

MEETING NOTICE

The City of Stoughton will hold a Regular meeting of the **Planning Commission** on **Monday, April 11, 2011 at 6:00 pm** in the **Council Chambers, Second Floor, Public Safety Building, 321 S. Fourth Street**, Stoughton WI.

AGENDA

1. Call to order
2. Consider approval of the Planning Commission minutes of March 14, 2011.
3. Council Representative Report.
4. Status of Developments/Projects. (Page 5)
5. Proposed zoning ordinance amendments. (Page 7)
 - Public Hearing
 - Recommendation to Council
6. Closed Session - Consider Resolution R-31-2011 Relating to Intergovernmental Negotiations with the Town of Rutland.

The Planning Commission may convene in closed session pursuant to 19.85(1)(e) to consider a recommendation to the Common Council regarding possible negotiations with the Town of Rutland. The Planning Commission will reconvene into Open Session to continue the meeting, and may take action on Resolution R-31-2011 in Open Session.
7. Future agenda items
8. Adjournment

4/5/11mps

COMMISSIONERS:

Mayor Donna Olson, Chair
Eric Hohol, Vice-Chair
Rollie Odland

Todd Krcma
Carl Chenoweth

Ron Christianson
Troy Wieser

CC:PACKETS:

Rodney Scheel
Troy Wieser

Michael Stacey (3)
Todd Krcma

Rollie Odland
Mayor Donna Olson

E-MAIL NOTICES:

All Department Heads
Pili Hougan
Scott Wegner
Area Townships

Council members
Peter Sveum
Autumn Dressell – HUB

Steve Kittelson
Derek Westby
City Attorney Matt Dregne

IF YOU ARE DISABLED & IN NEED OF ASSISTANCE, PLEASE CALL 873-6677 PRIOR TO THIS MEETING.

NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.

Planning Commission Meeting Minutes

Monday, March 14, 2011 - 6:00 p.m.

Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, WI.

Members Present: Mayor Donna Olson, Chair; Eric Hohol, Vice-Chair, Carl Chenoweth; Ron Christianson, Troy Wieser and Rollie Odland.

Absent and Excused: Todd Krcma

Staff: Director of Planning & Development, Rodney Scheel; Zoning Administrator, Michael Stacey; Police Chief, Greg Leck;

Press: None

Guests: Scott Skavlen; Dennis Barkenhagen; Paul Lawrence; Charlotte Heitke; Dick & Bonnie Beckwith; Tom Matson;

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm.
2. **Consider approval of the Planning Commission minutes of January 10, 2011 and Planning Commission minutes of February 22, 2011.**
Motion by **Chenoweth** to approve the Planning Commission minutes of January 10, 2011 and the Planning Commission minutes of February 22, 2011, 2nd by **Wieser**. Motion carried 6 – 0.
3. **Council Representative Report.**
Hohol stated there were no items from Planning at Council.
4. **Status of Developments/Projects.**
Scheel gave an overview of the status of developments including an update on the Westend Development urban service area amendment and stated there is an open house for the Movin' Out project on Tuesday March 15, 2011, 4:00 – 6:00 pm at the Fire Department training room. A brief discussion took place regarding the Westend Development urban service area amendment and the tabling for 90 days by CARPC at the recent public hearing.
5. **Stoughton Area School District requests a conditional use permit to reconstruct the asphalt parking areas; reconstruct the tennis courts; add a new driveway to Devonshire Road; add a service drive around the south side of the running track concession stand; add a stormwater bio-retention area on the east side near Lincoln Avenue; and various other minor on-site improvements at the Senior High School, 600 Lincoln Avenue.**
Scheel explained the request and stated there is a recommendation from Police Chief Greg Leck to make the one-way in at the new south drive from Devonshire Road and making the existing north drive exit only. Chief Leck explained his reasoning. Dennis Barkenhagen was available for questions.

Mayor Olson opened the public hearing.

Richard Beckwith spoke in favor of the request.

Bonnie Beckwith spoke against adding the new driveway to Devonshire Road.

Rod Quisenberry spoke against adding the new driveway to Devonshire Road, he would rather the drive be at Jackson Street.

Mayor Olson closed the public hearing.

Hohol stated he thought it would be cost prohibitive to install a new driveway to Jackson Street.

Motion by Hohol to recommend Council approve the resolution for the conditional use permit request contingent on the staff review letter dated March 8, 2011, 2nd by Chenoweth. Motion carried 6 – 0.

6. Scott Skavlen requests Certified Survey Map (CSM) approval for property at 728, 732, 736, 801, 805, 809, 820, 824, and 832 Berry Street and Rezoning approval for property at 728, 732, 736, 801, 805, and 809 Berry Street.

Scheel explained the request. Scheel stated Scott Skavlen plans to put the final coat of paving on Berry Street once he has sold or developed three of the five lots. Scott Skavlen was available for questions.

Mayor Olson opened the public hearing.

No one registered to speak at the public hearing.

Mayor Olson closed the public hearing.

Motion by Wieser to recommend Council approve the resolution for certified survey map approval and recommend Council approve the rezoning ordinance contingent on the staff review letter dated February 21, 2011, 2nd by Chenoweth. Motion carried 6 – 0.

7. Sonny Swangstu representing the American Legion requests approval to combine the parcels by Certified Survey Map (CSM) at 803 N. Page Street and 132 West Street.

Scheel explained the request.

