

<p>Municipal Building 625 52nd Street – Room 202</p>	<p>Kenosha City Plan Commission Agenda</p>	<p>Thursday, August 4, 2011 5:00 p.m.</p>
<p><i>Mayor Keith Bosman - Chairman, Alderman Jesse Downing - Vice-Chairman Alderman Anthony Kennedy, Alderman Jan Michalski, Anita Faraone, Robert Hayden, Art Landry, Anderson Lattimore and Ron Stevens</i></p>		

Call to Order and Roll Call

1. City Plan Commission Resolution To Amend Chapter 6 entitled Existing Plans & Ordinances for the *Comprehensive Plan for the City of Kenosha: 2035* approving a new *Comprehensive Outdoor Recreation Plan* and Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park. PUBLIC HEARING
2. By the City Plan Commission - To Create Subsection 18.02 h. of the Zoning Ordinance to adopt a new *Comprehensive Outdoor Recreation Plan* as referenced in the *Comprehensive Plan for the City of Kenosha: 2035*. PUBLIC HEARING
3. By: Alderpersons Eric Haugaard, Rocco LaMacchia and Tod Ohnstad - To Renumber Sections 3.03 F., 3.03 G., and 3.03 H. of the Zoning Ordinance for the City of Kenosha as Sections 3.03 G., 3.03 H., and 3.03 I., and To Create Section 3.03 F. entitled Accessory Building Exemptions for Residential Property. PUBLIC HEARING
4. By Alderperson Steve Bostrom - To Repeal and Recreate Section 8.04 A. of the Zoning Ordinance entitled Certificate of Occupancy. PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	August 4, 2011	Item 1
City Plan Commission Resolution To Amend Chapter 6 entitled Existing Plans & Ordinances for the Comprehensive Plan for the City of Kenosha: 2035 approving a new Comprehensive Outdoor Recreation Plan and Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

City of Kenosha Parks

NOTIFICATIONS/PROCEDURES:

The Board of Parks Commission approved the above referenced Plans at their meeting on July 25, 2011. These Plans will be forwarded to the Common Council for final review and approval.

ANALYSIS:

- The City adopted a *Comprehensive Outdoor Recreation Plan (CORP)* in 2001. The Plan was incorporated into the City's Comprehensive Plan.
- The City hired SAA Design Group to prepare a new CORP along with Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park. A number of public informational meetings were held on the various plans.
- The City must have a CORP to be eligible to receive various grants. The individual Park Master Plans provide a plan for the development of the park.
- The City's Comprehensive Plan needs to be amended to incorporate the new CORP and the four (4) Park Master Plans.

RECOMMENDATION:

A recommendation is made to approve the attached City Plan Commission Resolution which includes the Amendment to the Comprehensive Plan for the City of Kenosha: 2035 referring to the Comprehensive Outdoor Recreation Plan, the Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park.



Rich Schroeder, Assistant City Planner
/u2/acct/cp/ckays/1CPC/2011/Aug4/fact-cpcresol-corp.odt



Jeffrey B. Lapahn, Director of City Development



Engineering Division
Michael M. Lemens, P.E.
Director/City Engineer
Fleet Maintenance
Mauro Lenci
Superintendent
Parks Division
Jeff Warnock
Superintendent

Street Division
John H. Prijic
Superintendent
Waste Division
Rocky Bednar
Superintendent

DEPARTMENT OF PUBLIC WORKS

Michael M. Lemens, P.E., Interim Director

Municipal Building · 625 52nd ST · RM 305 · Kenosha, WI 53140
Telephone (262) 653-4050 · Fax (262) 653-4056

July 20, 2011

To: Michael Orth, Chairman
Park Commission

From: Michael M. Lemens, P.E.
Interim Director of Public Works

CC: All Aldermen

Subject: *Approval of CORP and Master Plans*

BACKGROUND INFORMATION

SAA Design Group (FKA Schreiber Anderson Associates) has completed the Comprehensive Outdoor Recreation Plans and the Master Plans for Strawberry Creek Park, Sunrise Park, Petzke Park and Simmon's Island.

