

1 017-42014

2
3 **ORDINANCE: AMEND CHAPTER 24 OF THE GENERAL CODE OF WINNEBAGO COUNTY**
4 **ENTITLED "WITTMAN REGIONAL AIRPORT ZONING CODE"**
5
6

7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**
8

9 **WHEREAS**, Winnebago County owns and operates Wittman Regional Airport, which is recognized by the
10 State of Wisconsin and the federal government as a public-use airport; and

11 **WHEREAS**, under § 114.136, Wis Stats, Winnebago County is authorized to adopt rules and regulations for
12 regulating, restricting, and determining the use, location, height, number of stories, and size of buildings and
13 structures and objects of natural growth in the vicinity of the airport; and

14 **WHEREAS**, Winnebago County has adopted Chapter 24 entitled the "Wittman Regional Airport Zoning
15 Code" pursuant to § 114.136, Wis Stats; and

16 **WHEREAS**, the Winnebago County Board of Supervisors may amend Chapter 24, including any zoning
17 maps, from time to time pursuant to Sec. 24.6-5 of the Wittman Regional Airport Zoning Code; and

18 **WHEREAS**, the City of Oshkosh is requesting a text amendment to Sec. 24.5-6 of the Wittman Regional
19 Airport Zoning Code that currently prohibits multifamily structures in the Air 5 Traffic Pattern District; and

20 **WHEREAS**, under § 114.136(2)(a), Wis Stats, the Director of the Winnebago County Parks Department is
21 authorized to formulate a tentative ordinance and hold a public hearing regarding the same; and

22 **WHEREAS**, at its February 12, 2014, meeting, the Aviation Committee approved the proposed text
23 amendment in an advisory capacity by a vote of 4-0; and

24 **WHEREAS**, on March 4, 2014, March 11, 2014, and March 18, 2014, a public notice was published in the
25 *Oshkosh Northwestern*, pursuant to § 114.36(2)(a), Wis Stats, which requires publication of a Class 3 Legal Notice in
26 a newspaper that serves the area affected by the proposed ordinance; and

27 **WHEREAS**, on March 25, 2014, the Winnebago County Parks Department Director conducted a public
28 hearing at the Winnebago County Courthouse to accept public input regarding the proposed ordinance; and

29 **WHEREAS**, there were no objections regarding the proposed text amendment; and

30 **WHEREAS**, at its April 22, 2014, meeting, the Winnebago County Board of Supervisors considered the
31 ordinance amendment recommended by the Winnebago County Parks Department Director.
32

33 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that it hereby
34 amends Sec. 24.5-6 of Chapter 24 of the General Code of Winnebago County to read as follows:

35 **24.5-6 Traffic Pattern (Air-5) District.**
36

37 (a) Permitted Uses: Any land uses either permitted by right or permitted as a conditional use in the underlying
38 zoning district are permitted in the Traffic Pattern (Air-5) District except for the following:

- 39 (1) Multiple dwelling structures of developments exceeding 20 dwelling units per acre
40 (2) Educational facilities (pre-K through grade 12)
41 (3) Hospitals
42 (4) Nursing homes
43 (5) Group day care center
44 (6) Outdoor stadiums
45

- (b) Development Standards: All new residential buildings shall be designed and constructed to provide a minimum of five (5) decibels extra noise reduction over the minimum standards contained in the state building codes. Certification of this requirement shall be provided by a registered architect or engineer who is licensed in the State of Wisconsin at the time of permit application up to and including the day after occupancy permit has been issued by the permit-issuing authority.
- (c) Multiple Family Development Standards: All new multiple family developments shall be required to meet the following development criteria:
- (1) Does not exceed height standards of the Height Limitation (Air-5) District
 - (2) Does not create a dense concentration of people that will result in residential dwelling unit densities exceeding twenty (20) dwelling units per acre
 - (3) Does not create a bird attractant
 - (4) Does not cause a distracting light or glare
 - (5) Does not cause a source of smoke
 - (6) Does not cause electrical interference
 - (7) Does meet compatible Day-Night Level (DNL) sound levels as regulated by 24.5-6(2).

Submitted by:

AVIATION COMMITTEE

Committee Vote: **4-0**

May 20, 2014:

Submitted by:

PLANNING & ZONING COMMITTEE

Committee Vote: 3-0

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this _____ day of _____, 2014.

Mark L Harris
Winnebago County Executive