

Planning and Zoning Department 2018 Annual Report

January 2019



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Introduction

In 2018 planning activity focused on rezoning and platting for single family and multifamily developments. Significant time was spent on drafting a long range community development plan for distressed neighborhoods in the City. This Annual Report will lay out the major 2018 activities of the Department. Additional information may be found at the Planning Department web site:

<http://www.fitchburgwi.gov/206/Planning-Zoning>

Land Use Planning

Comprehensive Plan

First adopted in March 2009, the Comprehensive Plan was completed to meet the requirements of the Comprehensive Planning Statute, also referred to as the Smart Growth law. The Plan acts as a land use constitution for the city and sets forth the goals, objectives and policies to guide city actions in land use matters. Under state law, it takes about four months to process an amendment to the Comprehensive Plan, and therefore the Comprehensive Plan limits amendments (other than for certain aspects, such as neighborhood plans) to one time per year.

The ninth annual Comprehensive Plan amendment, adopted in November 2018, focused on land use changes. Four amendments were submitted in spring 2018 including a map amendment regarding previously amended land uses in the Fitchburg Center Lands, amendments to the land use designations for Lots 10 and 12 Orchard Pointe, and an amendment regarding density in the Stoner Prairie Neighborhood. In November 2018 three out of four ordinances were adopted by the Council.

The first ordinance recognized previously approved land use changes to the Fitchburg Center Lands along E Cheryl Parkway. The second ordinance was to change the land use designation of Lot 10 Orchard Pointe from Mixed-Use (MU) to High Density Residential (HDR), or Mixed-Use (MU) at the discretion of the Plan Commission and Council. The third Ordinance was to change the land use designation of Lot 12 Orchard Pointe from Business (B) and Parks & Conservancy (P&C) to High Density Residential (HDR), or Business (B) at the discretion of the Plan Commission and Council. The fourth ordinance sought to change the land use designation of the northern portion of Lot 1 CSM 8023 (Stoner Prairie) from High Density Residential (HDR) to Medium Density Residential (MDR). As of 2018 the ordinance related to Stoner Prairie has not been approved.

McGaw Neighborhood Urban Service Area Amendment

The Department met with a land developer regarding a potential amendment to the Urban Service Area affecting the southern portion of the McGaw Neighborhood. A third party is creating the application, and Department staff will assist with the application on an as needed basis. The application will likely be submitted in 2019 to the Capital Area Regional Planning Commission and the Wisconsin Department of Natural Resources.

Landmarks Preservation

Exterior alterations to designated landmark properties require approval of a Certificate of Appropriateness (COA) by the Landmarks Preservation Commission (LPC). In 2018, the LPC approved two COAs. The McCoy House received approval for front door paint color modifications at 2925 Syene Road. The Rueden House on Lacy Road also received approval for a new front door, porch, walkway, and fence improvements.



The McCoy house was built in 1860.

Fitchburg is a Certified Local Government (CLG) under the National Trust for Historic Preservation and the Wisconsin Historical Society. As a CLG, the City is eligible to apply for grant funds on an annual basis for various preservation efforts. In 2018, the Planning Department was awarded a Historic Preservation Fund “Subgrant” to undertake an intensive survey of the City of Fitchburg’s historic architectural resources. The work conducted under the grant will result in the first professional historic preservation survey of Fitchburg in order to establish an inventory of historic properties in Fitchburg. With information provided by this grant, the LPC would be able to:

- Identify properties potentially eligible for designation to the local, state or national historic registries and assist property owners with nominations
- Assist owners of historic income-producing properties who wish to take advantage of federal and state historic preservation tax credits
- Assist owners of residential properties who wish to take advantage of state historic preservation tax credits
- Generate greater public knowledge of Fitchburg’s historic heritage by using survey information to write articles regarding the city’s history

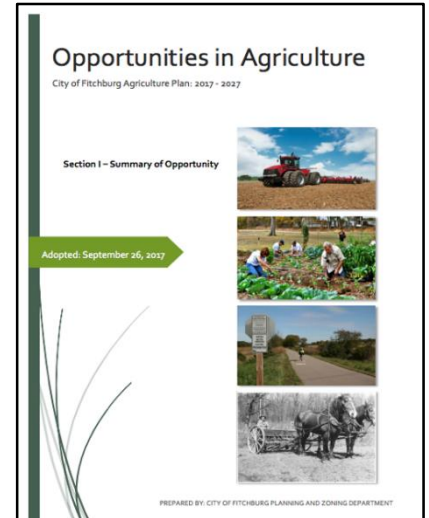
A consultant began the survey work in 2018. A final report is expected in August 2019.