Staff would like to acknowledge the entire council for their cooperation with this lengthy process and would like to thank the Park Commission, the public, stakeholders and elected officials for all of the beneficial information they provided.

The following is the tentative timeline for the remainder of the approval process:

Plan Commission – August 4

Common Council – August 15

Resolution of Adoption in the City of Kenosha's Comprehensive Plan – September 19 (30 days after Plan Commission due to notices)

Due to the size of the documents, copies of the plans will be handed out in the informational packets for Park Commission Members. If other alderman would like a copy prior to Council please contact Shelly Billingsley.

If at any time you do not want to keep a copy of the CORP or Master Plans please return them to Shelly Billingsley or Public Works Department for their use by City Staff – Thank you.

RECOMMENDATION

Approve the Comprehensive Outdoor Recreation Plan. Approve the Master Plan for Strawberry Creek Park. Approve the Master Plan for Petzke Park. Approve the Master Plan for Sunrise Park. Approve the Master Plan for Simmons Island.

CITY PLAN COMMISSION RESOLUTION # ____-11

By: City Plan Commission

To Amend Chapter 6 entitled Existing Plans & Ordinances
for the Comprehensive Plan for the City of Kenosha: 2035
approving a new Comprehensive Outdoor Recreation Plan and
Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park

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* at their meeting on April 19, 2010, following extensive public participation; and

WHEREAS, the City of Kenosha has prepared a new City of Kenosha *Comprehensive Outdoor Recreation Plan* (CORP) dated July 2011 and Master Plans for Petzke Park, Simmons Island Park, Strawberry Creek Park and Sunrise Park; and

WHEREAS, the Board of Park Commission approved the CORP and related Park Master Plans at their meeting on July 25, 2011; 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 Chapter 6 of *A Comprehensive Plan for the City of Kenosha: 2035* by adopting the *Comprehensive Outdoor Recreation Plan* dated July 2011 and the Master Plans Report for Petzke Park dated July 2011, Simmons Island Park dated July 2011, Strawberry creek Park dated February 2011 and Sunrise Park dated February 2011.

Adopted this ____ day of _____, 2011

ATTEST:

Jeffrey B. Labahn, Secretary of City Plan Commission

APPROVE:

Mayor Keith Bosman, Chairman of City Plan Commission

DETAILED DOCUMENTS FOR ITEM #1
COMPREHENSIVE OUTDOOR RECREATION PLAN

AND
MASTER PLANS FOR:

PETZKE PARK

SIMMONS ISLAND PARK

STRAWBERRY CREEK PARK

SUNRISE PARK

CAN OBTAINED FROM

Shelly Billingsley at 653.4149 or via email at sbillingsley@kenosha.org

A COPY WILL BE PROVIDED TO THE
COMMON COUNCIL WHEN THIS ITEM IS
PLACED ON THE CC AGENDA

City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	August 4, 2011	Item 2
By the City Plan Commission - To Create Subsection 18.02 h. of the Zoning Ordinance to adopt a new Comprehensive Outdoor Recreation Plan as referenced in the Comprehensive Plan for the City of Kenosha: 2035. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

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.
- The Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance is appropriate to amend the Comprehensive Plan referencing the proposed adoption of the *Comprehensive Outdoor Recreation Plan (CORP)*.

RECOMMENDATION:

A recommendation is made to approved the attached Zoning Ordinance.



Brian R. Wilke, Development Coordinator
/u2/acct/cp/ckays/1CPC/2011/Aug4/fact-zo-1802h-corp.odt



Jeffrey B. Labahn, Director of City Development

ZONING ORDINANCE NO. _____

DRAFT 07/27/11

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 h. OF THE ZONING ORDINANCE
TO ADOPT A NEW COMPREHENSIVE OUTDOOR RECREATION
PLAN AS REFERENCED IN THE COMPREHENSIVE PLAN FOR
THE CITY OF KENOSHA: 2035**

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

Section One: Subsection 18.02 h. 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:
- a. By Common Council resolution 126-10 on file with the City Clerk.
 - b. By map C1-10 on file with the Department of City Development.
 - c. By map C1-11 on file with the Department of City Development.
 - d. By map C2-11 on file with the Department of City Development.
 - e. By map C3-11 on file with the Department of City Development.
 - f. By map C4-11 on file with the Department of City Development.
 - g. By map C5-11 on file with the Department of City Development
 - h. By Common Council Resolution _____ - 11 on file with the City Clerk**

