Ordinance 071017-03

An Ordinance Amending Sections 18-12, 18-13, Figure 18-37, Figure 18-38, Figure 18-39, Figure 18-41, Figure 18-42, Section 18-72(3), Section 18-72(3), Figure 18-82 and Section 18-245(e)(3)c.14 of the Municipal Code of the Village of Fontana on Geneva Lake regarding Floor Area Ratio

WHEREAS, the Village Board does intend by this Ordinance to make certain amendments as recommended by the Plan Commission to the Village of Fontana on Geneva Lake Municipal Code.

NOW, THEREFORE, the Village Board of the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

SECTION 1.

Sec. 18-12 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended to read as follows:

Sec. 18-12. – Abbreviations.

The following abbreviations in this chapter are intended to have the following meanings:

Abbreviation	Meaning
ANSI	American National Standards Institute
CUP	Conditional use permit
DNR or WisDNR	Wisconsin Department of Natural Resources
~~FAR~~	~~Floor area ratio~~
ft.	Foot
GFR	Gross floor area
GSA	Gross site area
LSR	Landscape surface ratio
Max.	Maximum
Min.	Minimum
N/A	Not applicable
PD	Planned Development
RPA	Resource protection area
Sec.	Section
SEWRPC	Southeast Wisconsin Regional Planning Commission
sf. or sq. ft.	Square feet
UDC	State of Wisconsin Unified Dwelling Code
Wis. Adm. Code	Wisconsin Administrative Code
WisDOT	Wisconsin Department of Transportation
Wis. Stats.	Wisconsin Statutes

SECTION 2.

Sec. 18-13 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended to read as follows:

Sec. 18-13. – Definitions.

The following words, terms and phrases, wherever they occur in this chapter, shall have the meaning ascribed to them by this section; provided, however, that those definitions set forth in section 18-549, herein, shall exclusively control with regard to any conflicting definitions between sections 18-13 and 18-549:

~~*Floor area ratio (FAR):* The ratio calculated by dividing the total floor area of all buildings on a site by the gross site area.~~

SECTION 3.

Sec. 18-37 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

Sec. 18-37. Neighborhood Business (NB) District

Figure 18-37: Density, Intensity and Bulk Regulations in the NB District

Density and Intensity Requirements	**See Article IV for additional requirements**
Minimum Lot Area	7,000 square feet
Maximum Gross Density	4 dwelling units per acre
~~Maximum Floor Area Ratio~~	~~0.25~~
Maximum Building Size	10,000 square feet
Maximum Building Coverage	35 percent
Minimum Landscape Surface Ratio	50 percent
Minimum Lot Width	60 feet
Minimum Street Frontage	50 feet
Principal Structure Bulk Requirements	**See Article V for additional requirements**
Minimum Front or Street Setback	25 feet
Minimum Shore Yard Setback	■ 50 feet for structures existing as of the effective date of this chapter, and all additions to such structures; ■ 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.
Minimum Interior Side Setback	15 feet

Minimum Rear Setback	10 feet
Minimum Pavement Setback	5 feet from side or rear; 10 feet from street (lot line to pavement; excludes driveway entrances)
Maximum Principal Building Height	35 feet
Accessory Structure Requirements	**Refer to Subsection 18-52(2) for additional requirements**
Setback from Principal Structures	10 feet
Accessory Interior Side and Rear Setback	5 feet
Maximum Accessory Building Height	18 feet

SECTION 4.

Section 18-38 of the Village Code of the Village of Fontana on Geneva Lake is hereby amended as follows:

Sec. 18-38 Village Center (VC) District.

Figure 18-38: Density, Intensity and Bulk Regulations in the VC District

Density and Intensity Requirements	**See Article IV for additional requirements**
Minimum Lot Area	7,000 square feet
Maximum Gross Density	5 dwelling units per acre
~~Maximum Floor Area Ratio~~	~~0.25~~
Minimum Number of Floors	2 floors
Maximum Building Size	10,000 square feet (first floor)
Maximum Building Coverage	40 percent
Minimum Landscape Surface Ratio	40 percent - Residential uses 20 percent - All other uses
Minimum Lot Width	60 feet
Minimum Street Frontage	50 feet
Principal Structure Bulk Requirements	**See Article V for additional requirements**
Maximum Front or Street Setback	15 feet, or 8 feet to attached front porch

Minimum Shore Yard Setback	■ 50 feet for structures existing as of the effective date of this chapter, and all additions to such structures; ■ 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.
Minimum Interior Side Setback	10 feet (0 feet for zero lots)
Minimum Rear Setback	10 feet
Minimum Pavement Setback	5 feet (lot line to pavement; excludes driveway entrances)
Maximum Principal Building Height	35 feet
Accessory Structure Requirements	**Refer to Subsection 18-52(2) for additional requirements**
Setback from Principal Structures	10 feet
Accessory Interior Side Setback	5 feet
Accessory Rear Setback	5 feet
Maximum Accessory Building Height	18 feet

SECTION 5.

