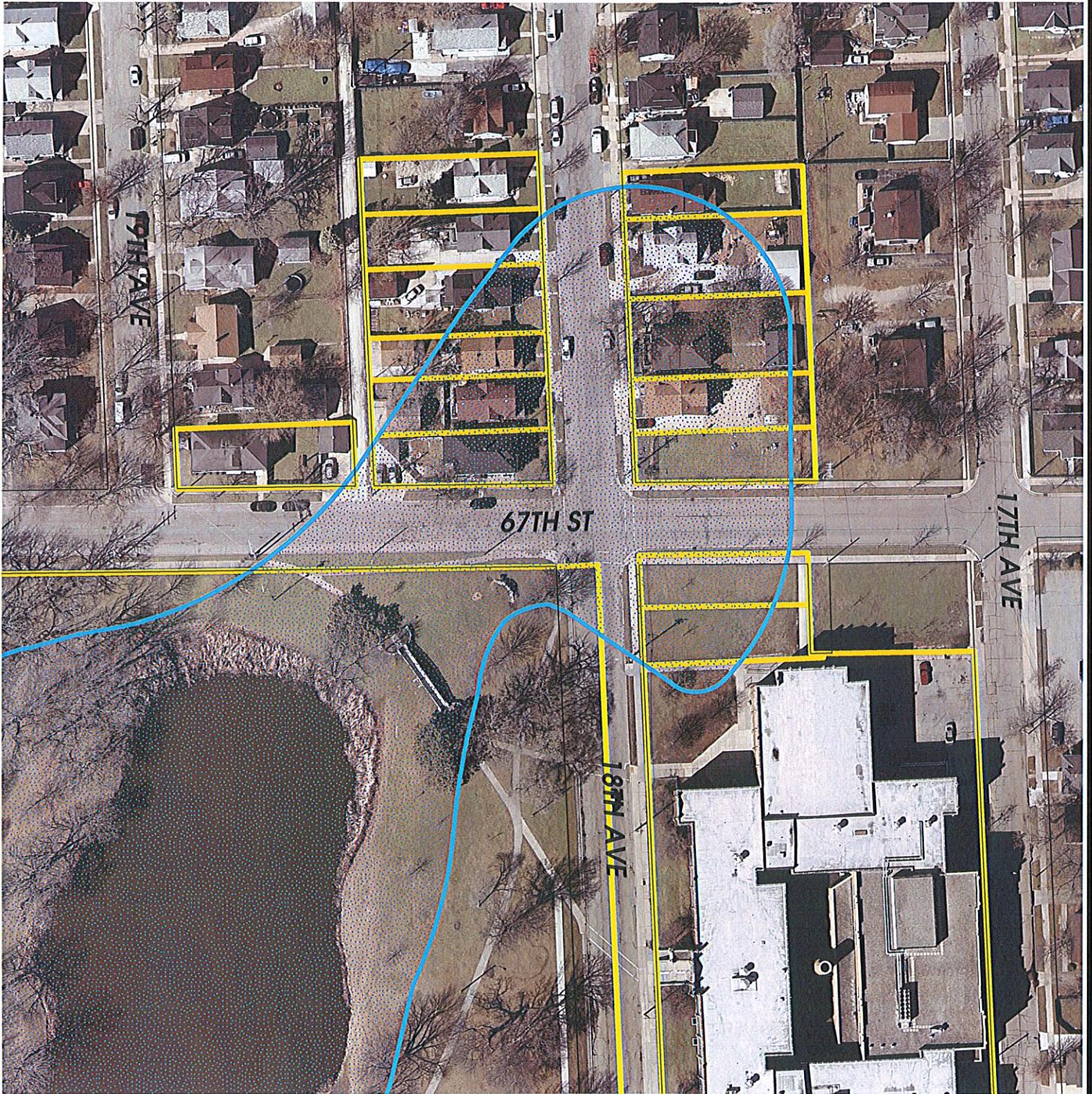


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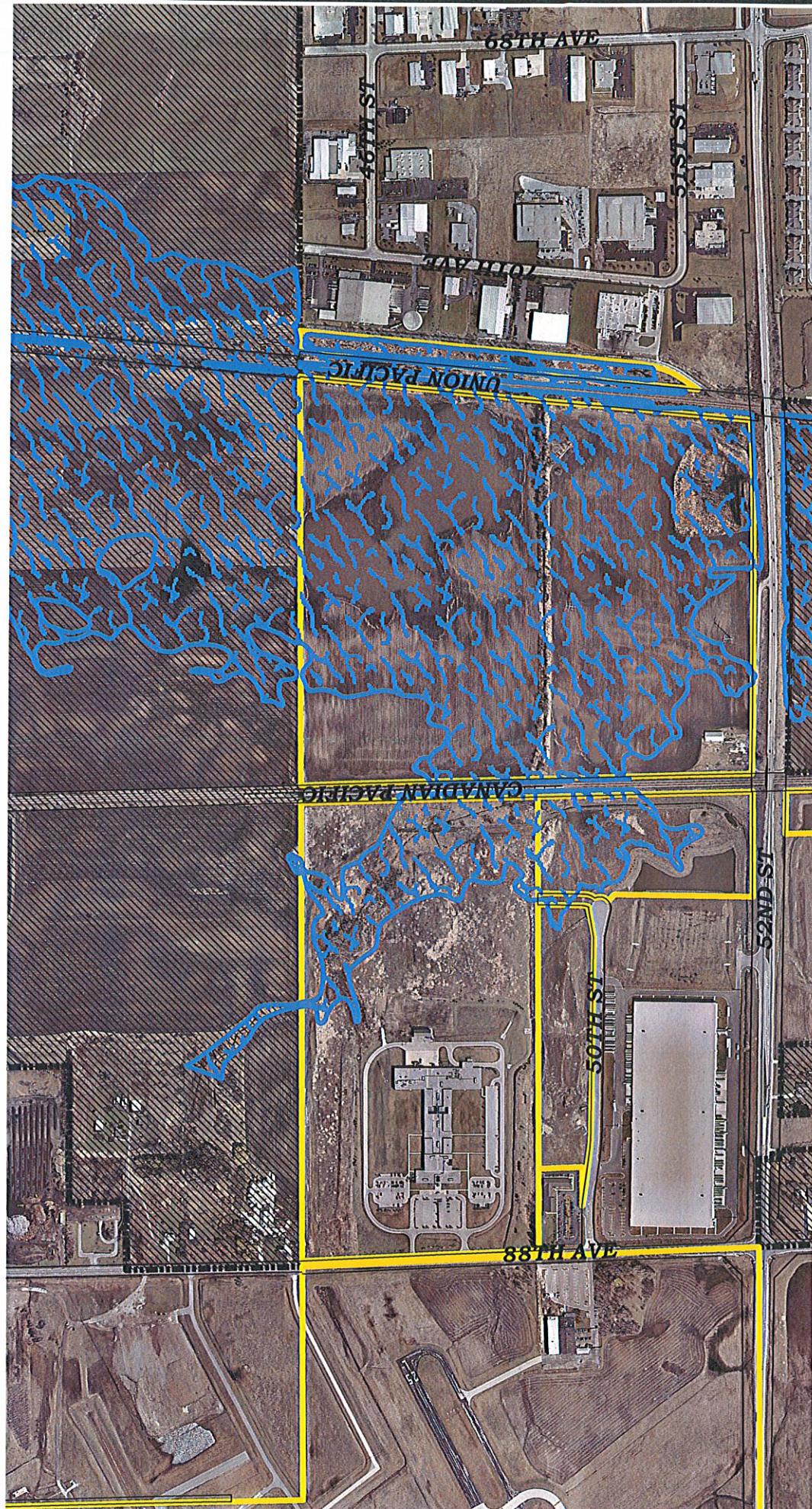


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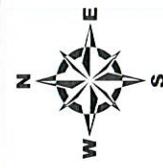


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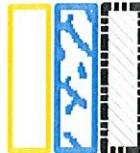
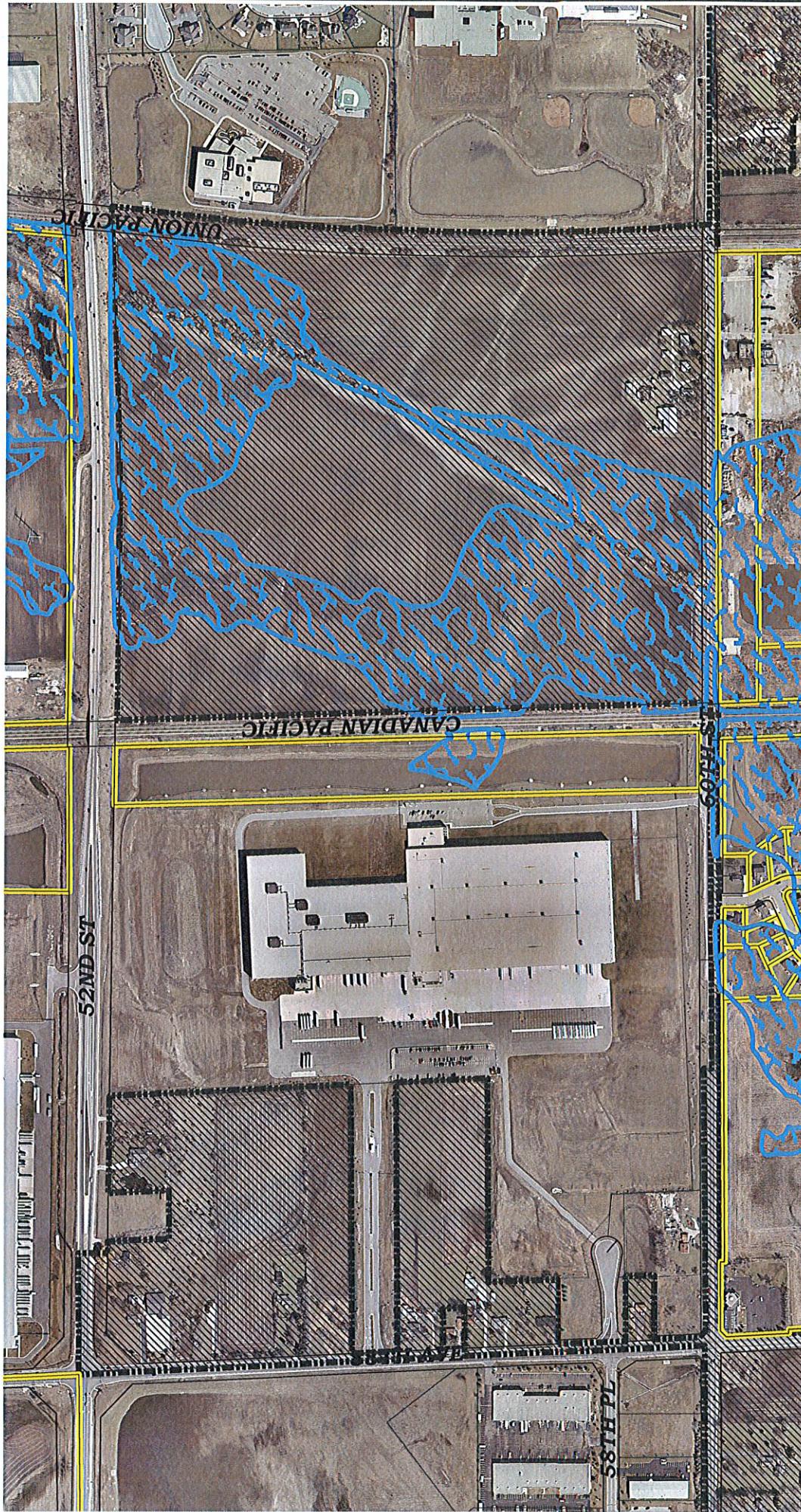


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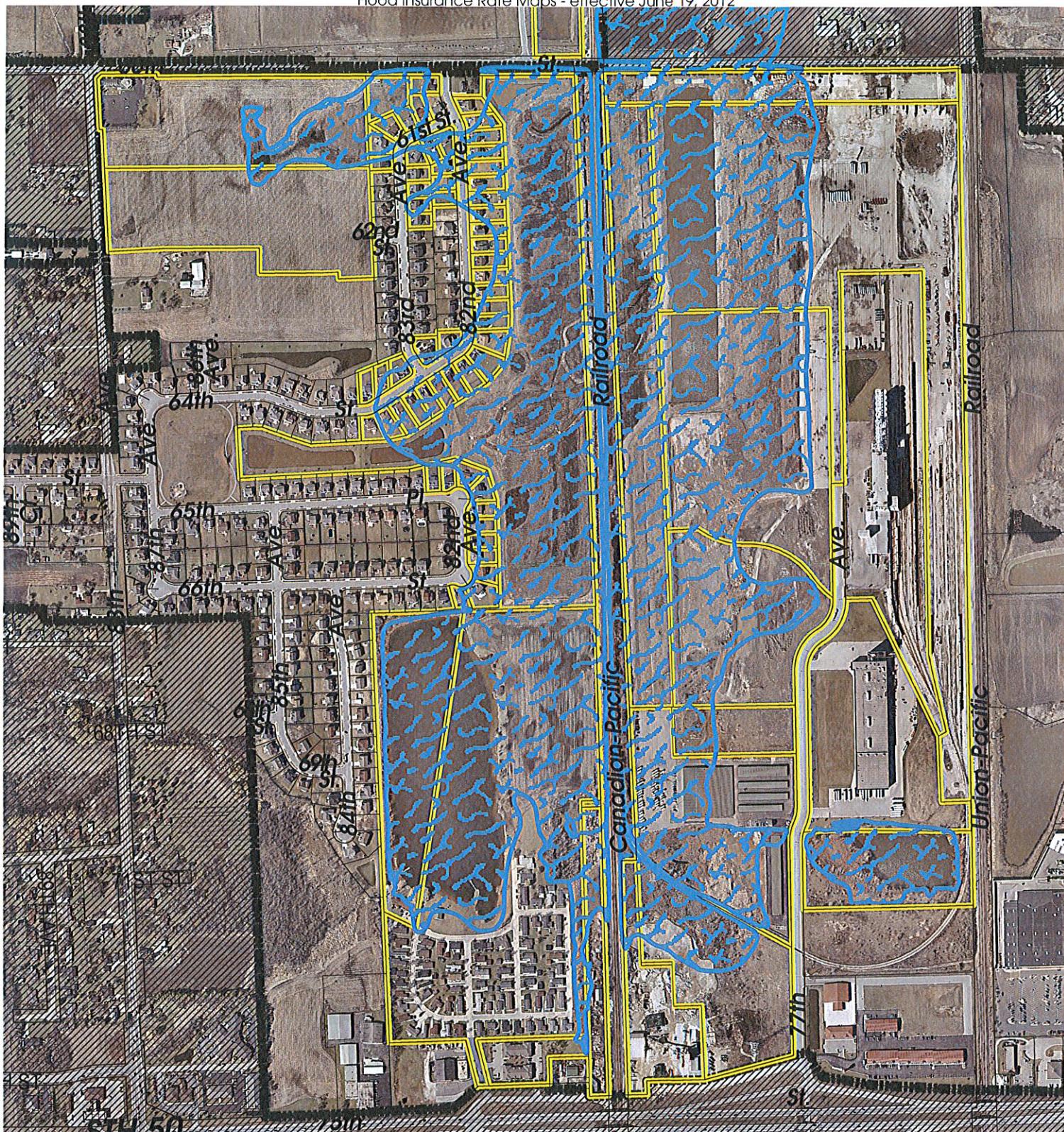


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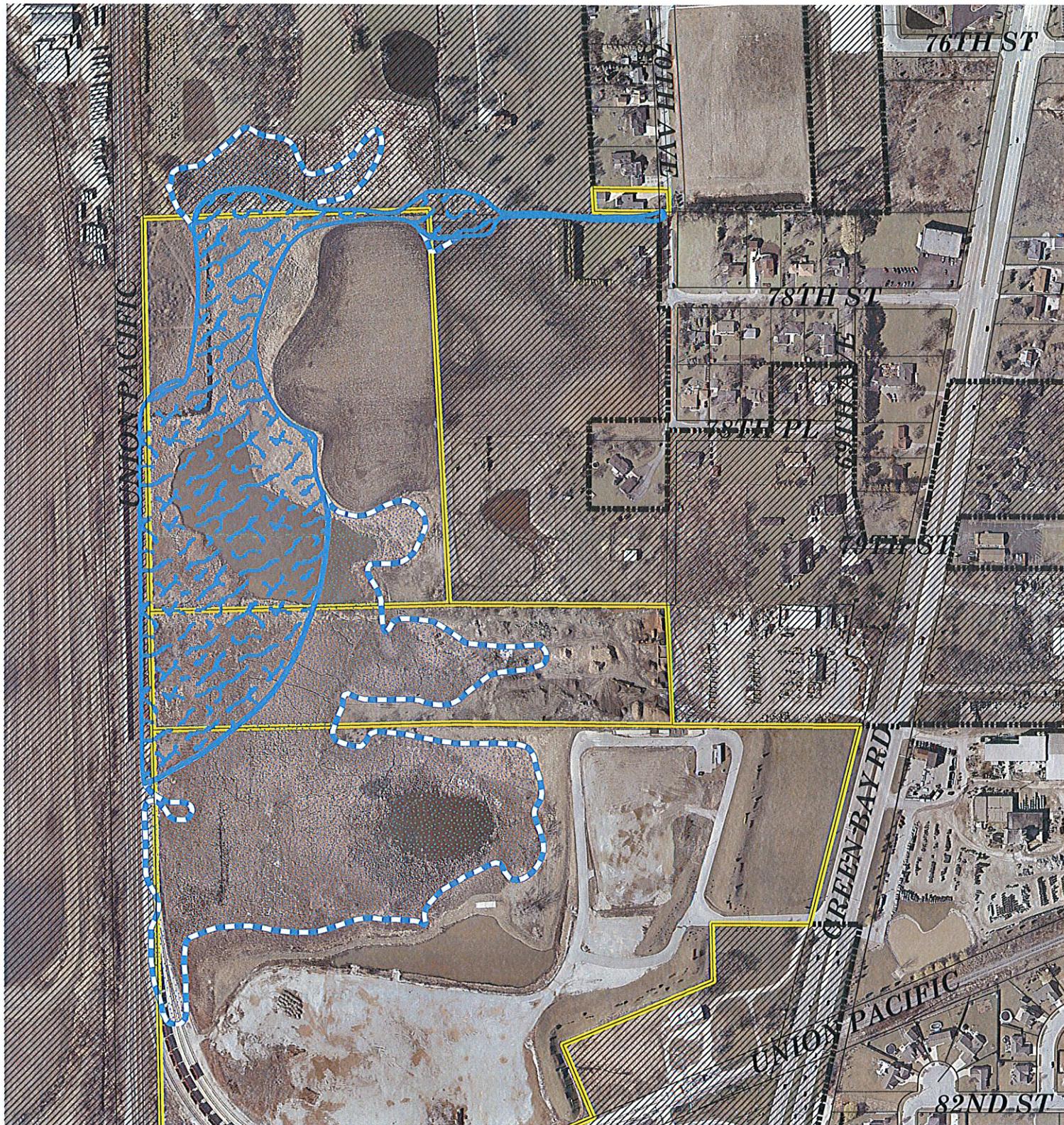


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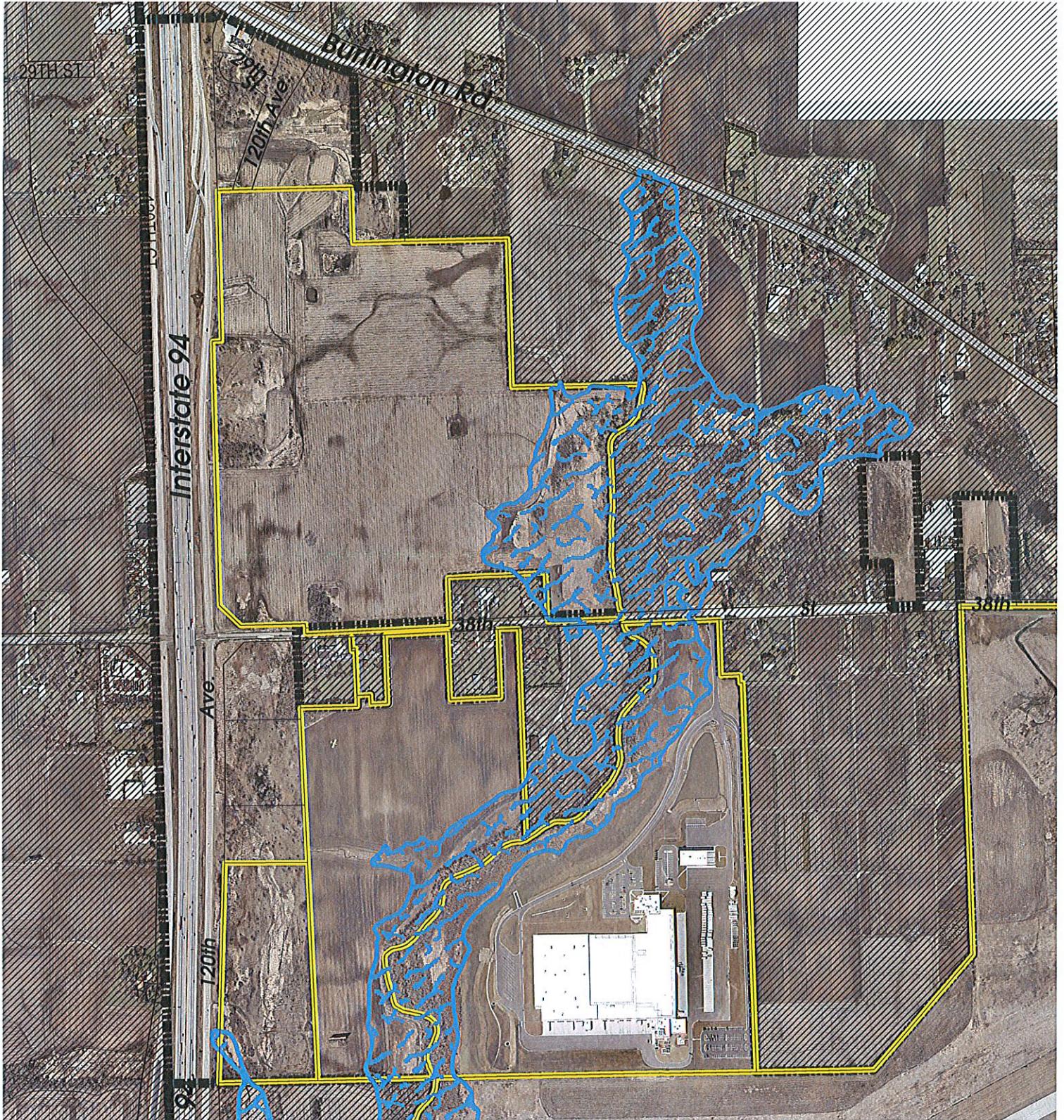


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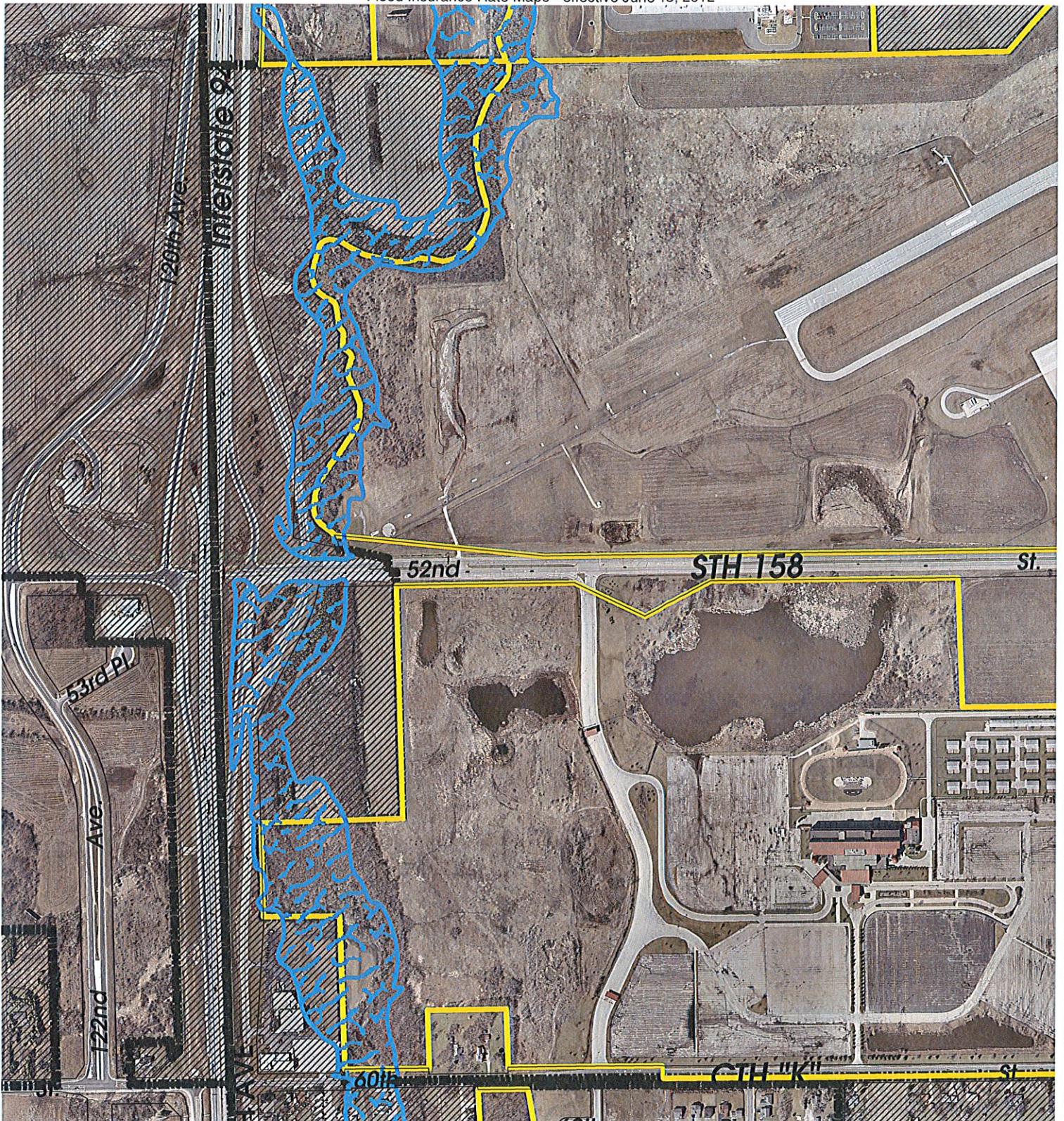


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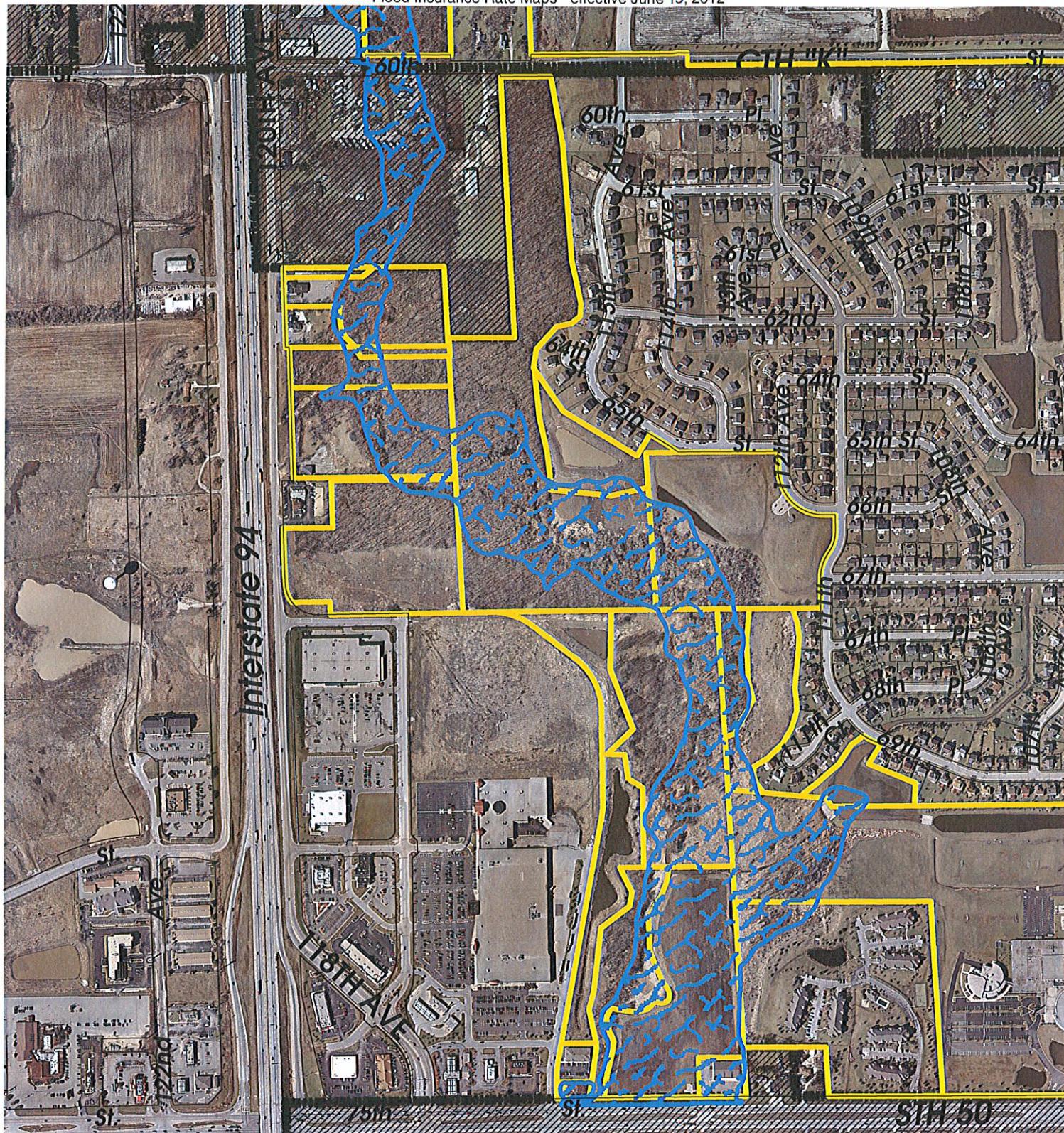


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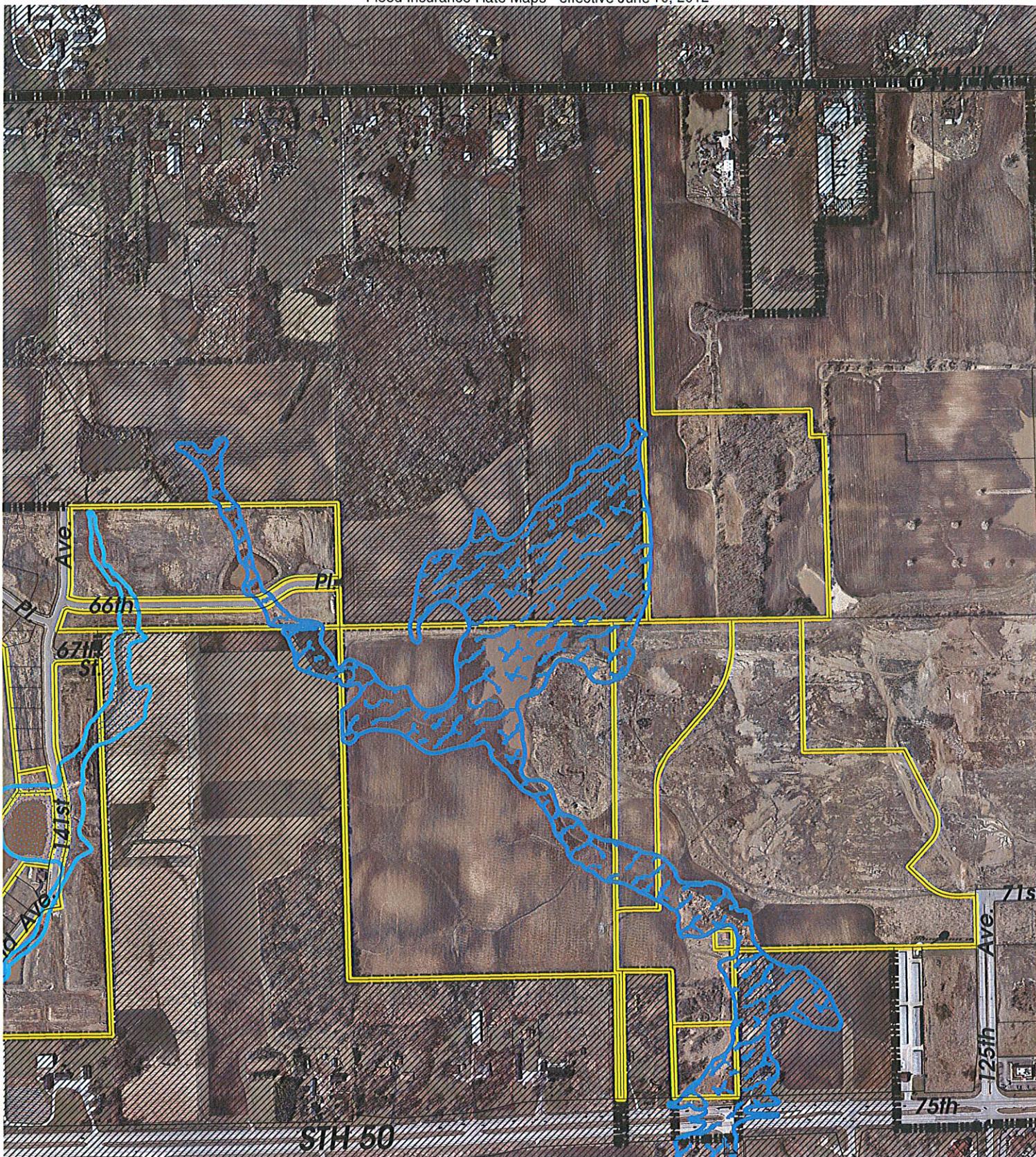
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 Feet

