

Outline and Sample Format
Zoning Ordinance & Map Update Project
September 2023



CHAPTER 225, ZONING AND LAND DIVISION

Repeal and recreate chapter with the following organization, subject to change during drafting process

I. Introduction

- A. Title
- B. Authority and Statutory References
- C. Purpose and Legislative Intent
- D. Severability and Non-Liability
- E. Abrogation
- F. Application and Interpretation
- G. Jurisdiction
- H. General Rules of Construction
- I. Effective Date and Limitations

II. Listing, Purposes, and Map of Zoning Districts

- A. "A" Residence District
- B. "B" Residence District
- C. "A" Business District
- D. "LCI" Land Conservancy and Institutional District
- E. "PD" Planned Development District
- F. Zoning Map
 - 1. Interpretation of Zoning District Boundaries
 - 2. Effect of Right-of-way Vacations

III. General Regulations and Allowable Land Uses in Zoning Districts

- A. Purpose
- B. Regulations Applicable to All Land Uses
- C. Regulation of Allowable Uses
 - 1. Permitted Uses
 - 2. Conditional Uses
 - 3. Temporary Uses
 - 4. Interpretation
- D. Allowable Uses in Zoning Districts (see section of **EXAMPLE** use table below—this is not a proposal specific to Maple Bluff)

Figure 2.3.05: Allowable Uses in Non-Residential Zoning Districts						
P = Permitted Use	C = Conditional Use	T = Temporary Use	Empty Cell = Prohibited Use			
Land Use Category (#) Land Use Type	Zoning District					
	INT	B-1	B-2	B-3	BP	I
(4) On-site Agricultural Retail	P	P	P	P		
Institutional and Recreational Land Uses (see Section 2.4.04 for descriptions/standards for each use)						
(1) Passive Outdoor Public Recreation	P	P	P	P	P	P
(2) Active Outdoor Public Recreation	P	P	P	P	P	P
(3) Hunting						
(4) Indoor Institutional—General	P	P	P	P		
(5) Indoor Institutional—Intensive	C	C	C	C		
(6) Outdoor Institutional	C	C	C	C	C	C
(7) Public Service or Utility	P	P	P	P	P	P
(8) Institutional Residential	C	C	C	C		
(9) Community Living Arrangement (1-8 persons)	P			C		
(10) Community Living Arrangement (9-15 persons)	P			C		
(11) Community Living Arrangement (16+ persons)	C			C		
Commercial Land Uses (see Section 2.4.05 for descriptions and standards for each land use)						
(1) Office	C	P	P	P	P	P
(2) Personal or Professional Service	C	P	P	P	P	
(3) Artisan Studio [Amended 3/26/18 via Ord. 18-552]		P	P	P	P	P
(4) Group Day Care Center [Amended 3/26/18 via Ord. 18-552]	P	C	P	C	C	
(5) Indoor Sales or Service		P	P	P	C	C
(6) Outdoor Display		C	C	C		
(7) Indoor Repair and Maintenance		P	P	P	P	P
(8) Outdoor and Vehicle Repair and Maintenance			C			C

IV. Land Use Descriptions and Performance Standards

- A. Purpose
- B. Residential Land Use Types (format like this **EXAMPLE** from another municipality's code)

(1) **Single-Family Detached Residence.**

A dwelling unit designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit, and located on an individual lot. The dwelling unit must be a site built structure built in compliance with the State of Wisconsin Uniform Dwelling Code (UDC), or may be a manufactured dwelling (modular home) as permitted by the UDC or a manufactured home that has received a Federal Manufactured Housing Certificate label.

Performance Standards:

1. The minimum Gross Floor Area shall be 1,000 square feet, exclusive of an attached garage, carport, or open deck.
2. The dwelling unit must be attached to a finished, permanent foundation, such as a poured concrete slab or basement meeting UDC requirements.
3. The dwelling unit roof shall have a pitch of at least three feet in rise for every 12 feet in run, except by conditional use permit.
4. This dwelling unit type may not be split into two or more dwelling units, except for "In-Home Suites" meeting the requirements of this Section.
5. Minimum Required Off-Street Parking: 2 spaces.

- C. Institutional and Recreational Land Use Types
 1. Include "Executive Residence" among the specifically listed uses
- D. Commercial Land Use Types
- E. Accessory and Miscellaneous Land Use Types (see another **EXAMPLE** from another municipality's code on the following page)
- F. Temporary Land Use Types

- (14) Outdoor Alcohol Area. Outdoor Alcohol Areas are those that serve and enable consumption of alcohol outside of the principal structure, generally associated with an approved Indoor Commercial Entertainment use such as a restaurant, tavern, bar, and/or live music venue, but also certain Outdoor Commercial Entertainment, Indoor Institutional, Active Outdoor Public Recreational, and other land uses. Outdoor Alcohol Areas include, but are not limited to, “Beer Gardens.”