Sec. 18-39 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

Sec. 18-39. Community Business (CB) District.

Figure 18-39: Intensity and Bulk Regulations in the CB District

Density and Intensity Requirements	**See Article IV for additional requirements**
Minimum Lot Area	20,000 square feet
~~Maximum Floor Area Ratio~~	~~0.30~~
Maximum Building Size	60,000 square feet
Maximum Building Coverage	40 percent
Minimum Landscape Surface Ratio	40 percent
Minimum Lot Width	100 feet
Minimum Street Frontage	50 feet
Principal Structure Bulk Requirements	**See Article V for additional requirements**

Minimum Front or Street Setback	25 feet
Minimum Shore Yard Setback	■ 50 feet for structures existing as of the effective date of this chapter, and all additions to such structures; ■ 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.
Minimum Interior Side Setback	10 feet (0 feet for in case of zero lot line)
Minimum Rear Setback	25 feet
Maximum Front, Side, or Rear Setback	100 feet
Minimum Pavement Setback	5 feet (lot line to pavement; excludes driveway entrances)
Maximum Principal Building Height	35 feet
Parking Regulations	No more than one double-loaded row of parking may be permitted between building and any street frontage
Accessory Structure Requirements	**Refer to Subsection 18-52(2) for additional requirements**
Setback from Principal Structures	10 feet
Accessory Interior Side and Rear Setback	5 feet
Maximum Accessory Building Height	18 feet

SECTION 6.

Sec. 18-41 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

Sec. 18-41. Office Park (OP) District.

Figure 18-41: Density, Intensity and Bulk Regulations in the OP District

Density and Intensity Requirements	**See Article IV for additional requirements**
Minimum Lot Area	20,000 square feet
~~Maximum Floor Area Ratio~~	~~0.30~~
Maximum Building Size	10,000 square feet
Maximum Building Coverage	40 percent

Minimum Landscape Surface Ratio	40 percent
Minimum Lot Width	100 feet
Minimum Street Frontage	50 feet
Bulk (Setback) Requirements	**See Article V for additional requirements**
Minimum Front or Street Setback	30 feet
Minimum Shore Yard Setback	■ 50 feet for structures existing as of the effective date of this chapter, and all additions to such structures; ■ 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.
Minimum Interior Side Setback	15 feet
Minimum Rear Setback	25 feet
Minimum Pavement Setback	5 feet (lot line to pavement; excludes driveway entrances)
Maximum Principal Building Height	45 feet
Additional Parking Regulations	No more than one double-loaded row of parking may be permitted between building and any street frontage
Accessory Structure Requirements	**Refer to Subsection 18-52(2) for additional requirements**
Setback from Principal Structures	10 feet
Accessory Interior Side and Rear Setback	5 feet
Maximum Accessory Building Height	18 feet

SECTION 7.

Sec. 18-42 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

Sec. 18-42. Research Park (RP) District.

Figure 18-42: Density, Intensity and Bulk Regulations in the RP District

Density and Intensity Requirements	**See Article IV for additional requirements**
Minimum Lot Area	20,000 square feet
~~Maximum Floor Area Ratio~~	~~0.60~~

Maximum Building Coverage	40 percent
Minimum Landscape Surface Ratio	40 percent
Minimum Lot Width	100 feet
Minimum Street Frontage	50 feet
Principal Structure Bulk Requirements	**See Article V for additional requirements**
Minimum Front or Street Setback	25 feet
Minimum Shore Yard Setback	■ 50 feet for structures existing as of the effective date of this chapter, and all additions to such structures; ■ 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.
Minimum Interior Side Setback	25 feet
Minimum Rear Setback	25 feet
Minimum Pavement Setback	5 feet (lot line to pavement; excludes driveway entrances)
Maximum Principal Building Height	35 feet
Parking Regulations	No more than one double-loaded row of parking may be permitted between building and any street frontage
Accessory Structure Requirements	**Refer to Subsection 18-52(2) for additional requirements**
Setback from Principal Structures	10 feet
Accessory Interior Side and Rear Setback	5 feet
Maximum Accessory Building Height	18 feet

SECTION 8.