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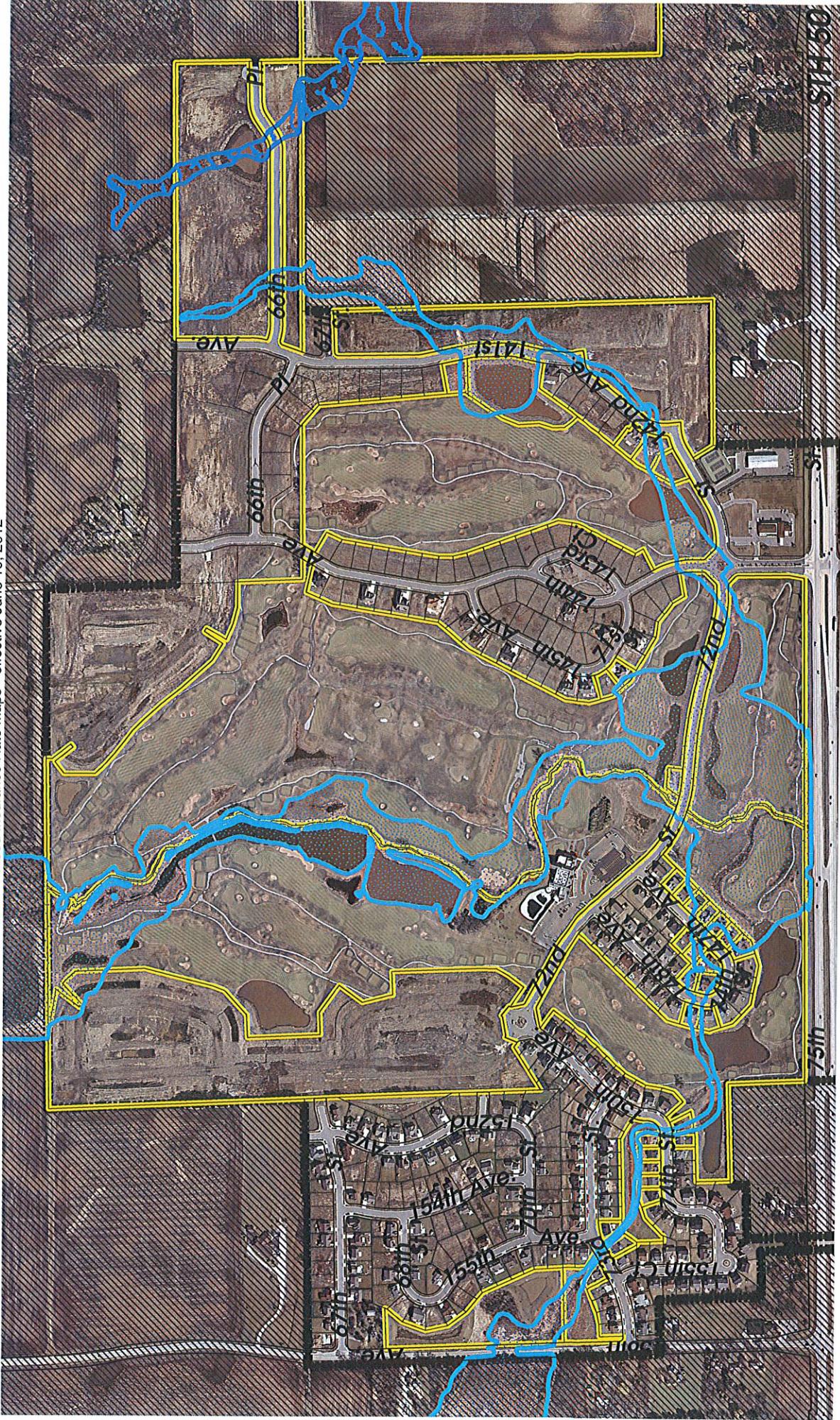


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City of Kenosha

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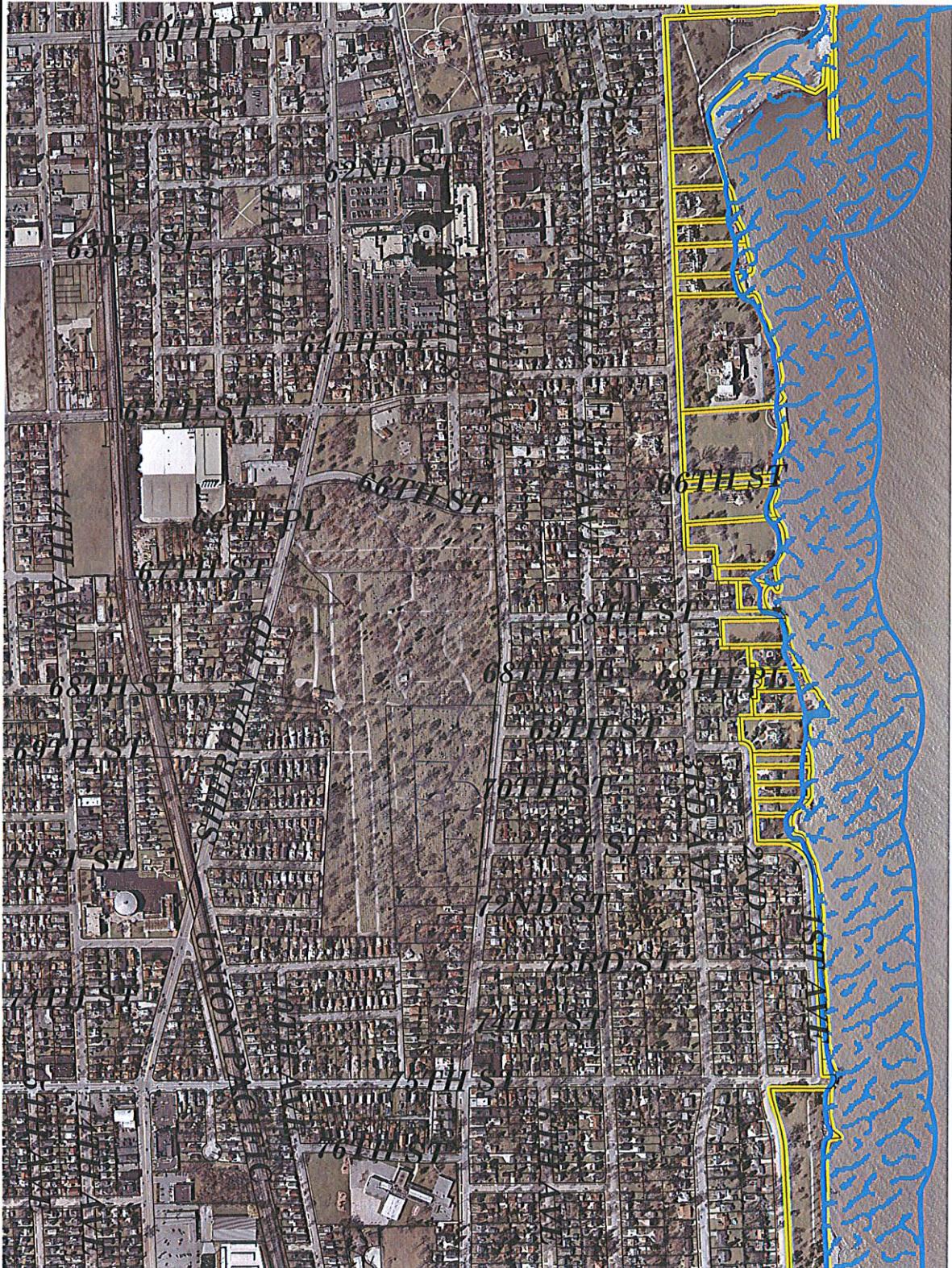


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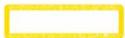
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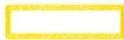


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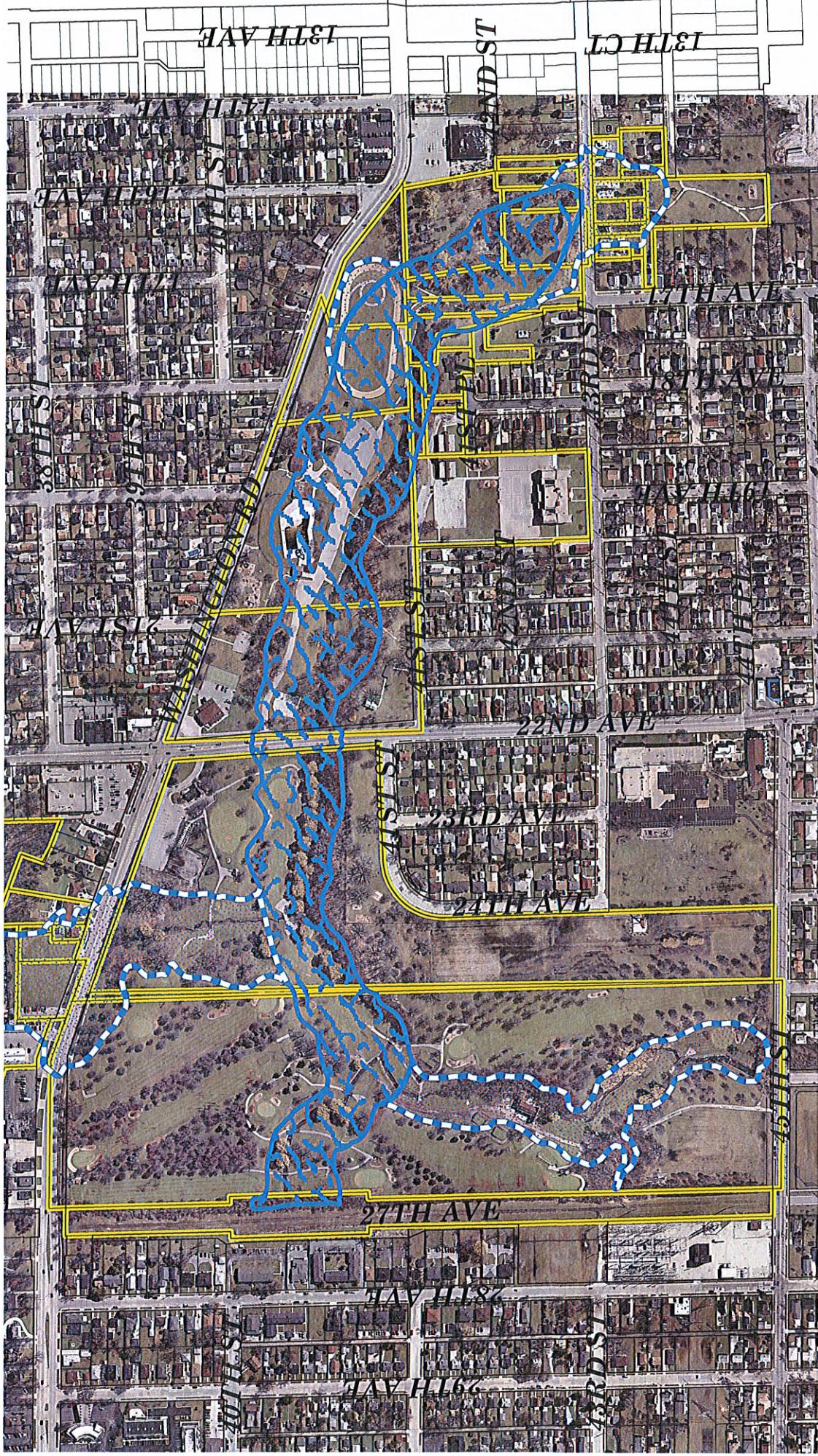
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City of Kenosha

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Flood Insurance Rate Maps - effective June 19, 2012



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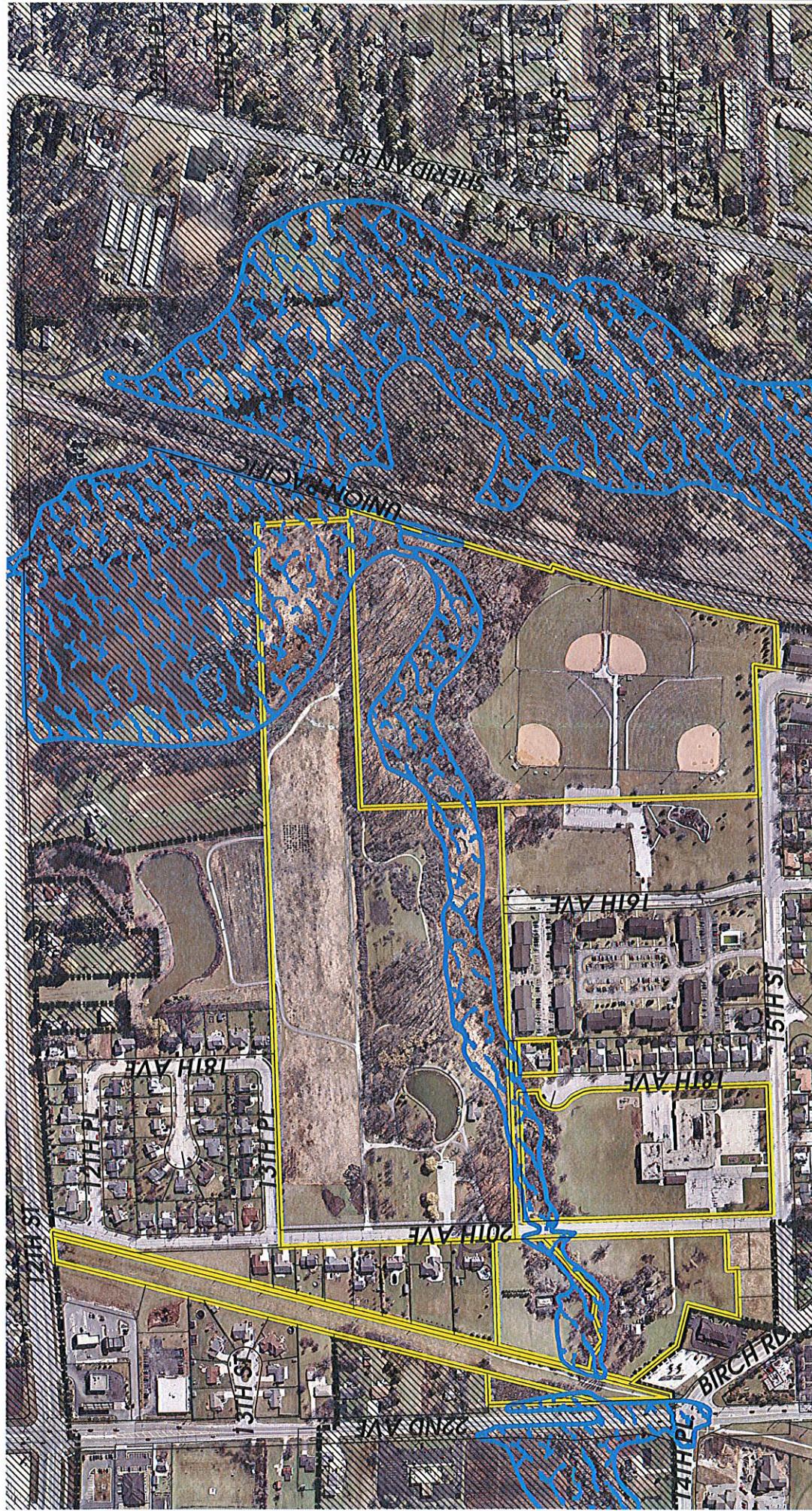
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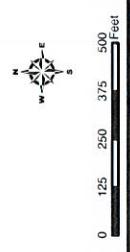


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Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 3
By the City Plan Commission - To Create Subsection 18.02 q. of the Zoning Ordinance to Adopt the revised FEMA Flood Insurance Rate Maps. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: City-Wide

NOTIFICATIONS/PROCEDURES:

The Common Council is the final review authority.

ANALYSIS:

- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance proposes to adopt the revised Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM'S) in the Comprehensive Plan by reference.
- The maps will have an effective date of June 19, 2012.
- The adoption of this Zoning Ordinance relates to several other Floodplain Ordinances on this same agenda.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Interim Director

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 q. OF THE ZONING
ORDINANCE TO ADOPT THE REVISED FEMA FLOOD
INSURANCE RATE MAPS**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Subsection 18.02 q. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

q. To adopt the revised Federal Emergency Management Agency Flood Insurance Rate Maps with a map effective date of June 19, 2012.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 4
By the Mayor - To Create, Repeal and Recreate various sections of the Zoning Ordinance Regarding Floodplains for the City of Kenosha to conform with FEMA and DNR regulations. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: City-Wide

NOTIFICATIONS/PROCEDURES:

The Common Council is the final review authority.

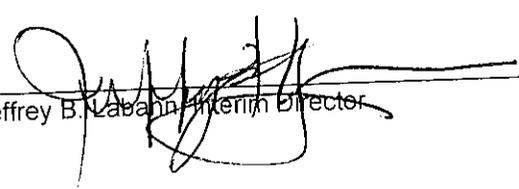
ANALYSIS:

- The attached Zoning Ordinance proposes to create, repeal and recreate various sections of the Zoning Ordinance regarding Floodplains.
- The changes are based on the DNR model Ordinance and are required to bring the City's Ordinance into compliance with DNR & FEMA requirements.
- The changes are needed, based on the new Flood Insurance Rate Maps, which the City must also adopt.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.


 Rich Schroeder, Interim Deputy Director


 Jeffrey B. Labahn, Interim Director

DRAFT 02/24/12

03/09/12

03/15/12

03/19/12

04/05/12 DNR Changes

04/11/12 and 4/17/12 CITY Response to DNR Changes

04/24/12 DNR response to CITY changes

SPONSOR: THE MAYOR

**TO CREATE, REPEAL AND RECREATE VARIOUS SECTIONS
OF THE ZONING ORDINANCE REGARDING FLOODPLAINS
FOR THE CITY OF KENOSHA TO CONFORM WITH FEMA AND
DNR REGULATIONS**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 1.04 W. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby created as follows:

W. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

Section Two: Section 1.05 C of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby created as follows:

C. This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under § 62.23; or § 87.30, Wis. Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

Section Three: Section 1.09 A. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

A. Flood Protection. ~~The degree of flood protection provided by this Ordinance is considered reasonable for regular purposes and is based on engineering experience and scientific methods of study. On rare occasions, larger floods may occur or the flood height may be increased by manmade or natural causes such as ice jams or bridge openings restricted by debris. This Ordinance does not guarantee that areas outside of the delineated floodplain or land uses permitted within the floodplain will be totally free from flooding and associated flood damages. This Ordinance does not create a liability on the part of or a cause of action against the City of Kenosha or any officer or employee thereof for any flood damages that may result from reliance thereon.~~ The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the City of Kenosha or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

Section Four: Section 1.12 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby created as follows:

1.12 Finding of Fact. Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

Section Five: Section **2.01** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is amended as follows:

2.01 CONFORMITY. No building, structure, land or water shall hereafter be used or developed, and no building, structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, structurally altered or converted, except in conformity with all regulations specified in this Ordinance **STRIKE [and all other local, state and federal regulations]**, for the zoning district in which such building, structure, land or water is located. In addition to the specific regulations of the respective zoning district, buildings, structures and uses of land and water shall be in conformance with the following general provisions.

Section Six: Section **2.07** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is amended as follows:

2.07 GENERAL DEVELOPMENT STANDARDS. The City of Kenosha shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall: be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; **be designed to provide adequate drainage to reduce exposure to flood hazards; have all public utilities and facilities including, but not limited to, sewer, gas, electrical and water systems, located and constructed to minimize or eliminate flood damages;** be constructed with materials resistant to flood damage; be constructed by methods and practices that minimize flood damages; and be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this Ordinance. **[Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.] Moved and rewritten above.]**

Section Seven: Sections **2.08** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

2.08 GENERAL STANDARDS APPLICABLE TO ALL FLOODLANDS

A. Hydraulic And Hydrologic Analyses.

- 1.** Except as allowed in Section 2.08 A.3., no floodland development shall:
 - a.** Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, increasing regional flood height; or,
 - b.** Increase regional flood height due to floodplain storage area lost, which equals or exceeds **0.040** foot.
- 2.** The Administrator shall deny permits if it is determined the proposed development will obstruct flow or increase regional flood heights **0.0+0** foot or more, based on the officially adopted FIRM or other adopted map, unless the provisions of subsection 3 are met.

3. Obstructions or increases equal to or greater than 0.0+0 foot may only be permitted if amendments are made to this Ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section 10.06.

B. Watercourse Alterations. No Land Use Permit to alter or relocate a watercourse in a mapped floodland shall be issued until the ~~local official~~ Director of Community Development and Inspection has notified, in writing, all adjacent municipalities, the Department of Natural Resources (~~DNR~~) and FEMA regional offices and required the applicant to secure all necessary State and Federal permits. The flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six (6) months after the date of the watercourse alteration or relocation, ~~the Administrator shall notify FEMA of the changes by submitting appropriate technical or scientific data in accordance with NFIP guidelines that shall be used to revise the FIRM, risk premium rates and floodplain management regulations, as required.~~ and pursuant to Section 10.06 the City shall apply for a Letter of Map Revision from FEMA. Any such alteration must be reviewed and approved by FEMA and the DNR through the Letter of Map Change process.

C. Chapters 30 and 31, Wisconsin Statutes - Development. Development which requires a permit from the DNR under Chapters 30 and 31, Wisconsin Statutes, such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodway lines, water surface profiles, BFE s established in the FIS, or other data from the officially adopted FIRM, or other Zoning Maps or this Ordinance are made according to Section 10.06. **As soon as is practicable, but not later than six (6) months after the date of the watercourse alteration or relocation, and pursuant to Section 10.06 the City shall apply for a Letter of Map Revision from FEMA. Any such alteration must be reviewed and approved by FEMA and the DNR through the Letter of Map Change process.**

D. Public or Private Campgrounds. Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

1. The campground is approved by the Wisconsin Department of Health ~~and Family~~ Services.
2. A Land Use Permit for the campground is issued by the Administrator.
3. The character of the river system and the elevation of the campground are such that a seventy-two (72) hour warning of an impending flood can be given to all campground occupants.
4. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this Section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the Kenosha County Emergency Government Coordinator and the Chief of Police for the City of Kenosha, which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.
5. This agreement shall be for no more than one (1) calendar year, at which time the agreement shall be reviewed and updated (by the officials identified in subsection 4) to remain in compliance with all applicable regulations, including those of the Wisconsin Department of Health ~~and Family~~ Services and all other applicable regulations.
6. Only camping units that are fully licensed, if required, and ready for highway use are allowed.

7. The camping units ~~may~~ shall not occupy any site in the campground for more than one hundred eighty (180) consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of twenty-four (24) hours.

8. All camping units that remain on site for more than thirty (30) days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed one hundred eighty (180) days and shall ensure compliance with all the provisions of this Section.

E. Areas To Be Regulated. This Ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study and are shown as AE, A 1-30, and AH Zones on the Flood Insurance Rate Map. Other regulatory zones are displayed as A and AO Zones. Regional ~~flood e~~levations may be derived from other studies. ~~Areas covered by the base flood are identified as A-Zones on the Flood Insurance Rate Map. If more than one map or revision is referenced, the most restrictive information shall apply.~~

Section Eight: Section 3.01 A. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

A. District Boundaries. Boundaries of these districts are hereby established as shown on the maps entitled "Zoning Map-City of Kenosha, Wisconsin", dated December 1, 1984, ~~"Supplementary Floodland Zoning Map-Flood Insurance Rate Maps - City of Kenosha, Wisconsin", dated September 2, 1982~~ **June 19, 2012**, and "Final Wisconsin Wetland Inventory Map-Kenosha, Wisconsin", dated August 12, 1986, all maps which shall be considered to accompany and are herewith made a part of this Ordinance. Such boundaries shall be construed to follow: corporate limits; U.S. Public Land Survey lines; lot or property lines; of streets, highways, alleys, easements, and railroad right-of-ways or such lines extended, unless otherwise noted on the Zoning Map. The boundaries of the FW Floodway District include the AE Zones **where floodways have not been determined** and the GFP General Floodplain District are designated as floodplains or A-Zones on the maps referenced in Section 3.02. The boundaries of the FFO Floodplain Fringe Overlay District shall be determined by the floodland limits shown on the supplementary **Floodland Zoning Map Flood Insurance Rate Maps.**

Section Nine: Sections 3.01 C. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

C. Annexations. Annexations to or consolidations with the City subsequent to the effective date of this Ordinance shall be placed in the A-2 Agricultural Land Holding District. ~~Annexations or consolidations containing floodlands shall be placed in the following districts:-~~

~~1. All floodways and FEMA unnumbered A Zones shall be placed in the FW Floodway District.~~

1. The Kenosha County floodplain zoning provisions in effect on the date of annexation consolidation shall remain in effect and shall be enforced by the municipality for all annexed or consolidated areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, National Flood Insurance Program. These annexed or consolidated lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal Administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

~~2. All other floodlands shall be placed in the FFO Floodplain Fringe Overlay District.~~

3. All lands located within the Shoreland District which are zoned County Upland or Lowland

Conservancy District shall be placed within a City Upland or Lowland Conservancy District upon annexation. The Kenosha County Shoreland and Floodplain Zoning Provisions in effect on the date of annexation remain in effect administered by the City for all areas annexed by the municipality after May 7, 1982. These annexed lands are described on the municipality's Official Zoning Map. The Kenosha County Shoreland and Floodplain Zoning Provisions are incorporated by reference for the purpose of administering this Section and are on file in the office of the Administrator. All plats or maps of annexations shall show the Regional Flood Elevation and location of the floodway.

Section Ten: Sections 3.02 A. and 3.02 D. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, are hereby repealed and recreated as follows:

A. Incorporation. The Official Zoning Map, the ~~Supplementary Floodland Zoning Map~~ **Flood Insurance Rate Maps**, and the Kenosha Regional Airport Zoning and Height Limitation Map are incorporated herein by reference and are deemed a part of this Ordinance as if fully set forth herein. Said maps shall be available to the public in the Department of Community Development and Inspections. The Flood Insurance Rate Map (FIRM) which will be effective June 19, 2012, Panel Numbers ~~550209 (0001 to 0010) and 550523 (0001 to 0060), December 5, 1996 dated~~, **55059C0088D, 55059C0089D, 55059C0177D, 55059C0178D, 55059C0179D, 55059C0181D, 55059C0182D, 55059C0183D, 55059C0184D, 55059C0192D, 55059C0201D, 55059C0202D, 55059C0204D, 55059C0208D, 55059C0211D, 55059C0212D, 55059C0216D,**, with corresponding profiles that are based on the Flood Insurance Study (FIS) which will be effective; December 5, 1996 dated June 19, 2012, Volumes 1 and 2 **55059CV001A & 55059CV002A** are incorporated by reference and are deemed as part of this Ordinance as if fully set forth herein; said maps shall be on file in the office of the Department of Community Development and Inspections for the City of Kenosha, Wisconsin.

D. Discrepancies. Discrepancies between boundaries on the Official Floodplain Zoning Map and actual field conditions shall be resolved using the criteria in paragraphs a. and b. below. If a significant difference exists, the Map shall be amended according to Section 10.06. The Administrator can rely on a boundary derived from a profile elevation to grant or deny a Land Use Permit, whether or not a map amendment is required. The Administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined, and for initiating any map amendments required under this Section. Disputes between the Administrator and an applicant over the district boundary line shall be settled according to Section 9 and the criteria in a. and b. below. Where the flood profiles are based on established base flood elevations from a Flood Insurance Rate Map, FEMA must also approve any map amendment pursuant to Section 10.06 A.6.

a. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

b. Where flood profiles do not exist **for projects**, the location of the boundary shall be determined by the map scale, ~~visual on-site inspection and any information provided by the Department.~~

~~e. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must also approve any map amendment pursuant to Section 10.06 A.6.~~

Section Eleven: Section 3.02 E of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

E. Official Maps and Revisions

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A 1-30 on the maps based on the Flood Insurance Study listed below. Any change to the base flood elevations or any changes to the boundaries of the floodplain or floodway in the Flood Insurance Study or on the Flood Insurance Rate

Map must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process before it is effective. No changes to Regional Flood Elevations on non-FEMA maps shall be effective until approved by the WDNR.

Section Twelve: Section 3.20 A of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby recreated as follows:

A. Applicability. This Section applies to all floodway areas on the Floodplain Zoning Maps and those areas identified by the WDNR pursuant to a submission made in compliance with Section 3.21 D.2.

The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the Flood Insurance Rate Map.

Section Thirteen: Section 3.20 B.6 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby repealed and created as follows:

6. (KEEP) FunctionalREMOVE [Functionally],** Water-Dependent Uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chapters 30 and 31, Wisconsin Statutes.

Section Fourteen: Section 3.20 C.1.c. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby repealed and created as follows:

c. The Administrator shall deny the permit application if the project will **cause any** increase **in** flood elevations upstream or downstream 0.0**40** foot or more, based on the data submitted for paragraph b. above.

Section Fifteen: Section 3.20 C.2. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby recreated as follows:

2. Structures. Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

a. The structure is not designed for human habitation ~~[and]~~

b. does not have a high flood damage potential ~~[and]~~

c. Structure is constructed to minimize flood damage;

b.d. It must be anchored to resist flotation, collapse, and lateral movement;

e.e. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and,

d.f. It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of a regional flood

e.g. Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section Sixteen: Section 3.20 D.4. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby recreated as follows:

4. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department- approved campgrounds that meet the applicable provisions of local ordinances and Chapter ~~COMM-83-SPS 383~~, Wisconsin Administrative Code;

Section Seventeen: Section 3.21 A. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

A. Applicability. ~~The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a base flood elevation or floodway boundary determined. The provisions for this district shall apply to all floodplains for which flood profiles are not available, or where flood profiles are available, but floodways have not been delineated. Floodway and Floodplain Fringe Overlay Districts shall be delineated when adequate data is available~~ including A, AO, and AH Zones on the Flood Insurance Rate Map.

Section Eighteen: Section 3.21 C. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby recreated as follows:

C. Standards For Development In The General Floodplain District. Section 3.20 applies to floodway areas; Section 17.02 applies to Floodplain Fringe areas. The rest of this Ordinance applies to either district.

1. In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:

- a. at or above the flood protection elevation; or**
- b. two (2) feet above the highest adjacent grade around the structure; or**
- c. the depth as shown on the Flood Insurance Rate Map**

2. In AO/AH Zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

Section Nineteen: Subsection 3.21 D. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

D. Determining Floodway and Floodplain Fringe Limits. Upon receiving an application for development within the General Floodplain District, the Administrator shall:

1. Require the applicant to submit two (2) copies of an aerial photograph or a plan that shows the proposed development with respect to the General Floodplain District limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures and the flood zone as shown on the Flood Insurance Rate Map.

2. Require the applicant to furnish any of the following information deemed necessary by the Wisconsin Department of Natural Resources to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:

~~a. A typical valley cross-section showing the stream channel, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development, and all historic high water~~

~~information; A Hydrologic and Hydraulic study as specified in Section 8.05.~~

~~b. Plan (surface view) showing elevations or contours of the ground; pertinent; structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply and sanitary facilities; soil types and other pertinent information;~~

~~e. Profile showing the slope of the bottom of the channel or flow line of the stream; and/or;~~

~~d.c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.~~

~~3. Transmit one (1) copy of the information described in Subsections 3.21 D.1. and D.2. to the Department Regional Office of the Wisconsin Department of Natural Resources, along with a written request for technical assistance to establish regional flood elevations; and, where applicable, floodway data. Where the provisions of Subsection Paragraph 4.03 B.3. apply, the applicant shall provide all required information and computations to delineate floodway boundaries and the effects of the project on flood elevations.~~

Section Twenty: Section 4.03 B.3 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

3. The Drainage Plan shall show existing topography at a contour interval of not less than two (2') feet; spot elevations of existing buildings, structures, high points, depressions, and wet areas, with any previous flood elevations; floodplain boundaries, if applicable; location of any existing or proposed on-site sewage systems or private water supply systems; the elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD); Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of Sections 3.20 and 17.02 are met; data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to Section 2.08 A. (this may include any of the information noted in Section 3.20 C.; and soil characteristics, where applicable. The Drainage Plan shall show proposed topography of the site denoting elevations and natural drainage after construction, and the location of any proposed storm water detention/retention areas.

