

MEMORANDUM

DATE: Thursday, February 20, 2020

TO: Village Plan Commission

FROM: Development Director

CC: Village Administrator

RE: Pending Ordinances amending Section 16-1-1(a)(7) relating to site restrictions and buffer yards between zoning districts and Section 16-1-1-(a)(8) relating to the Structural Setback Overlay District.

Last December, the Village Board directed staff to prepare text amendments to address two concerns regarding development in the Village. One proposed text amendment addresses land use conflicts between residential and non-residential uses. The other text amendment addresses setback requirements as it relates to the Structural Setback Overlay District (SSO) and development along Lake Michigan.

Since that time, staff has drafted proposed text amendments and submitted them to the Village's Legislative & Licensing Committee for review at their meeting on February 3, 2020. The Committee recommended approval of the draft amendments; Section 16-1-1(a)(7), General Provisions, relating to site restrictions and Section 16-1-1(a)(8) relating to setback requires for the Structural Setback Overlay District.

Section 16-1-1(a)(7) will require parcels that abut different zoning districts comply with the more restrictive zoning district requirements. Furthermore, any development within a non-residential district abutting a residential district will require, at minimum, a 20-foot buffer yard in addition to a building setback requirement, mitigating the impact between the two uses. Ordinance 2020-02 details these requirements.

Section 16-1-1(a)(8) relates to reduction of the required setback for the Structural Setback Overlay (SSO) District for structures as it relates to Lake Michigan. The proposed text amendment reduces the minimum setback for a proposed structure constructed along the lake from 200 feet to 100 feet from the stable slope. The purpose of the SSO District is to protect people and property from shore erosion damage in the Land Michigan shoreland areas. This setback reduction does increase risk to shoreland damage. The 200-foot setback did not take into consideration shoreland revetments that can stabilize the lake bluff and allow for a stable bluff slope to be established. Caledonia would not be the first community to have a setback less than 200 feet. Staff researched other communities along the lake and found setbacks ranging from 75 feet to 125 feet from the stable slope.

Ordinance No. 2020-02

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(7) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO SITE RESTRICTIONS UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(7) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

(7) **Site Restrictions.**

- a. Parcels of land abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yards on the less restrictive district shall be modified for a distance of not more than 60 feet from the district boundary line so as to equal the average of the street yards required in both districts.
- b. A buffer yard shall be created and maintained around all business and manufacturing districts which abut upon residential districts and which are adjacent to freeways and limited access arterial streets and highways which abut upon residential districts. The Plan Commission may also require a buffer yard around business and industrial districts abutting park and institutional districts. Buffer yards shall be a minimum of 20 feet in width; shall be in addition to the required street yards, side yards, and rear yards; and shall screen business or manufacturing uses from adjoining lands in such a manner that:
 - (1) If the buffer yard is composed entirely of plant materials, it shall be of sufficient initial depth and height and of such varieties as to provide adequate visual screening within no more than two years and during all seasons of the year.
 - (2) Where architectural walls or fences are used, sufficient landscaping shall be used in conjunction with such wall or fence to create an attractive view from the residential side, and all walls and fences shall be maintained in a structurally sound and attractive condition. Any wall or fence shall be not less than four (4) feet nor more than six (6) feet in height.
 - (3) All landscaping shall be maintained by the owner or operator to the satisfaction of the Zoning Administrator or a designee.
 - (4) Where the land adjacent to the buffer yard is a parking lot, the buffer yard shall be sufficiently opaque to prevent the penetration of headlight glare. Overhead lighting installed in or adjacent to a

buffer yard shall not throw any rays onto adjacent residential properties.

(5) No signs shall be permitted on or in any part of the buffer yard."

2. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2020.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Karie Pope, Clerk

770272.100 (Title 16) 1-30-20

Ordinance No. 2020-03

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(8) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO THE SSO STRUCTURAL SETBACK OVERLAY DISTRICT UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(8) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(8) Section 20-918(b) of the Racine County Code of Ordinances as adopted by the Village of Caledonia is amended to read as follows:

The distance required to achieve a one (1) on two and one-half (2½) stable slope is set forth in Table 12, page 65, of SEWRPC Community Assistance Planning Report No. 86, A Lake Michigan Coastal Erosion Management Study for Racine County, Wisconsin, and shall be used to determine the stable slope distance. Minimum facility setback distances measured from the edge of the net stable slope distance shall one hundred (100) feet for all structures. The minimum setback distance may be reduced for public utilities, public recreational facilities, and single family residential units in areas of existing facility development to be at least the average distance from the edge of the net stable slope distance to adjacent principal structures located on abutting parcels (excluding public right-of-ways and easements), although the minimum setback distance shall not be less than fifty (50) feet from the edge of the net stable slope distance. If an abutting parcel is vacant, a setback of one hundred (100) feet will be assumed for purposes of averaging."

2. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2020.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Karie Pope, Clerk