Motion by Hohol to recommend Council approve the resolution for certified survey map approval, 2nd by Chenoweth. Motion carried 6 – 0.

8. Planning Commission request to review the fiscal and economic impact section of the large development regulations.

Scheel explained the request. A discussion took place about the value of keeping this section within the large development regulations. Hohol suggested removing section 1c, 4 and 5, because there does not appear to be any value in keeping them. Chenoweth agreed including section 6d and 7.

Motion by **Chenoweth** to strike sections 1c, 4, 5, 6d and 7 in Figure 205.3 within the large development regulations and bring back for a public hearing, 2nd by **Hohol**. A discussion took place regarding the cost and number of studies required of a developer and the need to reduce this cost.

Motion carried 6 – 0.

9. Review staff proposed zoning ordinance amendments.

Scheel explained the request.

Motion by **Christianson** to set a public hearing for the zoning code amendments, 2nd by **Chenoweth**. Motion carried 6 – 0.

10. Future agenda items.

Zoning code amendments and Westend Development USA update.

11. Adjournment. Motion by **Wieser** to adjourn at 6:50 pm, 2nd by **Hohol**. Motion carried 6 – 0.

Respectfully Submitted,
Michael Stacey



CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589

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RODNEY J. SCHEEL
DIRECTOR

Date: April 5, 2011

To: Planning Commission Members

From: Rodney J. Scheel
Director of Planning & Development

Michael Stacey
Zoning Administrator/Assistant Planner

Subject: April 11, 2011 Planning Commission Meeting - Status of Developments and Meeting Summary.

Status of Developments:

- West View Ridge - 30 improved lots remaining.
- Stone Crest - 11 improved lots remaining.
- Nordic Ridge Development – No improvements.
- Lean Distribution Expansion – Landscaping/Paving left.
- Proposed Westend Neighborhood at NW corner of US Hwy 51 & State Hwy 138 – status to be provided at meeting.
- Movin' Out (Elven Sted) project – Under Construction.

Department of Planning & Development Information/Happenings:

- The property at 800 Nygaard Street (Old Broux House/Countri Tavern & Grill) is proposed to reopen soon as a restaurant.
- Comfort Inn was sold and renamed Quality Inn & Suites.
- Planning staff has been working primarily on the following:
 - Computer workstation updates.
 - Numerous code updates.
 - Budgeting for outcomes.
 - Continued building and zoning inspections.
 - Seeking new software for permitting, inspections and code enforcement (current software company is out of business, so no maintenance available)
 - Three applications have come in for the Keeping of Chickens.
 - Continued meetings with the Forward Development Group and the Capital Area Regional Planning Commission (CARPC) to gain an Urban Service Area Amendment for the proposed Westend Development.
 - Continuing education for building inspectors.

- Local redistricting workshop is on April 1st. From Census information, the outcome may be geographic changes to the supervisory districts and wards.
- A staff review must be done of our wind energy ordinance to make sure it is not more restrictive than the new standards set by the PSC which became effective on March 1, 2011.
- Annual WDNR reporting.
- Street and Stormwater projects planning.

Meeting Summary:

Item #5 - Proposed zoning ordinance amendments.

Numerous zoning ordinance amendments have been provided for a public hearing. A recommendation to Council is necessary.

Item #6 – Closed Session. – Consider Resolution R-31-2011 relating to intergovernmental negotiations with the Town of Rutland.

This item will be discussed with City Attorney Matt Dregne in closed session.

CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE PLANNING COMMISSION	
Amend multiple Zoning Code Sections of the Stoughton Municipal Code	
Committee Action: Approved - Fiscal Impact: None	
File Number: O-4-2011	Date Introduced: April 26 & May 10, 2011

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

1. **Sec. 78-015** Definitions

Building height: The vertical distance from: ~~(4) the average elevation of the adjoining ground level finished grade along the front of the building to the highest point of a flat roof, or to the deck line of a mansard roof, or to the average height between the eave and ridge for gable, hip or gambrel roofs, to the top of the cornice of a flat roof, to the deck line of a mansard roof, or to the average height of the tallest gable on a pitched shed or hip roof.~~ Also applies to structures.

Maximum height: ~~The maximum height of the highest portion of any structure.~~ See building height.

Temporary use: A land use which is present on a property for a limited and specified period of time. See subsection ~~78-206(4)~~ 78-206(9).

2. **78-105 (2)(a)7bO** Exurban Residential (ER-1) District.

Maximum height of accessory structure: ~~45 20 feet, ; 30 feet for an accessory dwelling unit.~~

3. **78-105 (2)(b)7bO** Single Family Residential-3 (SR-3) District

Maximum height of accessory structure: ~~20 feet, ; 30 feet for an accessory dwelling unit.~~

78-105 (2)(b)7bL Minimum paved surface setback: ~~Ten~~ Five feet from side or rear, or zero feet in the case of a shared driveway; ten feet from right-of-way.

