

NOTICE OF INFORMAL PUBLIC HEARING

OF THE

APPLETON CITY PLAN COMMISSION

NOTICE IS HEREBY GIVEN pursuant to Section 23-65(b)(1) and Section 23-65(c)(3) of the City of Appleton Municipal Code, the City Plan Commission will conduct an Informal Public Hearing on Tuesday, March 13, 2018, at 4:00 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following text amendments to the Zoning Ordinance, Chapter 23 of the Municipal Code:

The City of Appleton is considering amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Article VI. Commercial Districts, Section 23-114 CBD Central Business District.

A copy of the proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Article VI. Commercial Districts, Section 23-114 CBD Central Business District is available in the Appleton Community and Economic Development Department and the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. You may also address the Plan Commission by letter at the address below. Pursuant to Section 23-65(c)(4) of the Municipal Code, the Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

Any questions regarding the proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Article VI. Commercial Districts, Section 23-114 CBD Central Business District should be directed to David Kress, Principal Planner, Community and Economic Development Department at 832-6428.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

PROPOSED TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~striketrough~~. Staff commentary is identified in *italics* to provide insight regarding that specific amendment/change. The proposed revisions to Article VI. Commercial Districts, with narrative, are as follows:

Sec. 23-114. CBD central business district.

(a) **Purpose.** This district is intended to provide a centrally located and readily accessible area that offers a wide variety of retail, service, financial, entertainment, ~~and governmental~~ and residential uses. A broad range of uses is permitted to reflect downtown’s role as a commercial, cultural and government center. Development is intended to be intense with maximum lot coverage, increased building scale and height density and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

(b) **Principal permitted uses.** The following principal uses are permitted as of right in the CBD:

Residential Uses	Public and Semi Public Uses	Non-Residential Uses
<ul style="list-style-type: none"> • Assisted living or retirement homes. • Nursing or convalescent homes. • <u>Dwelling, multi-family, of three (3) or more units, apartment building, or townhouse; however, residential uses are prohibited on the ground floor for any lot with frontage on College Avenue or within 120 feet of College Avenue frontage.</u> 	<ul style="list-style-type: none"> • Clubs. • Day care, group. • Educational institutions; college or university. • Governmental facilities. • Museums. • Places of worship. • Public park or playgrounds. • Registered historic places open to the public and having retail space occupying not more than 10% of the gross floor area of the building. 	<ul style="list-style-type: none"> • Automobile maintenance shops. • Commercial entertainment; excluding sexually-oriented establishments. • Drive through facilities pursuant to §23-49. • Hotel or motels. • Multi-tenant building. • Offices. • Personal services. • Printing. • Professional services. • Restaurants (without alcohol). • Restaurant, fast foods. • Retail businesses. • Shopping centers. • Urban farms pursuant to §23-66(h)(17) • Veterinarian clinics.

(c) **Accessory uses.** Accessory uses in the CBD district may include:

- (1) The accessory uses, buildings and structures set forth in §23-43 are permitted as of right in the CBD district.
- (2) Residential dwellings at least ten (10) feet above the street grade of the building.
- (3) Home occupations pursuant to §23-45.
- (4) Fences and walls pursuant to §23-44.

Comments: Adding multi-family dwellings to the list of principal permitted uses would allow for standalone residential development to occur in some areas within the CBD Zoning District. However, by including a specific area limitation, ground floor residential uses will not be allowed along College Avenue. For lots fronting on or located near College Avenue, residential dwellings would only be allowed as an accessory use at least 10 feet above street grade, which is consistent with current regulations.