

SECTION 17.04

ZONING DISTRICTS

1. ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and provisions of this chapter, the Town is hereby divided into the following zoning Districts. All property in the Town shall be placed in one of the following Districts:

RESIDENTIAL DISTRICTS

R-1	Residential District	[1.5 acre min. lot]
R-1(A)	Residential District	[1.0 acre min. lot]
R-2	Residential District	[30,000 sq. ft. min. lot]
R-3	Residential District	[20,000 sq. ft. min. lot]
R-L	Residential Lake District	[20,000 sq. ft. min. lot]

AGRICULTURAL DISTRICTS

A-1	Agricultural District
A-E	Exclusive Agricultural District
A-2	Rural Home District
A-3	Suburban Home District

BUSINESS DISTRICTS

B-1	Restricted Business District
B-2	Shopping Center District
B-3	Business Park District

INDUSTRIAL DISTRICTS

M-1	Industrial District
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PARK & CONSERVANCY DISTRICTS

P-1	Park and Recreation District
WF-1	Wetland-Floodplain District

2. ZONING DISTRICT MAPS.

- A. **Districts Mapped.** The boundaries of the Districts are shown upon a map designated as the Zoning Map of the Town, which, together with all the notations, references and other information shown thereon is as much a part of this chapter as if fully set forth herein. The Zoning Map shall be kept on file in the offices of the Town and any copy attached hereto is correct only as of the date of publication and is for general information purposes only.
- B. **Amendments.** Amendments to the Zoning Map shall be accomplished under the procedures that apply to amendments of this chapter, as set forth in this chapter.

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3. DETERMINATION OF DISTRICT BOUNDARIES.

District boundaries shall be determined by measurement from and as shown on the Zoning Map and in case of any question as to the interpretation of such boundary lines, the Code Enforcement Officer shall interpret the map according to the reasonable intent of this chapter.

- A. Unless otherwise specifically indicated or dimensioned on the maps, the District boundaries are normally lot lines; section, quarter section or sixteenth section lines; or the centerlines of streets, roads, highways, railways or alleys.
- B. The boundaries of the W-F Wetland-Floodplain Districts as drawn are intended to represent the edge of swamp, marsh, or the ordinary high water line along a stream or watercourse and shall be finally determined by the actual conditions in each specific situation.
- C. The boundaries of the R-L Residential Lake District as drawn are intended to include all lots which abut a lake, and only such lots. Should such a lot be subdivided so as to create an additional lot or lots which do not abut the lake, the latter lot or lots will be removed from the Residential Lake District and become a part of the District which bordered the original lot and must meet all requirements of the bordering District.
- D. The boundaries of shorelines shall be construed to follow such shoreline, and in the event of change in the shoreline, shall be construed as moving with the actual shoreline.

4. DEVELOPMENT STANDARDS.

The following is a summary of the development standards as outlined in this chapter ^{(a),(h)&(g):}

<u>District</u>	<u>Minimum Lot Area</u>	<u>Min. Avg. Lot Width</u>	<u>Min. Setback</u>	<u>Min. Offset</u>	<u>Min. Floor Area</u>	<u>Max. Access. Bldg.Size</u>
R-1	1.5 acres	200'	50'	20'	1,500sf	1,000sf
R-1A	1 acre	150'	50'	20'	1,650sf	1,000sf
R-2	30,000sf	120'	50'	20'	1,350sf	720sf
R-3	20,000sf	120'	50'	20'	1,200sf	720sf
R-L	20,000sf	100' ^(e)	50' ^(f)	15'	1,500sf	720sf
A-1	40 acres ^(b)	200'	50' ^(c)	20' ^(d)	1,500sf	1%l.a.
A-E	35 acres	660'	100'	50'	1,500sf	1%l.a.
A-2	3 acres	200'	50' ^(c)	30' ^(d)	1,650sf	1%l.a.
A-3	2 acres	200'	50'	25'	1,500sf	1,000sf
B-1	20,000sf	120'	50'	10'/20' ⁽ⁱ⁾	1,200 sf	None
B-2	20,000sf	120'	50'	10'	None	None
B-3	5 acres	330'	100'	50' ^(j)	None	None
M-1	3 acres	200'	100'	100'/50' ^(k)	None	None
P-1	1 acre	150'	100'	50'	None	None
WF-1	None	None	100'	100'	None	None

^(a)No structure or sewage disposal system shall be placed within 75' of a WF-1 Wetland-Floodplain District.

^(b)Land can only be subdivided as planned unit development.

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(c) 100' for buildings housing animals.

(d) 50' for buildings housing animals.

(e) Also minimum of 100' frontage at shore lot line.

(f) 150' from shoreline.

(g) See District regulations for exceptions.

(h) Each residential dwelling must have a private garage of 480 sf minimum. The maximum size of an attached garage shall be 1440 sf. (See Section 17.06 4. D.)

(i) 10' minimum for buildings used solely for commercial purposes; 20' minimum for buildings used in part for residential purposes. (See Section 17.04 5.1.3.)

(j) Where the adjacent District is a residential or agricultural district, a 100' minimum offset shall be required. (See Section 17.04 5. K. 3.)

(k) 100' minimum offset shall be required where adjacent to a residential or agricultural district; 50' minimum shall be required where not adjacent to a residential or agricultural district. (See Section 17.04 5. L. 3)

5. SPECIFIC DISTRICT.

The Town is hereby divided into the following zoning Districts.

A. R-1 RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-1 Residential District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. **Permitted Uses**

Single family dwellings.

b. **Permitted Accessory Uses.** The following accessory uses shall be permitted in the R-1 Residential District:

(1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.

(a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.

(b) Other accessory buildings not to exceed 400 square feet.

- (2) The keeping of household pets.
- (3) Horticulture.
- (4) (repealed 2012-03, 2-14-12)
- (5) Outdoor recreational structures.
- (6) Telecommuting.
- (7) Home Occupation(s) with a valid permit issued under § 17.03 1. D. of this Code.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. AREA REGULATIONS

- a. **Lot Size**
Minimum area shall be 1.5 acres.
- b. **Lot Width**
Minimum lot width shall be 200 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,500 square feet.
 - (2) All Other: See §17.03 5. A.
- d. **Open Space**
With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space. (rep & rec 2012-09)

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B. R-1A RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-1A Residential District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

Single family dwellings.

b. Permitted Accessory Uses The following accessory uses shall be permitted in the R-1A Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.
 - (a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 400 square feet.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) (Repealed 2012-03, 2-14-12)
- (5) Outdoor recreational structures.
- (6) Telecommuting.
- (7) Home Occupation(s) with a valid permit issued under § 17.03 1. D. of this Code.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (Created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. Setback** 50 feet minimum.
- b. Offset** 20 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 1 acre.
- b. **Lot Width**
Minimum lot width shall be 150 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,650 square feet.
 - (2) All Other: See §17.03(5)A.
- d. **Open Space**
With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space. (rep & rec 2012-09)

C. **R-2 RESIDENTIAL DISTRICT**

1. **STATEMENT OF INTENT**

The **R-2 Residential District** is intended to provide for medium density single family residential development.

2. **USE REGULATIONS**

- a. **Permitted Uses**
The following uses shall be permitted in the R-2 Residential District:
 - (1) Single family dwellings.
- b. **Permitted Accessory Uses** (amd. 00-507a)
The following accessory uses shall be permitted in the R-2 Residential District:
 - (1) Accessory Buildings. No more than 2 detached accessory buildings shall be permitted. The total individual structure and composite area of all accessory buildings shall not exceed the maximums set forth in the following table:

Lot Size (s.f.)	Maximum Garage Size	Maximum Accessory Building Size	Maximum Total Composite Area
up to and including	720	200	720

Lot Size (s.f.)	Maximum Garage Size	Maximum Accessory Building Size	Maximum Total Composite Area
20,000			
20,000 - 24,999	770	240	780
25,000 - 29,999	820	285	830
30,000 -34,999	870	325	900
35,000-43,559	920	360	960
greater than 43,560	960	400	1000

- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Public Parks and recreation areas.
- (5) Telecommuting.
- (6) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (7) (created 2012-002, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 30,000 square feet.
- b. **Lot Width**
Minimum lot width shall be 120 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:

(1) Single Floor: 1,350 square feet.

