



# Plan & Architectural Review Meeting

Whitewater Municipal Building Community Room,  
312 West Whitewater St., Whitewater, WI 53190  
\*In Person and Virtual

**Monday, April 14, 2025 - 6:00 PM**

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**Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone. Citizen participation is welcome during topic discussion periods.**

**Plan and Architectural Review Commission**  
Apr 14, 2025, 6:00 – 8:30 PM (America/Chicago)

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## **AGENDA**

### **CALL TO ORDER AND ROLL CALL**

#### **APPROVAL OF AGENDA**

*A committee member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Committee to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.*

#### **HEARING OF CITIZEN COMMENTS**

*No formal Plan Commission action will be taken during this meeting although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Council discusses that particular item.*

#### **CONSENT AGENDA**

*Items on the Consent Agenda will be approved together unless any commission member requests that an item be removed for individual consideration.*

- 1. Approval of March 10, 2025 Minutes.

**PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL**

- 2. Discussion and possible approval to recommend to Common Council Zoning District Changes as follows:
  - 1. Add 19.09.291 Family Daycare Home to Definitions Section 19.09
  - 2. Amend Section 19.15.030 R-1 (One Family Residence District) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
  - 3. Amend Section 19.18.030 R-2 (One and Two-Family Residence District) Conditional Uses to add letter H. Family daycare home for 8 or fewer children.
  - 4. Amend Section 19.19.030 R1S (One Family Residence District-Small Lots) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
  - 5. Amend Section 19.21.030 R-3 (Multi-Family Residence District) Conditional Uses to add letter O. Family daycare home for 8 or fewer children.
  - 6. Amend Section 19.33.030 B-3 (Highway Commercial and Light Industrial District) Conditional Uses to add letter T. Daycare centers, adult and child.
  - 7. Amend Section 19.48.020 I (Institutional District) Permitted Uses to add letter E. Day care centers, adult and child

**DISCUSSION AND CONSIDERATIONS**

- 3. Review and possible approval of an Extraterritorial Certified Survey Map for Parcel # 004-0515-2742-000. Located in the Town of Cold Spring.
- 4. Discussion and possible recommendation to Common Council update of the Landscaping Guidelines. **(Carol McCormick)**

**FUTURE AGENDA ITEMS**

**NEXT MEETING DATE MAY 12, 2025**

**ADJOURNMENT**

**Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to**

**send their comments to:**  
c/o Neighborhood Services Director  
312 W. Whitewater Street  
Whitewater, WI 53190

or [ldostie@whitewater-wi.gov](mailto:ldostie@whitewater-wi.gov)

*A quorum of the Common Council might be present. This notice is given to inform the public that no formal action will be taken at this meeting by the Common Council.*



## Plan & Architectural Review Meeting

Whitewater Municipal Building Community Room,  
312 West Whitewater St., Whitewater, WI 53190  
\*In Person and Virtual

**Monday, March 10, 2025 - 6:00 PM**

### MINUTES

#### CALL TO ORDER AND ROLL CALL

Meeting called to order at 6:00 p.m.

#### PRESENT

Chairman, Councilmember Neil Hicks  
Board Member Bruce Parker  
Vice Chairperson Tom Miller  
Board Member Michael Smith  
Board Member Marjorie Stoneman  
Board Member Carol McCormick  
Board Member Lynn Binnie

#### STAFF

Taylor Zeinert, Economic Director  
Attorney Jonathan McDonell  
Allison Schwark, Planner  
Llana Dostie Neighborhood Services Administrative Assistant

#### APPROVAL OF AGENDA

*A committee member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Committee to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.*

Motion made by Board Member Binnie, Seconded by Board Member Parker.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

#### HEARING OF CITIZEN COMMENTS

*No formal Plan Commission action will be taken during this meeting although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Council discusses that particular item.*

None.

**CONSENT AGENDA**

*Items on the Consent Agenda will be approved together unless any commission member requests that an item be removed for individual consideration.*

1. Hicks requested that the Minutes reflect that they are from February 10, 2025.

Motion made by Chairman, Councilmember Hicks, Seconded by Vice Chairperson Miller.  
Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

**PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL**

2. Consideration to Approve and Recommend to Common Council a change in the District Zoning Map to Rezone Parcel # 292-0515-3233-008 from AT (Agricultural Transition District) to R-3 (Multi-Family Residence District) and /WUP 00359 from R-3 (Multi-Family Residence District) to AT (Agricultural Transition District.)

Planner Schwark stated there is some history with these parcels. A few years ago the rezone did come before the PARC. This developer Arch Development LLC is looking at rezoning some of the parcels. The county line splits the development up. There are two parcels in Walworth County and one in Jefferson. Back in 2017, the land was annexed into the City. In 2018, the applicant petitioned to rezone to R-3 on all the parcels permanently. From, the PARC minutes and Common Council minutes. The PARC recommended the rezone to the Common Council and the Common Council denied the rezone. When the land was annexed into the City, there was a temporary zoning attached to these parcels, and that zoning was R-3. At that time, they were told to come back with their development to get permanent zoning. The proposed permanent zoning is consistent with the zoning. They are hoping to continue with the development between Walworth and Jefferson County. Planner does recommend approval.

Ben Holden with Whitewater Common Sense Citizen's Group stated "I have talked to many citizens and they are not in favor public funding for multi-family developments and apartments."

EDD Zeinert stated that this body doesn't approve TIF Funding. That is something that the Community Development Authority does. The Community Development Authority did see this development, however, didn't take any action.

Builder stated that this has no relevance to the TIF at all, this is not why they are here. As you have seen we have had a lot of push back with this project and we are just trying to bring a very nice project to town. And it has taken years to get to every step along the way. This would be just a small piece and a way forward.

Binnie stated he recalls in previous meetings, that there were some concerns about the fact that to the north is single family residential. And there was some hope that to some degree there would be a gradual reduction in density as it got closer to the single family residential. Is it the understanding that your plan now is to put townhomes into the most northern section?

Builder stated that the most recent plans has an apartment building at the corner of Tratt Street, stepping down to townhomes leaving open that western portion. We have been trying to contact developers to build single family homes into that western portion.

Bob Freirmuth HSI asked the developer if they needed TIF money to move forward with their project.

EDD Zeinert noted that this body has nothing to do with TIF, this is just for the rezone and I think this can be brought up at the Community Development meeting.

Smith asked should we just assume, it is a yes?

Builder stated as is stands, they are just looking for the zoning. We don't have plans to move forward with an apartment building. We need the zoning before we can have plans drawn. This is something in the future. It could be 10 years down the road from now. Interest rates need to come down, building costs need to come down. Without TIF we are unable to do this. We are just looking for the zoning so that in the future, if we have the opportunity and it presents itself, we can bring a plan forward.

**Motion to recommend to common council to approve the rezone with planner's recommendations.**

Planner stated that she would prefer that the builder parcel off the part the section that will be AT

Builder confirmed that they would carver out the AT area.

Motion made by Board Member Binnie, Seconded by Board Member Parker.

Voting Yea: Board Member Parker, Vice Chairperson Miller, Board Member Stoneman, Board Member Binnie

Voting Nay: Chairman, Councilmember Hicks, Board Member Smith

Voting Abstaining: Board Member McCormick

**Motion Passed.**

**DISCUSSIONS AND CONSIDERATIONS**

- 3. Discussion and possible approval of Site Plan for remodel for Martin Bower located at 411 N Newcomb Street. Tax Parcel # /A 199100002.

Planner explained the project. The applicant is requesting this review for an existing property. The Martin Bower Company's proposed improvements would include an updated parking lot layout, updated landscaping, new asphalt and concrete; in addition, to 4 new loading docks with hydraulic lifts and retaining walls for entry from the docking area. There are a lot of interior modifications for the docks, but there is not much exterior. The square footage of the building is not changing and the impervious surface of the site is only changing by 0.8 percent.

**Motion to approve with planner's recommendations.**

McCormick asked what they do there?

Bradon the general manager for Martin Bower stated. "We do quick services for McDonalds and Chick-Fil-A. We provide the products for the stores on a daily basis."

Motion made by Board Member Binnie, Seconded by Board Member Stoneman.  
 Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

4. Discussion and possible approval of Site Plan for New Recycle Building located at 107 County Road U for John's Disposal. Tax Parcel # 292-0515-3312-000.

Planner stated the applicant, is John's Disposal Recycling Center, they are requesting a site plan review since they are located in the M-1 district, which requires all building improvements to come before the Plan and Architectural Review Commission . They are asking to replace the building that burned down several years ago. They would like to place a new 16,000 square foot building on the same parcel. In the image included, in the site plan the proposed new location is shown, along with the old building. This building has since been torn down. It does meet all the requirements of the M-1 zoning district. They are not making any changes to the site as a whole. They are not adding any new impervious surface. I'm recommending approval.

Brian from John's stated that they are replacing the building they lost just over two years ago. We are moving it slightly off the old foot print. This time we are excited we have City water with and an excellent fire suppression system going in everywhere.

McCormick asked why it took so long?

Brian stated that they had an original building that they moved back into 15 weeks after the fire. We've always had an extra building, but we can hardly be without it.

**Motion to approve the plan with the planner's conditions.**

Motion made by Board Member Stoneman, Seconded by Board Member Parker.  
 Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

**STAFF REPORT**

5. Staff Report regarding Technology Park Zoning. **(Planner Schwark)**

This is just a brief memo as how it came to be and how it stands out from other zoning districts. Around the 2011 the City, University and CDA collaborated to build and maintain the Tech Park, as well as the Innovation Center. The 130 acre Technology Park was created as an expansion area, for business needs. It was meant for startups, to grow. Instead of adopting separate covenants, the covenants were written into the ordinance. They were trying to match the look of the Innovation Center. There are a lot of uses within the Tech Park. The Tech Park is like any other business district in the City; it is just a collaborative effort with the University.

EDD Zeinert stated that Whitewater is unique with this district.

Binnie stated that with the action that we took the last time, we recognized when we did it, we were not following these guidelines, which creates something of a conundrum at this point. When the Tech Park was built, we had high hopes it would be something like

the one in Madison with the Tech Park there. We were going to bring in a lot of up and coming businesses. That has not been successful, obviously. I think that if we had been able to construct a smaller building for start ups to move out of the Innovation Center into, we may have had some success with that. It might be appropriate at this time to meet with the Tech Park board to see if they would support relaxing these standards.

Hicks would like EDD Zeinert and Planner Schwark to work on item number 2 with the Tech Board.

Planner Schwark stated that would be a good idea, since she is a big proponent that it if is in the ordinance, that we enforce it. And if it is something we do not want to enforce, lets make a modification to the ordinance. So that the ordinance is consistent with the overall intent of what the City wants.

Ben Holden, Whitewater Common Sense Citizens asked if there were any businesses wanting to come in but didn't because of the standards. And how many do we know?

EDD Zeinert stated that not specifically to this area but in the M-1 district.

Ben Holden is any part of the Tech Park or Business Park being rezoned from M-1 to residential?

EDD Zeinert stated that not at this time. But that would be something that would have to come before this body. Because the body takes care of zoning.

**FUTURE AGENDA ITEMS**

- 6. 1. Rezone for all Whitewater Schools-Schanen
  - 2. Landscaping Guidelines Policy-McCormick
  - 3. Update on Royal Hounds of Whitewater (Doggie Daycare)
- None.

**NEXT MEETING DATE APRIL 14, 2025**

**ADJOURNMENT**

Meeting adjourned 6:38 p.m.

Motion made by Vice Chairperson Miller, Seconded by Board Member McCormick.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Vice Chairperson Miller, Board Member Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie



# PARC Agenda Item

Meeting Date:	April 15, 2025
Agenda Item:	Daycare Code Updates
Staff Contact (name, email, phone):	Allison Schwark, Zoning Administrator/Code Enforcement

**BACKGROUND**  
(Enter the who, what when, where, why)

The City of Whitewater seeks to amend multiple sections of their zoning ordinances pertaining to the specific use of daycare facilities within the City of Whitewater. Currently daycare facilities are very limited, only allowed by Conditional Use Permit in the B-1, M-1, and Technology Park zoning districts. The City would like to allow for more flexibility in the allowance for daycare facilities, including smaller in home facilities. The zoning change would allow daycare facilities for 8 or fewer children in residential zoning districts: R-1, R-2, R1S, and R-3. Additionally the amendment would add the use as a CUP in the B-3 and I commercial zoning districts.

**PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS**  
(Dates, committees, action taken)

N/A

**FINANCIAL IMPACT**  
(If none, state N/A)

N/A

**STAFF RECOMMENDATION**

Staff recommend that the City of Whitewater PARC:

1. Recommend approval of all ordinance sections to the Whitewater Common Council.

**ATTACHMENT(S) INCLUDED**  
(If none, state N/A)

1. Add 19.09.291 Family Daycare Home to Definitions Section 19.09
2. Amend Section 19.15.030 R-1 (One Family Residence District) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
3. Amend Section 19.18.030 R-2 (One and Two-Family Residence District) Conditional Uses to add letter H. Family daycare home for 8 or fewer children.
4. Amend Section 19.19.030 R1S (One Family Residence District-Small Lots) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
5. Amend Section 19.21.030 R-3 (Multi-Family Residence District) Conditional Uses to add letter O. Family daycare home for 8 or fewer children.
6. Amend Section 19.33.030 B-3 (Highway Commercial and Light Industrial District) Conditional Uses to add letter T. Daycare centers, adult and child.
7. Amend Section 19.48.020 I (Institutional District) Permitted Uses to add letter E. Day care centers, adult and child

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**19.09.291 Family Daycare Home.**

**Family daycare home.** A dwelling in which are received from 3 to 8 children, not of common parentage, for care and supervision for a part of the day.

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## Chapter 19.15 R-1 ONE-FAMILY RESIDENCE DISTRICT

### 19.15.010 Purpose.

The R-1 one-family residence district is established to stabilize and protect the essential characteristics of low-density residential areas.

(Ord. No. 1914A, 2-18-2016)

### 19.15.020 Permitted uses.

Permitted uses in the R-1 district include:

- A. One-family detached dwellings;
- B. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55;
- C. Home occupations/professional home offices for nonretail goods and services (defined in this district as businesses that do not require customer access).
- D. A nonfamily household in R-1 shall be limited to three unrelated persons unless otherwise modified by an overlay district.

(Ord. No. 1914A, 2-18-2016)

### 19.15.030 Conditional uses.

Conditional uses in the R-1 district include:

- A. Public and semipublic uses, to include public and private schools; churches and religious institutions; government facilities; active recreational parks; museums, hospitals, public transportation terminals, and similar uses.
- B. Planned residential developments such as townhouses, condominiums and cluster housing. In order to allow increasing the intensity of use, the plan commission may allow as a conditional use the following variations from the district requirements:
  1. In an approved planned residential development, each dwelling structure need not have an individual lot or parcel having the requisite size and dimensions normally required in the districts. However, the size and the entire development parcel divided by the number of dwellings shall be equal to or larger than the minimum lot area for the district where the site is located;
  2. The yard requirements between buildings shall be fixed by the plan commission. Building setbacks from the perimeter of the site shall comply with the front yard, rear yard and side yard requirements of the district;
  3. Private streets may be approved to serve uses within the site, provided that the site proposed for PD has frontage on a public street.

