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MEMORANDUM

TO: Duane Cherek, Planning Director, City of Janesville
Brian Schweigl, Senior Planner
City of Janesville Plan Commission

FROM: Craig Huebner, AICP

DATE: December 4, 2025

SUBJECT: Summary of Zoning Rewrite Materials for the November 2025 Plan Commission Meeting

The consultant team is continuing to draft various components of the City's new land development code. Recognizing that the entire code is subject to change through multiple steps, each part of the code will be labeled as a "Discussion Draft" and dated for reference. Please be advised these working drafts contain notes and placeholders for the drafting process. While these notes do not generally need to be reviewed by the Plan Commission, they do show where some unresolved items exist within the draft submitted for review at this point in the drafting process.

The draft of Articles 1 (General Provisions), 2 (Interpretation, Construction, and Definitions), and 3 (General Procedural Requirements) as well as Chapter 36 (Land Division) are ready for your consideration. To help with your review, we have prepared a summary of the major themes in these drafts.

Article 1: General Provisions – Article 1 is a short article establishing the general authority, purpose, and various legal provisions within the code. There are not many significant changes to General Provisions compared to the code today. The purpose statements under 46-05 should be reviewed to ensure that the code aligns with the principles and goals for development, as these statements are useful for justifying decisions and determining the best course of action when making legislative actions.

Article 2: Interpretation, Construction, and Definitions – Article 2 provides guidance for interpreting the code. For example, this article provides explanations for how exactly words like "must" and "should" are applied in the code, how time frames are interpreted, how to define words without definitions, and how conflicting provisions would be resolved. The Plan Commission should familiarize themselves with these provisions to aid in semantic interpretation of the code and in establishing effective conditions for new developments with proper language and authority. The end of the article includes definitions for most key terms used in the code. These definitions are generally separate from the land use listing in the code but may include overlapping terms where additional specificity is helpful.

Article 3: General Procedural Requirements – Article 3 describes each of the major procedures for administering the zoning code. This includes: who may initiate a petition/application, who is responsible for the various requirements listed in the code, and what each stage of review contains. This article is largely useful as guidance to the Zoning Administrator and City staff, as well as petitioners/applicants, to understand the zoning review process(es). There are also several sections of this article which are helpful for Plan Commissioners to understand their responsibilities and authority, such as specifying that they are not bound to staff interpretation of the code, what recourse applicants have when the Plan Commission denies an application, and what happens after an application is approved by the Plan Commission. Division 2 establishes the responsibilities of the Zoning Administrator, largely the same as today. Divisions 3 and 4 provide details about noticing and public hearings, largely reflecting state requirements.

Commissioners should familiarize themselves with these sections to understand their authority and limitations during public hearings. The remaining divisions on site visits, neighborhood meetings, financial guarantees, nonconformities, and enforcement may become relevant on a case-by-case basis.

Chapter 36: Land Division – This chapter, not a part of the zoning code, is a separate chapter of the City of Janesville Municipal Code of Ordinances just like the Zoning Chapter. The Land Division chapter is an important aspect of land development that typically forms the foundation for zoning administration on individual properties. The chapter establishes how lands may be divided into multiple lots, combined with other lots, and arranged into a pattern of streets, blocks, and neighborhoods with an effective transportation pattern, provisions for public infrastructure, and associated engineering standards. Much of the administration of the Land Division chapter relates to the technical engineering requirements of land development such as the construction of new roadways, stormwater facilities, utilities, public improvements, and natural resource protection.

However, another equally important aspect of the Land Division chapter relates to the orderly development of lands, especially unplatted lands following annexation, to ensure they efficiently and effectively extend the pattern of the city. Articles 5 and 6 include detailed requirements for the submittal and design of new land division applications. These may occur in two ways: via Subdivision Plat or Certified Survey Map depending on the number of lots in the development. Generally, when there are 4 or fewer lots involved, a CSM is used. In most other cases, a Subdivision Plat is used. (See 36-82 for details).

Below is a list of key changes and details from the Land Division chapter for the Plan Commission to review:

- Overall Development Plans (36-98): This new section provides a requirement for applications that include future development areas to show how that future development might occur. This is not binding, and it does not authorize the future development, but it serves to “prove” that a land division application facilitates future orderly development. This is included to promote a more predictable process during land divisions for ensuring good planning. In many ways, this serves the same purpose as requiring a neighborhood plan for a sub-area of the City, but with reduced complexity and rigidity.
- Design Standards (Article 6): This division includes the details against which new development proposals to divide/combine land are reviewed. These apply to all land divisions, not just subdivisions. Several sections in this article grant authority to the Plan Commission in land division reviews. These include:
 - requesting frontage roads,
 - approving narrower streets,
 - approving non-standard street grades,
 - approving culs-de-sac,
 - reviewing flag lots (lots connected to the street with a narrow strip of land),
 - approving street names, and
 - requiring sidewalks.
- Other notable design standards for Plan Commission review include details related to Alleys (36-133), Blocks (36-139), Lots (36-140), Protection of natural resources (36-142), and Bicycle routes (36-144).

- Improvements (36-185 through 36-189): These sections describe what types of improvements are required along public streets when a land division is proposed.
- Dedications (Article 8): This division includes all the types of dedications the City requires during land divisions, such as lands for public parks, greenbelts, access points to surface waters, various easements, and various restrictions for public benefit.

The City's land division regulations also apply to extraterritorial areas outside of the municipal limits to facilitate orderly annexation. State statutes and court decisions have limited how cities can impose standards outside of the city limits. From time to time, the Plan Commission may be asked to consider these types of development applications.