

**ORDINANCE NO. 2022-01
VILLAGE OF BELLEVILLE**

**AN ORDINANCE AMENDING CHAPTER 615.8
OF THE VILLAGE OF BELLEVILLE CODE OF ORDINANCES RELATED TO LOT
AND CORNER YARD DEFINITIONS AND FAMILY DEFINITION**

PURPOSE:

This ordinance is intended to clarify the definitions of lots and regulations for corner lots and the definition of family.

The Village Board of the Village of Belleville, Dane and Green County, Wisconsin, ordains as follows:

1. Amend Chapter 615.8 to read as follows:

FAMILY

Two or more individuals who live together and identify themselves as family. The individuals in a family may or may not be related legally or by blood. A family has a relationship that demonstrates recognizable bonds and characteristics of a cohesive unit. One or more persons living together in a single dwelling unit as a traditional family or the functional equivalent of a traditional family. It shall be a rebuttable presumption that four or more persons living together in a swingle family dwelling unit who are not related by blood, adoption, or marriage do not constitute the functional equivalent of a traditional family. In determining the functional equivalent of a traditional family, the following criteria shall be present:

- ~~A. The group shares the entire dwelling unit.~~
- ~~B. The group lives and cooks together as a single housekeeping unit.~~
- ~~C. The group shares expenses for food, rent, utilities, or other household expenses.~~
- ~~D. The group is permanent and stable and not transient or temporary in nature.~~
- ~~E. Any other factor reasonable related to whether the group is the functional equivalent of a family.~~

FRONTAGE

All the property abutting on one side of a street measured along the street line. On corner lots, frontage shall include all the property abutting both streets along the street lines.

LOT CORNER

A lot abutting two streets. Each side of a yard abutting a street shall be considered a front yard.

LOT WIDTH

The width of a parcel of land measured at the rear of the specified street yard. For corner lots, lot width is measured by the shortest rear yard.

~~YARD, CORNER SIDE~~

~~A side yard which adjoins a public street.~~

YARD, FRONT

A yard extending along the full length of the front lot line ~~between the side lot lines.~~ A corner lot shall have two front yards.

YARD, REAR

A yard extending along the full length of the rear lot line between the side lot lines. Corner lots shall have two rear yards and no side yards. Each rear yard on a corner lot extends along the length of the rear lot line from the front yard to the lot line.

YARD, SIDE

A yard extending along side a side lot line from the front yard to the rear yard. A corner lot will have not side yards.

The above and foregoing ordinance was duly adopted at a regular meeting of the Village of Belleville on the 4 day of April, 2022.



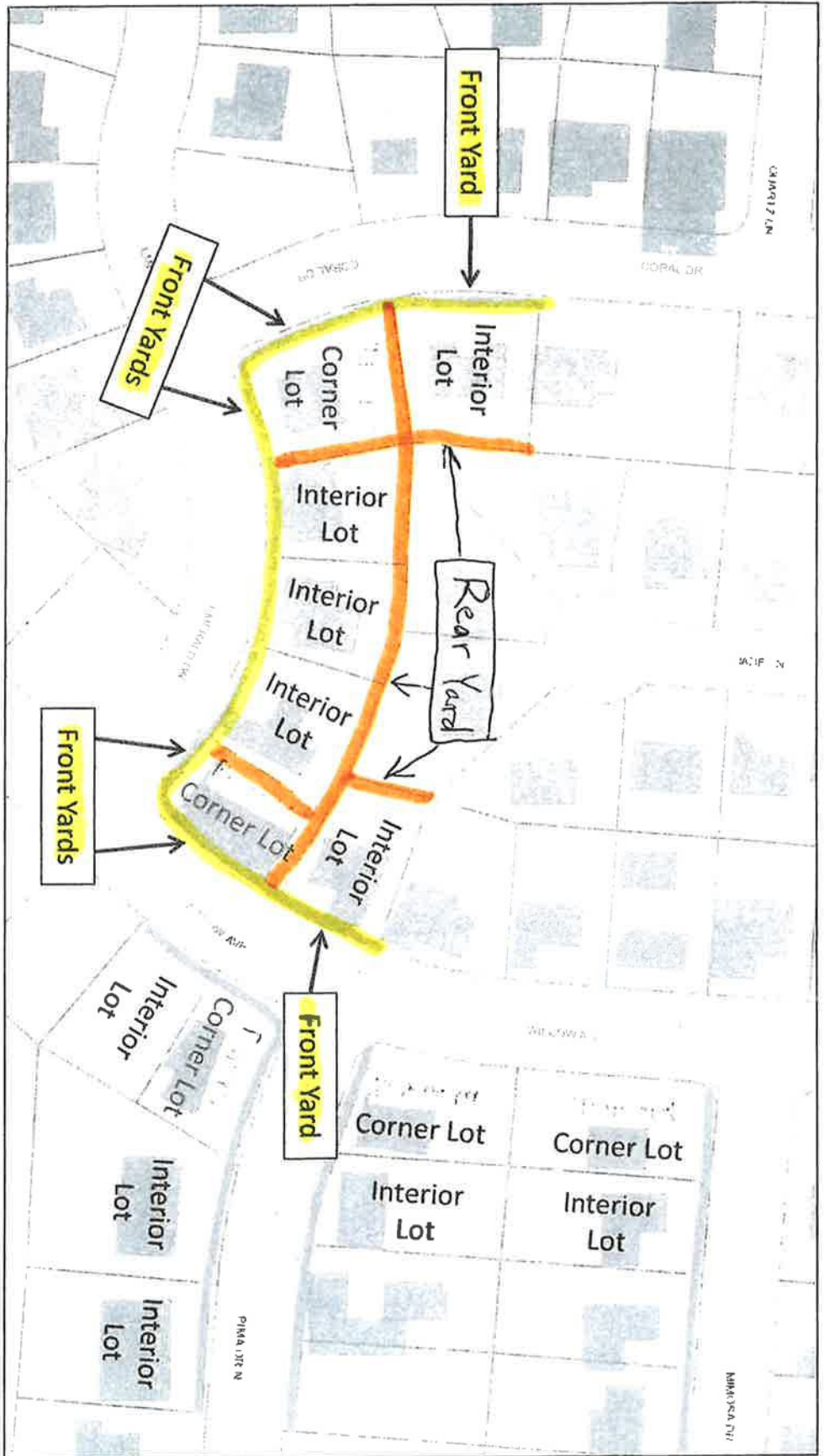
VILLAGE OF BELLEVILLE

Dale Yurs
Dale Yurs, Village President

ATTEST:

Rhea McGee
Rhea McGee, Village Clerk

(Published/Posted) this 21 day of
April, 2022.



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MEMORANDUM

To: Village President Yurs, Village Trustees, and Village Clerk
From: Jeffrey D. O'Dell, Village Administrator
Date: March 31, 2022
Re: Plan Commission Ordinance Recommendations

Executive Summary: At its March 23 meeting, the Plan Commission conducted three public hearings to consider proposed amendments to the Village's Zoning Code. Those proposed amendments included a new zero lot-line residential district, changes to lot and corner yard definitions and the family definition, and the creation of a new downtown festival overlay district. The Plan Commission was required to conduct these public hearings before considering and making recommendations to the Village Board. All three proposed amendments received unanimous approval by the Plan Commission and a positive recommendation has been forwarded on to the Village Board for its consideration and approval.

- Agenda Item # 12 c: Creation of a new zero lot line residential district and the proposed amendment to the Zoning Code is intended to provide a uniform procedure for property owners to obtain authorization for a zero-lot line dwelling. The attached ordinance adds a new Chapter 615.18.2 to the Village's Zoning Code and clarifies definitions related to a zero-lot line residential district and the process for the Plan Commission and Village Board to approve requests to the RZ District. The new zoning district will provide for all attached zero lot line or common wall construction single-family duplex dwellings.

After the Plan Commission meeting, staff, the Village's building inspector, and a residential developer met and based on that discussion, recommend that Section 1(b)(6) be amended further to include an additional phrase to the following sentence: "If an applicant receives conditional approval of the CSM, the lot owner(s) must obtain an early start permit, to include water and sewer utilities, to install the footings and foundations of the zero lot-line structure. The ordinance previously approved by the Plan Commission, requires a developer put the foundation in first and then would allow for the installation of water and sewer utility infrastructure. That would require boring into the foundation to attach to these utility lines versus allowing water and sewer utilities being installed first before the foundation is poured.

- Agenda Item #12 b: Amending the definitions of lot and regulation of corner yards is intended to provide additional clarity and address the confusion of frontage definitions. Existing structures that do not meet the new definitions will be considered legal and non-conforming uses. Amending the definition of family is intended to create more inclusivity to address its impact on lower income families and the potential for discrimination. While the Plan

Commission previously discussed eliminating the definition of family from the Zoning Code, the Village Attorney opined that some form of a definition of family should remain as it is applicable to other sections of the code.

- Agenda Item #12 d: Amending Chapters 446 (Special Events) and Chapter 615 (Zoning Code) is intended to promote festivals and other special events in Belleville's downtown area. Showcasing the downtown area through community events and festivals allows residents and other visitors to gather, celebrate, and increase economic development activity for our local businesses. Creation of a Downtown Festival Overlay District requires several amendments to various sections of the Village Code to ensure what uses are permitted, regulations that must be followed within the district, and the process for obtaining approval for an applicant to host a special event or festival. Attached to the ordinance is a map defining the boundaries of the new Downtown Festival Overlay District.

As noted in the attached ordinance, specifically, Section 615-18.2 (D), there are multiple regulations in place to ensure festival organizers, liquor license business holders, and attendees follow for the special or festival event to take place. In addition, Section 446-5(A) has been enhanced to include additional requirements before applications requesting a special event permit are considered and approved by the Village Board. Since organizers of special events in the Downtown Festival District will be required to obtain a special event permit from the Village, staff and Village Attorney used this opportunity to further enhance what was required of organizers when submitting their application for a special event held in the Village.

Direction Requested: The Village Board discuss and consider recommendations from the Plan Commission and adopt Ordinances 2022 - 01, 2022 - 02, and 2022 – 03.

Attachments: R-Z Zero Lot Line Ordinance
Lot and Corner Yard Definitions and Family Definition Ordinance
Downtown Festival Overlay District Ordinance