Agriculture and Rural Affairs

The Planning and Zoning Department continued implementation of the City’s first Agriculture Plan, adopted in 2017. The Plan’s general intent and purpose, conforming to and consistent with the City’s Comprehensive Plan and long-term growth boundary contained therein, is to provide a holistic and integrated approach to agriculture in the City, and ensure continued, varied agricultural opportunities to City landowners. The Plan recognizes agriculture as a viable component of the City’s economy and identity, and focuses on continued development of the local food system and enhancing

agricultural diversity in the City, as well as other emerging trends in the agricultural sector. Implementation of Agriculture Plan action items in 2018 included:

- Installation of the City’s first community gardens on public parkland (Swan Creek Park).
- Initiation of discussions with other non-profit and governmental partners on development of a City Agriculture “Signature Theme” Park in the Northeast Neighborhood.
- Initiation of discussions with a non-profit local food system entity to locate their operations on the Fitchburg Agriculture Route (FAR).
- Solicitation of proposals from local food/drink concessionaires, and initial public engagement, to operate a concession(s) in select City parks.



Additionally, the Committee continued to provide recommendations to the Plan Commission on all rezoning/land divisions that took place on the City’s agricultural-zoned lands. Finally, the Committee held its first annual listening session in 2018, to get a better sense of issues and concerns from the City’s rural residents and agricultural landowners.

Code Development

Zoning Ordinance

There was one text amendment to the Zoning Ordinance. Religious organizations were added as a conditional use in the B-P (Business Professional) zoning district.

Land Division Ordinance

There were two amendments to the Land Division Ordinance. The first amendment no longer requires a Comprehensive Development Plan (CDP) where a parcel has been fragmented by a road, street, highway, or railroad right-of-way resulting in an individual parcel that is less than 8 acres in size at the edge of the larger original parcel.

The second amendment ensured compliance with 2017 Wisconsin Act 243, which requires that fees charged or imposed under a subdivision ordinance, including park fees, follow the procedures and meet the requirements of impact fees. As such, the City was required to include an appeal process for required park fees. The appeal process is the same appeal used for other City impact fees. Additionally, amendments removed the fee in-lieu of street frontage for parkland. Instead, the Council may allow for alternative street frontage dimensions where the objectives of access and visibility can be fulfilled. In this way, frontage for parks is still a requirement, but subject to Council review rather than a fee in-lieu of frontage.

Sign Code

There was one amendment to the sign ordinance. The amendment allows for electronic drive-thru menu board signs of 20 square feet or less to change the content of the signs multiple times during the day if the sign is not visible from a public street, by conditional use permit.

In the summer of 2014 Adams Outdoor Advertising submitted an application to convert the billboard near the Cannonball Trail to an electronic billboard. This request was denied by the Zoning Administrator. An appeal of this decision was heard by the Common Council in September which upheld the decision of the Zoning Administrator. Adams appealed this decision to the circuit court. In November 2016, the Dane County Circuit Court upheld the Zoning Administrator decision to deny the permit. Adams appealed the circuit court decision to the court of appeals. In February 2018 the Wisconsin Supreme court upheld the Zoning Administrator decision to deny the permit.

SmartCode

The SmartCode is an integrated land development ordinance that sets forth a variety of development types to form neighborhoods offering a diversity of land use opportunities at a pedestrian scale. As an integrated development code it combines aspects of public works construction, such as street types, with zoning and land use. Land use is important, but it should work with the development form. A transect based approach is used within the SmartCode, with each transect zone representing certain development patterns. T3, for example, is representative of a typical single family subdivision, while T5 is a multi-family and commercial district that provides for a mix of office, business, and residential uses. T4 falls between T3 and T5, and allows some corner commercial property, although limited in size. T4 allows for narrow single family lots usually served by an alley, and attached row houses or other medium density multi-unit options. It is crucial that the code retain and work off its key principles.