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

ZONING ORDINANCE NO. _____

BY: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 h. OF THE ZONING ORDINANCE
TO ADOPT A NEW COMPREHENSIVE OUTDOOR RECREATION
PLAN AS REFERENCED IN THE COMPREHENSIVE PLAN FOR
THE CITY OF KENOSHA: 2035**

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

Section One: Subsection 18.02 h. 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:

- a. By Common Council resolution 126-10 on file with the City Clerk.
- b. By map C1-10 on file with the Department of City Development.
- c. By map C1-11 on file with the Department of City Development.
- d. By map C2-11 on file with the Department of City Development.
- e. By map C3-11 on file with the Department of City Development.
- f. By map C4-11 on file with the Department of City Development.
- g. By map C5-11 on file with the Department of City Development.
- h. By Common Council Resolution ____-11 on file with the City Clerk.

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 Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	August 4, 2011	Item 3
By: Alderpersons Eric Haugaard, Rocco LaMacchia and Tod Ohnstad - To Renumber Sections 3.03 F., 3.03 G., and 3.03 H. of the Zoning Ordinance for the City of Kenosha as Sections 3.03 G., 3.03 H., and 3.03 I., and To Create Section 3.03 F. entitled Accessory Building Exemptions for Residential Property. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

City-Wide

NOTIFICATIONS/PROCEDURES:

This Ordinance was also referred to Public Safety and Welfare Committee before final approval by the Common Council.

ANALYSIS:

- The attached Ordinance creates a Section to allow residential accessory buildings, which do not meet the size requirements, to obtain a Special Exception.
- The Ordinance establishes criteria and restrictions for granting a Special Exception.
- The Public Safety and Welfare Committee will review the request and provide a recommendation to the Common Council. The Common Council has the authority to grant or deny the request.
- The Owners of property within 100 feet of the site are notified of any request.
- The Ordinance was deferred at the July 7th and July 21st meetings because the Commissioners had questions. The sponsors of the Ordinance have been working with the City Attorney's Office on revisions. A revised Ordinance is attached.

RECOMMENDATION:

For Commissioner review and recommendation.


Rich Schroeder, Assistant City Planner


Jeffrey B. Labahn, Director of City Development

DRAFT 07.19.11
DRAFT 07.26.11

BY: ALDERPERSON ERIC HAUGAARD
ALDERPERSON ROCCO LAMACCHIA
ALDERPERSON TOD OHNSTAD

TO RENUMBER SECTIONS 3.03 F., 3.03 G., AND 3.03 H. OF
THE ZONING ORDINANCE FOR THE CITY OF KENOSHA
AS SECTIONS 3.03 G., 3.03 H., AND 3.03 I AND TO CREATE
SECTION 3.03 F. ENTITLED ACCESSORY BUILDING
EXEMPTIONS FOR RESIDENTIAL PROPERTY.

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

Section One: Sections 3.03 F., 3.03 G., and 3.03 H. of the Zoning Ordinance for the City of Kenosha, Wisconsin, are hereby renumbered as 3.03 G., 3.03 H., and 3.03 I.

Section Two: Section 3.03 F. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby created as follows:

F. Special Exceptions – Residential Accessory Building or Structures. A Special Exception from the terms of Section 3.03 D.4.d and the accessory building or structure size requirements of this ordinance, where such Special Exception will not be contrary to the spirit and purpose of this Ordinance, may be granted.