- C. Home occupations/professional home offices. (Subject to issuance of zoning permit.)
- D. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.
- E. Real estate sales offices, subject to the following requirements:
1. May only be placed within a major subdivision with twenty or more lots;
  2. Shall occupy a maximum of one building within any major subdivision;
  3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
  4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
  5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
  6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision;
  7. Signage shall be in accordance with standards for conditional uses in the district, per Section 19.54.052 of this title.
- F. Bed and breakfast establishments.
- G. Family daycare home for 8 or fewer children.
- ~~H. G.~~ Reserved.
- I. H. One accessory structure may be located in the front or side yard if the following requirements are met:
1. Minimum front yard setback of the accessory structure must be fifty feet.
  2. Minimum side yard setback of the accessory structure must be ten feet, or corner lot, twenty-five feet.

(Ord. No. 1914A, 2-18-2016; Ord. No. 1918A, § 2, 4-19-2016)

### **19.15.040 Lot area.**

Minimum lot area in the R-1 district is ten thousand square feet.

- A. A nonconforming lot that does not meet the minimum lot area above may be considered as a buildable lot if it:
- a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

**19.15.050 Lot width.**

Minimum lot width in the R-1 district is eighty feet.

(Ord. No. 1914A, 2-18-2016)

**19.15.060 Yard requirements.**

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

- A. Front, twenty-five feet; not more than forty percent of the front yard may be an impervious surface except as a conditional use.
- B. Side, ten feet, corner lot, twenty-five feet;
- C. Rear, thirty feet; not more than forty percent of the rear yard may be an impervious surface except as a conditional use.
- D. Shore, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval.

(Ord. No. 1914A, 2-18-2016)

**19.15.070 Lot coverage.**

- A. Maximum lot coverage (principal and accessory structures) in the R-1 district is thirty percent.
- B. Maximum impervious surface: The following chart shall be used to determine the maximum percent of allowed impervious surface to determine the threshold for stormwater mitigation plan requirements on lots in the R-1 district.

Maximum Impervious Surface	
Less than 7,000 sq. ft.	65%
7,000 sq. ft. to 8,499 sq. ft.	60%
8,500 sq. ft. to 9,999 sq. ft.	55%
10,000 sq. ft. and over	50%

Percentage of impervious surface shall be calculated by taking the total surface area of the existing and proposed impervious surface and dividing it by the total lot area (note the minimum lot requirement for new lots in R-1 is ten thousand square feet).

- C. Lots calculated over the maximum allowed impervious surface require the neighborhood service director approval of a stormwater management plan. Property owners shall work with neighborhood services to develop a practical site specific stormwater management plan that allows for flexibility in the use of stormwater treatment device including rain barrels, rain gardens and etc. Applicants may appeal the neighborhood services director's decision to the plan and architectural review commission.
  - a. Pre-engineered lots may be developed without management plans if mitigation has been accounted for during design of the lot.
  - b. The neighborhood services department and plan and architectural review commission shall take into account surrounding topography when reviewing the necessary stormwater mitigation.

(Supp. No. 11-24)

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- c. Property owners may also apply for a conditional use permit which may exempt properties from the requirement of a stormwater management plan.
- D. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans. The neighborhood services department shall develop written guidelines and policies to be used in development and review of stormwater mitigation plans.

(Ord. No. 1914A, 2-18-2016)

#### **19.15.080 Building height.**

Maximum building height in the R-1 district is two and one-half stories or thirty-five feet.

(Ord. No. 1914A, 2-18-2016)

#### **19.15.090 Park fees.**

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board then approved by the common council. The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)

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## Chapter 19.19 R-1S ONE-FAMILY RESIDENCE DISTRICT—SMALL LOTS<sup>1</sup>

### 19.19.010 Purpose.

This district is intended to create, preserve, and enhance areas for moderate-density single-family detached dwellings at an approximate density of seven dwelling units per acre.

(Ord. No. 2045, § 1, 10-4-2022)

### 19.19.020 Permitted uses.

Permitted uses in the R-1S district include:

- A. One-family detached dwellings;
- B. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55;
- C. Home occupations/professional home offices for nonretail goods and services (defined in this district as businesses that do not require customer access).
- D. A non-family household in R-1S shall be limited to three unrelated persons.

(Ord. No. 2045, § 1, 10-4-2022)

### 19.19.030 Conditional uses.

Conditional uses in the R-1S district include:

- A. Public and semipublic uses, to include public and private schools; churches and religious institutions; government facilities; active recreational parks; museums, hospitals, public transportation terminals, and similar uses.
- B. Planned residential developments such as townhouses, condominiums and cluster housing. In order to allow increasing the intensity of use, the plan commission may allow as a conditional use the following variations from the district requirements:
  1. In an approved planned residential development, each dwelling structure need not have an individual lot or parcel having the requisite size and dimensions normally required in the districts. However, the size and the entire development parcel divided by the number of dwellings shall be equal to or larger than the minimum lot area for the district where the site is located;

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<sup>1</sup>Editor's note(s)—Prior to the reenactment of Ch. 19.19 by Ord. No. 2045, Ord. No. 2002A, § 1, adopted July 21, 2020, repealed Ch. 19.19, §§ 19.19.010—19.19.050 which pertained to the R-2A residential increased occupancy overlay district and derived from Ord. No. 1914A, adopted Feb. 18, 2016; and Ord. No. 1923A, §§ 1, 2, adopted July 19, 2016.

2. The yard requirements between buildings shall be fixed by the plan commission. Building setbacks from the perimeter of the site shall comply with the front yard, rear yard and side yard requirements of the district;
  3. Private streets may be approved to serve uses within the site, provided that the site proposed for PD has frontage on a public street.
- C. Home occupations/professional home offices. (Subject to issuance of zoning permit.)
- D. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.
- E. Real estate sales offices, subject to the following requirements:
1. May only be placed within a major subdivision with twenty or more lots;
  2. Shall occupy a maximum of one building within any major subdivision;
  3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
  4. Before a building permit is issued, a deposit or other financial guarantee, approved by the city manager, with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
  5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
  6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision;
  7. Signage shall be in accordance with standards for conditional uses in the district, per Chapter 19.54 of this title.
- F. Bed and breakfast establishments.
- G. Family daycare home for 8 or fewer children.
- H. G. One accessory structure may be located in the front or side yard if the following requirements are met:
1. Minimum front yard setback of the accessory structure must be two feet behind the façade of the principal structure.
  2. Minimum side yard setback of the accessory structure must be five feet; and align/be even with principal structure on corner lot.
  3. Minimum rear setback is three feet.
  4. Maximum height is twenty feet.
  5. An attached garage shall comprise no more than fifty percent of the width of the ground floor façade facing the street.

(Ord. No. 2045, § 1, 10-4-2022)

**19.19.040 Lot area.**

- A. Minimum lot area in the R-1S district is six thousand square feet.
- B. A nonconforming lot that does not meet the minimum lot area above may be considered as a buildable lot if it:
  - 1. Meets all other standards including Section 19.60.050.
  - 2. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 2045, § 1, 10-4-2022)

**19.19.050 Lot width.**

- A. Minimum lot width in the R-1S district is sixty feet. Minimum lot width on a corner lot is sixty-six feet.

(Ord. No. 2045, § 1, 10-4-2022)

**19.19.055 Lot depth.**

- A. Minimum lot depth in the R-1S district is one hundred feet.

(Ord. No. 2045, § 1, 10-4-2022)

**19.19.060 Yard requirements/setbacks.**

Minimum yard requirements/setbacks in the R-1S district are as follows:

- A. Minimum front setback is twenty feet; maximum is twenty-five feet.
- B. Minimum side setback is six feet.
- C. Minimum rear setback is twenty feet.
- D. Minimum shore setback is seventy-five feet. All shoreland shall comply with Chapter 19.46, and in addition may require DNR approval.
- E. Minimum lot frontage at right of way is thirty feet.
- F. Minimum porch setback for front and side yard is twelve feet.
- G. Minimum street side setback on a corner lot is ten feet.
- H. Minimum pavement setback, from lot line to pavement and excluding driveway entrances, is five feet on the side and rear yards and ten feet from any street right of way.

(Ord. No. 2045, § 1, 10-4-2022)

**19.19.070 Lot coverage.**

- A. Minimum dwelling unit structure area is eight hundred square feet.
- B. Maximum lot coverage (principal and accessory structures) in the R-1S district is fifty percent.

(Supp. No. 11-24)

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- C. Maximum impervious surface: The maximum impervious surface ratio is seventy percent. The percentage of impervious surface shall be calculated by taking the total surface area of the existing and proposed impervious surface and dividing it by the total lot area (note the minimum lot requirement for new lots in R-1S is six thousand square feet).
- D. Minimum green space: thirty percent.
- E. Lots calculated over the maximum allowed impervious surface require the neighborhood service director approval of a stormwater management plan. Property owners shall work with neighborhood services to develop a practical site-specific stormwater management plan that allows for flexibility in the use of stormwater treatment devices including rain barrels, rain gardens and etc. Applicants may appeal the neighborhood services director's decision to the plan and architectural review commission.
1. Pre-engineered lots may be developed without management plans if mitigation has been accounted for during design of the lot.
  2. The neighborhood services department and plan and architectural review commission shall consider surrounding topography when reviewing the necessary stormwater mitigation.
  3. Property owners may also apply for a conditional use permit which may exempt properties from the requirement of a stormwater management plan.
- F. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans. The neighborhood services department shall develop written guidelines and policies to be used in development and review of stormwater mitigation plans.

(Ord. No. 2045, § 1, 10-4-2022)

### **19.19.080 Building height.**

- A. Maximum principal building height in the R-1S district is thirty-five feet.

(Ord. No. 2045, § 1, 10-4-2022)

### **19.19.090 Park fees.**

- A. All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board then approved by the common council. The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 2045, § 1, 10-4-2022)

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

### 19.18.010 Purpose.

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

(Ord. No. 1914A, 2-18-2016)

### 19.18.020 Permitted uses.

Permitted uses in the R-2 district include:

- A. One-family detached dwellings;
- B. Two-family attached dwellings (except for conversions of single-family to two-family dwellings);
- C. Home occupations/professional home offices for nonretail goods and services (defined in this district as businesses that do not require customer access);
- D. A nonfamily household in R-2 shall be limited to three unrelated persons;
- E. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### 19.18.030 Conditional uses.

Conditional uses in the R-2 district include:

- A. Attached townhouse dwellings, up to four units per building; minimum lot area requirements for such uses shall be regulated by Chapter 19.21;
- B. Conversion of existing single-family dwellings to two-family attached dwellings;
- C. Public and semipublic uses;
- D. Home occupations/professional home offices for retail goods and services (defined in this district as businesses requiring customer access);
- E. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55;
- F. Real estate sales offices, subject to the following requirements:
  - 1. May only be placed within a major subdivision with twenty or more lots or a multiple-family residential development with forty or more dwelling units;
  - 2. Shall occupy a maximum of one building within any major subdivision, or one unit within any multiple-family residential development;

3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
  4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
  5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
  6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision or development;
  7. Signage shall be in accordance with standards for conditional uses in the district, per Section 19.54.052 of this title.
- G. Bed and breakfast establishments;
- H. Family daycare home for 8 or fewer children.
- ~~I. H.~~ Reserved.
- J. I. One accessory structure may be located in the front or side yard if the following requirements are met.
1. Minimum front yard setback of the accessory structure must be fifty feet.
  2. Minimum side yard setback of the accessory structure must be ten feet, or corner lot, twenty-five feet.

(Ord. No. 1914A, 2-18-2016; Ord. No. 1918A, § 2, 4-19-2016)

### **19.18.040 Lot area.**

Minimum lot area in the R-2 district is:

- A. Eight thousand square feet for single-family;
- B. Twelve thousand square feet for two-family;
- C. A nonconforming lot that does not meet the minimum lot area above may be considered as a buildable lot if it:
  - a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

### **19.18.050 Lot width.**

Minimum lot width in the R-2 district is:

- A. Sixty-six feet for all lots of record at the time of adoption of the ordinance codified in this section;
- B. Seventy feet for all new single-family development after the adoption of the ordinance codified in this section;

(Supp. No. 11-24)

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- C. One hundred feet for all duplexes developed after the adoption of the ordinance codified in this section;
- D. A nonconforming lot that does not meet the minimum lot width above may be considered as a buildable lot if it:
  - a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

**19.18.060 Yard requirements.**

Minimum yard requirements in the R-2 district are:

- A. Front, twenty-five feet; (not more than forty percent of the front yard may be an impervious surface except by conditional use permit);
- B. Side, ten feet for one-family, fifteen feet for two-family and multifamily; corner lots, twenty-five feet;
- C. Rear, thirty feet (not more than forty percent of the yard may be an impervious surface except as a conditional use);
- D. Shore, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval;
- E. For all structures larger than a one-family dwelling unit, the building setback standards established in the R-3 multifamily residence district shall apply.

(Ord. No. 1914A, 2-18-2016)

**19.18.065 Off-street parking.**

Off-street parking, including both surface parking and enclosed parking, shall conform to city guidelines for parking areas which include materials, access, visibility, potential impact on abutting properties, drainage, stormwater management, screening, and economic viability of the associated use.

(Ord. No. 1914A, 2-18-2016)

**19.18.070 Lot coverage.**

- A. Maximum lot coverage (principal and accessory structures) in the R-2 district is thirty percent.
- B. Maximum Impervious Surface. The following chart shall be used to determine the maximum percent of allowed impervious surface to determine the threshold for stormwater mitigation plan requirements on lots in the R-2 district:

Maximum Impervious Surface	
Less than 7,000 sq. ft.	65%
7,000 sq. ft. to 8,499 sq. ft.	60%
8,500 sq. ft. to 9,999 sq. ft.	55%
10,000 sq. ft. and over	50%

(Supp. No. 11-24)

Percentage of impervious surface shall be calculated by taking the total surface area of the existing and proposed impervious surface and dividing it by the total lot area (note the minimum lot requirement for new lots in R-2 is eight thousand square feet for single-family and twelve thousand square feet for two-family).

- C. Lots calculated over the maximum allowed impervious surface require the neighborhood service director approval of a stormwater management plan. Property owners shall work with neighborhood services to develop a practical site specific stormwater management plan that allows for flexibility in the use of stormwater treatment device including rain barrels, rain gardens and etc. Applicants may appeal the neighborhood services director's decision to the plan and architectural review commission.
1. Pre-engineered lots may be developed without management plans if mitigation has been accounted for during design of the lot.
  2. The neighborhood services department and plan and architectural review commission shall take into account surrounding topography when reviewing the necessary stormwater mitigation.
  3. Property owners may also apply for a conditional use permit which may exempt properties from the requirement of a stormwater management plan.
- D. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans. The neighborhood services department shall develop written guidelines and policies to be used in development and review of stormwater mitigation plans.