SmartCode development along No Oaks Ridge.

There were four amendments to the SmartCode in 2018. Ordinance 2018-O-05 amended Article 5 Table 21 to add a Sewer Lift Station as a by right use in the T4 transect. It also created section 5.12.8, which states that signage shall be approved during design review for all public buildings. Ordinance 2018-O-14 amended section 5.12.3a to allow for signage with face lit lighting rather than only external or halo-lit backlighting. Ordinance 2018-O-29 created a new Special District, SD2 for Restricted Research/Production District, and modified provisions for SD1 Business Park District to eliminate some inconsistencies in the Code. The SD2 District was designed for the proposed Phoenix development, as Phoenix has some federal regulations that dictates building placement as it relates to public streets, paths, etc. Ordinance 2018-O-37 created section

5.6.2(d)i. to allow for a Residential Amenities (e.g. a clubhouse or pool) building in lieu of an outbuilding in the T5 transect.

Fitchburg’s three SmartCode neighborhoods, Terravessa, Nine Springs, and North Park, continued development throughout 2018. Significantly, Oregon School District received Architectural Design Review approval to construct an elementary school in the Terravessa neighborhood, the first Oregon school building within the City of Fitchburg.

Application Activity

General Application Information

	Submitted Requests	
	2017	2018
Architectural & Design Review Requests	18	21
Rezoning and Conditional Use Permits	31	42
Certified Survey Map Requests	10	21
CDP’s and/or Preliminary Plats	6	4
Final Plats	3	4
Variances / Administrative Appeals	11	0
Other Requests to Plan Commission*	40	59
Telecommunication Permits to Plan Comm.	0	0
Demolition Permits to Plan Comm.	0	0

Administrative Permits	2017	2018
SmartCode Article 3	0	0
SmartCode Article 3 Amendments	2	2
SmartCode Article 5	17	32
Architectural Design Review	12	6
Demolition permits—Zoning action	0	1
Sign Permits	79	72
Zoning Permits	145	183

*These issues include, but are not limited to, resolutions, ordinance text amendments, planning document approvals, and other matters referred to the Plan Commission for action or reports such as easements, pre-submission conferences, ordinance amendments, TID consideration, land use planning activities, review of standards or policies and other activities that do not fall under a specifically identified category noted under Commission and Board activity.

Rezoning

Planned Development District (PDD) zoning was approved for six projects in 2018. PDD zoning has no set standards or specifications; rather, developers can propose uses or combination of uses and configurations of intensity and density of development. The purpose is to encourage improved environmental design by allowing flexibility in the development while ensuring compliance with the basic intent of the zoning ordinance and with the comprehensive plan. Three of the approved projects included: a 136-unit workforce housing development on Lot 10 Orchard Pointe, a 160-unit senior housing project on Traceway Drive, and a vertical storage building on Verona Road.

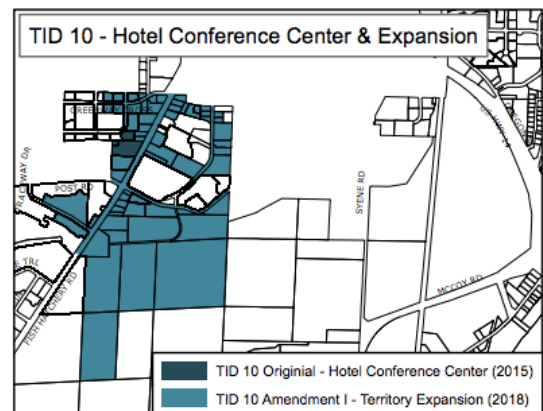
The Plan Commission reviewed multiple rezone requests from agricultural lands to the R-R (Rural Residential) zoning district in late 2018. Planning staff also presented information on the City's Rural Residential Development Criteria, as well as the development claim system. In order to track when and where development claims are used, the Department began requesting that applicants file an Affidavit of Record as a part of the approval process. This will help ensure that the Department can track which parcel keeps any remaining development claims.

