

LAND USE

LAND USE OVERVIEW

Section 66.1001 of the Wisconsin Statutes requires that the administration of zoning, subdivision, and official mapping ordinances be consistent with a community’s adopted comprehensive plan beginning on January 1, 2010. The land use plan contained within this element, along with the supporting elements of this Plan, shall guide each of the aforementioned ordinances.

At this time, the term “consistent” could be interpreted in multiple ways. For the Village of Fox Point, the following positions are considered for the land use element:

- Consistency means that the current zoning should match the plan, which depicts a future state, if and when the zoning is changed. Put another way, if everything matched the plan exactly it would not be a “plan” but a map of “existing conditions”. The purpose of the plan is to guide decisions as they are made.
- Consistency means that as decisions are made they are generally within the intent and guidelines established by the plan, including all the provisions that such plans allow for making reasonable exceptions due to unique circumstances (not unlike conditional uses in zoning).

The Issues and Opportunities element of this Plan outlines three goals and objectives that shall guide the Land Use section:

- Establish a guiding land use plan;
- Foster compatibility between neighboring uses;
- Maintain the character of existing residential neighborhoods.

LAND USE PLANNING IN THE REGION

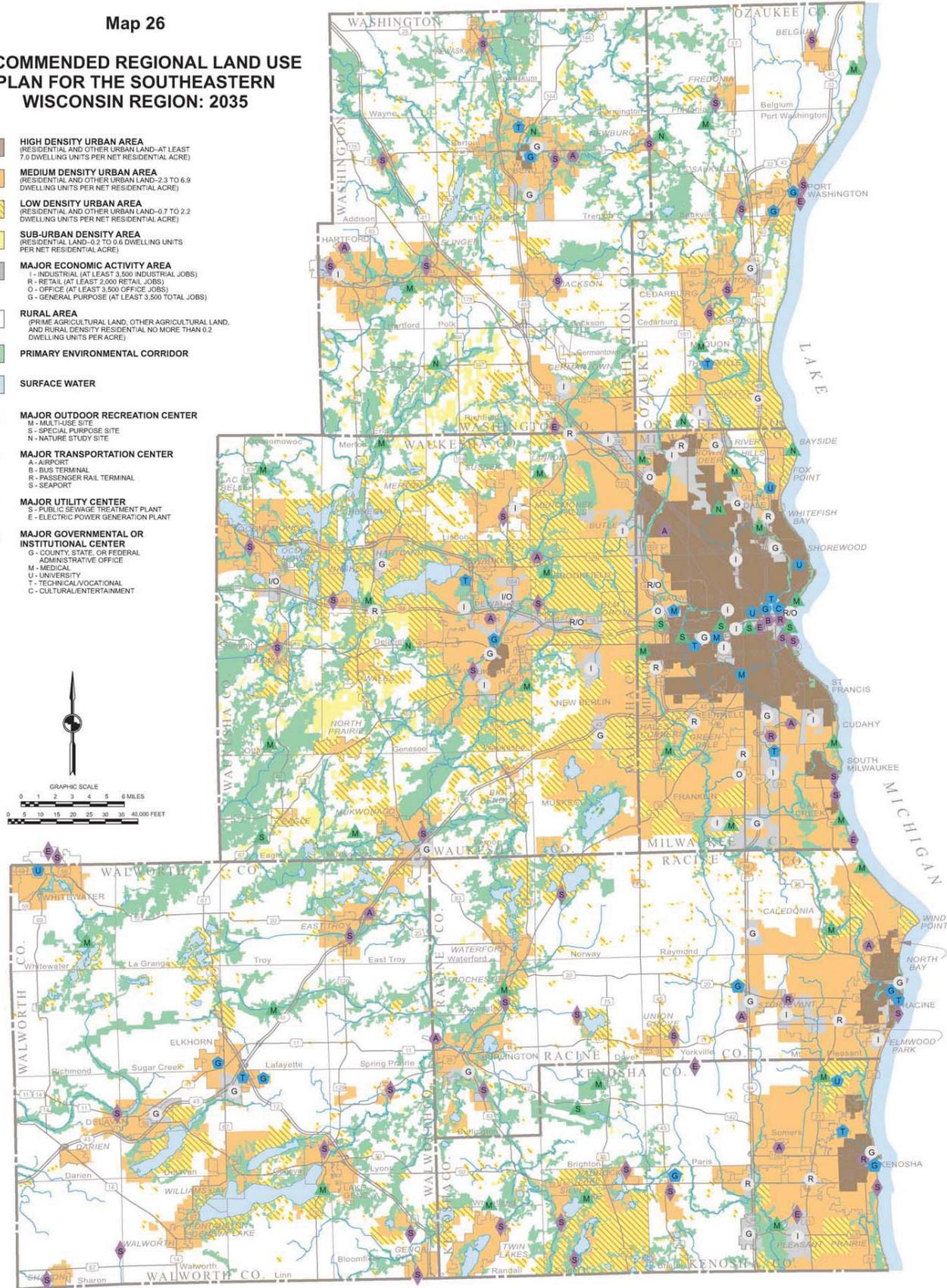
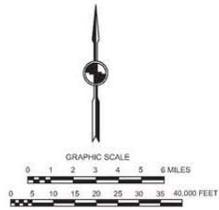
The Southeastern Wisconsin Regional Plan Commission (SEWRPC) creates a regional land use plan that sets forth the fundamental concepts that are recommended to guide the development of the seven-county Southeastern Wisconsin Region. The most recent version



Map 26

RECOMMENDED REGIONAL LAND USE PLAN FOR THE SOUTHEASTERN WISCONSIN REGION: 2035

-  **HIGH DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND-AT LEAST 7.0 DWELLING UNITS PER NET RESIDENTIAL ACRE)
-  **MEDIUM DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND-2.3 TO 6.9 DWELLING UNITS PER NET RESIDENTIAL ACRE)
-  **LOW DENSITY URBAN AREA**
(RESIDENTIAL AND OTHER URBAN LAND-0.7 TO 2.2 DWELLING UNITS PER NET RESIDENTIAL ACRE)
-  **SUB-URBAN DENSITY AREA**
(RESIDENTIAL LAND-0.2 TO 0.6 DWELLING UNITS PER NET RESIDENTIAL ACRE)
-  **MAJOR ECONOMIC ACTIVITY AREA**
I - INDUSTRIAL (AT LEAST 3,500 INDUSTRIAL JOBS)
R - RETAIL (AT LEAST 2,000 RETAIL JOBS)
O - OFFICE (AT LEAST 3,500 OFFICE JOBS)
G - GENERAL PURPOSE (AT LEAST 3,500 TOTAL JOBS)
-  **RURAL AREA**
(PRIME AGRICULTURAL LAND, OTHER AGRICULTURAL LAND, AND RURAL DENSITY RESIDENTIAL NO MORE THAN 0.2 DWELLING UNITS PER ACRE)
-  **PRIMARY ENVIRONMENTAL CORRIDOR**
-  **SURFACE WATER**
-  **MAJOR OUTDOOR RECREATION CENTER**
M - MULTI-USE SITE
S - SPECIAL PURPOSE SITE
N - NATURE STUDY SITE
-  **MAJOR TRANSPORTATION CENTER**
A - AIRPORT
B - BUS TERMINAL
R - PASSENGER RAIL TERMINAL
S - SEAPORT
-  **MAJOR UTILITY CENTER**
S - PUBLIC SEWAGE TREATMENT PLANT
E - ELECTRIC POWER GENERATION PLANT
-  **MAJOR GOVERNMENTAL OR INSTITUTIONAL CENTER**
G - COUNTY, STATE, OR FEDERAL ADMINISTRATIVE OFFICE
M - MEDICAL
U - UNIVERSITY
T - TECHNICAL/VOCATIONAL
C - CULTURAL/ENTERTAINMENT



Source: SEWRPC.