Sec. 18-72(3) of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

Sec. 18-72. Instructions for determining density and intensity

(3) *Nonresidential intensity.* The following instructions apply only to nonresidential development:

a. Determine the types of land uses permitted on the subject property by checking the zoning district in article II. Article III provides detailed descriptions and regulations for each land use type.

b. Complete the following table to determine if proposed land use and site area are compatible with the zoning designation of the site(s). A completed example worksheet is provided below:

I. Calculate net site area of the site	
A. Determine the zoning district of the site	____ zoning district
B. Measure and provide the gross site area	____ acres
C. Measure and provide the resource protection area (from 18-71, above)	____ acres
D. Calculate the net site area of the lot (B-C)	= ____ acres
II. Calculate the minimum required landscape surface area on the site	
A. The net site area (from I.F., above)	____ acres
B. List the minimum landscape surface ratio for the zoning district	0.__
C. Calculate the minimum required landscape surface area of the lot (A*B)	= ____ acres
III. Calculate the maximum building coverage area on the site	
A. The net site area (from I.F., above)	____ acres
B. List the maximum building coverage of lot for the zoning district	0.__
C. Calculate the maximum building coverage area of the lot (A*B)	= ____ acres
~~**IV. Calculate the maximum permitted floor area**~~	
~~A. List the net site area (from I.F., above)~~	~~____ acres~~
~~B. List the maximum floor area ratio of lot for the zoning district~~	~~0.__~~
~~C. Calculate the maximum permitted floor area for the lot (A*B)~~	~~= ____ acres~~

Nonresidential examples

The following example assumes a site containing a single 0.74 acre (i.e., 32,234 sf) lot containing a 230 square foot wetland in the Village Center (VC) zoning district:

I. Calculate net site area of the site	**Example Site**
A. Determine the zoning district of the site	VC
B. Measure and provide gross site area	32,234 s.f.
C. Measure and provide resource protection area	230 s.f.
D. Calculate net site area of the lot (B-C)	32,234 - 230 = 32,004 s.f.
II. Calculate the minimum required landscape surface area on the site	
A. Measure and provide the net site area (from I.D, above)	32,004 s.f.
B. List the minimum landscape surface ratio for the zoning district	40 percent
C. Calculate the minimum required landscape surface area of the lot (A*B)	32,004*0.4 = 12,802 s.f.

III. Calculate the maximum building coverage area on the site	
A. Measure and provide the net site area (from I.D., above)	32,004 s.f.
B. List the maximum building coverage of lot for the zoning district	40 percent
C. Calculate the maximum building coverage area of the lot (A*B)	32,004*0.4 = 12,802 s.f.
~~**IV. Calculate the maximum permitted floor area**~~	
~~A. List the net site area (from I.D., above)~~	~~32,004 s.f.~~
~~B. List the maximum floor area ratio of lot for the zoning district~~	0.25
~~C. Calculate permitted building square footage for the site & zoning district (A*B)~~	~~32,004*0.25 = 8,001 s.f.~~
~~D. Minimum number of floors in the VC district~~	~~2 floors~~
~~E. Typical square footage per floor (note that the maximum is 10,000 sf for the first floor in the VC district)~~	~~8,001/2 = 4,000 s.f.~~

The following example assumes a site containing a single 1.76 acre (i.e., 76,700 square foot) lot containing a 5,100 square foot wetland in the Research Park (RP) zoning district:

I. **Calculate net site area of the site**	**Example Site**
A. Determine the zoning district of the site	RP
B. Measure and provide gross site area	76,700
C. Measure and provide resource protection area	5,100
D. Calculate net site area of the lot (B-C)	76,700-5,100 = 71,600
II. Calculate the minimum required landscape surface area on the site	
A. Measure and provide the net site area (from I.D., above)	71,600
B. List the minimum landscape surface ratio for the zoning district	0.4
C. Calculate the minimum required landscape surface area of the lot (A*B)	71,600*0.4 = 28,640
III. Calculate the maximum building coverage area on the site	
A. Measure and provide the net site area (from I.D., above)	71,600
B. List the maximum building coverage of lot for the zoning district	0.4
C. Calculate the maximum building coverage area of the lot (A*B)	71,600*0.4 = 28,640
~~**IV. Calculate the maximum permitted floor area**~~	
~~A. List the net site area (from I.D., above)~~	~~71,600~~
~~B. List the maximum floor area ratio of lot for the zoning district~~	~~0.6~~

~~C. Calculate permitted building square footage for the site & zoning district (A*B)~~	~~71,600*0.6 = 42,960~~

SECTION 9.