(Ord. No. 1914A, 2-18-2016)

### **19.18.080 Building height.**

Maximum building height in the R-2 district is thirty-five feet, or two and one-half stories.

(Ord. No. 1914A, 2-18-2016)

### **19.18.090 Park fees.**

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council. The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)

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## Chapter 19.21 R-3 MULTIFAMILY RESIDENCE DISTRICT

### 19.21.010 Purpose.

The R-3 multifamily residence district is established to provide high-density residential areas, and to allow mixing of certain compatible land uses.

(Ord. No. 1914A, 2-18-2016)

### 19.21.020 Permitted uses.

Permitted uses in the R-3 district include:

- A. One-family detached dwellings;
- B. Two-family attached dwellings (new construction);
- C. Multifamily dwellings and attached dwellings, up to four units per building. "Attached dwelling" means a one-family dwelling attached to two or more one-family dwellings by common vertical walls;
- D. A nonfamily household in R-3 shall be limited to five unrelated persons.
- E. Home occupations/professional home offices for nonretail (goods and services for businesses that do not require customer access);
- F. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### 19.21.030 Conditional uses.

Conditional uses in the R-3 district include:

- A. Professional business offices in a building where the principal use is residential;
- B. Multifamily dwellings and attached dwellings, over four units (new construction only); and two-family attached dwellings (existing construction).
- C. Walk-in type retail trade (food stores, bookstores, gift shops, galleries, beauty shops and similar uses) located in a building where the principal use is residential and fronts on an arterial street;
  - 1. Conditional use approval under this provision shall be granted for a specified use. Any subsequent change in use or expansion shall require additional conditional use approval.
- D. Fraternity or sorority houses and group lodging facilities;
- E. Any building over forty feet;
- F. Planned developments (see Section 19.15.030);
- G. Conversions of existing structures resulting in more dwelling units;

- H. Conversion of existing units with less than five bedrooms to five or more bedrooms;
- I. Dwelling units with occupancy of six or more unrelated persons;
- J. Public and semipublic uses;
- K. Home occupations/professional home office for retail goods and services (businesses requiring customer access);
- L. Bed and breakfast establishments;
- M. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55;
- N. Real estate sales offices, subject to the following requirements:
  - 1. May only be placed within a major subdivision with twenty or more lots or a multiple-family residential development with forty or more dwelling units;
  - 2. Shall occupy a maximum of one building within any major subdivision, or one unit within any multiple-family residential development;
  - 3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
  - 4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
  - 5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
  - 6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision or development;
  - 7. Signage shall be in accordance with standards for conditional uses in the district, per Section 19.54.052 of this title.

O. Family daycare home for 8 or fewer children.

P. ~~Q.~~ One accessory structure may be located in the front or side yard if the following requirements are met:

- 1. Minimum front yard setback of the accessory structure must be fifty feet.
- 2. Minimum side yard setback of the accessory structure must be ten feet, or corner lot, twenty-five feet.

(Ord. No. 1914A, 2-18-2016)

**19.21.040 Lot area.**

A. Minimum lot area in the R-3 district for one-family and two-family is as follows:

1. One-family	8,000 square feet
2. Two-family	12,000 square feet

3. A nonconforming lot for a one-family or two-family residence that does not meet the minimum lot area above may be considered as a buildable lot if it:
  - a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.
- B. Minimum lot area in the R-3 district for multifamily is as follows:
  1. Multifamily lot size is fifteen thousand square feet; there shall be a higher minimum lot requirement for a higher density multifamily residence.
  2. Minimum lot size for higher density residence is determined by the number of units. The unit square footage requirement is determined by the number of bedrooms per unit.

Type of Unit	Square Feet
Efficiency	2,000
One-bedroom	2,500
Two-bedroom	3,000
Three-bedroom and over	3,500 plus 300 additional square feet (sq ft) for each bedroom over three

**EXAMPLE A**

A multifamily of two one-bedroom (2,500 sq ft \* 2 = 5,000 sq ft) + two efficiency (2,000 sq ft \* 2 = 4,000 sq ft) = a total of 9,000 sq ft. Example A does not meet the threshold to be considered as a higher density multifamily residence; therefore, the minimum lot requirement is 15,000 square feet.

**EXAMPLE B**

A multifamily of three five-bedroom (4,100 sq ft \* 3 = 12,300 sq ft) + two two-bedroom (3,000 sq ft \* 2 = 6,000 sq ft) = a total of 18,300 sq. ft. Example B is higher than the minimum threshold of 15,000 square feet; therefore, the minimum square footage is now 18,300 square feet.

- C. Minimum lot area for group lodging facilities will be set in conditional use review.  
(Ord. No. 1914A, 2-18-2016)

**19.21.050 Lot width.**

Minimum lot width in the R-3 district is:

- A. One-family and two-family dwellings, sixty-six feet for all improved lots existing at the time of adoption of the ordinance codified in this section;
- B. One-family, sixty-six feet for all new single-family dwellings constructed after the adoption of the ordinance codified in this section;
- C. Two-family, eighty feet for all newly constructed two-family dwellings;
- D. Multifamily dwellings, one hundred feet.

(Ord. No. 1914A, 2-18-2016)

**19.21.060 Yard requirements.**

- A. Front, thirty feet first floor.
- B. Side, fifteen feet; corner lots twenty-five feet.

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- C. Rear, thirty feet.
- D. Shore, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval.

(Ord. No. 1914A, 2-18-2016)

### **19.21.070 Lot coverage.**

- A. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.
  - 1. Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum prescribed dimension shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space, gardening and other leisure activities normally carried on outdoors. Where and to the extent prescribed in these regulations, balconies and roof areas, designed and improved for outdoor activities, may also be considered as usable open space. The usable open space shall be planned as an assemblage or singularly designed area that maximizes the size for open space usage.
  - 2. EXAMPLE: A four-unit building is required to have one thousand four hundred square feet of usable open space.
- B. The maximum impervious surface:
  - 1. One-family and two-family shall follow the standards of the R-2 district.
  - 2. Multifamily: Reviewed by engineering staff and approval by the neighborhood services department or the plan and architectural review commission shall be required.
- C. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans.

(Ord. No. 1914A, 2-18-2016)

### **19.21.080 Building height.**

Maximum building height in the R-3 district is forty-five feet. The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit.

(Ord. No. 1914A, 2-18-2016)

### **19.21.090 Park fees.**

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council.

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The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)

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## Chapter 19.33 B-3 HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

### 19.33.010 Purpose.

The B-3 highway commercial and light industrial district is established to accommodate nonnuisance type industrial commercial uses that are highway oriented or have large land area requirements. To ensure a minimum of disruption to residential neighborhoods, no development within this district shall take direct access to a local residential street, except by conditional use permit.

(Ord. No. 1914A, 2-18-2016)

### 19.33.020 Permitted uses.

Permitted uses in the B-3 district include:

- A. All uses listed as permitted uses in the B-1 district (Section 19.27.020);
- B. Agricultural services;
- C. General contracting shops;
- D. Lumberyards, building supply stores, and greenhouses;
- E. Private recreation facilities;
- F. Mini-warehouses;
- G. Public and semipublic uses;
- H. Other similar uses not specifically listed in this section that are consistent with the purpose of this district;
- I. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### 19.33.025 Permitted accessory uses.

Permitted accessory uses in the B-3 district include:

- A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the principal use on the lot;
- B. Off-street parking and loading areas, subject to landscaping and screening requirements if applicable;
- C. Outside storage and trash dumpsters, which may be subject to screening as part of site plan review;
- D. Outside display of merchandise, which may be subject to limitations as part of site plan review;
- E. Outside display and temporary storage of motor vehicles where the principal use on the lot includes the sale, repair, or servicing of such motor vehicles. No vehicle in inoperable condition shall be stored for greater than thirty days;

- F. Outdoor seating for restaurants within designated areas;
- G. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning administrator, who may require specific time and area limitations;
- H. Vending machines for dispensing of a product but only if accessory to a commercial business use. If more than two vending machines are accessory to one business use, such vending machines shall be screened from the public right-of-way and adjacent properties. Vending machines may be lit only when the principal use on the lot is in operation, unless such machines are completely screened from the public right-of-way and adjacent properties;
- I. Essential services;
- J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### **19.33.030 Conditional uses.**

Conditional uses in the B-3 district include:

- A. Taverns and other establishments selling alcoholic beverages by the drink; for which consideration shall be given but is not limited to, conditions regarding the following issues:
  - 1. Parking;
  - 2. Type of business;
  - 3. Signage;
  - 4. Outdoor seating;
  - 5. Provisions for avoiding noise and lighting nuisances;
  - 6. Buffering and fencing;
  - 7. Compatibility with the immediately surrounding neighborhood or district.
- B. All uses with drive-through facilities;
- C. More than one principal structure on a lot;
- D. New and existing residential uses in conformance with the standards of the R-3 multifamily residence district;
- E. Automobile repair and service within a principal or accessory building;
- F. Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building;
- G. Car washes;
- H. Entertainment establishments, including clubs, but excluding adult entertainment;
- I. Funeral homes and crematory services;
- J. Gasoline service stations, including incidental repair and service within the principal building;
- K. Light industry;
- L. Motor freight transportation;
- M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;

- N. Warehousing;
- O. Wholesale trade of durable and nondurable goods;
- P. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
- Q. Light manufacturing and retail uses;
- R. All nonresidential uses with vehicular access onto a local (not a collector or arterial) street that is intended to provide access to mostly residential uses;
- S. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.

T. Day care centers, adult and child.

(Ord. No. 1914A, 2-18-2016)

**19.33.040 Lot area.**

Minimum lot area in the B-3 district is ten thousand square feet.

(Ord. No. 1914A, 2-18-2016)

**19.33.050 Lot width.**

Minimum lot width in the B-3 district is one hundred feet.

(Ord. No. 1914A, 2-18-2016)

**19.33.060 Yard requirements.**

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-3 district are:

- A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- B. Interior side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be fifteen feet under a conditional use (but may be greater if needed to meet fire safety requirements);
- D. Shore yard, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval.
- E. Any yard abutting a residential district or use, thirty feet or the height of the nearest principal building or structure being developed, whichever is greater. Such yards shall be subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a railroad right-of-way with the approval of the plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

**19.33.070 Lot coverage.**

There is no maximum percentage lot coverage for buildings with the exception of the provisions needed for landscape, circulation, and other site planning considerations. Building size, coverage, and locations must still conform to the other regulations including stormwater management. Landscape and environmental features shall

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follow principles of sustainability and environmental quality and shall locate landscape elements in highly visible locations, especially in the fronts of buildings, and should include canopy trees, understory and/or evergreen trees, and shrubs.

(Ord. No. 1914A, 2-18-2016)

### **19.33.080 Building height.**

Maximum building height in the B-3 district is five stories or one hundred feet (whichever is greater), with the exception that the maximum building height is three stories within one hundred feet of a residential use or property zoned as a residential district.

The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit which will include, but is not limited to, consideration of issues regarding shadows cast by buildings, views, impacts on neighbors, and microclimate.

(Ord. No. 1914A, 2-18-2016)

### **19.33.090 Plan review.**

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-3 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan and include materials, colors, styles, and features tailored to the building's site and context. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; appropriate to the site, community and region; and in accordance with accepted professional standards.

(Ord. No. 1914A, 2-18-2016)

### **19.33.100 Park fees.**

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council. The fee will be on record at the city clerk's office. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision, or by fifty percent if the new housing units are created as a result of the conversion or remodeling of a preexisting building. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)

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## Chapter 19.48 I INSTITUTIONAL DISTRICT

### 19.48.010 Purpose.

The I institutional district is established to provide a community review and approval process for certain institutional uses that have a potential impact on surrounding land uses and/or the city as a whole.

(Ord. No. 1914A, 2-18-2016)

### 19.48.020 Permitted uses.

Permitted uses in the I district include:

- A. Colleges;
- B. Universities and their associated residential, educational and service facilities, except that new structures and/or exterior remodeling of existing structures which are within one hundred fifty feet of any other zoning district boundary (includes surface parking areas for more than twenty vehicles) shall be a conditional use as indicated below. The uses stated in Section 19.48.030 shall be conditional uses;
- C. The second or greater wireless telecommunication facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.
- D. Public and semipublic uses, to include public and private schools; churches, cultural centers, and faith based institutions; government facilities; active recreational parks; museums, medical facilities, libraries, public transportation terminals, and similar uses.
- E. Day care centers, adult and child.

(Ord. No. 1914A, 2-18-2016)

### 19.48.030 Conditional uses.

Conditional uses in the I district include:

- A. New structures and/or exterior remodeling or existing structures within one hundred fifty feet of any other zoning district boundary (includes surface parking areas for more than twenty vehicles);
- B. Gymnasiums, sport stadiums, auditoriums, and similar places of general public assembly;
- C. Parking structures and surface parking areas for more than one hundred vehicles;
- D. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55;
- E. Fraternity or sorority houses.

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(Ord. No. 1914A, 2-18-2016)

**19.48.040 Lot area.**

Minimum total lot area in the I district is 15,000 square feet.

(Ord. No. 1914A, 2-18-2016)

**19.48.050 Lot width.**

Minimum lot width in the I district is 80 feet.

(Ord. No. 1914A, 2-18-2016)

**19.48.060 Building height.**

Maximum building height in the institutional district shall be one hundred feet. Mechanical penthouses shall be excluded from the building height restrictions listed herein if they comply with the following limitations:

- A. Penthouses shall be no taller than the highest floor to floor height in the building.
- B. Penthouses shall be set back from the public street building facade of the building equal to the height of the penthouse.
- C. The penthouse floor area, including vertical circulation spaces leading to the penthouse, shall be no greater than ten percent of the ground floor building footprint.
- D. The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit which will include, but is not limited to, consideration of issues regarding shadows cast by buildings, views, impacts on neighbors, and microclimate.

(Ord. No. 1914A, 2-18-2016)

**19.48.070 Yard requirements.**

Minimum yard requirements in the I district are:

- A. Any street yard facing any zoning district other than the institutional district shall be no less than twenty-five feet, measured from the right-of-way, or one-half of the total height of the building, whichever is greater. Any street yard within an institutional district facing yards in an institutional district shall not be less than twenty-five feet, measured from the right-of-way. The building setback shall not in any event encroach on the intersection visibility requirements set forth in Whitewater Municipal Code, Section 19.51.010;
- B. Street yard for off-street parking—fifteen feet;
- C. Side yard shall be thirty feet or equal to the height of the structure, whichever is greater;
- D. Rear yard—thirty-five feet or equal to the height of the structure, whichever is greater.
- E. Shore yard, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46 and in addition may require DNR approval.