(2) All Other: See §17.03 5.A.

d. Open Space (rep & rec 2002-02-002A)

With the exception of rustic structures, for lots 20,000 square feet or larger, a minimum of 85% of each lot shall remain as open space. For existing lots with an area less than 20,000 square feet, the following scale shall be used:

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
19,400 - 19,999	85
18,800 - 19,399	84
18,200 - 18,799	83
17,600 - 18,199	82
17,000 - 17,599	81
16,400 - 16,999	80
15,800 - 16,399	79
15,200 - 15,799	78
14,600 - 15,199	77
14,000 - 14,599	76
13,400 - 13,999	75
12,800 - 13,399	74
12,200 - 12,799	73
11,600 - 12,199	72
11,000 - 11,599	71
10,400 - 10,999	70
9,800 - 10,399	69
9,200 - 9,799	68
8,600 - 9,199	67
8,000 - 8,599	66
7,400 - 7,999	65

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
6,800 - 7,399	64
5,600 - 6,199	62
5,000 - 5,599	61
4,999 or less	60

D. R-3 RESIDENTIAL DISTRICT

1. STATEMENT OF INTENT

The **R-3 Residential District** is intended to provide for medium density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

- (1) Single family dwellings.

b. Permitted Accessory Uses

The following accessory uses shall be permitted in the R-3 Residential District:

- (1) Accessory Buildings. No more than 2 detached accessory buildings shall be permitted. The total individual structure and composite area of all accessory buildings shall not exceed the maximums set forth in the following table:

Lot Size (s.f.)	Maximum Garage Size	Maximum Accessory Building Size	Maximum Total Composite Area
up to and including 20,000	720	200	720
20,000 - 24,999	770	240	780
25,000 - 29,999	820	285	830
30,000 -34,999	870	325	900
35,000-43,559	920	360	960
greater than 43,560	960	400	1000

- (2) Accessory buildings, not to exceed 200 square feet No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings, and detached garages shall not exceed 720 square feet.

- (3) The keeping of household pets.

- (4) Horticulture.

- (5) Public Parks and recreation areas.
- (6) Telecommuting.
- (7) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (8) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. **Setback** 50 feet minimum.
- b. **Offset** 20 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. **Principal Residence** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. AREA REGULATIONS

- a. **Lot Size**
Minimum area shall be 20,000 square feet.
- b. **Lot Width**
Minimum lot width shall be 120 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,200 square feet.
 - (2) All Other: See §17.03 5.A.
- d. **Open Space.**(rep & rec 2002-02-002A)
With the exception of rustic structures, for lots 20,000 square feet or larger, a minimum of 85% of each lot shall remain as open space. For existing lots with an area less than 20,000 square feet, the following scale shall be used:

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
19,400 - 19,999	85
18,800 - 19,399	84
18,200 - 18,799	83
16,400 - 16,999	80

<u>Lot Size (square foot)</u>	<u>Open Space Percentage (%)</u>
15,800 - 16,399	79
15,200 - 15,799	78
14,600 - 15,199	77
14,000 - 14,599	76
13,400 - 13,999	75
12,800 - 13,399	74
12,200 - 12,799	73
11,600 - 12,199	72
11,000 - 11,599	71
10,400 - 10,999	70
9,800 - 10,399	69
9,200 - 9,799	68
8,600 - 9,199	67
8,000 - 8,599	66
7,400 - 7,999	65
6,800 - 7,399	64
6,200 - 6,799	63
5,600 - 6,199	62
5,000 - 5,599	61
4,999 or less	60

E. R-L RESIDENTIAL LAKE DISTRICT

1. STATEMENT OF INTENT

The **R-L Residential Lake District** is intended to provide for medium density single family residential development on lots located on any lake.

2. USE REGULATIONS

a. Permitted Uses

(1) Single family dwellings.

b. Permitted Accessory Uses (rev. 00-507a)

The following accessory uses shall be permitted in the R-L Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,200 square feet.
 - (a) Private, detached garages, not to exceed 720 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 200 square feet.
 - (c) Boathouses. One private boathouse per lot shall be permitted. A boathouse must contain a minimum of 200 square feet of boat storage and no more than 600 feet of total area. Boathouses shall have a maximum width of 20 feet along the shore lot line and the maximum distance from the shore lot line to the rear of the boathouse structure shall be 35 feet. The boathouse shall be constructed with permanent foundations with frost footings and shall be equipped with garage-type doors opening towards the lake. No metal boathouses shall be permitted.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Public Parks and recreation areas.
- (5) Telecommuting.
- (6) Home Occupation with a valid permit issued under § 17.03 1.D. of this Code.
- (7) (created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

- a. Setback** 50 feet minimum.

b. Offset (rev. 00-507a)

	Boathouses	Other Structures
Non-shoreline	5 feet	* See additional chart
Shoreline	5 feet	150 feet

*** Other Structures Offset Chart:**

Lot Width	Offset
100 feet or greater	15 feet
50 - 100 feet	15% of the lot width **
less than 50 feet	7.5 feet **

**** No principal building can be closer than 20 feet to any other structure on an adjoining lot measured from the outward-most points of the two structures.**

4. BASE HEIGHT REGULATIONS

- a. Principal Residence** 30 feet maximum.
- b. Accessory Structures**
 - Boathouses 12 feet maximum above ordinary high water mark.
- c. All others** 12 feet maximum.

5. AREA REGULATIONS

- a. Lot Size**
Minimum area shall be 20,000 square feet.
- b. Lot Width**
Minimum lot width shall be 100 feet.
- c. Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,200 square feet.
 - (2) All Other: See §17.03 5. A.
- d. Open Space** (rep & rec 2002-02-002A)

With the exception of rustic structures, for lots 20,000 square feet or larger, a minimum of 75% shall remain open space. For existing parcels less than 20,000 square feet, the following scale shall be used:

<u>Lot Size (s.f.)</u>	<u>Open Space Percentage (%)</u>
19,000 - 19,999	74
18,000 - 18,999	73
17,000 - 17,999	72
16,000 - 16,999	71
15,000 - 15,999	70
14,000 - 14,999	69
13,000 - 13,999	68
12,000 - 12,999	67
11,000 - 11,999	66
10,000 - 10,999	65
9,000 - 9,999	64
8,000 - 8,999	63
7,000 - 7,999	62
6,000 - 6,999	61
5,999 or less	60

- e. **Shore lot line**
Minimum shore lot line shall be 100 feet.

F. A-1 AGRICULTURAL DISTRICT

1. STATEMENT OF INTENT

The **A-1 Agricultural District** is intended to provide for the needs of agriculture as a primary use as well as residential uses associated with such use, and to maintain in agricultural uses those lands generally suited for such use which may have the ultimate potential for other use. To maintain open space, it is intended that residential development be limited to planned unit development.

2. USE REGULATIONS (repealed and recreated 2011-004)

a. Permitted Uses

- (1) Single family dwellings.
- (2) Farming and agricultural use.
- (3) Grazing.
- (4) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (5) Hunting and fishing unless prohibited by other ordinances or laws.
- (6) Sustained yield forestry and tree farms.
- (7) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Substations and other utility installations.
 - (b) Sewage treatment plants.
- (8) Creameries (amended 2019-04)

b. Permitted Accessory Uses

- (1) Private, detached garages not involving the conduct of business and not including any sanitary facilities.
- (2) Accessory buildings, including but not limited to stables, barns, silos, poultry houses, farm storage buildings and other farm related buildings.
- (3) The keeping of household pets.
- (4) Roadside stands, provided off-street parking is made available for at least four vehicles.
- (5) Telecommuting.
- (6) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.
- (7) Nonresidential structures used solely in conjunction with the raising of water fowl, minnows and other similar lowland animals, fowl or fish.
- (8) Outdoor recreational structures.
- (9) Any other structure or use normally accessory to the principal uses permitted.
- (10) (amended 2019-04) Quarters for Household or Farm Employees

- (a) Quarters shall be occupied only by a full-time employee who works on the premises and members of the employee's family.
- (b) Number of employees that can have quarters on the premises is five (5).
- (c) A deed restriction shall be filed in the Register of Deeds office prior to allowance of the use indicating that the living unit is for employees on the farm and their families, and that there can be no more than 5 employees that can have quarters on the farm.

