

ORDINANCE NO. 22-23

SPONSOR: MAYOR

**TO REPEAL AND RECREATE SECTIONS 2.06., F.4.a., 8.04.A.4.,
AND 16.03.D.5., AMEND SECTION 3.01., AND CREATE SECTIONS
3.157. AND 6.01.A.10. OF THE CITY OF KENOSHA ZONING
ORDINANCE CREATING THE B-6 KENOSHA INNOVATION
NEIGHBORHOOD (KIN) ZONING DISTRICT**

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 2.06 F.4.a. of the Zoning Ordinance for the City of Kenosha is hereby repealed & recreated as follows:

a. Fencing may not be constructed in any required front yard of a B-1, B-2, B-3, B-4, B-5 or B-6 zoned district, unless said fencing is approved in conjunction with a Conditional Use Permit/Site Plan Review or a variance is granted by the Board of Zoning Appeals.

Section Two: Section 3.01. of the Zoning Ordinance for the City of Kenosha is hereby amended as follows:

3.01. Establishment.

For the purpose of this Ordinance, the City of Kenosha is hereby divided into basic use districts and overlay districts designated as follows:

RR-1	Rural Single-Family Residential District
RR-2	Suburban Single-Family Residential District
RR-3	Urban Single-Family Residential District
RS-1	Single-Family Residential District
RS-2	Single-Family Residential District
RS-3	Single-Family Residential District
RD	Two-Family Residential District
RG-1	General Residential District
RG-2	General Residential District
RM-1	Multiple-Family Residential District
RM-2	Multiple-Family Residential District
RM-3	Elderly and Handicapped Housing District
B-1	Neighborhood Business District
B-2	Community Business District
B-3	Central Business District
B-4	Mixed use District
B-5	Downtown Mixed Use District
B-6	Kenosha Innovation Neighborhood District
M-1	Light Manufacturing District
M-2	Heavy Manufacturing District
IP	Institutional Park District
FW	Floodway District
FFO	Floodplain Fringe Overlay District
GFP	General Floodplain District
PDO	Planned Development Overlay District
SWO	Shoreland Wetland Overlay District
A-1	General Agricultural District
A-2	Agricultural Land Holding District
C-1	Upland Resource Conservancy District

C-2	Lowland Resource Conservancy District
HPO	Historic Preservation Overlay District
HRPO	Harborpark Overlay District
PCNO	Pike Creek Neighborhood Overlay District
TRD-1	Traditional Single- and Two-Family Residential District
TRD-2	Traditional Multiple-Family Residential District
AIR	Airport Overlay District

Section Three: Section 3.157. of the Zoning Ordinance for the City of Kenosha is hereby created

as follows:

3.157. B-6 Kenosha Innovation Neighborhood District

The primary purpose of the B-6 Kenosha Innovation Neighborhood (KIN) is to develop a fully integrated, mixed use, pedestrian-oriented environment with buildings that contain innovation, educational, office, retail and residential uses. The KIN is to be designed in a manner that 1) creates opportunities for Kenoshans to stay in Kenosha; 2) is inclusive of all individuals, the surrounding neighborhoods, and the broader community; 3) creates a unique, regional destination that offers a competitive experience to other urban markets; and 4) supports the recovery and development of sustainable and resilient surrounding neighborhoods.

To accomplish these overarching goals along with specific objectives identified by the community, controls will be established within the District to control building form and placement to frame a well-defined public realm comprised of human scale streets, neighborhoods and public spaces. The boundaries of the district are limited to those areas covered under the adopted Master Plan for the Kenosha Innovation Neighborhood.