~~In addition to the above, for all subdivision proposals, as subdivision is defined in Section 236; Wisconsin Statutes, and other proposed developments exceeding five (5) acres in area, or where the estimated cost exceeds One Hundred Twenty-five Thousand (\$125,000) Dollars, the applicant shall provide:~~

~~a. All survey data and computations required to show the effects of the project on flood heights, velocities and floodplain storage;~~

~~b. An analysis of the effect of the development on the regional flood profile, velocity of flow and floodplain storage capacity;~~

~~c. A map showing location and details of vehicular access to lands outside the floodplain; and,~~

~~d. A surface drainage plan showing how flood damage will be minimized. The estimated cost of the proposal shall include all structural development, landscaping, access and road development, utilities, and other pertinent items, but need not include land costs.~~

Section Twenty-One: Section 4.03 B.6 of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

6. The Floodproofing Plan shall, ~~for all sites subject to floodlands zoning district requirements be certified by a registered professional engineer or architect that floodproofing measures will protect the structure or development to the flood protection elevation. Floodproofing measures shall be designed to:~~

~~a. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;~~

~~b. Protect structures to the flood protection elevation;~~

- ~~———— e. Anchor structures to foundations to resist flotation and lateral movement; and,–~~
- ~~———— d. Insure that structural walls and floors are watertight to the flood protection elevation, and the interior remains completely dry during flooding without human intervention.–~~

~~———— Floodproofing measures could include:–~~

- ~~———— a. Reinforcing walls and floors to resist rupture or collapse caused by water pressure;–~~
- ~~———— b. Adding mass or weight to prevent flotation;–~~
- ~~———— c. Placing essential utilities above the flood protection elevation;–~~
- ~~———— d. Installing surface or subsurface drainage systems to relieve foundation wall and basement floor pressure;–~~
- ~~———— e. Constructing water supply wells and waste treatment systems to prevent the entry of flood waters; or,–~~
- ~~———— f. Putting cutoff valves on sewer lines or eliminating gravity flow basement drains. [comply with the floodproofing standards note in Section 7.07 D, of the Zoning Ordinance.]~~

Section Twenty-Two: Section 4.06 A.5 a. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

5. Structures and Filling within the Floodplain Fringe Overlay (FFO) District.

a. Building Plan as required in §4.05 B. of the Zoning Ordinance, plus:

(1) When permitted, manufacturing and accessory buildings and structures shall include a plan indicating how the structure will be floodproofed and constructed so as to not catch or collect debris or be damaged by floodwaters.

(2) This plan shall be certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the ~~100-year recurrence interval flood~~ **regional flood**.

(3) Plans for municipal water supply and sanitary sewerage systems shall indicate that the system is floodproofed to an elevation at least two feet above the elevation of the ~~100-year recurrence interval flood~~ **regional flood** and is designed to eliminate or minimize infiltration of floodwater into the system.

Section Twenty-Three: Section 4.06 A.5 f. (2) of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

(2) Show plans for filling so that the elevation of the building or structure is at least two (2) feet above the elevation of the ~~100-year recurrence interval flood~~ **regional flood**, including elevations around the entire building or structure, and the location of contiguous lands outside the floodplain which will be used for flood water rescue and relief problems.

Section Twenty-Four: Section 4.06 D.1.a.(2) and (3) of the Zoning Ordinance for the

City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

(2) This plan shall be certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the ~~100-year recurrence interval flood~~ **regional flood**.

(3) Plans for municipal water supply and sanitary sewerage systems shall indicate that the system is floodproofed to an elevation at least two (2') feet above the elevation of the ~~100-year recurrence interval flood~~ **regional flood** and is designed to eliminate or minimize the infiltration of floodwater into the system.

Section Twenty-Five: Subsection 7.05 B of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

B. Floodproofing. Within the Floodland Zoning Districts established by this Ordinance, the FW and FFO Districts, there may exist buildings or structures which do not conform to the floodproofing provisions of these Districts. Nonstructural alterations, structural alterations, additions and reconstructions permitted under the provisions of this Ordinance to such buildings and structures located on floodlands shall include floodproofing to those portions of the building or structure involved in such alterations, additions or reconstructions. Certification of floodproofing shall be made to the Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the ~~one hundred (100) year recurrence interval flood level regional~~ **flood** for the particular area.

Section Twenty-Six:

Subsection 7.07 A.2. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

2. Conditions For Existing Use of Structure To Continue When Not In Conformity With Ordinance. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this Ordinance may continue subject to the following conditions:

a. No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this Ordinance. The words modification and addition include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. ~~Ordinary mMaintenance repairs are is~~ **is** not considered an extension, modification or addition. ~~These This~~ **This** includes painting, decorating, paneling ~~and the replacement of doors, windows~~ and other nonstructural components, and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. ~~Ordinary mMaintenance repairs does~~ **does** not include any costs associated with the repair of a damaged structure.

The construction of a deck that does not exceed two hundred (200) square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

b. If a nonconforming use or the use of a nonconforming structure is discontinued for twelve (12) consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this Ordinance.

c. The City shall keep a record which lists all nonconforming uses and nonconforming structures, ~~there~~ **their** present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure s total current value those modifications represent.

d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would **equal or** exceed fifty (50%) percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this Ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with Section 17.02 C.1. The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the fifty (50%) percent provisions of this Section.

e. (1) Except as provided in ~~subsection~~ **subparagraph** e.(2), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current Ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition **equals or** exceeds exceeds fifty (50%) percent of the structure s present equalized assessed value.

~~(2) For noneonforming buildings that are damaged or destroyed by a nonflood disaster, the repair or~~

reconstruction of any such nonconforming building may be permitted in order to restore it after the nonflood disaster, provided that the nonconforming building will meet all of the minimum requirements under applicable FEMA regulations (44 CFR Part 60), or the regulations promulgated thereunder.

(2) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

(a) Residential Structures.

(i) Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of § 7.07.

(ii) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.

(iii) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

(iv) In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.

(v) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in §3.21.

(vi) In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

(b) Nonresidential Structures.

(i) Shall meet the requirements of §7.07 A.2.e.(2).

(ii) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in §7.05 B.

(iii) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in §3.21 C.

(c) A nonconforming historic structure may be altered if the alteration will not preclude the structures continue designation as a historic structure, the alteration will comply with § 3.20, flood resistant materials are used, and construction practices and floodproofing methods that comply with § 7.05 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of § 7.07 B. if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

Section Twenty-Seven:

Subparagraph 7.07 A.2. f. and g. of the Zoning Ordinance for

the City of Kenosha, Wisconsin, are hereby created as follows:

f. No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §17.02.

g. If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §17.02.

Section Twenty-Eight:

Section 7.07 B.6 of the Zoning Ordinance for the City of

Wisconsin, is hereby repealed and recreated as follows:

6. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all City Ordinances and ~~Chapter~~ ~~83~~ **SPS 383**, Wisconsin Administrative Code.

Section Twenty-Nine:

Section 7.07 C.3 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed.

Section Thirty:

Section 7.07 C.4 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

4. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system, shall meet all the applicable provisions of all City Ordinances and ~~Chapter~~ ~~COMM-83~~ **SPS 383**, Wisconsin Administrative Code.

Section Thirty-One:

Section 7.07 D. of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby created as follows:

D. Floodproofing Floodprotection Standards for Nonconforming Structures or Uses.

1. No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate. **Floodproofing measures shall be designed, as appropriate, to:**

- a. **Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;**
- b. **Protect structures to the flood protection elevation;**
- c. **Anchor structures to foundations to resist flotation and lateral movement; and**
- d. **Minimize or eliminate infiltration of flood waters.**

2. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

- a. certified by a registered professional engineer or architect; or
- b. meets or exceeds the following standards:
 - (1) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding ;
 - (2) the bottom of all openings shall be no higher than one foot above grade; and
 - (3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

~~3. Floodproofing measures shall be designed, as appropriate, to:~~

- ~~a. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;~~

- ~~_____ b. Protect structures to the flood protection elevation;~~
- ~~_____ c. Anchor structures to foundations to resist flotation and lateral movement; and~~
- ~~_____ d. Minimize or eliminate infiltration of flood waters.~~
- ~~_____ e. Minimize or eliminate discharges into flood waters.]~~

Section Thirty-Two: Section **8.02.B.** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

~~B. Inspect all structures, lands, and waters as often as necessary to assure compliance with this Ordinance.~~ Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.

Section Thirty-Three: Paragraph **8.02 J. 5., 6. and** Subsection **8.02 M. and N.** of the

Zoning Ordinance for the City of Kenosha, Wisconsin, are hereby created as follows:

- 5. Floodproofing certificates.
- 6. List of nonconforming structures and uses.

M. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

STRIKE [N. Submit copies of amendments and biennial reports to FEMA Regional office.]

N. Submit reports by the City as required in Section 2.08 C.

Section Thirty-Four: Paragraph 1 of Subsection **8.05 A.** of the Zoning Ordinance for

the City of Kenosha, Wisconsin, is hereby repealed and recreated as follows:

A. Zoning Permits. Unless another section of this Ordinance specifically exempts certain types of development from this requirement, a Zoning Permit shall be obtained from the Administrator before any ~~New development~~ Construction, as defined in §12.0 B. of this Ordinance; ~~repair, modification or addition to an existing structure~~ or any change in the use of an existing building or structure including sewer and water facilities, may be ~~is~~ initiated. Applications shall include:

1. An application for a Zoning Permit shall be made to the Administrator upon forms furnished by the municipality and shall include, for the purpose of proper enforcement of these regulations, the following information:

- a. Name, address, and telephone number of applicant, property owner and contractor, where applicable.
- b. Legal description of the property and a general description of the proposed use or development including if it is new construction or a modification.
- c. Whether or not a private water supply or sewage system is to be installed.

Section Thirty-Five: Subsections **8.05 A.2. j., k., and l.** of the Zoning Ordinance for

the City of Kenosha, Wisconsin, are hereby created as follows:

A. Zoning Permits. Unless another section of this Ordinance specifically exempts certain types of development from this requirement, a Zoning Permit shall be obtained from the Administrator before any new

development, as defined in §12.0B. of this Ordinance, or any change in the use of an existing building or structure is initiated.

2. The Site Development Plan shall be submitted as a part of the permit application and shall contain the following information drawn to scale:

- a. **Location**, dimensions, area **and elevation** of the lot;
- b. Location of any structures with distances measured from the lot lines and centerline of all abutting streets or highways;
- c. Description of any existing or proposed on-site sewage systems or private water supply systems;
- d. Location of the ordinary high-water mark of any abutting navigable waterways;
- e. Boundaries of all wetlands;
- f. Existing and proposed topographic and drainage features and vegetative cover;
- g. Location of floodplain and floodway limits on the property as determined from floodplain zoning maps;
- h. Location of existing or future access roads; and,
- i. Specifications and dimensions for areas of proposed wetland alteration
- j. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- k. Data sufficient to determine the regional flood elevation in National Geodetic Vertical Datum or North American Vertical Datum at the location of the development and to determine whether or not the requirements of §3.20 or §17.0 are met; and
- l. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to §2.08. This may include any of the information noted in §3.20.

Section Thirty-Six:

Subsection **8.05 A.3.** of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

3. All permits issued under the authority of this Ordinance shall expire ~~six (6) months from the date of issuance~~ **[no more than] 180 days after issuance. [The permit may be extended for a maximum of 180 days for good and sufficient cause.] **DELETE LANGUAGE IN BRACKETS**

Section Thirty-Seven:

Subsection **8.05 C.** of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

C. Certificate of Compliance in FW, FFO, and GFD Districts. No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced, shall be occupied ~~if such land or building is subject to FW Floodway District, FFO Floodplain Fringe Overlay, or GFD General Floodplain District,~~ until a Certificate of Compliance is issued by the Administrator, except where no permit is required, subject to the following provisions:

- 1. The Certificate of Compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this Ordinance.
- 2. Application for such certificate shall be concurrent with the application for a permit.
- 3. If all Ordinance provisions are met, the Certificate of Compliance shall be issued within ten (10) days after written notification that the permitted work is completed.
- 4. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that floodproofing measures meet the requirements of Section 4.03 B.6.

Section Thirty-Eight: Subsections 8.05 D., E., F. and G. of the Zoning Ordinance for

the City of Kenosha, Wisconsin, are hereby created as follows:

D. Hydraulic and Hydrologic Studies to Analyze Development.

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the DNR.

1. Zone A Floodplains:

a. Hydrology. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

b. Hydraulic modeling. The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

(1) determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting Water Surface Elevation (WSEL) for the study.

(2) channel sections must be surveyed.

(3) minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.

(4) a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

(5) the most current version of HEC-RAS shall be used.

(6) a survey of bridge and culvert openings and the top of road is required at each structure.

(7) additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

(8) standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

(9) the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping. A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

(1) If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

(2) If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains.

a. Hydrology. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on NR 11 6.07(3). Wis. Admin. Code. Hydrologic Analysis: Determination of Regional Flood Discharge.

b. Hydraulic model. The regional flood elevation shall be based on the standards in NR 116.07(4). Wis. Admin. Code. Hydraulic Analysis: Determination of Regional Flood Elevation and the following :

(1) Duplicate Effective Model.

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous Flood Insurance Study model upstream and downstream of the revised reach. If data from the effective model is available , models shall be generated that duplicate the Flood Insurance Study profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

(2) Corrected Effective Model.

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

(3) Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

(4) Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

(5) All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

(6) Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested . Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required . The Effective Model shall not be truncated .

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

(1) Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated Flood Insurance Rate Maps and/or Flood Boundary Floodway Maps , construction plans, bridge plans.

(2) Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the Flood Insurance Rate Map may be more easily revised.

(3) Annotated Flood Insurance Rate Map panel showing the revised 1 % and 0.2% annual chance floodplains and floodway boundaries.

(4) If an annotated Flood Insurance Rate Map and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

(5) The revised floodplain boundaries shall tie into the effective floodplain

(6) All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

(7) Both the current and proposed floodways shall be shown on the map.

(8) The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) Expiration.

[All permits issued under the authority of this ordinance shall expire no more than 180 days after ? issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. **from whom?**]

E. Zoning Agency.

1. The City Plan Commission shall:

- a. Oversee the functions of the office of the Administrator; and
- b. Review and advise the Common Council on all proposed amendments to this ordinance, maps and text.

2. The City Plan Commission shall not:

- a. Grant variances the terms of the ordinance in place of action by the Board of Zoning Appeals; or;
- b. Amend the text or zoning maps in place of official action by the Common Council.

F. Other Permits. Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal , state, and local agencies, including but not limited to those required by the U.S Army Corps of Engineers under § 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

G. Public Information.

- 1. Place marks on structures to show the depth of inundation during the regional flood .
- 2. All maps, engineering data and regulations shall be available and widely distributed.
- 3. Real estate transfers should show what floodplain district any real property is in.

Section Thirty-Nine:

Section **9.02** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is repealed and recreated as follows:

9.02 MEMBERSHIP The Board of Appeals shall consist of five (5) members appointed by the Mayor subject to confirmation of the Common Council for terms of three (3) years, as provided in Section 62.23(7)(e) (2) of the Wisconsin Statutes. All terms shall commence on the first day of May of the year of appointment and shall terminate on the 30th day of April of the final year of the term of office. The members of the Board shall be removable by the Mayor for cause upon written charges and after public hearing. The Mayor shall designate one (1) of the members as Chairperson. The Board may employ a secretary and other employees. Vacancies shall be filled for the unexpired terms of members whose terms become vacant. The Mayor shall appoint, for staggered terms of three (3) years, two (2) alternate members of such Board, in addition to the five (5) members above provided for. The first alternate shall act, with full power, only when a member of the Board refuses to vote because of interest, or when a member is absent. The second alternate shall so act only when the first alternate so refuses or is absent, or when more than one member of the Board so refuses or is absent. The above provisions, with regard to removal and the filling of vacancies, shall apply to such alternates. ~~The Administrator shall act as Secretary of the Board.~~

Section Forty:

Section **9.04 E.** of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is created as follows:

E. Boundary Disputes. Hear and decide disputes concerning the district boundaries shown on the official Floodplain Zoning Map.

Section Forty-One:

Section 9.09 C., D. and E. of the Zoning Ordinance for the City

of Kenosha, Wisconsin, are hereby created as follows:

C. Boundary Disputes.

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

1. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
2. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
3. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to § 10.06.

D. Variance.

1. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

- a. Literal enforcement of the ordinance will cause unnecessary hardship;
- b. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
- c. The variance is not contrary to the public interest; and
- d. The variance is consistent with the purpose of this ordinance in §1.04.

2. In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:

- a. The variance shall not cause any increase in the regional flood elevation;
- b. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the Regional Flood Elevation; and
- c. Variances shall only be granted upon a showing of good and sufficient cause shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

3. A variance shall not:

- a. Grant, extend or increase any use prohibited in the zoning district.
- b. Be granted for a hardship based solely on an economic gain or loss.
- c. Be granted for a hardship which is self-created.
- d. Damage the rights or property values of other persons in the area.
- e. Allow actions without the amendments to this ordinance or map(s) required in § 10.06.
- f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

4. When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

E. To Review Appeals of Permit Denials.

1. The Board shall review all data related to the appeal. This may include:
 - a. Permit application data listed in §8.05;

- b. Floodway/floodfringe determination data in §3.21;
- c. Data listed in §3.20 C. where the applicant has not submitted this information to the Administrator; and
- d. Other data submitted with the application, or submitted to the Board with the appeal.

2. For appeals of all denied permits the Board shall:

- a. Follow the procedures of §9.02
- b. Consider zoning agency recommendations; and
- c. Either uphold the denial or grant the appeal.

3. For appeals concerning increases in regional flood elevation the Board shall:

- a. Uphold the denial where the Board agrees with the data showing an increase in flood elevation.

Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of §10.06; and

- b. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

Section Forty-Two: Section 10.06 A.4. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

- 4. Any fill or floodplain encroachment that obstructs flow, increasing regional floodheight 0.0+0 foot or more.

Section Forty-Three: Section 10.06 B., C., and D. of the Zoning Ordinance for the

City of Kenosha, Wisconsin, are hereby repealed and recreated as follows:

B. Changes in the FW Floodway District Boundaries shall not be permitted where the change will increase the flood stage elevation to equal or more than ~~one hundredth (0.01)~~ **0.00** foot, unless the petitioner for such a change has made appropriate legal arrangements with all property owners affected by the flood stage increase. Petitions for FW Floodway District changes shall show the affects of the change within the associated flood fringe ~~utilizing the single degree of hydraulic encroachment principle,~~ and shall provide adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations.

C. Removal of Land from the Floodland Districts. Compliance with the provisions of this Ordinance shall not be grounds for removing land from the floodland unless it is filled at least two (2') feet above the regional or base flood elevation, the fill is contiguous to land outside the floodland, and the map is amended pursuant to Section 10.06. Removal of land from the floodland districts shall not be permitted where the development of the land will increase flood stage to equal or more than ~~one hundredth (0.01)~~ **0.00** foot, unless the petitioner or developer has made appropriate legal arrangements with all property owners affected by the flood stage increase. Under no circumstances shall the flood stage increase to equal or more than ~~one hundredth (0.01)~~ **0.00** foot. ~~Petitions to remove lands from the floodland district shall show the affects upon flood storage utilizing the single degree of hydrologic encroachment principle, and shall provide adjusted water surface profiles and adjusted floodland limits to reflect the increased flood elevations.~~ Petitions to remove lands from the floodland districts shall include certification from the petitioner that the petitioner has requested a Letter of Map Change from FEMA consistent with petitioner s petition. Unless the property owner has received a letter of map changes from FEMA, removal of land from floodland will not relieve the property owner of the Federal provisions for mandatory purchase of flood insurance.

D. Amendment of Unnumbered A Zones shall not be permitted unless the petitioner provides the City

with engineering data showing the flood profile, necessary river cross-sections, flood elevations, and any affect the establishment of a floodway/flood fringe will have on flood stages. The effects shall be limited as set forth earlier in this Section to less than ~~one-hundredth (0.01)~~ **0.00** foot increase in flood stage unless appropriate legal arrangements have been made. ~~If an unnumbered A Zone is less than five (5) acres in area and where the cost of the proposed development is less than Seventy-five Thousand (\$75,000) Dollars, the Wisconsin Department of Natural Resources (DNR) may assist the petitioner in determining the required flood elevations.~~

Section Forty-Four: Section **10.06 F.** of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

F. Special-Additional-Procedures For Amendment of Floodland Districts. ~~In addition to all other procedures for amending the Ordinance, in the event an amendment is proposed that will either amend the text of provisions of this Ordinance specifically limited to floodland zoning districts or amend floodland zoning district boundaries, the following must also be satisfied before the amendment is effective:—~~**Ordinance amendments may be made upon petition of any party according to the provisions of §62.23, Stats., for cities and villages, or §9.69, Stats., for counties. The petitions shall include all data required by §§5.4 and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.**

1. The proposed amendment shall be referred to the City Plan Commission for a public hearing and recommendation to the Common Council. The amendment and notice of public hearing shall be submitted to the **Department** Regional Office of the Wisconsin Department of Natural Resources for review prior to the hearing. **The amendment procedure shall comply with the provisions of §62.23, Stats.**

2. No amendments shall become effective until reviewed and approved by the Wisconsin Department of Natural Resources.

3. All persons petitioning for a map amendment that obstructs flow, ~~increasing~~ **causing any increase in** the regional flood height ~~0.01~~ **0.00** foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the **City Common Council**.

4. For amendments in areas with no water surface profiles, the zoning agency or board shall consider data submitted by the Wisconsin Department of Natural Resources, ~~the Administrator's visual on-site inspections~~ and other available information.

Section Forty-Five: Section **10.06 G. and H.** of the Zoning Ordinance are hereby

created as follows:

G. Amendments. Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §8.1.

1. In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.

2. In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with §8.1.

H. General

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in §8.2 below. Actions which require an amendment to the ordinance and/or submittable of a Letter of Map Change (LOMC) include, but are not limited to, the following :

1. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
2. Any change to the floodplain boundaries and/or watercourse alterations on the Flood Insurance Rate Map;
3. Any changes to any other officially adopted floodplain maps listed in 1.5 (2)(b);
4. Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
5. Correction of discrepancies between the water surface profiles and floodplain maps;
6. Any upgrade to a floodplain zoning ordinance text required by § NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
7. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a Flood Insurance Rate Map requires prior approval by FEMA.

Section Forty-Six: Section 11.021 of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

11.021 Floodplain Enforcement and Penalties. Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$25.00 and not more than \$50.00, together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen there of pursuant to §87.30, Wis. Stats.

Section Forty-Seven: Section 12.0 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby amended by adding the following definitions:

AH Zone. See "Area of Shallow Flooding"

AO Zone. See "Area of Shallow Flooding"

Alteration - An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating , air conditioning and other systems within a structure.

Area of Shallow Flooding. A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

Campground. Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

Camping Unit. Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van , pickup truck, or tent that is fully licensed, if required, and ready for highway use.

Floodplain Violation. The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Letter of Map Change. A letter which reflects an official revision to an effective National Flood Insurance Program map. Letter of Map Changes are issued in place of the physical revision and republication of the effective map.

Letter of Map Revision. FEMA's modification to an effective Flood Insurance Rate Map, or Flood Boundary and Floodway Map, or both. Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations, or the Special Flood Hazard Area. The Letter of Map Revision officially revises the Flood Insurance Rate Map or Flood Boundary and Floodway Map, and sometimes the Flood Insurance Study report, and when appropriate, includes a description of the modifications. The Letter of Map Revision is generally accompanied by an annotated copy of the affected portions of the Flood Insurance Rate Map, Flood Boundary and Floodway Map, or Flood Insurance Study report. All requests for changes to effective maps, other than those initiated by FEMA, must be made in writing by the Chief Executive Officer of the community or an official designated by the Chief Executive Officer. Because a Letter of Map Revision officially revises the effective National Flood Insurance Program map, it is a public record that the community must maintain. Any Letter of Map Revision should be noted on the community's master flood map and filed by panel number in an accessible location.

Lowest Adjacent Grade. Elevation of the lowest ground surface that touches any of the exterior walls of a building.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

Maintenance. The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

Mobile/Manufactured Home Park or Subdivision, Existing. A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Mobile/Manufactured Home Park, Expansion to Existing. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

Model, Corrected Effective. A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

Model, Duplicate Effective. A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

Model, Effective. The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

Model, Existing (Pre-Project) A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

Model, Revised (Post-Project) A modification of the Existing or Pre-Project Conditions Model, Duplicate

Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

Open Space Use. Those uses having a relatively low flood damage potential and not involving structures.

Substantial Improvement. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of , the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work preformed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Section Forty-Eight: Section 12.0 of the Zoning Ordinance for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

Floodplain Fringe. ~~Those floodlands, excepting the floodway, subject to inundation by the regional flood. For the purpose of this Ordinance, the floodplain fringe includes the Floodplain Fringe Overlay (FFO) District. That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.~~

Increase In Regional Flood Height. A calculated upward rise in the regional flood elevation, equal to or greater than ~~0.01~~ 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain, but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Section Forty-Nine: Section 17.02 A. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby amended as follows:

A. Applicability. This Section applies to all Floodplain Fringe areas shown on the Floodplain Zoning Maps and those identified pursuant to Section 3.21 D.

The Floodfringe District (FFD) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.

Section Fifty: Section 17.02 C.1., 2., 4., and 7 of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby repealed and recreated as follows:

C. Conditional Uses/Standards For Development In Floodplain Fringe Overlay Areas. Section 3.20 A. shall apply in addition to the following requirements according to the use requested.

1. Residential Uses. Any habitable structure, including a manufactured/mobile home, which is to be erected, constructed, reconstructed, altered or moved into the Floodplain Fringe Overlay Area shall meet or exceed the following standards:

a. The elevation of the lowest floor, excluding the basement or crawlway, shall be at or above the flood protection elevation on fill. The fill shall be one (1) foot or more above the regional flood elevation extending at least fifteen (15') feet beyond the limits of the structure. ~~The Wisconsin Department of Natural Resources may authorize other floodproofing measures if the elevations of existing streets or sewer lines makes compliance with~~

~~the fill standards impractical.~~

b. The basement or crawlway floor may be placed at the regional flood elevation if it is floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation.

c. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection d. below.

d. In developments where existing street or sewer line elevations make compliance with subsection c. impractical, the City may permit new development and substantial improvements where access roads are at or below the regional flood elevation, if:

(1) The City has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or,

(2) The City has a natural disaster plan approved by ~~the Wisconsin Emergency Management and the Wisconsin Department of Natural Resources.~~

2. Accessory Structures or Uses. Accessory structures or uses shall be constructed on fill with the lowest floor at or above the regional flood elevation.

~~a. Accessory Structure Not Connected To A Principal Structure. Except as provided in subsection 2.b. below, an accessory structure that is not connected to a principal structure, may be constructed with its lowest floor at or above the regional flood elevation.~~

~~b. Accessory Structure Not Connected To A Principal Structure Less Than Six Hundred Square Feet. An accessory structure that is not connected to the principals structure, and which is less than six hundred (600) square feet in size and valued at less than Ten Thousand (\$10,000.00) Dollars, may be constructed with its lowest floor no more than two (2') feet below the regional flood elevation if it is subject to flood velocities of not more than two (2') feet per second and it meets all the provisions of Sections 3.20 C.2. and 17.02 C.5.~~

4. Manufacturing and Industrial Uses. Any manufacturing or industrial structure which is erected, altered or moved into the floodplain fringe area ~~shall be protected to the flood protection elevation using fill, levees, floodwalls, or other floodproofing measures in Section 4.03 B.6.~~ shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in § 4.03. - Subject to the requirements of Section ~~17.02 C.5. 12.02~~, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property

7. Sewage Systems. All on-site sewage disposal systems shall be floodproofed pursuant to Section 4.03 B.6. to the flood protection elevation and shall meet the provisions of all local Ordinances and Chapter ~~COMM 83-SPS 383~~, Wisconsin Administrative Code.

Section Fifty-One:

This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 5
Petition to rezone properties at 5031 and 5035 28th Avenue from M-2 Heavy Manufacturing District to RG-1 General Residential District in conformance with Section 10.02 of the Zoning Ordinance. (Evans/Chairez) (District #7) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 5031 and 5035 28th Avenue
 Neighborhood: Wilson

Vicinity Zoning/Land Use

North: M-2/Mixed Residential
 South: M-2/Mixed Residential
 East: M-2/Warehouse
 West: RG-1/Mixed Residential

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Juliana and property owners within 100 feet have been notified. The Common Council is the final review authority.

ANALYSIS:

- The owners of the properties have requested to rezone their properties from *M-2 Heavy Manufacturing District* to *RG-1 General Residential District*. The purpose of the rezoning is to make the existing residential uses on the property a conforming use.
- Rezoning of the property to *RG-1 General Residential District* is consistent with the existing land uses in the area and the adopted *Comprehensive Plan for the City of Kenosha: 2035*, which lists this site as *Medium High Density Residential*.
- Any future development of the property will have to be consistent with all City, State and Federal Ordinances and regulations.

RECOMMENDATION:

A recommendation is made to approve the rezoning.