3. **BUILDING LOCATION**

- a. **Setback**
 - 100 feet minimum for buildings housing animals.
 - 30 feet minimum for roadside stands.
 - 50 feet minimum for all other buildings or structures.
- b. **Offset**
 - 50 feet minimum for buildings housing animals.
 - 20 feet minimum for all other buildings or structures.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Residence** 30 feet.
- b. **Accessory Structures** 90 feet maximum for farm accessory buildings or structures.
- 12 feet maximum for all other buildings.

5. **AREA REGULATIONS**

- a. **Lot Size** (amended 2019-04)
Minimum area shall be 40 acres.
- b. **Lot Width**
Minimum lot width shall be 200 feet.
- c. **Floor Area**
Minimum required area of principal residence shall be:
 - (1) Single Floor: 1,500 square feet.
 - (2) All Other: See §17.03 5. A.
- d. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 95% of each lot shall remain as open space.

With the exception of rustic structures, the total space occupied by all accessory buildings shall not exceed 1% of the total lot area.

G. A-E EXCLUSIVE AGRICULTURAL DISTRICT

1. STATEMENT OF INTENT

The **A-E Exclusive Agricultural District** is intended to implement the Wisconsin Farm Preservation Act, or other similar Federal, State or local initiatives, and is intended to provide for the preservation of existing large-scale farming operations and for smaller farm units of 35 acres or more located in areas which are predominantly agricultural in character.

2. USE REGULATIONS

a. Permitted Uses

1. Single family dwellings in conjunction with an agricultural operation to be occupied by the farmer or a person working on the farm.
2. Any permitted use in the A-1 Agricultural District.

b. Permitted Accessory Uses

1. Any accessory use permitted in the A-1 Agricultural District.

3. BUILDING LOCATION

a. Setback 100 feet minimum.
30 feet minimum for roadside stands.

b. Offset 50 feet minimum.

4. BASE HEIGHT REGULATIONS

a. Principal Residence 30 feet.

b. Accessory Structures 90 feet maximum for farm accessory buildings or structures.

12 feet maximum for all other buildings or structures.

5. AREA REGULATIONS

a. Lot Size
Minimum area shall be 35 acres.

b. Lot Width
Minimum lot width shall be 660 feet.

c. Floor Area
Minimum required area of principal residence shall be:

1. Single Floor: 1,500 square feet.
2. All Other: See §17.03 5. A.

d. Open Space (rep & rec 2002-02-002A)

With the exception of rustic structures which shall be permitted, 95% of each lot shall remain as open space.

With the exception of rustic structures which shall be permitted, the total space occupied by all accessory buildings shall not exceed 1% of the total lot area.

H. A-2 RURAL HOME DISTRICT

1. STATEMENT OF INTENT

The **A-2 Rural Home District** is intended to provide for low density single family residential development and limited, controlled farming and associated uses.

2. USE REGULATIONS (repealed and recreated 2011-004)

a. Permitted Uses

- (1) Single family dwellings.
- (2) The keeping of poultry, fowl and domestic livestock subject to the following conditions:
 - (a) One large animal (those animals with a mature weight of 50 pounds or more) or two fowl (not including chickens which are governed by subsection (d) below) or two small animals, or combination thereof shall be allowed on lots of 3 acres. One additional large animal or equivalent fowl or small animal may be added per acre of land over 3 acres (2 fowl or 2 small animals equal 1 large animal).
 - (b) (repealed and recreated 2019-04) If more large animals or equivalent fowl or small animal(s) or combination thereof is desired, beyond the maximum allowed on the lot per subsection a. (2) (a), above, they shall only be permitted as a Conditional Use under section 17.05. 5. J. Keeping of Poultry or Livestock.
 - (c) Notwithstanding the foregoing, the keeping of any type of animal that is described in Section 17.05 of this Code as a conditional use in the A-2 district, and the keeping of any animal under circumstances described in Section 17.05 as a conditional use in the A-2 district, is not a permitted use but is a conditional use as described therein.
 - (d) Keeping of chickens is permitted, subject to the requirements of Section 17.06 5. of this code.
- (3) Grazing.

- (4) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (5) Hunting and fishing unless prohibited by other ordinances or laws.
- (6) Sustained yield forestry and tree farms.
- (7) Normal crop farming consistent with the preservation of the District's character, provided such use is not described as a conditional use in the A-2 District in Section 17.05 of this Code.
 - (a) Permitted on lots of 10 acres or more.
 - (b) On lots of less than 10 acres, with Plan Commission approval.
- (8) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Substations and other utility structures
 - (b) Sewage treatment plants

b. Permitted Accessory Uses

- (1) Private, detached garages not involving the conduct of business and not including any sanitary facilities.
- (2) Accessory buildings, including but not limited to stables, barns, silos, poultry houses, farm storage buildings and other farm related buildings.
- (3) The keeping of household pets.
- (4) (repealed and recreated 2019-04) Roadside stands, provided off-street parking is made available for at least four vehicles.
- (5) Telecommuting.
- (6) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.
- (7) (amended 2019-04) Quarters for Household or Farm employees on Farms over 10 acres.
 - (a) Quarters shall be occupied by only a full-time employee who works on the premises and members of the employee's family.
 - (b) Number of employees that can have quarters on the premises is five (5).
 - (c) A deed restriction shall be filed in the Register of Deeds office prior to allowance of the use indicating that the living unit is for employees of the farm and their families, and that there can be no

more than 5 employees that can have quarters on the farm.

3. **BUILDING LOCATION**

a. **Setback** 100 feet minimum for buildings housing animals.

50 feet minimum for all other buildings or structures.
30 feet minimum for roadside stands.

b. **Offset** 50 feet minimum for buildings housing animals.

30 feet minimum for all other buildings or structures.

4. **BASE HEIGHT REGULATIONS**

a. **Principal Residence** 30 feet maximum.

b. **Accessory Structures** 90 feet maximum for farm accessory buildings or structures.

12 feet maximum for all other buildings or structures.

5. **AREA REGULATIONS**

a. **Lot Size** (amended 2019-04)

Minimum area shall be 3 acres. If land is developed into a subdivision, it shall meet the PUD requirements of Section 18.16 of the Town Code, subject to the allowance stated in Chapter 18.16 6. d.

b. **Lot Width**

Minimum lot width shall be 200 feet.

c. **Floor Area**

Minimum required area of principal residence shall be:

(1) Single Floor: 1,650 square feet.

(2) All Other: See §17.03 5. A.

d. **Open Space** (rep & rec 2012-09)

With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space.

With the exception of rustic structures, the total space occupied by all accessory buildings shall not exceed 1% of the total lot space unless the land is greater than 10 acres in which case the accessory buildings can be 2%.

I. **A-3 SUBURBAN HOME DISTRICT.**

1. **STATEMENT OF INTENT**

The **A-3 Suburban Home District** is intended to provide for low density single family residential development.

2. USE REGULATIONS

a. Permitted Uses

- (1) Single family dwellings.

b. Permitted Accessory Uses The following accessory uses shall be permitted in the A-3 Residential District:

- (1) Accessory buildings. No more than 2 detached accessory buildings shall be permitted. The total composite area of all accessory buildings shall not exceed 1,000 square feet.
 - (a) Private, detached garages, not to exceed 960 square feet, not involving the conduct of business and not including any sanitary facilities or living quarters.
 - (b) Other accessory buildings not to exceed 400 square feet.
- (2) The keeping of household pets.
- (3) Horticulture.
- (4) Telecommuting.
- (5) Home occupation with a valid permit issued under § 17.03 1. D. of this Code.
- (6) (Repealed 2012-03, 2-14-12)
- (7) Outdoor recreational structures.
- (8) Any other structure or use normally accessory to the principal uses permitted.
- (9) (Created 2012-02, 2-14-12) The keeping of chickens in accordance with Section 17.06 5.

3. BUILDING LOCATION

a. Setback 50 feet minimum.

b. Offset 25 feet minimum.

4. BASE HEIGHT REGULATIONS

a. Principal Residence 30 feet maximum.

b. Accessory Structures 12 feet maximum.