Figure 8.1. Recommended 2035 Regional Land Use Plan for Southeastern Wisconsin.



of the plan (A Regional Land Use Plan for Southeastern Wisconsin: 2035) was adopted by SEWRPC in June 2006. The regional land use plan map for the entire region is illustrated in Figure 8.1. The Fox Point area is highlighted in Figure 8.2. The key recommendations of the regional land use plan include the following sections.

Environmental Corridors

The regional land use plan recommends the preservation of natural, open space uses of the remaining primary environmental corridors. Under the plan, development within primary environmental corridors should be limited to transportation and utility facilities, compatible outdoor recreational facilities, and on a limited basis, rural density housing located at the fringes of upland environmental corridors using cluster development techniques at a maximum density of one dwelling unit per five acres. One primary environmental corridor extends through the Village of Fox Point; this corridor aligns with the ravine areas just west of the lakefront. See Chapter 3: Natural and Cultural Resources for more information on this corridor.

Urban Development

The regional land use plan encourages urban development only in those areas which are covered by soils suitable for such development, which are not subject to special hazards such as flooding or erosion, and which can be readily provided with basic urban services including public sanitary sewer service. The Village of Fox Point is fully built, with the majority of land consisting of low and medium density residential uses. The regional plan recommends maintaining existing land uses where already developed, which applies to all of Fox Point.

Agricultural Land and Other Rural-Density Residential Lands

The regional land use plan recommends that prime agricultural land be preserved for long-term agricultural use and not converted to either urban development or to other forms of rural development. In addition to preserving prime agricultural lands and environmental corridors, the regional land use plan seeks to maintain the rural character of other lands located outside planned urban service areas. These key recommendations of the regional land use plan are not applicable to the Village, as Fox Point does not contain prime agricultural land or other rural-density residential lands.

LAND USE TRENDS

SEWRPC maintains land use trends for both existing and planned land uses. Table 8.1 provides land use trend data for the Village of Fox Point for the years 2000 and 2035. Previous data for years 1980 and 1990 were not included, as SEWRPC staff explained that changes were minimal between these years and 2000.

The land use trend data illustrates that Fox Point is, as expected, predominantly urban in character. Approximately 91.5% of the Village is considered to fall under the 'urban' land use category, while the remaining 8.5% consists of natural resources and open lands. Among the urban land uses, residential comprises most of the land (63.5% of all land in the Village), with transportation and utilities comprising 19.3% of all land in Fox Point. Governmental and institutional uses, commercial uses, and recreational uses together comprise almost 9% of all land in the Village.

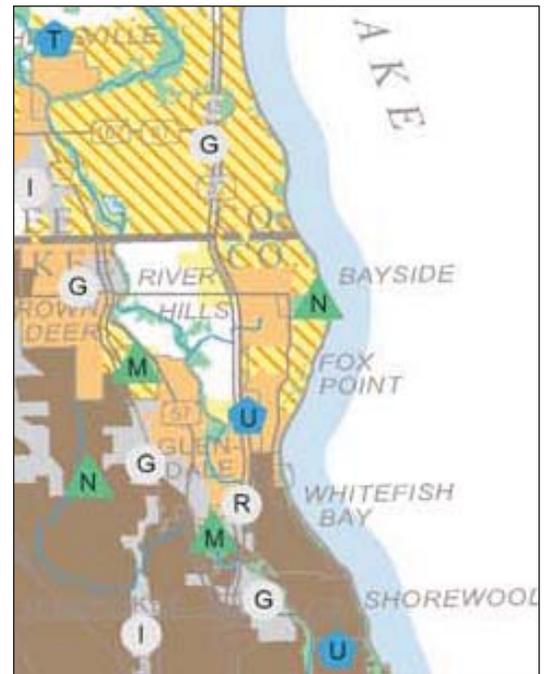


Figure 8.2. Recommended 2035 Regional Land Use Plan for Fox Point Vicinity (See Figure 5.1 for Legend).
Source: SEWRPC

Table 8.1. Fox Point Land Use Trends.

LAND USE IN THE VILLAGE OF FOX POINT: 2000 AND 2035				
Land Use Category	2000		Planned 2035	
	Acres	Percent of Total	Acres	Percent of Total
Urban				
Residential				
Single-Family	1,134	61.5	--	--
Two-Family	0	0.0	--	--
Multi-Family	36	2.0	--	--
Subtotal	1,170	63.5	1,186	64.4
Commercial	34	1.8	34	1.8
Industrial	0	0.0	0	0.0
Transportation, and Utilities	356	19.3	356	19.3
Governmental and Institutional	89	4.8	89	4.8
Recreational	38	2.1	38	2.1
Urban Subtotal	1,687	91.5	1,703	92.4
Nonurban				
Natural Resource Areas				
Woodlands	113	6.1	113	6.1
Wetlands	0	0.0	0	0.0
Surface Water	1	0.1	1	0.1
Subtotal	114	6.2	114	6.2
Agricultural	0	0.0	0	0.0
Open Lands	42	2.3	26	1.4
Nonurban Subtotal	156	8.5	140	7.6
Total	1,843	100.0	1,843	100.0

Source: SEWRPC.

Figure 8.3 provides a slightly updated view of existing land uses in Fox Point. The existing land use map is current as of November 2009, and highlights the location of residential, commercial, institutional, transportation, and open lands.

ZONING DISTRICTS

The Village of Fox Point Zoning Ordinance can be found in Chapter 14 of the Village Code. According to the ordinance, “the enactment of the regulations of this chapter is essential for the promotion of the public health, morals and public safety, and is further necessary for the promotion of the public welfare, convenience and general prosperity of the village and its inhabitants by the prevention of unregulated and unrestricted development.”

The Village of Fox Point Zoning Ordinance contains five residential districts, two business districts, one institutional district, and two overlay districts. These districts are shown in the Zoning Map in Figure 8.4 and described in Table 8.2. The ordinance sets standards in each district for permitted and conditional uses, lot dimensions, building heights, and other restrictions.