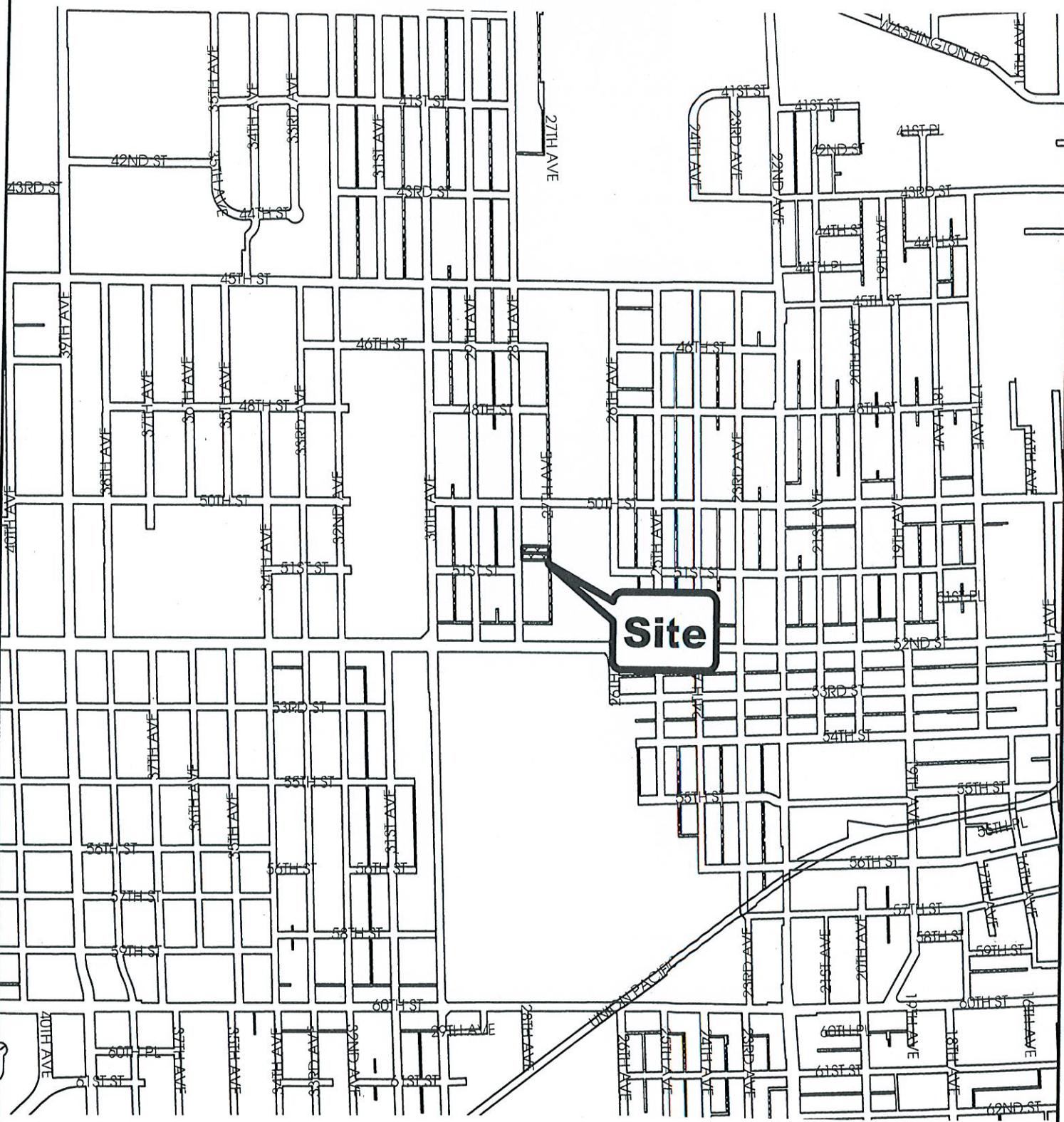
Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Interim Director

City of Kenosha

Vicinity Map Evans/Chairez Rezoning



Site



Properties requested to be rezoned



0 250 500 750 1,000
Feet

City of Kenosha

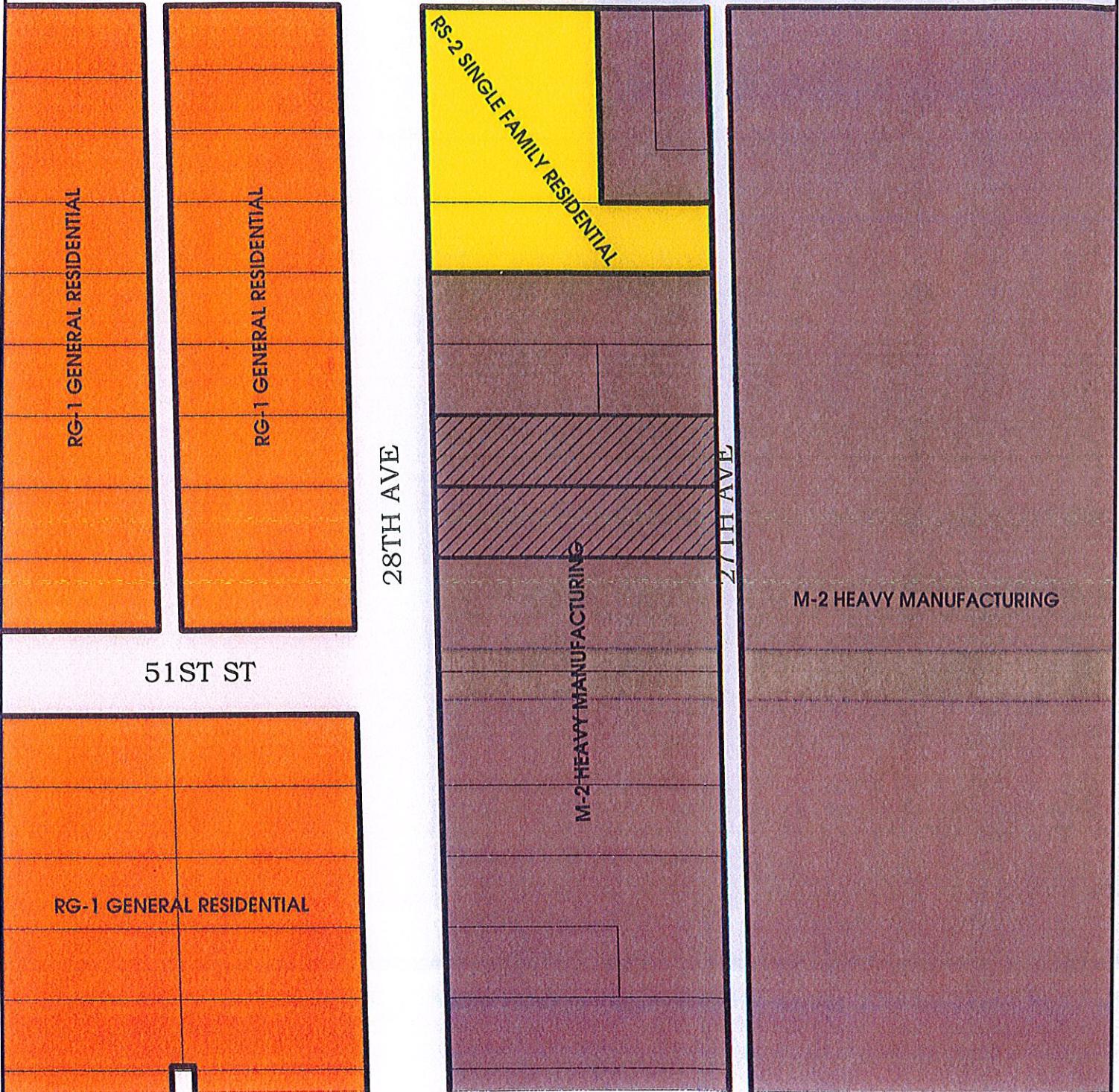
District Map
Rezoning

Supplement No. Z4-12

Ordinance No. _____

Evans / Chairez petition

50TH ST



Properties requested to be rezoned from:

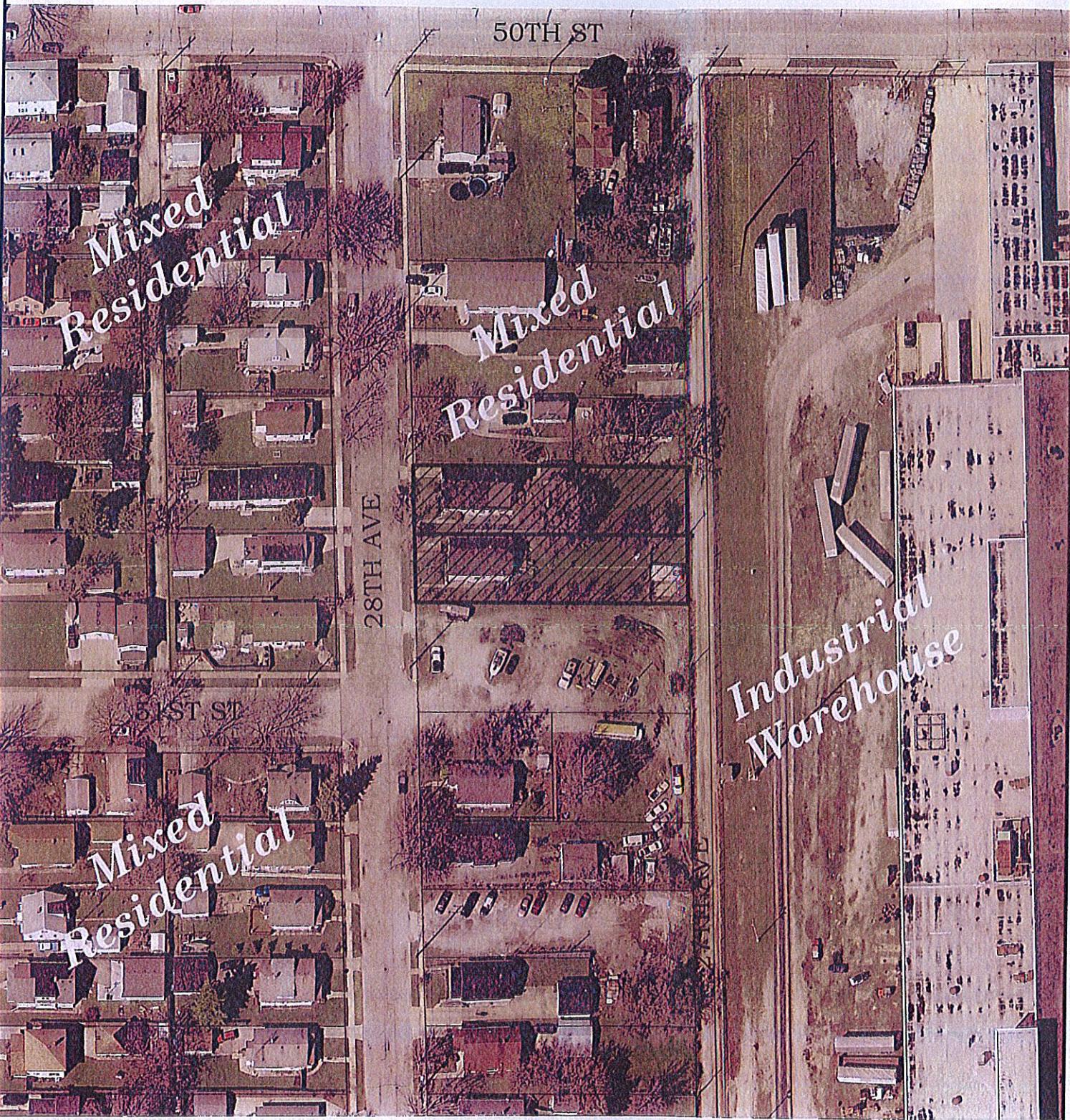


*M-2 Heavy Manufacturing to
RG-1 General Residential*



0 25 50 75 100
Feet

City of Kenosha
Land Use Map
Evans/Chairez Rezoning



28TH AVE

50TH ST

5TH ST

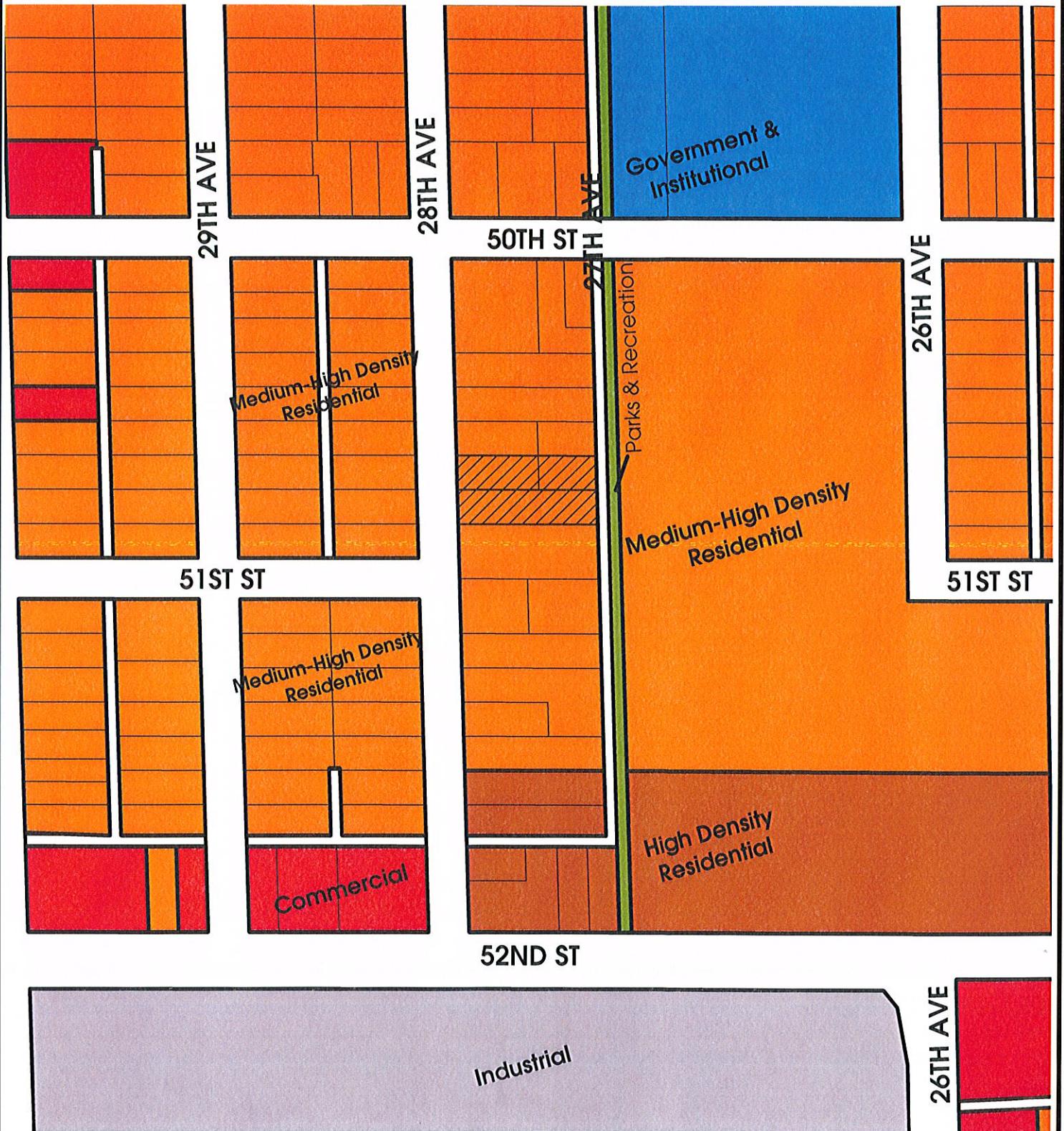


Properties requested to be rezoned



City of Kenosha

Vicinity Map 2035 Comprehensive Plan



Properties requested to be rezoned
to be in conformance with 2035 Land Use Plan



To the Honorable Mayor
And members of the Common Council
Kenosha, Wisconsin

Dear Members of the Common Council:

It is requested that my property located at, 5031 28th Avenue, be rezoned from M-2 to Rg-1.

The purpose of this rezoning is to permit conforming residential use.

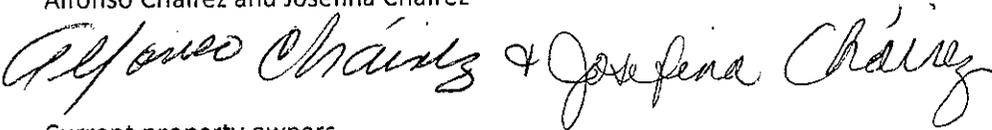
Attached is a receipt for the rezoning fee.

Please inform me of the date of this item will be reviewed by the City Plan Commission. The meeting

Notice should be sent to: Alfonso and Josefina Chairez, at 5031 28th Avenue, Kenosha, Wisconsin, 53140.

Sincerely,

Alfonso Chairez and Josefina Chairez

Handwritten signature of Alfonso Chairez and Josefina Chairez in cursive script, with the names written in a fluid, connected style.

Current property owners

To the Honorable Mayor
And members of the Common Council
Kenosha Wisconsin

Dear Members of the Common council:

It is requested that my property located at 5035 28th avenue be rezoned from M-2 to Rg-1.

The purpose of this rezoning is to permit conforming residential use.

Attached is a receipt for the rezoning fee.

Please inform me of the date this item will be reviewed by the city plan Commission. The meeting notice should be sent to Don Evans at 5035 28th avenue Kenosha Wisconsin.

Sincerely

A handwritten signature in black ink, appearing to read "Don Evans", with a long horizontal flourish extending to the right.

Don Evans

Current property owner

·Planning & Zoning

·Community Development

262.653.4030
262.653.4045 FAX
Room 308



·Building Inspections

·Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Interim Director

Richard Schroeder, Interim Deputy Director

April 4, 2012

Notice of Public Hearing

Rezoning of property located at 5031 and 5035 28th Avenue (Evans/Chairez)

The City Plan Commission will hold a public hearing on a petition submitted to rezone properties at 5031 and 5035 28th Avenue. The proposed rezoning would amend the zoning on the property from M-2 Heavy Manufacturing District to RG-1 General Residential. The rezoning request is to zone the land in conformance with the existing use, single-family residential.

The public hearing will be held at the City Plan Commission meeting as follows:

Thursday, April 19, 2012 at 5:00 p.m.
Municipal Building
625 52nd Street - Room 202
Kenosha, WI 53140

You are being notified of these public hearings because, as the owner of property located within 100-feet of the proposed zoning change, you are eligible to file a protest petition pursuant to Wisconsin State Statutes. The proposed rezoning **will not** change the zoning of your property. The enclosed map identifies the boundaries of the proposed rezoning and the location of your property has been highlighted.

The City Plan Commission will make a recommendation to the Common Council on the zoning petition. The Common Council is tentatively scheduled to hold a public hearing and take final action on this item at their meeting on Monday, May 21, 2012 at 7:00 p.m. in Room 200 of the Municipal Building.

Additional information regarding this petition is on file with the Department of Community Development & Inspections in Room 308 of the Municipal Building. For additional information or related questions, please contact Brian Wilke via email at bwilke@kenosha.org or at 262.653.4049.

BW:kas
Enclosure

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 6
City Plan Commission Resolution to Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035, regarding property at 720 59th Place. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 720 59th Place

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Schwartz, has been notified. This City Plan Commission Resolution recommends the Common Council approve the Amendment through a Zoning Ordinance Amendment.

ANALYSIS:

- Wisconsin Statutes require the City Plan Commission to adopt a City Plan Commission Resolution to recommend that the Common Council adopt amendments to the Comprehensive Plan.
- The attached Resolution satisfies this requirement and will be attached to the Zoning Ordinance to create Subsection 18.02 r. to Amend the *Land Use Plan for the City of Kenosha: 2035* for the referenced properties from *Government and Institutional* to *Mixed-Use*.
- The adopted Comprehensive Plan designated this site, along with the surrounding area, as a mix of *Commercial* and *Government and Institutional*. This area has developed as mostly *Commercial* with some municipal uses.
- The owner of the property has requested the land use change to mixed-use to allow for the conversion of the building to multi-family residential with some non-residential uses.

RECOMMENDATION:

A recommendation is made to approve the City Plan Commission Resolution amending the Comprehensive Plan.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labahn, Interim Director

CITY PLAN COMMISSION RESOLUTION # ____-12

By: City Plan Commission

**To Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035
Property at 720 59th Place (Varin/Library Park, LLC)**

WHEREAS, the City of Kenosha, pursuant to Section 62.23 of the Wisconsin Statutes, has established the City Plan Commission; and

WHEREAS, the Common Council adopted "A Comprehensive Plan for the City of Kenosha: 2035" on April 19, 2010, following extensive public participation; and

WHEREAS, a property owner has submitted a request to amend the Land Use designation for the referenced properties from *Government and Institutional* to *Mixed-Use*, as mapped on the attached Map C4-12 and on the Land Use Plan map adopted by the Common Council as part of the Comprehensive Plan; and

WHEREAS, the City Plan Commission finds that the Comprehensive Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the Wisconsin Statutes and the Comprehensive Plan, with the proposed amendment, is internally consistent; and

WHEREAS, the City has duly noticed and will hold a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 66.1001(4)(b), the City Plan Commission for the City of Kenosha, Wisconsin, hereby approves the amendment to "A Comprehensive Plan for the City of Kenosha: 2035" as shown on the attached Map C4-12.

BE IT FURTHER RESOLVED, that the City Plan Commission, for the City of Kenosha, Wisconsin, does hereby recommend that the Common Council enact a Zoning Ordinance adopting the Comprehensive Plan Amendment.

Adopted this ____ day of _____, 2012

ATTEST:

Jeffrey B. Labahn, Secretary of City Plan Commission

APPROVE:

Mayor Keith Bosman, Chairman of City Plan Commission

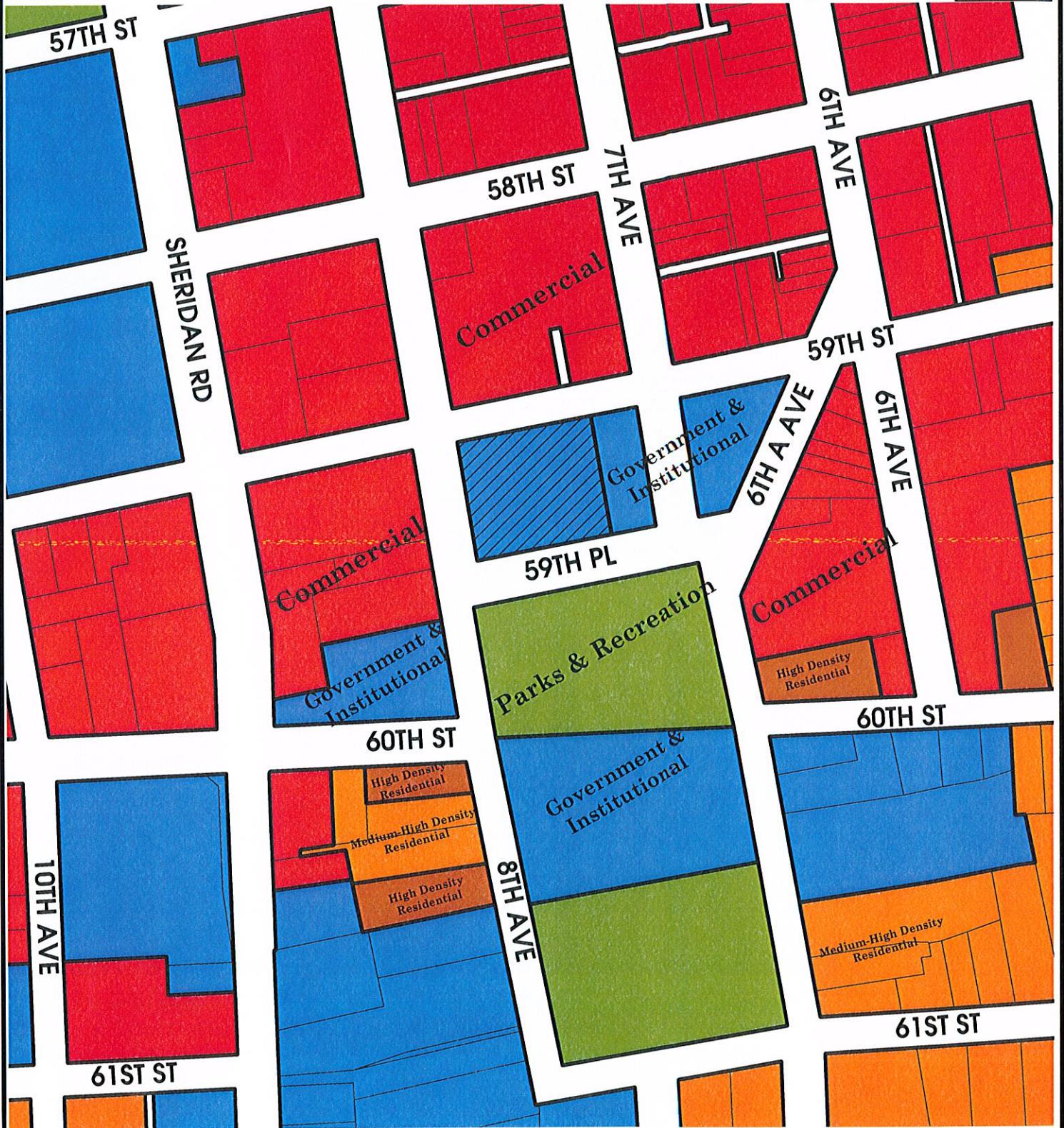
City of Kenosha

Comprehensive Plan Amendment

Varin/Library Park LLC Petition

Supplement No. C4-12

Ordinance No. _____



Property requested to be changed from
Government & Institutional to Mixed Use



Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 7
Petition to rezone property at 720 59th Place from IP Institutional Park District to B-4 Mixed-Use District in conformance with Section 10.05 of the Zoning Ordinance. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 720 59th Place Neighborhood: Downtown

Vicinity Zoning/Land Use

North: B-3/Kenosha News South: IP/Library Park
 East: IP/Church West: B-3/Parking, Church

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Schwartz, has been notified. Property owners within 100 feet of the proposed rezoning were notified. The Common Council is the final review authority.

ANALYSIS:

- The owner of the property has requested to rezone the property from *IP Institutional Park District* to *B-4 Mixed-Use District*. The purpose of the rezoning is to convert the existing building, the former KYF Building, to a residential use with some non-residential uses.
- Rezoning of the property to *B-4 Mixed-Use* is not consistent with the adopted *Comprehensive Plan for the City of Kenosha: 2035*, which lists this site as *Government and Institutional*. An Amendment to that Plan is required for the City to approve the rezoning. That Amendment is included on this agenda.
- The development of the property must be consistent with all City, State and Federal Ordinances and regulations. The Owner has submitted the attached Concept Plan for review.
- The proposal is to convert the former Downtown KYF into a 42-unit multi-family residence. The YMCA would potentially lease space at the basement level, and there could be a daycare or other non-residential uses. The addition on the east side of the building constructed in 1974, would be removed and would be replaced with either a surface parking lot or split-level parking ramp.
- The Historic Preservation Commission must review any changes to the exterior of the building.
- The final development will require a Conditional Use Permit that must be reviewed by the City Plan Commission and Common Council. The applicant is seeking comments on the Concept Plan as they prepare to make their formal submittal of the Conditional Use Permit.

RECOMMENDATION:

A recommendation is made to approve the rezoning.



Brian R. Wilke, Development Coordinator
 /u2/acct/cp/ckays/1CPC/2012/May10/7fact-rezone-varin.odt

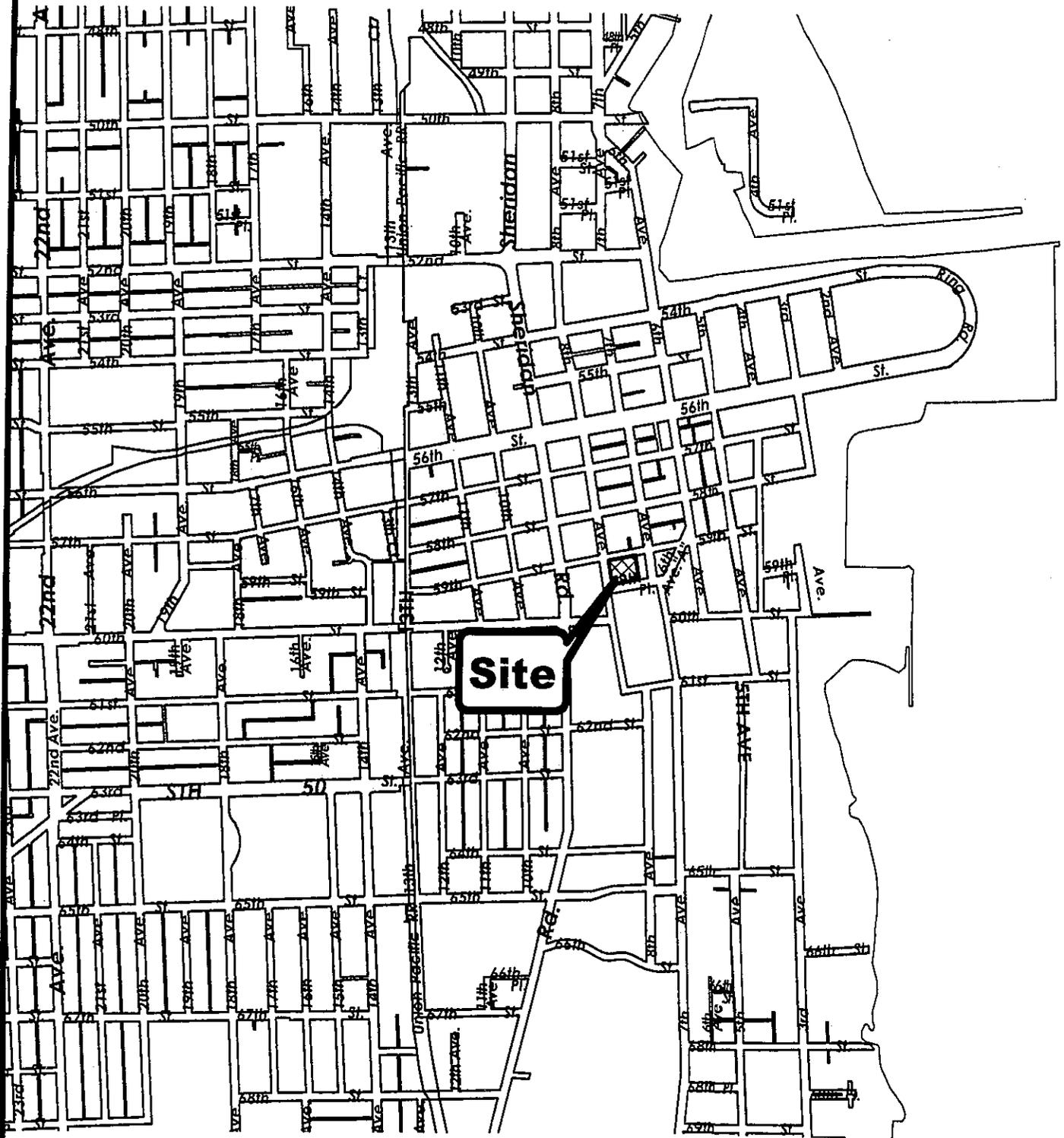


Jeffrey B. Labahn, Interim Director

City of Kenosha

Vicinity Map

Varin/Library Park LLC Rezoning



Property requested to be rezoned



0 250 500 750 1,000 Feet

City of Kenosha

District Map
Rezoning

Supplement No. Z5-12

Ordinance No.

Varin / Library Park LLC petition



Property requested to be rezoned from:



IP Institutional Park to
B-4 Mixed Use



0 50 100 150 200
Feet

City of Kenosha

Land Use Map
Varin/Library Park LLC Rezoning



Property requested to be rezoned



0 25 50 75 100 Feet

**Varin/Library Park, LLC
c/o Varin Realty, LLC
1694 First Street
Highland Park, IL 60035**

April 10, 2012

The Honorable Mayor Bosman
and Members of the Kenosha Common Council
Kenosha, Wisconsin

Dear Members of the Common Council:

It is requested that my property, located at 720 - 59th Place, be rezoned from IP to B-4. The purpose of the rezoning is to permit the conversion of the former Kenosha YMCA Building into approximately 42 apartments.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to: Varin/Library Park, LLC (Attention: David Nankin), 1694 First Street, Highland Park, IL 60035. I can be reached at 847-432-9700, ext. 13, if there are any questions regarding my request for the rezoning.

Sincerely,

Varin/Library Park, LLC



David Nankin
Authorized Representative

**SECTION 9
REZONING**

Additional Information Required:	Current Zoning District: <u>IP</u> Proposed Zoning District: <u>B-4</u> Proposed Type of Rezoning: (Check all applicable) <input type="checkbox"/> Single-family Residential <input type="checkbox"/> Two-family Residential <input checked="" type="checkbox"/> Multi-family Residential (3 or more units) <input checked="" type="checkbox"/> Institutional, Commercial or Industrial
Submittal Requirements:	<ul style="list-style-type: none"> ➤ Rezoning Petition (sample below) filled out according to the particular situation. The current owner(s) of the property must sign the petition. ➤ Building and Site Development Plans as indicated below.
Fees:	<ul style="list-style-type: none"> ➤ Rezoning Fee = \$550 (For projects that <i>do not</i> require building and site development plans) <u>OR</u> ➤ Rezoning with Concept Plan = \$1,150 (For projects that require building and site development plans) <p><i>The City retains the fee whether the rezoning is approved or denied. The applicant should contact Community Development and Inspections – Planning Division to verify the total fee before submitting the rezoning application.</i></p>
Appendices to Review:	➤ N/A
Approximate Review Time:	➤ 60-75 days (Reviewed by City Plan Commission and Common Council)

A rezoning request can be initiated by:

- The City Plan Commission
- The Common Council
- A petition of 50 percent or more of the owners of property within the area proposed to be rezoned

SAMPLE REZONING PETITION

The Honorable Mayor
and Members of the Common Council
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at *(address or parcel number)* be rezoned from *(present zoning)* to *(proposed rezoning)*. The purpose of the rezoning is to permit *(proposed use of the property)*.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to *(list one name only)* at *(address)*. I can be reached at *(phone number)* if there are any questions regarding my request for the rezoning.

Sincerely,

Current Property Owner

·Planning & Zoning

·Community Development

262.653.4030
262.653.4045 FAX
Room 308



·Building Inspections

·Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Interim Director

Richard Schroeder, Interim Deputy Director

April 26, 2012

Notice of Public Hearing

Rezoning of property located at 720 59th Place (Varin/Library Park)

The City Plan Commission will hold a public hearing on a petition submitted by Varin/Library Park LLC, David Nankin, Agent, to rezone their property located at 720 59th Place. The proposed rezoning would amend the zoning on the property from IP Institutional Park to B-4 Mixed Use District. The rezoning request is to allow the conversion of the building to multi-family residential with some accessory non-residential uses.

An Amendment to the City's Adopted *Comprehensive Land Use Plan for the City of Kenosha: 2035* is also required. The Amendment would change the land use from *Government and Institutional* to *Mixed Use*.

The public hearing will be held at the City Plan Commission meeting as follows:

Thursday, May 10, 2012 at 5:00 p.m.
Municipal Building
625 52nd Street - Room 202
Kenosha, WI 53140

You are being notified of these public hearings because, as the owner of property located within 100-feet of the proposed zoning change, you are eligible to file a protest petition pursuant to Wisconsin State Statutes. The proposed rezoning **will not** change the zoning of your property. The enclosed map identifies the boundaries of the proposed rezoning and the location of your property has been highlighted.

The City Plan Commission will make a recommendation to the Common Council on the zoning petition. The Common Council is tentatively scheduled to hold a public hearing and take final action on this item at their meeting on Monday, June 18, 2012 at 7:00 p.m. in Room 200 of the Municipal Building.

Additional information regarding this petition is on file with the Department of Community Development & Inspections in Room 308 of the Municipal Building. For additional information or related questions, please contact Brian Wilke via email at bwilke@kenosha.org or at 262.653.4049.