1. Exemption Criteria – A Special Exception shall meet the following criteria:

a. The architectural appearance and functional design of the building or structure and site shall not be so dissimilar to the existing principal buildings and area so as to cause impairment of property values or a blighting influence. All sides of the principal and accessory buildings or structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.

b. Relief cannot be contrary to covenants associated with the subject property.

c. For all residential districts, a maximum of two accessory buildings, structures or combination building and structure shall be permitted.

d. No accessory building or structure shall exceed the height of the principal building. However, in no case shall such accessory building or structure exceed twenty-five feet (25') in height in any residential district.

e. **Residential Area Restrictions.** Accessory buildings or structures shall be permitted as accessory uses in residential areas subject to the following: in residential districts, the maximum square footage of one accessory building or structure cannot exceed one thousand square feet (1,000 sq. ft.) The maximum square footage for two accessory buildings or structures combined cannot exceed one thousand six hundred eighty square feet (1,680 sq. ft.). In no case shall the total square footage of all detached covered accessory buildings and/or structures have a footprint larger than 80% of the footprint of the principal building's first floor livable space.

f. **Doors.** Doors shall not exceed nine feet (9') in height.

g. **Drainage.** No negative impacts on stormwater runoff. A grading plan may be required.

h. **Notification of Surrounding Property Owners.** Utilizing the list of surrounding property owners, within one hundred feet (100') of subject property, the Administrator shall mail to all such listed property owners, by regular mail, a copy of the public notice for the proposed appeal or application. It shall be sufficient that such written notice is addressed to such owner at the address stated on said roll. If no owner is stated on the tax roll, or no address appears thereon, the written notice to such property shall not be required. Failure of a property owner to receive said notice shall not invalidate any action taken by the Common Council.

2. Additionally, in consideration of a Special Exception request, the City may impose additional conditions to protect the best interests of the surrounding area or the City as a whole. Violation of any such condition is a violation of this Section and Ordinance. Additional conditions imposed may include, but are not limited to the following:

a. Require the use of trim, lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s) or building(s).

~~b. Require the structure be designed and placed on a lot so as to reasonably maintain a scale/size difference between the principal and accessory structure with the accessory structure being clearly subordinate to the principal structure.~~

eb. Require the visibility of the accessory building(s) or structure(s) be minimized as viewed from adjacent lots and rights of way through the use of topography, increased setbacks, fencing, or existing or proposed vegetative landscaping.

dc. Require garage door openings are placed so as to reduce their visibility from adjacent lots and rights-of-way.

ed. Require the accessory building(s) or structure(s) be reasonably compatible with the architectural detail of the principal structure. The applicant holds the burden of proving the proposed building(s) or structure(s) are reasonably compatible with the architectural detail of the principal structure.

fe. Require the use of the same or similar window and exterior door proportion and type, as the principal building, to soften the impact of the bulk and height of the proposed structure(s).

gf. Require general compatibility with adjacent and other property in the district.

3. Application Procedure. Any application for a Special Exception shall be submitted on forms provided by the Zoning Administrator. The application must be filed with the Zoning Administrator. In order to be accepted for filing, the application must be accompanied by a receipt from the Department of Neighborhood Services and Inspections indicating payment of the fee established therefore by the Common Council, from time to time, by resolution. The Zoning Administrator or designee thereof, shall prepare a written report and make a recommendation to the Committee on Public Safety and Welfare, said report and recommendation shall be submitted within thirty (30) days of receipt of the application. At its next regularly scheduled meeting, the Committee shall recommend to the Common Council either the granting or denial of the application. The Common Council, within sixty (60) days of receipt of the application, shall grant or deny a Special Exception after conducting a public hearing.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

ORDINANCE NO. _____

DRAFT 07.19.11
DRAFT 07.26.11

BY: ALDERPERSON ERIC HAUGAARD
ALDERPERSON ROCCO LAMACCHIA
ALDERPERSON TOD OHNSTAD

TO RENUMBER SECTIONS 3.03 F., 3.03 G., AND 3.03 H. OF
THE ZONING ORDINANCE FOR THE CITY OF KENOSHA
AS SECTIONS 3.03 G., 3.03 H., AND 3.03 I AND TO CREATE
SECTION 3.03 F. ENTITLED ACCESSORY BUILDING
EXEMPTIONS FOR RESIDENTIAL PROPERTY.

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

Section One: Sections 3.03 F., 3.03 G., and 3.03 H. of the Zoning Ordinance for the City of Kenosha, Wisconsin, are hereby renumbered as 3.03 G., 3.03 H., and 3.03 I.