4. **78-105 (2)(c)7bO** Single Family Residential-4 (SR-4) District

Maximum height of accessory structure: ~~20 feet, ; 30 feet for an accessory dwelling unit.~~

5. **78-105 (2)(d)7bO** Single Family Residential-5 (SR-5) District

Maximum height of accessory structure: ~~30 20 feet.~~

6. **78-105 (2)(e)8bR** Single Family Residential-6 (SR-6) District

Maximum height of accessory structure: ~~45 20 feet, ; 30 feet for an accessory dwelling unit.~~

7. **78-105 (2)(f)7bO** Two-Family Residential-6 (TR-6) District

Maximum height of accessory structure: ~~45 20 feet.~~

8. **78-105 (2)(g)7bO** Multi-Family Residential-10 (MR-10) District

Maximum height of accessory structure: ~~45 20 feet.~~

9. **78-105 (2)(h)7bO** Multi-Family Residential-24 (MR-24) District
Maximum height of accessory structure: ~~45~~ 20 feet.
10. **78-105 (2)(h)7bQ** Multi-Family Residential-24 (MR-24) District
~~Q. Minimum dwelling core dimensions: 24 feet by 40 feet.~~
11. *Amend Appendix E to match above amendments and fix footnote references for the MR-10 and ER-1 districts. Also under min. lot area for the SR-6 district, change to 6600 sq. ft. and add a footnote for alley loaded lots, min. lot area 4,000 sq. ft.
12. 78-203 Table of land uses.
See the Land Use Table Appendix C, which is non-regulatory, for a summary of the treatment of all land uses regulated by this article.
13. **Appendix F**
City of Stoughton Procedural Checklist for Planned Development Review and Approval. (Requirements per Section ~~78-910~~ 78-914)
City of Stoughton Procedural Checklist for Variance Review and Approval. (Requirements per Section ~~78-914~~ 78-918)
14. **78-402.** Residential bulk standards.
(See bulk regulations table in ~~the~~ appendix E to compare bulk regulations for all zoning districts)
15. **78-403.** Nonresidential bulk standards.
(See bulk regulations table in ~~the~~ appendix E to compare bulk regulations for all zoning districts)
16. **78-704(7)(a)** Calculation of minimum required parking spaces.
General guidelines for calculating required parking spaces. The requirements of subsection (c), below, shall be used to determine the ~~minimum~~ maximum ~~required~~ allowed number of off-site parking spaces ~~which must to~~ be provided on the subject property. Minimum required parking spaces Requirements are generally tied to the capacity of the use; the gross floor area of the use; or the number of employees which work at the subject property during the largest work shift.
17. **78-405(4)(b)2** Permitted intrusions into required rear or side yards:
~~Fences are permitted in required rear or side yards subject to may locate on the property line. Permitted fence types shall comply with~~ the provisions of section 78-718.
18. **78-205(11)(e)** Commercial services: Labor or services provided in the ordinary course of business that do not produce a tangible commodity. For purposes of this ordinance, “commercial services” may include retail sales that are incidental to the primary use of providing commercial services.
78-205 (11)(f) The following shall apply to all large developments:
~~78-205(11)(e)1~~ **78-205 (11)(f)1** Applicability. The requirements of this section are applicable to all new retail and commercial service developments according to the schedule in Figure 2.1 at the end of this section, and such developments shall be conditional uses in the zoning districts in which they are allowed. A separate conditional use permit is not required where such developments are part of a PUD district. All additions to existing retail and commercial service developments built either before or after the adoption of this section, which results in the total development size reaching a new threshold limit as defined in Figure 205.1 ~~2-4~~ shall also require a conditional use permit and become subject to the requirements of this section.
The following standards are intended to ensure that large retail and commercial service developments are properly located and are compatible with the surrounding area and the overall community character of the

city. Such projects shall also be subject to the more general standards for the approval of conditional use permits or PUD districts.

~~78-205(11)(e)2~~ **78-205(11)(f)2** Requirements.

19. ~~78-205(11)(e)2a~~ **78-205(11)(f)2a** Compatibility with city plans. A compatibility report is required when a retail and commercial service development reaches a defined threshold as outlined in Figure ~~205.1 2-4~~. The applicant shall provide, through a written compatibility report submitted with the petition for a conditional use permit or rezoning application for the PUD districts, adequate evidence that the proposed building and overall development project will be compatible with the city's comprehensive plan, any detailed neighborhood plan for the area, and any other plans officially adopted by the city.
20. ~~78-205(11)(e)2b~~ **78-205(11)(f)2b** Large development questionnaire. A large development questionnaire shall be completed when a development reaches a defined threshold as outlined in Section ~~78-205(11)(g)~~, Figure ~~205.1 2-4~~. The large development questionnaire shall be in the format included as Figure ~~205.2 2-2~~ at the end of this section.
21. ~~78-205(11)(e)2c~~ **78-205(11)(f)2c** Traffic impact analysis. A traffic impact analysis is required when a development reaches a defined threshold as outlined in Figure ~~205.1 2-4~~. The traffic impact analysis shall be completed in accordance with the most current revision of the Traffic Impact Analysis Guidelines published by the State of Wisconsin DOT. In addition, the following are required:
22. ~~78-205(11)(e)2d~~ **78-205(11)(f)2d** All projects shall have direct access to an arterial street, or to a collector level street deemed appropriate by the planning commission;
23. ~~78-205(11)(e)2e~~ **78-205(11)(f)2e** Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; traffic control devices; and sidewalks;
24. ~~78-205(11)(e)2f~~ **78-205(11)(f)2f** The site design shall provide direct connections to adjacent land uses if required by the city;
25. ~~78-205(11)(e)2g~~ **78-205(11)(f)2g** The applicant shall provide funding to the city to hire a traffic engineer of the city's choice to complete and present a traffic impact analysis;
26. ~~78-205(11)(e)2h~~ **78-205(11)(f)2h** Where the applicant's or the city's traffic impact analysis indicates that a project may cause off-site public roads, intersections, or interchanges to function below level of service (LOS) C, then the city may deny the application, may require a size reduction in the proposed development, and/or may require the developer to construct and/or pay for required off-site improvements to achieve LOS C for a planning horizon of a minimum of ten years assuming full build-out of the development;
27. ~~78-205(11)(e)2i~~ **78-205(11)(f)2i** The city has the option to require a trip generation study.
28. ~~78-205(11)(e)3~~ **78-205(11)(f)3** Economic and fiscal impact analysis. An economic and fiscal impact analysis is required when a development reaches a defined threshold as outlined in Figure ~~205.1 2-4~~. The economic and fiscal impact analysis shall include all of the items identified in Figure ~~205.3 2-3~~ of this section. In addition, the economic and fiscal impact analysis shall include the following:
29. ~~78-205(11)(e)3a~~ **78-205(11)(f)3a** Identify and assess the economic and fiscal impacts on the community;
30. ~~78-205(11)(e)3b~~ **78-205(11)(f)3b** Propose measures to mitigate adverse impacts and/or maximize positive impacts including provision of infrastructure or public services improvements sufficient to support the project. Any adverse impacts that cannot be mitigated shall be identified. Mitigation measures to be implemented by the applicant shall be identified;
31. ~~78-205(11)(e)3c~~ **78-205(11)(f)3c** The applicant shall provide the necessary funding to the city to hire a consultant of the city's choice, with appropriate experience to complete and present an economic and fiscal impact analysis to the city.