According to the Zoning Ordinance, the Planned Development



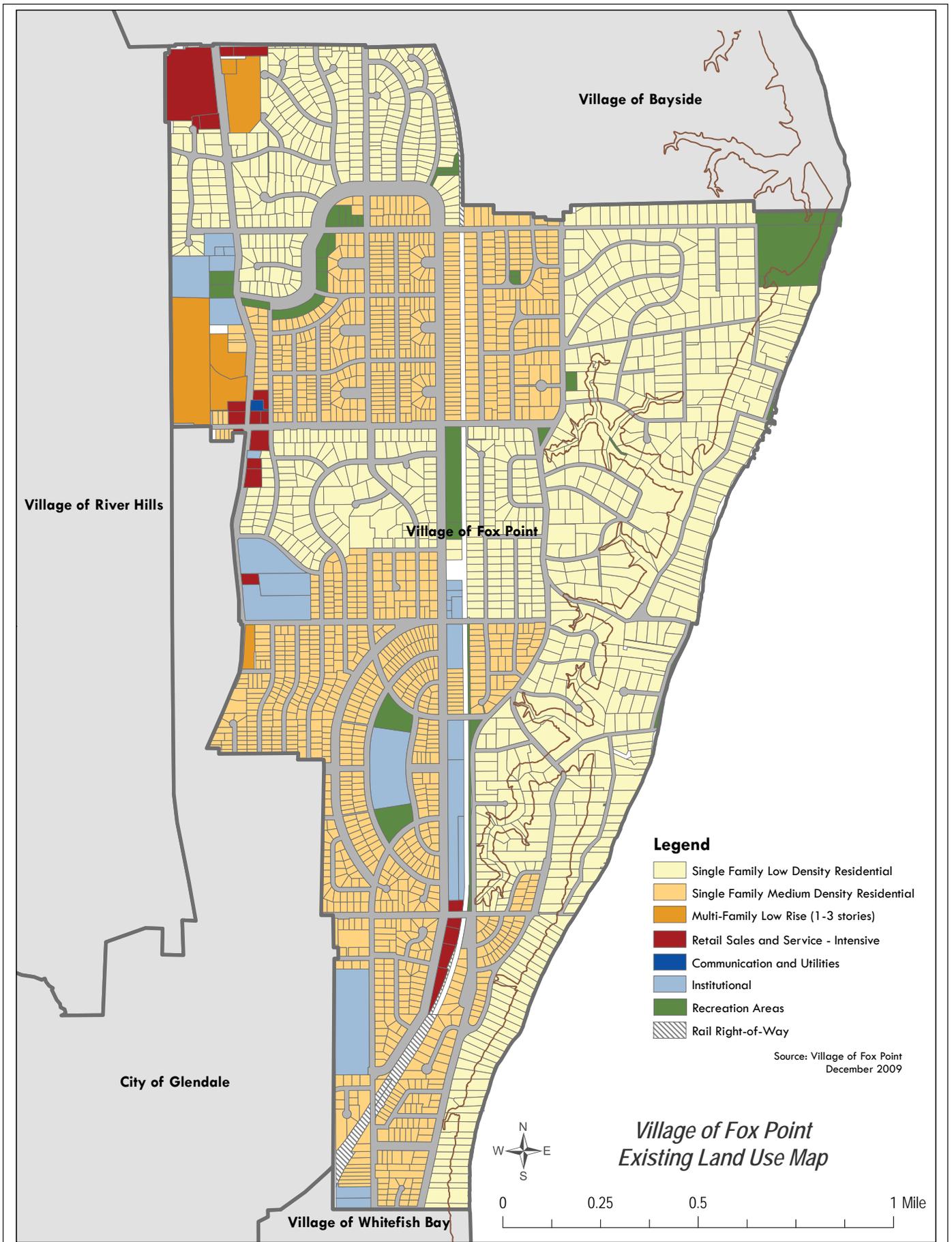


Figure 8.3. Existing Land Uses in the Village of Fox Point.

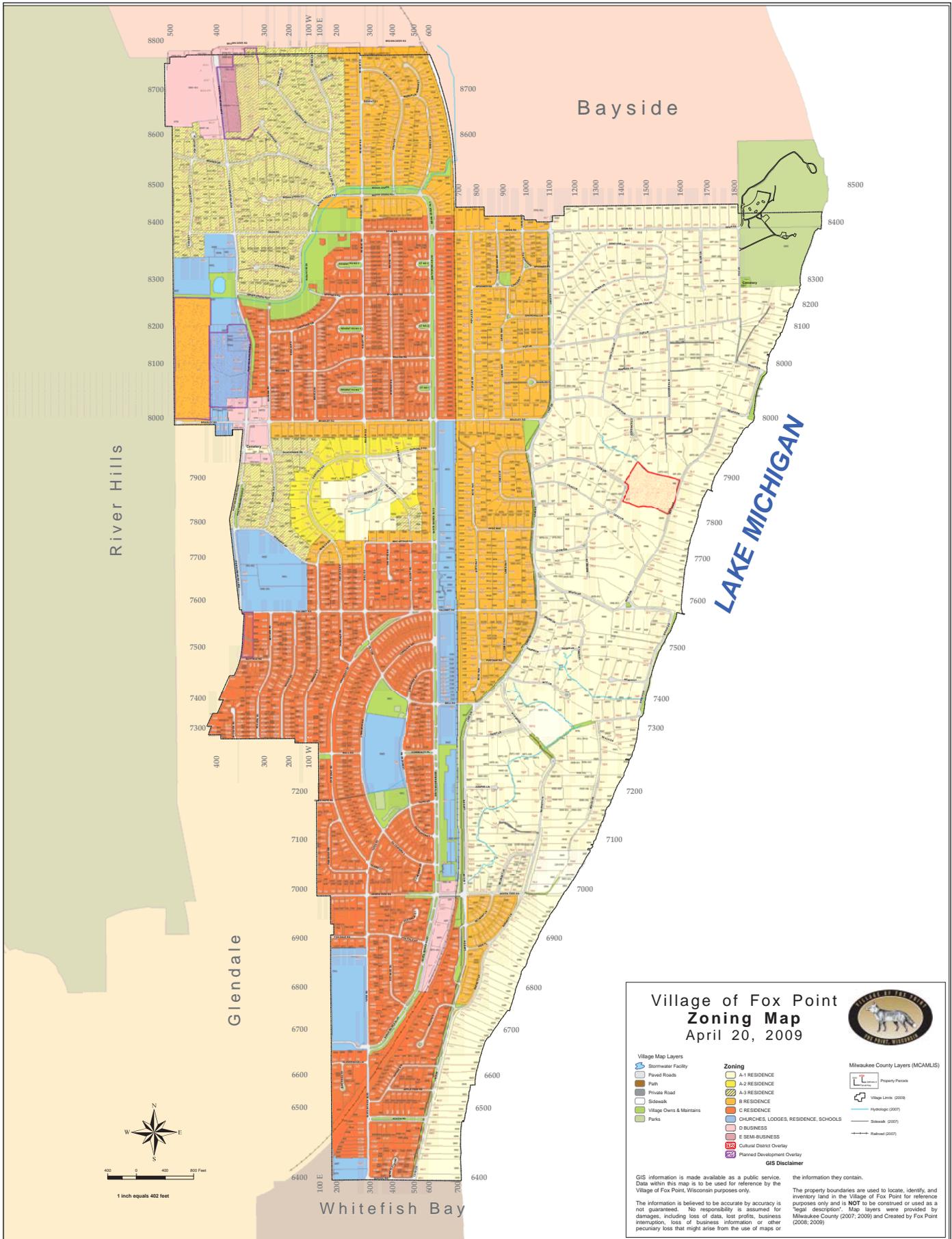


Figure 8.4. Zoning Map for the Village of Fox Point.