Tax Incremental Districts

Planning staff assisted with the amendment to Tax Increment District #10, and the creation of Tax Increment Districts #12 and #13. Former Zoning Administrator Tom Hovel sat on the Joint Review Board for these projects. Planning staff assisted with map creation and evaluated the impact on land use and stormwater management. Additionally, staff provided assistance to the Plan Commission during the public hearing and approval process.

The original TID 10 was created for the proposed hotel/conference center/restaurant project that has not proceeded. This TID amendment would bring several additional parcels into the district with the goal of attracting new development and redevelopment in the district. Proposed improvements in the district include extension of Pike Drive, Traceway Drive, Fish Hatchery Road reconstruction and a potential access drive to the north.

TID 12 was primarily created for the proposed Promega R& D building, to be located east of the Feynman Center. Specific proposed improvements include traffic calming for E Cheryl Parkway, public street and sanitary sewer extension, and roundabout reconstruction (E Cheryl Pkwy & Fahey Glen Extension).



TID 13 was primarily created for the proposed Phoenix development on a portion of Outlot 12 Nine Springs, located on the southeast side of Lacy Road. Specific proposed improvements include a new multi-use path on southern boundary, proposed street extensions (Greenmarket Place and Golden Gate Drive), sanitary sewer installation, and street improvements (street trees, lighting, etc.).

Special Projects

Bicycle Committee

The City's Bicycle and Pedestrian Plan update was adopted in 2017. A key recommendation of this plan was forming a standing Bicycle Committee to carry out the recommendations of the Plan. Bicycle Committee members were appointed and met for the first time in November 2018. The Committee's purpose is to encourage and promote bicycling at all levels in Fitchburg by engaging with the community through public information programs, organizing citywide events, and promoting the city as a venue for all types of cycling events. This committee will identify bicycle tour routes and promote the safe use of roads, trails, and road crossings. They shall also work to identify social and economic barriers to cycling and identify opportunities to make cycling more accessible for everyone. The Bicycle and Pedestrian Plan serves as a map to accomplish these goals.

Healthy Neighborhoods Initiative

The Planning and Zoning Department continued development of the City's Healthy Neighborhoods Initiative in 2018. The Initiative, with overall coordination provided by Department staff, is designed to formulate and implement a collaborative, integrated, holistic, and proactive approach to address specific barriers to opportunities in three City neighborhoods (Verona Road West, Belmar/Renaissance on the Park, and North Fish Hatchery Road), in conjunction with community/neighborhood partners. Implementation of the HNI will be guided by a strategic plan that was developed throughout 2018 and is scheduled for adoption in early 2019.

Specific pieces of the HNI strategic plan that were implemented by the Department in 2018 include the following:

- Garnering City and other funds to initiate concept planning for a "neighborhood hub" in the North Fish Hatchery Road, and development of partnerships with planning "lead partners".
- Garnering of Dane County funds to initiate a "neighborhood navigator" program, consisting of hiring HNI neighborhood resident(s) as part-time, seasonal Department staff to serve to facilitate better program/service/resource delivery in said neighborhoods (the Department will be hiring a Navigator(s) in early 2019).
- Distribution of \$46,000 in City funds, via the City's HNI Grant Program, to fund non-profit partners working to provide programs/services/resources in HNI

neighborhoods. And, initiation of discussions with the United Way to develop a Fitchburg Fund, a targeted fund-raising campaign to support the HNI.