32. ~~78-205(11)(e)4~~ **78-205(11)(f)4** Detailed neighborhood plan. In the absence of an adopted detailed neighborhood plan for the subject property, the conditional use or planned unit development application for a development exceeding 80,000 square feet in total gross floor area of all combined buildings within the development shall be accompanied or preceded by a new city-approved detailed neighborhood plan for all areas within 1,500 feet of the subject property, as measured from the outer perimeter of the subject property or group of properties proposed for development, and any other nearby lands as determined by the planning commission and Common Council to be part of the defined neighborhood. The detailed neighborhood plan shall clearly demonstrate the provision of land use, multi-modal transportation, utility, stormwater management and community character components, and patterns that support the objectives of the city's Comprehensive Plan, as determined by the planning commission and Common Council.
33. ~~78-205(11)(e)5~~ **78-205(11)(f)5** The detailed neighborhood plan shall contain the following specific elements at a scale of not less than one inch equals 400 feet:
34. ~~78-205(11)(e)5a~~ **78-205(11)(f)5a** Land use with specific zoning districts and/or land uses;
35. ~~78-205(11)(e)5b~~ **78-205(11)(f)5b** Transitional treatments such as berms and/or landscaping between areas with differing land uses or character;
36. ~~78-205(11)(e)5c~~ **78-205(11)(f)5c** Complete public road network;
37. ~~78-205(11)(e)5d~~ **78-205(11)(f)5d** Pedestrian and bicycle network;
38. ~~78-205(11)(e)5e~~ **78-205(11)(f)5e** Transit routes and stops, where applicable;
39. ~~78-205(11)(e)5f~~ **78-205(11)(f)5f** Conceptual stormwater management network;
40. ~~78-205(11)(e)5g~~ **78-205(11)(f)5g** Public facility sites including parks, schools, conservation areas, public safety facilities and public utility facilities;
41. ~~78-205(11)(e)5h~~ **78-205(11)(f)5h** Recommendations for community character themes including building materials, landscaping, streetscaping and signage.
42. ~~78-205(11)(e)6~~ **78-205(11)(f)6** Facilities and associated features. The following requirements are applicable when a retail and commercial service development reaches the defined threshold outlined in Figure 205.1 2-4:
43. ~~78-205(11)(e)6a~~ **78-205(11)(f)6a** Building location. Where buildings are proposed to be distant from a public street, as determined by the planning commission, the overall development design shall include smaller buildings on pads or outlots closer to the street. Placement and orientation must facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads and neighboring commercial areas, and neighborhoods, and must forward community character objectives as described in the city's comprehensive plan.
44. ~~78-205(11)(e)6b~~ **78-205(11)(f)6b** Building materials. Exterior building materials shall be of comparable aesthetic quality on all sides. Building materials such as glass, brick, tinted and decorative concrete block, wood, stucco, and exterior insulation and finish systems (EIFS) shall be used, as determined appropriate by the planning commission. Decorative architectural metal with concealed fasteners or decorative tilt-up concrete panels may be approved if incorporated into the overall design of the building.
45. ~~78-205(11)(e)6c~~ **78-205(11)(f)6c** Building design. The building exterior shall complement other buildings in the vicinity, and shall be of a design determined appropriate by the planning commission, including the following:
46. ~~78-205(11)(e)6cA~~ **78-205(11)(f)6cA** The building shall employ varying setbacks, heights, roof treatments, doorways, window openings, and other structural or decorative elements to reduce apparent size and scale of the building;
47. ~~78-205(11)(e)6cB~~ **78-205(11)(f)6cB** A minimum of 20 percent of the structure's facades that are visible from a public street shall employ actual protrusions or recesses with a depth of at least six feet. No uninterrupted facade shall extend more than 100 feet;