5. **AREA REGULATIONS**

a. **Lot Size**

Minimum area shall be 2 acres.

b. **Lot Width**

Minimum lot width shall be 200 feet.

c. **Floor Area**

Minimum required area of principal residence shall be:

(1) Single Floor: 1,500 square feet.

(2) All Other: See §17.03 5. A.

d. **Open Space** (rep & rec 2012-09)

With the exception of rustic structures, which shall be permitted, 85% of each lot shall remain as open space.

J. **B-1 RESTRICTED BUSINESS DISTRICT.**

1. **STATEMENT OF INTENT**

The **B-1 Restricted Business District** is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood and the character, appearance and operation of which are compatible with the character of the surrounding area.

2. **USE REGULATIONS**

a. **Permitted Uses**

The following uses shall be permitted in the B-1 Restricted Business District, subject to approval by the Plan Commission, of building, site and operational plans:

(1) Retail stores and shopping, offering convenience goods and personal services.

(2) Business, professional or public service offices.

(3) (repealed and recreated 2019-04) Customer service establishments such as restaurants excluding drive-through or drive-in restaurants, shoe repair, barber and beauty shops, studios and similar uses.

(4) (repealed and recreated 2019-04) Antique shops, gift shops, arts and craft studios and similar uses.

b. **Permitted Accessory Uses**

(1) One family dwelling in conjunction with a permitted business use occupied by an owner or person working at the business.

- (2) Off street parking.
- (3) Garages for storage of vehicles used only in conjunction with the operation of the business.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 10 feet minimum for buildings used solely for commercial purposes.
20 feet minimum for buildings used in part for residential purposes.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Structure** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 20,000 square feet.
- b. **Lot Width**
Minimum lot width shall be 120 feet.
- c. **Floor Area**
Minimum required area of principal building shall be:
 - (1) Single Floor: 1,200 square feet.
 - (2) All Other: See §17.03 5. A.
- d. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 50% of each lot shall remain as open space.

K. **B-2 SHOPPING CENTER DISTRICT.**

1. **STATEMENT OF INTENT**

The **B-2 Shopping Center District** is intended to provide for the orderly and attractive grouping at appropriate locations of retail stores, shops, offices and service establishments serving the daily needs of the surrounding local community area. The size and location of such Districts shall be based upon evidence of justifiable community need, of adequate customer potential, of satisfactory relationship to the traffic circulation system and other related facilities and of potential contribution to the economic welfare of the community.

2. **USE REGULATIONS**

a. **Permitted Uses**

The following uses shall be permitted in the **B-2 Shopping Center District**, subject to approval by the Plan Commission, of building, site and operational plans:

- (1) Retail stores and shopping, offering convenience goods and personal services.
- (2) Business, professional, public service, banking and savings and loan offices.
- (3) (repealed and recreated 2019-04) Customer service establishments such as restaurants excluding drive-through and drive-in restaurants, shoe repair, barber and beauty shops, studios and similar uses.
- (4) Laundromats, dry cleaning establishments and laundry or dry cleaning pick-up stations.
- (5) Dental and medical clinics.
- (6) Display galleries and training schools.
- (7) Public utility offices.
- (8) (repealed and recreated 2019-04) Antique shops, gift shops, arts and craft studios and similar uses.

b. **Permitted Accessory Uses**

- (1) Off street parking.
- (2) Garages for storage of vehicles used only in conjunction with the operation of the business.

3. **BUILDING LOCATION**

- a. **Setback** 50 feet minimum.
- b. **Offset** 10 feet minimum.

4. **BASE HEIGHT REGULATIONS**

- a. **Principal Building** 30 feet maximum.
- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

a. **District Area**

The District area shall be a minimum of 200,000 contiguous square feet.

- b. **Lot Size**
Minimum area shall be 20,000 square feet.
- c. **Lot Width**
Minimum lot width shall be 120 feet.
- d. **Floor Area**
There shall be no minimum floor area.
- e. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 50% of each lot shall remain as open space.

L. B-3 BUSINESS PARK DISTRICT.

1. STATEMENT OF INTENT

The **B-3 Business Park District** is intended to provide attractive settings for corporate offices and business centers. It is intended that each site created shall be in an exclusive site screened from all residentially zoned lands.

2. USE REGULATIONS

a. Permitted Uses

The following uses shall be permitted in the **B-3 Business Park District**, subject to approval by the Plan Commission, of building, site, landscape and operational plans:

- (1) (repealed and recreated 2019-04) Professional offices, corporate offices, administrative offices, studios, business centers, laboratories and similar operations not involving retail or commercial sales, industrial use or residential use.
- (2) (repealed and recreated 2019-04) Restaurants (excluding drive-through and drive-restaurants).

b. Permitted Accessory Uses

- (1) Off street parking, provided all lots and driveways are hard surfaced.

3. BUILDING LOCATION

- a. **Setback** 100 feet minimum.
- b. **Offset** 50 feet minimum except that where the adjacent District is a residential or agricultural District, a 100 feet minimum offset shall be required.

4. BASE HEIGHT REGULATIONS

- a. **Principal Building** 30 feet maximum.

- b. **Accessory Structures** 12 feet maximum.

5. **AREA REGULATIONS**

- a. **Lot Size**
Minimum area shall be 5 acres.
- b. **Lot Width**
Minimum lot width shall be 330 feet.
- c. **Floor Area**
There shall be no minimum floor area.
- d. **Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 80% of each lot shall remain as open space.

6. **ADDITIONAL REGULATIONS**

- a. Building exteriors shall be of an attractive material or must be faced with an attractive material such as face brick, natural stone, wood or other substantial materials as approved by the Plan Commission.
- b. The exterior of all structures, fences, planting screens, etc., shall be kept in good condition at all times by painting, trimming or other acceptable maintenance procedures. Subsequent additions or changes in the building and grounds shall conform to or enhance the original construction and be consistent therewith.
- c. All appurtenances placed on the roof of any structure such as air conditioning unit shall be housed in a penthouse or otherwise screened from view.
- d. Outside storage of all materials shall be prohibited.

M. **M-1 INDUSTRIAL DISTRICT**

1. **STATEMENT OF INTENT**

The **M-1 Industrial District** is intended to provide for the needs of those industries which require attractive settings and whose operations are such as to make them compatible and attractive neighbors in an otherwise residential community.

2. **USE REGULATIONS**

- a. **Permitted Uses**
The following uses shall be permitted in the M-1 Industrial District subject to approval by the Plan Commission of building, site, landscape and operational plans:
 - (1) Farming and agricultural use.
 - (2) (repealed and recreated 2019-04) Industrial and commercial operations, the character of which complements the surrounding

area and which are not for any reason detrimental thereto. Self-storage facilities as defined herein shall be regulated as a Conditional Use.

- (3) Soil processing for resale either at wholesale or retail.
- (4) Grazing.
- (5) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (6) Hunting and fishing unless prohibited by other ordinances or laws.
- (7) Sustained yield forestry and tree farms.
- (8) Public, or private group outdoor recreational facilities whether commercial or noncommercial.
- (9) Substations and other utility installations.
- (10) Sewage treatment plants.
- (11) (amended 2019-04) Commercial Greenhouses.
- (12) (amended 2019-04) Laboratories for testing, experimental or analytical purposes.

b. Permitted Accessory Uses

- (1) Off street parking, provided all lots and driveways are hard surfaced.

3. BUILDING LOCATION

- a. Setback** 100 feet minimum.
- b. Offset** 100 feet minimum where adjacent to a Residential or Agricultural District.
50 feet minimum where not adjacent to a Residential or Agricultural District.

4. BASE HEIGHT REGULATIONS

- a. Principal Building** 30 feet maximum.
- b. Accessory Building** 12 feet maximum.

5. AREA REGULATIONS

- a. Lot Size**
Minimum area shall be 3 acres.

- b. Lot Width**
Minimum lot width shall be 200 feet.
- c. Floor Area**
There shall be no minimum floor area.
- d. Open Space** (rep & rec 2002-02-002A)
With the exception of rustic structures which shall be permitted, 65% of each lot shall remain as open space.