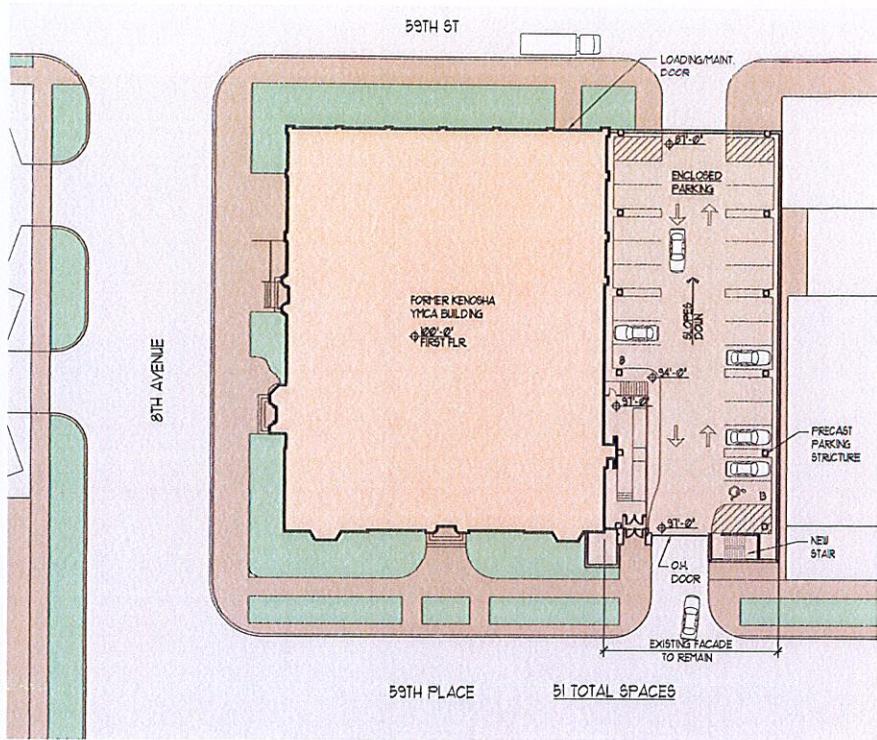
BW:kas
Enclosure



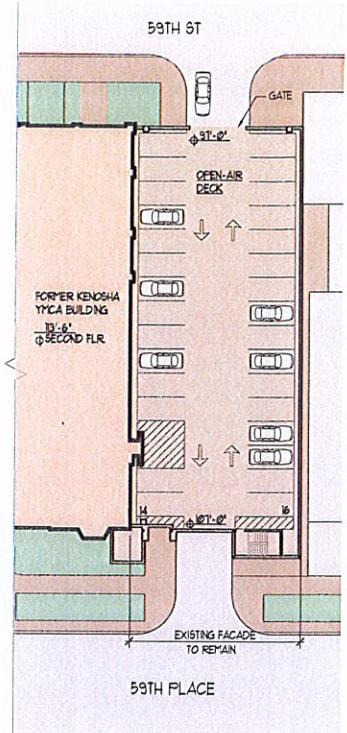
The Residences at Library Park

Presented By:  **VARIN**
REALTY

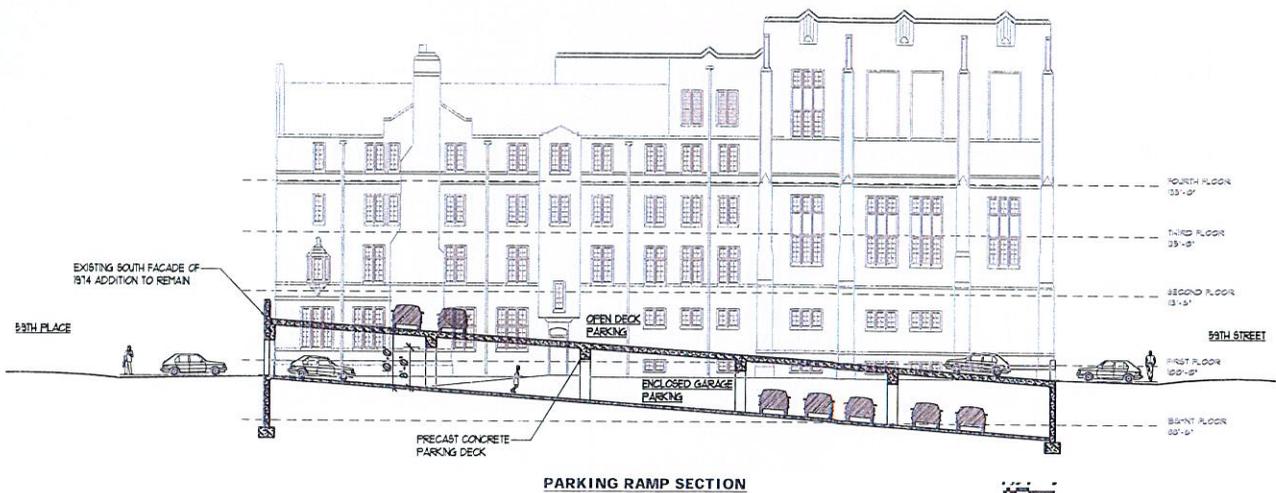
 **Partners in Design**
ARCHITECTS



RAMPED PARKING PLAN LOWER LEVEL



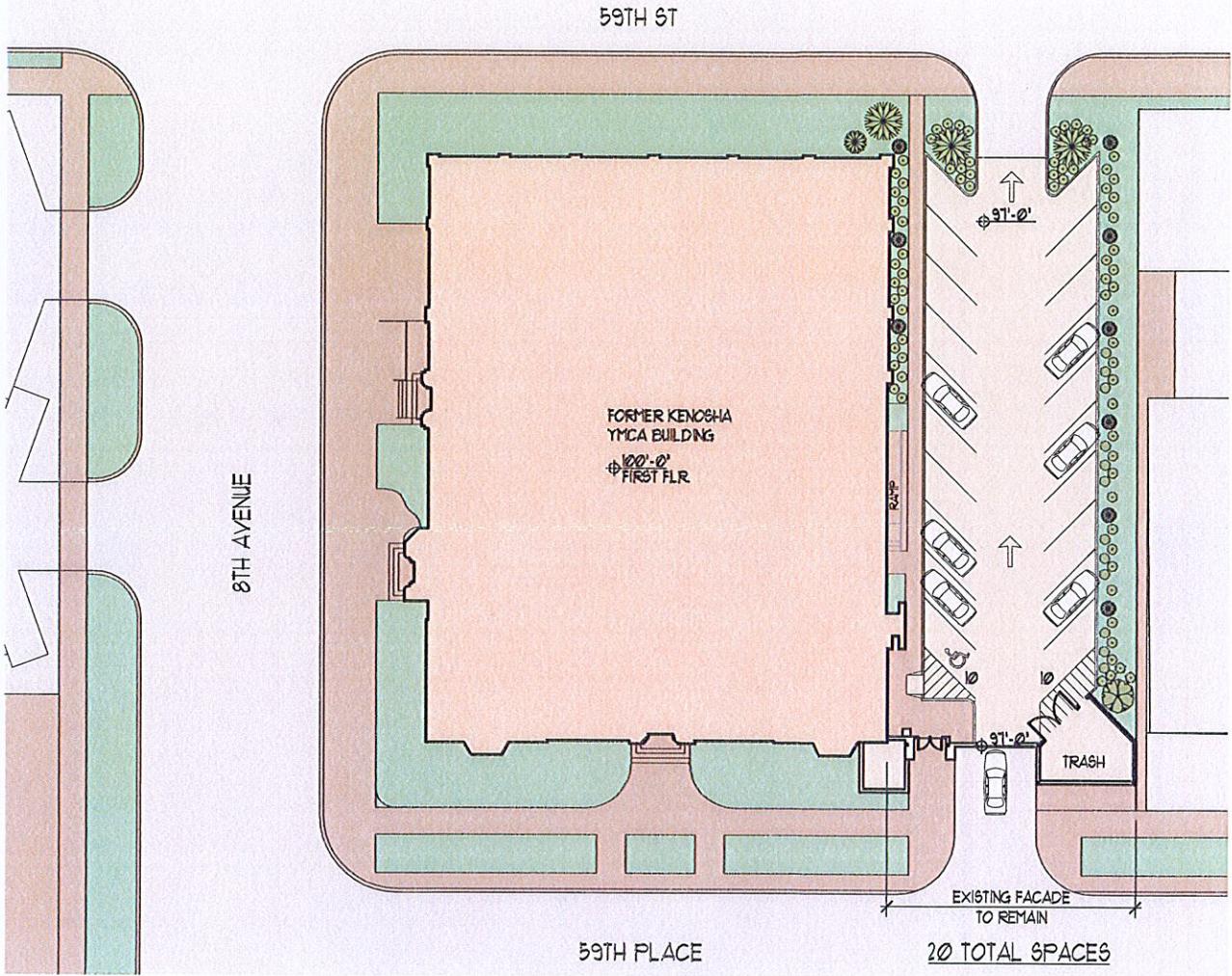
UPPER LEVEL



PARKING RAMP SECTION

The Residences at Library Park

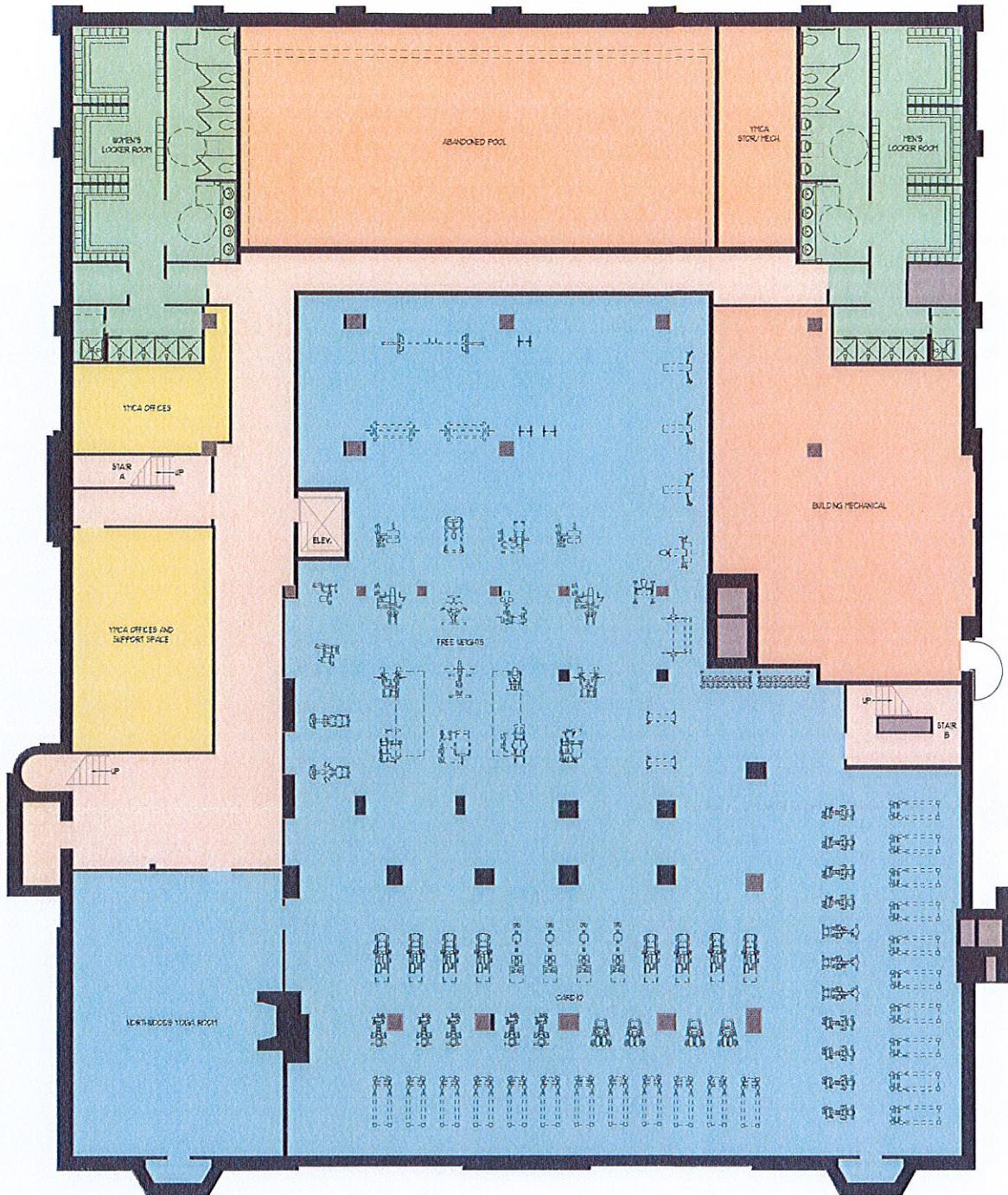




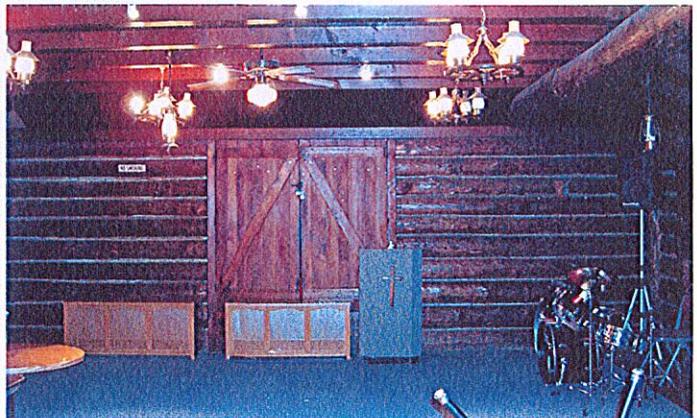
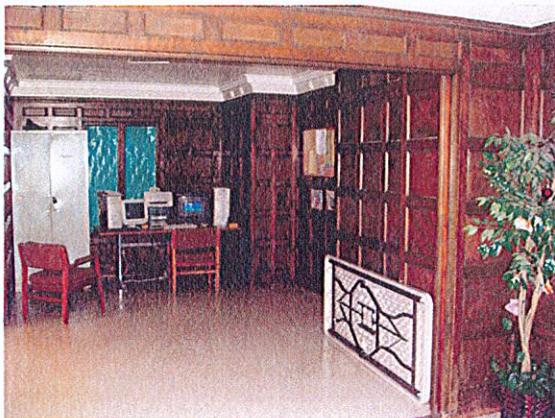
↑ SURFACE PARKING PLAN

The Residences at Library Park





↑ BASEMENT FLOOR PLAN

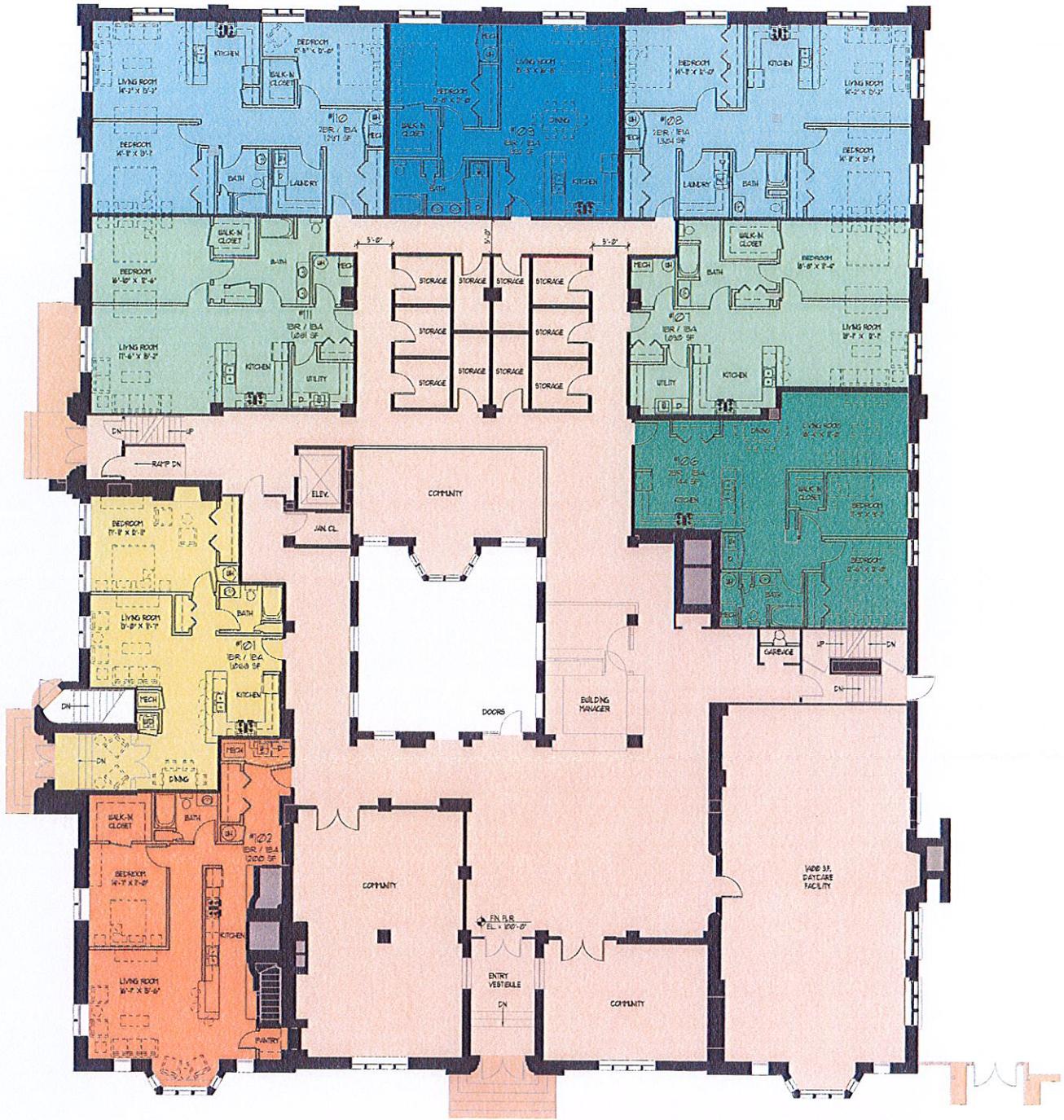


Some Basement Spaces Contain Quality Building Materials

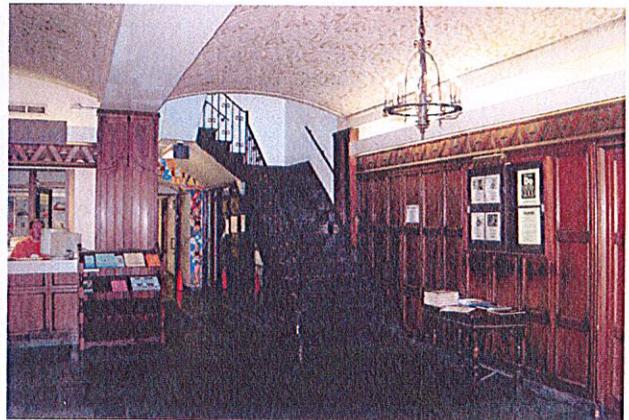
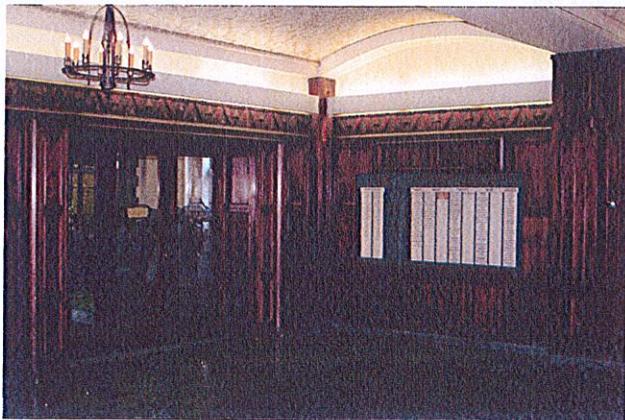
The Residences at Library Park

VARIN REALTY

Partners in Design ARCHITECTS



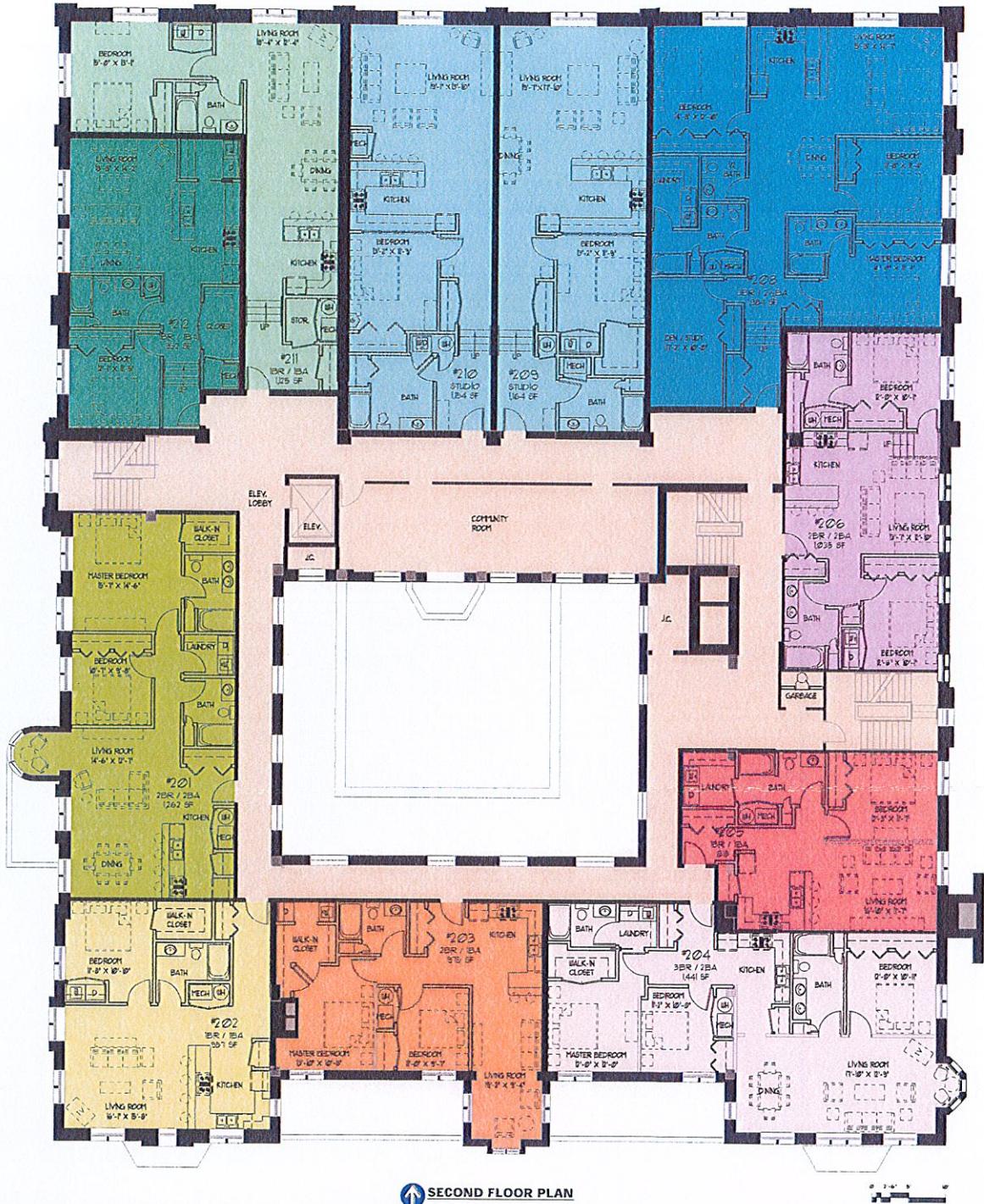
↑ FIRST FLOOR PLAN



The Residences at Library Park

VARIN
REALTY

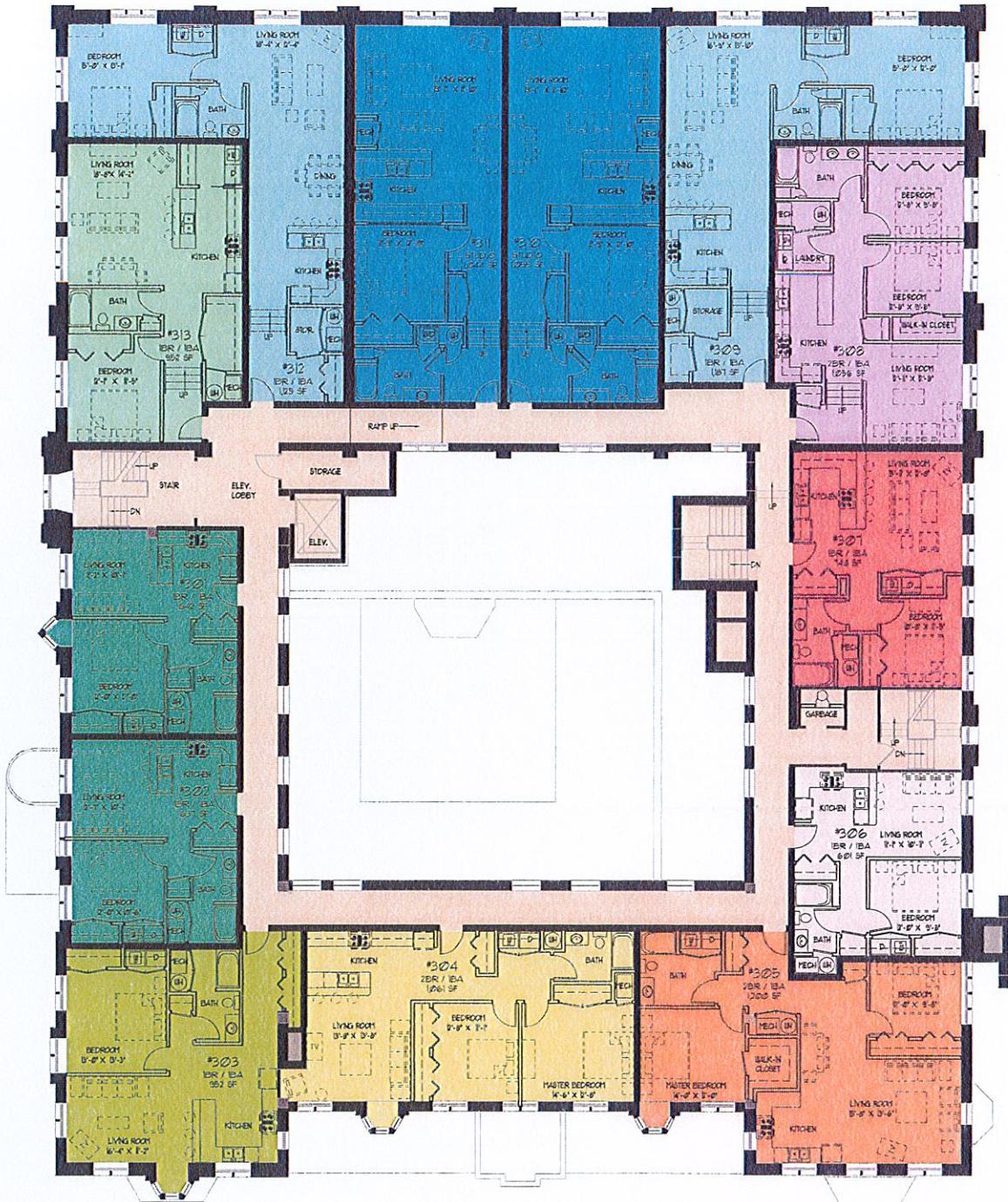
Partners in Design
ARCHITECTS



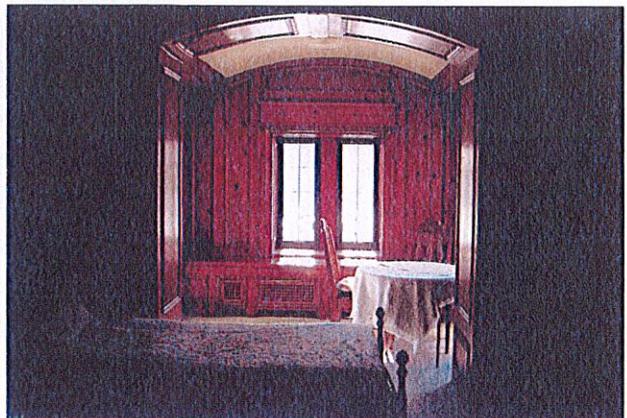
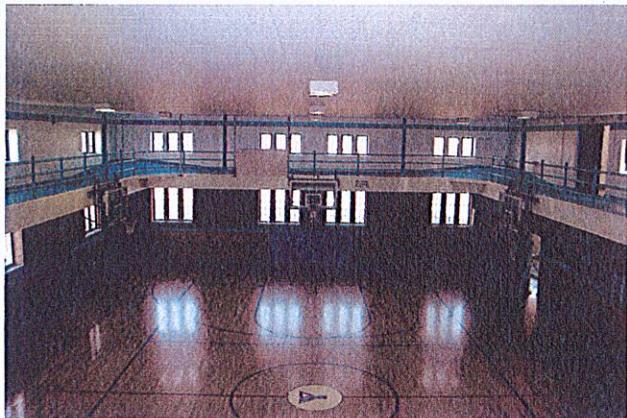
Integrate Fine Building Materials Into New Residential Units

The Residences at Library Park





↑ THIRD FLOOR PLAN



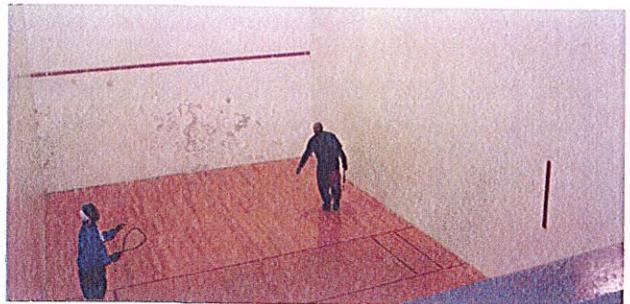
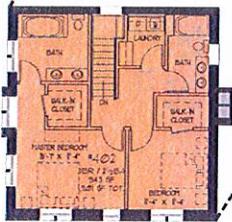
Maintain Character Of Higher End Finish Units

The Residences at Library Park





↑ FOURTH FLOOR PLAN



The Residences at Library Park

VARIN
REALTY

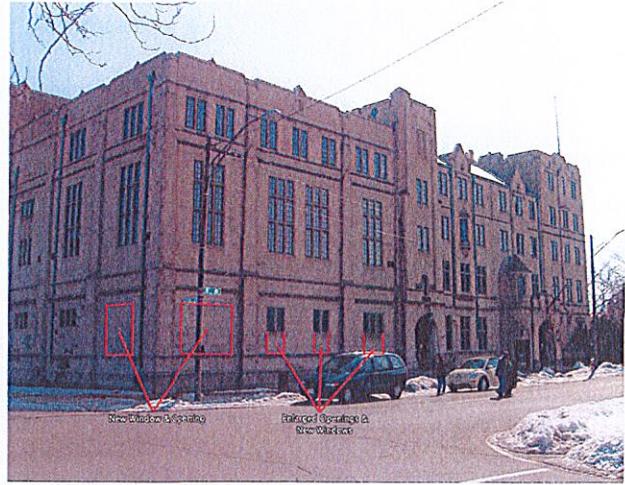
Partners in Design
ARCHITECTS

The Residences at Library Park – Unit Matrix

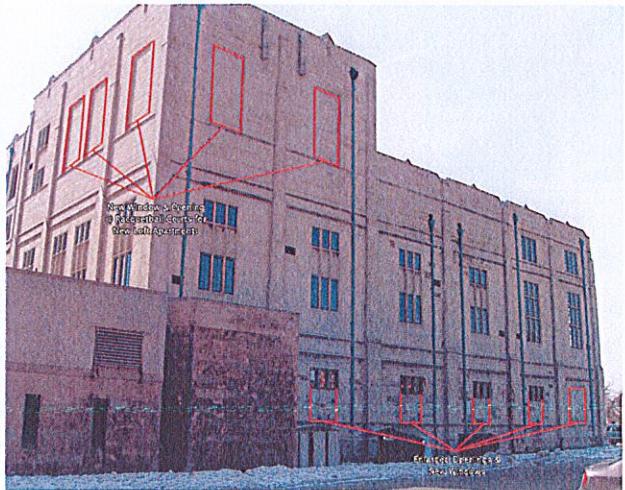
ROOM #	SQ. FEET	STUDIO	1 BR / 1 BATH	2 BR / 1 BATH	2 BR / 2 BATH	3 BR / 2 BATH	3 BR / 2 ½ BATH
#101	1,068		X				
#102	1,200		X				
#106	1,144			X			
#107	1,090		X				
#108	1,304			X			
#109	992		X				
#110	1,297			X			
#111	1,081		X				
#201	1,262				X		
#202	957		X				
#203	975			X			
#204	1,441					X	
#205	818		X				
#206	1,035				X		
#208	1,984						X
#209	1,164	X					
#210	1,154	X					
#211	1,125		X				
#212	952		X				
#301	642		X				
#302	637		X				
#303	952		X				
#304	1,061			X			
#305	1,200			X			
#306	601		X				
#307	748		X				
#308	1,056			X			
#309	1,187		X				
#310	1,055	X					
#311	1,044	X					
#312	1,125		X				
#313	952		X				
#401	1,217				X		
#402*	1,901						X
#403	755		X				
#404	740		X				
#405	1,416				X		
#406	953		X				
#407*	2,211					X	
#408*	1,957				X		
#409	951		X				
#410	865		X				
TOTALS	47,269	4	22	7	5	2	2

* indicates 2-Story Unit

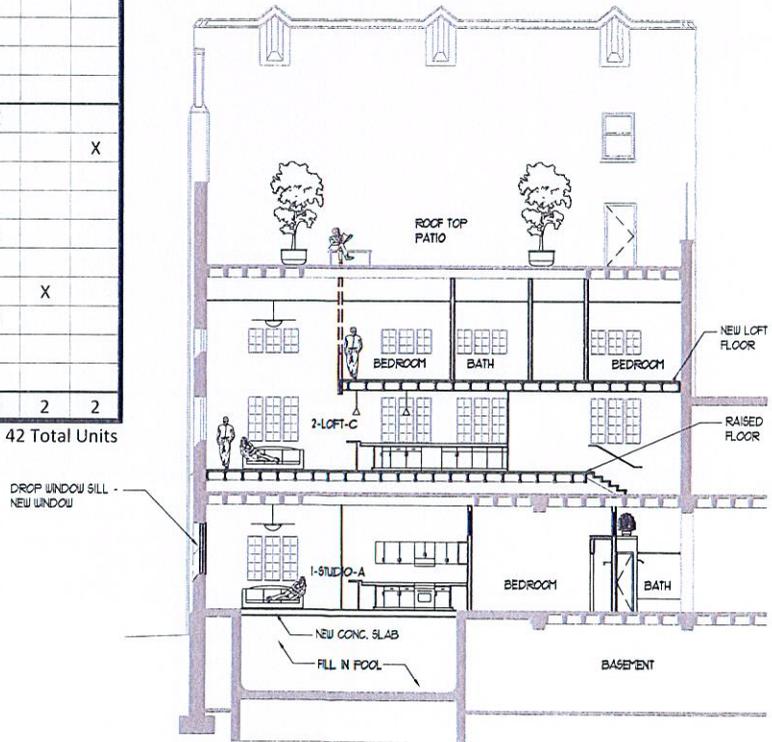
42 Total Units



New Larger Window Openings On North And West Elevations



New Larger Window Openings On North And East Elevations



LOFT SECTION



The Residences at Library Park



Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 8
By the Mayor - To Create Subsection 18.02 r. of the Zoning Ordinance to amend the Land Use Map for the City of Kenosha: 2035. (Varin/Library Park, LLC) (District #2) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 720 59th Place

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Schwartz, has been notified. The Common Council is the final review authority.