48. ~~78-205(11)(e)6cC~~ **78-205(11)(f)6cC** A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet;
49. ~~78-205(11)(e)6cD~~ **78-205(11)(f)6cD** Roofs with particular slopes may be required by the city to complement existing buildings or otherwise establish a particular aesthetic objective;
50. ~~78-205(11)(e)6cE~~ **78-205(11)(f)6cE** Ground floor facades that face public streets shall have arcades (a series of outdoor spaces located under a roof or overhang and supported by columns or arches), display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length. The integration of windows into building design is required, and shall be transparent, clear glass (not tinted) or spandrel glass between three to eight feet above the walkway along any facades facing a public street. The use of blinds shall be acceptable where there is a desire for opacity;
51. ~~78-205(11)(e)6cF~~ **78-205(11)(f)6cF** Building facades shall include a repeating pattern that includes no less than three of the following elements: (i) color change, (ii) texture change, (iii) material modular change, (iv) expression of architectural or structural bay through a change in plane no less than 24 inches in width, such as an offset, reveal or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
52. ~~78-205(11)(e)6d~~ **78-205(11)(f)6d** Building entrances. Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. When additional stores located in the principal building exceed 30 percent of the gross floor area, separate entrances may be considered for each such store that shall conform to the above requirements.
53. ~~78-205(11)(e)6e~~ **78-205(11)(f)6e** Building color. Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited. Building trim and architectural accent elements may feature bright colors or black, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on signage, subject to the limitations in chapter 10, article V.
54. ~~78-205(11)(e)6f~~ **78-205(11)(f)6f** Screening.
55. ~~78-205(11)(e)6fA~~ **78-205(11)(f)6fA** All ground-mounted and wall-mounted mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials identical to those used on the building exterior;
56. ~~78-205(11)(e)6fB~~ **78-205(11)(f)6fB** All rooftop mechanical equipment shall be screened by parapets, upper stories, or other areas of exterior walls or roofs so as to not be visible from public streets adjacent or within 1,000 feet of the subject property. Fences or similar rooftop screening devices may not be used to meet this requirement;
57. ~~78-205(11)(e)6fC~~ **78-205(11)(f)6fC** Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls, which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above;
58. ~~78-205(11)(e)6fD~~ **78-205(11)(f)6fD** Gates and fencing may be used for security and access, but not for screening, and they shall be of high aesthetic quality. Decorative metal picket fencing and screening is acceptable. Chain link, wire mesh or wood fencing is unacceptable. Decorative, heavy-duty wood gates may be used.
59. ~~78-205(11)(e)6g~~ **78-205(11)(f)6g** Parking.

60. ~~78-205(11)(e)6gA~~ **78-205(11)(f)6gA** Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required in section 78-704 shall be allowed only with specific and reasonable justification;
61. ~~78-205(11)(e)6gB~~ **78-205(11)(f)6gB** Parking lot design shall employ interior, curbed landscaped islands at all parking aisle ends. In addition, the project shall provide landscaped islands within each parking aisle spaced at intervals no greater than one island per every 20 spaces in that aisle. Islands at the ends of aisles shall count toward meeting this requirement. Each required landscaped island shall be a minimum of 360 square feet in landscaped area;
62. ~~78-205(11)(e)6gC~~ **78-205(11)(f)6gC** Landscaped and curbed medians, a minimum of ten feet in width from back-of-curb to back-of-curb, shall be used to create distinct parking areas of no more than 120 parking stalls.
63. ~~78-205(11)(e)6h~~ **78-205(11)(f)6h** Bicycle and pedestrian facilities.
64. ~~78-205(11)(e)6hA~~ **78-205(11)(f)6hA** The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties;
65. ~~78-205(11)(e)6hB~~ **78-205(11)(f)6hB** Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities. The minimum width for sidewalks adjacent to buildings shall be ten feet; and the minimum width for sidewalks elsewhere in the development shall be five feet;
66. ~~78-205(11)(e)6hC~~ **78-205(11)(f)6hC** Sidewalks other than street sidewalks or building aprons shall have adjoining landscaping along at least 50 percent of their length. Such landscape shall match the landscaping used for the street frontages;
67. ~~78-205(11)(e)6hD~~ **78-205(11)(f)6hD** Crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety by using different pavement materials, or pavement color, or pavement textures, and signage;
68. ~~78-205(11)(e)6hE~~ **78-205(11)(f)6hE** The development shall provide secure, integrated bicycle parking at a rate of one bicycle rack space for every 50 vehicle parking spaces;
69. ~~78-205(11)(e)6hF~~ **78-205(11)(f)6hF** The development shall provide exterior pedestrian furniture in appropriate locations at a minimum rate of one seat for every 20,000 square feet of gross floor area;
70. ~~78-205(11)(e)6hG~~ **78-205(11)(f)6hG** The development shall provide interior pedestrian furniture in appropriate locations at a minimum rate of one bench seat for every 10,000 square feet of gross floor area. Seating in food service areas, or other areas where food or merchandise purchasing activities occur shall not count toward this requirement. A minimum of four seats shall be located within the store, with a clear view through exit doors to a passenger pick-up or drop-off area.
71. ~~78-205(11)(e)6i~~ **78-205(11)(f)6i** Central areas and features. Each development exceeding 80,000 square feet in total gross floor area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and shall be maintained over the life of the building project.
72. ~~78-205(11)(e)6j~~ **78-205(11)(f)6j** Cart returns. A minimum of one 200-square foot cart return area shall be provided for every 100 parking spaces. Cart corrals shall be of durable, non-rusting, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. There shall be no exterior cart return or cart storage areas located within 25 feet of the building.