A. Permitted Uses. All uses must meet the intent of the Kenosha Innovation Neighborhood Design Standards as determined by the KIN Board and City Plan Commission. The KIN Board and the City Plan Commission will determine if the intent of any project fits within the Kenosha Innovation Neighborhood Design Standards. Uses that are permitted include:

1. Educational institutions, limited to public and private elementary, secondary, and post-secondary schools including related administrative offices.
2. Hotels
3. Multiple family residential
4. Offices, including co-working spaces
5. Financial institutions, including one drive thru lane that is screened or shielded from view or integrated within the building
6. Laboratories
7. Research and development facilities
8. Park & recreational uses
9. Retail sales and services
10. Restaurants, brewpubs and cafes, excluding drive thrus
11. Limited manufacturing, secondary to the principle use, not inconsistent with the urban character of the adopted KIN Master Plan

B. Permitted Accessory Uses:

1. Buildings used for the storage or loading of vehicles used in conjunction with a principal use.
2. Off street parking and loading facilities in conformance with Section 6.0 of this Ordinance
3. Outdoor dining areas and cafes
4. Trash enclosures

C. Conditional Uses.

1. None

D. Prohibited Uses.

1. Adult uses
2. Convenient Cash Businesses
3. Drive Thru facilities, except those listed above
4. Gas stations
5. Motor vehicle uses including sales, service and body shops
6. Outdoor storage including self-storage
7. Rooming & boarding houses

E. Kenosha Innovation Neighborhood (KIN) Design Standards. Development within the B-6 District shall conform to the KIN Design Standards, which are incorporated into this ordinance and may be amended from time to time, and the Kenosha Innovation Neighborhood Master Plan. The KIN Design Standards address issues such as building location, height, placement, parking locations, building architecture and streetscape. The adopted KIN Design Standards are on file in the Department of City Development.

F. New Buildings, Additions to Buildings and or Site Changes. Site Plan and architectural review is required from the City Plan Commission before any permits can be issued for all new buildings, additions to existing buildings or exterior site modifications to approved plans within the B-6 district.

G. Review and Decision Process.

1. KIN Board. The KIN Board was created by the Cooperation and Development Agreement passed by the City of Kenosha Common Council on December 5, 2022. The KIN Board is comprised of seven (7) or more appointed individuals. The KIN Board will appoint the Architectural Committee to review all development applications for new buildings, additions to existing buildings, uses and site modifications for compliance with the KIN Design Standards. The Architectural Committee will forward any approved plans for development to the KIN Board for concurrence and to the Department of City Development for plan approval.

2. City Site Plan Approval. Upon the submittal of all required plans, fees and application-the Department of City Development and applicable City Departments will review all site plan applications for compliance with City ordinances and the KIN Design Standards. The Department of City Development will provide a recommendation to the City Plan Commission upon completion of the review.

3. City Plan Commission. The City Plan Commission will review the Site and architectural plans for compliance with city ordinances and the KIN Design Standards. After considering recommendations from City staff and the KIN Board the City Plan Commission will either approve, deny or approve with conditions.

H. Development Standards. Development within the B-6 District shall conform to the requirements of the Zoning Ordinance and with the KIN Design Standards. In the event of conflicting development standards between the zoning ordinance and the KIN Design Standards, the development standards contained in the KIN Design Standards shall take precedence.

I. Appeals. Any petitioner/applicant objecting to any decision of the City Plan Commission related to Site Plan Review may appeal the decision to the Common Council. Such appeals shall be filed, accompanied by the fee therefor established by the Common Council, from time to time, by Resolution, with the City Clerk/Treasurer within thirty (30) days of the decision by the City Plan Commission. The Common Council shall hold a hearing on an appeal within sixty (60) days of the filing of the appeal. The Common Council shall notify the appellant of the hearing by mail. At the hearing, the appellant shall appear in person or by agent or attorney.

J. Permits. No building, construction or Site Work Permits shall be issued by the City until the Site plan has been approved by the KIN Board and City Plan Commission and all applicable conditions of approval satisfied. Any changes of use within developed buildings will need KIN Board approval so long as the use is permitted and must receive an Occupancy permit from the City. Any changes to site plans or building exteriors will require permission from both the KIN Board and City Plan Commission prior to issuance of any construction permits by City.

K. Expiration of Site Plan Review Approvals for Failure to Timely Obtain a Construction Permit or Obtain an Occupancy Permit.