Section Two: Section 3.03 F. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby created as follows:

F. Special Exceptions – Residential Accessory Building or Structures. A Special Exception from the terms of Section 3.03 D.4.d and the accessory building or structure size requirements of this ordinance, where such Special Exception will not be contrary to the spirit and purpose of this Ordinance, may be granted.

1. Exemption Criteria – A Special Exception shall meet the following criteria:

a. The architectural appearance and functional design of the building or structure and site shall not be so dissimilar to the existing principal buildings and area so as to cause impairment of property values or a blighting influence. All sides of the principal and accessory buildings or structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.

b. Relief cannot be contrary to covenants associated with the subject property.

c. For all residential districts, a maximum of two accessory buildings, structures or combination building and structure shall be permitted.

d. No accessory building or structure shall exceed the height of the principal building. However, in no case shall such accessory building or structure exceed twenty-five feet (25') in height in any residential district.

e. **Residential Area Restrictions.** Accessory buildings or structures shall be permitted as accessory uses in residential areas subject to the following: in residential districts, the maximum square footage of one accessory building or structure cannot exceed one thousand square feet (1,000 sq. ft.) The maximum square footage for two accessory buildings or structures combined cannot exceed one thousand six hundred eighty square feet (1,680 sq. ft.). In no case shall the total square footage of all detached covered accessory buildings and/or structures have a footprint larger than 80% of the footprint of the principal building's first floor livable space.

f. **Doors.** Doors shall not exceed nine feet (9') in height.

g. **Drainage.** No negative impacts on stormwater runoff. A grading plan may be required.

h. **Notification of Surrounding Property Owners.** Utilizing the list of surrounding property owners, within one hundred feet (100') of subject property, the Administrator shall mail to all such listed property owners, by regular mail, a copy of the public notice for the proposed appeal or application. It shall be sufficient that such written notice is addressed to such owner at the address stated on said roll. If no owner is stated on the tax roll, or no address appears thereon, the written notice to such property shall not be required. Failure of a property owner to receive said notice shall not invalidate any action taken by the Common Council.

2. Additionally, in consideration of a Special Exception request, the City may impose additional conditions to protect the best interests of the surrounding area or the City as a whole. Violation of any such condition is a violation of this Section and Ordinance. Additional conditions imposed may include, but are not limited to the following:

a. Require the use of trim, lighting or other additional architectural detail to soften the impact of the bulk and height of the proposed structure(s) or building(s).

b. Require the visibility of the accessory building(s) or structure(s) be minimized as viewed from adjacent lots and rights of way through the use of topography, increased setbacks, fencing, or existing or proposed vegetative landscaping.

c. Require garage door openings are placed so as to reduce their visibility from adjacent lots and rights-of-way.

d. Require the accessory building(s) or structure(s) be reasonably compatible with the architectural detail of the principal structure. The applicant holds the burden of proving the proposed building(s) or structure(s) are reasonably compatible with the architectural detail of the principal structure.

e. Require the use of the same or similar window and exterior door proportion and type, as the principal building, to soften the impact of the bulk and height of the proposed structure(s).

f. Require general compatibility with adjacent and other property in the district.

3. Application Procedure. Any application for a Special Exception shall be submitted on forms provided by the Zoning Administrator. The application must be filed with the Zoning Administrator. In order to be accepted for filing, the application must be accompanied by a receipt from the Department of Neighborhood Services and Inspections indicating payment of the fee established therefore by the Common Council, from time to time, by resolution. The Zoning Administrator or designee thereof, shall prepare a written report and make a recommendation to the Committee on Public Safety and Welfare, said report and recommendation shall be submitted within thirty (30) days of receipt of the application. At its next regularly scheduled meeting, the Committee shall recommend to the Common Council either the granting or denial of the application. The Common Council, within sixty (60) days of receipt of the application, shall grant or deny a Special Exception after conducting a public hearing.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
MATTHEW A. KNIGHT
Deputy City Attorney

<p>City Plan Division 625 52nd Street Kenosha, WI 53140 262.653.4030</p>	<p>Kenosha City Plan Commission</p> <p style="text-align: center;">FACT SHEET</p>	<p>August 4, 2011</p>	<p>Item 4</p>
<p>By Alderperson Steve Bostrom - To Repeal and Recreate Section 8.04 A. of the Zoning Ordinance entitled Certificate of Occupancy. PUBLIC HEARING</p>			

LOCATION/SURROUNDINGS:

City-Wide

NOTIFICATIONS/PROCEDURES:

This item requires Common Council approval.