Table 8.2. Zoning District Summaries.

RESIDENTIAL ZONING DISTRICTS, VILLAGE OF FOX POINT

DISTRICT	MINIMUM OPEN SPACE	MINIMUM LOT WIDTH	MAXIMUM BUILDING FOOTPRINT	MAXIMUM BUILDING HEIGHT
A-1	40,000 sf	120'	10% of lot	40' (55' w/conditions)
A-2	30,000 sf	100'	10% of lot	40'
A-3	20,000 sf	90'	10% of lot	40'
B	15,000 sf per family	80'	see code	see code
C	10,500 sf per family	80'	see code	see code

NON-RESIDENTIAL ZONING DISTRICTS, VILLAGE OF FOX POINT

DISTRICT	PERMITTED USES	CONDITIONAL USES	MINIMUM LOT DIMENSIONS	MAXIMUM BUILDING HEIGHT
D, Business	Business Office, Computer Services, Financial Services, Trade and Professional Offices	Bowling Alley, Dance or Health Studio, Gas Station, Greenhouse, Hotel or Motel, Personal Wireless Facility, Premises Licensed to Sell Alcohol, Restaurants (except Drive-Throughs), Retail and Services (except Guns), Schools and Day Care Facilities, TV and Photo Studios, Theatres, Video Game Arcades, Wholesale Office and Sample Rooms, Other similar uses at the discretion of the Plan Commission	No building allowed within 20' of adjoining residential district; no building allowed within 10' of side lot line, with the exception of 'row' buildings built to lot line.	2 stories
E, Semi-Business	Administrative and Public Service Offices, Professional Offices, Real Estate and Insurance Offices, Art Studios, Financial Institutions	Other similar uses at the discretion of the Plan Commission	Same as 'D' above	Same as 'D' above
F, Institutional	Dwellings as permitted in 'B' district; Schools; Churches; Social Clubs or Lodges; Community Recreational, Social, or Cultural Services (Non-Profit); Convalescent Nursing Homes	n/a	Minimum 140' street frontage for non-dwellings; no building may cover more than 35% of lot	35'

Note: Tables provided for illustrative purposes only. Refer to Chapter 14 of the Village Code for the full requirements for each district noted above, and for language regarding the Planned Development Overlay and Cultural Overlay.

Overlay District is “intended to allow for greater flexibility, variety of use, and design freedom than would be permitted by the standard application of basic district regulations, in the case of tracts of land of suitable size and appropriate location, where the unified and planned development of such tract and the increased flexibility, variety of use and design freedom would achieve optimum utilization of the site and produce a more aesthetically satisfying and economically desirable development than would result from the application of basic district controls.” Planned developments must be approved by the Village Board. There are currently three Planned Overlay Districts in Fox Point. Two are located northwest of the Bradley Road/Port Washington Road intersection. The third is located across Port Washington Road from the RiverPoint Village Shopping Center.

The Cultural Overlay District allows an art gallery, museum, or library to become a permitted use. One such district has been created in the Village: the Chipstone Overlay District located west of Beach Drive.

The Village may consider reviewing and making amendments to the zoning code over the life of the comprehensive plan to increase opportunities for the community as a whole to become more sustainable. The term “sustainability” is defined in a number of ways, and considers a vast array of techniques by which sustainable practices can be implemented. Efforts to further these principles could be accomplished by increasing the flexibility of zoning regulations, adding incentives (e.g. assistance for residential or commercial modifications), and making amendments to the code that allow for sustainable techniques to be implemented in properties throughout the Village. The Village should consult the evolving Rocky Mountain Land Use Institute’s Sustainable Community Development Code for general guidance. Figure 8.5 provides the table of contents for the most current Sustainable Community Development Code. Although some of the Code’s provisions suggest techniques that are not appropriate for the context of Fox Point, the majority of the provisions are applicable. Suggested techniques to incorporate from the code include:

- Encourage the retrofit of Village-owned structures to increase energy efficiency, reduce stormwater runoff, and utilize recycled materials for any maintenance or repair;
- Update development, building, and plumbing codes to allow reuse of stormwater for non-potable purposes;
- Permit solar and small wind turbines by right in selected zone districts;
- Give priority parking for vans, hybrid vehicles, and bicycles in parking areas;
- Allow green roofs to qualify for open space credit when calculating stormwater fees;
- Require landscaping throughout the Village for which the maintenance is low-energy;
- Adopt minimum reforestation requirements for sites without vegetation or provide landscape credits for tree preservation;
- Require outdoor signage to be turned off when businesses are



Table of Contents

The topics covered in the Sustainable Community Development Code are listed below. Chapters currently available are highlighted in blue. New chapters will be available soon. Other topics are under consideration. Background research monologues have been prepared for many of these topics and are available online at www.law.du.edu/rmluj. Work is continuing on individual sections.

1. ENVIRONMENTAL HEALTH AND NATURAL RESOURCES

- 1.1. [Climate Change](#)
- 1.2. [Low Impact Development and Green Infrastructure](#)
- 1.3. Natural Resource Conservation/Sensitive Lands Protection (**forthcoming**)
- 1.4. [Water Conservation](#)
- 1.5. Solid waste and recycling (**forthcoming**)

2. NATURAL HAZARDS

- 2.1. Floodplain Management (**forthcoming**)
- 2.2. [Wildfires in the Wildland-Urban Interface](#)
- 2.3. [Coastal Hazards](#)
- 2.4. Steep Slopes (**forthcoming**)

3. LAND USE AND COMMUNITY CHARACTER

- 3.1. Character and Aesthetics (**forthcoming**)
- 3.2. Urban Form and Density (**forthcoming**)
- 3.3. Historic Preservation (**forthcoming**)

4. MOBILITY & TRANSPORTATION

- 4.1. [Transit Oriented Development](#)
- 4.2. [Mobility Systems](#)

- 4.2.1. [Complete Streets](#)
- 4.2.2. [Bicycle Mobility Systems](#)
- 4.2.3. [Pedestrian Mobility Systems](#)
- 4.2.4. [Public Transit](#)
- 4.3. [Parking](#)

5. COMMUNITY

- 5.1. Community Development (**forthcoming**)
- 5.2. [Public Participation and Community Benefits](#)

6. HEALTHY NEIGHBORHOODS, HOUSING, FOOD SECURITY

- 6.1. [Community Health and Safety](#)
- 6.2. [Affordable Housing](#)
- 6.3. [Housing Diversity and Accessibility](#)
- 6.4. [Food Production and Security](#)

7. ENERGY

- 7.1. [Renewable Energy: Wind \(small- and large-scale\)](#)
- 7.2. [Renewable Energy: Solar \(including solar access\)](#)
- 7.3. [Energy Efficiency and Conservation \(forthcoming\)](#)