1. Site Plan Review with a Single Building or Use. Either the first required Construction Permit, or in the event that no Construction Permit is required, the Occupancy Permit, must be obtained within twelve (12) months of the date of approval of the Site Plan Review by the City Plan Commission. The twelve-month period from Site Plan Review approval may be extended by the City Plan Commission once for up to an additional twelve (12) months.

2. Site Plan Review with Multiple Buildings. The first required Construction Permit must be obtained within twelve (12) months of the date of Site Plan Review approval by the City Plan Commission. Required Construction Permits shall be obtained for all remaining buildings within twenty-four (24) months of the date of the Site Plan Review approval by the City Plan Commission, or within an extension of the twenty-four-month period from approval by the City Plan Commission. Only one (1) extension of the twenty-four-month period from approval may be granted, and such extension may not exceed an additional twelve (12) months.

3. Expiration. If neither a first required Construction Permit nor an Occupancy Permit has been issued within the time periods required in this paragraph the Site Plan Review approval expires.

L. Conditions to Run with the Land. Any conditions applied to an approved Site Plan Review shall run with the land and be binding upon the owner/occupier of the land and upon any subsequent successor owners and occupiers of the land. All conditions applied shall be maintained indefinitely by the property owner/occupier unless and until otherwise approved by the City Plan Commission.

M. Definitions.

KIN. The Kenosha Innovation Neighborhood (KIN) consists of the area identified in the KIN Master Plan

KIN Board. The KIN Board is comprised of seven (7) or more appointed individuals with a variety of experience and tenure with the City of Kenosha, its educational, business, and other community partners. The KIN Board will create the Architectural Committee through the appointing of three (3) board members and three (3) citizen members. The Architectural Committee will review all development applications for new buildings, additions to existing buildings, uses and site modifications for compliance with the KIN Design Standards.

KIN Design Standards. The Design Standards which have been adopted by the Common Council for development within the KIN site and as may be amended by the City Plan Commission from time to time.

KIN Master Plan. The Master Plan for the Kenosha Innovation Neighborhood as adopted by the Common Council.

N. Exceptions to the KIN Design Standards. The City Plan Commission may upon request consider granting exceptions to the KIN Design Standards provided the intent of the ordinance is still met.

Section Four: Section 6.01.A.10. of the Zoning Ordinance for the City of Kenosha is hereby created as follows:

10. B-6 Kenosha Innovation Neighborhood Requirements. For the purpose of encouraging pedestrian development within the B-6 district the following parking requirements apply:

- a. Residential development shall provide a minimum of 1 off street parking space per unit.
- b. Commercial, retail, office, restaurant uses shall provide parking equal to 50% of the parking requirements of Section 6.01.F. Of the Zoning Ordinance

Section Five: Section 8.04.A.4. of the Zoning Ordinance for the City of Kenosha is hereby repealed and recreated as follows:

4. A building, or portion thereof located in the B-1, B-2, B-3, B-4, B-5 or B-6 Business District, or in the M-1 or M-2 Manufacturing District, or IP Institutional Park District, which is not used for residential purposes and is subject to a new occupancy, whether owner or tenant.

Section Six: Section 16.03,D.5. of the Zoning Ordinance for the City of Kenosha is hereby

repealed and recreated as follows:

5. No Fence is allowed to be installed in any B-1, B-2, B-3, B-4, B-5, B-6, IP, M-1 or M-2 zoned district, unless said Fence is approved in conjunction with a Conditional Use Permit/Site Plan Review. A Fence must not exceed the height established unless approved in conjunction with a Conditional Use Permit/Site Plan Review.

Section Seven: This Ordinance becomes effective upon passage and publication.

ATTEST: _____, City Clerk/Treasurer
MICHELLE L. NELSON

APPROVED: _____, Mayor
JOHN M. ANTARAMIAN

Date: _____

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Drafted By:

WILLIAM K. RICHARDSON
Deputy City Attorney