ANALYSIS:

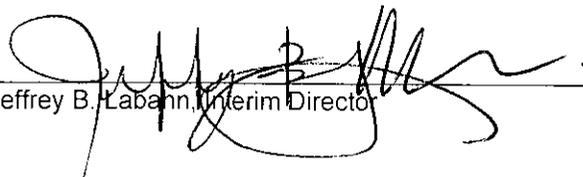
- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance references Map C4-12, which identifies the Amendment to the Land Use Plan located in the Comprehensive Plan. The Amendment will change the land use designation for the referenced properties from *Government and Institutional* to *Mixed-Use*.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Interim Director

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 r. OF THE ZONING
ORDINANCE TO AMEND THE LAND USE PLAN MAP
FOR THE CITY OF KENOSHA: 2035**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Subsection 18.02 r. of the Zoning Ordinance for the City of

Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

r. By map C4-12 on file with the Department of Community Development and Inspections.

Section Two: This Ordinance shall become effective upon passage and

publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

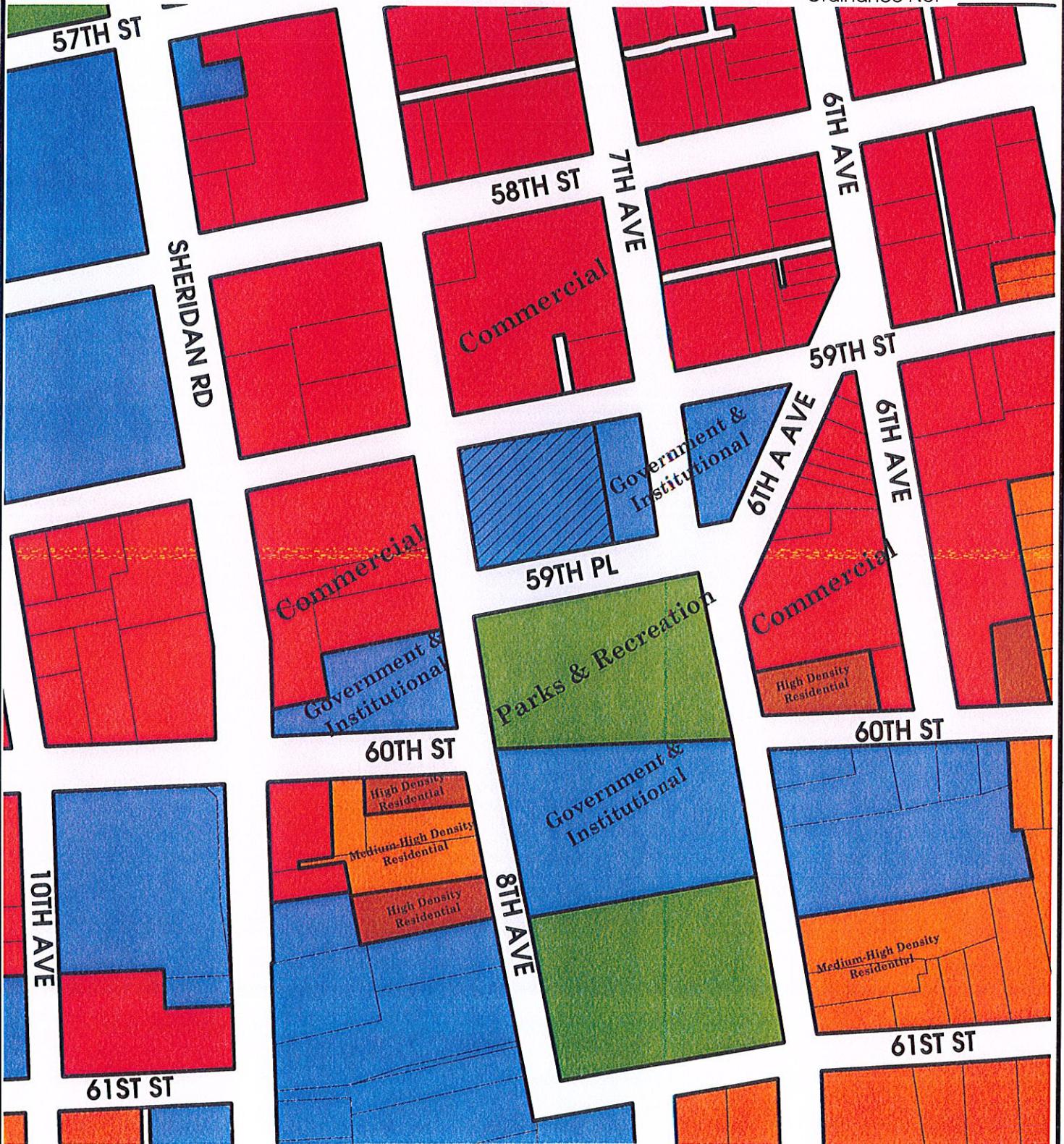
City of Kenosha

Comprehensive Plan Amendment

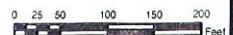
Varin/Library Park LLC Petition

Supplement No. C4-12

Ordinance No. _____



Property requested to be changed from
Government & Institutional to Mixed Use



Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 9
City Plan Commission Resolution to Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035, regarding property at 6325 120th Avenue. (The Landri Hub, LLC) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 6325 120th Avenue

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. This City Plan Commission Resolution recommends the Common Council approve the Amendment through a Zoning Ordinance Amendment.

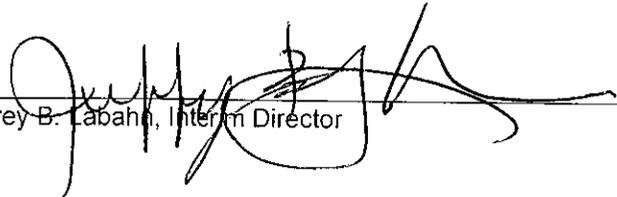
ANALYSIS:

- Wisconsin Statutes require the City Plan Commission to adopt a City Plan Commission Resolution to recommend that the Common Council adopt amendments to the Comprehensive Plan.
- The attached Resolution satisfies this requirement and will be attached to the Zoning Ordinance to create Subsection 18.02 s. to Amend the *Land Use Plan for the City of Kenosha: 2035* for the referenced properties from *Primary Environmental Corridor to Commercial* and *Commercial to Primary Environmental Corridor*.
- The Southeastern Wisconsin Regional Planning Commission (SEWRPC) is reviewing the applicant's study that proposes to shift the primary environmental corridor line. SEWRPC established the original primary environmental corridor on the City adopted *Comprehensive Land Use Plan for the City of Kenosha: 2035*. Staff sent a copy of the Consultant's report to SEWRPC on April 12, 2012 and we have not yet received a response. Staff told the applicant this item could be deferred by the City Plan Commission if the report is not received by the meeting date.
- The owner of the property has requested the land use change to allow for the construction of two (2) volleyball courts and additional off-street parking spaces.

RECOMMENDATION:

A recommendation is made to approve the City Plan Commission Resolution amending the Comprehensive Plan.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labahn, Interim Director

CITY PLAN COMMISSION RESOLUTION # ____-12

By: City Plan Commission

To Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035 Property at 6325 120th Avenue (The Landri Hub, LLC)

WHEREAS, the City of Kenosha, pursuant to Section 62.23 of the Wisconsin Statutes, has established the City Plan Commission; and

WHEREAS, the Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010, following extensive public participation; and

WHEREAS, a property owner has submitted a request to amend the Land Use designation for the referenced properties from *Primary Environmental Corridor* to *Commercial* and *Commercial to Primary Environmental Corridor*, as mapped on the attached Map C5-12 and on the Land Use Plan map adopted by the Common Council as part of the Comprehensive Plan; and

WHEREAS, the City Plan Commission finds that the Comprehensive Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the Wisconsin Statutes and the Comprehensive Plan, with the proposed amendment, is internally consistent; and

WHEREAS, the City has duly noticed and will hold a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 66.1001(4)(b), the City Plan Commission for the City of Kenosha, Wisconsin, hereby approves the amendment to *A Comprehensive Plan for the City of Kenosha: 2035* as shown on the attached Map C5-12.

BE IT FURTHER RESOLVED, that the City Plan Commission, for the City of Kenosha, Wisconsin, does hereby recommend that the Common Council enact a Zoning Ordinance adopting the Comprehensive Plan Amendment.

Adopted this ____ day of _____, 2012

ATTEST:

Jeffrey B. Labahn, Secretary of City Plan Commission

APPROVE:

Mayor Keith Bosman, Chairman of City Plan Commission

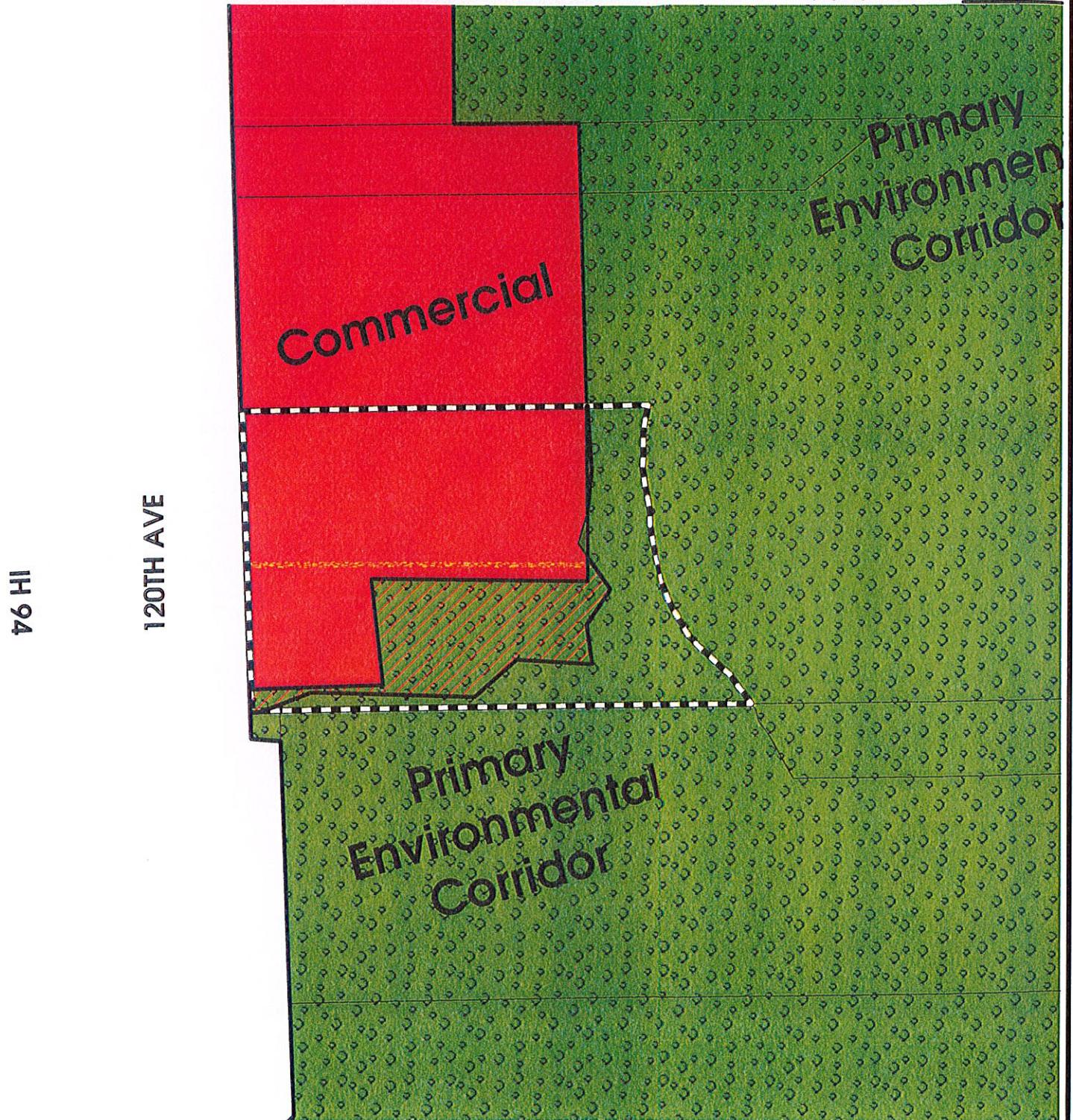
City of Kenosha

Comprehensive Plan Amendment

Supplement No. C5-12

Ordinance No. _____

The Landri Hub LLC Petition



Property requested to be changed from:

-  Primary Environmental Corridor to Commercial
-  Commercial to Primary Environmental Corridor
-  6325 120th Avenue



0 25 50 75 100 Feet

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 10
Petition to rezone a portion of the property at 6325 120th Avenue from C-1 Upland Resource Conservancy District to B-2 Community Business District and a portion of the property from B-2 Community Business District to C-1 Upland Resource Conservancy District in conformance with Section 10.05 of the Zoning Ordinance. (The Landri Hub, LLC) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 6325 120th Avenue Neighborhood: West Corridor

Vicinity Zoning/Land Use

North: B-2/Commercial East: Not zoned, Shoreland Area/Environmental Corridor
 South: Not zoned Shoreland Area/Environmental Corridor West: A-2/Future Commercial

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. Property owners within 100 feet of the proposed rezoning were notified. The Common Council is the final review authority.

ANALYSIS:

- The owner of the property has requested to rezone a portion of the property from C-1 Upland Resource Conservancy District to B-2 Community Business District and a portion of the property from B-2 Community Business District to C-1 Resource Conservancy District. The purpose of the rezoning is to modify the existing Conservancy boundary based on the recent site survey.
- Rezoning the property is not consistent with the Environmental Corridor boundary indicated on the adopted *Comprehensive Plan for the City of Kenosha: 2035*. An Amendment to that Plan is required for the City to approve the rezoning. That Amendment has been included on this agenda.
- The Southeastern Wisconsin Regional Planning Commission (SEWRPC) must review the environmental study and provide their concurrence or proposed modifications before the City can proceed with the rezoning. A copy of the applicant's study was sent to SEWRPC on April 12, 2012 and we have not yet received a response. Staff told the applicant that the item could be deferred by the City Plan Commission if the report is not received by the meeting date.
- The development of the property must be consistent with all City, State and Federal Ordinances and regulations. The Owner intends to install two (2) volleyball courts and additional off-street parking if the rezoning is approved. This Conditional Use Permit review will be at a Staff level. A copy of the Site Plan is attached.

RECOMMENDATION:

A recommendation is made to approve the rezoning.



Brian R. Wilke, Development Coordinator

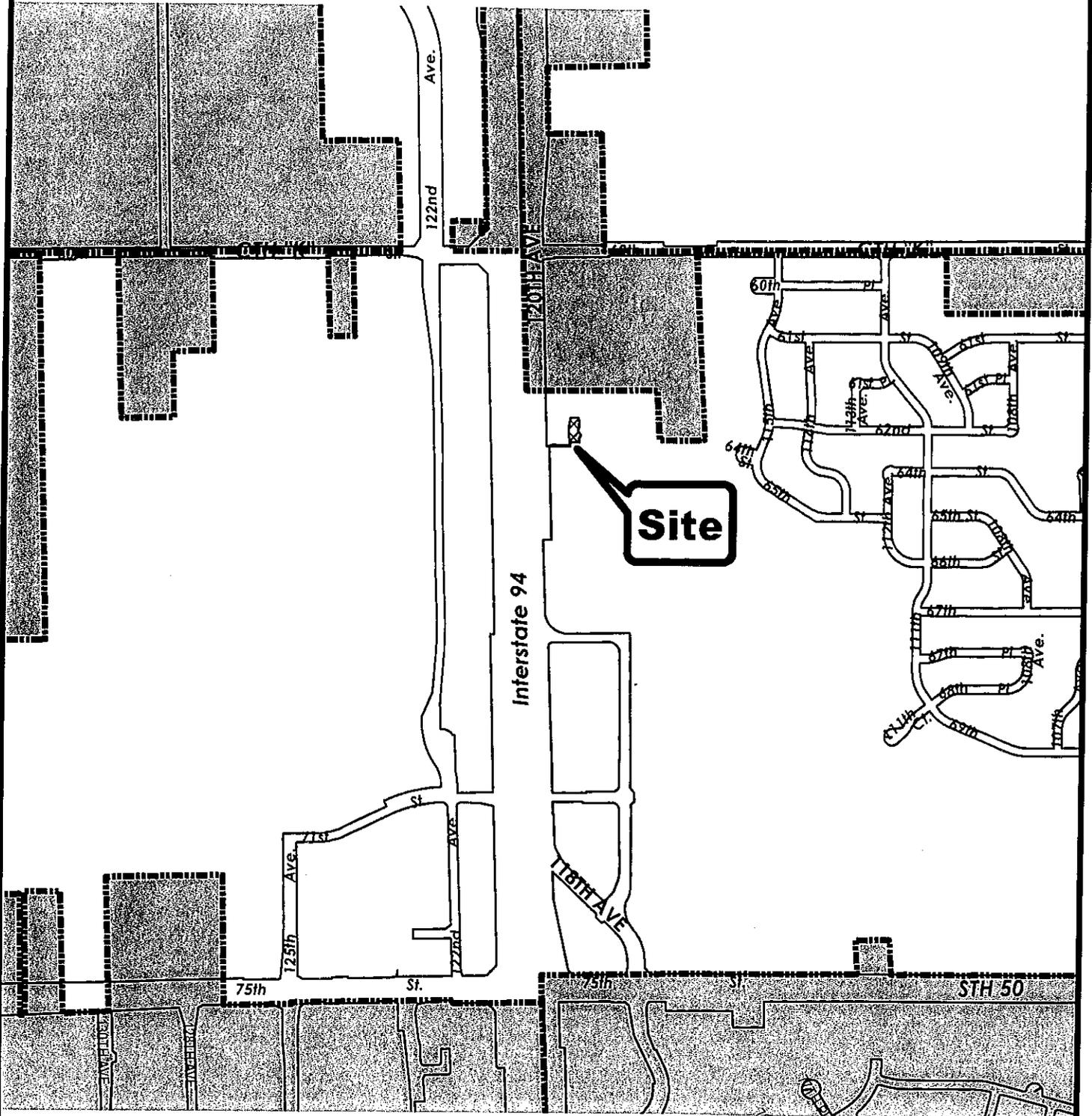


Jeffrey B. Labahn, Interim Director

City of Kenosha

Vicinity Map

The Landri Hub LLC Rezoning



Property requested to be rezoned



0 250 500 750 1,000 Feet

City of Kenosha

District Map
Rezoning

Supplement No. Z6-12

Ordinance No. _____

The Landri Hub LLC petition

120TH AVE

B-2

Unzoned
Shoreland
Area

IH 94

C-2

Property requested to be rezoned from:



C-1 Upland Conservancy to
B-2 Community Business

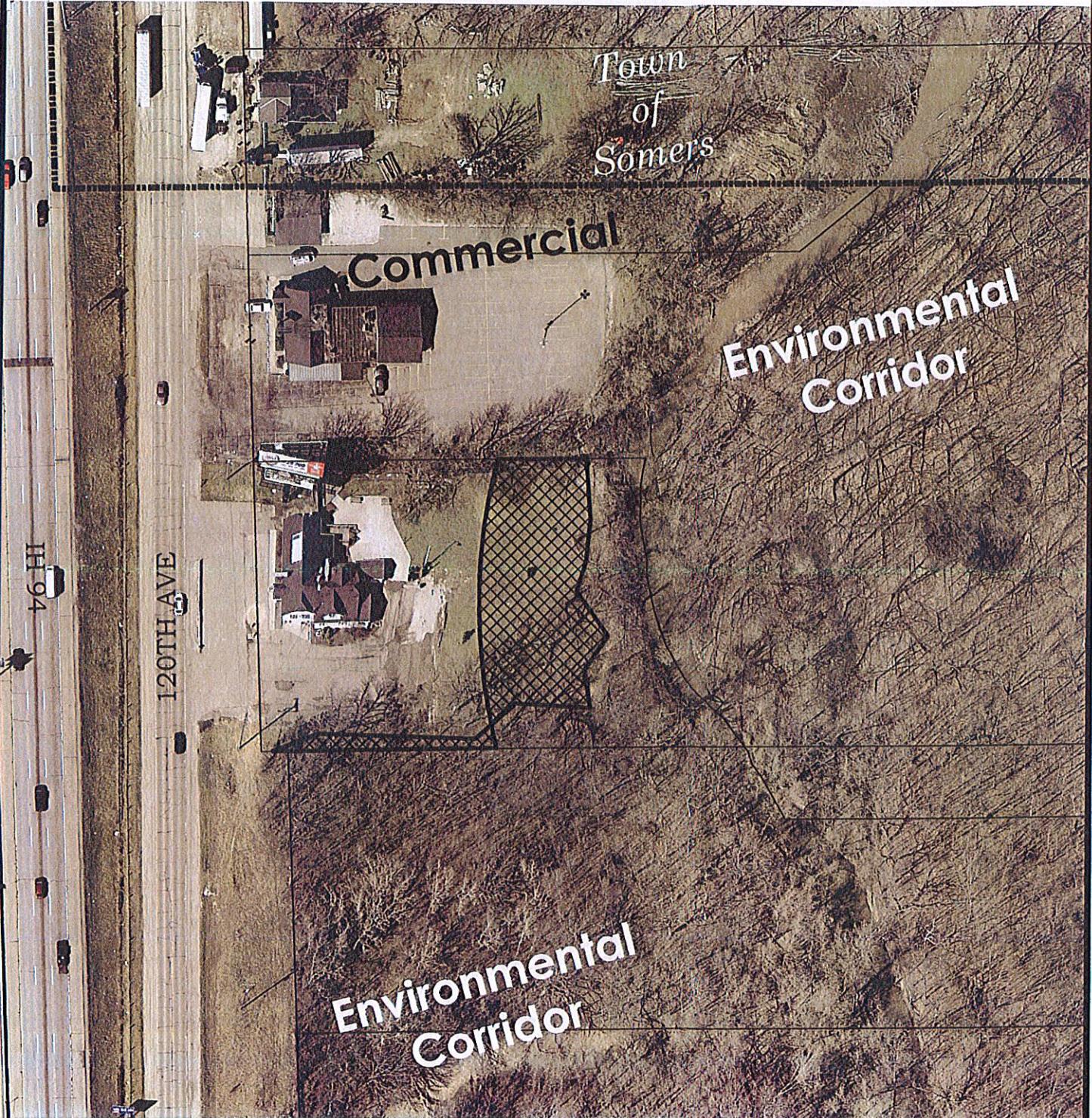


B-2 Community Business to
C-1 Upland Conservancy



0 20 40 60 80 100 Feet

City of Kenosha
Land Use Map
The Landri Hub, LLC Rezoning



Property requested to be rezoned



The Honorable Mayor

And Member of the Common Council

Kenosha, WI

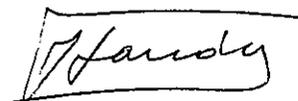
Dear Members of the Common Council:

It is requested that my property located at 6325 120th Ave be rezoned from C-1 to ^{B-2 mlf} ~~C-1~~. The purpose of the rezoning is to permit an adjustment of the C-1 line as flagged by an approved Wetland and Waterway consultant.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. This meeting notice should be sent to Mike Honold at 6325 120th Ave. Kenosha, WI 53142. I can be reached at 414-698-5310 if there are any questions regarding my request for the rezoning.

Sincerely,



Mokrane Landri

Landri Hub, LLC.

**SECTION 9
REZONING**

Additional Information Required:	Current Zoning District: <u>C1</u> Proposed Zoning District: <u>B2</u> Proposed Type of Rezoning: (Check all applicable) <input type="checkbox"/> Single-family Residential <input type="checkbox"/> Two-family Residential <input type="checkbox"/> Multi-family Residential (3 or more units) <input checked="" type="checkbox"/> Institutional, Commercial or Industrial
Submittal Requirements:	<ul style="list-style-type: none"> ➤ Rezoning Petition (sample below) filled out according to the particular situation. The current owner(s) of the property must sign the petition. ➤ Building and Site Development Plans as indicated below.
Fees:	<ul style="list-style-type: none"> ✳➤ Rezoning Fee = \$550 (For projects that <i>do not</i> require building and site development plans) <u>OR</u> ➤ Rezoning with Concept Plan = \$1,160 (For projects that require building and site development plans) <p><i>The City retains the fee whether the rezoning is approved or denied. The applicant should contact Community Development and Inspections – Planning Division to verify the total fee before submitting the rezoning application.</i></p>
Appendices to Review:	➤ N/A
Approximate Review Time:	➤ 60-75 days (Reviewed by City Plan Commission and Common Council)
A rezoning request can be initiated by: <ul style="list-style-type: none"> ➤ The City Plan Commission ➤ The Common Council ➤ A petition of 50 percent or more of the owners of property within the area proposed to be rezoned 	

SAMPLE REZONING PETITION

The Honorable Mayor
and Members of the Common Council
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at *(address or parcel number)* be rezoned from *(present zoning)* to *(proposed rezoning)*. The purpose of the rezoning is to permit *(proposed use of the property)*.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to *(list one name only)* at *(address)*. I can be reached at *(phone number)* if there are any questions regarding my request for the rezoning.

Sincerely,

Current Property Owner

·Planning & Zoning
·Community Development

262.653.4030
262.653.4045 FAX
Room 308



·Building Inspections
·Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Interim Director

Richard Schroeder, Interim Deputy Director

April 12, 2012

Don Reed
Southeastern WI Regional Planning Commission
PO Box 1607
Waukesha, WI 53187-1607

Dear Mr. Reed:

RE: Primary Environmental Corridor Delineation Report – 6325 120th Avenue

Enclosed is the *Primary Environmental Corridor Delineation Report* that was submitted to the City of Kenosha by Mike Honold, Agent for the property at 6325 120th Avenue. Mr. Honold asks that you and your Staff review the enclosed report and provide your comments, or concurrence with the report, to the City.

As a point of reference, 6325 120th Avenue is property north of the properties owned by Highway Mike's Pub, LLC at 6611 120th Avenue and AVP Banks of Wisconsin at 6521 120th Avenue. The Highway Mike's property and AVP Banks of Wisconsin property were recently reviewed by your Staff for an Amendment to the *Primary Environmental Corridor*.

If you have any questions, please call me at 262.653.4049.

Sincerely,

COMMUNITY DEVELOPMENT & INSPECTIONS

Brian R. Wilke
Development Coordinator

BRW:kas
Enclosure



Wetland & Waterway Consulting, LLC

Dave Meyer

S83 W23915 Artesian Avenue • Big Bend, WI 53103

262-719-4286 • Fax • 262-364-2197

E-Mail • wetland@wi.rr.com

PRIMARY ENVIRONMENTAL CORRIDOR DELINEATION REPORT RIVALS SPORTS PUB AND GRILLE FEBRUARY 9, 2012

Introduction

Wetland & Waterway Consulting, LLC has conducted a primary environmental corridor delineation on the Rivals Sports Pub and Grille property located in Sec.6, T1N, R22E, City of Kenosha. The delineation was conducted on 2-9-12 at the request of the landowner.

Investigator

David Meyer is an independent environmental consultant providing environmental permitting services, site assessments, wetland delineations, and planning advice. He obtained a master's degree in Natural Resources Management from Southern Illinois University-Carbondale in 1977. Mr. Meyer has held technical and administrative positions in wetland and water resources specialties with the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers. He has satisfactorily completed the Reg IV Wetland Delineation training offered by the U.S. Army Corps of Engineers, the Advanced Wetland Delineation training conducted by the University of Wisconsin-LaCrosse in 2002 and 2007, the USACOE/WIDNR 1987 Wetland Delineation Manual Midwest Region Supplement Training in 2009, the USACOE/WIDNR 1987 Wetland Delineation Manual Northcentral/Northeast Region Supplement Training in 2010, the Basic Hydric Soil ID training conducted by the University of Wisconsin-LaCrosse in 2011, and the Primary Environmental Corridor Delineation Workshop conducted by the Southeastern Wisconsin Regional Planning Commission in 2004.

Methods

The delineation was conducted according to the Southeastern Wisconsin Regional Planning Commission guidelines. Resources utilized in the investigation included the NRCS county soil survey, USGS topographic map, Wisconsin Wetland Inventory map, SEWRPC aerial photos, and county plat maps. The SEWRPC Primary Environmental Corridor maps were reviewed at the Waukesha office and were copied for use in the field.

Description of the Site

The subject parcel is Rivals Sports Pub and Grille, a retail establishment selling food and alcoholic beverages. This approximately 1.63 acre site is located on the east side of I-94 on the frontage road, north of the Gander Mountain retail outlet. The majority of the acreage is developed and includes a building, asphalt parking lot, and maintained lawn. A stand of upland

hardwood trees and shrubs abuts the north, east, and south boundaries. This wooded area is part of a larger stand of upland hardwoods that extends offsite onto neighboring properties. The centerline of the Kilbourn Road Ditch forms the eastern boundary. There is a very steep drop (1:1 to 2:1 slopes) from the top of the bank down to the water surface. As a result, there are no wetlands immediately adjacent to the Ditch. Any wetlands on this site will be located at or below the Ordinary High Water Mark.

The Primary Environmental Corridor Map identifies the field-delineated corridor line on the property. All of the SEWRPC-estimated area was included in the PEC.

According to the NRCS soil survey, the site is mapped as Morley silt loam (MzdB), an upland soil and Wet alluvial (Ww), a hydric soil.

The Wisconsin Wetland Inventory Map identifies T3K wetlands associated with the Kilbourn Road Ditch in this general vicinity.

The Federal Emergency Management Agency (FEMA) Map designates the property as being within Zone X (Areas outside of the 500 year floodplain).

The SEWRPC Sanitary Sewer Service Area Map identifies the flagged areas as being within the Primary Environmental Corridor.

The 1975 SEWRPC Corridor Composite Map identifies the corridor as consisting of Woodland (WO) and Potential Park-Low Value (PL).

The 1975 SEWRPC Wildlife Habitat Map designates the corridor within the property as consisting of Class III Wildlife Habitat (Good Value).

The 2000 SEWRPC Land-Use Map designates the corridor within the property as Woodlands (940).

The SEWRPC Primary Environmental Corridor Map shows the estimated corridor line within the property boundaries.

The Wetland & Waterway Consulting, LLC Primary Environmental Corridor Map identifies the field-delineated corridor line on the property. The species list provided below describes the vegetative composition of the PEC area.

