

ORDINANCE NO. 08-0725

AN ORDINANCE TO REPEAL §17.505 LAKESHORE OVERLAY ZONING DISTRICT AND §17.506 DRAINAGE WAY OVERLAY ZONING DISTRICT OF THE MUNICIPAL CODE OF THE CITY OF OCONOMOWOC AND THE REFERENCES TO DRAINAGE WAY AND LAKESHORE PERMANENTLY PROTECTED GREEN SPACE AREAS IN TABLE 204, TO CREATE WITHIN §17.034 A DEFINITION OF “SHORE YARD SETBACK,”; TO AMEND TABLES 17.403 AND 17.404 BY REFERENCING SHORE YARD SETBACK TO CONFORM TO THE ZONING DISTRICT REQUIREMENTS, TO AMEND §17.106 TO REMOVE REFERENCE TO DRAINAGEWAY OVERLAY AND LAKESHORE OVERLAY DISTRICTS; AND TO CREATE §17.115 WHICH ESTABLISHES A DOWNTOWN REDEVELOPMENT (DR) OVERLAY ZONING DISTRICT

The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. Section 17.505 relating to the lakeshore overlay zoning district and §17.506 relating to the drainage way overlay district and all references to drainage way and lakeshore permanently protected green space areas in Table 204 are hereby repealed.

SECTION 2. The definition of shore yard setback is hereby created and inserted alphabetically in §17.034 to read as follows:

Shore Yard Setback: The horizontal distance between the closest point of a structure or building and the ordinary high water mark of navigable waters.

SECTION 3. The following sections are hereby created, to be inserted in the respective residential and nonresidential bulk requirement-minimum setback sections of the zoning districts listed below, and all subsequent lettered sections are hereby re-lettered to conform alphabetically if necessary:

Section 17.105(1)(a)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(1)(a)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(a)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(a)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(b)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(b)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(c)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(c)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(d)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(d)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(e)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(e)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(f)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(f)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(2)(g)3.b.C.: Shore Yard Setback: 45 feet from a navigable stream or lake.

Section 17.105(2)(g)4.b.C.1.: Shore Yard Setback: 45 feet from a navigable stream or lake.

Section 17.105(2)(h)3.b.C.: Shore Yard Setback: 45 feet from a navigable stream or lake.

Section 17.105(3)(a)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(a)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(b)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(b)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(c)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(d)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(d)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(e)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(e)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(f)3.b.C.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(f)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(g)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(h)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(i)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

Section 17.105(3)(j)4.b.C.1.: Shore Yard Setback: 75 feet from a navigable stream or lake.

SECTION 4. Table 17.403 titled Summary of City of Oconomowoc Residential Bulk Standards and Table 17.404 titled City of Oconomowoc Nonresidential Bulk Standards shall be amended to provide for a minimum shore yard setback to conform to the shore yard setback requirements in each zoning district.

SECTION 5. Section 17.106 of the Municipal Code is amended by striking reference to drainageway overlay and lakeshore overlay districts,

SECTION 6. Section 17.115 of the Municipal Code is created to read:

Section 17.115 Downtown Redevelopment (DR) Overlay Zoning District.

This district is intended to provide an overlay zoning district for the underlying zoning imposed on Tax Incremental District No. 4. This overlay district is intended to permit both large and small scale “downtown” commercial and mixed use development at an intensity which provides significant incentives for infill development, redevelopment, and the continued economic viability of existing development. Land uses permitted by right, as special uses, conditional uses, accessory uses, or temporary uses in the underlying zoning districts are allowed in the Downtown Redevelopment (DR) Overlay Zoning District. Regulations applicable to residential uses or nonresidential uses in the underlying zoning districts are allowed in the Downtown Redevelopment (DR) Overlay Zoning District. Due to the presence of water frontage of

Lac LaBelle and Fowler Lake in this district, it is intended to balance development or redevelopment and the protection of the water resources. This overlay zoning district recognizes the important and diverse benefits which the water resources provide in terms of protecting the health, safety and general welfare of the community. The following regulations are applicable to this overlay zoning district:

1. Description. This district is identical to the Tax Incremental District No. 4 boundaries and will include any future amendments to said boundaries.

Rationale: Due to the existence of the Lac LaBelle and Fowler Lake water resources and the close proximity of developable lands adjacent thereto, it is necessary that a shore yard setback and other requirements be established for this district.

2. Setback from the ordinary high water mark in the Downtown Redevelopment (DR) Overlay Zoning District shall be 45 feet. In the event there is a conflict between the shore yard setback required in an underlying zoning district within the Downtown Redevelopment (DR) Overlay Zoning District and the 45-foot setback, the 45-foot setback shall control.

3. List of Allowable Land Uses, Land uses permitted by right, land uses permitted as special uses, land uses permitted as conditional uses, accessory uses or temporary uses in the underlying zoning district are allowed in the Downtown Redevelopment (DR) Overlay Zoning District.

4. Regulations Applicable to Residential Uses. All regulations applicable to residential uses in the underlying zoning district are allowed in the Downtown Redevelopment (DR) Overlay Zoning District.

5. Regulations Applicable to Nonresidential Uses. All regulations applicable to nonresidential uses in the underlying zoning district are allowed in the Downtown Redevelopment (DR) Overlay Zoning District.

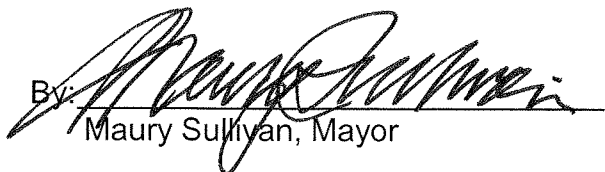
SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: September 2, 2008

CITY OF OCONOMOWOC

ATTEST:

Diane Coenen
Diane Coenen, Clerk

By: 
Maury Sullivan, Mayor

Date Adopted: September 2, 2008

Date Published: September 11, 2008

Effective Date: September 12, 2008