

**CITY OF PRESCOTT, WISCONSIN
MEETING NOTICE
PLANNING COMMISSION
Monday, March 6, 2022
6:00 P.M.
PRESCOTT MUNICIPAL BUILDING
800 BORNER ST., PRESCOTT, WI 54021**

- 1) Call to Order
- 2) Roll Call
- 3) Approve Plan Commission Minutes January 3, 2023
- 4) Zoning Code Review Chapter 635
 - a) Zoning Article II Proposed Changes
 - b) Zoning Map Proposed Changes
 - c) Planned Unit Development Overlay District
 - d) Exterior Architecture Standards Discussion
 - e) Other Chapter Changes
- 5) Other Business
 - a. Next Meeting – Monday, April 3 at 6:00 pm
- 6) Adjourn

ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS AVAILABLE THROUGH THE REAR PARKING LOT ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY HALL OFFICES (262-5544) IF ASSISTANCE IS REQUIRED.



Planning Commission Meeting Minutes

January 3rd, 2023

Pursuant to due call and notice thereof, a meeting of the Planning Commission was held, January 3rd, 2023, Municipal Building, 800 Borner Street, Prescott, Wisconsin 54021. The meeting was called to order at 6:00 PM

Committee Present: Rob Daugherty, David Hovel, Kate Otto, Josh Gergen, Steve Most, John Peterson (arrived late), and Rick Miller.

Committee Absent: Todd Dolan

Staff Present: City Administrator Matt Wolf, Planner Carter Hayes

Others Present: Members of the Public, Josh Miller of Cedar Corporation, and Bob Colson of Cedar Corporation.

1. Approve Minutes for December 5th, 2022.

David Hovel motioned to approve the minutes; Steve Most seconded the motion. Motion passed without a negative voice (5-0).

2. Public Hearing

David Hovel motioned to begin the public hearing; Steve Most seconded the motion.

- a. Presentation on “Comprehensive Plan 2015-2035” Amendment**
- b. Hold Public Hearing on Proposed “Comprehensive Plan 2015-2035” Amendment**

Josh Miller of Cedar Corporation presented information regarding the comprehensive plan amendment. The comprehensive plan amendment pertains to the Transportation Chapter. Specifically, a North-South connector route from HWY 29 to HWY 35. The proposed route in the comprehensive plan passes over a deep and wide ravine making the road costly. The discussion now is a corridor further east to preserve the ability of a North-South connection.

Meeting was opened to public comment:

Steve Findley: Mr. Findley raised a question about the classification of the road from a bypass to a collector road. Mayor Daugherty responded that the connection to 35 is no longer in the scope.

Hamid Ahrar: Mr. Ahrar lives on 570th Avenue. His concern is potentially any alternatives to the route. He would like to see some investigation into 1200th Street as a potential suitor for the connector route.

Gavin Thorsrud: Mr. Thorsrud lives in very close proximity to the proposed corridor and is questioning to why the original bridge is being abandoned when there was proposed funding plans at the time of discussion. He also questions the integrity of logic in this plan as it is not a problem that is needed to be addressed now.

Philip Wawra: Mr. Wawra lives on 1242nd Street, adjacent to the planned corridor. Mr. Wawra shared his thoughts on the communication between the City and the Town of Oak Grove. He also raised his concerns on what the impact on 570th Street will be as well as the effect on property values an annexation.

Mara Thorsrud: The Thorsruds recently purchased a home next to the proposed corridor. Mrs. Thorsrud raised her concern about the proximity of the corridor to her property and the effect that it will have on her land and property value.

Mike Riley: Mr. Riley spoke about the multiple revisions of this planned corridor and the reasoning to each revision and why he believes each revision to be less logical. He questions the rationality of the placement of the road at its current state. Mr. Riley also raised a question about the DOT's required visibility onto HWY 10.

Eric Guberud: Mr. Guberud is an avid biker into and out of Prescott. He states that the distance from his land to the bottom of 570th Avenue is the same distance as it is from 1200th Street. Mr. Guberud also made a clarification to the map, wondering if 570th Avenue will be removed, which it will not be. He also offered an idea of singularly using 1200th Street as the connection to Hwy 29, with an added bonus that the City of Prescott already owns land in that area.

Tom Riley: Mr. T. Riley is questioning how much variance the road corridor could have due to its proximity to the gravel pit.

Mike Unknown Surname: Mike lives in the city of Prescott and is advocating on the behalf of his father-in-law, Mr. Pehacek. He was looking to gather information regarding any future liabilities to his property in the future with this plan going in place.

Jim Boles: Mr. Boles is concerned that the increased traffic would affect the condition of the road. He believes 570th Avenue is already in disrepair and increased traffic will cause the road to deteriorate further. Mr. Boles questioned the City's jurisdiction and its ability to govern in Oak Grove township. In which the authority to plan a corridor is given by the State.

Liz Guberud: Mrs. Guberud has lived on 570th Avenue for 40 years. She claims the feasibility of this plan is very questionable and she believes that it should have been analyzed further before looking to amend the comprehensive plan.

Linda Speetzen: Mrs. Speetzen says she prefers not taking 1200th Street going into town, she would rather drive through Prescott. She also raised her concern that DNR approval may be necessary due to an earthen dam being located in the corridor.

Juanita Erickson: Mrs. Erickson is representing the Riley Romero LLC. She is concerned that the contract they are entering with Monarch could be in jeopardy if this corridor is approved. She also clarified that landowners with the corridor must sell their land to be developed for a road to be constructed.

David Hovel motioned to close the public hearing; Josh Gergen seconded. Motion passed without a negative voice vote (6-0).

David Hovel motioned to approve resolution 23-01; Josh Gergen seconded. Motion passed without a negative voice vote (6-0).

3. Zoning Code Review Chapter 635

- a. Accessory Dwelling Units Discussion**
- b. Parking Requirements**
- c. Bed & Breakfast/Short Term Rentals**
- d. Electric Vehicle Charging Stations**

Planner Carter Hayes presented follow-up information regarding Accessory Dwelling Units and the City Parking Requirements. A proposed change for retail establishments from 1 space per 150 sqft to 1 space per 300 sqft was discussed as well as restaurants with a 30% of the state building code capacity requirement.

Planning Commission favored an accessory height restriction being altered for ADUs only. Where an ADU can be no taller than a principal structure. Staff will also look into removing the size restriction on garages for ADUs.

Planning Commission favored the alterations to the City's parking requirements. As well as allowing conditional use permits that can lower the restrictions in extraordinary situations or impose additional stipulations on a site.

Bob Colson of Cedar Corporation presented information regarding zoning revisions to Bed & Breakfast and Short-Term Rentals. Planning Commission questioned the restrictions on Bed & Breakfast establishments, such as the meal definition. The Commission discussed changing the requirement from being served breakfast before noon to 1 meal per day regardless of time, but it was decided to keep the original verbiage for now.

Bob Colson also presented information regarding short term rentals. The commission favored the short-term rental revision.

Lastly, Bob Colson presented the information regarding electric vehicle charging stations. The Commission favored the zoning verbiage on the electric vehicle charging stations.

4. Other Business
N/A

5. Adjourn

Josh Gergen motioned to adjourn; David Hovel seconded; motion passed without a negative voice (6-0). Meeting was adjourned at 7:55 pm.

The next planning commission meeting will be held on February 6th, 2022, at 6:00 PM at Prescott City Hall.

Respectfully Submitted,

Carter Hayes

Carter Hayes
Planner



To: Plan Commission
From: Matt Wolf, City Administrator
Carter Hayes, City Planner
Date: March 3, 2022
Subject: Zoning Code Review Chapter 635

Discussion

The next sections of the Zoning Code Review will be Article II Zoning Districts. A draft of the proposed changes is attached to this memo. Additionally, Cedar Corporation will be putting together a draft of Zoning Map changes that will be shared at the meeting for discussion. The biggest changes proposed is removal of R-4, R-6, and substantial text changes to C-2 and the Planned Unit Development Overlay District.

Staff will also be discussing with the Plan Commission if there is a desire to establish architectural standards. In the past we have heard from members and the community that there is a growing frustration with pole sheds being put up and that they would like to see something a little "nicer".

Finally, if time permits, we will be discussing other changes in the Zoning Code Chapter 635.

Attachments

1. Article II Zoning Districts

260 ~~50% or more of the frontage on a block is occupied by principal structures having setbacks less than~~
261 ~~that required by this chapter, setback on each remaining lot shall be determined in accordance with~~
262 ~~the following rule. The front building line of a proposed structure shall be no nearer the front lot line~~
263 ~~than a line joining adjacent front corners of the nearest principal structures which are in the same~~
264 ~~block frontage on either side of the proposed structure. If, on a block frontage, no principal structure~~
265 ~~exists to one side of a proposed structure, a structure may be assumed to exist on the corner lot~~
266 ~~which conforms to the minimum setback and side yard width requirements of this chapter.~~
267 **[Amended 5-29-2012 by Ord. No. 08-12]**

268 (2) ~~Additions. Additions in the front yard of existing structures shall not project beyond the average of~~
269 ~~the existing front yards on the abutting lots or parcels.~~

270 D. Corner lots. For purposes of this chapter, corner lots will have no rear yard setback requirements but
271 shall, for setback purposes, have two front yard (street sides) requirements and two side yard setback
272 requirements. **Front yard fence regulations as provided in § 635-86 C (1).**

273 **§ 635-12 Parcels not served by public sewer and water.**

274 In any district where the City determines public water service or public sewage service is not available the
275 lot shall have a minimum area of five acres, have adequate soils for the construction and operation of
276 private individual sewage treatment and private individual water systems, and sufficient area for at least
277 one replacement private sewage treatment system according to Ch. SPS 383, Wis. Adm. Code.

278 **Article III**
279 **Zoning Districts**

280 **§ 635-13 Establishment of districts.**

281 A. Descriptions. Zoning districts are provided as follows: **[Amended 5-29-2012 by Ord. No. 08-12]**

282 (1) R-1 (MR) Mixed Residential District for single- and two-family dwelling units.

283 (2) R-2 (MF) Multifamily Residential District for three dwelling units or more in a single building.

284 (3) R-3 (HD) High-Density Residential District for high-density multifamily development.

285 ~~(4) R-4 (DR) Duplex Residential District for duplexes only.~~

286 (5) R-5 (SF) Single-Family Residential District for single-family dwelling units only.

287 ~~(6) R-6 (EX) Executive Residential District for single-family dwelling units only with large lots and~~
288 ~~houses.~~

289 (7) C-1 Central Commercial District for businesses in and near the central business district.

290 (8) C-2 Highway Commercial District for businesses outside the central business district.

291 (9) I-1 Light Industrial District.

292 (10) I-2 Heavy Industrial District.

293 (11) I-3 Mixed Industrial - Commercial District.

294 (12) A-1 Agricultural District for crop production, pasture, and idle lands.

295 (13) P Preservation District for natural and cultural preservation areas.

296 (14) PUD planned unit developments involving innovative development physical design standards.

297 (15) MH Manufactured and Mobile Home Residence District.

298 (16) SZ School Zone District. [Added 6-12-2017 by Ord. No. 02-17]

299 B. Boundaries. These districts are hereby established as shown on a map titled "Prescott Zoning District
300 Map" dated August 1989, as amended, which is hereby adopted by reference as if fully set forth
301 herein. Such boundaries shall be construed to follow corporate limits, U.S. Public Land Survey lines,
302 lot or property lines, center lines of streets, highways, alleys, easements and railroad rights-of-way or
303 such lines extended, unless otherwise noted on the zoning map.

304 C. Vacation of public streets and alleys. Vacated lands shall be placed in the same district as the
305 abutting side to which the vacated land reverts.

306 § 635-14 **Zoning Map.**

307 A. A certified copy of the zoning map, as amended, shall be adopted, and approved with the text as part
308 of this chapter and shall bear upon its face the attestation of the Mayor and City Clerk and shall be
309 available to the public in the office of the City Clerk.

310 B. Changes thereafter to the districts shall not be effective until entered and attested on the certified
311 copy.

312 § 635-15 **Rules for interpretation of district boundaries.**

313 Where uncertainty exists as to the boundaries of districts as shown on the zoning map, the following rules
314 shall apply:

315 A. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall
316 be construed to follow such center lines.

317 B. Boundaries indicated as approximately following platted lot lines shall be construed as following
318 such lot lines.

319 C. Boundaries indicated as approximately following municipal boundaries shall be construed as
320 following municipal boundaries.

321 D. Boundaries indicated as following railroad lines shall be construed to be midway between the main
322 tracks.

323 E. Boundaries indicated as parallel to or extensions of features indicated in the preceding shall be so
324 construed. Distances not specifically indicated on the zoning map shall be determined by the scale of
325 the map.

326 § 635-16 **Limited number of buildings.**

327 There shall be not more than one principal dwelling **and a total of** two accessory structures **and one**
328 **children's play structure in a residential district. The two accessory structure limitation includes a**
329 **garage (attached or detached) and one other accessory structure, except as provided in §§ 635-17**
330 **through 635-29. An Accessory Dwelling Unit, with approval, may be counted as one of the**
331 **accessory structures.** in a residential district including a private garage in a residential district, except as
332 provided in §§ ~~635-17~~ through ~~635-29~~.

333 § 635-17 **Mixed Residential District R-1 (MR).**

334 A. Purpose. The Mixed Residential District is intended to provide a quiet, pleasant living area protected
335 from traffic, congestion and incompatible land uses. This District is designed to maintain compact
336 residential development near existing residential areas and presently served or readily serviceable by
337 public sewer and water.

338 B. Principal permitted uses.

339 (1) Single-family dwelling units.

340 (2) Neighborhood park or playground.

341

342 C. Accessory uses.

343 (1) ~~One private garage and accessory building for single family.~~ **Duplex buildings, there shall not be**
344 **more than one principal structure (duplex unit) and a total of four accessory structures. The**
345 **accessory structure limitation includes two garages (attached or detached) and two other**
346 **accessory structures per lot.**

347 ~~(2) Two private garages and accessory buildings for duplexes.~~

348 (2) Essential services.

349 **(3) Electric vehicle charging station in accordance with Article XII.**

350 **(4) Solar Energy Systems in accordance with Article IX.**

351 D. Conditional uses.

352 (1) In home day-care centers ~~(over eight children)~~, nursing homes.

353 (2) Professional home offices, home occupations.

354 (3) Bed-and-breakfast establishments.

355 (4) Structures or alteration of natural terrain on slopes of 20% or greater.

356 ~~E. Special uses.~~

357 (1) Churches, schools, libraries, hospitals, community centers, cemeteries.

358 (2) Municipal buildings.

359 ~~(3) Day care centers, nursing homes,~~ community-based residential facilities.

360 (4) Public utility structures, provided they are enclosed in an eight-foot or higher protection fence.

361 (5) Duplexes (two dwelling units), ~~as long as no more than three duplexes are constructed in any one~~
362 ~~interior block with street delineations or no less than 600 linear feet of street frontage starting at the~~
363 ~~nearest cross street intersection.~~

364 (6) Conversion from single-family unit to two-family unit ~~{not subject to three duplexes per block~~
365 ~~requirement as stated in Subsection E(5)}.~~

366 **(7) Accessory Dwelling Unit in accordance with Article IV of this chapter.**

367 F. Prohibited uses. All uses not specifically permitted **or other uses not specified and in accordance**
368 **with § 635-9 E.**

369 G. Minimum lot area.

370 (1) Single-family dwelling: 8,500 square feet.

371 (2) Two-family dwelling: 10,000 square feet.

372 H. Minimum lot width.

373 (1) Single-family dwelling: 75 feet measured at rear of front lot.

374 (2) Two-family dwelling: 100 feet measured at rear of front lot.

- 375 I. Minimum dwelling width: 22 feet.
- 376 J. Minimum yards. [Amended 5-29-2012 by Ord. No. 08-12; 3-11-2013 by Ord. No. 01-13]
- 377 (1) Front: 25 feet from City right-of-way line or in line with existing houses.
- 378 (2) Rear: 25 feet.
- 379 (a) Principal structure: 25 feet to lot line.
- 380 (b) Accessory structure: See § 635-84(a.1).
- 381 (3) Side.
- 382 (a) Single-family dwelling: eight feet minimum; 20 feet total, except for lots platted prior to January 1,
383 1962, where a side yard shall be a minimum of six feet.
- 384 (b) Two-family dwelling: 12 feet.
- 385 K. Maximum building height: 35 feet.
- 386 L. Minimum dwelling unit size:
- 387 (1) Single-family dwelling: 900 square feet.
- 388 (2) Two-family dwelling: 750 square feet.
- 389 M. Minimum lot coverage. No more than 50% of the lot may be covered by structures. **Optional, No**
390 **more than 70% of the total area of the lot can be impervious.**
- 391 N. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
392 greater, except as a conditional use.
- 393 O. Parking and loading requirements. See **Article VI.**
- 394 P. ~~Performance standards. All uses of land, water and structures in this district must also comply with~~
395 ~~Article VIII.~~
- 396 **P. External Lighting. All exterior lighting shall minimize light pollution by providing the**
397 **minimum value of light necessary for comfort, safety, and identification of features. All**
398 **exterior light fixtures shall be fitted with cutoffs to restrict emission of light above the**
399 **horizontal plane.**
- 400 Q. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**
- 401 **§ 635-18 Multifamily Residential District R-2 (MF).**
- 402 A. Purpose. The Multifamily Residential District is intended to provide a quiet, pleasant living area,
403 protected from traffic, congestion and incompatible land uses. This district is located in areas
404 presently served or readily serviceable by public water and/or sewer. For this district, compact
405 development near existing residential areas is encouraged.
- 406 B. Principal permitted uses.
- 407 (1) Duplexes **(two dwelling units per structure).**
- 408 (2) Neighborhood park or playground.
- 409 (3) Principal permitted uses as allowed under R-1 Mixed Residential District.

- 410 C. Accessory uses.
- 411 (1) ~~Private garage and accessory building.~~ **Duplex buildings, there shall not be more than one**
412 **principal structure (duplex unit) and a total of four accessory structures. The accessory**
413 **structure limitation includes two garages (attached or detached) and two other accessory**
414 **structures per parcel.**
- 415 (2) Essential services.
- 416 **(3) Electric vehicle charging station in accordance with Article XII.**
- 417 **(4) Solar Energy Systems in accordance with Article IX.**
- 418 D. Conditional uses.
- 419 (1) Professional home offices, home occupations.
- 420 (2) Structures or alteration of natural terrain on slopes of 20% or greater.
- 421 (3) Bed-and-breakfast establishments. [Added 5-29-2012 by Ord. No. 08-12]
- 422 ~~E. Special uses.~~
- 423 **(5) Churches, schools, libraries, hospitals, community centers, cemeteries.**
- 424 **(6) Municipal buildings.**
- 425 **(7) Day-care centers, nursing homes, community-based residential facilities.**
- 426 **(8) Public utility structures, provided they are enclosed in an eight-foot or higher protection fence.**
- 427 **(9) Accessory Dwelling Unit in accordance with Article X of this chapter.**
- 428 F. Prohibited uses. All uses not specifically permitted **or other uses not specified and in accordance**
429 **with § 635-9 E.**
- 430 G. Minimum lot area.
- 431 (1) Single-family dwelling: 8,500 square feet.
- 432 (2) Two-family dwelling: 10,000 square feet **per dwelling unit**
- 433 H. Minimum lot width: 100 feet.
- 434 I. Minimum dwelling width: 22 feet.
- 435 J. Minimum yards. [Amended 5-29-2012 by Ord. No. 08-12; 3-11-2013 by Ord. No. 02-13]
- 436 (1) Front: 25 feet from public right-of-way. **or in line with existing houses.** Same as Average front
437 **Yard.**
- 438 (2) Rear: 25 feet to lot line.
- 439 (a) Principal structure: 25 feet to lot line.
- 440 (b) Accessory structure: See § 635-84(a.1).
- 441 (3) Side.
- 442 (a) Principal structure: 10 feet, **12 feet** which do you prefer? except for lots platted prior to January 1,

- 443 1962, where side yards shall be a minimum of six feet. five on each side for accessory structures
- 444 K. Maximum building height: 35 feet.
- 445 L. Minimum dwelling size: ~~575 square feet.~~
- 446 **(a) Single Family: 575 square feet.**
- 447 **(b) Duplex: 750 square feet per dwelling unit.**
- 448 M. Maximum lot coverage. No more than **60% or 50%?** of the lot may be covered by structures.
- 449 **Optional, No more than 70% of the total area of the lot can be impervious.**
- 450 N. Percent slope. No structure or alteration of natural terrain shall be permitted on slopes of 20% or
- 451 greater, except as a conditional use.
- 452 O. Parking and loading requirements. **See Article VI.**
- 453 ~~P. Performance standards. All uses of land, water and structures in this district must also comply with~~
- 454 ~~Article VIII. The only standard in Article VIII even remotely associated with residential~~
- 455 ~~development is external lighting, consider~~
- 456 **P. External Lighting. All exterior lighting shall minimize light pollution by providing the**
- 457 **minimum value of light necessary for comfort, safety, and identification of features. All**
- 458 **exterior light fixtures shall be fitted with cutoffs to restrict emission of light above the**
- 459 **horizontal plane.**
- 460 Q. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**
- 461 **§ 635-19 High-Density Residential District R-3 (HD).**
- 462 A. Purpose. The High-Density Residential District is intended to provide an area where residential
- 463 development involving the construction of nine dwelling units or more may be built. Such a
- 464 development shall be well buffered and provide a pleasant living environment protected from traffic,
- 465 congestion and incompatible land uses. This District is to be located in areas presently served or
- 466 readily serviceable by public water and/or sewer.
- 467 B. Principal permitted uses.
- 468 (1) Three or more ~~unit dwellings~~ **dwelling units** all within the same structure.
- 469 (2) Neighborhood park or playground.
- 470 C. Accessory structures.
- 471 ~~(1) Private garages and accessory buildings. A principal building an attached or detached garage~~
- 472 **and one accessory building can be placed on the lot.**
- 473 (2) Essential services.
- 474 **(3) Electric vehicle charging station in accordance with Article XII.**
- 475 **(10) Solar Energy Systems in accordance with Article IX.**
- 476 D. Conditional uses.
- 477 (1) Professional home offices, home occupations.
- 478 (2) Structures or alteration of natural terrain on slopes of 20% or greater.

- 479 (3) **Business services provided specifically to serve the tenants and/or owners of the dwelling units.**
480 **What is this?**
- 481 (4) Bed-and-breakfast establishments. **[Added 5-29-2012 by Ord. No. 08-12]**
- 482 ~~E. Special uses.~~ **Most of these should become Conditional Uses**
- 483 **(4)** Churches, schools, libraries, hospitals, community centers, cemeteries.
- 484 **(5)** Municipal buildings.
- 485 **(6)** Day-care centers, nursing homes, community-based residential facilities.
- 486 **(7)** Public utility structures, provided they are enclosed in an eight-foot or higher protection fence.
- 487 **(8) Accessory Dwelling Unit in accordance with Article X.**
- 488 F. Prohibited uses. All uses not specifically permitted **and in accordance with § 635-9 E.**
- 489 G. Minimum lot area. A base of 32,000 square feet ~~for the minimum nine dwelling unit structure~~, plus:
- 490 (1) Two thousand square feet of additional lot area for every additional one-bedroom dwelling unit
491 above the base.
- 492 (2) Two thousand five hundred square feet of additional lot area for every additional two-bedroom
493 dwelling unit above the base.
- 494 (3) Two thousand eight hundred square feet of additional lot area for every additional three-bedroom
495 dwelling unit above the base.
- 496 H. Minimum yards.
- 497 (1) Front: 25 feet from public right-of-way.
- 498 (2) Rear: 25 feet from lot line.
- 499 (3) Side.
- 500 (a) Principal structures: 15 feet.
- 501 (b) Accessory structures: five feet.
- 502 I. Minimum dwelling unit size: 500 square feet.
- 503 J. Minimum dwelling width: 22 feet.
- 504 K. Maximum building height: 35 feet.
- 505 L. Maximum lot coverage. ~~No more than 70% of the lot may be covered by structures.~~ **No more than**
506 **70% of the total area of the lot can be impervious.**
- 507 M. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
508 greater, except as a conditional use.
- 509 N. Parking and loading requirements. **See Article VI.**
- 510 O. ~~Performance standards. All uses of land, water and structures in this district must also comply with~~
511 ~~Article VIII.~~ **The only standard in Article VIII even remotely associated with residential**
512 **development is external lighting, consider**

513 **O. External Lighting. All exterior lighting shall minimize light pollution by providing the**
514 **minimum value of light necessary for comfort, safety, and identification of features. All**
515 **exterior light fixtures shall be fitted with cutoffs to restrict emission of light above the**
516 **horizontal plane.**

517 P. Modifications. Requirements stipulated above may be modified in accordance with § 635-11.

518 § 635-20 ~~Duplex Residential District R-4 (DR).~~

519 A. ~~Purpose. The Duplex Residential District is intended to provide a quiet, pleasant, living area~~
520 ~~protected from traffic, congestion and incompatible land uses. This district shall be located in areas~~
521 ~~presently served or readily serviceable by public sewer and water.~~

522 B. ~~Principal permitted uses.~~

523 (1) ~~Duplex only (two dwelling units per structure).~~

524 (2) ~~Neighborhood park or playground.~~

525 C. ~~Accessory uses.~~

526 (1) ~~One private garage and accessory building per dwelling unit.~~

527 (2) ~~Essential services.~~

528 D. ~~Conditional uses.~~

529 (1) ~~Professional home offices, home occupations.~~

530 (2) ~~Structures or alteration of natural terrain on slopes of 20% or greater.~~

531 (3) ~~In-home day care centers.~~

532 (4) ~~Bed and breakfast establishments.~~

533 E. ~~Special uses.~~

534 (1) ~~Churches, schools, libraries, hospitals, community centers, cemeteries.~~

535 (2) ~~Municipal buildings.~~

536 (3) ~~Day care centers, nursing homes, community-based residential facilities.~~

537 (4) ~~Public utility structures, provided they are enclosed in an eight-foot or higher protection fence.~~

538 F. ~~Minimum lot area: 10,000 square feet per duplex building.~~

539 G. ~~Minimum lot width: 100 feet.~~

540 H. ~~Minimum yards.~~

541 (1) ~~Front: 25 feet from City right of way line or in line with existing houses.~~

542 (2) ~~Rear: 25 feet.~~

543 (3) ~~Side: 12 feet minimum, except for lots platted prior to January 1, 1962, where side yards shall be a~~
544 ~~minimum of six feet; five feet on each side for accessory structures.~~

545 I. ~~Maximum building height: 35 feet.~~

546 J. ~~Minimum dwelling width: 22 feet.~~

- 547 ~~K. Minimum dwelling unit size: 750 square feet.~~
- 548 ~~L. Maximum lot coverage. No more than 60% of the lot may be covered by structures.~~
- 549 ~~M. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or~~
550 ~~greater, except as a conditional use.~~
- 551 ~~N. Parking and loading requirements. See Article VI.~~
- 552 ~~O. Performance standards. All uses of land, water and structures in this District must also comply with~~
553 ~~Article VIII.~~
- 554 ~~P. Modifications. Requirements stipulated above may be modified in accordance with § 635-11.~~
- 555 § 635-21 **Single-Family Residential District R-5 (SF).**
- 556 A. Purpose. The Single-Family Residential District is intended to provide a quiet, pleasant living area of
557 single-family homes protected from traffic, congestion and incompatible land uses. This district shall
558 be located in areas presently served or readily serviceable by public sewer and water.
- 559 B. Principal permitted uses.
- 560 (1) Single-family homes only.
- 561 (2) Neighborhood park or playground.
- 562 C. Accessory uses.
- 563 (1) One private garage and accessory building.
- 564 (2) Essential services.
- 565 **(3) Electric vehicle charging station in accordance with Article XII.**
- 566 **(10) Solar Energy Systems in accordance with Article IX.**
- 567 D. Conditional uses.
- 568 (1) Professional home offices, home occupations.
- 569 (2) Structures or alteration of natural terrain on slopes of 20% or greater.
- 570 (3) In-home day-care centers, nursing homes.
- 571 (4) Bed-and-breakfast establishments.
- 572 E. ~~Special uses.~~
- 573 (1) Churches, Schools, libraries, hospitals, community centers, cemeteries.
- 574 (2) Municipal buildings.
- 575 (3) Public utility structures, provided they are enclosed in an eight-foot or higher protection fence.
- 576 (4) Day-care centers.
- 577 F. Prohibited uses. All uses not specifically permitted **and in accordance with § 635-9 E.**
- 578 G. Minimum lot area: 10,000 square feet per dwelling unit.
- 579 H. Minimum lot width: 75 feet.

- 580 I. Minimum dwelling width: 22 feet.
- 581 J. Minimum yards.
- 582 (1) Front: 25 feet from City right-of-way line or in line with existing houses.
- 583 (2) Rear: 25 feet.
- 584 (3) Side: eight feet minimum, ~~25~~ **20** feet total; five feet on each side for accessory structures.
- 585 K. Maximum building height: 35 feet.
- 586 L. Minimum dwelling unit size: 1,200 square feet.
- 587 M. Maximum lot coverage. No more than 50% of the lot may be covered by structures. **Optional, No**
- 588 **more than 70% of the total area of the lot can be impervious.**
- 589 N. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
- 590 greater, except as a conditional use.
- 591 O. Parking and loading requirements. **See Article VI.**
- 592 P. ~~Performance standards. All uses of land, water and structures in this district must also comply with~~
- 593 ~~Article VIII. The only standard in Article VIII even remotely associated with residential~~
- 594 ~~development is external lighting, consider~~
- 595 **P. External Lighting. All exterior lighting shall minimize light pollution by providing the**
- 596 **minimum value of light necessary for comfort, safety, and identification of features. All**
- 597 **exterior light fixtures shall be fitted with cutoffs to restrict emission of light above the**
- 598 **horizontal plane.**
- 599 Q. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**
- 600 ~~§ 635-22 Executive Residential District R-6 (EX). Why can't this district be removed...the R-5 district~~
- 601 ~~is for Residential only it has a min lot area of 10,000 sf...does the city really care if a developer wants~~
- 602 ~~larger lots in this district?~~
- 603 A.—~~Purpose. The Executive Residential District is intended to provide a quiet, pleasant living area~~
- 604 ~~protected from traffic, congestion and incompatible land uses. This District is designed to provide an~~
- 605 ~~area for homeowners who desire to build large homes on larger lots than are provided for in other~~
- 606 ~~residential districts. These areas shall be located in areas presently served or readily serviceable by~~
- 607 ~~public sewer and water.~~
- 608 B.—~~Principal permitted uses:~~
- 609 (1)—~~Single family homes only.~~
- 610 (2)—~~Neighborhood park or playground.~~
- 611 C.—~~Accessory uses:~~
- 612 (1)—~~One private garage and accessory building. Accessory building number limits. See Article X.~~
- 613 (2)—~~Essential services.~~
- 614 **(3) Electric vehicle charging station in accordance with Article XII.**
- 615 **(10) Solar Energy Systems in accordance with Article IX.**
- 616 D.—~~Conditional uses:~~

- 617 (1) ~~Structures or alteration of natural terrain on slopes of 20% or greater.~~
- 618 (2) ~~Bed and breakfast establishments.~~
- 619 E. ~~Special uses. Not permitted.~~
- 620 F. ~~Prohibited uses. All uses not specifically permitted or other uses in accordance with § 635-9 E.~~
- 621 G. ~~Minimum lot area: 20,000 square feet per dwelling unit.~~
- 622 H. ~~Minimum lot width: 100 feet.~~
- 623 I. ~~Minimum yards.~~
- 624 (1) ~~Front: 35 feet from City right of way line or in line with existing homes.~~
- 625 (2) ~~Rear: 25 feet.~~
- 626 (3) ~~Side: 10 feet for principal structures and five feet on each side for accessory structures.~~
- 627 J. ~~Maximum building height: 35 feet.~~
- 628 K. ~~Minimum dwelling unit size: 3,000 square feet.~~
- 629 L. ~~Maximum lot coverage. No more than 50% of the lot may be covered by structures. **Optional, No**~~
630 ~~**more than 70% of the total area of the lot can be impervious.** (Define Impervious)~~
- 631 M. ~~Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or~~
632 ~~greater, except as a conditional use.~~
- 633 N. ~~Parking and loading requirements. See Article VI.~~
- 634 P. ~~Performance standards. All uses of land, water and structures in this district must also comply with~~
635 ~~Article VIII. **The only standard in Article VIII even remotely associated with residential**~~
636 ~~**development is external lighting, consider**~~
- 637 **O. External Lighting. All exterior lighting shall minimize light pollution by providing the**
638 **minimum value of light necessary for comfort, safety, and identification of features. All**
639 **exterior light fixtures shall be fitted with cutoffs to restrict emission of light above the**
640 **horizontal plane. **Light Pollution definition. Any adverse effect of manmade light including,****
641 **but not limited to, light trespass, up lighting, the uncomfortable distraction to the eye, or any**
642 **manmade light that diminishes the ability to view the night sky.**
- 643 P. ~~Modifications. Requirements stipulated above may be modified in accordance with § 635-11.~~
- 644 § 635-23 **Central Commercial District C-1.**
- 645 A. Purpose. The Central Commercial District is established to delineate areas appropriate for
646 commercial uses in and near the central business district or areas of similar compact development
647 served or readily serviceable by public sewer and water.
- 648 B. Principal permitted uses. Business services, such as bakeries, barber shops, bars, beauty shops,
649 clinics, clothing stores, clubs, drugstores, eating and drinking establishments, fish markets, florists,
650 food lockers, fruit and vegetable stores, gas stations, gift stores, grocery stores, hardware stores,
651 hotels, hobby shops, laundries, lodges, meat markets, motels, inns, music stores, office supplies,
652 optical stores, packaged beverage stores, places of entertainment, professional, governmental and
653 business offices, retail stores, finance, real estate services, personal service establishments and
654 funeral homes, the preceding by way of illustration and not exclusion.
- 655 C. Accessory uses. Dwelling units as a part of the principal building not to exceed 50% of the usable

656 floor area, parking areas and garage. Dwelling unit shall be on a floor other than the main floor.

657 D. Conditional uses.

658 (1) Residential buildings as a principal use.

659 (2) Structures or alteration of natural terrain on slopes of 20% or greater.

660 **(3) Electric vehicle charging station in accordance with Article XII.**

661 **(4) Large Scale in accordance with Article IX.**

662 E. Special uses.

663 **(5) Drive-in establishment for eating and drinking.**

664 **(6) Other uses not specifically permitted, but similar in character to principal permitted uses.**

665 F. Prohibited uses. ~~Junkyards and salvage yards~~ **or other uses not specified and in accordance with**
666 **§ 635-9 E.**

667 G. Minimum lot width: 25 feet for fireproof construction, 45 feet for non-fireproof construction.

668 H. Minimum lot depth: 100 feet.

669 I. Minimum yards.

670 (1) Front: none beyond City right-of-way.

671 (2) Rear: 25 feet.

672 (3) Side: none for fireproof construction, 10 feet for non-fireproof construction.

673 J. Maximum building height: 35 feet.

674 K. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
675 greater, except as a conditional use.

676 L. Parking and loading requirements. **See Article VI.**

677 M. Performance standards. All uses of land, water and structures in this district must also comply with
678 **Article VIII.**

679 N. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**

680 **§ 635-24 Highway Commercial District C-2.**

681 A. Purpose. The Highway Commercial District is established to delineate areas appropriate for
682 commercial uses which are either oriented to the highway user or intended as service to vehicles;
683 delineate predominantly retail shopping areas outside of central business district; define standards
684 for development of freeway interchanges; and locate this district in areas served by or readily
685 serviceable by public sewer and water.

686 B. Principal permitted uses. All principal permitted uses of the Central Commercial District, plus
687 manufactured and mobile home **service and sales** ~~vehicle and equipment sales and service~~
688 ~~establishments; warehousing, wholesaling and storage establishments.~~

689 C. Accessory uses.

690 ~~(1) Dwelling units as a part of the principal building (or permitted use) not to exceed 50% of the usable~~

691 floor area. Dwelling units shall be on a floor other than the main floor.

692 **(1)** Essential services.

693 **(2)** Parking garage or parking areas.

694 **(3) Electric vehicle charging station in accordance with Article XII.**

695 D. Conditional uses.

696 (1) Seasonal roadside stands.

697 (2) Structures or alteration of natural terrain on slopes of 20% or greater.

698 E. ~~Special uses.~~

699 **(3) Transient travel trailer parks (campgrounds). Recreational Vehicle Campgrounds?**

700 **(4) Vehicle and equipment sales and service establishments.**

701 **(5) Warehousing, wholesaling.**

702 **(6) Storage establishments.**

703 **(7) Large Scale Solar Farms in accordance with Article IX.**

704 F. Maximum lot coverage. **No more than 70% of the lot may be covered by structures.** Optional,
705 **No more than 70% of the total area of the lot can be impervious.**

706 **G.** Prohibited uses. All uses not specifically permitted **and in accordance with § 635-9 E.**

707 **H.** Minimum yards. [Amended 9-12-2011 by Ord. No. 08-11]

708 (1) Front: 25 feet.

709 (2) Rear: 15 feet if property abuts other industrial or commercial property; 40 feet if property abuts
710 residential property.

711 (3) Side: 10 feet on each side.

712 **I.** Minimum lot width: 75 feet.

713 **J.** Sanitary criteria. When, as determined by the Common Council, no public sanitary sewer is
714 available, no more than 75% of the minimum lot area shall be on a slope greater than 12% of soil
715 conditions unsuitable for septic tanks. At least 25% of the lot area shall be under 12% and with soil
716 suitable for septic tanks.

717 **K.** Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
718 greater, except as a conditional use.

719 **L.** Parking and loading requirements. **See Article VI.**

720 **M.** Performance standards. All uses of land, water and structures in this district must also comply with
721 **Article VIII.**

722 **N.** Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**

723 **§ 635-25 I-1 Light Industrial District.**

724 A. Purpose. The I-1 District is intended to provide for light industrial and manufacturing in areas
725 separated from other sections of the community. ~~In the I-1 District, any light industrial use or~~

- 726 ~~business is permitted except those that are dangerous, or generate noise, smoke, traffic, or air, water~~
727 ~~or soil pollution that would create a public or private liability or nuisance. **Except for residential**~~
728 ~~**structures constructed prior to XXXX** all residential uses are prohibited.~~
- 729 B. Principal permitted uses.
- 730 (1) Wholesaling and all C-1 District and C-2 District uses.
- 731 (2) Industries that do no cause or create odors and noises or pose traffic or health problems.
- 732 (3) Public facilities and uses including:
- 733 (a) Governmental, cultural and public buildings or uses, such as fire and police stations, community
734 centers, libraries, public emergency shelters, parks, playgrounds and museums.
- 735 (b) Schools and churches.
- 736 (4) Other industries consistent with the definition and purpose of the I-1 District.
- 737 C. Accessory uses.
- 738 (1) Essential services.
- 739 (2) Sales, showrooms and demonstration areas.
- 740 **(3) Electric vehicle charging station in accordance with Article XII.**
- 741 D. Conditional uses.
- 742 **(1) Structures or alteration of natural terrain on slopes of 20% or greater.**
- 743 **(2) Large Scale Solar Farms in accordance with Article IX.**
- 744 E. Prohibited uses: residential housing **or other uses not specified and in accordance with § 635-9 E.**
- 745 F. Minimum lot area: 8,000 square feet.
- 746 G. Maximum building height: 35 feet.
- 747 H. Minimum setback. **[Amended 9-12-2011 by Ord. No. 09-11]**
- 748 (1) Front: 25 feet.
- 749 (2) Rear: 15 feet if property abuts other industrial or commercial property; 40 feet if property abuts
750 residential property.
- 751 (3) Side: 20 feet on each side.
- 752 I. Minimum lot width: 100 feet.
- 753 J. Sanitary criteria. When, as determined by the Common Council, no public sanitary sewer is
754 available, no more than 75% of the minimum lot area shall be on a slope greater than 12% of soil
755 conditions unsuitable for septic tanks. At least 25% of the lot area shall be under 12% and with solid
756 suitable for septic tanks. There is a five-acre minimum lot size.
- 757 K. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
758 greater, except as conditional use.
- 759 L. Parking and loading requirements. See **Article VI.**

760 M. Performance standards. All uses of land, water and structures in this district must also comply with
761 **Article VIII.**

762 N. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**

763 **§ 635-26 I-2 Heavy Industrial District.**

764 A. Purpose. The Heavy Industrial District is intended to provide an area for manufacturing and
765 industrial activities. It is also intended to provide an area for a variety of uses which require
766 relatively large installations, facilities or land areas; which would create or tend to create conditions
767 of public or private nuisance, hazard or other undesirable conditions; or which for these or other
768 reasons may require special safeguards, equipment, processes, barriers or other forms of protection,
769 including spatial distance, in order to reduce, eliminate or shield the public from such conditions.

770 B. Principal permitted uses. **[Amended 9-12-2011 by Ord. No. 10-11]**

771 (1) Manufacturing establishments, usually described as factories, mills or plants in which raw materials
772 are transformed into finished projects, and establishments engaged in assembling component parts of
773 manufactured products.

774 (2) Wholesale establishments and warehouses.

775 (3) Highway passenger and motor freight transportation.

776 (4) Construction trades, including building contractors, concrete plants, landscaping and similar
777 operations.

778 (5) Light industry and service uses.

779 (6) Other industrial and commercial activities of similar type and character.

780 **D. Maximum lot coverage. No more than 70% of the lot may be covered by structures. Optional,**
781 **No more than 70% of the total area of the lot can be impervious.**

782 **D.** Accessory uses.

783 (1) Essential services.

784 **(2) Electric vehicle charging station in accordance with Article XII.**

785 **E.** Conditional uses. The following may be permitted as conditional uses within the I-2 District. Such
786 uses shall be subject to the consideration of the Common Council and Plan Commission with regard
787 to such matters as the creation of nuisance conditions for the public or for the users of nearby areas,
788 the creation of traffic hazards, the creation of health hazards, or other factors: **[Amended 9-12-2011**
789 **by Ord. No. 10-11]**

790 (1) The outdoor storage of industrial products, machinery, equipment, or other materials, provided that
791 such storage is enclosed by a suitable fence or other manner of screening.

792 (2) Railroads, including right-of-way, railroad yards, and structures normally incident to the operation of
793 railroads, including station houses, platforms, and signal towers, but not including warehouses
794 owned by companies other than railroad companies or road terminal companies.

795 (3) Public facilities and uses, including airports, airstrips and landing fields.

796 (4) Agriculture-related industry and service uses.

797 (5) Structures or alteration of natural terrain on slopes of 20% or greater.

798 **(6) Large Scale Solar Farms in accordance with Article IX.**

799 **F.** Minimum lot area: 8,000 square feet.

800 **G.** Maximum building height: 35 feet.

801 **H.** Minimum yards: [Amended 9-12-2011 by Ord. No. 10-11]

802 (1) Front: 25 feet.

803 (2) Rear: 15 feet if property abuts other industrial or commercial property; 40 feet if property abuts
804 residential property.

805 (3) Side: 20 feet on each side.

806 **I.** Minimum lot width: 100 feet.

807 **J.** Sanitary criteria. When, as determined by the Common Council, no public sanitary sewer is
808 available, no more than 75% of the minimum lot area shall be on a slope greater than 12% of soil
809 conditions unsuitable for septic tanks. At least 25% of the lot area shall be under 12% and with solid
810 suitable for septic tanks. There is a five-acre minimum lot size.

811 **K.** Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
812 greater, except as conditional use.

813 **L.** Parking and loading requirements. See **Article VI.**

814 **M.** Performance standards. All uses of land, water and structures in this district must also comply with
815 **Article VIII.**

816 **N.** Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**

817 **§ 635-27 I-3 Mixed Industrial - Commercial District.**

818 A. Purpose. The I-3 District is provided to accommodate those light industrial uses and commercial
819 uses compatible with one another and often located separate from general retail business centers and
820 that will maintain high standards of site planning, architecture, and landscaping design.

821 B. Principle permitted uses.

822 (1) Any principal use permitted within the I-1 District

823 (2) General retail stores.

824 (3) Medical offices (including physicians, dental, chiropractic, physical therapy, and optometry).

825 (4) Legal.

826 (5) Real estate offices.

827 (6) Counseling.

828 (7) Financial institutions (banks, credit unions, and brokerages).

829 (8) Insurance.

830 (9) Travel agency.

831 (10) Business services (consulting, computer, and employment).

832 (11) Accounting.

833 (12) Engineering.

- 834 (13) Post office.
- 835 (14) Telephone/telecommunications operations.
- 836 (15) Printing.
- 837 (16) Educational functions (technical school, community colleges, etc.).
- 838 (17) Federal, state, or local government offices.
- 839 (18) Office showrooms.
- 840 (19) Funeral homes and crematoriums.
- 841 (20) Hotel, motel, and inns.
- 842 (21) Eating and drinking establishments.
- 843 (22) Gas stations and automobile services.
- 844 (23) Grocery stores.
- 845 (24) Hardware stores.
- 846 **(25) Logistics**
- 847 **(26) Manufacturing**
- 848 **(27) Wholesaling**
- 849 C. Accessory uses. Any use that is clearly accessory to any of the above permitted uses except those
850 that are unreasonably dangerous or generate noise, light, smoke, air, or water pollution that would
851 create a public or private nuisance. Accessory uses include but are not limited to day care within the
852 company or business, warehousing up to 70% of the gross floor area of the business, sales,
853 showrooms, and demonstration areas.
- 854 **(1) Electric vehicle charging station in accordance with Article XII.**
- 855 D. Conditional ~~and special~~ uses.
- 856 (1) Structures or alteration of natural terrain on slopes of 20% or greater.
- 857 (2) Veterinarian clinic.
- 858 (3) Child/elder care facilities (freestanding).
- 859 (4) Warehouse in excess of 70% of permitted business.
- 860 **(5) Large Scale Solar Farms in accordance with Article IX.**
- 861 E. Prohibited uses **and in accordance with § 635-9 E.**
- 862 (1) Any use that creates noise, dust, smoke, air, or water pollution or is a hazard to the public.
- 863 (2) Outside storage.
- 864 (3) Wastewater treatment facilities.
- 865 (4) Any use generally classified as heavy industrial uses.

- 866 (5) Residential housing.
- 867 F. Minimum lot area: 8,000 square feet.
- 868 G. Minimum yards. **[Amended 9-12-2011 by Ord. No. 11-11]**
- 869 (1) Front or street: 25 feet on front and side yards.
- 870 (2) Rear: 15 feet if property abuts other industrial or commercial property; 40 feet if property abuts
871 residential property.
- 872 (3) Side (non street): 20 feet.
- 873 H. Minimum lot width: 100 feet.
- 874 I. Percent slope. No structure or alteration of natural terrain shall be permitted on slopes of 20% or
875 greater, except as a conditional use.
- 876 **J. Maximum lot coverage. No more than 70% of the lot may be covered by structures. Optional,**
877 **No more than 70% of the total area of the lot can be impervious.**
- 878 **K.** Parking and loading requirements. **See Article VI.**
- 879 **L.** Modifications. Requirements stipulated above may be modified in accordance with § **635-11.**
- 880 § 635-28 **Agricultural District A-1.**
- 881 A. Purpose. This district includes large undeveloped tracts within the City used for agricultural
882 purposes in the past or at the present time. It is assumed such land will be subject to rezoning as
883 necessary.
- 884 B. Principal permitted uses. Crop agriculture, forestry, greenhouses, pasture, nurseries, orchards, truck
885 farming, dairy farming, one-family dwellings as part of farmstead.
- 886 C. Accessory uses.
- 887 (1) Essential services.
- 888 **(2) Electric vehicle charging station in accordance with Article XII.**
- 889 **(3) Solar Energy Systems in accordance with Article IX.**
- 890 D. Conditional uses. Not permitted.
- 891 E. ~~Special uses. Not permitted.~~
- 892 F. Prohibited uses **or other uses not specified and in accordance with § 635-9 E.**
- 893 (1) All uses not specifically permitted.
- 894 (2) Platted subdivisions and manufactured and mobile homes.
- 895 G. Maximum building height: 35 feet.
- 896 H. Minimum yards.
- 897 (1) Front: 50 feet.
- 898 (2) Rear: 50 feet.
- 899 (3) Side: 20 feet on each side.

- 900 I. Minimum lot width: 160 feet.
- 901 J. Minimum lot area: five acres.
- 902 K. Sanitary criteria. When allowed by the Common Council, no more than 75% of the minimum lot
903 area shall be on a slope greater than 12% of soil conditions unsuitable for septic tanks. At least 25%
904 of the lot area shall be under 12% and with soil suitable for septic tanks.
- 905 L. Percent slope. No structures or alteration of natural terrain shall be permitted on slopes of 20% or
906 greater.
- 907 M. Performance standards. All uses of land, water and structures in this district must also comply with
908 **Article VIII.**
- 909 N. Modifications. Requirements stipulated above may be modified in accordance with **§ 635-11.**
- 910 **§ 635-29 Preservation District P.**
- 911 A. Purpose.
- 912 (1) The Preservation District delineates those areas where substantial development of the land in the
913 form of buildings or structures is prohibited due to:
- 914 (a) Special or unusual conditions of topography, drainage, floodplain or other natural conditions,
915 whereby considerable damage to buildings or structures and possible loss of life may occur due to
916 the processes of nature.
- 917 (b) Shorelands and wetlands.
- 918 (c) The lack of proper facilities or improvements resulting in the land not being suitable for
919 improvement at the present time.
- 920 (2) The purpose of this district is to delineate areas subject to flooding by adjacent lakes or streams and
921 deemed suitable for development.
- 922 (3) This district provides for the preservation and protection of scenic, historic, scientific and
923 biologically important areas and for the protection of groundwater sources.
- 924 B. Principal permitted uses: soil and water conservation, forestry under professional guidance,
925 floodplain, wildlife habitat, municipal park and campground, drainage, water measurement and
926 water control facilities, grazing under professional guidance, accessory structures, such as park
927 buildings, orchards, utilities, wild crop harvesting, and City park land.
- 928 C. Accessory services: essential services.
- 929 D. Conditional uses: not permitted.
- 930 E. ~~Special uses: not permitted.~~
- 931 F. Prohibited uses **or other uses not specified and in accordance with § 635-9 E.**
- 932 (1) No structures permitted, except those housing essential services accessory to the principal or
933 permitted uses.
- 934 (2) Uses involving dumping, filling, cultivation, mineral, soil or peat removal or any other use that
935 would disturb the natural fauna, flora, watercourses, water regimen, natural land forms or
936 topography.
- 937 (3) All uses not specifically permitted.

938 § 635-30 **Planned Unit Development Overlay District (PUD).**

939 A. Purpose.

940 ~~(1) The Planned Unit Development District (PUD) is intended to accommodate areas of integrated~~
941 ~~mixed land uses, innovative lot sizes and physical design and strong commitments to commonly held~~
942 ~~open space. It is intended that PUDs will be developed as integrated projects with the lot sizes and~~
943 ~~configurations, street layout and design standards, and building construction and placement all done~~
944 ~~to the standards of a master plan prepared by the developer. This plan would be subject to review~~
945 ~~and approval by the Plan Commission. Recommendations for alterations of the plan both before and~~
946 ~~after Plan Commission approval would be worked out with the developer or property owners'~~
947 ~~association.~~

948 **(1) The purpose of the Planned Unit Development Overlay District, when used in conjunction with**
949 **the requirements of the underlying zoning district, is to permit flexibility in subdivision and**
950 **site planning, to promote the efficient utilization of resources, to preserve and protect valuable**
951 **site features, and to add desired amenities for the neighborhood or area. The function of the**
952 **Planned Unit Development Overlay District is to promote the achievement of quality**
953 **neighborhood and site design while complying with the requirements of this Chapter. The**
954 **intent of the Planned Unit Development Overlay District is to:**

955 **(a) Create opportunities for flexible site planning and development options where the standard lot**
956 **configuration is not practical or desirable;**

957 **(b) Provide flexibility in site and building design, placement of buildings, use of open space,**
958 **provision of circulation facilities and parking, and other design considerations;**

959 **(c) Encourage the preservation and enhancement of desirable site characteristics, including open**
960 **space areas, vegetation and critical natural areas;**

961 **(d) Allow design, landscape or architectural treatments to create an attractive and pleasing**
962 **environment;**

963 **(e) Support reductions in development costs and the costs of providing ongoing maintenance; and**

964 **(f) To allow and encourage the provision of special development amenities.**

965 **(2) Definition.**

966 **Planned Unit Development (PUD) is a site plan or subdivision layout technique allowing**
967 **buildings and structures with some or all of the lots reduced below the minimum lot sizes**
968 **and/or differing setback standards than required by the underlying zoning district. While the**
969 **underlying zoning district establishes the allowed use and densities, the Planned Unit**
970 **Development overlay district allows flexibility in the general configuration of the subdivision**
971 **or site plan area. Development areas being proposed as a Planned Unit Development require**
972 **that the planning for lots and the locations of buildings and structures be achieved in a**
973 **coordinated, functional, and unified manner.**

974 ~~(2) Lot ownership within the PUD could be held by a single owner as an apartment/retail complex; by a~~
975 ~~nonprofit corporation as a residents association; or by a combination of private single-~~
976 ~~family/commercial lots and condominium buildings, and commonly held open spaces.~~

977 ~~(3) The ownership of streets, public utilities and improved and unimproved open space is negotiable,~~
978 ~~sometimes remaining with the developer or owners' association and sometimes in all or in part being~~
979 ~~accepted by the City.~~

980 B. Principal permitted uses.

981 **The Planned Unit Development Overlay District does not establish or identify any of the uses**

982 allowed within an area or proposed development site. Rather, it is the underlying zoning
983 district which identifies and establishes the uses which are allowed, either as a permitted, or as
984 a conditional use.

985 ~~(1) Residential uses of various types and densities, mixed and located within the development based on~~
986 ~~the project's master plan.~~

987 ~~(2) Commercial retail and office uses mixed and located singly or in conjunction with other uses in~~
988 ~~accordance with the master plan.~~

989 ~~(3) Industrial uses, generally considered to be "light" industry, or assembly operations to be integrated~~
990 ~~into the overall project in accordance with the master plan.~~

991 ~~(4) Recreational uses, which could include, but not limited to, such indoor recreational uses as~~
992 ~~community halls, bowling alleys, gymnasiums or fitness centers, indoor swimming pools and~~
993 ~~theaters and outdoor recreational facilities, such as swimming pools, tennis courts, hard surfaced~~
994 ~~play courts, golf courses, archery ranges, playground equipment, landscaped and turf covered open~~
995 ~~areas and natural areas, such as wooded hillsides, meadows, marshes and ponds.~~

996 ~~(5) Agricultural uses, including the keeping of livestock, could be permitted, provided such use is an~~
997 ~~integrated part of the project's master plan. Presumably, the area designated for agricultural use at~~
998 ~~the time of the PUD's initial development would be intended for long range future development to a~~
999 ~~more intensive use. This long range intention for agricultural lands should be part of the master plan~~
1000 ~~presented to the Plan Commission for approval.~~

1001 C. Authorization of a Planned Unit Development Overlay District.

1002 (1) Qualifying Districts. A Planned Unit Development Overlay District may be allowed by the City
1003 Council as an overlay zoning district in the **Residential Zoning Districts of the City with a**
1004 **minimum area of five (5) acres?**

1005 (2) Procedure for Approval. A Planned Unit Development Overlay District may only be
1006 authorized by the City Council, as an amendment to the City of Prescott Zoning District Map,
1007 after receipt of a recommendation from the Plan Commission. In evaluating the
1008 appropriateness of approving a Planned Unit Development Overlay District the City Council
1009 and Plan Commission may consider but not limited to the following factors:

1010 (a) The suitability of the properties for a Planned Unit Development Overlay District designation;

1011 (b) That adequate public services and facilities exist or can be provided to serve the proposed
1012 Planned Unit Development area;

1013 (c) A Planned Unit Development area will encourage greater efficiency in the delivery of City-
1014 provided services;

1015 (d) The Planned Unit Development has the potential of providing additional amenities for the
1016 residents of the area, or the residents of the City, than would be achieved by a conventional
1017 development pattern;

1018 (e) Whether the establishment of a Planned Unit Development District will have a negative affect
1019 on the rights, enjoyment and uses on nearby and adjoining properties; and

1020 (f) The gain to the public health, safety and welfare and the overall community benefit to
1021 authorizing a Planned Unit Development designation.

1022 ~~C. Accessory uses. All buildings and uses normally considered accessory to the approved principal~~
1023 ~~uses. This includes structures necessary to provide the PUD with public utilities, such as pump~~
1024 ~~houses, lift stations, transformer banks, etc.~~

- 1025 ~~D.— Conditional uses. All uses, including those listed previously as "permitted" are actually conditional~~
1026 ~~based upon the Plan Commission's approval of the project master plan. All intended uses must be~~
1027 ~~included in the master plan by the developer. Home occupations as defined in this chapter will not be~~
1028 ~~considered a use by right within housing units within the PUD.~~
- 1029 ~~E.— Prohibited uses. All uses not presented in the approved master plan.~~
- 1030 ~~F.— Minimum area. The minimum size for any single planned unit development will be three acres.~~
- 1031 ~~G.— Lot size. Individual lots within the planned unit development may be proportionately downsized~~
1032 ~~from the equivalent lot size required for that use in the other zoning districts, provided such lots are~~
1033 ~~not reduced below 50% of the size permitted in other appropriate districts. For example, a single-~~
1034 ~~family lot could be 4,250 square feet based on a residential district single family lot size of 8,500~~
1035 ~~square feet. In certain commercial mall or townhouse developments, the R-2 (MF) or R-3 (HD) lot~~
1036 ~~size would be taken as the basis upon which to make the reduction.~~
- 1037 ~~H.— Open space. For all PUDs, usable open space encompassing a minimum of 30% of the total PUD~~
1038 ~~area shall be provided. Usable open space shall be defined as lands used for intensive resident~~
1039 ~~recreational use, such as picnicking, hiking, playgrounds, ball fields, etc. Wetlands and steep rock~~
1040 ~~hillsides are not considered as usable open space where general recreation activities can occur.~~
1041 ~~Usable open space shall also be in usable shapes and sizes to permit maintenance and policing and~~
1042 ~~will not just be limited to odd corners and street islands left over after development is completed.~~
1043 ~~Ultimate ownership and maintenance of the common open spaces shall be negotiable between the~~
1044 ~~City, the developer and the property owners within the development.~~
- 1045 ~~I.— Minimum yards.~~
- 1046 ~~(1) Front. Frontage width may be reduced to 50% of the frontage that would be required for the same~~
1047 ~~use in the appropriate conventional zoning district. Frontage depth shall permit residential buildings~~
1048 ~~to be constructed at the front lot line, except no building shall be closer than 20 feet from the curb or~~
1049 ~~edge of pavement from a local internal PUD street. Regular setbacks shall apply to streets designated~~
1050 ~~by the City or state as collectors or arterials.~~
- 1051 ~~(2) Rear. Buildings may be permitted at the rear lot line in accordance with the master plan.~~
- 1052 ~~(3) Side. Buildings may be permitted at the side lot line in accordance with the master plan.~~
- 1053 ~~J.— Minimum dwelling unit size: 500 square feet.~~
- 1054 ~~K.— Building height. Building heights will be negotiated as part of the master plan approval process.~~
- 1055 ~~L.— Maximum lot coverage: no more than 70%.~~
- 1056 ~~M.— Drainage and erosion control. The provisions of the City Code pertaining to erosion control shall~~
1057 ~~apply. The developer shall be responsible for the initial installation to City standards of all storm~~
1058 ~~drainage structures and water runoff retention structures within the limits of the PUD.~~
- 1059 ~~N.— Percent slope. All slope modifications shall be indicated on the master plan and shall be subject to~~
1060 ~~negotiation and approval by the Plan Commission.~~
- 1061 ~~O.— Performance standards. All uses of land, water and structures in this district must also comply with~~
1062 ~~Article VIII.~~
- 1063 ~~P.— Street standards. Internal streets and access roads within the PUD shall be negotiated as part of the~~
1064 ~~master plan approval process. It is suggested by this chapter that certain width and curve standards~~
1065 ~~that might otherwise be demanded in a conventional plat might be negotiated if an integrated master~~
1066 ~~plan shows certain roads will never serve a function other than local residential access.~~

1067 Q. ~~Relationship to other uses. The layout of any PUD, especially those that will have mixed land uses,~~
1068 ~~such as single family and high density multifamily or commercial and recreational uses, will be~~
1069 ~~sensitive to the existing or potential land uses in conventional zoning district adjacent to the PUD. A~~
1070 ~~convenience retail mall within the PUD, for example, shall be located in a manner so as not to create~~
1071 ~~any greater incursion of sight or sound into an adjacent conventional residential district than if the~~
1072 ~~PUD retail center were in a conventional C 2 District adjacent to the residential district. Setback~~
1073 ~~requirements for all conventional zoning district uses shall apply for all uses located at the perimeter~~
1074 ~~of the PUD.~~

1075 **D. Application.**

1076 **Applications for a Planned Unit Development Overlay district shall provide the following**
1077 **information in addition to the information generally required by the City for a Zoning District**
1078 **Map amendment (rezoning) application.**

1079 **(1) Representative architectural drawings and elevations of proposed dwellings, structures and**
1080 **other buildings;**

1081 **(2) Concept subdivision layout or site plan design, as the case may be, showing the general**
1082 **locations of all buildings, structures, parking areas, open space areas, streets and roads and**
1083 **other private and public improvements;**

1084 **(3) Tables showing the total number of acres in the proposed development identifying the**
1085 **percentages of the total area devoted to each proposed use including residential structures,**
1086 **residential lots, parking areas, streets and roads, parks, open space areas, and any other uses,**
1087 **and a tabulation of the overall density for the development site;**

1088 **(4) Any other information, reasonable related to the application that the Plan Commission and**
1089 **City Council may require to determine the appropriateness of authorizing a Planned Unit**
1090 **Development Overlay District designation.**

1091 ~~(1) The PUD District in this chapter will be a "floating" district, not site specific until such time as a~~
1092 ~~developer proposes a PUD at a certain site. At that time after master plan review, the Plan~~
1093 ~~Commission can recommend the necessary area as a PUD and the Common Council, as with all~~
1094 ~~zoning district designations, would act on the request. A checklist of items to require of the~~
1095 ~~developer and review by the Plan Commission is shown below.~~

1096 ~~(2) Any developer who desires to initiate a planned unit development project shall submit to the Zoning~~
1097 ~~Administrator an application for the processing of such project. The application shall be~~
1098 ~~accompanied by:~~

1099 ~~(a) Location map showing the project in relation to the surrounding area.~~

1100 ~~(b) Site plan showing and describing:~~

1101 ~~[1] Property lines and easements with dimensions and area.~~

1102 ~~[2] Location, size, spacing, setbacks and dimensions of all existing and proposed buildings, structures,~~
1103 ~~improvements and utilities.~~

1104 ~~[3] The building elevations, sections and floor plan and site sections to clearly define the character of the~~
1105 ~~project.~~

1106 ~~[4] Topographic information showing existing features and conditions and proposed grading.~~

1107 ~~[5] Landscaping plans showing open spaces, planting, existing and proposed trees and recreational area~~
1108 ~~and facilities.~~

- 1109 ~~{6} Existing streets showing access to the project, proposed roads and parking layout with dimensions.~~
- 1110 ~~{7} Shoreline, shoreline setback lines, stream and other setback lines.~~
- 1111 ~~(c) A time table and cost estimates indicating when construction will begin, the planned completion date~~
1112 ~~of each phase of the development and the various costs involved with each phase along with the~~
1113 ~~source of funding to be utilized to pay for the development. In addition, performance or construction~~
1114 ~~bond quotes from an insurance company or other source shall be provided for each phase of the~~
1115 ~~project or for the entire project.~~
- 1116 ~~(d) Information regarding land use designations, surrounding land uses, project design team, type, size,~~
1117 ~~number and estimated selling price of units and density calculations.~~
- 1118 ~~(e) Information regarding the following:~~
- 1119 ~~{1} The types and numbers of uses to be conducted within the development.~~
- 1120 ~~{2} The nature and extent of the common open space in the project, the reliability of the proposals for~~
1121 ~~maintenance and conservation of the common open space and the adequacy of the amount and~~
1122 ~~function of the open space in terms of the densities and dwelling types proposed in the plan.~~
- 1123 ~~{3} The manner in which such plan does make adequate provision for public services, provide adequate~~
1124 ~~control over vehicular traffic and further the amenities of light and air, recreation and visual~~
1125 ~~enjoyment.~~
- 1126 ~~{4} The relationship, beneficial or adverse, of the proposed development upon the physical environment~~
1127 ~~and the neighborhood in which it is proposed to be established.~~
- 1128 ~~{5} Whenever applicable, documents indicating compliance and approval of mandated state statutes or~~
1129 ~~other laws shall be obtained and submitted as part of the application.~~

1130 **D. Planned Unit Development Designation.**

1131 **Following the receipt of a Plan Commission recommendation the City Council may authorize**
1132 **that the City of Prescott Zoning District Map be amended to allow a Planned Unit**
1133 **Development (PUD) Overlay District. If this occurs the underlying district designation shall be**
1134 **followed by the “PUD” identifier, i.e. if a single family R-5 district is the underlying district the**
1135 **revised or amended district classification would be R-5 (PUD), indicating the R-5 district as**
1136 **the underlying zoning district and the Planned Unit Development District as the overlay**
1137 **zoning district.**

1138 § 635-31 **Annexation of territory.**

1139 The procedure for annexation of territory shall be as prescribed in §§ 66.0217 through 66.0223, Wis.
1140 Stats., which are incorporated by reference.

1141 § 635-32 **Parks and public use.**

1142 In all zoning districts municipal parks, municipal playgrounds, and municipal recreation facilities shall be
1143 a permitted use.

1144 § 635-33 **Extension of utilities.**

1145 City utilities will be only extended into and provided to those areas which are within the corporate limits
1146 of the City of Prescott at the time of the utility extension.

1147 **Article IV**
1148 **Conditional and Special Uses**

1149 **[Amended 5-29-2012 by Ord. No. 08-12; 8-27-2018 by Ord. No. 05-18]**