73. ~~78-205(11)(e)6k~~ **78-205(11)(f)6k** Outdoor display areas. Exterior display areas shall be permitted only where clearly depicted on the approved site plan. All exterior display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten feet. Display areas on building aprons must maintain a minimum walkway width of ten feet between the display items and any vehicle drives.
74. ~~78-205(11)(e)6l~~ **78-205(11)(f)6l** Outdoor storage uses and areas. Exterior storage structures or uses, including the parking or storage of service vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, fork lifts, trash, recyclables, and all other items shall be permitted only where clearly depicted and labeled on the approved site plan, such outdoor storage uses and areas shall be appropriately screened as required by subsection 78-205(11)(f)6f. ~~(6)a. using techniques as found in subsection (6)e.~~
75. ~~78-205(11)(e)6m~~ **78-205(11)(f)6m** Landscaping. On-site landscaping shall be provided at time of building occupancy and maintained per the following landscaping requirements:
76. ~~78-205(11)(e)6mA~~ **78-205(11)(f)6mA** Landscaping plan shall be submitted to the planning commission for approval, as part of the site plan.
77. ~~78-205(11)(e)6mB~~ **78-205(11)(f)6mB** Building foundation landscaping is required for all building frontages facing public streets in order to provide visual breaks in the mass of the building. Such foundation landscaping shall be placed along 30 percent of facades facing public streets. Foundation landscaping may be planted between the building and drive lane. One ornamental tree with a minimum one and one-half inch caliper or one minimum six-foot tall tree ("whips" not permitted), and four shrubs at a minimum height of 18 inches tall shall be planted for every ten linear feet of building foundation planter area. Appropriate trees and shrubs include crabapple, birch, cherry, hawthorne, service berry, arborvitae, dogwood, lilac, viburnum, cotoneaster, forsythia, hazelnut, barberry, spirea, juniper, yew, or similar species and varieties approved by the city;
78. ~~78-205(11)(e)6mC~~ **78-205(11)(f)6mC** One street tree at a minimum of two-inch caliper shall be planted at 50-foot centers along, and within ten feet of, all public and private streets and drives, including parking lot connections and circulation drives, and loading areas. Such tree plantings shall be planted in tree wells along the circulation drives adjacent to the sides of the store that face a public or private street, along both sides of internal drives, and along the outside edge of loading areas. Appropriate trees include sugar maple, pin oak, ginkgo, or similar species and varieties approved by the city;
79. ~~78-205(11)(e)6mD~~ **78-205(11)(f)6mD** One shade tree at a minimum of two-inch caliper shall be planted on each parking lot peninsula and island. Appropriate trees include honey locust, green or white ash, linden, sugar maple, red maple, or similar species and varieties approved by the city;
80. ~~78-205(11)(e)6mE~~ **78-205(11)(f)6mE** Where possible, all landscaped areas shall be at least ten feet wide in their smallest dimension, except that tree wells may be a minimum of 36 square feet;
81. ~~78-205(11)(e)6mF~~ **78-205(11)(f)6mF** For development exceeding 40,000 square feet in total gross floor area, and where the subject property abuts an area zoned or planned for residential, institutional, or office use, a minimum six-foot high berm shall be provided. The berm shall be planted with a double row of white, green or blue spruce plantings, or similar species and varieties approved by the city, spaced 15 feet on center.
82. ~~78-205(11)(e)6n~~ **78-205(11)(f)6n** Lighting. On-site exterior lighting shall meet all the standards of section 78-707, except that in addition:
83. ~~78-205(11)(e)6nA~~ **78-205(11)(f)6nA** Total cut-off luminaries with angles of less than 90 degrees shall be required for all pole and building security lighting to ensure no fugitive up lighting occurs;
84. ~~78-205(11)(e)6nB~~ **78-205(11)(f)6nB** At a minimum, as measured over ambient lighting conditions on a clear night, exterior lighting shall not exceed more than one-half foot-candles above ambient levels along all property lines, and shall not exceed an average illumination level of 3.6 foot-candles nor provide below a minimum of 0.9 foot-candles in public parking and pedestrian areas;