6. ADDITIONAL REGULATIONS

- a.** Building exteriors must be of an attractive material or must be faced with an attractive material such as face brick, natural stone, wood or other substantial materials as approved by the Plan Commission.
- b.** The exterior of all structures, fences, planting screens, etc., shall be kept in good condition at all times by painting, trimming or other acceptable maintenance procedures. Subsequent additions or changes in the building and grounds shall conform to or enhance the original construction and be consistent therewith.
- c.** All appurtenances placed on the roof of any structure such as air conditioning units shall be housed in a penthouse or otherwise screened from view.
- d.** All materials and all vehicles (other than employee and visitor parking), when not in use shall be stored inside except where it is demonstrated that such storage can be adequately shielded from view by planting screen or decorative fencing. In no event shall such storage be permitted within the base setback area.
- e.** All parking lots and driveways shall be hard surfaced.
- f.** Parking lots shall be shielded from adjoining properties by planting screen or decorative fencing and shall not be permitted within the base setback area.
- g.** All lands not used for buildings, parking lots, driveways, etc., shall be landscaped and kept in good appearance at all times, including required watering of lawns and shrubbery.
- h.** The site and operational plans shall include design features necessary to ensure that traffic generated by the operation, especially that involving heavy trucks, does not have an adverse effect on existing or planned roads and traffic movement considering especially adequacy, safety and efficiency.
- i.** (amended 2019-04) The operation plan submitted for Plan Commission approval shall specify and quantitatively describe any noise, vibration, dust, gas, smoke, toxic matter and odors produced by the operation and plans for containing or abating such nuisance, including fertilizers or chemicals.

- j. The planned hours of operation and nighttime lighting plans shall be included in the plan of operation submitted for Plan Commission approval.

N. P-1 PARK AND RECREATION DISTRICT

1. STATEMENT OF INTENT

The **P-1 Park and Recreation District** is intended to provide for areas where the open space and recreational needs of the citizens of the Town can be met without undue disturbance of natural resources and adjacent uses.

2. USE REGULATIONS

a. Permitted Uses.

The following uses shall be permitted in the **P-1 Park and Recreation District**, subject to the approval of the building, site, landscape and operational plans by the Town Board following recommendations by the Plan Commission and Park and Recreation Committee:

- (1) Botanical gardens and arboretums.
- (2) Public golf course.
- (3) Hiking, nonmotorized biking and nature trails.
- (4) Historic monuments or sites.
- (5) Nature preserves.
- (6) Neighborhood tot lots.
- (7) Outdoor skating rinks.
- (8) Parks and playgrounds.
- (9) Picnicking areas.
- (10) Play fields or athletic fields.
- (11) Swimming beaches.
- (12) Swimming pools.
- (13) Tennis courts.
- (14) Other recreational uses similar in nature.
- (15) Grazing.
- (16) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (17) Hunting and fishing unless prohibited by other ordinances or laws.

- (18) Sustained yield forestry and tree farms.
- (19) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Normal crop farming consistent with the preservation of the District's character.
 - (b) Public, or private group outdoor recreation facilities whether commercial or noncommercial.
 - (c) Substations and other utility installations.
 - (d) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Buildings accessory to the permitted use.

3. BUILDING LOCATION

- a. **Setback** 100 feet minimum.
- b. **Offset** 50 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. **Any Building** 25 feet.

5. AREA REGULATIONS

- a. **Lot Size**
Minimum area shall be 1 acre.
- b. **Lot Width**
Minimum lot width shall be 150 feet.
- c. **Floor Area**
There shall be no minimum floor area.
- d. **Open Space** (rep & rec 2019-04)
Ninety percent (90%) of each lot shall remain as open space except as follows: (1) the footprint of rustic structures shall not be counted as impervious area in the open space calculation.

O. WF-1 WETLAND-FLOODPLAIN DISTRICT

1. STATEMENT OF INTENT

The WF-1 Wetland-Floodplain District is intended to protect environmentally sensitive wetlands and areas included in designated floodplains.

2. USE REGULATIONS

a. Permitted Uses

- (1) Grazing.
- (2) The harvesting of wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
- (3) Hunting and fishing unless prohibited by other ordinances or laws.
- (4) Sustained yield forestry and tree farms.
- (5) The following uses may be permitted, subject to approval of the Plan Commission after consideration of the building, site and operational plans:
 - (a) Normal crop farming consistent with the preservation of the wetland character.
 - (b) Public, or private group outdoor recreation facilities whether commercial or noncommercial.
 - (c) Substations and other utility installations.
 - (d) Sewage treatment plants.

b. Permitted Accessory Uses

- (1) Nonresidential structures used solely in conjunction with the raising of water fowl, minnows and other similar lowland animals, fowl or fish.
- (2) Outdoor recreational structures.
- (3) Any other structure or use normally accessory to the principal uses permitted.

3. BUILDING LOCATION

- a. Setback** 100 feet minimum.
- b. Offset** 100 feet minimum.

4. BASE HEIGHT REGULATIONS

- a. Any Structure** 30 feet maximum.

5. AREA REGULATIONS

There shall be no minimum or maximum Area Regulations.

6. ADDITIONAL REGULATIONS

- a.** The filling or drainage of marsh or wetlands, removal of topsoil or peat, the

creation of ponds, damming or relocating of any watercourse shall not be permitted except with the approval of the Plan Commission.

- b. Such approval may be granted only after determination by the Town Engineer and the Commission that the proposed alteration in the existing conditions will not create an adverse effect in terms of surface drainage, groundwater recharge potential, potential flooding, storage capacity of any floodland, sewage disposal or the value of the surrounding properties.
- c. Where any such approved alteration of the existing conditions in Wetland-Floodplain District results in eliminating the Wetland-Floodplain characteristics, the corrected District boundaries shall be established by processing a zoning map change for such revised boundary and proposed new District classification for the reclaimed lands.

P. C-1 UPLAND ENVIRONMENTAL CORRIDOR OVERLAY DISTRICT (created 05-003)

1. STATEMENT OF INTENT.

The Upland Environmental Corridor Overlay District is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding 12%, and upland wooded areas, while also affording an opportunity to use the site for limited residential purposes. The Upland Environmental Corridor Overlay District superimposes certain additional restrictions and requirements upon a basic underlying zoning district without disturbing the requirements of the basic district. When there is a conflict in requirements, the more strict requirements shall apply.

2. USE REGULATIONS.

a. Permitted Uses:

- (1.) Any uses permitted in the WF-1 Wetland-Floodplain District.
- (2.) Single family dwellings.
- (3.) Keeping poultry and domestic livestock, if allowed in the underlying zoning district, except that the keeping of hogs, male goats or fur bearing animals shall not be permitted on less than twenty (20) acres.

b. Permitted Accessory Uses:

The following accessory buildings and uses, subject to the conditions specified and if allowed in the underlying zoning district.

- (1.) Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.

3. **BUILDING LOCATION.**

- a. **Setback:** In accordance with the underlying zoning district.
- b. **Offset:** In accordance with the underlying zoning district.

4. **BASE HEIGHT REGULATIONS.**

- a. **Principal Building:** In accordance with the underlying zoning district.
- b. **Accessory Building:** In accordance with the underlying zoning district.

5. **AREA REGULATIONS.**

- a. **Floor Area:** In accordance with the underlying zoning district
- b. **Lot Size:**
 - (1.) Minimum area: the overall density of parcels lying entirely within the Upland Environmental Corridor shall not be less than one dwelling unit per five (5) acres of corridor area, with no lot area being less than 30,000 square feet size. On parcels which contain area outside of the environmental corridor or partially within the environmental corridor and in a zoning category requiring less than a five (5) acre lot, the five (5) acre density requirement shall not apply and the lot can be the size required for that zoning category as long as any earth altering activity and/or building envelopes are located outside of the corridor area and appropriately restricted as such on the face of the Certified Survey Map, Subdivision Plat or other appropriate matter and recorded in the office of the Register of Deeds. The overall goal of this requirement is to obtain a maximum density of building activity within the environmental corridor of not more than one (1) dwelling unit for each five (5) acres of environmental corridor lands.
- c. **Preservation of Open Space:**
 - (1.) For parcels lying entirely within an Upland Environmental Corridor Zoning District, all earth altering activities and vegetative removal shall comply with the following performance standards:
 - A. **Building Sites:** Land disturbance shall be limited to an area extending no more than twenty-five (25) feet from three sides of the Development Envelope, and 35 feet from the fourth side of the Development Envelope, as defined by this Code.
 - B. **Drives and accesses:** Land disturbance shall not exceed twenty feet in width extending from the edge of roadway to the area of Development Envelope disturbance.
 - C. **Sanitation:** Private on-site sanitary systems in approved locations and required to serve permitted uses of the property shall be permitted in addition to the Development Envelope performance standards described herein

- (2.) For parcels which lie partially within and partially outside of the environmental corridor, the area of disturbance shall be limited to the area outside of the upland environmental corridor unless otherwise permitted by a Development Envelope on the certified survey map, subdivision plat or other document so designated by the Town Plan Commission. In instances where drives and accesses are required to extend through the upland environmental corridor in order to reach an approved Development Envelope outside of the upland environmental corridor, all such drives and accesses shall not exceed twenty feet in width within the corridor.