(Ord. No. 1914A, 2-18-2016)

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**19.48.080 Number of structures on one lot.**

Within the I district, more than one principal structure may be located on a lot (see Section 19.06.150).  
(Ord. No. 1914A, 2-18-2016)



[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: 262-473-0144

Office of Neighborhood Services  
312 W. Whitewater St.  
Whitewater, WI 53190

## NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14<sup>th</sup> day of April, 2025 at 6:00 p.m. to hold a public hearing for discussion and recommendations to Common Council to change or add the following Zoning Ordinances:

1. Add 19.09.291 Family Daycare Home to Definitions Section 19.09
2. Amend Section 19.15.030 R-1 (One Family Residence District) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
3. Amend Section 19.18.030 R-2 (One and Two-Family Residence District) Conditional Uses to add letter H. Family daycare home for 8 or fewer children.
4. Amend Section 19.19.030 R1S (One Family Residence District-Small Lots) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
5. Amend Section 19.21.030 R-3 (Multi-Family Residence District) Conditional Uses to add letter O. Family daycare home for 8 or fewer children.
6. Amend Section 19.33.030 B-3 (Highway Commercial and Light Industrial District) Conditional Uses to add letter T. Daycare centers, adult and child.

7. Amend Section 19.48.020 I (Institutional District) Permitted Uses to add letter E.

Day care centers, adult and child.

The Proposal is on file in the Neighborhoods Services Office located at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

Llana Dostie, Neighborhood Services Administrative Assistant

# MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission  
 From: Allison Schwark, Zoning Administrator  
 Date: April 14, 2025  
 Re: Extra Territorial Zoning (ETZ) Certified Survey Map

Summary of Request	
<b>Requested Approvals:</b>	4 Lot Certified Survey Map
<b>Location:</b>	W3528 Vannoy Drive, Whitewater, WI 53190
<b>Current Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	Home and Natural Resource Area
<b>Current Zoning:</b>	A-3 and N
<b>Proposed Zoning:</b>	N/A
<b>Future Land Use, Comprehensive Plan:</b>	N/A

### CSM Review

The applicant is requesting a lot division by CSM, to create 4 new parcels of land within existing unplatted lands in the Town of Cold Spring ETZ area. Parcel 004-0515-2742-000, off Vannoy Drive is approximately 38.41 acres of land. The proposed CSM divides the property creating two lots (Lot 1 and Lot 4) which have been rezoned to A-3 each 1 acre. These will be used for residential. Two lots behind these parcels (Lot 2, and Lot 3) have recently been rezoned to N, and will remain vacant. Lot 2 will be 19.452 acres, and Lot 3 will be 15.244 acres.

The parcel was previously zoned A-1, and the rezone was approved by Jefferson County on November 21, 2024.

**CSM appears to be in full compliance with both lot area and width requirements as well as all other provisions of the municipal ordinance.**

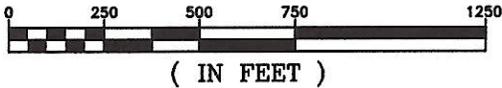
**Planner’s Recommendations**

1) Staff recommend that Plan Commission **APPROVE** the Certified Survey Map as it meets all requirements of the zoning district in which it is located, as well as all land division requirements.

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A PART OF THE NW 1/4 OF THE SE 1/4 AND A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 27, T5N, R15E, TOWN OF COLD SPRING, JEFFERSON COUNTY, WISCONSIN.

## GRAPHIC SCALE



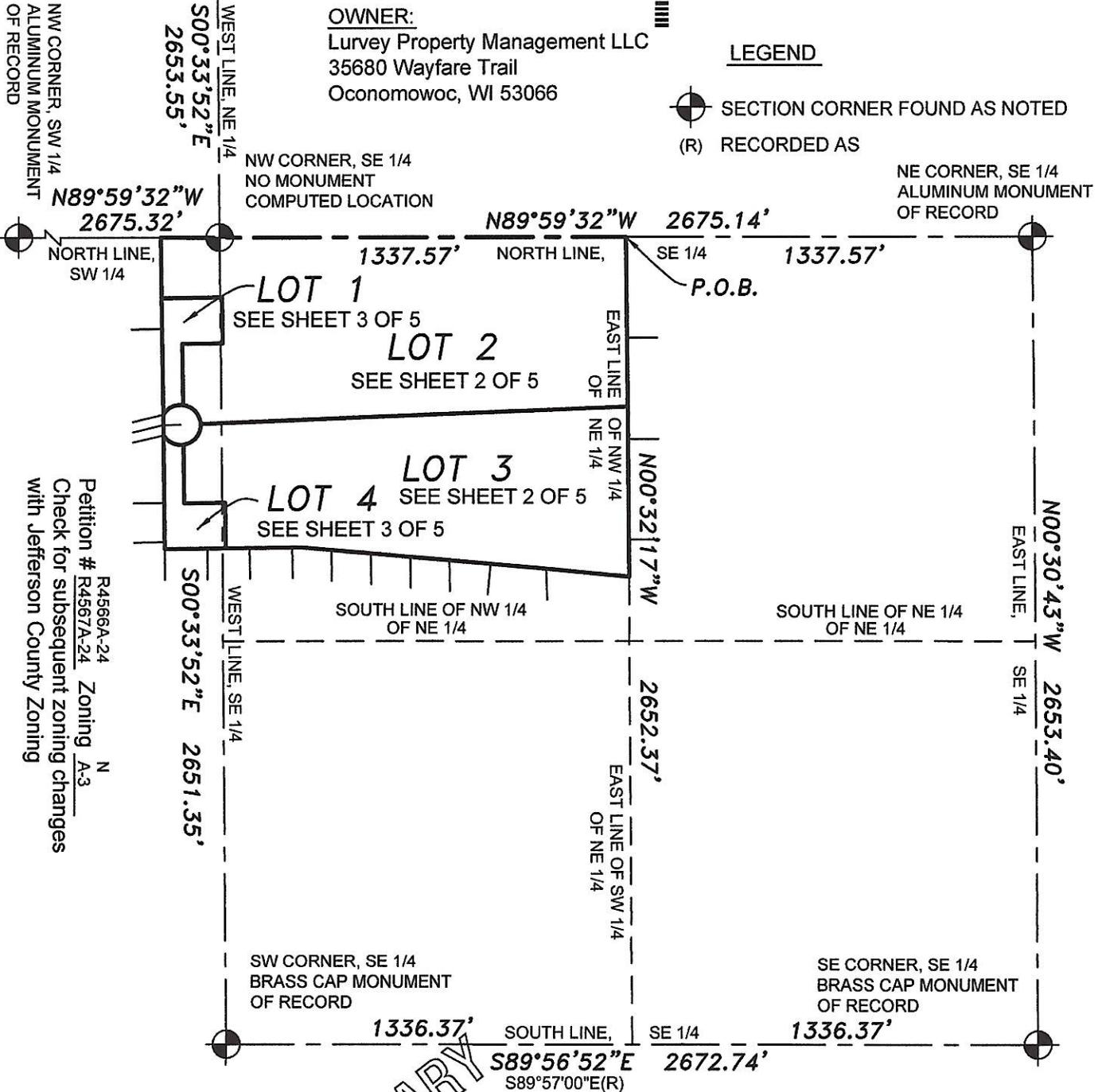
### BEARING BASIS:

ALL BEARINGS REFER TO THE EAST-WEST 1/4 LINE WHICH HAS AN ASSUMED BEARING OF N89°59'32"W

**OWNER:**  
 Lurvey Property Management LLC  
 35680 Wayfare Trail  
 Oconomowoc, WI 53066

### LEGEND

- SECTION CORNER FOUND AS NOTED
- (R) RECORDED AS



Petition # R4567A-24 Zoning A-3  
 R4566A-24 N  
 Check for subsequent zoning changes with Jefferson County Zoning

PRELIMINARY

## SOUTHWEST

SURVEYING & ASSOCIATES, Inc.

W1065 COUNTY ROAD CI, HELENVILLE, WI. 53137  
 262-495-4910  
 920-674-4884

JOB No.: L-224131  
 DATE: February 11, 2025  
 SHEET 1 OF 5

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A PART OF THE NW 1/4 OF THE SE 1/4 AND A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 27, T5N, R15E, TOWN OF COLD SPRING, JEFFERSON COUNTY, WISCONSIN.

### LEGEND

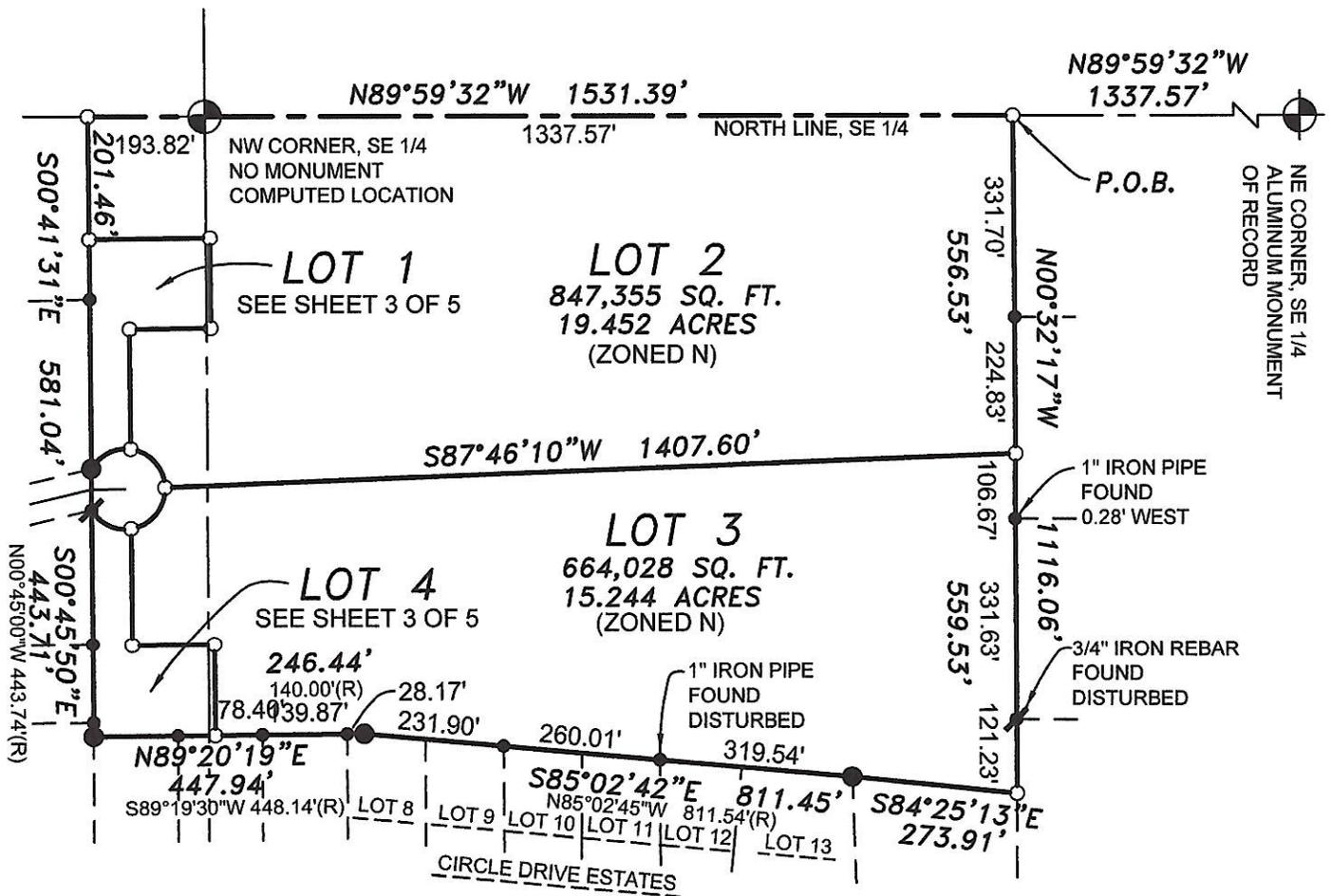
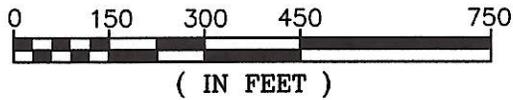
- 2" I.D. IRON PIPE FOUND
- ⚡ 3/4" IRON REBAR FOUND
- 1" I.D. IRON PIPE FOUND
- 3/4"x18" IRON REBAR (1.502 lbs/lin ft) w/ORANGE PLASTIC CAP STAMPED 'J.C. KANNARD P.L.S. S-2248' SET
- ⊙ SECTION CORNER FOUND AS NOTED
- ⊕ SOIL BORING
- (R) RECORDED AS

### BEARING BASIS:

ALL BEARINGS REFER TO THE EAST-WEST 1/4 LINE WHICH HAS AN ASSUMED BEARING OF N89°59'32"W



### GRAPHIC SCALE



# PRELIMINARY

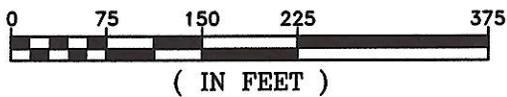
**SOUTHWEST**  
SURVEYING & ASSOCIATES, Inc.  
W1065 COUNTY ROAD CI, HELENVILLE, WI. 53137  
262-495-4910  
920-674-4884