Performance Standards:

- a. Any establishment serving alcohol shall hold a valid alcohol license pursuant to Section 7-2-17 of the Village Municipal Code, if within the Village, which may have to be amended for the Outdoor Alcohol Area.
- b. Outdoor Alcohol Areas, including all service and consumption, shall be set back a minimum of 100 feet from any residential use in any zoning district.
- c. The maximum allowable area and the permitted location for an Outdoor Alcohol Area shall be set by Conditional Use Permit and/or alcohol license, whichever is more restrictive. Where associated with a principal Indoor Commercial Entertainment land use, the size of the Outdoor Alcohol Area shall not exceed the indoor Gross Floor Area.
- d. There shall be a licensed operator present within an Outdoor Alcohol Area during all hours of its operation.
- e. The exterior may be required to be enclosed with a fence or wall as limited by Wisconsin Statutes. Emergency exits from the area, if enclosed, shall be provided in accordance with applicable Fire and Building Codes.
- f. Except as a temporary use or in the CON zoning district, an Outdoor Alcohol Area must be located on an impervious surface or hard all-weather decking material.
- g. Except where otherwise specified by Conditional Use Permit, Outdoor Alcohol Areas shall not open earlier than 7 a.m. or remain open later than 11 p.m. on any day.
- h. Except where otherwise limited by Conditional Use Permit, Outdoor Alcohol Areas may play amplified music, whether live or recorded, and may have speakers, microphones, televisions or other audio or video devices provided all noise standards established in Section 10-1-0813 are met.
- i. Service areas and at least some consumption area for each Outdoor Alcohol Area shall be accessible to the disabled, and the permit holder shall at all times comply with all applicable federal, state and Village laws, ordinances and regulations concerning accessibility and nondiscrimination in the providing of service.
- j. Conditional Use Permit applications shall include operational details and site plan details addressing each of the requirements above in addition to the requirements for Site Plan Review in Section 10-1-1304. Any application for this use directly abutting a public right-of-way shall include details regarding the specific location of abutting public street and sidewalk improvements.
- k. Minimum Parking Requirements: one space for every three persons at the maximum capacity of the Outdoor Alcohol Area. This requirement shall be in addition to the parking required for other uses on the site or lot that do not overlap in land area or function with the Outdoor Alcohol Area.

V. Density, Intensity, Bulk Regulations

A. Purpose

B. Zoning District Density, Intensity, and Bulk Regulations (format like the **EXAMPLE** from another municipality’s code as follows)

Figure 2.5.02(2): Non-residential District Setback and Height Standards

Zoning District	Minimum Setbacks (ft) (b)				Pavement (c)		Minimum Principal Building Separation (ft)	Maximum Building Height (stories/ft, whichever is greater)	
	Principal Building to Front and Street Side Lot Lines (a)	Principal Building to Interior Side Lot Line	Principal Building to Rear Lot Line	Accessory Building to Interior Side/Rear Lot Line (a) (d)	Front or Street Side	Interior Side or Rear		Principal Buildings	Accessory Buildings
INT Institutional (e)	20 (e)	10 (e)	20	3	10	5	10	4/60	1/20
B-1 Downtown Commercial	0 (f)	0	0	0	5	0	0	3/45	1/20
B-2 Highway Commercial	30	10	30	10	10	5	10	3/40	1/20
B-3 Neighborhood Commercial (g)	10	6	20	3	5	5	10	2/30	1/15
BP Business Park	30	10	30	10	10	5	10	3/40	1/20
I Industrial	30	15	30	15	10	5	10	3/45	2/35

1. Need to determine whether to retain front and shoreland zoning setbacks on zoning map, or instead to rely on written/tabular setback requirements in this proposed article and in new Chapter 227 regarding shoreland zone.

C. Adjustments and Exceptions

1. Yard Setback Adjustments (including “50% rule”)
2. Intrusions into Required Yards
3. Exceptions to Maximum Height Regulations
4. Building Coverage Inclusions and Exclusions
5. Landscape Surface Ratio Inclusions and Exclusions

VI. Building, Site, and Landscape Design Standards

A. Purpose

B. Building Design

C. Site Design

D. Landscape Design

E. Mature Tree Preservation and Mitigation

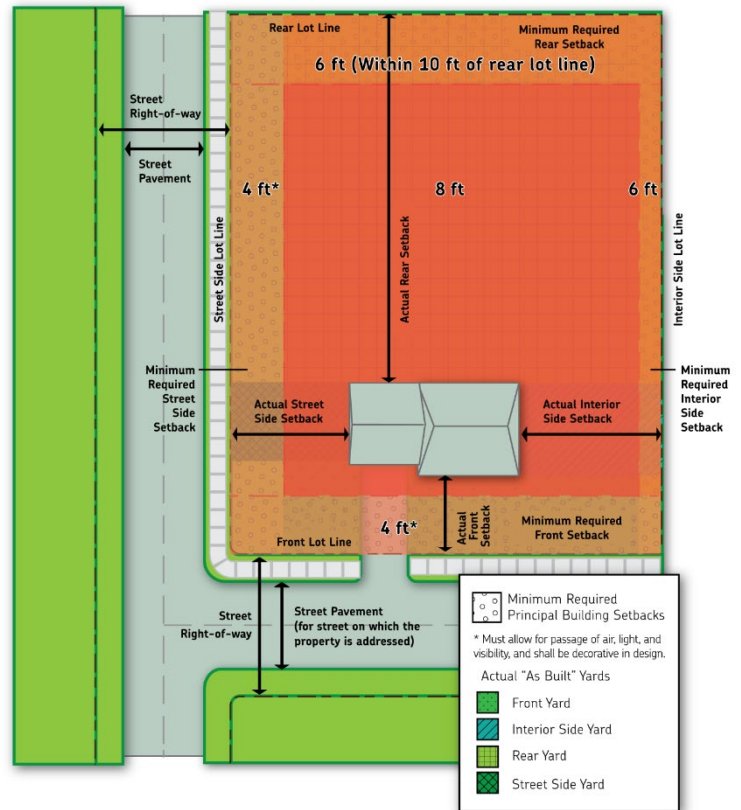
VII. General Performance Standards

A. Purpose and Applicability

B. Stormwater Management, Earth Filling, and Excavating

C. Overhead Utility Lines

- D. Fences (use graphic(s) to convey fence regulations like EXAMPLE to right and fence type images)
- E. View Preservation
- F. Swimming Pools
- G. Outdoor Storage
 - 1. Recreational Vehicles
 - 2. Firewood
 - 3. Temporary
 - 4. Other Exterior Storage
- H. On-Site Energy Generation
- I. Building Demolition
- J. Access and Visibility (Driveways)
- K. Off-Street Parking and Traffic Circulation
- L. Off-Street Loading
- M. Exterior Lighting
- N. Vibrations
- O. Noise
- P. Air Pollution
- Q. Odor
- R. Glare and Heat
- S. Fire and Explosion
- T. Toxic or Noxious Material
- U. Waste Material
- V. Hazardous Materials



VIII. Signs

- A. Purpose
- B. Sign Permits and Procedures
- C. Sign Type Descriptions and Measurement
- D. General Signage Regulations
- E. Regulations by Zoning District (see **EXAMPLE** matrix of how sign regulations may be laid out, as follows)
- F. Structural Requirements
- G. Maintenance Requirements

H. Nonconforming Signs

Zoning District	Allowed Sign Type and Configuration	Sign Permit Required?	Maximum Sign Quantity	Maximum Sign Area	Maximum Sign Height	Other Requirements
B-1 RM-B P-1	On-Building; Wall, Awning, or Projecting Sign configurations only	Yes	2 per each Unique Business Operation/Activity located, except that where such Operation/Activity has frontage on only one public street, not more than 1 of such signs may be a wall, awning, or projecting sign configuration	48 sf of total sign area per Unique Business Operation/Activity. In addition, projecting signs, maximum 12 sf with projection ≤ 4 feet from building, and awning signs maximum script height of 12 inches and area of 10% of canopy area.	No Village regulation	On building, not on or extending above roof or any portion of upper stories, except on parapet or mechanical wall designed for sign in determination of Zoning Administrator. Integrated with, and not covering, architectural elements and details. Minimum 8 ft clearance above ground for awning and projecting signs.
	Freestanding; Monument or Arm/Post Sign configurations only	Yes	1 per lot	48 sf	8 feet	Setback from all lot lines equal to actual sign height or 3 feet, whichever is greater, except ZA or P&Z may approve lesser setbacks in certain cases
	Sandwich Board	No	1 per street frontage of directly adjacent business, outdoors during business hours only	9 sf per sign	4 feet	On ground or hard surface, including between curb and sidewalk, but not within any required vision triangle. No obstruction to circulation, visibility, or snow storage permitted.

IX. Land Division and Consolidation Standards

- A. Purpose
- B. Lot Consolidation
- C. Land Division
- D. Effect of Previously Platted Lots
- E. Public Improvements

X. Nonconforming Lots, Uses, Structures, and Sites

- A. Purpose
- B. Nonconforming and Substandard Lots
- C. Nonconforming Uses
- D. Nonconforming Structures
- E. Nonconforming Sites

XI. Procedures and Administration

- A. Purpose
- B. Amendments to Zoning Regulations (Text Amendments)
- C. Amendments to the Official Zoning Map (Rezoning)
- D. Planned Developments
- E. Conditional Use Permits
- F. Design and Site Plan Review
- G. Building Demolition
- H. Land Division and Consolidation
- I. Variances
- J. Zoning and Building Permits
- K. Certificates of Occupancy
- L. Temporary Uses
- M. Interpretations and Appeals
- N. Roles and Responsibilities
 - 1. Zoning Administrator
 - 2. Board of Trustees
 - 3. Plan Commission
 - 4. Zoning Board of Appeals
 - 5. Building Board
- O. Public Notices
- P. Fees and Consultant Cost Reimbursement
- Q. Violations and Penalties

XII. Definitions

- A. Introduction to Word Usage, Abbreviations and Definitions
- B. Word Usage
- C. Abbreviations
- D. Definitions

CHAPTER 227, SHORELAND AND SHORELAND-WETLAND ZONING

New ordinance chapter in response to Wisconsin statutes and administrative rules—see next page

I. Introduction

- A. Title
- B. Authority
- C. Purpose
- D. Applicability and Scope of Geographic Coverage
- E. Severability and Non-Liability
- F. Abrogation
- G. Rules of Interpretation
- H. Jurisdiction
- I. Municipalities and State Agencies Regulated
- J. Effective Date

II. Shoreland Zoning Requirements

- A. Purpose
- B. Vegetative Buffer Zone
- C. Minimum Structure Setback
- D. Nonconforming Structures

III. Shoreland-Wetland Zoning Requirements

- A. Purpose
- B. Zoning District and Map
- C. Exemptions for Filled Wetlands and Wetlands Landward of Bulkhead
- D. Wetlands
- E. Permitted Uses
- F. Conditional Uses
- G. Nonconforming Structures and Uses
- H. Design and Performance Criteria

IV. Procedures and Administration

- A. Purpose
- B. Amendments
- C. Zoning Permits
- D. Conditional Use Permits
- E. Certificates of Compliance
- F. Duration and Revocation
- G. Inspections
- H. Interpretation
- I. Appeals

- J. Fees and Consultant Cost Reimbursement
- K. Violations and Penalties

V. Definitions

OTHER MUNICIPAL CODE SECTIONS TO REVISIT AND POSSIBLY REVISE

This effort will result in simultaneous modifications to other chapters and sections of the Municipal Code aside from Chapter 225 to assume consistent provisions. The following are potentially overlapping chapters and sections of the Municipal Code to be revisited:

- 6-2: Describes the Plan Commission and the Village's Comprehensive Plan.
- 90.3: Includes restrictions, definitions, and standards for private swimming pools.
- 90-3: Defines private swimming pool, dwelling (in manner different than Chapter 225), and One- or Two-Family Dwelling (also different than 225).
- 90-6: Includes procedures for obtaining building permits.
- 90-17 to 90-23: Includes private swimming pool standards.
- 101: Describes the Village's Comprehensive Plan, public participation, Plan Commission recommendation, and how the Plan is adopted.
- 115-2: Definition of impervious surface is different than in Chapter 225.
- 115-16: Includes Zoning Board of Appeals role in stormwater management ordinance appeals and variances.
- 149-18 to 149-24: Includes regulations for hazardous materials and discharges.
- 160-6: Includes noise standards.
- 166-5 to 166-10: Includes regulations for abandoned and junked vehicles.
- 166-11 to 166-14: Includes restrictions on certain vehicles and equipment in front yards of residentially zoned properties.
- 266: Includes floodplain zoning regulations.
- 2.180.180-18: Definition of Multiple-Family Dwelling is different than in Chapter 225.
- 2.192.1.192-4: Includes exceptions for signs and clock heights and awnings.
- 2.212.212-1: Restrictions as to when vehicles can be parked on streets and alleys and where they cannot.
- 2.212.212-2: Standards related to where recreational vehicles should be parked.