8. LIVABILITY

- 8.1. [Noise \(forthcoming\)](#)
- 8.2. [Lighting \(forthcoming\)](#)
- 8.3. [Visual Elements](#)

Sustainable Community Development Code Beta version 1.2

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Figure 8.5. Rocky Mountain Land Use Institute's Sustainable Community Development Code Table of Contents.

closed;

- Encourage property owners to adopt site-based LID/green infrastructure practices, such as rain gardens, rain barrels and other rainwater harvesting practices;
- Consider cost sharing for property owners to retrofit with runoff reduction techniques;
- Adopt local street specifications that incorporate “complete streets” principles that encourage walking and biking (Complete Streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and bus riders of all ages and abilities are able to safely move along and across a complete street);
- Require defined spots for “staying” by pedestrians. Encourage objects such as planters, monuments, public art, etc., to signify an area of rest.
- Permit urban gardens and urban agricultural spaces to meet residential open space set aside requirements;
- Require or encourage non-residential building amenities such as bike parking, convenient and visible stairs, and lockers and showers for those biking or walking to work.

LAND USE PLANNING IN THE VILLAGE OF FOX POINT

The purpose of land use planning in the Village of Fox Point is to provide a description of how any development or redevelopment will occur, what types of activities and densities are allowed, and how preservation of the existing community structure can be achieved. This chapter serves as the primary tool for guiding these principles in the Village in order to maintain existing land use patterns.

The land use plan is based on standards that reflect the desires of community residents, staff, and elected officials, along with proven principles in community maintenance and environmental preservation. As part of the land use element, several factors related to changes in the built environment will be explored. These factors are as follows:

- Social factors include those which give or maintain character (i.e. gathering areas, civic identity, streetscapes, and natural features).
- Economic factors include the availability of jobs, balance of municipal expenses and revenue, and land value influenced by natural amenities and water quality.
- Physical factors include the actual lay of the land (i.e. how it appears and feels, what types of redevelopment may be allowed, and where current development is located).

The land use plan cannot be successfully implemented when only looking at the physical attributes of growth. Diverse and healthy communities change in all three areas, and a balance should be maintained to provide a quality environment for Village residents.

RESIDENTIAL DEVELOPMENT DEMAND

The actual amount of development that can be anticipated in the Village of Fox Point over the next 30 years is expected to be minimal. There is virtually no land left for new development within the Village. Existing properties would need to be redeveloped to accommodate future growth. The Wisconsin Department of Administration (DOA) predicts Fox Point will continue to decrease in population for the next several decades. Therefore, one may assume that existing housing supply is adequate to house Fox Point's residents for the foreseeable future (Table 8.3).

However, other trends may create inadequacies in the housing stock over time. Changing demographics such as an aging population may

Table 8.3: Housing Demand.

	Milwaukee County			Village of Fox Point		
	Projection	Change	Households*	Projection	Change	Households**
2010	929,208	-	-	6,717	-	-
2015	928,077	-1,131	-465	6,623	-94	-39
2020	923,910	-4,167	-1,715	6,506	-117	-49
2025	912,020	-11,890	-4,893	6,334	-172	-72
2030	891,445	-20,575	-8,467	6,104	-230	-96
Total	-	-47,052	-15,540	-	-613	-256

*NOTE: 2.43 Persons/Household

**NOTE: 2.39 Persons/Household

Source: U.S. Census Bureau, 2000



make single-family homes on mid-sized to large lots less desirable, while creating demand for single story, fully accessible homes on smaller lots; assisted living arrangements; or 'parents apartments' temporarily created through the renovation of a single-family home.

Typical household composition may also change over time, with a trend toward smaller household size including empty-nesters and childless singles and couples. Once again, larger single-family homes may prove unsatisfactory to this demographic. The Village should consider allowing the development of housing units which better suit this demographic.

Another trend that may perpetuate over the next several decades is one toward sustainability. The Village should take steps to encourage the retrofitting of existing homes and yards to accommodate sustainable features such as rain gardens or solar panels, while increasing energy and water efficiency and minimizing stormwater impacts. Exterior retrofits should take into consideration neighborhood aesthetics and surrounding property values.

Finally, the Village should monitor housing affordability, to ensure that housing is available for a range of income levels.

COMMERCIAL DEVELOPMENT DEMAND

Like the Village's residential areas, commercial areas in Fox Point are essentially built-out. Redevelopment of existing sites will need to accommodate any future demand for commercial growth. This may involve altering requirements for lot coverage or building height to allow denser development in commercial zones. The Village may also consider allowing mixed uses in some commercial zones to allow for residential units above ground floor commercial uses.

INDUSTRIAL DEVELOPMENT DEMAND

Currently, there is no land in the Village of Fox Point zoned for industrial use. In fact, the zoning ordinance does not include any industrial districts. There are adequate amounts of industrial land in the Milwaukee metro area to accommodate future demand. Industrial zones would not be compatible with existing land uses, and it is not anticipated that the Village of Fox Point would need to create industrial zones within the life of this plan.

LAND USE PLAN

The Land Use Plan for the Village of Fox Point includes the following elements:

- Land Use Plan Map (Figure 8.6)
- Land Use Plan Table (Table 8.4)
- Zoning Map (Figure 8.4)