17.04 5. Q PLO PEWAUKEE LAKE NON-SHORELINE REDEVELOPMENT OVERLAY DISTRICT (created 05-003)

1. STATEMENT OF INTENT.

The Pewaukee Lake Redevelopment Overlay District is intended to be used to promote the redevelopment of off-lake lands, which are proximate to Pewaukee Lake, through the consolidation of parcels and reconfiguration of buildable lands, where the application of modern site development standards to off-lake properties is hindered by their original and obsolete platting. Obsolete platting characteristics include faulty lot layouts in relation to size, adequacy, accessibility and usefulness. When there is a conflict in requirements, the more strict requirements shall apply.

2. USE REGULATIONS.

- a. **Permitted Uses:** In accordance with the underlying zoning district.
- b. **Permitted Accessory Uses:** In accordance with the underlying zoning district.

3. BUILDING LOCATION.

- a. **Setback:** In accordance with the underlying zoning district.
- b. **Offset:** In accordance with the underlying zoning district.

4. BASE HEIGHT REGULATIONS.

- a. **Principal Building:** In accordance with the underlying zoning district.
- b. **Accessory Building:** In accordance with the underlying zoning district.

5. AREA REGULATIONS.

- a. **Floor Area:** In accordance with the underlying zoning district
- b. **Lot Size:** In accordance with the underlying zoning district.
- c. **Preservation of Open Space:** In accordance with the underlying zoning district.

SECTION 17.04(5)(R) PLANNED DEVELOPMENT DISTRICT #1

1. STATEMENT OF INTENT

This district is intended to accommodate the development of a mixed-use neighborhood. The district provides opportunities for the development of a variety of residential, and open space uses in a cohesive environment. A heightened level of planning is required, including but not limited to, open space requirements, design standards and landscaping to ensure an attractive development. The district is intended to achieve the following:

- Provide for mixed residential use in an attractive, integrated environment which is complimentary to the surroundings.
- Preserve the natural environment by conserving environmental corridor areas, wetlands and tree lines designated for preservation to the extent practicable.
- Provide for landscape buffers along Glen Cove Rd., Elmhurst Rd. and Golf Rd. to ensure harmony with surrounding neighborhoods
- Provide for a trail network that links existing neighborhoods, individual development sites and the Lake Country Trail.
- Mitigate traffic impacts by splitting access between both local roads and the county trunk highway system.
- Provide a heightened level of site design and connectivity between development sites.
- Provide a broad range of potential living unit options that will accommodate residents of varying ages.

2. APPLICABILITY

This district is available to be applied solely to the area depicted in Map 1, attached hereto and incorporated herein by reference, which is comprised of approximately 152 acres, and referred to herein as the Eligible District. Prior to the Planned Development District #1 designation being applied to any lands, the Eligible District must be rezoned to the Planned Development District #1 and a General Development Plan must be approved subject to the procedural requirements of Section 17.04(5)(R)(4). Any rezoning application to this district shall include all of the territory of the Eligible District as defined herein.

Nothing herein shall be interpreted to prevent territory within the Eligible District from being rezoned to other zoning district designations as may be allowed by the Town of Delafield Zoning Code. Piecemeal rezoning and development of portions of the Eligible District may prevent the land from being rezoned to this district, however, because this district requires planned development of all of the Eligible District together.

The Waukesha County Shoreland and Floodland Protection Ordinance governs any lands within 300' of a navigable stream, 1,000' from a lake or public pond or to the full extent of the floodplain if a greater distance.

3. DEFINITIONS

Certain terms are defined as follows, for purposes of this Section 17.04(5)(R) Planned Development District # 1 only. If the terms defined herein differ from definitions provided elsewhere in the Town of Delafield Municipal Code, the definition stated herein shall control within this district.

Accessory Building – a detached building or structure that is incidental to the permitted uses in the zoning district and located upon the same lot occupied by the principal building or structure.

Applicant – the proposed developer and all owners of the land included within the Eligible District.

Clubhouse – a structure specifically designated for residents of a specific development, for recreational activities, social events, or other uses defined in the covenants of a development.

Condominiums (also Condos) – Homes created by the filing of a condominium plat. Structures designated to be occupied by no more than four (4) families living independently from each other.

Eligible District -- The area depicted in Map 1, attached hereto and incorporated herein by reference, which is comprised of approximately 152 acres; subject to the following possible exclusion. Approximately 8 acres of land located in the Northwest corner of the land depicted in Map 1 may be excluded from the Eligible District lands and separately improved with up to 8 single family residential lots around a cul-de-sac extension of Crooked Creek Road, effective upon satisfying all land division and rezoning requirements for such separate development.

General Development Plan (GDP) – A general overview of a development being proposed to be submitted with a rezone request. The overview shall be subject to the provisions described in Section 4(b) of this ordinance.

Minimum Average Lot Width – The average horizontal distance measured between side lot lines at the established Base Setback Line and the rear lot line. The Zoning Administrator shall determine where to measure lot width on an irregular shaped lot. A newly created Lot shall be at least as wide as the specified minimum average width for a distance of at least one-half the length of the lot.

Pre-Petition Meeting – One or more meeting(s) prior to the submittal of a rezone petition with the Applicant, Town staff and County staff, for the purpose of discussing code compliance requirements, review procedures and project approval schedule and any other matter.

Road Access Plan – A plan showing the road layout of the development showing access points to other roadways. The Road Access Plan shall be submitted with the GDP, and is subject to the provisions described in Section 4(b) of this ordinance.

Sewer Study – A study performed by a firm approved by Town staff, providing recommendations for required improvements to the sanitary system to assure adequate sanitary sewer capacity to service a development and maintain adequate capacity levels in the sanitary district for future development, as determined by the Town staff, in conjunction with the Lake Pewaukee Sanitary District.

Single-Family Low Density – Single-Family homes, with minimum lot sizes of 20,000 square feet.

Single-Family Low-Medium Density (15,000)– Single-Family homes with minimum lot sizes of 15,000 square feet.

Single-Family Medium Density (10,000) – Single-Family homes with minimum lot sizes of 10,000 square feet.

Specific Development Plan (SDP) – A detailed site plan, to be submitted following the submittal and approval of a GDP. The site plan could be in the form of a preliminary plat or preliminary condominium plat. The SDP shall be subject to the provisions described in Section 4(c) of this ordinance.

Traffic Impact Analysis – An engineering study that determines the potential impacts the expected traffic of a proposed traffic generator will have on the surrounding roadway network. The study includes a recommendation of roadway improvements that may be necessary to accommodate the additional traffic. A complete analysis includes an estimation of future traffic with and without the proposed generator, analysis of traffic impacts, and recommended roadway improvements which may be necessary to accommodate the expected traffic. The analysis shall evaluate a variety of access points in the development.

4. PROCEDURE

- a. Pre-Petition Meeting: Prior to submitting a petition for rezoning to the Planned Development District #1, the Applicant shall meet with Town staff and County staff for a Pre-Petition Meeting.
- b. Rezone petition- General Development Plan (GDP). Following the Pre-Petition Meeting, the Applicant shall file a petition with the Town and County for a rezone to the Planned Development District #1. The application shall be signed by the Applicant as defined herein. The application shall include GDP materials as specified below.

As part of the rezoning petition review, the GDP shall be reviewed and approved, **denied**, or **conditionally approved** by the Town Board upon receipt of a recommendation from the Town Plan Commission. No construction of any improvement, whether public or private, or site development, shall commence, and the rezoning shall not be effective, unless and until the GDP including all of the materials specified below are approved or conditionally approved by the Town Board.

- 1) General Development Plan Drawing. The drawing shall include but not be limited to exterior boundaries, existing and proposed street rights of way, parcel dimensions and sizes, environmental corridor, wetlands, floodplain, contours, natural features, proposed open spaces, and proposed parks.
- 2) Open space and natural resource protection plan.
- 3) Traffic Impact Analysis. The Town of Delafield and/or Waukesha County may require improvements recommended in the Traffic Impact Analysis be implemented for the development.
- 4) Road Access Plan. The plan shall show access points to Golf Road, Elmhurst Road and Glen Cove Road. Access points shall be sited in a manner to ensure safety with consideration of site distance and intersection spacing. The road network shall provide expedient access to higher intensity uses from Golf Road to the greatest degree practicable in order to minimize traffic impacts to Elmhurst Road and Glen Cove Road. Zone 3 shall require either 1 access to Golf Road and Glen Cove, or 2 accesses to Golf Road.
- 5) Sanitary Sewer Plan. The existing sewer system was designed for a density of 7 people per acre based on the entire 152-acre development; adequate sewer capacity must be demonstrated. All development shall be served by public sewer. The Applicant shall work with Lake Pewaukee Sanitary District and pay all costs associated with a Sewer Study and any necessary Project necessitated upgrades to the sewer conveyance system and lift stations, and to obtain written documentation from Lake Pewaukee Sanitary District confirming the higher density development can be successfully served by municipal sewer.
- 6) Water Study. All State laws and administrative rules related to private wells and groundwater supply shall be complied with by the Applicant. The Applicant shall demonstrate that the Southeastern Wisconsin Regional Planning Commission, State Department of Natural Resources and the Lake Pewaukee Sanitary District have been consulted with regards to anticipated water table impacts of any planned private water supply. The water study must demonstrate to the satisfaction of the Town Planning Commission and Town Engineer, that a private water supply will adequately serve the Project depicted in the GDP, and not adversely impact private wells in the area or other natural resources. Alternative water sources shall be considered by the Town Plan Commission and Town Board and the County Zoning Administrator if requested by the Applicant. The Town of Delafield and Waukesha County

may require improvements recommended in the water study to be implemented by the Applicant as a result of the Project depicted in the GDP.

- 7) Preliminary Stormwater Plan. The Applicant must demonstrate that the plan has been reviewed and commented on by the Waukesha County Land Resources Division for any phases of the project that will be brought forward in conjunction with the rezone request. The plan shall show which development phases are expected to be served by on-site stormwater facilities along with those anticipated to be served by shared stormwater facilities.
- 8) Bike and Pedestrian Plan. The plan must include a west connection in the vicinity of Brookstone Circle and a northeast connection to the Lake Country Trail. Trail segments shall be constructed in conjunction with the development of the respective development phase and shall connect to existing or future adjacent phases. Individual phases of the project shall provide connections to the main planned trail artery that will generally connect the neighborhoods to the west and the Lake Country Trail to the northeast.
- 9) Active Recreation Plan. An active recreation area that is a minimum of 0.5 acres in area, such as a small neighborhood pocket park, would be desirable and may be required based upon the nature and intensity of the proposed uses. The Town Board, upon receipt of a recommendation of the Town Plan Commission and County Zoning Administrator shall consider the Applicant's plan and determine the location, size, components, ownership and maintenance of the active recreation area. The recreation area may be located within a designated natural resource protection area, provided that a tree inventory is provided to demonstrate that the disturbance will not unduly harm mature trees.

c. Specific Development Plan

If rezoning and a General Development Plan have been approved, an application for Specific Development Plan approval for any portion of the project shall accompany a site plan application. The Town Board, upon receipt of a recommendation of the Town Plan Commission and County Zoning Administrator, shall approve, deny, or conditionally approve the following detailed plans as part of the Specific Development Plan review process. A General Development Plan shall not have an expiration date unless specified by the Town Board. However, substantial changes to a General Development Plan shall require approval of a revised General Development Plan prior to approval of Specific Development Plans.

- 1) Detailed site plan
- 2) Architectural plans for Condos and the Clubhouse
- 3) Landscape plans
- 4) Grading plans
- 5) Preliminary Stormwater Plan for any phases that were not reviewed as part of the General Development Plan.
- 6) Final Stormwater Plan
- 7) Natural resource protection and open space plan.
- 8) Parking plans
- 9) Signage plans
- 10) Traffic plans. If proposed uses or densities differ from those that were assumed in the Traffic Impact Analysis as part of the General Development Plan, a revised Traffic Impact Analysis shall be prepared and reviewed and approved by the town and county.
- 11) Bike and pedestrian plan in accordance with Section 4(b)(8).
- 12) Lighting plan.

5. USE REGULATIONS

Four (4) use zones have been established within the district, as depicted in Map 1. The uses provided for in each use zone are identified in the table below.

	Allowable Uses			
	Single-Family Low Density	Residential Single-Family Low-Medium Density (15,000)	Single-Family Medium Density (10,000)	Condos
Zone 1	Permitted	-	-	-
Zone 2	Permitted	Permitted	-	-
Zone 3	Permitted	Permitted	Permitted	Permitted
Zone 4	Permitted	Permitted	Permitted	Permitted

6. DENSITY

- a. **Single-Family and Condominium residential densities:** The table below identifies maximum residential use densities. Maximum project density shall be capped at 230 units; unless the single family lots around a cul-de-sac extension of Crooked Creek Road have been separately developed as described in Section 17.04(5)(R)2, in which case the maximum project density shall be capped at 222 units.

Maximum Dwelling Unit Per Acre/ Minimum Lot Size

Zone	Single-Family min lot size (sq. ft.)	Condos (units/acre)	
Zone 1	20,000	N/A	
Zone 2	15,000	N/A	
Zone 3	10,000	4	
Zone 4	10,000	4	

7. BUILDING LOCATION

- a. Offsets and Road Setback for external roadways: Minimum road setback requirements for structures are specified in the tables below. The base setback line shall be measured thirty-three (33) feet from the centerline of a local road or 75' from the center point of a cul-de-sac. Setbacks are measured from the base setback line. For all streets or highways for which the ultimate width has been established by the Highway Width Ordinance of Waukesha County, the base setback line shall be located at a distance from the centerline equal to one-half such established width as designated on the "Established Street and Highway Width Map of Waukesha County."

1. Road Setbacks for Golf Road (CTH DR), Glen Cove Rd. and Elmhurst Rd.

Required Offsets and Setbacks from external roadways

Road Frontage	Minimum Road Setback
Golf Road (CTH DR)	100'
Glen Cove Rd.	100'
Elmhurst Rd.	50'

- b. Offsets and Road Setbacks for internal roadways. The table below contains setback requirements for internal public roads and side and rear offsets. Setbacks from private roads shall be determined by the Town Board upon the recommendation of the Town Plan Commission and the County Zoning Administrator as part of the Specific Development Plan review:

**Required Setbacks from public internal development roadways and Offsets
(excludes CTH DR, Elmhurst Rd, Glen Cove Rd.)**

Use Type	Minimum Road Setback	Side Offset	Rear Offset
Single-Family Low Density	35'	15'	20'
Single-Family Low-Medium Density (15,000))	25'	12.5'	20'
Single-Family Medium Density (10,000)	25'	10'	20'
Single Family Condos	25'	15' (building to building)	N/A
Duplex or 4 Family Condos	25'	20' (building to building)	N/A
Clubhouse		40' (building to building)	

1. Wetland and Floodplain Setback/Offset:

Wetlands and Floodplain setbacks/offsets within the Planned Development District are subject to the standards below rather than the wetland and floodplain setbacks established elsewhere in Section 17.

A. Wetlands Setback/Offset: Seventy-five (75) feet minimum.

B. Floodplain Setback/Offset: Thirty-five (35) feet minimum from the 1% regional flood elevation.

8. HEIGHT/BULK REGULATIONS

- a. Building Height. All building heights are subject to the Town's Zoning Code height requirements outlined in Section 17.03 6.

Base Height Regulations

Building Type	Maximum Base Height
Single-family Low Density	30'
Single-Family Low-Medium Density (15,000)	30'
Single-Family Medium Density (10,000)	30'
Condos	30'
Accessory Buildings	12'
Clubhouse	30'

- b. Accessory Building Height: Accessory Building heights are subject to the Town's Zoning Code height requirements outlined in Section 17.03 6.

9. AREA REGULATIONS

a. Floor Area and Building Footprint:

Minimum Floor Area shall be measured at each level from the outside edge of wall to outside edge of wall. Basements, exterior balconies, unenclosed porches, and garages shall not be included in the minimum Floor Area calculation.

1. Minimum Floor Area required for Single-family Dwellings:

- i. One-story structure, 1,200 square feet.
- ii. All other structures: Area must comply with requirements of Section 17.03 5 (A).

2. Maximum Building Footprint permitted:

Building footprint is defined as the surface area of all roofed structures per use type, except for the area of a roof overhang that measures twenty-four inches (24") or less in depth.

Use Type	Maximum Footprint
Single-Family Low Density	17.5% per lot
Single-Family Low-Medium Density (15,000)	25% per lot
Single-Family Medium Density (10,000)	30%
Condos	25%

- b. Lot size. Minimum lot area and Minimum Average Lot Width shall comply with the requirements below. Minimum Average Lot Width is the average horizontal distance measured between side lot lines at the established base setback line and the rear lot line or ordinary high-water mark of a navigable waterway. The Town Engineer shall determine where to measure lot width of an irregular shaped lot.

Minimum Average Lot Width	
Single-Family Low Density	100 feet
Single-Family Low-Medium Density (15,000)	90 feet
Single-family Medium Density (10,000)	75 feet
Condos	N/A

10. OPEN SPACE FOR DEVELOPMENT SITE

- a. The table below depicts the percentage of a total development site that must be conserved in open space. Lowland open space acreage, which includes wetlands and floodplains, shall be multiplied by 0.2 to determine the open space credit for lowland areas. The specified open space requirements

are unique for single family development as compared to other use types. Open space for single family residential development areas must be provided in commonly held outlots.

Use Type	Percent of Development Site
Single-Family Low Density	30%
Single-Family Low-Medium Density (15,000)	30%
Single-Family Medium Density (10,000)	35%
Condos	60%

b. Natural Resource Preservation

All areas of Environmental Corridor (EC), wetlands, non-invasive species, tree lines and other wooded areas that are designated for preservation on Map 2, attached hereto and incorporated herein by reference, shall be preserved as described on said map. Map 2 shows approximated boundaries of these resources. Field determined and surveyed boundaries of the EC shall constitute the regulated boundaries if determined in the field to be larger than the generalized boundaries depicted on Map 2. Field determined and surveyed boundaries of wetlands shall constitute the regulated wetland boundaries. EC and wetlands shall be conserved within outlots to the maximum extent practicable when located on properties developed for single family use. Any EC or wetland area to be located on a private single-family residential lot shall be conserved via preservation restrictions that must be recorded in the Waukesha County Register of Deeds Office.

Limited disturbance of EC and wetlands to accommodate road crossings and recreational paths or features shall be permitted pursuant to approval by the Town Plan Commission and County Zoning Administrator. Removal of invasive species such as Buckthorn and Honeysuckle is permitted, however, large-scale removal of invasive species shall only be permitted provided that a restoration plan is submitted to and reviewed and approved by the Town Plan Commission and County Zoning Administrator. If invasive or undesirable species dominate a tree line, replacement plantings may be required if cutting or removal is proposed. Incremental removal of said vegetation may be required to preserve the overall integrity of the tree line. The Town Plan Commission and County Zoning Administrator may authorize the removal of Box Elder or other undesirable trees from tree lines, but native deciduous trees shall be required to be planted at a minimum size of 2" diameter at breast height with number and location of replacement trees to be determined by site conditions, overall landscape plan submitted and subject to review of the Town Plan Commission and County Zoning Administrator.

c. Landscape Buffers

Landscape buffers shall be provided along the existing external roadways (Glen Cove Rd., Elmhurst Rd., Golf Rd.) as specified on Map 2. A landscape plan shall be prepared for the respective segment of the landscape buffers as phases are developed. Landscaping shall include a mix of trees, shrubs and ground cover vegetation. Those segments along Glen Cove Rd. and Elmhurst Rd. that are in view of adjacent residences shall contain tree planting that will provide an effective visual screen. Berms may also be used to assist in providing visual separation. The landscape plans shall be reviewed and approved by the Town Plan Commission and County Zoning Administrator. Landscape buffers shall be contained within commonly held outlots where the subject lands are proposed for single-family subdivision use. Plantings and berms shall not obstruct vision at intersections. Lands that must be dedicated to achieving compliance with the Street and

Highway Width Map for Waukesha County shall not be counted in contributing to the required buffer width.

11. SIGNAGE REGULATIONS

Signage regulations shall be in accordance with Section 17.08 (Signs) with the following exceptions. Free standing signage is limited to monument style only, with the exception of small wayfinding signage. Signage within individual project phases shall be complimentary to signage in other phases.

12. PARKING REGULATIONS

The parking regulations of Section 17.09 shall be adhered to with the following additional requirements. Parking demand projections shall be supplied by the Applicant to aid in analyzing the appropriateness of flexing the requirements of Section 17.09.

Screening. All Clubhouse parking areas must be screened from abutting zones with vegetation that is a minimum of three feet in height at time of planting and landscaping shall be provided between parking areas and roadways with a landscape plan being subject to review of the Town Plan Commission and the County Zoning Administrator. If the landscaping areas are within established vision corner easements, the height of vegetation may be reduced to comply with easement requirements.

Landscape Islands. Any parking lot that contains twenty (20) or more stalls shall provide interior site landscaping. The end of every parking aisle shall typically have a landscaped island and no more than fifteen (15) parking spaces shall be provided between landscape islands unless this requirement is waived because of unique conditions. Landscape islands shall generally be a minimum of 325 square feet in area for double parking rows or 160 square feet in area for single parking rows.

13. OPEN SPACE FOR EACH LOT

The amount of open space, as defined by 17.02 of the Town Code, on a lot shall be limited as specified within the table below. The following surface types shall count as impervious surface: buildings, porches, roads, driveways, patios, decks, retaining walls, gravel drives, gravel parking areas, swimming pools and any other hard surface.

Use Type	Open Space Minimum (as % of lot area)
Single-Family- Low Density	70%
Single-Family Low Density (15,000)	60%*
Single-Family Medium Density (10,000)	60%
Condos	60%

*Per State shoreland zoning law, the amount of impervious surface is limited to 30% on any riparian lot and any lot that is completely within 300' of the ordinary high-water mark of a navigable stream.

14. DUMPSTER ENCLOSURES: All dumpsters shall be enclosed with solid fencing or walls and shall be screened with landscaping. Materials used for the dumpster enclosure shall be similar and compatible with the main building architectural materials.

15. ROAD LAYOUT: Internal streets must be designed in a manner to discourage cut-through traffic from adjacent neighborhoods to ensure that access points to Golf Rd. are not unduly burdened with congestion. Traffic calming measures (landscape bump outs, visually conspicuous crosswalks, narrow streets, etc.) may be required in order to provide for safe and efficient traffic circulation. A minimum of two access points to Golf Road must be provided. Access location points are subject to considerations

of a traffic impact study and subject to the approval of the Town and Waukesha County. The roadway serving Zone 1 shall be an extension of Crooked Creek Rd. terminating in a cul-de-sac within that zone.

16. **CUL-DE-SAC LENGTH.** The planned extension of Crooked Creek Rd. will terminate in an extended cul-de-sac. Crooked Creek Rd. is authorized to exceed 1000'. Any other cu-de-sac that will terminate more than 1000' feet from its nearest outlet shall be reviewed and approved, denied, or conditionally approved by the Town Board, upon recommendation of the Town Plan Commission, with input from the Town Highway Superintendent and Lake Country Fire and Rescue department to ensure that adequate emergency access is available.
17. **DEVELOPMENT AGREEMENT.** The Applicant shall enter into a development agreement that specifies the duties and obligations of both parties with respect to development in the district. The Town may require the Applicant to provide a financial guarantee for completion of public improvements and private improvements the Town believes are necessary for completion of the project.