JOB No.: L-224131  
DATE: FEBRUARY 11, 2025  
SHEET 2 OF 5

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

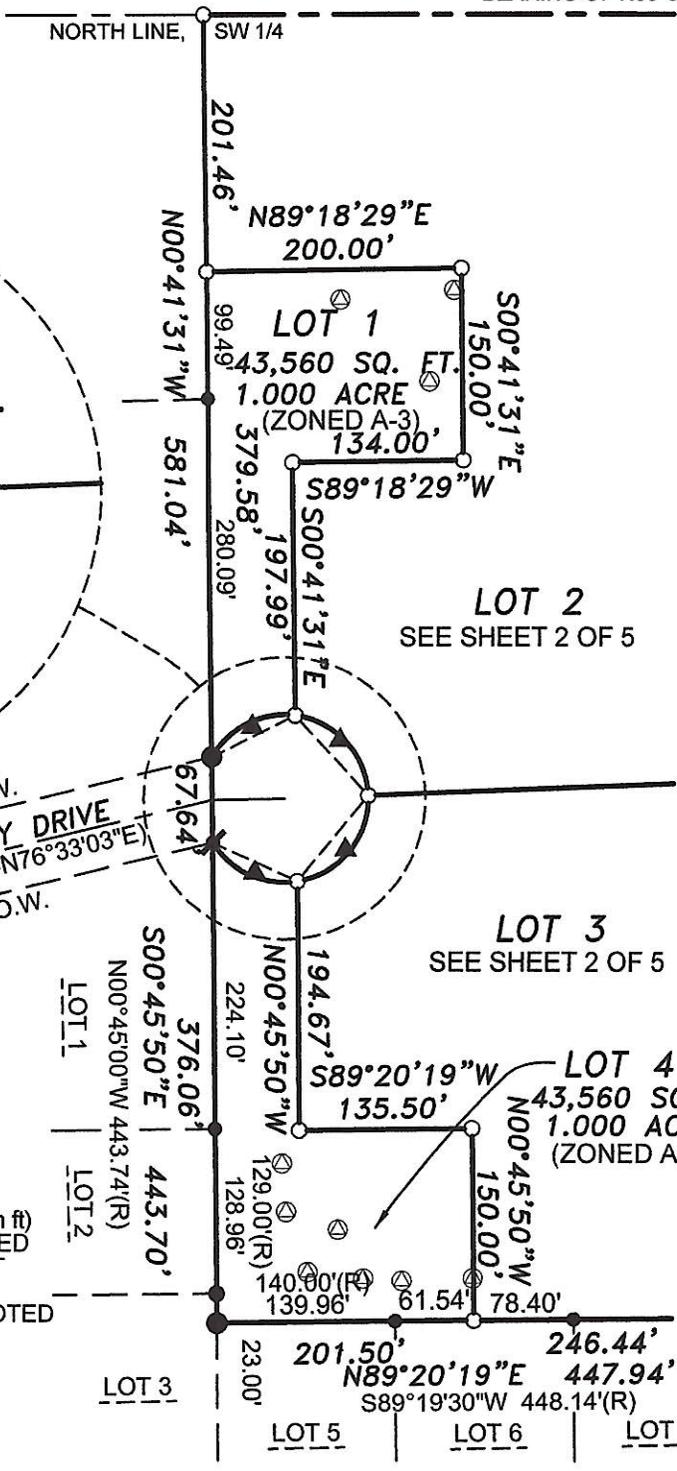
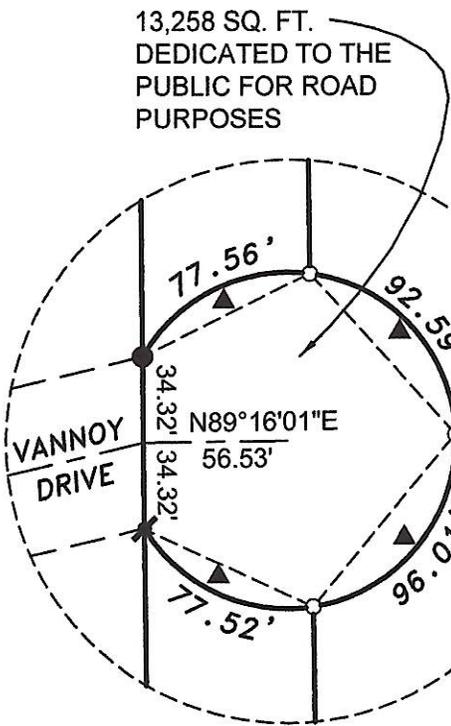
BEING A PART OF THE NW 1/4 OF THE SE 1/4 AND A PART OF THE  
NE 1/4 OF THE SW 1/4 OF SECTION 27, T5N, R15E, TOWN OF COLD  
SPRING, JEFFERSON COUNTY, WISCONSIN.

## GRAPHIC SCALE



## BEARING BASIS:

ALL BEARINGS REFER TO  
THE EAST-WEST 1/4 LINE  
WHICH HAS AN ASSUMED  
BEARING OF N89°59'32"W



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BRG.	DELTA ANGLE
WHOLE CURVE	66.00'	343.67'	67.64'	S00°45'50"E	298°20'43"
LOT 1	66.00'	77.56'	73.17'	S63°43'41"W	67°19'47"
LOT 2	66.00'	92.59'	85.18'	N42°25'07"W	80°22'35"
LOT 3	66.00'	96.01'	87.76'	N39°26'30"E	83°20'39"
LOT 4	66.00'	77.52'	73.14'	S65°14'20"E	67°17'41"

### LEGEND

- 2" I.D. IRON PIPE FOUND
- ⚡ 3/4" IRON REBAR FOUND
- 1" I.D. IRON PIPE FOUND
- 3/4"x18" IRON REBAR (1.502 lbs/lin ft) w/ORANGE PLASTIC CAP STAMPED 'J.C. KANNARD P.L.S. S-2248' SET
- ⊙ SECTION CORNER FOUND AS NOTED
- ⊙ SOIL BORING
- (R) RECORDED AS
- ▲ APPROVED ACCESS

PRELIMINARY

**SOUTHWEST**  
SURVEYING & ASSOCIATES, Inc.

W1065 COUNTY ROAD CI, HELENVILLE, WI. 53137  
262-495-4910  
920-674-4884

JOB No.: L-224131  
DATE: FEBRUARY 11, 2025  
SHEET 3 OF 5

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A PART OF THE NW 1/4 OF THE SE 1/4 AND A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 27, T5N, R15E, TOWN OF COLD SPRING, JEFFERSON COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE**

I, John C. Kannard, Professional Land Surveyor No. 2248, hereby certify:

That I have surveyed, divided, mapped this Certified Survey Map being a part of the NW 1/4 of the SE 1/4 and a part of the NE 1/4 of the SW 1/4 of Section 27, T5N, R15E, Town of Cold Spring, Jefferson County, Wisconsin, bounded and described as follows:

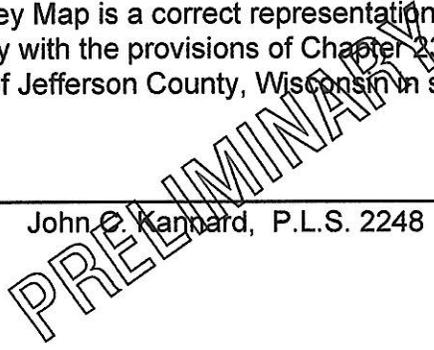
Commencing at the Aluminum Monument that marks the Northeast corner of the SE 1/4 of said Section 27; Thence N89°59'32"W, along the East-West 1/4 line, a distance of 1337.57 feet, to a Set 3/4"x18" Iron Rebar (1.502 lbs/ lin ft) with an orange plastic cap stamped "J.C. Kannard P.L.S. S-2248" (Set 3/4" Rebar) that marks the Northeast corner of the NW 1/4 of said SE 1/4 and the POINT OF BEGINNING of lands to be described: Thence continue N89°59'32"W, along said East-West 1/4 line, a distance of 1531.39 feet, to a Set 3/4" Rebar; Thence S00°41'31"E, a distance of 581.04 feet, to a Found 2" I.D. Iron Pipe that marks the Northeast corner of Vannoy Drive; Thence S00°45'50"E, along the East line of said Vannoy Drive and the Easterly lines of Lots 1-3 of Circle Drive Estates, a distance of 443.71 feet, to a Found 2" I.D. Iron Pipe that marks an angle point in said Circle Drive Estates; Thence N89°20'19"E, along the Northerly line of Lots 5-8 of said Circle Drive Estates, a distance of 447.94 feet, to a Found 2" I.D. Iron Pipe that marks an angle point; Thence S85°02'42"E, along the Northerly line of Lots 8-13 of said Circle Drive Estates, a distance of 811.45 feet, to a Found 2" I.D. Iron Pipe that marks the Northeast corner of Lot 13 of said Circle Drive Estates; Thence S84°25'13"E, a distance of 273.91 feet, to a Set 3/4" Rebar that marks the East line of the NW 1/4 of said SE 1/4, Thence N00°32'17"W, along said East line, a distance of 1116.06 feet, to the POINT OF BEGINNING, containing 1,611,753 square feet or 37.001 acres of land, more or less.

Subject to all rights, reservations, restrictive covenants and easements of record.

I further certify that I have made this survey and map under the direction of Lurvey Property Management LLC, owner of said lands, and that this Certified Survey Map is a correct representation of the boundary surveyed and described and that I have complied fully with the provisions of Chapter 236.34 of the State of Wisconsin Statutes, and the Subdivision Ordinance of Jefferson County, Wisconsin in surveying and mapping same.

Certified this 11th day of February, 2025

\_\_\_\_\_  
John C. Kannard, P.L.S. 2248



**CORPORATE OWNER'S CERTIFICATE OF DEDICATION**

Lurvey Property Management LLC, a corporation duly organized and existing under and by virtue of the State of Wisconsin, as owner, hereby certify that said corporation caused the land described on this Certified Survey Map to be surveyed, divided, dedicated, mapped as represented upon such map. Lurvey Property Management LLC also certify that this Certified Survey Map is required by Chapter 236.34, in surveying and mapping the same, and that this map is required to be submitted to the following for approval, Jefferson County Zoning Department, City of Whitewater, and the Town of Cold Spring.

WITNESS the hand and seal of said owners this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Signed: \_\_\_\_\_  
Mark Lurvey, Member

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A PART OF THE NW 1/4 OF THE SE 1/4 AND A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 27, T5N, R15E, TOWN OF COLD SPRING, JEFFERSON COUNTY, WISCONSIN.

STATE OF WISCONSIN) <sup>ss</sup>  
\_\_\_\_\_ COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2025, Mark Lurvey, Member of the above named corporation, to me known to be such president and secretary of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Notary Seal) \_\_\_\_\_  
\_\_\_\_\_, Notary public

Notary Public, \_\_\_\_\_, Wisconsin

My commission expires: \_\_\_\_\_.

**TOWN OF COLD SPRING APPROVAL:**

This Certified Survey Map and dedication is hereby approved by the Town of Cold Spring Town Board.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Steve Hoffmann, Town Chair

**CITY OF WHITEWATER EXTRATERRITORIAL APPROVAL:**

This Certified Survey Map is hereby approved by the City of Whitewater.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Heather Boehm, City Clerk

**PLANNING AND ZONING COMMITTEE APPROVAL:**

This Certified Survey Map is hereby approved by the Planning and Zoning Committee of Jefferson County.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Matt Zangl, Director of Planning & Zoning

PRELIMINARY

Date: February 11, 2025

**Print**

**Subdivision/Land Split Application/Certified Survey - Submission #1250**

**Date Submitted: 2/18/2025**

**City of Whitewater**

312 W Whitewater Street  
PO Box 178  
Whitewater, WI 53190  
262-473-0560  
www.whitewater-wi.gov

**Neighborhood Services**

Subdivision/Land Split Application/Certified Survey

**Subdivision/Land Split Application Checklist (please read)****Applicant**

1. Fill out Planning Request Form, Subdivision Form, and Plan of Operation Form. Twelve (12) copies  
11 x 17, a digital copy of all submittal material:
  - a. Any other materials
2. Application shall include the following Plan requirements:
  - a. All plans shall be drawn to scale and show all sides of the proposed building
  - b. All plans will exhibit property exterior building materials and colors to be used
  - c. All plans will exhibit proposed/existing off-street parking stalls and driveway/loading docks
  - d. Building elevations must include the lot on which the structure is to be built and the street(s) adjacent to the lot
3. Submit fee to the City of Whitewater

**City Building Inspector/Zoning Administrator**

1. Review application for accuracy and all required information
2. Staff will review information for conformance to Ordinances
3. Engineer will review Stormwater and Erosion Control Plans
4. Landscape Plan will be reviewed by Urban Forestry
5. When application is complete and approved by all Staff it will then be forwarded to Plan Commission

**Process**

1. Plan Commission considers applicant's review is presented by Zoning Administrator, at the first initial appearance. If Plan Commission recommends changes and/or revisions, then the applicant must revise site plan, otherwise the matter is forwarded as is for the second appearance for approval/denial of the final site plan

**NOTE:** Plan Commission normally meets the second Monday of each month at 6:00 p.m. If a public hearing is required it will be scheduled at the beginning of the Plan Commission meeting.

Taylor Zeinert, Economic Director  
262-473-0148  
[tzeinert@whitewater-wi.gov](mailto:tzeinert@whitewater-wi.gov)

Llana Dostie, Neighborhood Services Administrative Assistant  
262-473-0144  
[ldostie@whitewater-wi.gov](mailto:ldostie@whitewater-wi.gov)

Allison Schwark, Municipal Code Enforcement  
262-249-6701  
[mcodeenforcement@gmail.com](mailto:mcodeenforcement@gmail.com)

**Planning Request**

**General Project Information:**

**Project Tax Key #\***

004-0515-2742-000

**Project Address\***

W 3528 Vannoy Drive Whitewater Wi 53190

**Project Title (if any)**

[Empty text box for Project Title]

**Applicant, Agent & Property Owner Information**

**Applicant's Name\***

Mark Lurvey

**Applicant's Company\***

Lurvey Property Management LLC

**Address\***

35680 Wayfare Trail

**City\***

Oconomowoc

**State\***

Wi

**Zip Code\***

53066

**Phone Number\***

262-470-1695

**Email Address\***

lurveyma@idcnet.com

**Agent Name**

**Agent Company**

**Address**

**City**

**State**

**Zip Code**

**Phone Number**

**Email Address**

**Owner, if different from applicant**

**Address**

**City**

**State**

**Zip Code**

**Phone Number**

**Fax Number**

**Email Address**

**3. Planning Request (Check all that apply)\***

- Site Plan and Architectural Review \$150.00 plus \$0.05 per sq. ft (Floor Area)
- Conditional Use Permit \$275.00
- Rezone/Land Use Amendment \$400.00
- Preliminary Plat \$175.00
- Final Plat \$225.00
- Certified Survey Map \$200.00 plus \$10.00 per lot
- Project Concept Review \$150.00
- Joint Conditional Use & Certified Survey Map \$500.00 plus \$10.00 per lot
- Joint Rezoning & Certified Survey Map \$500.00 plus \$10.00 per lot
- Joint Site Plan & Conditional Use \$350.00 plus \$0.05 per sq. ft (Floor Area)
- Board of Zoning Appeals \$300.00

**Will translation services be needed during the Plan Board meeting?\***

- Yes
- No

**If Yes, please specify the language required.**

**Subdivision/Land Split Application & Certified Survey Application**

**1. General Project Information**

**Project Tax Parcel #:\***

004-0515-2742-000

**Project Address\***

W 3528 Vannoy Drive Whitewater wi 53190

**Project Title (if any)**

Item 3.

**Application Type (Choose ONE)\***

- Preliminary Subdivision Plat
- Final Subdivision Plat
- Land Division/Certified Survey Map

**If a Plat, Proposed Subdivision Name**

**3. Specific Project Information:**

**Current Zoning District(s)\***

A-1

**Proposed Zoning District(s)\***

A-3 and N

**Current Land Use\***

Agriculture

**Proposed Land Use\***

Residential and Natural Resources

**Gross Site Area\***

38 Acres

**Current Number of Lots\***

1

**Proposed Number of Lots\***

4

**Zoning #**

**Plan of Operations**

**Property Information**

**Property Tax Key #\***

004-0515-2742-000

**Tenant Information**

**Previous Business Name\***

N A

**Property Address\***

W 3528 Vannoy Drive Whitewater Wi 53190

**Years in Operation\***

N A

Item 3.

**Property Owner\***

Lurvey Property Management LLC

**New Business Name\***

N A

**Owner Mailing Address\***

35680 Wayfare Trial

**Name of Operator\***

N A

**Owner City, State and Zip Code\***

Oconomowoc wi 53066

**Operator's Mailing Address\***

N A

**Owner's Phone Number\***

262-470-1695

**Operator's City, State and Zip Code\***

N A

**Owner's Email\***

lurveyma@idcnet.com

**Operator's Phone and Email\***

N A

**New Business Use/Operation Information**

**Description of Business Use or Operation\***

Residential and Agriculture

**Previous Use of Space\***

N A

**Hours of Operations (Weekdays)\***

N A

**Hours of Operations (Weekends)\***

N A

**Total Area of Space (SQF)\***

N A

**# Toilet Fixtures\***

N A

**# Full Time Employees\***

N A

**# Part Time Employees\***

N A

**Customer Seating\***

Yes  
 No

**Seating Capacity\***

N A

**Total Employee Hours Per Year (include yourself if self-employed)\***

N A

Item 3.