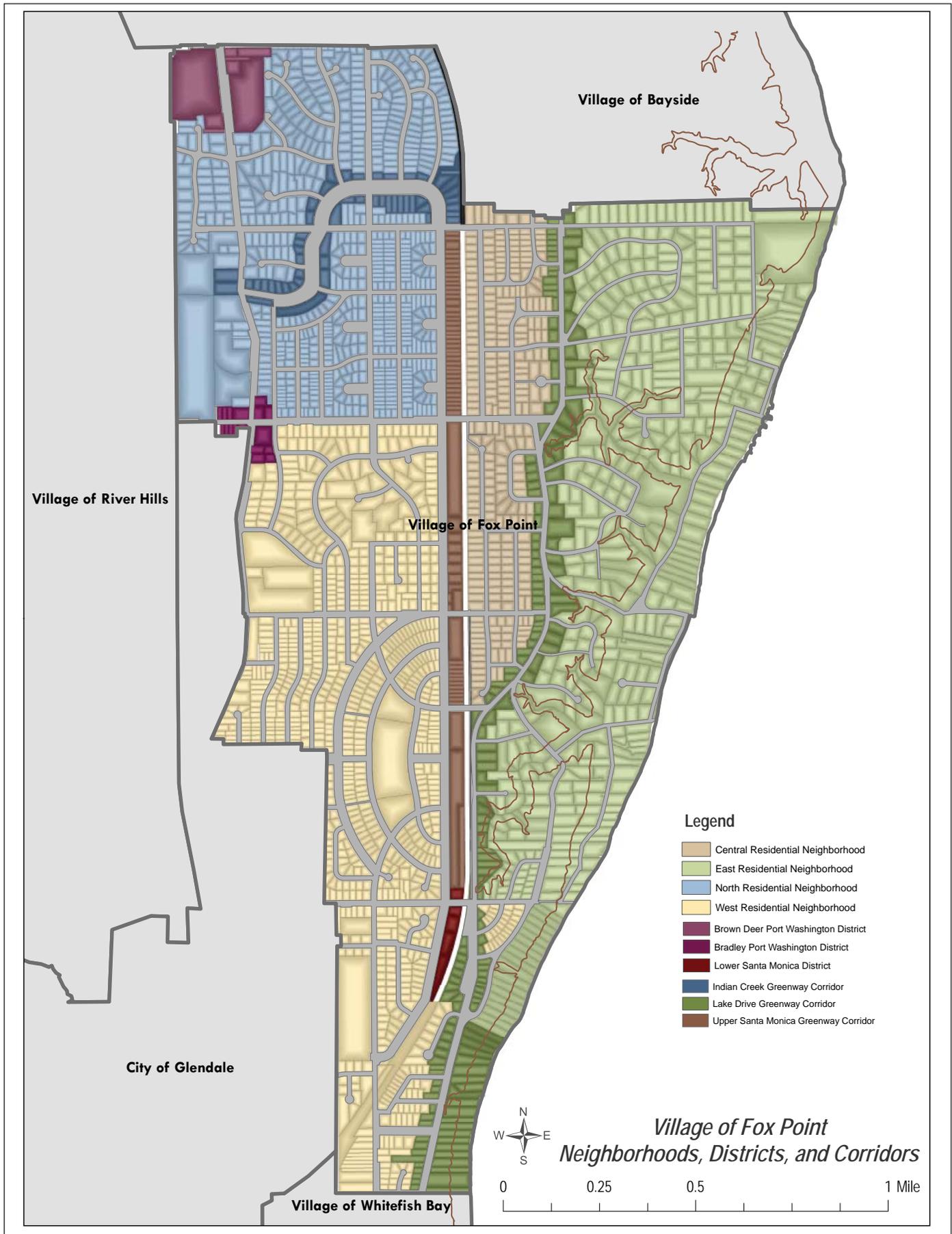


Figure 8.6: Land Use Plan Map for the Village of Fox Point.



Table 8.4: Land Use Plan Table for the Village of Fox Point.

Land Use		Existing Zoning	Allowable Changes to Zoning	Guiding Policies
NEIGHBORHOODS				
CRN	Central Residential Neighborhood	B	None	<ul style="list-style-type: none"> • Maintain existing character and encourage continued property maintenance. • Support the installation of stormwater management techniques and energy efficient technologies on individual properties
ERN	East Residential Neighborhood	A-1, CDO	None	<ul style="list-style-type: none"> • Maintain existing character and encourage continued property maintenance. • Support the installation of stormwater management techniques and energy efficient technologies on individual properties • Ensure properties within the bluff line meet the requirements of the Village Bluff Ordinance.
NRN	North Residential Neighborhood	A-3, B, C, PDO	None	<ul style="list-style-type: none"> • Maintain existing character and encourage continued property maintenance. • Support the installation of stormwater management techniques and energy efficient technologies on individual properties • Maintain safe access to both business districts for area residents traveling by all modes of transit.
WRN	West Residential Neighborhood	A-1, A-2, A-3, B, C, F	None	<ul style="list-style-type: none"> • Maintain existing character and encourage continued property maintenance. • Support the installation of stormwater management techniques and energy efficient technologies on individual properties • Support community building activities at Longacre Park and Stormonth School

(continued on next page)

Table 8.4, Continued: Land Use Plan Table for the Village of Fox Point.

Land Use		Existing Zoning	Allowable Changes to Zoning	Guiding Policies
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DISTRICTS

BDPW	Brown Deer and Port Washington Road	A-3, D, E, PDO	None	<ul style="list-style-type: none"> Focus any urban design or streetscape enhancements on establishing a gateway into Fox Point Continue to support existing development agreements Support green infrastructure improvements, landscaping/stormwater enhancements, and energy efficient technologies
BYPW	Bradley Road and Port Washington Road	D, F	None	<ul style="list-style-type: none"> Allow for redevelopment that provides detailed architectural design and building materials similar to commercial uses in RiverPoint Village and the Fox Point Shops Focus any urban design or streetscape enhancements on establishing a gateway into Fox Point Support green infrastructure improvements, landscaping/stormwater enhancements, and energy efficient technologies
LSM	Lower Santa Monica	D	F Institutional	<ul style="list-style-type: none"> Maintain the district as a central service-oriented node providing services to area residents Support green infrastructure improvements, landscaping/stormwater enhancements, and energy efficient technologies Allow existing businesses to consider modifying the parking area, existing pathways, and existing landscape to create a multi-modal, boulevard-style streetscape

ARTERIAL PARKWAY CORRIDORS

ICG	Indian Creek Greenway	A-3, B, C	None	<ul style="list-style-type: none"> Support continued landscaping and stormwater enhancements Maintain adequate pathway connections to and through the greenway for bicyclists and pedestrians
LDG	Lake Drive Greenway	A-1, B, C	None	<ul style="list-style-type: none"> Allow the placement of power lines underground and the addition of bike lanes or dedicated bike paths in the right-of-way Support continued landscaping enhancements
USM	Upper Santa Monica Greenway	C, F	None	<ul style="list-style-type: none"> Maintain the boulevard character of the greenway by enforcing property maintenance Consider opportunities for landscaping and stormwater management improvements in the Santa Monica Boulevard median



Amending the Land Use Plan

The Land Use Plan should be reviewed and amended periodically. Suggestions for amendments may be brought forward by Village staff, officials, or residents, and should be consistent with the overall vision of the plan. Proposed amendments could originate in any of the following ways:

- a) Amendments proposed as corrections of clerical or administrative errors, mapping errors, and updated data for text, tables, and maps.
- b) Amendments proposed as a result of discussion with officials and citizens.
- c) Amendments proposed as a result of recommendations discussed during a Village planning process.

When a change is proposed, it should follow this general procedure:

- Recommendation by the Plan Commission to conduct a review process for the proposed amendment.
- Facilitation of public hearings as required by applicable Wisconsin Statute and/or ordinance.
- Recommendation from the Plan Commission to the Village Board.
- Consideration and decision by Village Board.

Using the Land Use Plan

The Land Use Plan should be used when reviewing and approving changes in zoning, planned development and cultural overlays, conditional uses, land divisions, traffic improvements, and related redevelopment matters. In all cases, consistency with the Land Use Plan should be a primary determinant of the recommendations and decisions made by the Village:

Step 1: Determine the status of the property in question in terms of zoning, use, and land division. Does the proposal actually require a change in (1) zoning, (2) use of the land, or (3) land division? If none of these three items are being changed, then the proposal is considered consistent with the Land Use Plan. If, however, the proposal requests a change in zoning, use, or land division, all aspects of the Land Use Plan are applicable including issues of character as listed in the Guiding Policies.

Step 2: Assuming there is a change in zoning, use, or land division, the next step is to identify critical land use issues. Locate the area in question on the Zoning Map, Land Use Plan Map, and Land Use Plan Table and identify restrictions and opportunities.