Results

This plant community consists of a stand of second-growth upland hardwood trees and shrubs. The vegetation included:

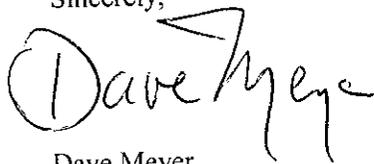
Rhamnus cathartica	common buckthorn
Lonicera X bella	honeysuckle
Prunus serotina	black cherry

Quercus rubra	northern red oak
Quercus alba	white oak
Carya ovata	shagbark hickory
Fraxinus pennsylvanica	green ash
Juglans nigra	black walnut
Tilia americana	American basswood
Acer negundo	box elder
Quercus macrocarpa	bur oak
Poa pratensis	Kentucky bluegrass
Carex blanda	wood sedge
Solidago canadensis	Canada goldenrod
Rubus occidentalis	black raspberry

Conclusion

The primary environmental corridor boundary staked in the field included all of the estimated area mapped at SEWRPC. The PEC lines staked in the field and referred to in this report are the best estimate of the corridor boundaries based on the conditions present at the time of delineation. Concurrence with this corridor line by the Southeastern Wisconsin Regional Planning Commission must be obtained before undertaking any alterations or modifications of this property. SEWRPC is responsible for the final decision, and their input may result in adjustments to the boundaries.

Sincerely,



Dave Meyer

APPENDIX

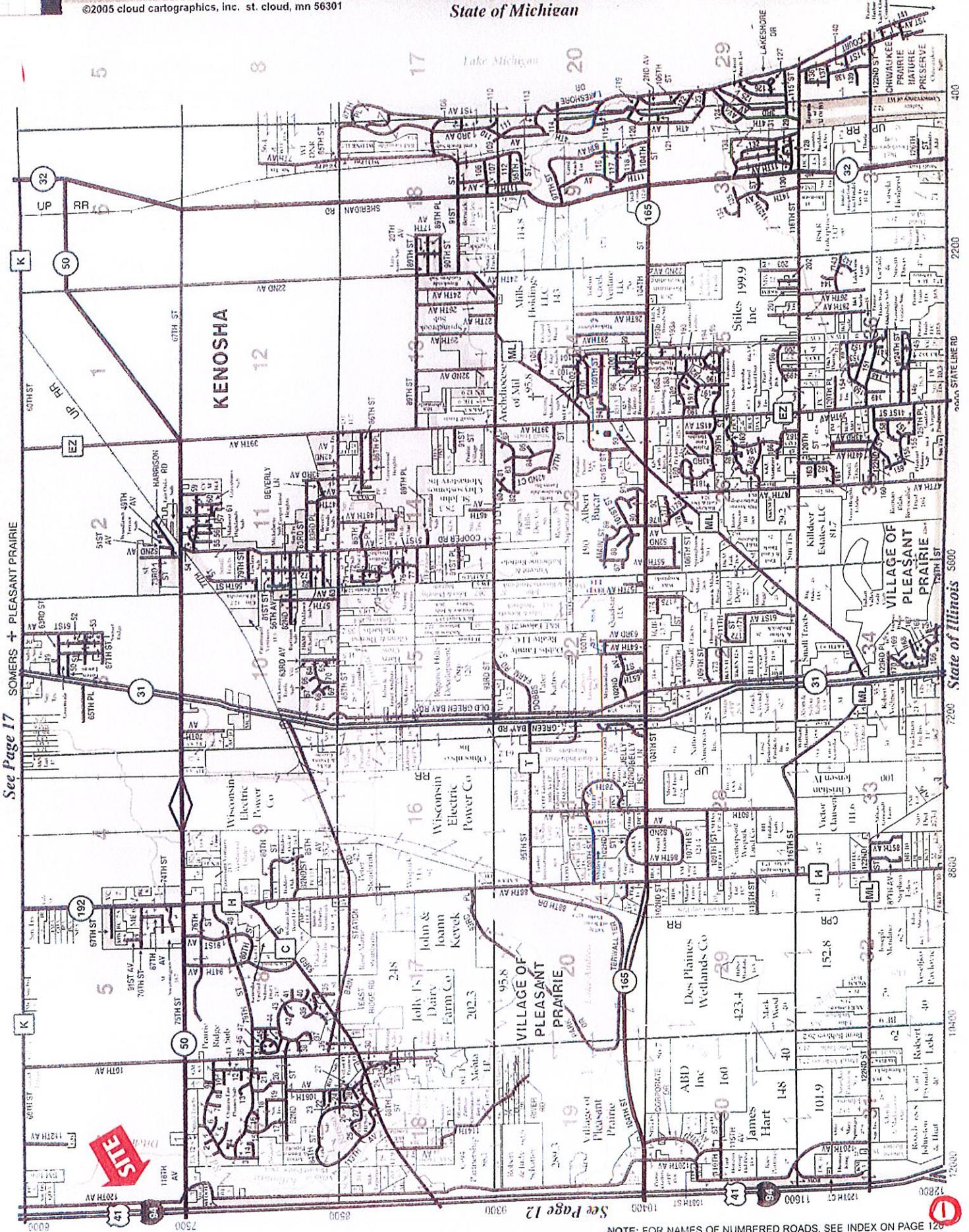
1. Plat Map
2. Location Map
3. NRCS County Soil Survey Map
4. USGS Topographic Map
5. FEMA Flood Zone Map
6. Wisconsin Wetland Inventory Map
7. SEWRPC Sanitary Sewer Service Area Map
8. 1975 SEWRPC Corridor Composite Map
9. SEWRPC Corridor Composite Map Legend
10. 1975 SEWRPC Wildlife Habitat Map
11. 2000 SEWRPC Land-use Map
12. Aerial photo with SEWRPC Primary Environmental Corridor line
13. Survey map of site with PEC boundaries

4. Village of Pleasant Prairie

T.1N. - R.22-23E.

©2005 cloud cartographics, Inc. st. cloud, mn 56301

State of Michigan

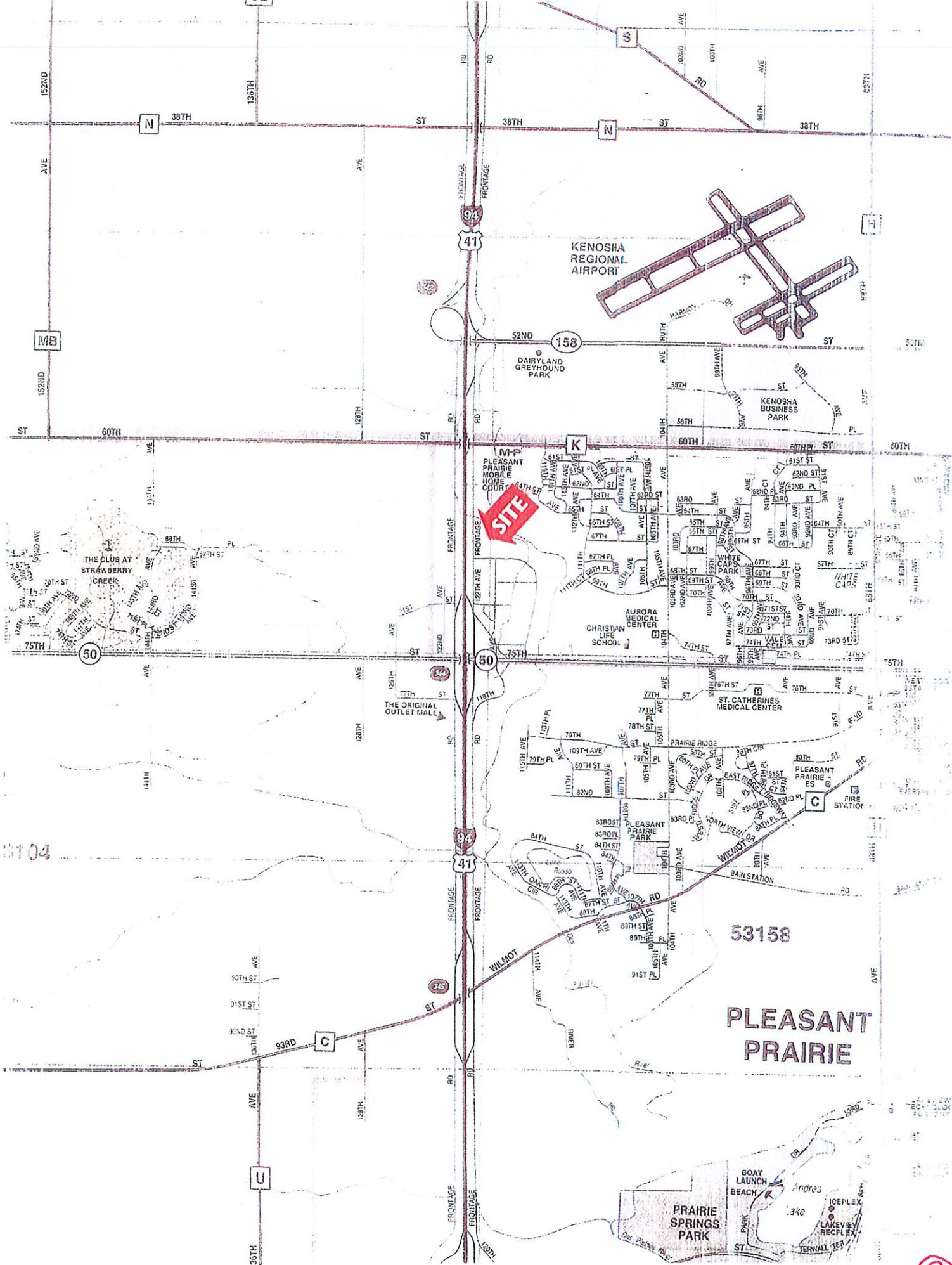


See Page 17 SOMERS + PLEASANT PRAIRIE

See Page 12

NOTE: FOR NAMES OF NUMBERED ROADS, SEE INDEX ON PAGE 12





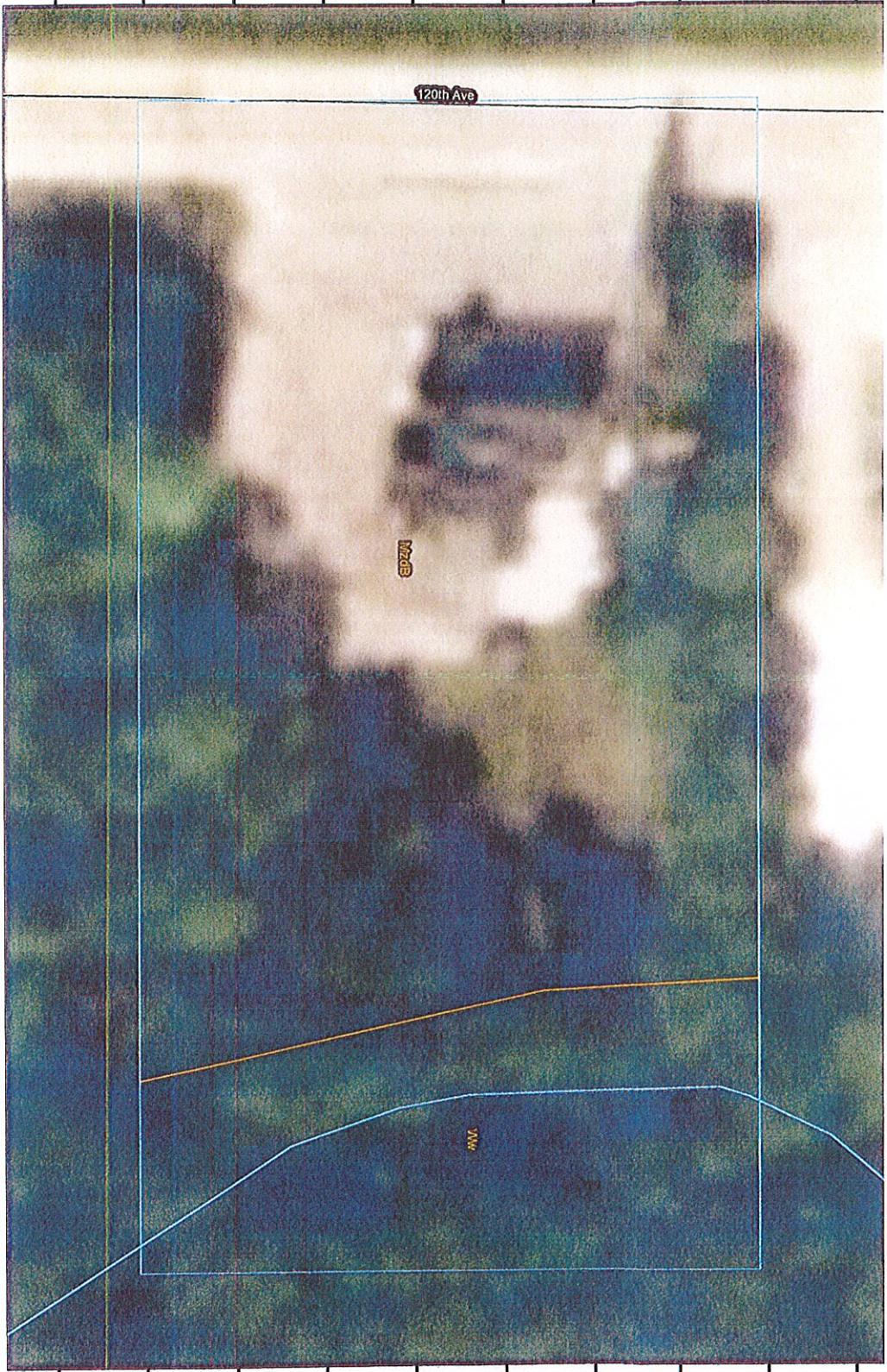
SITE

53158

PLEASANT PRAIRIE

4714420

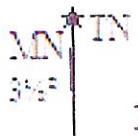
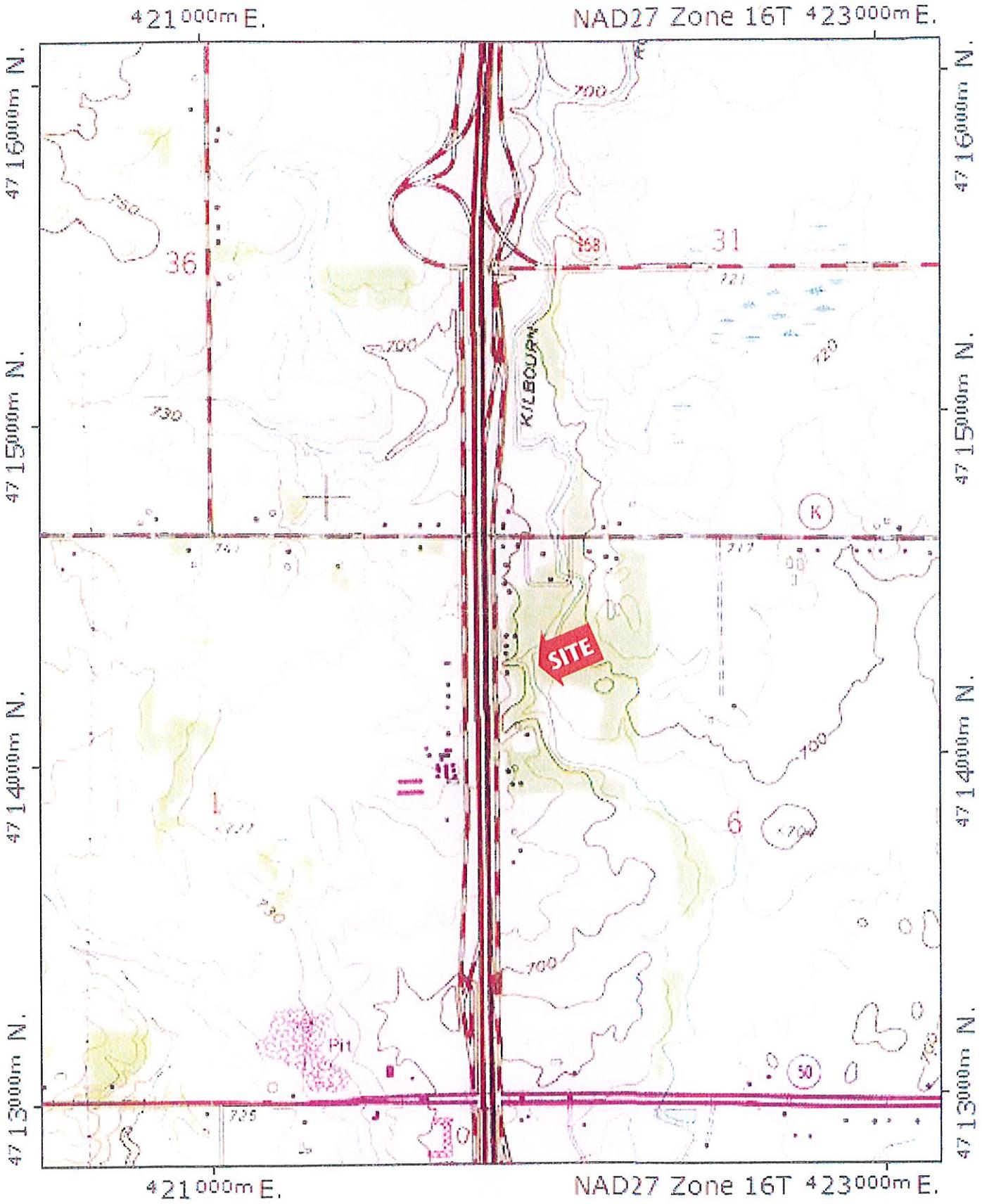
4714420 4714430 4714440 4714450 4714460 4714470 4714480 4714490 4714500 4714510



4714420 4714430 4714440 4714450 4714460 4714470 4714480 4714490 4714500 4714510

4714420

Pleasant Prairie WI



FIRM FLOOD INSURANCE RATE MAP

CITY OF
KENOSHA,
WISCONSIN
KENOSHA COUNTY

PANEL 6 OF 10

(SEE MAP INDEX FOR PANELS NOT PRINTED)

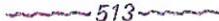
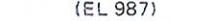
COMMUNITY-PANEL NUMBER
550209 0006 C

MAP REVISED:
DECEMBER 5, 1996



Federal Emergency Management Agency

LEGEND

-  SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD
 - ZONE A No base flood elevations determined.
 - ZONE AE Base flood elevations determined.
 - ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
 - ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
 - ZONE A99 To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.
 - ZONE V Coastal flood with velocity hazard (wave action); no base flood elevations determined.
 - ZONE VE Coastal flood with velocity hazard (wave action); base flood elevations determined.
-  FLOODWAY AREAS IN ZONE AE
-  OTHER FLOOD AREAS
 - ZONE X Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile and areas protected by levees from 100-year flood.
-  OTHER AREAS
 - ZONE X Areas determined to be outside 500-year flood plain.
 - ZONE D Areas in which flood hazards are undetermined.
- UNDEVELOPED COASTAL BARRIERS†
 -  Identified 1983
 -  Identified 1990 or later
 -  Otherwise Protected Area Identified 1991 Or Later
- †Coastal barrier areas are normally located within or adjacent to special flood hazard areas.
 -  Floodplain Boundary
 -  Floodway Boundary
 -  Zone D Boundary
 -  Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones.
 -  513 Base Flood Elevation Line: Elevation in Feet*
 -  Cross Section Line
 -  Base Flood Elevation in Feet Where Uniform Within Zone*
 -  Elevation Reference Mark
 -  River Mile

*Referenced to the National Geodetic Vertical Datum of 1929

NOTES

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside Special Flood Hazard Areas. The community map repository should be consulted for possible updated flood hazard information prior to use of this map for property purchase or construction purposes.

Coastal base flood elevations apply only landward of 0.0 NGVD, and include the effects of wave action; these elevations may also differ significantly from those developed by the National Weather Service for hurricane evacuation planning.

Areas of special flood hazard (100-year flood) include Zones A, AE, AH, AO, A99, V, and VE.

Certain areas not in Special Flood Hazard Areas may be protected by flood

SITE

ZONE X

ZONE X

ZONE X

ZONE X

ZONE X

ZONE X

CORPORATE LIMITS

34

41

118TH AVENUE

50

C

C

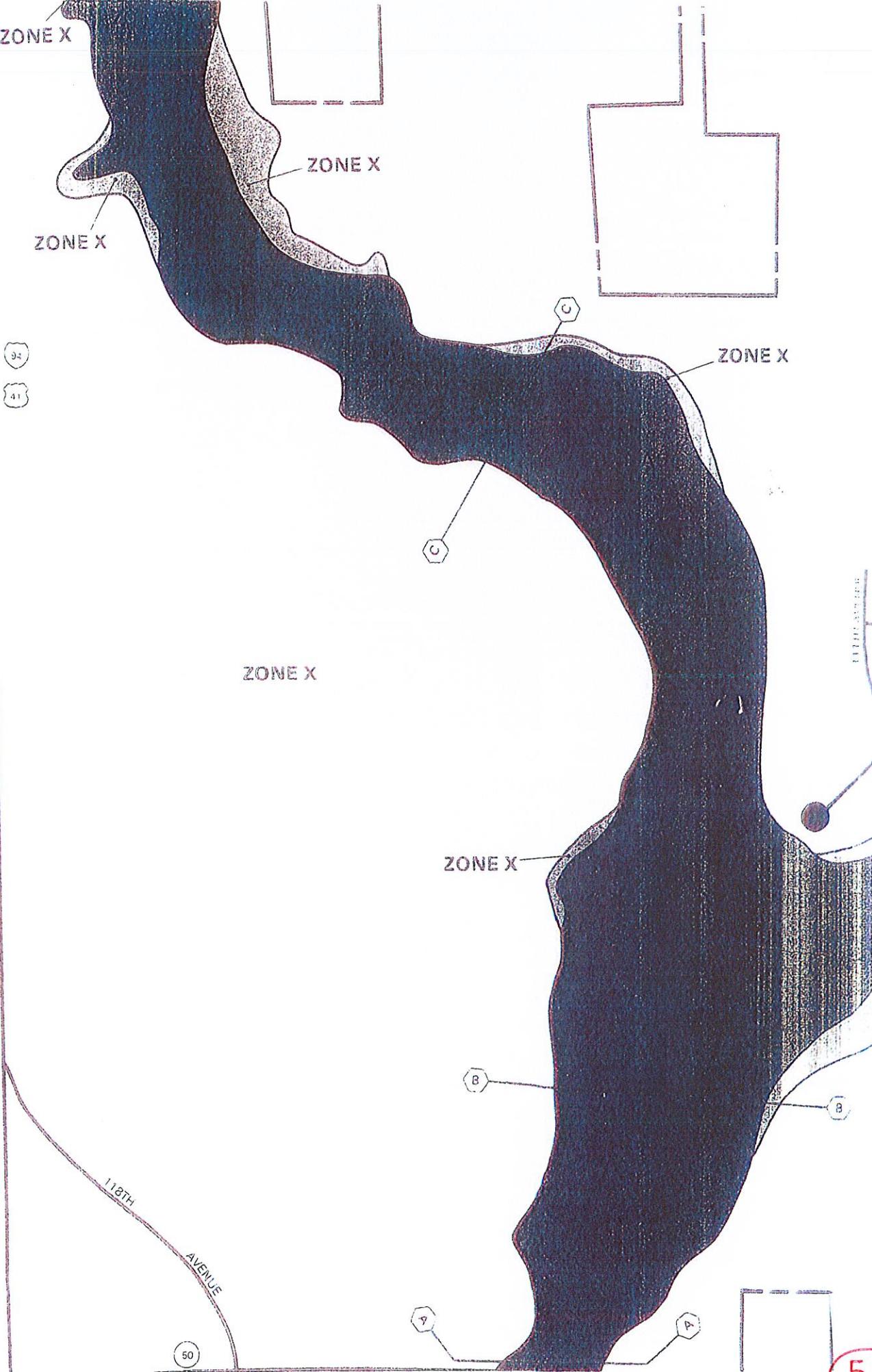
B

B

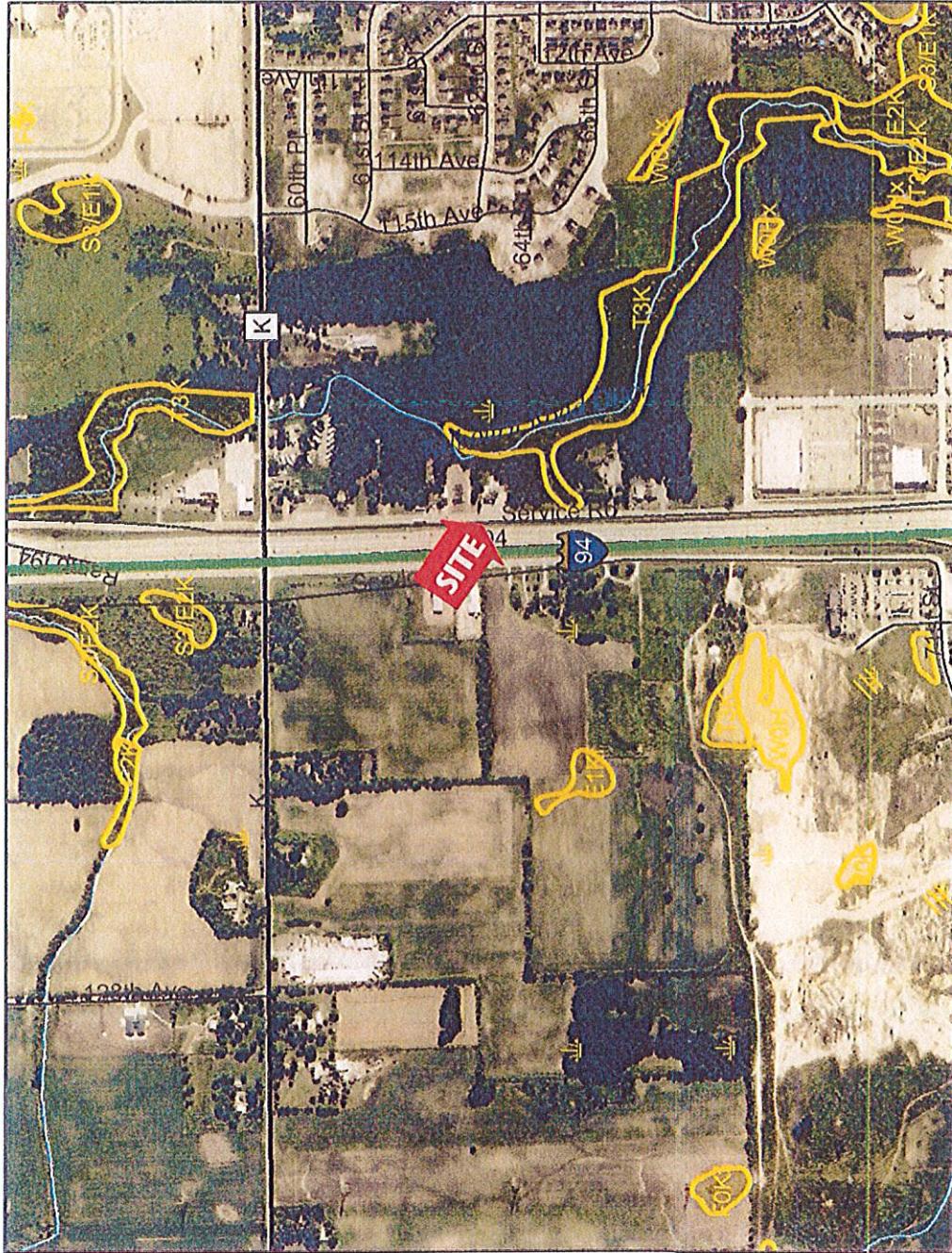
A

A

5b



Map Created on Feb 03, 2012



Legend

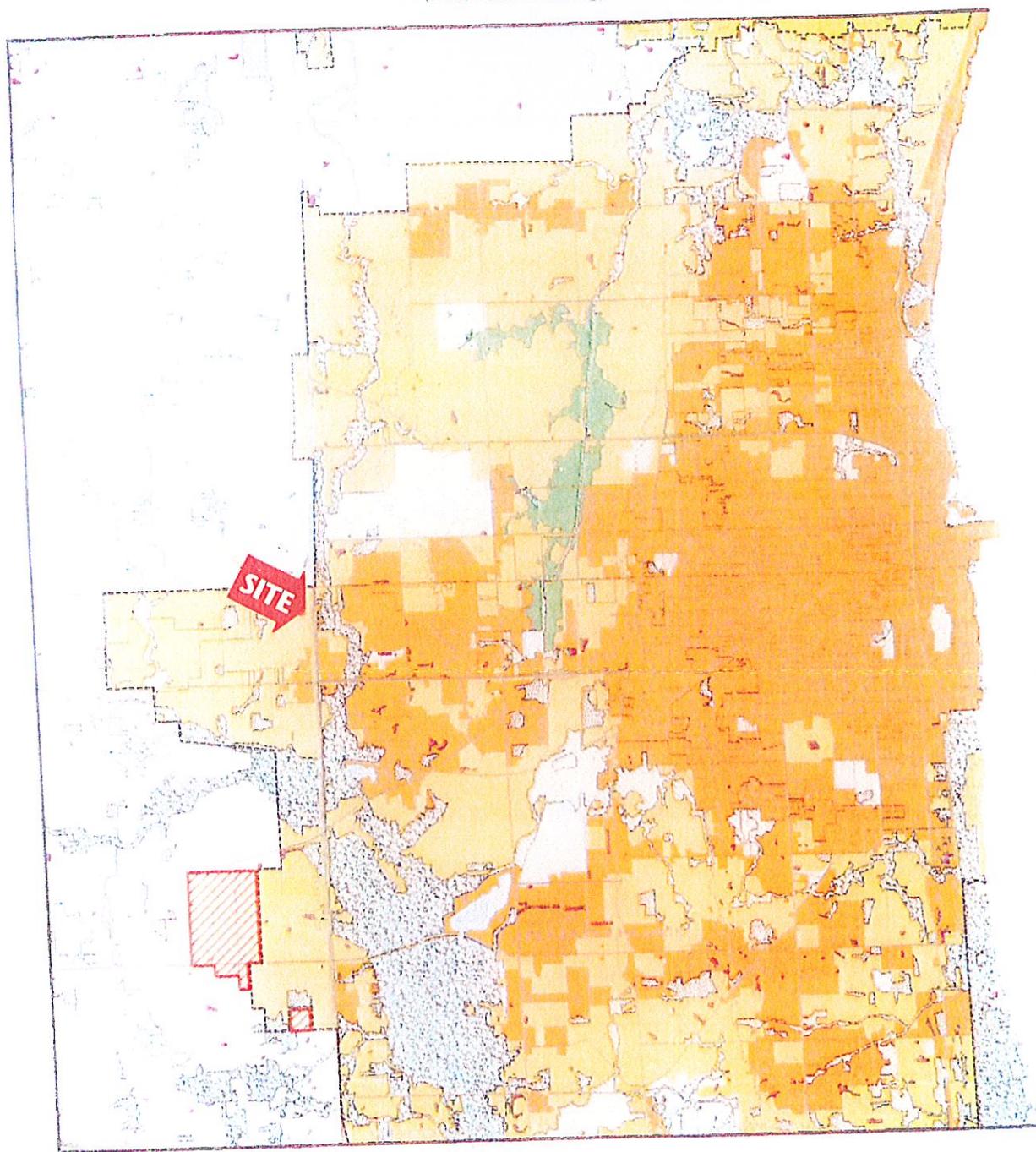
- Major Highways**
 - Interstate
 - State Highway
 - U.S. Highways
 - County Roads
- Local Roads**
- DNR Wetland Points**
 - Excavated Pond
 - Dammed Pond
 - Wetland Too Small to Delineate
 - Filled Excavated Pond
 - Filled Dammed Pond
 - Filled Wetland Too Small to Delineate
 - Filled or Drained Wetland
- DNR Wetland Areas**
 - Upland
 - Wetland
 - Filled or Drained Wetland
 - 24K Open Water
- 24K Rivers and Shorelines**
 - Intermittent
 - Fluctuating
 - Perennial

Scale: 1:11,959



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA WITH PROPOSED ADDITIONS
(Post-Public Hearing)