**Sprinkler System\***

Yes

No

**Hazardous/Flammable Chemicals used/stored\***

Yes (must attach MSDS sheets)

No

**Specified Use of Property and Building(s)**

**Building A\***

Residential

**Building B**

**Building C**

**Will there be any problems resulting from this operation such as \***

Odors

Smoke

Noise

Light

Vibrations

None

**Parking**

**Dimension of Parking Lot\***

NA

**Number of Spaces available\***

NA

**Parking Lot Construction\***

Asphalt

Concrete

None

**Type of Screening\***

Fencing

Plantings

None

**Is employee parking included in "number of spaces available"?\***

Yes

No

**Signage (Sign Permit Application Needed)**

**Type\***

- Free Standing
- Monument
- Projecting
- Awning/Canopy
- Electronic Message
- Pylon
- Arm/Post
- Window
- Mobile/Portable or Banner
- Other
- None

**If other what kind**

**Location of Signs\***

NA

**Entertainment**

**Is there any type of music in this proposal?\***

- Yes (Separate License from Clerk's Office Required)
- No

**Live\***

- Yes
- No

**When will this be offered to customers\***

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Sunday
- None

**What time(s) will this be offered\***

NA

**Outdoor Lighting**

Type\*

N A

Location\*

N A

Utilities

**Will you be connected to City\***

Water

Sewer

**Is there a private well on-site\***

Yes

No

**Types of Refuse Disposal\***

Municipal

Private

Approval Date by the Department of Natural Resources of the well for proposed use

N A

Approval Date by the County Health Department for existing septic system

N A

What types of sanitary facilities are to be installed for the proposed operation

Private Septic System

Surface water drainage facilities (describe or include in site plan)

N A

Licenses/Permits

**Is a highway access permit needed from the State, County or local Municipality?\***

Yes

No

**Is a cigarett license required? (Separate license from Clerk's office)\***

Yes

No

**Is a liquor license required? (Separate license from Clerk's office)\***

Yes

No

**Did Wisconsin Department of Safety and Professional Services Division of Industry Services approve building plans?\***

Yes

No

**Permitted Property Uses (Please check all that apply)\***

- Single Family Dwelling
- Two Family Dwelling
- Modular Home
- Manufactured Home
- Second or greater wireless telecommunication facility
- Home occupations/professional home office for nonretail goods and services no customer access
- Multi-Family Dwellings
- Art, Music and School Supply stores and galleries
- Antique, collectible and hobby craft stores
- Automotive and related parts stores, without servicing
- Hotel and motels
- Small appliance repair stores, computer or software sales and service
- Banks and other financial institutions without drive-thru facilities
- Camera and photographic supply stores
- Caterers
- Clothing, shoe stores and repair shops
- Clinics medical and dental
- Department stores
- Drug stores
- Florist shops
- Food and convenience stores without gasoline pumps
- Furniture stores
- Hardware stores
- Insurance agencies
- Barbershops/Beauty Parlors
- Liquor stores without drive-thru facilities
- Resale Shops
- Professional and Business offices
- Self-service laundries and dry-cleaning establishments
- Stationery stores, retail office supply stores
- Movie theaters
- Tourist homes and bed and breakfasts
- Bakeries or candy stores with products for sale on premise only
- Appliance repair stores, including computer sales and service
- Coffee Shops
- Cultural arts centers and museums
- Post Offices
- Ice cream shops and cafes
- Toy stores
- Agricultural services
- Lumberyards, building supply stores and green houses
- Manufacturing, fabrication, packing packaging and assembly of products from furs, glass, leather, metals, paper, plaster, plastic, textiles, clay, woods and similar material

- Research facilities, development and testing laboratories, including testing facilities and equipment
- Retail sales and services linked to manufacturing or warehousing
- Production, or processing, cleaning, servicing, testing or remailer of materials, goods or products limited to the following uses, products components, or circumstances:
  - a. Electronic and electrical products instruments, such as transistors, semiconductors, small computers, scanners, monitors and compact communication devices
  - b. High technology products related to the fields of physics, oceanography, astrophysics, metallurgy, chemistry, biology or other scientific field offered for study by University of Whitewater
  - c. Laser technology, radiology, x-ray and ultrasound products, manufacturing and assembly
  - d. Medical and dental supplies
  - e. Optical, fiber optical and photographic products and equipment
  - f. Orthopedic and medical appliances such as artificial limbs, brace supports and stretchers
  - g. Products related to process design, process stimulation, computer hardware and software development, safety engineering
  - h. Scientific and precision instruments and components, including robotics
- Jewelry stores
- Meat markets
- Paint, wallpaper, interior decorating and floor covering stores
- Restaurants without drive-thru facilities
- Sporting goods stores
- Variety stores
- Charitable or nonprofit institution and facilities
- Light assembly uses including electronics, pottery, printing, contractor shops (heating, electrical, plumbing, general contracting) provided that there are no significant environmental emissions (odor or waste)
- Catalog and e-commerce sales outlets
- Day Spas
- Gift Shops
- Public parking lots
- Tourist information and hospitality centers
- Dance Studio
- College and Universities
- Private recreation facilities
- Freight terminals, trucking servicing and parking, warehousing and inside storage
- More than one principal structure on a lot when the additional building is a material and direct part of the primary business
- Pilot plants and other facilities for testing manufacturing, processing or fabrication methods or for the testing of products or materials
- Telecommunication centers (not including wireless telecommunications facilities)
- Not Applicable

Item 3.

**Permitted Conditional Uses (Please check all that apply)\***

- Planned Residential Development
- First Wireless telecommunication facility located on alternative structure only
- Attached townhouse dwellings up to four units per building
- Public and semi public uses
- Multifamily dwellings and attached dwellings, over four units (new construction only)
- Any building over forty feet
- Conversion of existing structures resulting in more dwelling units
- Dwelling units with occupancy of six or more unrelated persons
- Home Occupations/Profession Home offices requiring customer access
- Bed and Breakfast establishments
- Conversion of existing single-family dwellings to two-family attached dwellings
- Profession business offices in a building where principal use is residential
- Fraternity or sorority houses and group lodging facilities
- Planned Development
- Conversion of existing units with less than five bedrooms to five or more bedrooms
- Entertainment establishments, including clubs but excluding adult entertainment
- All uses with drive-in and drive-thru facilities
- Automobile repair and service
- Taverns and other places selling alcoholic beverages by the drink
- Daycare centers, adult, child and doggie
- Large Retail and Commercial Service Developments
- Motor Freight Transportation
- Light manufacturing and retail uses
- Automobile and small engine vehicle sales and rental facilities
- Car washes
- Gasoline service stations, including incidental repair and service
- Funeral homes and crematory services
- Liquor or tobacco stores
- Wholesale trade of durable and nondurable goods
- Salvage yards
- Not applicable

**Signatures**

By signing below, I certify that the above information is true and accurate account of the information requested for my business site and its operation and use. Should an inspection be required, I agree to all the Inspector(s) reasonable access to the space to verify compliance with the Municipality's Ordinance. In addition, I fully understand that completion of this or its approval does not preclude me from complying with all applicable State Statutes or Municipal Ordinances regarding my business and its lawful operations.

**Applicant's Signature\***

Mark Lurvey

**Date\***

02-18-2025

Item 3.

**Inspector's Signature**

**Date**

**Cost Recovery Certificate and Agreement**

Pursuant to Ordinance 19.74.010 and 16.04.270 of the City of Whitewater Municipal Code

The undersigned applicant hereby acknowledges and agrees to be bound by Ordinances 19.74.010 and 16.04.270 of he City of Whitewater Municipal Code, providing for city recovery of all city costs and disbursements incurred directly or indirectly related to the Applicant's request. All costs incurred by the city in the consideration of any requests by the Applicant related to the Applicant's request shall be recoverable, including by not limited to, all professional and technical consultant services and fees retained by the city and rendered in review of any application, including the engineer, planner, attorney, or any other professional or expert hired by the village for purposes of review of the application or pre-submission request. The Applicant agrees to reimburse the City for all costs recoverable pursuant to the terms of the above numbered ordinance within the time period set forth by the City of Whitewater Municipal Code. At no time shall any cost recoverable fees be waived, except through the process of a written request by the Applicant and the Common Council, review and evaluation by the Common Council, and official action taken by the Common Council.

**PROJECT INFORMATION**

**PROJECT NAME\***

**PROJECT LOCATION\***

**APPLICANT INFORMATION**

**NAME\***

**MAILING (BILLING) ADDRESS\***

**PHONE\***

**EMAIL ADDRESS\***

**ATTORNEY INFORMATION**

**NAME**

Brandon White

**PHONE**

920-328-2024

**EMAIL ADDRESS**

brandon@bcwhitelaw.com

**SIGNATURE OF APPLICANT\***

Mark Lurvey

**DATE\***

02-18-2025

**Note to Applicant: The City Engineer, Attorney and other City professionals and staff, if requested by the City to review your request, will be billed for their time at an hourly rate which is adjusted from time to time by agreement with the City. Please inquire as to the current hourly rate you can expect from this work. In addition to these rates, you will be asked to reimburse the City for those additional costs set forth in 19.74.10 and 16.04.270 of the Municipal Code.**

**RATES**

City Administration Hourly Rate Shall Not Exceed

Director of Economic Development: Taylor Zeinert \$56.55

Director of Public Works: Brad Marquardt \$72.33

Director of Finance: Rachelle Blich \$65.94

Clerk: Heather Boehm \$43.33

Deputy Clerk: Tiffany Albright \$29.20

NS Administrative Assistant Llana Dostie \$36.63

Building Inspection Services

Building Inspector Commercial: Joe Mesler \$80.00

Building Inspector Residential: Jon Mesler \$80.00

City Attorney

Harrison, Williams & McDonell, LLP

Attorney Jonathan McDonell \$255.00

City Engineer

Strand and Associates \$247.63

Primary Contact: Mark Fischer

City Planners and Zoning Administrator

Primary Contact: Allison Schwark \$49.00

**City Use Only Below Line**

**Building Inspector Date Received**

**Reviewed by**

**Zoning Administrator Date Received**

**Reviewed By**

**Occupancy Classification**

**Occupancy Classification Surrounding Units**

**Zoning of Property**

**Use Permitted**

- By Right
- By CUP
- PC Approval Required

**Approval**

- Approved
- Denied

**Date**

**Approval**

- Approved
- Denied

**Date**

**Public Works Approval**

- Approved
- Denied

**Date**

**City Engineer Approval**

- Approved
- Denied

**Date**

**Police Department Approval**

- Approved
- Denied

**Date**

**Fire Department Approval**

- Approved
- Denied

**Date**



# LANDSCAPE DESIGN GUIDELINES AND STANDARDS

REVISED January 29, 2025



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## Landscape Guidelines

The Plan and Architectural Review Commission reviews site and landscape plans for all new and expanded commercial, industrial, institutional, and multiple family housing projects. Landscaping beautifies the property and City, buffers land uses and unattractive structures, increases property values, conserves energy, and helps clean the air and water. The Commission adopted the following guidelines to assist developers, builders, and property owners in meeting the expectations for landscaping. The use of the term “must” below, reflects zoning ordinance requirements that are mandatory.

### Required Components of a Landscape Plan

- A scale (e.g. 1 inch = 50 feet) a north arrow, a date, and an accurate representation of site conditions (e.g. property dimensions should be correct with all features drawn to scale).
- All areas to be left in green space and how they will be covered (e.g. grass, mulch, native vegetation).
- All trees over 4-inch caliper to be removed or portions of woods with such trees that are proposed for removal.
- All existing trees that are over 4-inch caliper or edges of woods with such trees.
- All existing trees and other plantings proposed to remain on site after construction, including proposed locations for barrier fencing or other ways to ensure their preservation.
- Location, species, size at time of planting, and size at maturity for proposed landscape plants.
- Adjacent streets, existing and proposed buildings, parking lots, loading areas, dumpsters, existing or proposed grades, outdoor storage areas, and mechanical units and utilities in relation to proposed plantings.
- Name, address, and phone number of both the person who prepared the plan and the property owner.

For simple projects, the Landscape Plan may be included on a map that also shows other proposed site improvements, like proposed buildings, signs, lighting, utilities, and grading.

### Treatment of Existing Vegetation

Pre-existing landforms, terrain, and vegetation should be preserved as much as practical. This may be achieved by minimizing building construction and site modifications in areas not essential to project development. High quality, mature, and native trees and hedges should be retained where practical and should not be removed to facilitate commercial signage. Preservation of existing vegetation will reduce expectations for new landscaping, while major removal of existing vegetation may result in expectations for new landscaping greater than what guidelines normally suggest. In general, where large, high quality trees are proposed for removal on a landscape plan, the equivalent diameter of new tree should also be included in the plan (e.g. one maple with a 12-inch diameter trunk removed = planting of four 3-inch diameter hardwood canopy trees). Similarly, mature trees identified for preservation in the approved Landscape Plan but subsequently lost should be replaced by new trees of similar total diameter.

Mature trees identified for preservation on a Landscape Plan should be protected during construction by not allowing grading or equipment or vehicle storage in these areas and by

making all contractors aware of the preservation requirements. During construction, barrier fencing should generally be placed at the Critical Root Zone (CRZ) of the tree, as defined as a radius equivalent to 1.5 feet for every inch in trunk Diameter at Breast Height (DBH). For example, a tree with a trunk diameter of 12 inches has a Critical Root Zone radius of 18 ft.

The Urban Forestry Management Plan available from the City's Parks, Recreation and Forestry Department contains additional preservation guidance (see particularly the City's Terrace Tree Protection Guideline).

