

## ORDINANCE NO. 22-02

### AN ORDINANCE REPEALING AND RECREATING PORTIONS OF SECTION 22.061 AND 22.062 OF THE MUNICIPAL CODE

The Common Council of the City of Platteville do ordain as follows:

Section 1. Section 22.061 DESIGN REVIEW is hereby repealed and recreated as follows:

#### **22.061(B)(2)(b).**

- (b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

#### **22.061(I)**

- (1) Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below. If sidewalks are not required to be installed as part of the project, the Common Council maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.
  - (a) Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.
    1. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
    2. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
    3. The area is not identified as a Tier 1, 2, or 3 priority area on the most current Sidewalk Plan and Map.

(b) The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:

1. Deny the exception and require sidewalks to be installed.
2. Allow the sidewalks to be installed on one side of the street only.
3. Approve the exception.
4. Allow for a delayed sidewalk installation as part of a development agreement.
5. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.

(c) If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.

(2) Bike paths may be required to be installed on the property as part of a Conditional Use Permit approval. If installation of bike paths is required, the developer shall grant to the City such easements as would be reasonably necessary to allow construction and use of the bike path and pay for the costs of installation according to specifications required by the City.

Section 2. Section 22.062 MULTI-FAMILY DESIGN REVIEW is hereby repealed and recreated as follows:

**22.061(B)(2)(b).**

(b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

**22.062(d)(3)**

(3) Pedestrian Circulation and Access.

(a) Internal Sidewalks. Multi-family developments shall provide pedestrian circulation in accordance with the following standards:

1. Internal sidewalks shall be provided to connect all abutting streets to primary building entrances and shall connect the dwelling units to parking areas and abutting public sidewalks and pedestrian trails (if available).
2. Internal sidewalks shall be separated a minimum of five (5) feet from dwellings, measured from the sidewalk edge closest to any dwelling unit.

3. Internal sidewalks shall be at least four (4) feet wide and shall have a surface of concrete, asphalt or masonry pavers.
- (b) Public Sidewalk. Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below. If sidewalks are not required to be installed as part of the project, the City maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.
1. Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.
    - i. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
    - ii. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
    - iii. The area is not identified as a Tier 1, 2, or 3 priority area on the most current Sidewalk Plan and Map.
  2. The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:
    - i. Deny the exception and require sidewalks to be installed.
    - ii. Allow the sidewalks to be installed on one side of the street only.
    - iii. Approve the exception.
    - iv. Allow for a delayed sidewalk installation as part of a development agreement.

- v. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.
- 3. If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.

Section 3. All other provisions of Chapter 22 shall remain in full force and effect unless specifically modified herein.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Approved and adopted by the Common Council of the City of Platteville, on a vote of 7 to 0 this 25<sup>th</sup> day of January 2022.

CITY OF PLATTEVILLE



By: Barbara Daus, Council President

Attest:



By: Candace Klaas, City Clerk