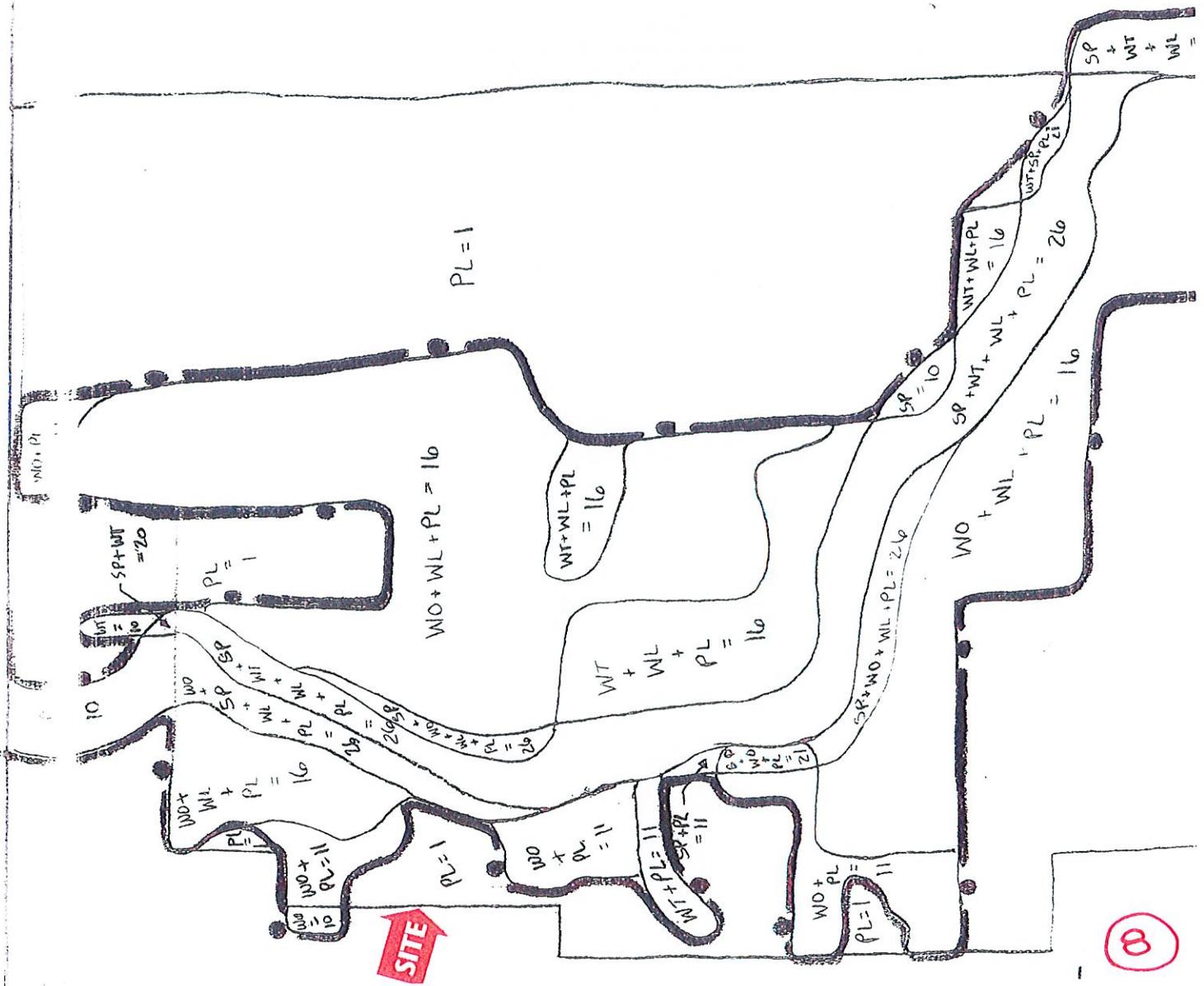


- GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA
- AREAS DESIGNATED AS WASTEWATER TREATMENT PLANT SERVICE AREA
- RAILROAD AND HIGHWAY RIGHTS-OF-WAY CORRIDORS
- HIGHWAY AND RAILROAD CORRIDORS
- ENVIRONMENTAL CORRIDORS
- ENVIRONMENTAL CORRIDORS
- ENVIRONMENTAL CORRIDORS

- WETLANDS AND SURFACE WATER BODIES
- PROPOSED SANITARY SEWER MAINS AND COLLECTION SYSTEMS
- PROPOSED TREATMENT PLANT AND RELATED FACILITIES
- AREAS PROPOSED TO BE ADDED TO THE GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA

Scale: 1"=1000'

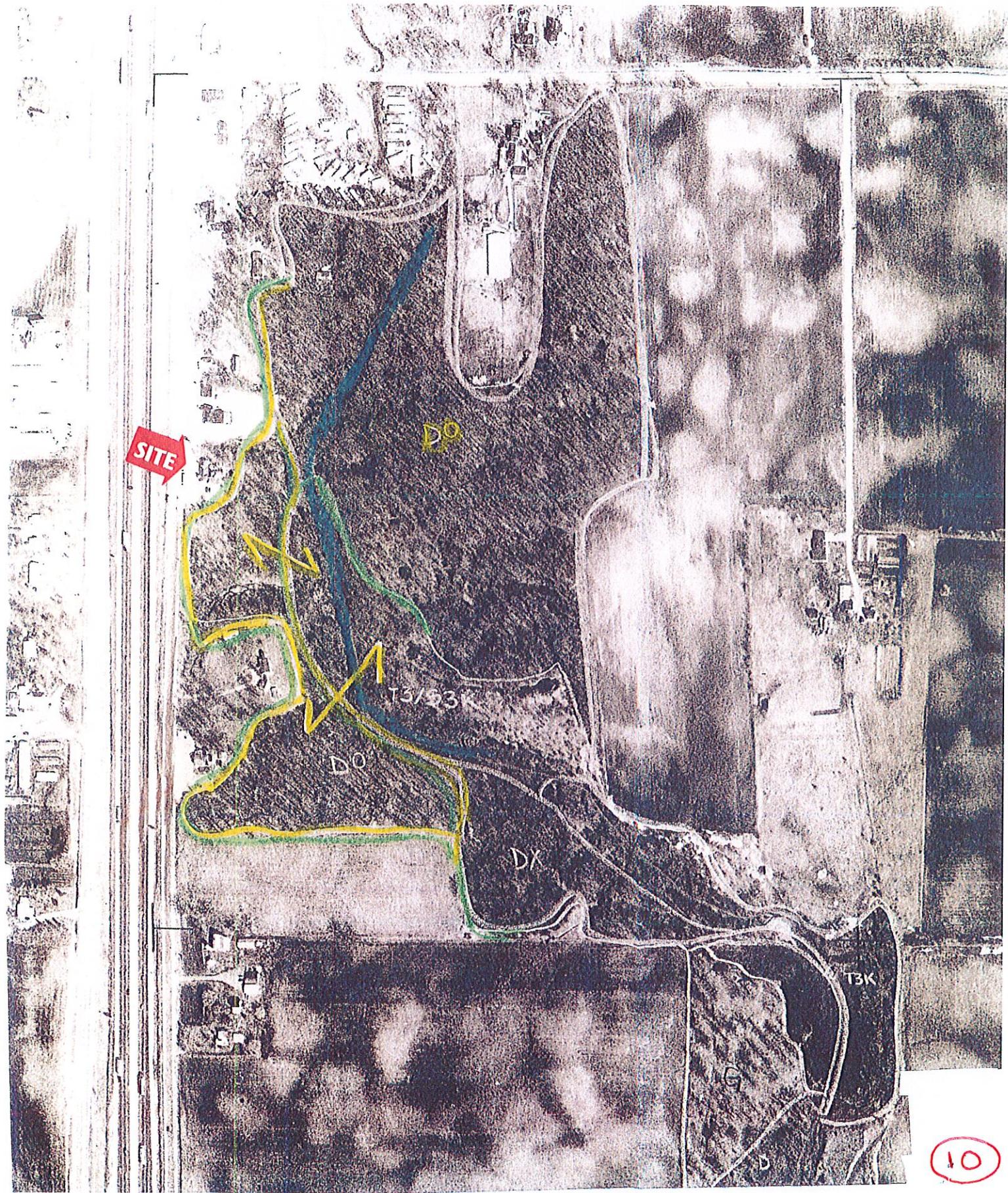




SEWRPC CORRIDOR COMPOSITE MAP LEGEND
CODE LETTERS AND POINT VALUES FOR NATURAL RESOURCE
BASE AND NATURAL RESOURCE BASE-RELATED ELEMENTS

NATURAL RESOURCE BASE	CODE	POINT VALUE
Lake		
Major (50 acres or larger)	LA	20
Minor (5 – 49 acres)	LM	20
River or Stream (perennial)	PS	10
Shoreland		
Perennial (lake, river, or stream)	SP	10
Intermittent Stream	SO	5
100-Year Floodland	FP	3
Wetland	WT	10
Wet, Poorly Drained, and Organic Soils	a	a
Woodland	WO	10
Wildlife Habitat		
High Value	WH	10
Medium Value	WM	7
Low Value	WL	5
Steep Slope		
20 Percent or Greater	SS	7
12 Percent to 19 Percent	SL	5
Prairie	PR	10
Natural Resource Base-Related		
Existing Park or Other Open Space Site		
Rural Open Space Site	OS	5
Other Park or Recreation Site	PK	2
Potential Park		
High Value	PH	3
Medium Value	PM	2
Low Value	PL	1
Historic Site		
Structural	HS	1
Other Cultural	HC	1
Archeological	HA	2
Scenic Viewpoint (combined with steep slope)	SV	5
Natural and Scientific Area		
State Scientific Area	SA	15
Natural Area of Statewide or Greater Significance	NS	15
Natural Area of Countywide or Greater Significance	NC	15
Natural Area of Local Significance	NL	5

Source: SEWRPC



SITE

DO

T3/93K

DO

DX

T3K



SITE

3007
DMX TEST WE 1/16
11/6/67
CA 106-306

11

Regional Map Server



12

1 - '94' & U.S.H. '41'

120TH AVENUE (EAST FRONTAGE ROAD)



NORTH
SCALE: 1" = 50'



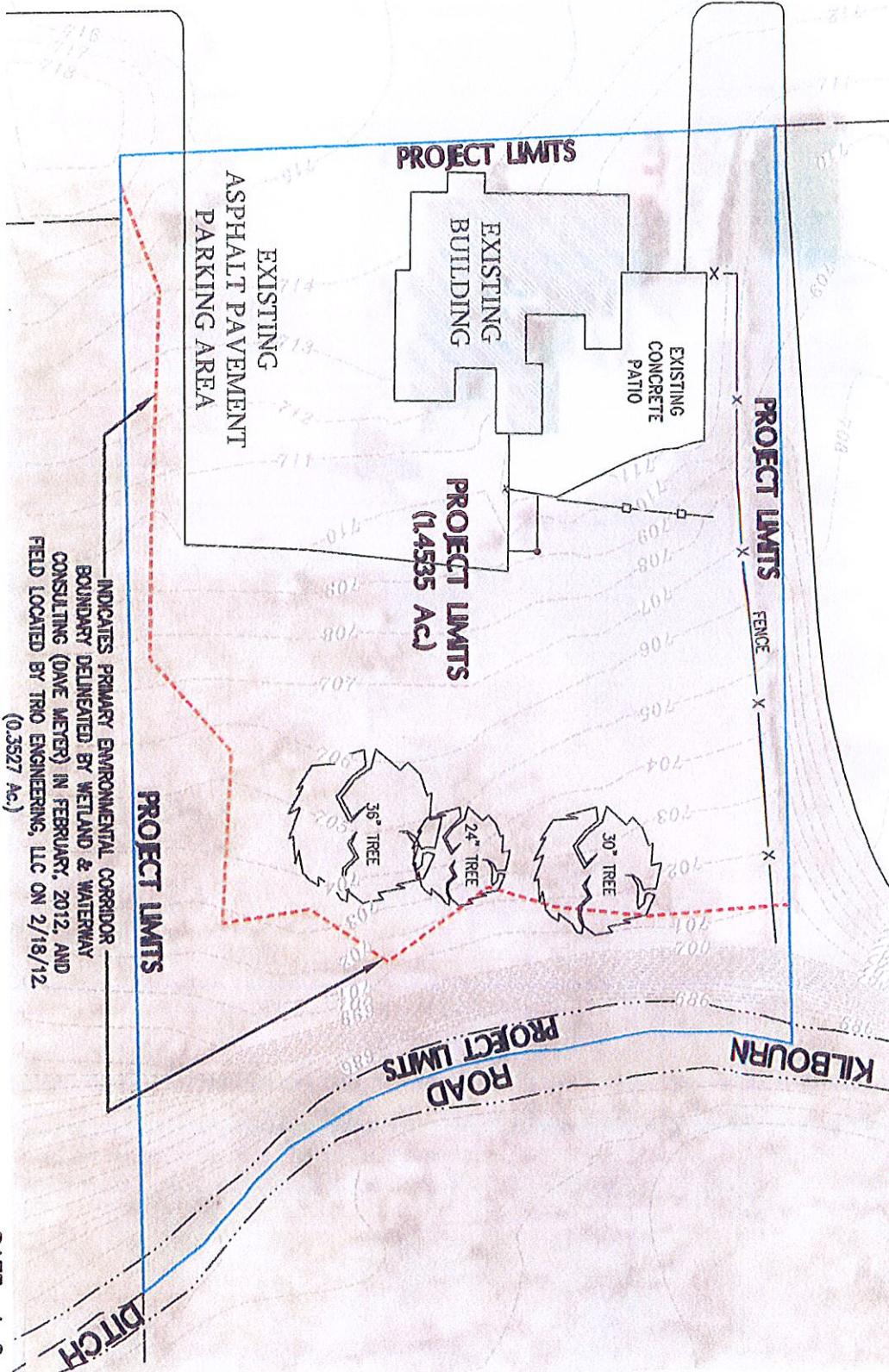
P.E.C. EXHIBIT

RIVALS SPORTS PUB & GRILLE PROPERTY

BEING A PART OF THE NORTHWEST 1/4 OF SECTION 6, TOWN 1 NORTH, RANGE 22 EAST OF THE 4TH PRINCIPAL MERIDIAN, IN THE CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN.



17700 W. Capitol Drive
Brookfield, WI 53005
Phone: (262) 790-1400
Fax: (262) 790-1401



INDICATES PRIMARY ENVIRONMENTAL CORRIDOR BOUNDARY DELINEATED BY WETLAND & WATERWAY CONSULTING (DAVE MEYER) IN FEBRUARY, 2012, AND FIELD LOCATED BY TRIO ENGINEERING, LLC ON 2/18/12 (0.3527 Ac.)

DATE: 4-6-12

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 11
By the Mayor - To Create Subsection 18.02 s. of the Zoning Ordinance to amend the Land Use Map for the City of Kenosha: 2035. (The Landri Hub, LLC) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 6325 120th Avenue

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. The Common Council is the final review authority.

ANALYSIS:

- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance references Map C5-12, which identifies the Amendment to the Land Use Plan located in the Comprehensive Plan. The Amendment will change the land use designation for the referenced properties from *Primary Environmental Corridor* to *Commercial* and *Commercial* to *Primary Environmental Corridor*.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Interim Director

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 s. OF THE ZONING
ORDINANCE TO AMEND THE LAND USE PLAN MAP
FOR THE CITY OF KENOSHA: 2035**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Subsection 18.02 s. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby created as follows:

18.02 The comprehensive plan adopted in subsection 18.01 is amended by the following:

s. By map C5-12 on file with the Department of Community Development and Inspections.

Section Two: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

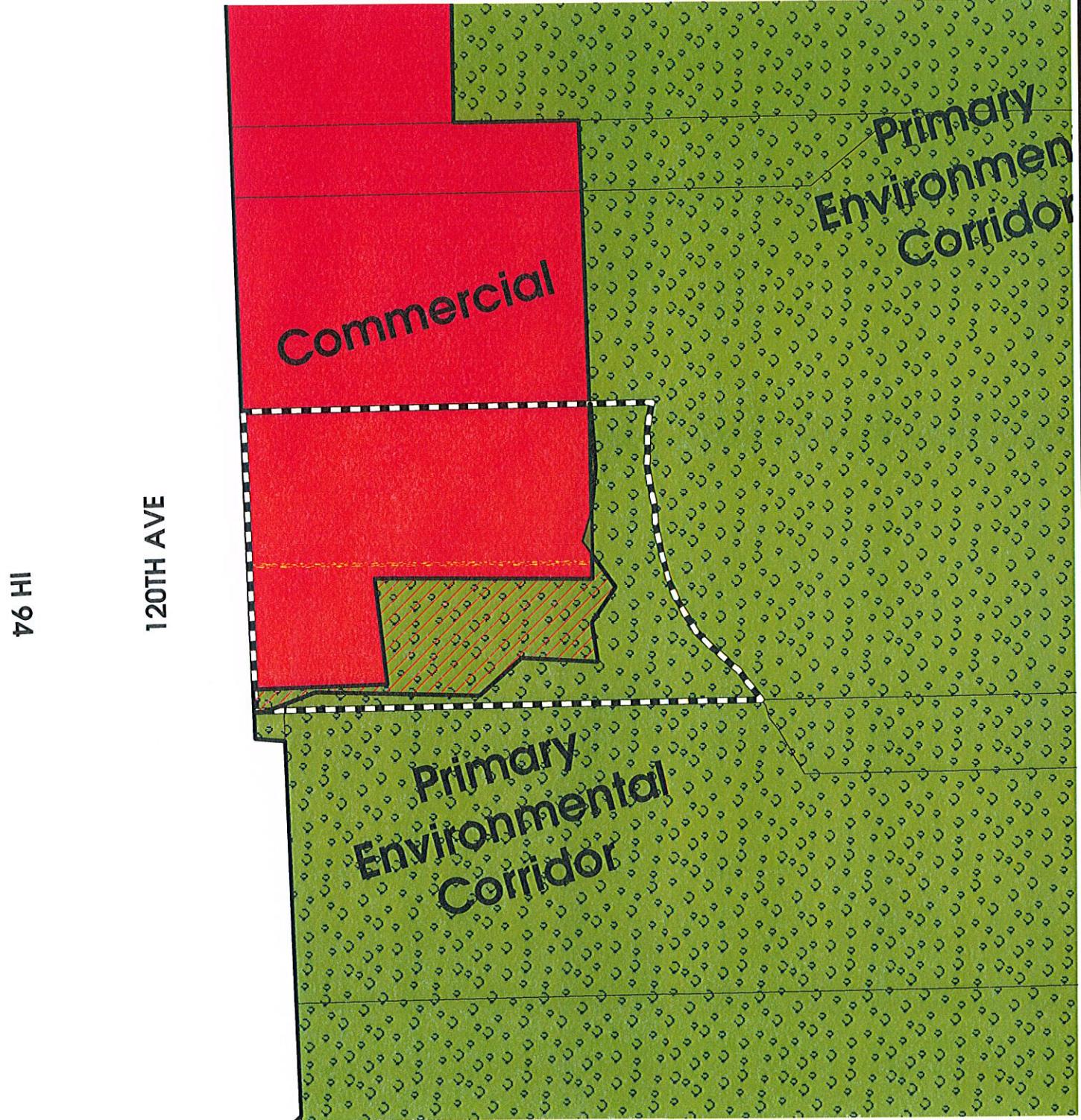
City of Kenosha

Comprehensive Plan Amendment

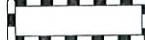
The Landri Hub LLC Petition

Supplement No. C5-12

Ordinance No. _____



Property requested to be changed from:

-  Primary Environmental Corridor to Commercial
-  Commercial to Primary Environmental Corridor
-  6325 120th Avenue



Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 12
Conditional Use Permit for a contractor's storage yard to be located at 9009 58th Place. (Pieper Electric) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 9009 58th Place
 Zoned: M-2 Heavy Manufacturing/Air-4 Airport Overlay District

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. This item will also be reviewed by the Common Council.

ANALYSIS:

- The applicant is proposing to purchase the building at 9009 58th Place, the former Neal's Electric. In relation to occupying the building, the applicant wants to pave an area for outdoor storage of trucks, trailers, wire reels, etc. This outdoor storage requires the approval of a Conditional Use Permit.
- Staff's concern is with the proposed fence materials, which are chain-link fencing with privacy slats and barbed wire. Staff recommends a decorative fencing such as wood or vinyl with no barbed wire.
- The Business Park of Kenosha Protective Covenants require decorative material for fencing and the chain-link fencing is prohibited. The Business Park Review Board has also requested the decorative fencing.
- Plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.
- The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

RECOMMENDATION:

A recommendation is made to approve the Conditional Use Permit, subject to the attached Conditions of Approval.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labadie, Interim Director

Planning & Zoning Division
625 52nd Street
Kenosha, WI 53140
262.653.4030

**Kenosha City Plan
Commission
Conditions of Approval**

**Pieper Electric
Contractors Storage Yard
9009 58th Place**

May 10, 2012

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Fence and Occupancy permits.
 - b. The applicant shall obtain a Parking Lot permit from the Department of Public Works.
 - c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.
 - d. The development shall be constructed per the approved Site, Drainage, Utility and Landscape Plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - e. Prior to the issuance of any occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - f. Compliance with City and State and/or Federal Codes and Ordinances and the Business Park of Kenosha Protective Covenants.
 - g. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
 - h. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - i. All vehicles shall be parked within the designated paved areas.
 - j. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
 - k. Compliance with the Operational Plan dated April 10, 2012.

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	<i>Kenosha City Plan Commission Conditions of Approval</i>	Pieper Electric Contractors Storage Yard 9009 58th Place	May 10, 2012
---	---	---	---------------------

- I. The height of all materials stored outdoors shall remain below the height of the fence.
2. The following Conditions of Approval shall be satisfied with City Staff prior to the issuance of any construction permits:
 - a. Fence details shall be revised to show fence material of wood, masonry or other decorative material approved by the Review Authority. Barbed wire fencing shall not be used.
 - b. A five (5') foot wide landscaped area shall be included along the north and south sides of the outdoor storage area. The landscaped area shall include a combination of evergreen and deciduous shrubs.
 - c. The Site Plan shows a dumpster enclosure from the original plan at the southeast corner of the building. This enclosure was installed behind the building as noted on your Site Plan. Please remove the notation of the enclosure at the southeast corner of the building.

/u2/acct/cp/ckays/1CPC/2012/May10/12conditions-pieper-051012.odt

April 10, 2012

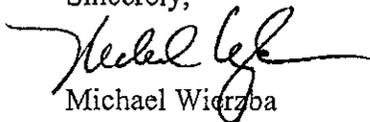
Brian R. Wilke
Development Coordinator
City of Kenosha -
Dept. of Community Development & Inspections
625 52nd Street
Kenosha, WI 53140

Re: Operation plan to supplement CUP application

Brian, the operational plan for the storage area is as follows:

1. The types of equipment that would be stored outside in the yard would be your typical construction equipment such as trailers, trenchers, bucket truck, pick-up trucks, wire reels and vans.
2. Trash pick-up would be contracted with a local collection company on a bi-weekly basis at a minimum. Yard will be picked up by hand as needed or on a weekly basis at a minimum.
3. No operations would be performed in the yard and therefore we anticipate that no noise would be created as the area would be for storage only. We are planning to pave the area in the yard therefore we do not anticipate creating any dust. Any wind blown materials in the yard would be cleaned on a weekly basis at a minimum. As no operations are planned for the area we do not anticipate much of this to occur. The area is completely outside so no fire protection is planned.
4. The planned hours of operation at this time are from 7am-5pm Monday thru Friday.

Sincerely,

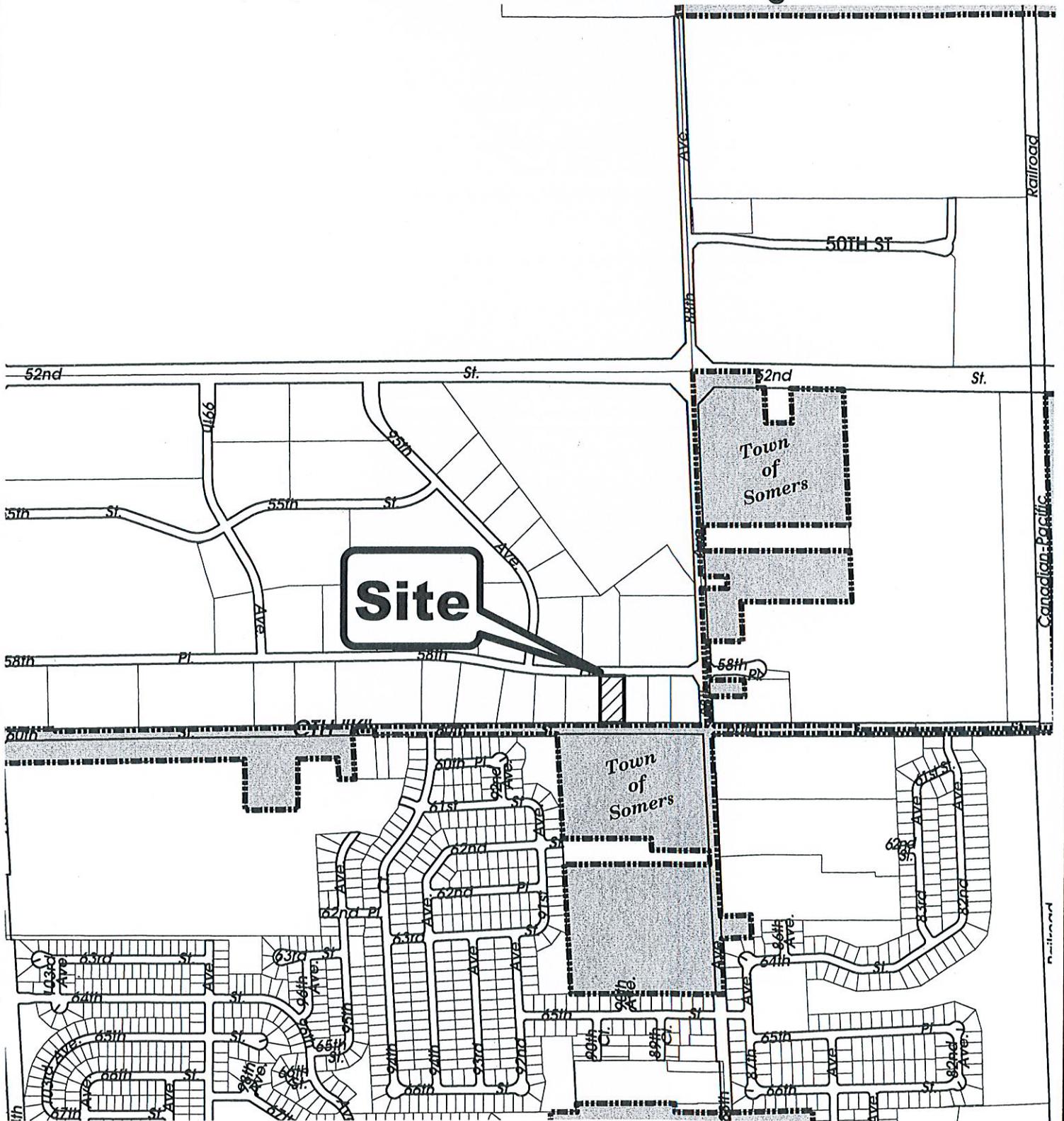


Michael Wierzba

City of Kenosha

Vicinity Map

Pieper Electric Contractor's Storage Yard



----- Municipal Boundary



0 250 500 750 1,000 Feet

**Development Review Application
City of Kenosha, Wisconsin**

MAILING INFORMATION

NAME OF PROJECT: Peper Electric Inc. (New Office & Shop Facility)

Check one (1) of the following boxes to indicate the recipient of all correspondence:

<input checked="" type="radio"/>	Name and Address of Applicant (Please print): <u>Michael Wierzbak</u> <u>1716 58083 Jobl Dr.</u> <u>Muskego, WI 53150</u>	Phone: <u>262-679-4939</u> Fax: _____ E-Mail: <u>MIKE.WIERZBAK@PEPERPOWER.COM</u>
<input type="radio"/>	Name and Address of Architect/Engineer (Please print): <u>Tony GARA DBA TGAR Group, Inc</u> <u>1213-58th Street</u> <u>Kenosha, WI 53146</u>	Phone: <u>(262) 818-4620</u> Fax: _____ E-Mail: <u>Tonug@TGA.biz</u>
<input checked="" type="radio"/>	Name and Address of Property Owner (if other than applicant)(Please print): <u>Neal Kusecki c/o Todd Winters</u> <u>5414-84th Street</u> <u>Kenosha, WI 53142</u>	Phone: <u>(262) 620-9411</u> Fax: _____ E-Mail: <u>Todd.Winters@peperpower.com</u>

PROJECT LOCATION

Location of Development (street address and / or parcel number): 9009-58th PL

TYPE OF LAND DEVELOPMENT

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review (<i>Land Division</i>)	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

*Submit this cover page, completed application, applicable section(s) and appendices
along with ALL required plans, information and fees to:*

Department of Community Development & Inspections
Planning Division
625 52nd Street, Room 308
Kenosha, WI 53140

Phone: 262.653.4030
Fax: 262.653.4045

Office Hours:
M - F 8:00 am - 4:30 pm

**SECTION 4
CONDITIONAL USE PERMIT**

Additional Information Required:	Building or Addition Square Footage: 5,000 <u>None at this time</u>
	Existing Building Size: <u>7,000 sq ft</u>
	Site Size: <u>64,800 sq ft</u>
	Current # of Employees <u>9</u> Anticipated # of New Employees <u>22</u>
	Anticipated Value of Improvements <u>\$ 20,000</u>

Submittal Requirements:	<ul style="list-style-type: none"> ➤ Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale ➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A)
--------------------------------	--

If Item to be Reviewed by Plan Commission/Common Council must Submit:	<ul style="list-style-type: none"> ➤ One (1) 8 1/2" x 11" reduction <i>or</i> forty (40) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides) ➤ Sample Board containing colored samples of all exterior building materials
--	---

Fees:		<u>Building or Addition Size</u>	<u>Site size</u>	<u>Review Fee</u>
	Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC
	Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC
	Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC
	Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC
	<ul style="list-style-type: none"> ➤ If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed. ➤ Application fee entitles applicant to an initial review and one re-submittal. ➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews. ➤ CUP Amendment = 50% of the applicable fee as determined above. 			

Appendices to Review:	➤ All
------------------------------	-------

Approximate Review Time:	<ul style="list-style-type: none"> ➤ 30 days for Staff Review ➤ 45-60 days for City Plan Commission/Common Council Review
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The conditional use permit plans, *prepared to a standard engineering scale*, shall be submitted with this application & shall include the following information:

Building Plan:	<ul style="list-style-type: none"> ➤ Layout of building(s) including size and layout of rooms ➤ Design and architecture ➤ Plans and details on fire suppression and/or standpipe ➤ Plans and details on fire detection, fire alarm and other safety devices
-----------------------	---

Site Plan (based on a plat of survey)	<ul style="list-style-type: none"> ➤ Legal description of property ➤ Location and footprint of building(s) and structure(s) ➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks ➤ Outline of any development stages ➤ Location and details on any required emergency access roads ➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space
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Drainage Plan	<ul style="list-style-type: none"> ➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations ➤ Floodplain boundaries, if applicable ➤ Soil characteristics, where applicable ➤ Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas
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Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 10, 2012	Item 13
By Alderperson Jesse Downing - To Create Paragraph 3.19 A.25 of the Zoning Ordinance of the City of Kenosha Regarding Medical Transportation Offices and to Repeal and Recreate Paragraphs 3.19 B.2 and 3.19 B.7.e. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: Property zoned IP Institutional Park

NOTIFICATIONS/PROCEDURES:

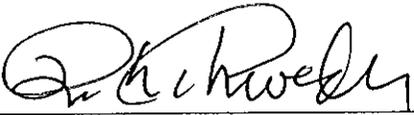
The Common Council is the final review authority

ANALYSIS:

- The Ordinance would allow a medical transportation office as a permitted use. However, any vehicles used for the transportation of individuals would need to be stored off-site.

RECOMMENDATION:

For Commission review and recommendation.



Rich Schroeder, Interim Deputy Director



Jeffrey B. Labahn, Interim Director

ORDINANCE NO. _____

DRAFT 08/08/11

BY: ALDERPERSON JESSE DOWNING

TO CREATE PARAGRAPH 3.19 A.25 OF THE ZONING ORDINANCE OF THE CITY OF KENOSHA REGARDING MEDICAL TRANSPORTATION OFFICES AND TO REPEAL AND RECREATE PARAGRAPHS 3.19 B.2 AND 3.19 B.7.e.

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Paragraph 3.19 A.25 of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

A. Permitted Uses.

25. Medical transportation offices used exclusively for arranging transportation of individuals to and from health care providers as defined in §146.81, Wisconsin Statutes but excluding taxicab offices and vehicle maintenance facilities.

Section Two: Paragraph 3.19 B.2 of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as follows:

B. Permitted Accessory Uses.

2. Off-street parking spaces and parking facilities for the storage of vehicles used in conjunction with a permitted principal use and in conformance with §6.01 of this Ordinance: excluding off-street parking spaces and parking facilities for the parking and storage of medical transportation vehicles used in conjunction with §3.19 A.25 of this Ordinance.

Section Three: Paragraph 3.19 B.7.e. of the Zoning Ordinance for the City

of Kenosha, Wisconsin is hereby repealed and recreated as follows:

7. Food and nonalcoholic beverage sales in conjunction with the following principal or conditional uses upon obtaining applicable licenses:

- a. Colleges, technical schools and universities.
- b. Conference centers and/or bed and breakfast establishments.
- c. Cultural institutions, including libraries, museums and art galleries.
- d. Hospitals.
- e. Public transportation uses under **Section 3.19 A.23 A.22.** of this Ordinance.

Section Four: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor
Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

ORDINANCE NO. _____

BY: ALDERPERSON JESSE DOWNING

**TO CREATE PARAGRAPH 3.19 A.25 OF THE ZONING
ORDINANCE OF THE CITY OF KENOSHA REGARDING
MEDICAL TRANSPORTATION OFFICES AND TO REPEAL
AND RECREATE PARAGRAPHS 3.19 B.2 AND 3.19 B.7.e.**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

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- a. Colleges, technical schools and universities.
- b. Conference centers and/or bed and breakfast establishments.
- c. Cultural institutions, including libraries, museums and art galleries.
- d. Hospitals.
- e. Public transportation uses under **Section 3.19 A.22.** of this Ordinance.

Section Four: This Ordinance shall become effective upon passage and publication.

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney