

ORDINANCE #23-06

AN ORDINANCE TO AMEND THE ZONING REGULATIONS IN CHAPTER 48 OF THE VILLAGE OF JACKSON MUNICIPAL CODE FOR A PLANNED DEVELOPMENT DISTRICT (PUD-05)

WHEREAS, the Village of Jackson Village Board adopted zoning regulations for the Village of Jackson and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 48 of the Village of Jackson municipal code, which is titled "Zoning;" and

WHEREAS, the developer, Home Path Financial, LP has submitted a petition to establish a Planned Unit Development District pursuant to the requirements in Section 48-151 of the zoning regulations; and

WHEREAS, the Village of Jackson Plan Commission reviewed the petition at their meeting on May 18, 2023, and recommended approval as set forth in this ordinance; and

WHEREAS, upon due notice as required by the zoning code, the Village Board conducted a public hearing on June 13, 2023, to accept public input; and

WHEREAS, the Village Board accepted the Plan Commission's recommended code amendment without revision; and

WHEREAS, the Village Board, after careful review and upon consideration of the recommendation of the Plan Commission and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety, and general welfare of the Village of Jackson, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County, Wisconsin, ORDAINS AS FOLLOWS:

Section 1. Create Section 48-156 in Chapter 48, to read as set forth below.

Sec. 48-156. – PUD-05 Morning Meadows Planned Unit Development District

(a) Generally. The Morning Meadows Planned Unit Development District (PUD-05) was established in 2023 to accommodate the unique needs of a mixed density residential development.

(b) Submitted Plans Adopted by Reference. PUD-05 is created accordance with the submitted plans and information that accompanied the application for Phase I and Phase II development, submitted July 3, 2020, attached hereto as Exhibit A, and the submitted plans and information that accompanied the application for Phase III development, submitted March 23, 2023, attached hereto as Exhibit B. The documents referred to above are hereby made a part of this ordinance.

(c) Land Use and Dimensional Standards.

Phase I & II: Single Family Residential District

(a) *Generally.* The Single-Family Residential District is to provide for a single-family residential development at densities not to exceed 5.4 dwelling units per net acre, served by municipal sewer and water facilities.

(b) *Permitted uses.* Single-family dwellings.

(c) *Permitted accessory uses.* Permitted accessory uses which shall be incidental to the residential use include one private attached garage and one detached shed (utility, storage, etc.), and home occupations and professional home offices as specified in section 48-1.

(d) *Conditional uses.* Conditional uses include group homes, foster homes, and halfway houses, provided there shall be a minimum lot area of 2,000 square feet per person (upon ultimate development) and a minimum principal building area of 200 square feet per person.

(e) *Lot area and width.* Lots shall have a minimum of 8,000 square feet in area and shall not be less than 70 feet in width at the setback line.

(f) *Building height and area.* No principal building or parts of a principal building shall exceed 35 feet in height. No accessory building shall exceed 15 feet in height. The total minimum floor area of a one-bedroom dwelling shall be 800 square feet; the total minimum floor area of a two-bedroom dwelling shall be 900 square feet; and the total minimum floor area of a three-bedroom dwelling shall be 1,000 square feet.

(g) *Setbacks and yards.* There shall be a minimum building setback of 25 feet from the right-of-way of all local streets. There shall be a side yard on each

side of all buildings not less than 8 feet in width and a rear yard of not less than 25 feet.

Phase III: Twin Home Residential District (Zero Lot Line)

(a) *Generally.* The Twin Home Residential District is to provide for zero lot line, single-family residential development at densities not to exceed 5.4 dwelling units per net acre, served by municipal sewer and water facilities.

(b) *Permitted uses.* Twin Homes (zero lot line).

(c) *Permitted accessory uses.* Permitted accessory uses which shall be incidental to the residential use include one private attached garage and one detached shed (utility, storage, etc.), and home occupations and professional home offices as specified in section 48-1.

(d) *Conditional uses.* Conditional uses include group homes, foster homes, and halfway houses, provided there shall be a minimum lot area of 2,000 square feet per person (upon ultimate development) and a minimum principal building area of 200 square feet per person.

(e) *Lot area and width.* Lots shall have a minimum of 4,500 square feet in area and shall not be less than 45 feet in width at the setback line/

(f) *Building height and area.* No principal building or parts of a principal building shall exceed 35 feet in height. No accessory building shall exceed 15 feet in height. The total minimum floor area of a one-bedroom dwelling shall be 800 square feet; the total minimum floor area of a two-bedroom dwelling shall be 900 square feet; and the total minimum floor area of a three-bedroom dwelling shall be 1,000 square feet.

(g) *Setbacks and yards.* There shall be a minimum building setback of 20 feet from the right-of-way of all local streets. There shall be a side yard on each side of all buildings not less than 7 feet in width and a rear yard of not less than 15 feet.

(d) Other Development Standards. Development standards not directly addressed by PUD-05 (such as accessory structures, fencing, pools) are subject to applicable Village of Jackson code provisions.

Section 2. The zoning map is hereby amended by designating the subject property as a planned unit development district.

Section 3. This ordinance shall become effective upon passage and posting, or publication as provided by law.

Section 4. The several sections of this ordinance are declared to be severable. If any

section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 5. The Village Clerk and Village Administrator are authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this ordinance.

Introduced by: Brian Heckendorf

Seconded by: John Kroecke

Vote: 6 aye 0 nay

Passed and approved ~~1/15~~ 6/13/2023

VILLAGE OF JACKSON

By: Brian Heckendorf
Brian J. Heckendorf, Village President

Attest:

Pamela Wolf
Pamela Wolf, Deputy Clerk/Treasurer

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Pamela Wolf
Village Official

6/14/23
Date