## Recommended Locations and Amount of New Landscaping

New Landscaping planting should be provided on different parts of the site, as advised below;

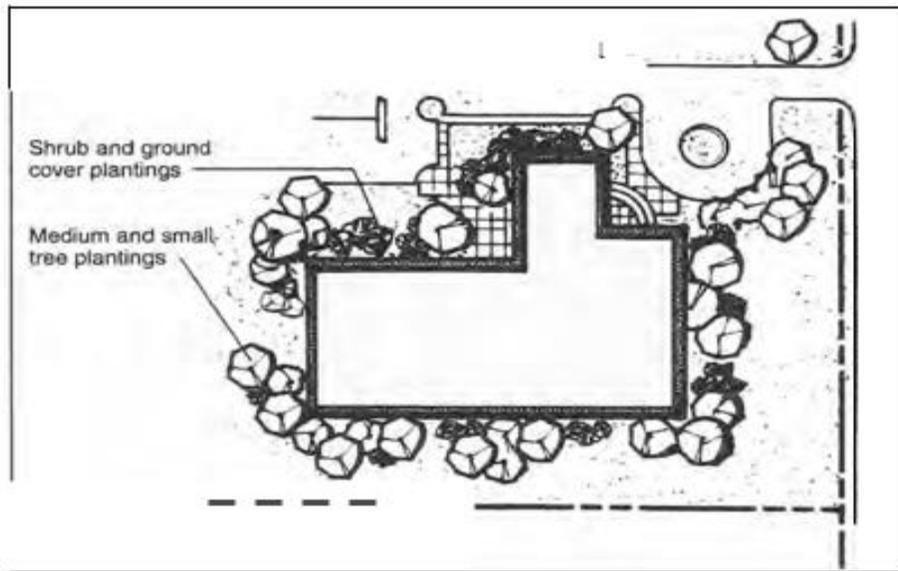
1. **Street Frontages.** One deciduous tree must be planted for each 35 feet along each side of a street right of way, except where a clustered or wider spacing is allowed by the City Forester where traffic visibility, street lights, or utilities would be negatively affected. Street trees should be planted midway between the sidewalk and curb, or within 15 feet of the property line adjoining the street, but only if space is not available between the sidewalk and curb. Plantings may also be appropriate in any boulevard included in development plans. Street tree species should be approved by City Forester prior to installation, and should be based generally upon the information provided in Figures 3 below.
2. **Paved Areas.** One large deciduous tree and 60 points of additional landscaping (see Figure 3. Appropriate Plant Species and Sizes) should be planted for each 1,500 square feet of paved area, which is about the same amount of space required for five parking spaces plus a driveway. Plants should be installed in landscaped islands within the paved area of within 15 feet of the edges of the paved area. Landscaped islands or peninsulas must be provided at the end of every parking row, and interior islands should be provided for every 20 parking spaces in non-industrial projects. Species selection for paved area plantings is particularly important to ensure salt and snow tolerance (see Figure 3), proper growth habit and branch height, avoidance of messy fruit or other litter from the tree, and maintenance of good visibility within parking lots.

Figure 1: Parking Lot Landscaping Example



3. **Building Foundations.** 160 points of landscaping (see Figure 3) should be planted for each 100 lineal feet of exterior building wall that is visible from public right of way and adjoining sites. The graphic on the following page provides an example of building landscaping. Plants required by this section should be installed within 20 feet of the building foundation and generally should not include large deciduous trees.
4. **Landscaped Buffer Yards.** The City requires installation of a landscape buffer yard;
  - In yards where a B-1, B-3. or M-1 zoning district abuts a residential use or zoning districts;
  - Where off-street parking areas for five or more vehicles are within 15 feet of lot line, except where the next-door lot also contains parking within that same distance, and;
  - Where lots in new residential subdivision back onto a proposed major street.

**Figure 2: Building Foundation Planting Example**



The minimum width of a landscaped buffer yard is 10 feet (30 feet where subdivision lots back onto a major street), not including the area between the sidewalk and street curb. Buffer yards are generally required to be landscaped with two large deciduous trees, five small deciduous and/or evergreen trees, and twelve shrubs for every 100 feet of buffer yard length. The Plan Commission may instead approve substitute landscaping, a berm, an opaque fence or wall, or some combination. Fences or walls should generally not be used in street yards and must not be more than six feet tall in residential zoning districts and 10 ft tall in non-residential districts. A berm is mound of soil surfaced with a landscape ground cover, generally three to six feet above the surrounding grade and preferably of an undulating or otherwise visually interesting layout.

5. **General Yard Areas.** In other parts of the site, 200 additional points of landscaping (see Figure 3) should be planted for each 5,000 square feet of total site area. Most general yard area landscaping should be located in street facing yards. Except for approved natural areas, general yard areas should be seeded. Slopes should be a maximum of three vertical feet for every one horizontal foot. Where retaining walls are necessary, they should be designed to be less than 10 feet in height and constructed with stone or block, or terraced if the grade change is 10 feet or more.

6. **Screening.**

Dumpsters, outside storage area, loading docks, vending machines, and large or unsightly mechanical utility, or telecommunication units should be enclosed by a fence, wall, and /or landscaping designed to provide a total visual screen from public right of way and adjacent properties. Screening fences and walls surrounding outdoor storage areas should generally be between six and eight feet tall, while fences and walls designed to screen other areas should generally be between four and six feet tall. Future trimming of screen planting that limits their capacity to provide a total visual screen is not permitted. The base of freestanding signs- monuments and pylon signs- should also be landscaped. Low level plantings should be selected in sign areas.

- 7. Vision Triangles and Easements.** No parts of plantings within 10 feet of ground level may extend over any public right of way. No new landscape plantings with a mature height over two and one-half feet or with branches at maturity that will be less than 10 feet may be placed in vision triangles near street intersections (see Section 19.51.010 of zoning ordinance in order to measure extent of vision triangle). Planting in utility easements is at risk of the property owner and may be subject to restrictions associated with the easement. Tree plantings should generally be at least 20 feet from street lights, 10 feet from hydrants, and six feet from gas and water valves.

## Recommended Sizes and Species of New Landscaping

Figure 3 indicates the points that may be obtained for each plant within the five different categories of landscape plantings. Large deciduous tree, small deciduous tree, evergreen tree, shrub and perennial planting bed. When added together, the points obtained from each plant depicted in a Landscape Plan may be used to determine whether the landscaping point guideline above are being met. Figure 3 also provides a starting point for potential plant species selection within each of the five categories of plantings.

Figure 3 includes examples of appropriate tree and shrub species for different, unique applications. These include trees appropriate for placement under power lines. The following plants are a guide and not all inclusive, other trees and plantings may be approved by City Forester.

For more information in selecting plants:

<https://hort.extension.wisc.edu/article-topic/deciduous-selection/>

For more information on prohibited plantings:

<https://dnr.wisconsin.gov/topic/Invasives/RegulatedSpecies>

**Figure 3**  
**Approved Street Tree List**

<b>STREET NAME</b>	<b>BOTANICAL NAME</b>	<b>HEIGHT</b>	<b>LENGTH</b>	<b>POINTS</b>
<b>Aspen</b>				
Quaking	Populus tremuloides	40-50	20-30	165
<b>Buckeye</b>				
Yellow	Aesculus Flava	60-75	30-50	150
<b>Coffeetree</b>				
Espresso Kentucky	Gymnocladus dioicus 'Espresso'	50	35	150
Kentucky	Gymnocladus dioicus	50-60	50-60	165
<b>Cypress</b>				
Bald	Taxodium distichum	50-70	20-30	150
Shawnee Brave Bald	Taxodium distichum 'Mickelson'	50	15-20	150
<b>Elm</b>				
Princeton	Ulmus americana 'Princeton'	60-80	40-60	150
Valley Forge	Ulmus americana 'Valley Forge'	80	60	150
<b>Ginko</b>				
Autumn Gold	Ginko biloba 'Autumn Gold'	40-50	25-30	150
Magyar	Ginko biloba 'Magyar'	40-50	20-25	150
Princeton Sentry	Ginko biloba 'Princeton Sentry'	40-50	15-20	150
<b>Gum</b>				
Black	Nyssa sylvatica	30-50	20-30	165
<b>Hackberry</b>	Celtis Occidentalis	40-60	40-60	165
<b>Linden</b>				
Boulevard American	Tilia americana 'Boulevard'	60	25	150
Sweet Street	Tilia americana 'Kromm'	50	25	150
<b>Honey Locust</b>	Gleditsia triacanthos	40-50	30-40	150
<b>Maple</b>				
Celebration	Acer x freemanii 'Celzam'	40-50	20-35	150
Sienna Glen	Acer x freemanii 'Sienna'	40-50	35-40	150
Sugar	Acer saccharum	50-75	50	165
<b>Oak</b>				
Burr	Quercus macrocarpa	70-80	75-90	165
Chinkapin	Quercus muehlenbergii	50-60	50-60	165
White Oak	Quercus alba	50-80	100	165
Red	Quercus rubra	60-75	60-75	165
<b>Planetree</b>				
Exclamation London	Platanus x acerifolia 'Morton Circle'	60	45	150

Minimum size at time of planting - 2-inch trunk

Diameter measure at 4ft. up

### Approved Large Area Tree List

STREET NAME	BOTANICAL NAME	HEIGHT	LENGTH	POINTS
<b>Aspen</b>				
Quaking	Populus tremuloides	40-50	20-30	165
<b>Basswood</b>				
American	Tilia americana	75-130	23-35	165
<b>Beech</b>				
American	Fagus grandifolia	60-75	55-65	165
<b>Birch</b>				
Paper	Betula papyrifera	50	35	165
River	Betula nigra	40-70	40-60	165
Yellow	Betula alleghaniensis	40-60	40-50	165
<b>Buckeye</b>				
Yellow	Aesculus Flava	60-75	30-50	150
<b>Butternut</b>	Juglans cinerea	40-60	40-60	165
<b>Coffeetree</b>				
Kentucky	Gymnocladus dioicus	50-60	50-60	165
<b>Cypress</b>				
Bald	Taxodium distichum	50-70	20-30	150
Shawnee Brave Bald	Taxodium distichum 'Mickelson'	50	15-20	150
<b>Elm</b>				
Princeton	Ulmus americana 'Princeton'	60-80	40-60	150
Valley Forge	Ulmus americana 'Valley Forge'	80	60	150
<b>Ginko</b>				
Autumn Gold	Ginko biloba 'Autumn Gold'	40-50	25-30	150
Magyar	Ginko biloba 'Magyar'	40-50	20-25	150
Princeton Sentry	Ginko biloba 'Princeton Sentry'	40-50	15-20	150
<b>Gum</b>				
Black	Nyssa sylvatica	30-50	20-30	165
Moraine Sweet	Liquidambar styraciflua 'Moraine'	40-45	25-30	150
<b>Hackberry</b>	Celtis Occidentalis	40-60	40-60	165
<b>Hickory</b>				
Shagbark	Carya ovata	80	40	165
<b>Katsura</b>	Cercidiphyllum japonicum	40-60	20-35	150
<b>Linden</b>				
American Sentry	Tilia americana 'McKSentry'	50-60	20-25	150
<b>Honey Locust</b>	Gleditsia triacanthos	40-50	30-40	150
<b>Maple</b>				
Red	Acer rubrum	40-60	40-60	165
Sienna Glen	Acer x freemanii 'Sienna'	40-50	35-40	150

Sugar	Acer saccharum	50-75	50	165
<b>Magnolia</b>				
Cucumbertree	Magnolia acuminata	50-80	35-60	150
<b>Oak</b>				
Black	Quercus Velutina	50-60	50-60	165
Burr	Quercus macrocarpa	70-80	75-90	165
Chinkapin	Quercus muehlenbergii	50-60	50-60	165
White	Quercus alba	50-80	100	165
Red	Quercus rubra	60-75	60-75	165
<b>Planetree</b>				
Exclamation London	Platanus x acerifolia 'Morton Circle'	60	45	150
<b>Redwood</b>				
Dawn	Metasequoia glyptostroboides	75-100	15-25	150
<b>Sycamore</b>				
American	Platanus occidentalis	70-90	80	165
<b>Tuliptree</b>	Liriodendron tulipifera	70-80	35-45	150
<b>Yellowwood</b>	Cladrastic kentukea	30-50	40-50	165

Minimum size at time of planting  
2-inch trunk diameter measures 4 ft. up

### Approved Medium-Small Street Tree List

STREET NAME	BOTANICAL NAME	HEIGHT	LENGTH	POINTS
<b>Buckeye</b>				
Early Glow	Aesculus glabra 'J.N. Select'	35	35	60
Mystic Ruby	Aesculus x bushii 'Aaron#1'	30-35	15-20	60
<b>Cockspur Hawthorn Thornless</b>	Crataegus Crus-galli var. inermis	20-30	25-35	75
<b>Crabapple</b>				
Crab	Non-native			60
Prairie	Malus ioensis	15-20	15-20	75
<b>Elm</b>				
New Horizon	Ulmus 'New Horizon'	30-40	15-25	60
<b>Ironwood</b>	Ostrya virginiana	25	15	75
<b>Lilac</b>				
Ivory Silk Japanese	Syringa reticulata subsp. Reticulata	25	15	60
<b>Maple</b>				
Paper Barked	Acer griseum	20-30	20-30	60
State Street Miyabe's	Acer miyabei 'Morton'	50	40	60
<b>Magnolia</b>				
Royal Star	Magnolia stellata 'Royal Star'	10-15	10-15	60
<b>Musclewood</b>	Carpinus caroliniana	25-30	25-30	75
<b>Red Bud, Eastern</b>	Cercis canadensis	20-30	25-35	75
<b>Serviceberry</b>				
Allegheny	Amelanchier laevis	25	15	75
Apple	Amelanchier x grandiflora	25-30	25-30	75
Autumn Brilliance	Amelanchier x grandiflora 'Autumn Brilliance'	20-25	20-25	60

Minimum size at time of planting

1 1/2-inch trunk diameter measured at 4 ft. up

### Approved Medium-Small Off-Street Tree List

STREET NAME	BOTANICAL NAME	HEIGHT	LENGTH	POINTS
<b>Buckeye</b>				
Early Glow	Aesculus glabra 'J.N. Select'	35	35	60
Mystic Ruby	Aesculus x bushii 'Aaron#1'	30-35	15-20	60
<b>Crabapple</b>				
Crab	Non-native			60
Prairie	Malus ioensis	15-20	15-20	75
<b>Dogwood</b>				
Golden Glory	Cornus mas 'Golden Glory'	15-25	15-25	60
Pagoda	Cornus alternifolia	15-25	15-25	75
<b>Elm</b>				
New Horizon	Ulmus 'New Horizon'	30-40	15-25	60
<b>Ironwood</b>	Ostrya virginiana	25	15	75
<b>Lilac</b>				
Ivory Silk Japanese	Syringa reticulata subsp. reticulata	25	15	60
<b>Maple</b>				
Paper Barked	Acer griseum	20-30	20-30	60
Striped	Acer pensylvanicum	20	15	60
<b>Magnolia</b>				
Royal Star	Magnolia stellata 'Royal Star'	10-15	10-15	60
<b>Musclewood</b>	Carpinus caroliniana	25-30	25-30	75
<b>Red Bud, Eastern</b>	Cercis canadensis	20-30	25-35	75
<b>Serviceberry</b>				
Allegheny	Amelanchier laevis	25	15	75
Apple	Amelanchier x grandiflora	25-30	25-30	75
Autumn Brilliance	Amelanchier x grandiflora 'Autumn Brilliance'	20-25	20-25	60
<b>Seven Son Flower</b>	Heptacodium miconioides	15-20	8-15	60