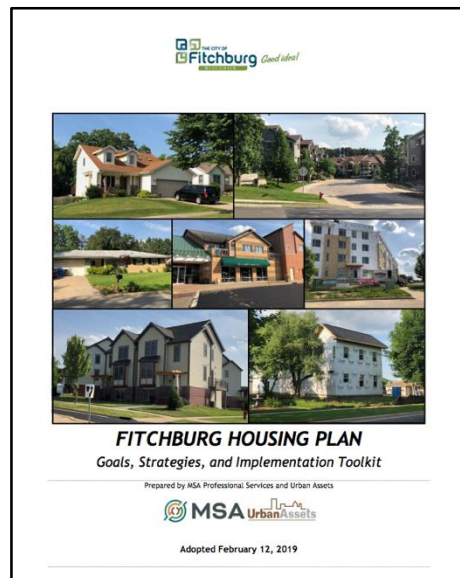
Housing Plan

The City contracted with MSA Professionals and Urban Assets to develop a Housing Plan. The Housing Plan was approved by the Plan Commission on December 18, 2018. The Housing plans covers issues related to the multi-family housing stock, a 50/50 mix of owner versus rental occupied housing for the community, affordability of owner-occupied housing, vacancy rates, household income discrepancies, quality of affordable rental units, a suppressed annual rate of new single-family homes, and the cost of developing in Fitchburg, including park fees.

Goals and objectives include:

- Build more owner-occupied homes at various price points
- Build more owner-occupied housing affordable below median household income
- Build more attached owner-occupied units,
- Build more rental units at various price points
- Upgrade or replace existing rental housing and maintain affordability
- Build more rental units with 3+ bedrooms
- Support the housing needs of seniors

A primary goal is to promote healthy neighborhoods with mixed incomes, mixed housing types and a mix of housing tenancy. The Common Council will consider adoption of the Plan in early 2019. While the Economic Development Department lead development of the Plan, it is expected that Planning Department staff will assist with implementation efforts.



Rideshare

The Fitchburg Rideshare pilot program began operating in December 2017, under contract with Richwood Transport, Inc. The intent of the program was to provide affordable transportation options for residents while increasing transit options from the east to west across Fitchburg, which is currently underserved by Madison Metro bus service.

Data supports the opportunities for increased transit options for certain populations, including youth and elderly populations who do not drive, people who choose not to drive, and people with disabilities. There are opportunities to enhance the transportation program's benefits to the community by serving target populations. In order to do so, the program should continue consultation the Senior Center, Library, Schools, and Medical Support.

The pilot program provided 1,319 rides from December 2017 to the end of 2018. During the pilot program, riders had complaints about service quality and reliability. The pilot program showed that riders want reliable, simple, and affordable transportation options, however, concerns regarding quality of service will need to be addressed.

SolSmart

Wisconsin Statute sets regulations for local approvals of solar installations. There are limitations to the City's ability to regulate the siting of solar facilities. Building inspection, public works, and planning staff reviewed the city's permitting, zoning, and other practices that impact solar development. The goal is to streamline the solar installation process for residents and businesses. Likewise, clarifying requirements provides time-saving efficiencies for city staff. Staff worked the National League of Cities for no-cost technical assistance through a national program, SolSmart, to evaluate programs and practices that impact solar markets and identify opportunities for improvement. SolSmart, funded by the U.S. Department of Energy, is a national designation program recognizing cities, counties, and towns that foster the development of mature local solar markets. Staff created the Solar Resources page on the city website to consolidate information for residents.

Initial assessments by the National League of Cities revealed that the City's previous work on solar installations and community outreach made achievement of Bronze level (entry level) designation feasible.

Census 2020

Department staff also facilitated kick-off of City preparation for the upcoming 2020 Census, including coordination with the U.S. Census Bureau and other City staff. Finally, Department staff partnered with City Public Works staff to initiate an overhaul to the City's GIS mapping and data upkeep/maintenance system. This overhaul is scheduled for completion in 2019.

Conclusion

Work efforts for 2019 will focus on updating the Comprehensive Plan, advancing strategy development for distressed neighborhoods, implementation of the Agriculture Plan, and the varied plats, such as Terravessa, along with other development projects that arise. The Department will also be completing a New Housing Fee Report and Housing Availability Report mandated in 2017 by Act 243.

The continued pursuit of responsible planning is vital to a strong and well-functioning community. The Planning and Zoning Department continues to analyze and engage in activities that will benefit the entire Fitchburg community, including promoting and maintaining healthy neighborhoods. A well-planned city can provide efficient and cost-effective services. The Planning and Zoning Department is committed to continuing its provision of strong, sound, and smart planning, as historically demanded by Fitchburg citizens.