Step 3: Reference the Village Code for regulations and policies (i.e. minimum lot size, open space requirements, etc.) in regards to zoning.

Step 4: Review the overall process and determine other regulations and policies that need to be considered in addition to land use and zoning, e.g. wetland regulations (DNR), road design and access regulations (Milwaukee County), drainage policies, sewer and sanitation policies, etc. Village Staff should encourage the identification of

applicable regulations and policies early in the process to prevent a misunderstanding regarding conformance to the Land Use Plan.

Land Use Plan Map

The Land Use Plan Map identifies several neighborhoods, districts, and corridors within the Village of Fox Point. The following descriptive standards for each neighborhood, district, and corridor are based on the goals and policies listed in each element of this Plan. These neighborhoods, districts, and corridors are larger-scale designations of intended development character. Within each neighborhood, district, and corridor, certain zoning classifications are permitted. These zoning classifications are listed in the following descriptions and within the Land Use Plan Table. The Land Use Plan Map (Figure 8.6) illustrates the boundaries of the following neighborhoods, districts, and corridors.

Neighborhoods

There are three distinct designated Neighborhoods identified in the Village of Fox Point. The Neighborhoods are identified by geographic location, character, and long-term vision.

Central Residential Neighborhood

This neighborhood is bounded by the Village of Bayside on the north, the Lake Drive Greenway Corridor on the east and south, and the Union Pacific Railroad right-of-way on the west (Figure 8.7). Zoning in this neighborhood is entirely B Residential, with the exception of some small Village-owned green spaces.

Zoning and land uses in this neighborhood should be maintained into the future to preserve the existing residential character. Residential land owners should be encouraged to introduce stormwater management techniques on their properties, including rain barrels or rain gardens, to enhance stormwater management in the neighborhood. Homeowners should also be encouraged to make improvements to their homes to increase efficiency in the use of energy and water.

East Residential Neighborhood

This neighborhood is bounded by the Village of Bayside on the north, Lake Michigan on the east, and the Lake Drive Greenway Corridor on the south and west. Zoning in this neighborhood is almost entirely A-1 Residential, indicating larger single-family homes on large lots. Roadways in the neighborhood traverse significant natural features and mature woodlands (Figure 8.8). Throughout the neighborhood are some of the most dramatic natural features in Fox Point, including:

- Lake Bluff and Ravines
- Lake Michigan Shoreline (Figure 8.9)
- Primary Environmental Corridor and associated woodlands

Zoning and land uses in this neighborhood should be maintained into the future to preserve the existing residential character (Figure 8.10). Priority should be given to protecting and enhancing this neighborhood's natural features for both their aesthetic and recreational value, and for their environmental value in stormwater management and erosion



Figure 8.7. Union Pacific Railroad Right-of-way.



Figure 8.8. Roadway in the East Residential Neighborhood.



Figure 8.9. Lake Michigan Shoreline in the East Residential Neighborhood.



control. Residential land owners should be encouraged to introduce stormwater management techniques on their properties, including rain barrels or rain gardens, to enhance stormwater management in the neighborhood. Homeowners should also be encouraged to make improvements to their homes to increase efficiency in the use of energy and water.

The East Residential Neighborhood is also home to all three of the Fox Point buildings that are listed on the National Register of Historic Places: the Adelman House, the Meyer Starke House, the Mary Nohl Art Environment. While there is understandable interest and curiosity about these buildings, it is important to note that the buildings remain private residences and they are located in residential neighborhoods. The Village must balance the need to protect these structures with regard for the privacy and quality of life of neighboring property owners.

North Residential Neighborhood

This neighborhood is bounded by the Village of Bayside on the north and east, Santa Monica Boulevard on the east, Bradley Road on the south, and the Village of River Hills on the west. Zoning in this neighborhood is primarily comprised of A-3, B, and C Residential, in approximately equal measure indicating a mix of low and medium density. The exception is the area bounded by W. Dean Road, Port Washington Road, Bradley Road and the Village of River Hills. This area includes low rise (1 to 3 story) multi-family housing (Figure 8.11) and institutional uses including the Maple Dale School and Congregation Sinai.

The North Residential Neighborhood is home to the only billboard in Fox Point, viewable on southbound Port Washington Road between Brown Deer and Dean Roads (Figure 8.12). The billboard is not in keeping with the residential character of the neighborhood.

Zoning and land uses in this neighborhood should be maintained into the future. Residential land owners should be encouraged to introduce stormwater management techniques on their properties, including rain barrels or rain gardens, to enhance stormwater management in the neighborhood. Homeowners should also be encouraged to make improvements to their homes to increase efficiency in the use of energy and water.

West Residential Neighborhood

This neighborhood is bounded by Bradley Road on the north, Santa Monica Boulevard and the Lake Drive Greenway Corridor on the east, the Village of Whitefish Bay on the south, and the City of Glendale on the west. Zoning in this neighborhood is primarily C Residential. The exception is the area between Bradley Road and MacArthur and Dunwood Roads, which includes a mix of A-1, A-2, and A-3 Residential (Figure 8.13). The neighborhood also includes several institutional uses including the Stormonth School, the Magellan Day School, and portions of Cardinal Stritch University and the Jewish Day School.

Zoning and land uses in this neighborhood should be maintained into the future. Residential, commercial, and institutional land owners should



Figure 8.10. Example of Residential Character in the East Residential Neighborhood.



Figure 8.11. Multi-family Units in the North Residential Neighborhood.

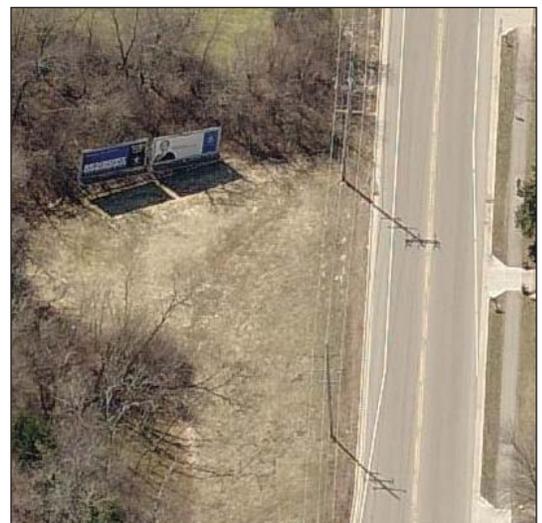


Figure 8.12. Billboard on Port Washington Road.
Source: Pictometry



Figure 8.13. Example of Residential Character in the West Residential Neighborhood.



Figure 8.14. Supporting Retail in the RiverPoint Village Development.

be encouraged to introduce stormwater management techniques on their properties, including rain barrels or rain gardens, to enhance stormwater management in the neighborhood. Homeowners and institutions should also be encouraged to make improvements to their homes to increase efficiency in the use of energy and water.

Districts

There are three commercial districts in the Village of Fox Point. Each is distinct in terms of geography as well as scale and type of retail and or services available, as well as in terms of style of architecture and signage. The Village should periodically review Chapter 16 of the Village Code to ensure that commercial sign types are properly addressed.