85. ~~78-205(11)(e)6nC~~ **78-205(11)(f)6nC** The color and design of pole lighting standards shall be compatible with the building and the city's public lighting in the area, and shall be uniform throughout the entire development site.
86. ~~78-205(11)(e)6nD~~ **78-205(11)(f)6nD** Outdoor lighting shall be full cut-off fixtures and downward facing and no direct light shall bleed onto adjacent properties. Reflected glare onto nearby buildings, streets or pedestrian areas is prohibited. The applicant must provide to the city information on how outdoor lighting will be accomplished to minimize impacts on adjacent properties and roadways. To minimize any indirect overflow of light on adjacent properties, the height of any proposed parking lot light standard should be as short as possible and should stair step down to a lower height when close to residential uses.
87. ~~78-205(11)(e)6nE~~ **78-205(11)(f)6nE** The applicant shall submit to the city sufficient information, in the form of an overall exterior lighting plan, to enable the city to determine that the requirements of this section will be satisfied. The exterior lighting plan shall include at least the following:
88. ~~78-205(11)(e)6nE1~~ **78-205(11)(f)6nE1** Manufacturer specification sheets, cut-sheets or other information provided by the manufacturer for all proposed lighting fixtures.
89. ~~78-205(11)(e)6nE2~~ **78-205(11)(f)6nE2** The proposed location, mounting height, and aiming point of all exterior lighting fixtures.
90. ~~78-205(11)(e)6nE3~~ **78-205(11)(f)6nE3** If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the luminance levels of the elevations, and the aiming point for any remote light fixture.
91. ~~78-205(11)(e)6nE4~~ **78-205(11)(f)6nE4** A brief written narrative, with accompanying plan or sketch, which demonstrates the objectives of the lighting and a computer generated photometric grid showing foot-candle readings every ten feet within the property or site, and ten feet beyond the property lines at a scale specified by city staff. Iso-footcandle contour line style plans are also acceptable.
92. ~~78-205(11)(e)6nE~~ **78-205(11)(f)6nE** Signage. The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations, configurations, and color throughout the development, including outlots. All freestanding signage within the development shall complement on-building signage. Monument style ground signs are required, and shall not exceed a height of eight feet. Consolidated signs for multiple users may be required instead of multiple individual signs. The city may require the use of muted corporate colors on signage if proposed colors are not compatible with the city's design objectives for the area. The use of logos, slogans, symbols, patterns, striping and other markings, and colors associated with a franchise or chain is permitted, and shall be considered as contributing to the number and area of permitted signs.
93. ~~78-205(11)(e)6p~~ **78-205(11)(f)6p** Noise. Noise associated with activities at the site shall not create a nuisance to nearby properties, and shall comply with applicable city noise requirements.
94. ~~78-205(11)(e)6q~~ **78-205(11)(f)6q** Natural resources protection. Each project shall meet the erosion control and stormwater management standards found in Article V and other applicable City ordinances. In addition, post-development runoff rates shall not exceed pre-settlement rates. In general, existing natural features shall be integrated into the site design as a site and community amenity. Maintenance of any storm water detention or conveyance features are solely borne by the developer/owner unless dedicated and accepted by the city.
95. ~~78-205(11)(e)6qA~~ **78-205(11)(f)6qA** Additional requirements. All large scale retail and commercial buildings and developments in excess of 20,000 square feet are subject to the following additional requirements:
96. ~~78-205(11)(e)6qA1~~ **78-205(11)(f)6qA1** Policy on vacation of existing sites. Where such a building is proposed as a replacement location for a business already located within the city, the city shall prohibit any privately imposed limits on the type or reuse of the previously occupied building through conditions of sale or lease.

97. ~~78-205(11)(e)6qA2~~ **78-205(11)(f)6qA2** Developer's agreement. The developer shall enter into a development agreement with the city, which shall include the payment of all utilities including but not limited to storm water, sanitary sewer, and street infrastructure, and the commitment to adhere to the policy on vacation of existing sites per subsection (1) above. Off-site improvements may also be required as part of the development agreement.
98. ~~78-205(11)(e)6qA3~~ **78-205(11)(f)6qA3** Absolute building area cap. No individual building shall exceed a total of 155,000 square feet in gross floor area. This cap may not be exceeded by the granting of a planned development permit.
99. ~~78-205(11)(e)6qA4~~ **78-205(11)(f)6qA4** Outlots. All buildings on outlots shall be of architectural quality comparable to the primary structure as determined by the planning commission.
100. ~~78-205(11)(f)~~ **78-205(11)(g)** Exceptions. ~~This Section 78-205(11)~~ establishes standards for the development of buildings over 20,000 square feet of gross floor area. In the event the applicant desires a deviation or exception from such requirements, the applicant shall present justification for such deviation or exception, which may be approved or denied by the Common Council after recommendation by the planning commission.
101. ~~78-205(11)(g)~~ **78-205(11)(h)** Appendices. The following appendices referenced herein are incorporated into the requirements of this section. Amendments to the Appendices may be made by a majority vote of the Common Council after review and recommendation by the planning commission.
102. **78-105(1)a2b** Rural Holding (RH) District.
Principal Land Uses Permitted as Conditional Use: (per subsection 78-202(2))
~~Large Developments (per section 78-205(11))~~
~~Group Developments (per section 78-205(12))~~
103. **78-718(3)(a)1** Height of fencing regulated
On corner lots in all zoning districts, no fence, wall, hedge, planting or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two and one-half feet and ten feet above grade, in the area bounded by the street lines of such corner lots and a line joining the points along such street lines, ten feet from the point of intersection. Additionally, no fence, wall, planting, or structure shall be erected, placed, planted or allowed to grow in such a manner to obstruct vision between a height of two and one-half feet above grade and ten feet above grade on both sides of a driveway where connected to a public sidewalk, ten feet from the points of intersection.
78-718(3)(i) Easements. No fence shall be located within any easement designed to convey stormwater drainage, sanitary sewer, electric distribution and water distribution.
104. **78-610(6)(a)** Notes for Table 78-610(4)(a). For properties zoned in the rural holding district ~~(RH)(FH)~~, refer to the comprehensive plan's land use map to determine the proposed zoning district for said property.
105. **Appendix B**
For pages CD78:345; CD78:346 and CD78:347 (top of pages)
City of Stoughton Requirements Checklist for Landscaping ~~for Landscaping~~
106. **78-722(2)**
(2) Exempt pools. Non-filtered storable swimming or wading pools that are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this section. Decorative pools that are ~~less than~~ 36 inches or less in depth are exempt from the provisions of this section. Spas and hot tubs with lockable tops are also exempt.