Minimum size at time of planting

1 1/2-inch trunk diameter measured 4 ft. up

### Approved Native Conifer Tree List

COMMON NAME	BOTANICAL NAME	HEIGHT	LENGTH	POINTS
Balsam fir	<i>Abies balsamea</i>	40-60	15-25	55
Growth narrow, conical				
Eastern red cedar	<i>Juniperus virginiana</i>	30-40	8-20	55
Growth tree form				
Tamarack	<i>Larix laricina</i>	30-50	10-15	55
Growth conical, upright				
Northern white cedar	<i>Thuja occidentalis</i>	20-30	10-15	55
Growth tree form				
Canadian hemlock	<i>Tsuga canadensis</i>	20-45	15-25	55
Growth dense, conical				
Eastern white pine	<i>Pinus strobus</i>	50-80	20-40	55
Pyramidal in youth				
White spruce	<i>Picea glauca</i>	40-60	10-20	55
Broad, conical				
Jack pine	<i>Pinus banksiana</i>	35-50	20-30	55
Upright				
Black spruce	<i>Picea mariana</i>	20-50	20-30	55
Upright, narrow, conical				
Red pine	<i>Pinus resinosa</i>	50-80	20-25	55
Tree form				

All other Evergreens				40
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### Approved Landscape Plants

<b>NATIVE - HERBACIOUS</b>				
<b>COMMON</b>	<b>LATIN</b>	<b>HEIGHT</b>	<b>BLOOM COLOR</b>	<b>POINTS</b>
Lavender Hyssop	Agastache foeniculum	2-4'	Purple	
Nodding Onion	Allium cernuum	18"	Pink	
Sullivant's Milkweed (Prairie)	Asclepias sullivantii	3-5'	Pink	
Butterfly Milkweed	Asclepias tuberosa	2'	Orange	
New England Aster	Aster novae-angliae	5'	Purple/Pink	
Canada Milk Vetch	Astragalus canadensis	1-3'	Cream	
White Wild Indigo	Baptisia alba	4'	White	
Blue Wild Indigo	Baptisia australis	3-5'	Blue	
Cream False Indigo	Baptisia bracteata	1-2'	Cream	
Yellow Wild Indigo	Baptisia tinctoria	2-3'	Yellow	
Downy Wood Mint	Blephilia cilata	1-2'	Purple	
Pale Purple Coneflower	Echinacea pallida	3-5'	Purple	
Purple Coneflower	Echinacea purpurea	3-4'	Purple	
Rattlesnake Master	Eryngium yuccifolium	4'	White/Green	
Early Sunflower	Helianthus helianthoides	3-5'	Yellow	
Prairie Alumroot	Heuchera richardsonii	2'	Green	
Round Headed Bush Clover	Lespedeza capitata	4'	White	
Rough Blazing Star	Liatris aspera	2-5'	Purple	
Michigan Lilly	Lilium michiganense		Orange	
Wild Bergamot	Monarda fistulosa	2-4'	Lavender	
Eastern Prickly Pear Cactus	Optuntia humifosa	6"	Yellow	
Wild Quinine	Parthenium integrifolium	4'	White	
Smooth Penstemon	Penstemon digitalis	1-3'	White	
Large Flowered-Penstemon	Penstemon grandiflorus	1-3'	Lavender	
Compass Plant	Silphium laciniatum	8'	Yellow	
Rosin Weed	Silphium integrifolium	4-6'	Yellow	
Spiderwort	Tradescantia ohiensis	2-4'	Blue	
Hoary Vervain	Vergenea stricta	2-4'	Blue	
<b>NATIVE - GRASSES/SEDGES</b>				
River Oats/Northern Sea Oats	Chasmanthium latifolium	3-4'	Grass	
Little Blue Stem	Schizachyrium scoparium	2-3'	Grass	
Prairie Dropseed	Sporobolus heterolepis	2-3'	Grass	

Side Oats Gramma	Bouteloua curtipendula	1-3'	Grass	
<b>NATIVE - SMALL SHRUBS</b>				
White Snowberry	Symphoricarpos albus	3-5'	White	35
Black Chokeberry	aronia melanocarpa	3-6'	White	35
Juneberry	amelanchier alnifolia	4-15'	White	35
Running Serviceberry	Amelanchier stolonifera	3-5'	White	35
Northern Bush Honeysuckle	Diervilla lonicera	1-3'	Yellow	35
Pasture Rose	Rosa carolina	2'	Pink	35
New Jersey Tea	Ceanothus americanus	3'	White	35
Shrubby St. Johns Wort	Hypericum prolificum	4'	Yellow	35
Sweet Fern	Comptonia peregrina	2-5'	Green/Bronzey Brown	
Lead Plant	Amorpha canescens	3'	Purple	35
Shrubby Cinquefoil (Potentilla)	Dasphora fruticosa	204'	Yellow	35
All other shrubs				20

Minimum size at time of planting  
 2 feet in height or 2-gallon pot

## Descriptions and Standards for Rain Gardens and Bioswales

Rain gardens and bioswales can serve both as landscaping and stormwater management features on a building site, where appropriately designed and sited.

A rain garden is a shallow, depressed garden that is designed and positioned on a site to capture stormwater runoff and allow for the infiltration of water back into the ground. Rain garden plants are carefully chosen for their ability to withstand moisture extremes and potentially high concentrations of nutrients and sediments that are often found in stormwater runoff. A well designed and maintained rain garden serves as an attractive component of an overall landscaping plan for a development site.

A bioswale is a linear, vegetative stormwater runoff conveyance system that is designed to store and infiltrate water from small storm events back into the ground and direct water from heavy rain events to appropriate storm sewer inlets or other management facilities. The flow of water being conveyed through a bioswale is slowed down, allowing for municipal storm systems to more effectively manage heavier rain events and help reduce the risk of flooding on or off-site. Water being infiltrated or conveyed via a bioswale is also filtered by the vegetation within it, generally improving both ground and surface water quality.

The installation of a rain garden or bioswale may contribute to the overall stormwater management plan for a development site and count toward meeting the City's landscaping guidelines in the same manner as that presented for "perennial planting bed" in Figure 3 above (20 points for every 20 sq. ft.), provided that:

1. Detailed plans are provided that show all proposed dimensions of the rain garden including length, width, depth, and slope of depression; location of the rain garden on the lot relative to hard-surfaced areas, downspouts, and site topography; characteristics of the soil underlying the rain garden or bioswale; description of planting media; the species, number, and size at the time of installation of all vegetation proposed for the rain garden or bioswale; and information of any other materials, (e.g., rocks) that will be used to line the rain garden or bioswale.
2. Installation is not proposed for areas where there is know soil contamination unless the rain garden is proposed to be constructed with an under-drain; where the characteristics of the soil would not allow for the proper infiltration of water into the ground; or where there are expected high levels of foot traffic.
3. The owner can demonstrate that the rain garden or bioswale will be properly maintained; kept free of trash, weeds debris, and dead or dying plants; any pipes associated with the garden will be inspected on an annual basis and kept free of debris; and by the beginning of every spring dead plant materials will be cut back or removed.
4. Bioswales and rain gardens must be generously (and appropriately) vegetated to qualify for landscaping points. Bioswales and rain gardens (or portions thereof) that are lined with turf and/or rocks do not include other vegetation will not qualify for landscaping points.

5. To serve as a component of an overall stormwater management plan for a site, detailed plans, calculations, and specifications meeting the City's stormwater management ordinance are provided. Detailed plans should include the location and description of all other stormwater management facilities serving the site, particularly those to which any bioswale will be directed.

For further information on rain garden and bioswale design:

<https://dnr.wisconsin.gov/sites/default/files/topic/Stormwater/RainGardenManualPrint.pdf>

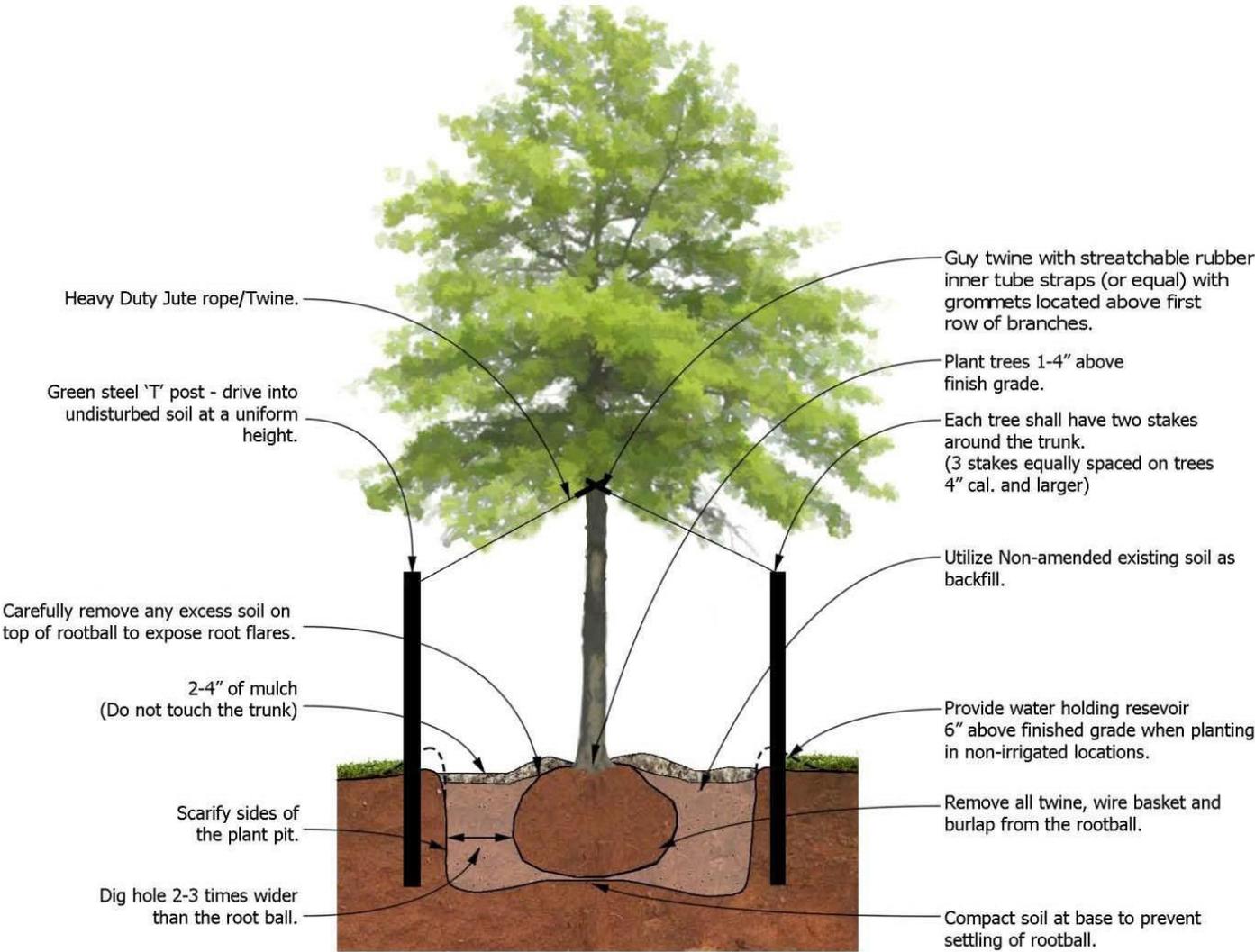
## General Installation and Maintenance for Landscaping and Buffer Yards

Landscaping must be installed using landscape contracting industry standards available from landscape designers and nurseries. These include proper soil conditioning, removing any packing materials including wire cages, burlap, and string, and the placement of the root collar at or slightly above grade. A six-foot bark mulch radius around a tree is ideal, with the mulch no thicker than four inches in general and tapered to a depth of one inch at the base of the tree (the classic saucer shape). Rock mulch is discouraged around all planting areas. Figure 4 shall be proper planting and maintenance techniques for deciduous trees; techniques for evergreen trees and shrubs vary slightly, but the basic principles are similar.

All landscaping must be installed prior to building occupancy or operations, unless doing so would result in unsatisfactory plant survival. In this case, the City requires a site improvement deposit until landscaping is installed according to the plan.

All required landscaping should be continually maintained in a live state to meet its original function (e.g., screen plants not overly pruned). Maintenance must include replacement of dead or dying plants, regardless of when the plant dies. Replacement should occur within the same year in which a plant dies or the next spring.

Figure 4: Deciduous Tree Planting Standard



**SCORING LANDSCAPING PROPOSALS**

IMPORTANT: ADDITIONAL DOCUMENT (INCLUDING MAP) NEEDED DETAILING PRE-DEVELOPMENT CONDITIONS, SOILS AND VEGETATION - POINTS ASSIGNED FOR MATURE TREES 4" CALIPER AND OVER AND NOTABLES)

**REQUIRED FOR PLANS**

Scale: North Arrow Date Accurate Representation of Conditions  
 Inventory: Removed Tree over 4" caliper, and their associated woodlands, Existing Trees over 4" caliper  
 All trees and other plantings are to remain and must be protected in construction

Record: Large, high quality trees proposed for removal: Note: Equivalent diameter should be included in plan showing replacement of trees of similar quality and equivalent total diameter (4 x 4 diameter hardwood to replace 1 x 12 diameter hardwood either removed or lost in construction.

Green space: specify coverage - report mulch, etc.

Calculations may be completed by filling in the Orange Square below. All measurement in feet.

PAVED AREA				
Length	Width	Total Area	Required Points	NOTE: 1500 sq. ft. = 5 parking places plus driveway. Tree islands each end of 20 parking spaces (4 trees) same
1	98174	98174	3927	

FOUNDATION AREA				
Length	Width	Total Area	Required Points	160 points per 100 lineal feet for appropriate plantings within 20 feet of visible foundation (shrubs, groundcover, medium and small trees)
1	98174	98174	3927	

BUFFER				
Length	Width	Total Area	Required Points	160 points per 100 lineal feet for appropriate plantings within 20 feet of visible area (shrubs, groundcover, medium and small trees)
1	98174	98174	3927	

GENERAL YARDS				
Length	Width	Total Area	Required Points	
1	98174	98174	3927	

STREET Frontage & Total Trees Requirements				
	Street Frontage Length	Footage Per Length	Number of Trees per Street	Points Gained
Large Trees		35		0
Native Large Trees		45		0
Small Tree		35		0
Native Small Tree		45		0
<b>POINTS PER PLANT Do not count the above Street Frontage Tree Requirements</b>				

Type	Size	Point	Number	Total
Large Deciduous	Equal to or greater than 25 ft. 2" diameter @ chest	150		
Native	Equal to or greater than 25 ft. 2" diameter @ chest	165		
Small Deciduous	Less than 25 ft. 2" diameter @ chest	60		
Native	Less than 25 ft. 2" diameter @ chest	75		
Evergreen	10 to 4 feet tall	40		
Native	10 to 4 feet tall	55		
Shrub	2 foot or 2 gallons	20		
Native	2 foot or 2 gallons	35		
Perennial	20 points for 20 sq. ft.	20		
Native	20 points for 20 sq. ft.	35		
Note: Use with Whitewater Landscaping Guideline <b>AND</b> Nowak, M. Beyond the Bird Feeder, WSObirds.org		Number of Overall Points		

<b>TOTAL REQUIRED</b>	<b>6167</b>
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<b>TOTAL POINTS PER PROPOSED PLAN</b>	
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<p>If the maximum number of points can not be met, the applicant may have the option to donate the difference to the Whitewater Tree Fund. Each point under will be the equivalent of \$1.00.</p>	
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