Sec. 18-82 of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended as follows:

18.82. Nonresidential bulk standards.

The following Figure 18-82 is provided as a convenience for the zoning administrator and the general public. Where there are conflicts between Figure 18-82 and the bulk regulations in article II or any other text in this chapter, the text shall prevail:

	AH-35	IN	NB	VC	CB	RB	OP	RP	PD
Min. Lot Area	35 acres [1]	20,000 s.f.	7,000 s.f.	7,000 s.f.	20,000 s.f.	As existing on the effective date of this chapter	20,000 s.f.	20,000 s.f.	Varies per each PD zoning district.
Max. Gross Density	1 du/per 35 acres	8 du/ac	4 du/ac	5 du/ac	N/A		N/A	N/A	
~~Max. FAR~~	~~N/A~~	~~N/A~~	~~0.25~~	~~0.25~~	~~0.30~~		~~0.30~~	~~0.60~~	
Min. Stories	N/A	N/A	N/A	2	N/A		N/A	N/A	
Max. Bldg. Coverage	30%	40%	35%	40%	40%		40%	40%	
Min. LSR	50%	50%	50%	40% residential 20% non-residential	40%		40%	40%	
Max. Building Size	N/A	N/A	10,000 s.f.	10,000 s.f.	60,000 s.f.		N/A	N/A	
Min. Lot Width	150 ft.	100 ft.	60 ft.	60 ft.	100 ft.		100 ft.	100 ft.	
Min. St. Frontage	75 ft.	50 ft.	50 ft.	50 ft.	50 ft.		50 ft.	50 ft.	
Min. Front/Street Setback	30 ft.	25 ft.	25 ft.	25 ft.	25 ft.		30 ft.	25 ft.	
Max. Front Setback	N/A	N/A	N/A	8/15 ft. [3]	100 feet		N/A	N/A	
Max. Rear Setback	N/A	N/A	N/A	25 ft.	100 feet		N/A	N/A	
Min. Shore Yard Setback	50/75 ft. [6]	50/75 ft. [6]	50/75 ft. [6]	50/75 ft. [6]	50/75 ft. [6]		50/75ft. [6]	50/75 ft. [6]	

Min. Interior Side Setback	15 ft.	15 ft.	15 ft.	0/10 ft. [4]	0/10 ft. [4]		15 ft..	25 ft.
Min. Rear Setback	30 ft.	25 ft.	10 ft.	1 ft.	25 ft.		25 ft.	25 ft.
Maximum Front/Side/Rear Setback	N/A	N/A	N/A	N/A	100 ft.		N/A	N/A
Minimum Pavement Setback	5 ft.	5 ft.	5/10 [5]	5 ft.	5 ft.		5 ft.	5 ft.
Access. Setback Prin. Bldg.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.		10 ft.	10 ft.
Max. Principal Building Height	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.		45 ft.	35 ft.
Access. Side/Rear Setback	5/10 ft. [2]	5/10 ft. [2]	5 ft.	5 ft.	5 ft.		5 ft.	5 ft.
Max. Accessory Structure Height	20 ft.	18 ft.	18 ft.	18 ft.	18 ft.		18 ft.	18 ft.

Notes:

[1] MLA between 40,000 and 100,000 square feet with a conditional use permit.

[2] A minimum of 5 feet (less than 200 square foot structure; 10 feet (more than 200 square foot structure).

[3] A minimum of 15 feet, or 8 feet to attached front porch.

[4] Zero feet in the case of a zero lot line (e.g., duplexes, town homes, multi-tenant commercial buildings).

[5] Five feet from rear or side; 10 feet from street.

[6] 50 feet for structures existing as of the effective date of this ordinance, and all additions to such structures; 75 feet for new structures placed on lots which were vacant as of the effective date of this chapter, and all additions to such structures.

SECTION 10.

Sec. 18-245(e)(3)c.14. of the Village Code of the Village of Fontana-on-Geneva Lake is hereby amended to read as follows:

Sec. 18-245. – Site plan.

(3) Site plan map(s) technical requirements. Maps depicting the following information shall be prepared at a scale of not less than one inch = 800 feet.

c. *Proposed post-development site information.*

1. Property lines and setback lines.

2. Location of all proposed structures and use areas, including paved areas, building entrances, walks, drives, decks, patios, fences, utility poles, and drainage facilities.

3. Proposed right-of-way lines with bearings and dimensions clearly labeled.
4. Proposed access points onto public streets and access drives on the subject property.
5. Location and dimension of all on-site parking (and off-site provisions if they are to be employed), including a summary of the number of parking stalls provided.
6. Location of all proposed parking and traffic circulation areas.
7. Location and configuration of all visibility triangles proposed on the subject property.
8. Location and dimension of all loading and service areas on the subject property.
9. Location of all outdoor storage areas and the design of all screening devices.
10. Location and type of all stormwater facilities and management approach to be employed.
11. Location of snow storage areas, except for single-family residential.
12. Proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.
13. Location, type, height, size, and lighting of all signage on the subject property.
14. In the legend, include the following data for the subject property: lot area, flood area, ~~floor area ratio,~~ impervious surface area, impervious surface ratio, and building heights.

SECTION 11.

Effective Date: This ordinance shall be in full force and effect upon and from its passage, approval and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Fontana on Geneva Lake, Walworth County, WI this 10th day of July, 2017.

Village of Fontana on Geneva Lake

By: _____
Patrick Kenney, President

Attest: _____
Theresa Loomer, Clerk