ANALYSIS:

Section 1

- The Ordinance requires an Occupancy Permit for a non-residential building after ninety (90) days of vacancy.
- The Ordinance also requires an Occupancy Permit for residential buildings with four (4) or more units.

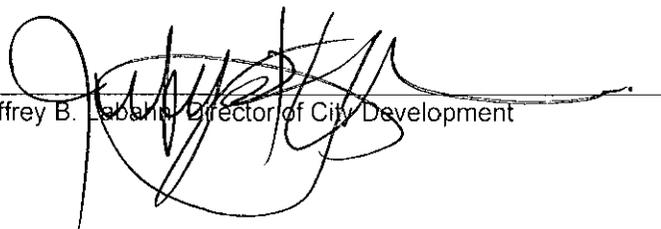
The Commission deferred action on this Ordinance at the July 7th and July 21st meetings because they had questions on the Ordinance.

RECOMMENDATION:

For Commission review and recommendation.



Rich Schroeder, Assistant City Planner



Jeffrey B. LeBans, Director of City Development

ORDINANCE NO. _____

BY: ALDERPERSON STEVE BOSTROM

TO REPEAL AND RECREATE SECTION 8.04 A. OF THE ZONING ORDINANCE ENTITLED CERTIFICATE OF OCCUPANCY

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

Section One: Section 8.04 A. of the Zoning Code for the City of Kenosha,

Wisconsin, is hereby repealed and recreated as follows:

8.04 CERTIFICATE OF OCCUPANCY

A. Certificate of Occupancy Required. A Certificate of Occupancy from the Administrator shall be required as a condition of any person occupying:

1. A building which has been the subject of new construction or erection.
2. A building which has been moved to another foundation on the same or any other parcel of property.
3. A building which has been the subject of an expansion, addition, alteration or reconstruction.
4. A building, or portion thereof located in the B-1, B-2, or B-3 Business District, or in the M-1 or M-2 Manufacturing District, or IP Institutional Park District, which is not used for residential purposes and is subject to a new occupancy, whether owner or tenant.
5. A parcel of land, unimproved by a building, which is used for a business or manufacturing purpose.
6. A residential building used for a Home Occupation under Section 3.03 E. of the Zoning Ordinance.
7. A non-residential building which has been vacant and unoccupied for more than ninety (90) days.
- ~~8.~~ A residential building of four (4) or more units.
- ~~9.~~ A building subject to a business license under Chapters 10, 12, and 13 of the Code of General Ordinances.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

ORDINANCE NO. _____

BY: ALDERPERSON STEVE BOSTROM

**TO REPEAL AND RECREATE SECTION 8.04 A. OF THE
ZONING ORDINANCE ENTITLED CERTIFICATE OF OCCUPANCY**

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

Section One: Section 8.04 A. of the Zoning Code for the City of Kenosha,

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8.04 CERTIFICATE OF OCCUPANCY

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1. A building which has been the subject of new construction or erection.
2. A building which has been moved to another foundation on the same or any other parcel of property.
3. A building which has been the subject of an expansion, addition, alteration or reconstruction.
4. A building, or portion thereof located in the B-1, B-2, or B-3 Business District, or in the M-1 or M-2 Manufacturing District, or IP Institutional Park District, which is not used for residential purposes and is subject to a new occupancy, whether owner or tenant.
5. A parcel of land, unimproved by a building, which is used for a business or manufacturing purpose.
6. A residential building used for a Home Occupation under Section 3.03 E. of the Zoning Ordinance.
7. A non-residential building which has been vacant and unoccupied for more than ninety (90) days.
8. A residential building of four (4) or more units.
9. A building subject to a business license under Chapters 10, 12, and 13 of the Code of General Ordinances.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney