

**ORDINANCE NO. 20 - 05**

**AN ORDINANCE REPEALING AND RECREATING OR CREATING  
THE FOLLOWING SECTIONS OF CHAPTER 22 ZONING -  
22.03 SITE RESTRICTIONS, 22.04 USE RESTRICTIONS, 22.05 through 22.0513 ZONING  
DISTRICTS, 22.06 SPECIFIC STANDARDS, 22.07 PLANNED UNIT DEVELOPMENTS, 22.11  
SIGNS, 22.13 CONDITIONAL USE PERMITS, 22.15 DEFINITIONS**

The Common Council of the City of Platteville do ordain as follows:

**Section 1.** Section 22.03(B) is hereby repealed and recreated as follows:

- (B) **PRINCIPAL STRUCTURES PER LOT.** In the R-1 and R-2 districts, only one principal structure shall be located, erected, or moved onto a lot. In all other districts, multiple principal structures are permitted on one lot as long as the building setbacks, parking requirements, lot coverage requirements, fire department access, and other applicable code requirements are met for all structures on the lot.

**Section 2.** Section 22.04(B)(3)(g) is hereby deleted.

**Section 3.** Section 22.04(D) is hereby repealed and recreated as follows:

- (B) **TEMPORARY USES.** Temporary uses such as shelters for materials and equipment being used in the construction of a permanent structure may be permitted by the Zoning Administrator. All other temporary uses are considered conditional uses requiring review, public hearing, and approval in accordance with Section 22.13.

**Section 4.** Section 22.05(D) is hereby repealed and recreated as follows:

- (B) **DETERMINATION OF SIMILAR AND COMPATIBLE USES.** In all districts except the R-1, R-2 and R-3 districts, the Zoning Administrator may determine if a use not specifically enumerated within that district is similar to the specified uses already listed. If the use is determined to be similar, that use may be allowed as a specified use.

**Section 5.** Section 22.051 is hereby repealed and recreated as follows:

**22.051 R-1 ONE FAMILY RESIDENTIAL DISTRICT.**

- (A) **PURPOSE AND INTENT.** The purpose of the R-1 Residential District is to provide areas which are zoned for single family dwellings and to maintain, protect, preserve and encourage development of neighborhoods of single-family dwellings.
- (B) **SPECIFIED USES.**
- (1) One family dwellings.

- (2) Public playgrounds.
- (3) Foster Homes.
- (4) Family Child Care Home.

(C) CONDITIONAL USES.

- (1) Elementary and secondary schools, public, parochial, and private.
- (2) Churches.
- (3) Utilities.
- (4) Intensive home occupations, subject to the specific standards in Section 22.06.
- (5) Private kennels
- (6) Animal grooming

(D) ACCESSORY STRUCTURES AND USES.

- (1) Storage sheds, garden sheds, gazebos and pergolas.
- (2) Detached garages and carports.
- (3) Private swimming pools.
- (4) Children's playground equipment and playhouses.
- (5) Customary home occupations, subject to the specific standards in Section 22.06.
- (6) Other uses or structures customarily incidental to the principal use or structure.
- (7) Garage sales, rummage sales, and owner made craft sales; provided that each occasion shall not take place for a period longer than 12 hours per day for a maximum of three consecutive days, and that there shall be no more than four occasions per calendar year at any premises.
- (8) The sale of produce and animal products grown on the premises as a hobby.

(E) DIMENSIONAL REQUIREMENTS.

Lot Width:	70 feet
Lot Area:	8,000 square feet
Yards: Street:	25 feet
Side:	10 feet
Rear:	25 feet

Building height: 30 feet maximum

**Section 6.** Section 22.052 is hereby repealed and recreated as follows:

22.052 R-2 ONE AND TWO FAMILY RESIDENTIAL DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the R-2 Residential District is to provide for a mix of single and two family dwellings, to allow for a greater diversity of lot sizes and to maintain, protect, preserve and encourage development of one- and two-family residential neighborhoods.
- (B) SPECIFIED USES.
  - (1) One family dwellings.
  - (2) Public playgrounds.
  - (3) Foster Homes.
  - (4) Family Child Care Home.
  - (5) Two family dwellings.
  - (6) Zero lot line two-family dwellings.
- (C) CONDITIONAL USES.
  - (1) Elementary and secondary schools, public, parochial, and private.
  - (2) Churches.
  - (3) Utilities.
  - (4) Intensive home occupations, subject to the specific standards in Section 22.06.
  - (5) Assisted Living facilities, , nursing homes, homes for the aged.
  - (6) Home-based Clinics.
  - (7) Day care/Child Care centers.
  - (8) Group homes.
  - (9) Home-based professional offices, subject to the specific standards in Section 22.06.
  - (10) Bed and breakfast establishments, subject to the specific standards in Section 22.06.

- (11) Private kennels
- (12) Animal grooming

(D) ACCESSORY STRUCTURES AND USES.

- (1) Storage sheds, garden sheds, gazebos and pergolas.
- (2) Detached garages and carports.
- (3) Private swimming pools.
- (4) Children’s playground equipment and playhouses.
- (5) Customary home occupations, subject to the specific standards in Section 22.06.
- (6) Other uses or structures customarily incidental to the principal use or structure.
- (7) Garage sales, rummage sales, and owner made craft sales; provided that each occasion shall not take place for a period longer than 12 hours per day for a maximum of three consecutive days, and that there shall be no more than four occasions per calendar year at any premises.
- (8) The sale of produce and animal products grown on the premises as a hobby.

(E) DIMENSIONAL REQUIREMENTS.

	Single Family	Two-Family Dwellings and <u>Conditional Uses</u>
Lot Width:	60 feet	90 feet
Lot Area:	6,000	10,000
Yard: Street:	25 feet	25 feet
Side:	10 feet	10 feet
Rear:	25 feet	25 feet
Building Height:	30 feet	30 feet

Zero Lot Line Dwellings: Each unit shall have a minimum lot area of 5,000 sq. ft. and a minimum lot width of 35 feet. The internal setback between the units is 0 feet, the exterior building minimum yard setbacks are the same as a standard two-family dwelling.

- (F) EXISTING STRUCTURES. An existing structure which is used for any Specified Use or any Conditional Use, provided that it meets the minimum lot area requirements for that particular use, shall be exempt from all other Dimensional Requirements. An existing structure is eligible for this exemption only so long as no additions are made to the structure.

**Section 7.** Section 22.053 is hereby repealed and recreated as follows:

22.053 R-3 MULTI-FAMILY RESIDENTIAL DISTRICT.

(A) PURPOSE AND INTENT. The purpose and intent of the R-3 Residential District is to allow for dwellings of a higher density than in one and two family districts, to allow for a mix of densities within a single district, and to maintain, protect, preserve and encourage development of higher density residential neighborhoods.

(B) SPECIFIED USES.

- (1) One family dwellings.
- (2) Public playgrounds.
- (3) Foster Homes.
- (4) Family Child Care Home.
- (5) Two family dwellings.
- (6) Multi-family dwellings.
- (7) Zero lot line dwellings.
- (8) Fraternities, sororities and rooming houses within the following described area:

Beginning at the intersection of Jay Street and Southwest Road and proceeding northerly along Jay Street to Irene Street, thence easterly along Irene Street to South Hickory Street, thence northerly along South Hickory Street to West Mineral Street, thence easterly along West Mineral Street to North Elm Street, thence southerly along Elm Street to West Pine Street, thence easterly along West Pine Street to South Chestnut Street, thence southwesterly along South Chestnut Street to Southwest Road, thence southwesterly along Southwest Road to the point of beginning.

(C) CONDITIONAL USES.

- (1) Elementary and secondary schools, public, parochial, and private.
- (2) Churches.
- (3) Utilities.
- (4) Intensive home occupations, subject to the specific standards in Section 22.06.
- (5) Assisted Living facilities, nursing homes, homes for the aged.
- (6) Home-based Clinics.
- (7) Day care/Child Care centers.
- (8) Group homes.

- (9) Bed and breakfast establishments, subject to the specific standards in Section 22.06.
- (10) Fraternities, sororities, and rooming houses located outside the area described above.
- (11) Beauty shops, barber shops and photographic studios.
- (12) Mobile home parks, subject to the specific requirements of Section 22.08.
- (13) Professional offices, subject to the specific standards in Section 22.06.
- (14) Private kennels
- (15) Animal grooming

(D) ACCESSORY STRUCTURES AND USES.

- (1) Storage sheds, garden sheds, gazebos and pergolas.
- (2) Detached garages and carports.
- (3) Private swimming pools.
- (4) Children’s playground equipment and playhouses.
- (5) Customary home occupations, subject to the specific standards in Section 22.06.
- (6) Other uses or structures customarily incidental to the principal use or structure.
- (7) Garage sales, rummage sales, and owner made craft sales; provided that each occasion shall not take place for a period longer than 12 hours per day for a maximum of three consecutive days, and that there shall be no more than four occasions per calendar year at any premises.
- (8) The sale of produce and animal products grown on the premises as a hobby.

(E) DIMENSIONAL REQUIREMENTS. Single family and two-family uses shall be subject to the minimum dimensional requirements of the R-2 District.

Multi-Family and Conditional Uses:

- Lot Width: 90 feet
- Lot Area: Minimum 10,000 square feet with a minimum of 1,500 square feet per efficiency apartment, 2,000 square feet per one-bedroom apartment and 2,500 square feet per two or more bedroom apartment.
- Lot Coverage (Building + Parking): Maximum 80 %
- Yards: Street: 25 feet
- Sides: 10 feet each minimum; however, side lot lines that abut property in the R-1 and R-2 districts shall be increased by one foot for each foot of building height above 25 feet.

Rear: 25 feet  
Building Height: 40 feet maximum

Zero Lot Line Dwellings: Each unit shall have a minimum lot area of 5,000 sq. ft. and a minimum lot width of 35 feet. The internal setback between the units is 0 feet, the exterior building minimum yard setbacks are the same as a standard multi-family dwelling.

- (F) MULTI-FAMILY USES ADJACENT TO R-1 AND R-2 DISTRICTS. For multi-family uses, along any lot line which abuts property in the R-1 or R-2 districts, a buffer shall be required; however, this requirement does not apply to lot lines abutting a public right-of-way. This buffer shall be subject to approval of the Zoning Administrator and shall consist of one or a combination of the following:
- (1) An opaque fence, six (6) feet in height;
  - (2) A thick hedge, at least 24 inches high at planting and capable of growing to at least 36 inches high within three (3) years after planting;
  - (3) A landscaped green area consisting of a mix of shrubs, ornamental trees and/or overstory trees, along with berming and other variegations in topography, sufficient to provide an adequate screen and buffer.
  - (4) Existing vegetation, natural features and topography may be used to meet these requirements.
- (G) EXISTING STRUCTURES. An existing structure which is used for any Specified Use or any Conditional Use, provided that it meets the minimum lot area requirements for that particular use, shall be exempt from all other Dimensional Requirements; excepting however, that the Lot Coverage requirement shall still apply. An existing structure is eligible for this exemption only so long as no additions are made to the structure.

**Section 8.** Section 22.054 is hereby repealed and recreated as follows:

22.054 I-1 INSTITUTIONAL DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the I-1 Institutional District is to provide for districts that allow uses intended for the public good, which are generally (but not always) not-for-profit and are in nature related to civic, religious, educational, health care, or similar services to the public.
- (C) SPECIFIED USES.
- (1) Cemeteries.
  - (2) Schools.
  - (3) Hospitals.

- (4) Religious and charitable institutions
- (5) Penal and correctional institutions.
- (6) Assisted Living facilities, nursing homes, homes for the aged.
- (7) Clinics, including pharmacies.
- (8) Day care/Child Care centers.
- (9) Sports fields.
- (10) Government and cultural uses.
- (11) Leasing of parking lots or parking spaces for uses not associated with the property.
- (12) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(D) CONDITIONAL USES.

- (1) Utilities.
- (2) Public passenger transportation terminals.
- (3) Bed and Breakfast establishments, subject to the specific standards in Section 22.06.
- (4) Communications towers which are not co-located on an existing tower or structure, or when co-located on an essential service structure, exceed the height of that structure.
- (5) Private kennels, business kennels
- (6) Animal grooming business

(E) ACCESSORY STRUCTURES AND USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Lot Area: To be determined by building placement on the site as well as the setback requirements identified below:

Lot Coverage (Building + Parking): Maximum 70%. A conditional use permit shall be required to exceed this maximum.

Height: Maximum 45 feet.

Specified Uses:



Yards: Street: 25 feet.  
Rear: 30 feet.  
Sides: One foot for each foot adjacent building height, but  
in no case less than 15 feet.

Conditional Uses:

Yards: Principal structures and uses shall not be less than 50' from any residential lot line.

**Section 9.** Section 22.055 is hereby repealed and recreated as follows:

22.055 C-1 CONSERVANCY DISTRICT.

(A) PURPOSE AND INTENT. The purpose and intent of the C-1 Conservancy District is to provide for open spaces, parks and recreational areas, and preservation of scenic and historic areas.

(C) SPECIFIED USES.

(1) Agricultural uses.

(2) Public or private open space.

(3) Preservation of scenic, historic, or scientific areas.

(4) Municipal park and recreation facilities, including such accessory structures and appurtenances as the Common Council shall deem appropriate.

(5) Non-habitable park or recreation structures.

(6) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(D) CONDITIONAL USES.

(1) Garages and storage buildings accessory to an existing specified use.

(2) General farm buildings.

(3) Leasing of parking lots or parking spaces for uses not associated with the property.

(4) Private kennels, business kennels.

(5) Animal grooming.

(E) DIMENSIONAL REQUIREMENTS

Lot Area: To be determined by building placement on the site as well as the setback requirements identified below:

Yards:	Street:	25 feet
	Sides:	30 feet
	Rear:	30 feet
Building Heights:		25 feet maximum

Yards for municipal park and recreation facilities shall be determined by the Plan Commission and the Common Council.

**Section 10.** Section 22.056 is hereby repealed and recreated as follows:

22.056 B-1 NEIGHBORHOOD BUSINESS DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the B-1 Neighborhood Business District is to provide goods and services which are needed on a frequent basis in commercial areas that are conveniently located to serve residential neighborhoods.
- (B) SPECIFIED USES.
- (1) Beauty and barber shops.
  - (2) Business and professional offices.
  - (3) Clinics.
  - (4) Drug stores.
  - (5) Florists.
  - (6) Convenience Stores, without automotive fuel sales
  - (7) Hobby shops.
  - (8) Self-service laundromats and dry-cleaning establishments.
  - (9) Residences attached to business establishments.
  - (10) Residences not attached to business establishments, subject to all provisions of the R-2 Residential District.
  - (11) Day Care/Child Care centers
  - (12) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.
  - (13) Animal grooming.
- (C) CONDITIONAL USES.

- (1) Government and cultural uses.
- (2) Utilities.
- (3) Public passenger transportation terminals.
- (4) Funeral homes.
- (5) Health and recreation clubs; spas.
- (6) Convenience stores, with automotive fuel sales.
- (7) Bed and Breakfast establishments, subject to the specific standards in Section 22.06.
- (8) Leasing of parking lots or parking spaces for uses not associated with the property.
- (9) Private kennels.

(D) ACCESSORY STRUCTURES AND USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Lot Area:	To be determined by building placement on the site as well as the setback requirements identified below:	
Yards:	Street:	25 feet
	Side:	10 feet each
	Rear:	30 feet
Building Height:	30 feet maximum	

**Section 11.** Section 22.057 is hereby repealed and recreated as follows:

22.057 B-2 CENTRAL BUSINESS DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the B-2 Central Business District is to provide for general commercial sales and services located in the downtown area, with a mix of retail, service, office and limited residential uses. Further, the intent of the district is to provide uses which are easily accessible by walking and are compatible with available parking facilities.
- (B) SPECIFIED USES.
  - (1) Mercantile businesses and retail stores, without drive-through facilities.
  - (2) Beauty and barber shops.

- (3) Business and professional offices.
- (4) Clinics.
- (5) Pharmacies.
- (6) Florists.
- (7) Grocery stores/Supermarkets.
- (8) Self-service laundromats.
- (9) Assembly halls.
- (10) Caterers.
- (11) Financial institutions.
- (12) Furniture upholstery shops.
- (13) Hotels, apartment hotels and motels.
- (14) Liquor stores.
- (15) Media offices, studios, pressrooms, printing and/or publishing operations.
- (16) Movie theaters.
- (17) Pet shops, animal grooming.
- (18) Public and private parking lots.
- (19) Residences attached to business establishments; however, residential use of the ground floor is prohibited.
- (20) Restaurants.
- (21) Taverns, Night Clubs, micro-breweries.
- (22) Cultural uses
- (23) Similar uses: any use which is interpreted by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(C) CONDITIONAL USES.

- (1) Mercantile businesses, retail stores, and other businesses with drive-through facilities, subject to the specific standards in Section 22.06.

- (2) Government .
- (3) Utilities.
- (4) Public passenger transportation terminals.
- (5) Funeral homes.
- (6) Health and recreation clubs; spas.
- (7) Convenience stores.
- (8) Churches and schools.
- (9) Vehicle sales and rental.
- (10) Vehicle service and repair.
- (11) Feed and seed stores, not to include grinding or drying operations.
- (12) Commercial recreation.
- (13) Small motor sales and/or service.
- (14) Bed and Breakfast establishments, subject to the specific standards in Section 22.06.
- (15) Outdoor eating and drinking areas or beer gardens, when attached to an approved indoor establishment, subject to the specific standards in Section 22.06.
- (16) Vehicle washing facilities, subject to the specific standards in Section 22.06.
- (17) Dry-cleaning establishments.
- (18) Trade and contractor's offices and shops.
- (19) Utility offices and shops.
- (20) Private kennel, business kennel.

(D) ACCESSORY USES.

- (1) Garages. (See Fire District Limitations in Chapter 23)

(E) DIMENSIONAL REQUIREMENTS.

Building Height:	60 feet (Type 5 Construction or greater)
Yards:	Street: No minimum requirements
	Side: No minimum requirements

Rear: No minimum requirements

**Section 12.** Section 22.058 is hereby repealed and recreated as follows:

22.058 CBT CENTRAL BUSINESS TRANSITION DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the CBT Central Business Transition District is to provide for a transition between the intensive business and high-density residential uses of the B-2 Central Business District and the lower density residential districts surrounding it, by allowing a mix of commercial, residential, and institutional uses.
- (B) LOCATION. All areas of the city zoned CBT Central Business Transition District shall be contiguous to the B-2, Central Business District.
- (C) SPECIFIED USES.
  - (1) One family dwellings.
  - (2) Public playgrounds.
  - (3) Foster Homes.
  - (4) Family Child Care Home.
  - (5) Two family dwellings.
  - (6) Mercantile businesses and retail stores, without drive-through facilities.
  - (7) Schools.
  - (8) Religious and charitable institutions
  - (9) Assisted Living facilities, nursing homes, homes for the aged.
  - (10) Day care/Child care centers.
  - (11) Sports fields.
  - (12) Government and cultural uses.
  - (13) Beauty and barber shops.
  - (14) Business and professional offices.
  - (15) Clinics.
  - (16) Pharmacies.

- (17) Florists.
- (18) Assembly halls.
- (19) Caterers.
- (20) Financial institutions, not including drive-through facilities.
- (21) Furniture upholstery shops.
- (22) Hotels, apartment hotels and motels.
- (23) Media offices, studios, pressrooms, printing and/or publishing operations.
- (24) Pet shops, animal grooming.
- (25) Public and private parking lots.
- (26) One and two-family residences attached to business establishments.
- (27) Supermarkets, grocery stores.
- (28) Similar uses; any use that is interpreted by the Zoning Administrator to be similar to one of the above specified enumerated uses, and that conforms to the intent of the zoning district.

(D) CONDITIONAL USES.

- (1) Mercantile businesses, retail stores and other businesses with drive-through facilities.
- (2) Bed and Breakfast establishments, subject to the specific standards in Section 22.06.
- (3) Convenience Stores with automotive fuel sales.
- (4) Group homes.
- (5) Multi-family dwellings, subject to buffering requirements required for multi-family development in the R-3 District.
- (6) Residential uses attached to business establishments containing three or more dwelling units.
- (7) Public passenger transportation terminals.
- (8) Fraternities, sororities and rooming houses.
- (9) Utilities.
- (10) Vehicle sales and rental.

- (11) Vehicle service and repair.
- (12) Trade and contractor's offices and shops.
- (13) Utility offices and shops.
- (14) Private kennels, business kennels.

(E) ACCESSORY USES.

- (1) Detached garages and carports.
- (2) Private swimming pools.
- (3) Children's playground equipment and playhouses.
- (4) Customary home occupations, subject to the specific standards in Section 22.06.
- (5) Other uses or structures customarily incidental to the principal use or structure.
- (6) Garage sales, rummage sales, and owner made craft sales; provided that each occasion shall not take place for a period longer than 12 hours per day for a maximum of three consecutive days, and that there shall be no more than four occasions per calendar year at any premises.
- (7) The sale of produce grown on the premises.
- (8) Storage buildings.

(F) DIMENSIONAL REQUIREMENTS.

Area and Width:	All lots of record existing on or before January 1, 2000 shall be exempt from area and width requirements. No new lot or parcel may be created after that date unless it conforms to the following requirements:
Minimum Area:	4,000 square feet
Minimum Width:	40 feet
Yards: Street, Side and Rear:	No minimum requirements; however, all required fire separation distances, in accordance with applicable building codes, must be maintained.
Adjacent to Residential Districts:	20 feet from any side lot line adjacent to property in the R-1, R-2 or R-3 districts; 40 feet from any rear lot line adjacent to property in the R-1, R-2 or R-3 districts.
Building Height:	45 feet

**Section 13.** Section 22.059 is hereby repealed and recreated as follows:

22.059 B-3 HIGHWAY BUSINESS DISTRICT.



- (A) PURPOSE AND INTENT. The purpose and intent of the B-3 Highway Business District is to provide areas zoned for general commercial and service uses which are generally located along the major streets and highways of the City and which are generally meant to serve a local, regional, and traveling population.
- (B) SPECIFIED USES.
- (1) Beauty and barber shops.
  - (2) Business and professional offices.
  - (3) Clinics.
  - (4) Pharmacies.
  - (5) Florists.
  - (6) Grocery stores, supermarkets.
  - (7) Hobby shops.
  - (8) Self-service laundromats and dry-cleaning establishments.
  - (9) Assembly halls.
  - (10) Caterers.
  - (11) Cleaning, pressing and dyeing establishments.
  - (12) Financial institutions.
  - (13) Furniture upholstery shops.
  - (14) Hotels, apartment hotels and motels.
  - (15) Liquor stores.
  - (16) Media offices, studios, pressrooms, printing and/or publishing operations.
  - (17) Mercantile businesses; retail stores.
  - (18) Movie theaters.
  - (19) Taverns, Night clubs, micro-breweries.
  - (20) Pet shops, animal grooming.
  - (21) Public and private parking lots.

- (22) Residences attached to business establishments; however, residential use of the ground floor is prohibited.
- (23) Health and recreation clubs; spas.
- (24) Feed and seed stores, not to include grinding or drying operations.
- (25) Farm machinery and equipment sales and service.
- (26) Trade and contractor's offices and shops.
- (27) Utility offices and shops.
- (28) Legal places of entertainment, bowling alleys.
- (29) Restaurants. Restaurants with drive-through facilities are subject to the specific standards in Section 22.06.
- (30) Financial Institutions with drive-through, subject to the specific standards in Section 22.06.
- (31) Vehicle sales and rental.
- (32) Vehicle service and repair.
- (33) Small motor sales and/or service.
- (34) Convenience store.
- (35) Leasing of parking lots or parking spaces for uses not associated with the property.
- (36) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(C) CONDITIONAL USES.

- (1) Government and cultural uses.
- (2) Utilities.
- (3) Public passenger transportation terminals.
- (4) Funeral homes.
- (5) Churches and schools.
- (6) Outdoor eating and drinking areas or beer gardens, when attached to an approved indoor establishment, subject to the specific standards in Section 22.06.

- (7) Vehicle washing facilities, subject to the specific standards in Section 22.06.
- (8) Food locker plants, Butcher shops.
- (9) Wholesaling and warehousing.
- (10) Lumber yards.
- (11) Veterinary clinics.
- (12) Private kennels, business kennels.

(D) ACCESSORY STRUCTURES AND USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Lot Area:	To be determined by building placement on the site as well as the setback requirements identified below:
Lot Width:	100 feet.
Yards: Street:	25 feet.
Side:	15 feet.
Rear:	30 feet.
Yards adjacent to residential districts:	Setback as required above or 30 feet, whichever is larger.
Building Height:	45 feet maximum

**Section 14.** Section 22.0510 is hereby repealed and recreated as follows:

22.0510 M-1 HEAVY COMMERCIAL AND LIGHT MANUFACTURING DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the M-1 Heavy Commercial and Light Industrial District is to provide for both intensive commercial uses and light industrial uses which are generally on a smaller scale and which generally have little if any emission, noise, or intensive production activity.
- (B) SPECIFIED USES.
  - (1) Vehicle sales and rental.
  - (2) Vehicle service and repair.
  - (3) Automotive machine shops.

- (4) Cold storage warehouses.
- (5) Feed and seed businesses, excluding grinding and drying operations.
- (6) Food locker plants.
- (7) Laboratories.
- (8) Lumber yards.
- (9) Parking and storage of operable construction and trucking vehicles.
- (10) Storage and sale of machinery and equipment.
- (11) Trade and contractor's offices.
- (12) Commercial green houses.
- (13) Concrete batching plants.
- (14) Petroleum product storage (bulk).
- (15) Leasing of parking lots or parking spaces for uses not associated with the property.
- (16) Recycling of cans, paper, plastics or glass within a building.
- (17) Private kennels, business kennels, animal grooming.
- (18) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(C) CONDITIONAL USES.

- (1) Public passenger transportation terminals.

(D) ACCESSORY STRUCTURES AND USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Lot Area:		To be determined by building placement on the site as well as the setback requirements identified below:
Yards:	Street:	25 feet
	Sides:	15 feet
	Rear:	30 feet

Yards adjacent to residential districts: 30 feet  
Building Height: 45 feet maximum

**Section 15.** Section 22.0511 is hereby repealed and recreated as follows:

22.0511 M-2 HEAVY MANUFACTURING DISTRICT.

- (A) PURPOSE AND INTENT. The purpose and intent of the M-2 Heavy Manufacturing District is to provide for districts which allow for more intensive manufacturing processes, which by their nature may produce noise and emissions (meeting local, State and Federal standards), and/or generally (but not always) require greater bulk standards for buildings and appurtenant structures, and which generally exhibit a greater level of activity.
- (B) SPECIFIED USES.
- (1) Vehicle sales and rental.
  - (2) Vehicle service and repair.
  - (3) Automotive machine shops.
  - (4) Cold storage warehouses.
  - (5) Feed and seed businesses, excluding grinding and drying operations.
  - (6) Food locker plants.
  - (7) Laboratories.
  - (8) Lumber yards.
  - (9) Parking and storage of operable construction and trucking vehicles.
  - (10) Storage and sale of machinery and equipment.
  - (11) Trade and contractor's offices.
  - (12) Commercial green houses.
  - (13) Concrete batching plants.
  - (14) Petroleum product storage (bulk).
  - (15) Breweries.
  - (16) Bottling plants.
  - (17) Commercial bakeries.

- (18) Crematorium.
- (19) Dairy product plants.
- (20) Feed and seed operations, including grinding and drying operations.
- (21) Freight and trans-shipment yards and terminals.
- (22) General manufacturing and processing.
- (23) Petroleum product storage.
- (24) Quarrying operations, including crushing and separating.
- (25) Wastewater treatment plants; water plants.
- (26) Leasing of parking lots or parking spaces for uses not associated with the property.
- (27) Recycling of cans, paper, plastics or glass within a building.
- (28) Private kennels, business kennels, animal grooming.
- (29) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(C) CONDITIONAL USES.

- (1) Public passenger transportation terminals.
- (2) Asphalt plants.
- (3) RV waste disposal areas.
- (4) Incinerators, salvage yards, and transfer stations.

(D) ACCESSORY USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Lot Area:		To be determined by building placement on the site as well as the setback requirements identified below:
Yards:	Street:	25 feet
	Rear:	30 feet

Sides: 15 feet  
Yards adjacent to residential districts: 30 feet  
Building Height: 45 feet maximum

**Section 16.** Section 22.0512 is hereby repealed and recreated as follows:

22.0512 M-3 MIXED-USE COMMERCIAL/MANUFACTURING DISTRICT.

- (A) **PURPOSE AND INTENT.** The purpose and intent of the M-3 Mixed Use Commercial/Industrial District is to provide for a single district containing a mix of commercial and industrial uses in a self-contained business area. This single district is intended to be transitional in nature so that once the uses in the area are established, the individual properties will be rezoned into the appropriate district.
- (B) **SPECIFIED USES.**
- (1) Those specified uses in the I-1, B-1, B-2, B-3, M-1 and M-2 zoning districts, except that no residential uses are permitted.
- (C) **CONDITIONAL USES.**
- (D) **ACCESSORY STRUCTURES AND USES.**
- (1) Garages.
- (2) Storage Buildings.
- (E) **DIMENSIONAL REQUIREMENTS.**
- Lot Area, Building Height & Yards: To be determined by building placement on the site as well as setback requirements contained within individual zoning districts for which the use is listed as a specified use. In the event of conflicting dimensional requirements, the more stringent shall apply.
- (F) **LIMITATIONS.** Only one such M-3 Mixed Use Commercial/Industrial Zoning District shall be created or in use at any one time within the City limits. An M-3 zoning district shall be considered no longer in use when all of the property within an existing Industrial Park Development has been rezoned in accordance to its specified use at that time.

An existing M-3 district may be rezoned in portions or in its entirety after its specified use has been developed or becomes apparent.

**Section 17.** Section 22.0513 is hereby repealed and recreated as follows:

22.0513 M-4 APPLIED TECHNOLOGY DISTRICT.

(A) PURPOSE AND INTENT. The purpose and intent of the M-4 Applied Technology District is to provide for emerging and high technology businesses as well as more traditional light industrial and other similar service uses, generally in a business park.

(B) SPECIFIED USES.

- (1) General manufacturing and processing.
- (2) Research development and testing laboratories.
- (3) Product distribution centers.
- (4) Commercial food processing.
- (5) Freight terminals and trans-shipment yards.
- (6) Commercial warehousing.
- (7) Printing and publishing.
- (8) Telecommunications centers.
- (9) Office and professional buildings when constructed or altered for multiple tenants or in conjunction with another permitted use in the M-4 district.
- (10) Retail sales and services that are incidental to manufacturing and warehousing located on the same site.
- (11) Products related to process design, process simulation, software development, engineering, computer software services, hardware manufacturing or industrial technology.
- (12) High tech manufacturing.
- (13) Contractor's offices and shops.
- (14) Similar uses: any use which is determined by the Zoning Administrator to be similar to one of the above enumerated uses, and which conforms to the intent of the zoning district.

(C) CONDITIONAL USES.

- (1) Business Incubators which are primarily oriented to start up manufacturing, distribution, research, software design, process control or other similar uses to the specified uses of the M-4 District.
- (2) Child Care Centers.
- (3) Professional education or training centers.



- (4) Leasing of parking lots or parking spaces for uses not associated with the property.
- (5) Private kennels, business kennels, animal grooming.

(D) ACCESSORY STRUCTURES AND USES.

- (1) Garages.
- (2) Storage buildings.

(E) DIMENSIONAL REQUIREMENTS.

Minimum site size:	1 acre
Yard Setbacks: Street yard:	25 feet
Side yard:	15 feet
Rear yard:	30 feet
Yards adjacent to Residential districts:	30 feet
Building Height:	45 feet maximum

(F) LIMITATIONS: Performance Standards

Any use in the Applied Technology District shall comply with the following regulations:

- (1) Noise. At no point on the district boundary nor beyond property lines of individual lots within the district shall the sound level of any individual operation or level exceed the limits shown in the following table:

Cycles per Second	7:00am-10:00pm	10:00pm-7:00 am
0-75	70	67
75-150	67	62
150-300	59	54
300-600	52	47
600-1,200	46	41
1,200-2,400	40	35
2,400-4,800	34	29
Over 4,800	32	27

Frequencies and sound levels shall be measured with an Octave Band Analyzer and Sound Level Meter which comply with the USA Standards prescribed by the United States of America Standards Institute.

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, heat frequency, impulse character, periodic character or shrillness.

- (2) Contaminants. The limits on emission for particular contaminants shall be determined and enforced as provided for under section NR 154.02, Wisconsin Administrative Code.

- (3) Liquid and Solid Waste. Any disposal of wastes on the property shall be done in such a manner that it will conform to the regulations of this section. No wastes shall be discharged into a storm sewer or roadside ditch or drainage area except clear and unpolluted water. All liquid waste disposal shall be in conformance with section COM81-85 and COM10, State of Wisconsin Department of Natural Resources Administrative Code NR 125.01 or as amended.
- (4) Electrical Emission. There shall be no electrical emission beyond the property line which would adversely affect any other use or adjacent property owners.
- (5) Glare and Heat. There shall be no reflection or radiation, directly or indirectly, or glare or heat beyond the property line if it would constitute a nuisance, hazard or be recognized by a reasonable person as offensive. Provided, however, that nothing in this section shall prohibit night illumination of a property within the district.
- (6) Vibrations. There shall be no operation or activity which would cause ground transmitted vibrations in excess of the limits set forth in the table below beyond the boundary of this district, under any conditions, nor beyond the property line if it would adversely affect any other use within the district.

Ground Transmitted Vibrations:  
Maximum Permitted Displacement

Frequency Cycles per Second	Along Subdivision Boundaries (In Inches)
0-10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and over	.0001

**Section 18.** Section 22.06(B) is hereby repealed and recreated as follows:

- (B) HOME OCCUPATIONS. Home occupations are an accessory use in all residential districts and are subject to the requirements of the district in which the use is located. Because the City recognizes that certain home occupations have greater land use impacts than others, this section is designed to establish three (3) tiers of home occupations. Home occupations are classified as either Type 1, Type 2 or Type 3 depending on the characteristics of the proposed occupation. It shall be the applicant's responsibility to clearly explain the scope of the business to ensure the proper regulations are administered. The following regulations apply to home occupations:
  - (1) General Home Occupation Standards. All home occupations shall conform to the following standards:
    - (a) The use of the property for the home occupation shall be clearly incidental and subordinate to its use for residential purposes.

- (b) The occupation shall not be harmful or detrimental to the health, welfare and safety of the neighborhood, nor shall it interfere with the comfortable enjoyment of life, property and recreation by residents of the area.
  - (c) No mechanical or electrical equipment shall be employed on the premises other than that which is customarily found in a home environment, and that which is customarily associated with a hobby or avocation which is conducted solely for pleasure and not for profit or financial gain.
  - (d) No use shall create smoke, odor, glare, noise, dust, vibration, fire hazard, electrical interference, excess trash, or any nuisance not normally associated with the usual residential use in the district.
  - (e) Violation of any of the standards or conditions of approval could result in revocation of the Type 2 or 3 home occupation approval and/or prosecution for Zoning Ordinance violations.
- (2) Type 1 Home Occupation. Qualifying Type 1 home occupations are home based businesses that have no outward appearance of business activity, excluding business identification signage, and do not typically require clients or customers to come to the property. Home occupations that meet the following standards are a specified use in all residential districts.
- (a) Home occupations shall be conducted only within the enclosed area of the dwelling unit or the garage. No more than 25 percent of a principal building or 75 percent of an accessory building may be dedicated to a home occupation. No accessory building may be built, altered, or used primarily for use in the home occupation.
  - (b) Customer and client contact shall be conducted by electronic means, telephone, by mail, or off-site and not on the premises of the home occupation.
  - (c) Sales shall be limited to mail order and telephone sales, with off-site delivery. No on-site retail sales are permitted. Services to patrons shall be provided off site.
  - (d) There shall be no exterior alterations which change the character of the dwelling and there shall be no exterior evidence of a home occupation other than a sign as permitted below.
  - (e) No storage or display of materials, goods, supplies, or equipment related to the operation of a home occupation shall be visible outside any structure located on the premises.
  - (f) Only one wall sign of four (4) square feet or less shall be permitted. No sign identifying a home occupation shall be illuminated. Any such sign shall be affixed to the principal structure in the same plane as the wall to which it is attached.

- (g) Stock in trade, including that which is provided on the premises, shall not require receipt or delivery of merchandise, goods, and supplies other than by United States Mail, similar parcel delivery service, or by private vehicle similar in size and weight to the U.S. Mail/other parcel delivery service vehicles.
  - (h) No other person other than members of the family occupying the residence may be employed in the home occupation.
- (3) Type 2 Home Occupation. Qualifying Type 2 home occupations are home based businesses that involve customers and clients routinely coming to the property, but no business activities are conducted outside of the buildings. Home occupations that meet the following standards are a conditional use in all residential districts and are subject to the standards and approval process set forth in Section 22.13. Any grant of approval for a home occupation shall be deemed a privilege and requires the continual compliance with all rules, regulations and conditions applied to the approval:
- (a) Home occupations shall be conducted only within the enclosed area of the dwelling unit or the garage. No more than 25 percent of a principal building or 75 percent of an accessory building may be dedicated to a home occupation. No accessory building may be built, altered, or used primarily for use in the home occupation.
  - (b) Customer and client contact activities are allowed on the property, but only within the buildings.
  - (c) The home occupation activities that involve customer contact shall be limited to the hours between 7:00 a.m. and 10:00 p.m. unless altered by the Council.
  - (d) The sale of products shall be limited to those which are crafted, assembled or substantially altered on the premises, to catalog items ordered off the premises by customers, and to items which are accessory and incidental to a service which is provided on the premises.
  - (e) There shall be no exterior alterations which change the character of the dwelling and there shall be no exterior evidence of a home occupation other than a sign as permitted below.
  - (f) No storage or display of materials, goods, supplies, or equipment related to the operation of a home occupation, other than an automobile or light truck, shall be visible outside any structure located on the premises.
  - (g) Only one sign (building or free-standing) of six (6) square feet or less shall be permitted. No sign identifying a home occupation shall be illuminated.
  - (h) Stock in trade, including that which is provided on the premises, shall not require receipt or delivery of merchandise, goods, and supplies other than by United States Mail, similar parcel delivery service, or by private vehicle similar in size and weight to the U.S. Mail/other parcel delivery service vehicles.

- (i) Only one (1) other person other than members of the family occupying the residence may be employed in the home occupation.
  - (j) Parking shall be restricted to existing parking spaces on the premises and on-street parking spaces adjacent to the premises.
  - (k) No vehicular traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. The applicant shall state on the application the expected number of vehicles per day accessing the property related to the business.
- (4) Type 3 Home Occupation. Type 3 home occupations are home based businesses that may involve customers and clients routinely coming to the property, and may exhibit visible signs of business activity, including some exterior activities. Due to potential increased traffic, noise, and nuisances associated with the use, Type 3 home occupations need to be reevaluated every two (2) years. Home occupations that meet the following standards are a conditional use in all residential districts and are subject to the standards and approval process set forth in Section 22.13. Any grant of approval for a home occupation shall be deemed a privilege and requires the continual compliance with all rules, regulations and conditions applied to the approval:
- (a) Home occupations shall occupy no more than 45 percent of a principal building or 75 percent of an accessory building and may also have an outdoor component as approved.
  - (b) Customer and client contact activities are allowed on the property.
  - (c) The home occupation activities that involve customer contact shall be limited to the hours between 7:00 a.m. and 10:00 p.m., and home occupation activities conducted outdoors shall be limited to the hours between 8:00 a.m. and 8:00 p.m., unless altered by the Council.
  - (d) The sale of products shall be limited to those which are crafted, assembled or substantially altered on the premises, to catalog items ordered off the premises by customers and to items which are accessory and incidental to a service which is provided on the premises.
  - (e) Stock in trade, including that which is provided on the premises, shall not require receipt or delivery of merchandise, goods, and supplies other than by United States Mail, similar parcel delivery service, or by private vehicle similar in size and weight to the U.S. Mail/other parcel delivery service vehicles.
  - (f) No vehicular traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. The applicant shall state on the application the expected number of vehicles per day accessing the property related to the business.

- (g) Only one sign (building or free-standing) of six (6) square feet or less shall be permitted. No sign identifying a home occupation shall be illuminated.
  - (h) No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential area. Any need for parking generated by the home occupation shall be met off the street and shall not be located in the required front yard unless specifically approved.
  - (i) Not more than two (2) people who do not reside on the premises may work on the premises where the home occupation is operated at any time. The home occupation may have other employees who do not regularly work on the premises. These outside employees shall not be on the premises more than two (2) hours per week and no more than five (5) outside employees may be on the premises at any time.
  - (j) If people who do not reside on the premises work in the home occupation, off-street parking must be provided for the maximum number of nonresident workers expected to be on the premises at any time excluding outside employees who are not regularly on the premises. If additional parking spaces are provided to serve the home occupation, they shall be screened from abutting residential properties by a landscaped buffer at least ten (10) feet in width and/or a solid fence at least four (4) feet high.
  - (k) No business-related equipment or materials, other than an automobile or light truck, shall be visible from the road or from adjoining properties and shall be stored inside either the vehicle, inside the home, or screened from view of a public street and adjoining properties. Parking for commercial-rated vehicles shall be identified on the application and shall be specifically approved.
  - (l) No outdoor lighting, intended for security or other reasons, shall be permitted to produce glare onto adjacent residential properties, or light onto adjacent residential properties. For the purpose of this provision, glare is defined as the viewing of a light source to include the bulb and any associated reflector as part of a light fixture, or the reflected viewing of a light source from an object not associated with the light source.
- (5) Additional Conditions. The Common Council may impose conditions upon the approval of a Type 2 or Type 3 home occupation to ensure the requirements of this chapter are complied with. These conditions may include, but are not limited to, the following:
- (a) Further limiting the hours, days, place and manner of operation;
  - (b) Requiring site and building design features which minimize environmental impacts such as noise, vibration, air pollution, light, glare, odor and dust;
  - (c) Requiring additional building setbacks, and increased lot area, depth or width;

- (d) Further limiting the building area and outdoor storage used by the home occupation and restricting the location of the use on the site in relationship to adjoining uses;
- (e) Designating the size, number, location and design of vehicle access points;
- (f) Requiring street right-of-way to be free at all times of vehicles associated with the home occupation;
- (g) Requiring landscaping, buffering and/or screening of the home occupation from adjoining uses and establishing standards for the continued maintenance of these improvements;
- (h) Requiring storm drainage improvement, and surfacing of parking and loading areas;
- (i) Limiting the extent and type of interior or exterior building remodeling necessary to accommodate the home occupation;
- (j) Limiting or setting standards for the location and intensity of outdoor lighting;
- (k) Requiring and designating the size, height, location of fences and materials used for their construction;
- (l) Requiring the protection and preservation of existing trees and other vegetation, watercourses, slopes, wildlife habitat areas and drainage areas;
- (m) Limiting the type and number of vehicles or equipment to be parked or stored on the site; and
- (n) Any other limitations which the Common Council considers to be necessary or desirable to make the use comply with the purpose and intent of this chapter.

**Section 19.** Section 22.07(F)(3) is hereby repealed and recreated as follows:

- (3) The Common Council may revoke an approved PUD if the project has not commenced within five (5) years. In the event the PUD is revoked, the zoning of the property shall revert to the zoning district in place prior to approval of the PUD.

**Section 20.** Section 22.11(G)(3) is hereby repealed and recreated as follows:

- (3) B-1 District:
  - (a) Types Allowed. The following types of permanent signs are permitted in the B-1 Neighborhood Business District, subject to the requirements herein. Allowable temporary signs are described in Section (H).

1. Building Signs:
  - a. Maximum Cumulative Area: One (1) square foot per each linear foot of building frontage or, in the case of a multi-tenant building, one square foot per each linear foot of occupant frontage.
  - b. Maximum Number per Building or Occupancy: Multiple building signs are permitted, but the total area of all signs may not exceed the maximum area stated above.
  
2. Freestanding Signs.
  - a. Maximum Area: One (1) square foot per each linear foot of street frontage, up to a maximum of seventy-five (75) square feet.
  - b. Maximum Height: Twenty-five (25) feet.
  - c. Maximum per Lot: One (1).
  - d. Minimum Setback: Five (5) feet.
  
3. Institutional Signs.
  - a. Maximum Area: Thirty (30) square feet.
  - b. Maximum Height: Ten (10) feet for freestanding signs.
  - c. Minimum Setback: Five (5) feet.

- (b) Illumination. All permitted signs may be illuminated. Flashing elements are prohibited.

**Section 21.** Section 22.11(H)(1)(g) is hereby repealed and recreated as follows:

- (a) Total sign area shall not exceed sixteen (16) sq. ft. without a permit, and no individual sign shall exceed nine (9) sq. ft. in area. Exception: Signs installed on a construction or development site and related to the project have no size limitations and may be installed over the entire length and height of a fence surrounding the construction site.

**Section 22.** Section 22.11(H)(3)(g) is hereby repealed and recreated as follows:

- (a) Total sign area shall not exceed sixteen (16) sq. ft. without a permit. Exception: Signs installed on a construction or development site and related to the project have no size limitations and may be installed over the entire length and height of a fence surrounding the construction site.

**Section 23.** Section 22.13 is hereby repealed and recreated as follows:

22.13 CONDITIONAL USE PERMITS.

- (A) CONDITIONAL USE PERMITS. The Common Council, upon review and recommendation from the Plan Commission, may authorize the Zoning Administrator to issue a Conditional Use



Permit for conditional uses, provided that such conditional uses and structures are in accordance with the purpose and intent of this ordinance and are found not to be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community.

(B) **PURPOSE AND FINDINGS.** Those land uses or activities set forth in this chapter as requiring a Conditional Use Permit are considered to be sufficiently distinctive in terms of their nature, location and impact on the surrounding area as to warrant special evaluation of each individual case. Conditional Use Permits shall be issued upon authorization by the City Council, after review by the Plan Commission, and shall be based on a determination that the land use or activity complies with specific requirements for certain land uses and activities as may be set forth in this chapter. The City's decision to approve or deny a Conditional Use Permit must be supported by substantial evidence.

- (1) "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Conditional Use Permit and that reasonable persons would accept in support of a conclusion.
- (2) If an applicant for a Conditional Use Permit meets or agrees to meet all of the requirements and conditions specified in this chapter or those imposed by the City Council, the City shall grant the Conditional Use Permit.
- (3) The applicant must demonstrate that the application and all requirements and conditions established by the City relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence.

(C) **APPLICATION.** An application for a Conditional Use Permit shall be made to the Zoning Administrator on a form provided. The application shall include the following information:

- (1) Name and addresses of the applicants, owners of the site, the architect or engineer, if any, the contractor, if any, and the names of property owners of record within 200 feet of the property in question, inclusive of right-of-way shall be so notified.
- (2) A description of the subject site by lot, block and recorded subdivision or by certified survey, the address of the site, the type of structure(s) on the site, proposed operation or use, the number of employees, and the zoning district within which the subject site lies.
- (3) **Site Plan.** A Site Plan shall be attached to the application including, at minimum, the following:
  - (a) All exterior dimensions of the property in question.
  - (b) Location, dimensions and setbacks of any existing or proposed buildings.
  - (c) Parking areas, including number of spaces required by Section 22.09, number of spaces proposed, and location and dimensions of parking spaces, including handicapped-accessible spaces as required.

- (d) Locations of landscaping, exterior lighting, and signage.
  - (e) The Zoning Administrator may require additional information on the Site Plan as necessary to show that the proposed conditional use meets the purpose and intent of this Ordinance.
  - (f) The Site Plan shall be prepared by an architect, civil engineer, registered land surveyor, land planner or similar professional, unless the Zoning Administrator determines that the project's complexity is minimal and the plan may be prepared by a non-professional.
- (4) Any additional information which may be required by the Plan Commission, Director of Public Works, or the Zoning Administrator.
  - (5) An application fee in the amount as established from time to time by the Common Council.

(D) REVIEW AND APPROVAL

- (1) The Zoning Administrator shall give written notice to all property owners within 200 feet of the subject property prior to the Plan Commission meeting at which action shall be taken.
- (2) The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, street or highway access, traffic generation and circulation, drainage patterns, sewer and water systems and the proposed operation.
- (3) Conditions such as landscaping, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational hours, restrictions, increased yards or parking requirements or other requirements may be imposed by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.
- (4) Compliance with all the other provisions of this ordinance such as lot width and areas, yards, height, parking, loading, traffic, and highway access, as well as performance standards, shall be required of all conditional uses. Variances shall only be granted pursuant to Section 22.14.
- (5) The Plan Commission shall review the proposed use and shall recommend to the Common Council that the request be approved, approved with conditions, or denied.
- (6) The Common Council shall hold a public hearing to consider the conditional use after publication of a Class 2 legal notice in accordance with Chapter 985 of the Wisconsin Statutes, listing the time and place, and the requested use.

- (E) DECISION. Following such hearing and after careful consideration of the Plan Commission's recommendations, the Common Council shall vote on the requested Conditional Use Permit. The Common Council may vote to approve, approve with conditions, or deny the request.
- (F) GENERAL PROVISIONS. No application for a Conditional Use Permit shall be granted unless the Common Council finds that the following provisions are present:
- (1) That the establishment, maintenance, or operation of the conditional use will not be materially detrimental to or endanger the public health, safety, morals, or general welfare;
  - (2) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use;
  - (3) That the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
  - (4) That adequate utilities, access road, off-street parking, drainage and other necessary site improvements have been or are being provided;
  - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard in the public streets;
  - (6) That the conditional use shall conform to all applicable regulations of the district in which it is located;
  - (7) That the proposed use is in conformance with the purpose of the zoning district in which it is located and complies with the provisions and policies of the comprehensive plan; and
  - (8) That the specific provisions applicable to the conditional use listed in this chapter are or will be satisfied, including the applicable provisions in Section 22.06.
- (G) CONDITIONS. The Common Council may impose conditions on the use as part of the approval of the Conditional Use Permit. Such conditions may include, but not be limited to, the following:
- (1) Limiting the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
  - (2) Establishing a special yard or other open space or lot area or dimension.
  - (3) Limiting the height, size, appearance or location of a building or other structure.
  - (4) Designating the size, number, location or nature of vehicle access points.
  - (5) Increasing the amount of street dedication, roadway width, or improvements within the street right-of-way.
  - (6) Designating the size, location, screening, design, drainage, surfacing or other improvement of a parking or truck loading area.
  - (7) Limiting or otherwise designating the number, size, location, height or lighting of signs.
  - (8) Limiting the location and intensity of outdoor lighting or requiring its shielding.

- (9) Requiring screening, landscaping or other site improvements to protect adjacent or nearby property and designating standards for installation or maintenance of the improvement.
  - (10) Providing storm water management site improvements.
  - (11) Designating the size, height, location or materials for a fence.
  - (12) Protecting existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
  - (13) Specifying other conditions to permit development of the City in conformity with the intent and purpose of the comprehensive plan.
- (H) RESUBMITTAL. No applications for conditional use permits may be resubmitted in person or by agent for the same or similar request for the same property within six (6) months after the decision by the Common Council unless substantial changes have been made in the request, as determined by the Zoning Administrator.
- (I) EXPIRATION. Conditional use permits approved by the Common Council shall expire within twelve (12) months unless substantial work has commenced pursuant to such approval. An applicant may request that the Common Council approve an extension for justifiable reasons for up to an additional twelve (12) months.
- (J) DURATION. Once approved, a Conditional Use Permit shall remain in effect as long as the conditions upon which the permit was issued and the requirements of this Ordinance are followed. Unless a specific duration is included in a Conditional Use Permit, a Conditional Use Permit shall automatically expire if the conditional use changes to a permitted use not requiring a Conditional Use Permit or if the conditional use is discontinued or ceases to exist for a continuous period of at least one (1) year.
- (K) RENEWAL. If a conditional use permit is for a specific duration as included in the Conditional Use Permit or the Conditional Use Permit has expired, the property owner will need to apply for a new Conditional Use Permit following the requirements of this Ordinance.
- (L) TRANSFER OF OWNERSHIP. Unless a limitation on the transfer of ownership is included in the Conditional Use Permit, all requirements of an approved conditional use shall be continued regardless of ownership of the subject property.
- (M) CONTINUING JURISDICTION AND REVOCATION.
- (1) The Common Council retains continuing jurisdiction over all conditional uses for the purpose of ensuring that the applicant for a Conditional Use Permit meets all of the requirements and conditions of the City ordinances and the Conditional Use Permit.
  - (2) Any person may notify the Zoning Administrator in writing that one or more requirements or conditions of City ordinances or conditions of a Conditional Use Permit have not been completed or are being violated.
  - (3) The Zoning Administrator shall initially determine whether there is a reasonable probability that the subject conditional use is in violation of a condition of approval. If the Zoning Administrator determines there is a reasonable probability of a violation, the Common Council shall conduct a hearing following publication of a class 2 legal notice in accordance with Chapter 985 of the Wisconsin Statutes.
  - (4) The Common Council may, in order to bring the subject conditional use into compliance with the conditions previously imposed by the Common Council, modify the existing

conditions and impose additional reasonable conditions. If no reasonable modification of the conditional use can be made that are consistent with the standards of this ordinance, the Common Council may revoke the Conditional Use Permit and direct the Zoning Administrator and the City Attorney to seek elimination of the conditional use.

- (N) MOBILE HOME PARKS. The application requirements for a Conditional Use Permit for a mobile home park shall be subject to all of the requirements of Section 22.08.

**Section 24.** Section 22.15 is hereby amended to add or change certain definitions as follows:

DAY CARE/ CHILD CARE CENTER – Any place, other than a Family Child Care Home, which receives children for care and supervision without the attendance of a parent, relative or legal guardian.

FAMILY CHILD CARE HOME – A dwelling licensed as a childcare center by the Wisconsin Department of Children and Families under s. 48.65 where care is provided for not more than eight (8) children, by an occupant of the dwelling.

KENNEL, BUSINESS – An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

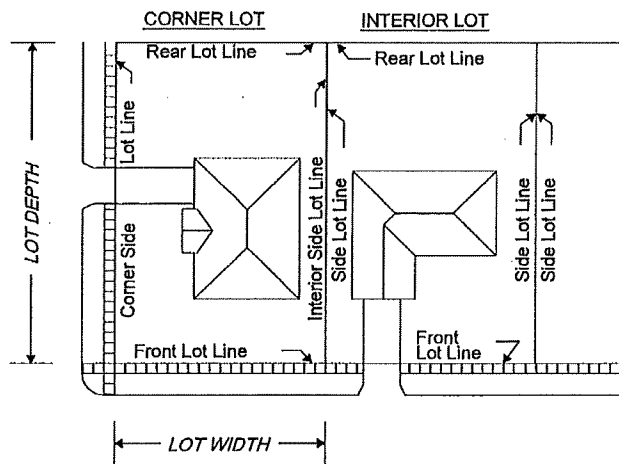
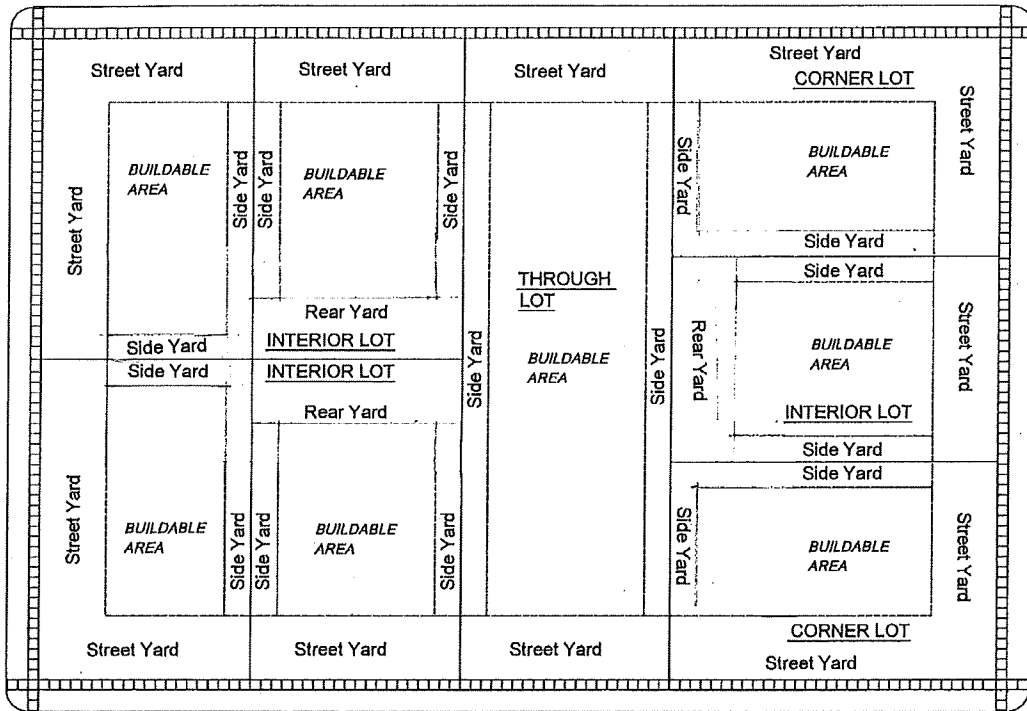
KENNEL, PRIVATE – The keeping, breeding, raising, showing, or training of more than four dogs over five (5) months of age for personal enjoyment of the owner or occupant of the property.

LOT, REVERSED CORNER (*this definition is deleted*)

STRUCTURE - Anything built, constructed, or erected from a combination of materials that is placed on or in the ground in a permanent or semi-permanent location.

YARD – An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation and fences in good repair, as defined below. See Plate 3.

- (a) Rear Yard – A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard. Corner lots and lots with three street frontages do not have a rear yard.
- (b) Side Yard – A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the interior side lot line and a line parallel thereto through the nearest point of the principal structure. For corner lots and lots with three street frontages, any yard that is not a street yard is a side yard.
- (c) Street Yard – A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two street yards; the yard abutting the front lot line shall be the front street yard.



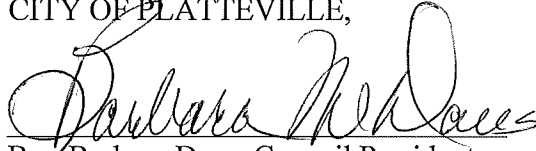
## LOT TYPES, LOT LINES, AND YARDS

**Section 25.** All other provisions of Chapter 6 shall be renumbered as needed but shall remain in full force and effect unless specifically modified herein.

**Section 26.** This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Approved and adopted by the Common Council of the City of Platteville, on a vote of 7 to 0 this 13<sup>th</sup> day of October, 2020.

CITY OF PLATTEVILLE,



By: Barbara Daus, Council President

Attest:



By: Candace Klaas, City Clerk