Brown Deer/Port Washington District

This district includes the RiverPoint Village at the southwest corner of Brown Deer Road and Port Washington Road, and associated commercial development including Audubon Court to the east of Port Washington Road.

The RiverPoint Village is anchored by a Best Buy big box retail store. The center also includes other small retail and dining establishments (Figure 8.14). Similar commercial activity is present on the southeast corner of Brown Deer and Port Washington Roads in Fox Point, and north of Brown Deer Road in Bayside. The planned unit development east of Port Washington Road also includes three multi-family residential buildings.

Zoning and land uses in this neighborhood should be maintained into the future. While there is no immediate need for redevelopment in the neighborhood, should commercial redevelopment be proposed in the future the Village should encourage the incorporation of green infrastructure improvements, landscaping enhancements, and high quality architectural and signage design.

This district forms a primary gateway into Fox Point with Brown Deer Road bringing traffic in from I-43. Any urban design or streetscape improvements in the neighborhood should prioritize the enhancement of this entryway.

Bradley/Port Washington District

This district consists of the northeast, northwest, and southeast corners of the Bradley Road/Port Washington Road intersection. The character of the district is relatively suburban with low rise buildings, deep setbacks with moderate landscaping, overhead power lines, and visually prominent parking areas (Figure 8.15).

On the southeast side of the intersection two commercial properties, an office building on the north and a retailer on the south are separated by St. John's Cemetery. On the northeast side two commercial areas, an office on the north and a gas station and restaurant on the south, are separated by a utility facility. This intervening use separating the commercial uses from one another interrupts the possibility of a continuous building frontage on the street. Therefore, future redevelopment in the district should be sensitive to this separation while encouraging connectivity between commercial uses.





Figure 8.15. Low Rise Retail Structure in the Bradley/Port Washington District.

When redevelopment occurs, the Village should encourage detailed architectural design, building materials similar to that of RiverPoint Village and the Fox Point Shops, enhanced landscaping, and the inclusion of canopy trees and advanced stormwater management techniques within parking areas. The Village should also encourage the placement of power lines underground in this area when the opportunity arises. Pedestrian and bike linkages to surrounding residential areas should be enhanced.

In particular, the gas station property located in the northeast corner of the district should be redeveloped in a manner that creates a distinct and memorable visual entryway into Fox Point (Figure 8.16).



Figure 8.16. Gas Station Property in the Bradley/Port Washington Road District.

Lower Santa Monica Boulevard

This district includes the area between Santa Monica Boulevard, the railroad right-of-way, and Green Tree Road as well as the parcel located across Green Tree Road to the north. The parcel north of Green Tree Road houses a two story bank, while a large bicycle retailer anchors the Fox Point Shops across Green Tree Road to the south (Figure 8.17). Extending south along Santa Monica Boulevard are two long one story strip developments that constitute the remainder of the Shops. Parking for all of these buildings is located in a visually prominent location between the buildings and the streets.

All properties in the district are zoned D, or business. This zoning and land use pattern should continue into the future. If considered necessary, the Village may allow for F Institutional on a property. While there is no immediate need for maintenance in the district, the Village should allow existing businesses to consider modifying the parking area, existing pathways, and existing landscape to create a multi-modal, boulevard-style streetscape. In addition, the Village should support the option of modifying the structure to allow for a mixed use format with second floor residential or office uses. Any redevelopment should incorporate existing architectural standards, building materials consistent with the current palette, and significant glazing along the street.



Figure 8.17. The Fox Point Shops in the Lower Santa Monica Boulevard District.



Figure 8.18. Upper Santa Monica Greenway.



Figure 8.19. Example of Institutional Uses in Upper Santa Monica Greenway.

Arterial Parkway Corridors

Upper Santa Monica Greenway

This corridor consists primarily of institutional uses along the east side of Santa Monica Boulevard from just north of Green Tree Road to Bradley Road. The corridor includes several religious facilities (Figure 8.19), the Village Hall, the Police Station, and the Town Club with its associated tennis courts and grounds. The corridor also includes several low to medium density residences.

All properties in the corridor are zoned F, or institutional, including the residences. Zoning and land use patterns in this district should continue into the future. In addition to maintaining the corridor's boulevard character through enforcing property maintenance, the Village should consider opportunities for landscaping and stormwater management improvements in the Santa Monica Boulevard median (Figure 8.18).

Lake Drive Greenway

The Lake Drive Corridor stretches the entire length of Fox Point from School Road in the South to Dean Road in the north, passing through primarily low density residential areas (Figure 8.20).



Figure 8.20. Lake Drive Greenway.



The corridor is suburban in character and it is lined with mature trees and other vegetation. Stormwater swales typically line both sides of the street, with a sidepath located on one side. The character of the corridor is a valuable community asset that should be protected or enhanced in the future.

Enhancements the Village may wish to consider in the future are placing power lines underground and adding bike lanes or dedicated bike paths in the right-of-way.

Indian Creek Greenway

This corridor includes Indian Creek and the Indian Creek Parkway starting at Port Washington Road on the east, stretching to Dean Road where the parkway becomes Santa Monica Boulevard, and ending at Bradley Road on the south.

The Indian Creek Parkway has been extensively reconstructed in recent years to restore the creek and the green space along the creek, including the installation of a decorative pedestrian bridge (Figure 8.21). The Santa Monica Boulevard portion of the greenway includes three publicly managed green spaces in courts located on the west side of the boulevard.

The corridor is suburban in character, and it is a valuable asset to the Village of Fox Point. The character of the corridor should be protected or enhanced in the future.



Figure 8.21. Indian Creek Greenway.

GOALS AND POLICIES: LAND USE

Goal One: Establish a guiding land use plan.

- Continue to support current land uses in the Village, while ensuring that any land use changes proposed by property owners meets the standards of the land use plan.
- Support improvement efforts in the Village's identified business districts while allowing the market to determine how new services shall be incorporated.
- Follow the process for land use plan amendments outlined on page 8:15.
- Maintain current maps of parcel based data including parcel boundaries, land use, and zoning.
- Incorporate sustainable techniques into the Village Zoning Ordinance to assist property owners in making appropriate choices.

Goal Two: Foster compatibility between neighboring uses.

- Maintain existing open space between commercial/institutional areas and residential neighborhoods, and where feasible, encourage the enhancement of landscaping to provide appropriate buffers.
- Maintain existing neighborhood pathway connections between residential areas and commercial areas, schools, community park spaces, and wooded areas.
- As redevelopment occurs at the intersection of Bradley Road and Port Washington Road, encourage area residents to provide input on site design and proposed services.
- Continue to support a mix of uses in the Village's identified business districts, including office and residential uses, in an effort to support connections between where residents live, work, and play.

Goal Three: Maintain the character of existing residential neighborhoods.

- Ensure that residential redevelopment or renovation respects the context of the existing neighborhoods, including: scale, materials, building placement, and parcel size.
- Continue to manage residential uses located near sensitive environmental features by strengthening Village policies regarding the preservation of woodlands, ravine areas, and the lakefront.
- Protect the privacy and quality of life for property owners adjacent to properties of interest, e.g. the Mary Nohl Art Environment.