107. **78-105(2)(e)8bG**

~~G: Side lot line to attached or detached garage with side access to alley: Minimum four feet.~~

108. **78-105(2)(e)8bH**

~~H: Side lot line to attached or detached garage with rear access to alley: Minimum four feet.~~

109. **78-105(2)(e)8bK**

~~K: Rear lot line to attached or detached garage with side access to alley: Four feet; Rear lot line to attached or detached garage with rear access to alley: Four feet.~~

110. **78-803(1)** Permit and fee requirement. No sign may be constructed, erected, remodeled, relocated or expanded until a sign permit is obtained and a fee is paid in accordance with this article. No sign permit shall be issued for any sign unless the sign is permitted by and complies with the regulations of this article, ~~provided, however, that no permit is required.~~

111. **78-803(2)** Exemptions. The following shall be exemptions to the sign permit and fee requirements in subsection (1) of this section:

112. **78-604(4)(a)** Landscaping required by this section is most effective if located away from those areas required for landscaping such as building foundations, street frontages, paved areas, protected green space areas, reforestation areas, ~~or~~ and bufferyards. See subsection 78-603(2) ~~(B)~~ for suggested landscaping scheme.

113. **78-206(8)(h)1d** Retail sales shall ~~by~~ be physically separated by a wall from other activity areas.

114. **78-206(8)(c)1a** One attached ~~or~~ and a detached garage, and two accessory structures other than a garage, shall be permitted by right.

115. **78-105(5)(a)2b** Principal land uses permitted as conditional use: (per subsection 78-202(2))

~~Indoor Commercial Entertainment~~

116. **78-517(1)** Downtown Design Overlay Zoning District

Purpose. This district is intended to implement the urban design recommendations of the Comprehensive Plan, by preserving and enhancing the historical quality of the downtown, and by attaining a consistent visually pleasing image for the downtown area. As emphasized by said Plan, this district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and appearance of development within the district in a ~~manger~~ manner which is consistent with sound land use, urban design, and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Refer to Section 78-913 for the procedures applicable to proposal review in this overlay district.

117. **78-702(12)** Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the development of the subject property. (Refer to Section ~~78-909~~ 78-908 .)

118. **Table 78-610(4)(b)** * Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with ~~plant~~ plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall which does not contain doors (except those used for emergency exit) may be used to satisfy the ~~required~~ required fence portions of the bufferyard requirements.

119. **78-914(8)(a)2** A map of the subject property showing all lands for which the planned development is proposed, and all other lands within ~~200~~ 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Dane County (as provided by the City of Stoughton). Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
120. **78-206(4)(c)1a** Indoor sales or service. Permitted uses shall include ~~be limited to~~ indoor sales and personal services which ~~primarily~~ support office tenants such as office supply stores, copy centers and travel agencies.
121. **78-206(8)(y)1c** Keeping of chickens
- All zoning requirements related to accessory structures are exempt for chicken coops/runs that are less than 65 square feet in area except the minimum setback shall be 4 feet from the side and rear lot line.
122. **78-206(8)(y)3** ~~78-206(8)(y)e~~
123. **78-206(8)(y)f** Chicken's shall not be allowed to be kept within a residential dwelling or garage.
124. Table 78-610(4)(a) Required Bufferyard Opacity Values.
- Change "Adjacent Property's Zoning" to read horizontally in the table.
125. Appendix B Landscaping Charts and Checklists. Remove all ash trees from pages CD78:323 & CD78-324. Remove Norway Maple from page CD78:322
126. 78-704(10) Parking within the (CB) Central Business District. ~~CBC. Within the Central Business (CB) District, the~~ The parking requirements of this chapter are hereby waived within the (CB) Central Business District.
127. ~~78-704(13)(b) Potential Reduction in Automobile Parking Spaces~~
- ~~The Plan Commission may decrease the required number of off-street automobile parking spaces by up to 25% of the normal requirements based upon one or more of the following criteria:~~
- ~~1. Technical documentation furnished by the applicant that indicates, to the satisfaction of the Plan Commission, that actual off-street parking demand for that particular use is less than the required standard set forth in this Ordinance.~~
 - ~~2. Bicycle parking spaces will be provided through racks, lockers, or equivalent structures located convenient to the proposed use.~~
 - ~~3. A public transportation route is located within five hundred (500) feet of the property.~~
128. 78-704(14) Potential Reduction in Automobile Parking Spaces
- The Plan Commission may decrease the required number of off-street automobile parking spaces by up to 25% of the normal requirements based upon more than one of the following criteria:
1. Technical documentation furnished by the applicant that indicates, to the satisfaction of the Plan Commission, that actual off-street parking demand for that particular use is less than the required standard set forth in this Ordinance.
 2. Bicycle parking spaces will be provided through racks, or equivalent structures located convenient to the proposed use.
 3. A public transportation route is located within five hundred (500) feet of the property.

129. **78-704(13)(e)** to 78-704(13)(b)
130. **78-105(1)(a)7bK and 78-105(1)(a)8bK** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
131. **78-105(2)(a)7bK and 78-105(2)(a)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
132. **78-105(2)(b)7bK and 78-105(2)(b)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
133. **78-105(2)(c)7bK and 78-105(2)(c)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
134. **78-105(2)(d)7bK and 78-105(2)(d)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
135. **78-105(2)(e)8bN and 78-105(2)(e)9bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
136. **78-105(2)(f)8bJ and 78-105(2)(f)7bK** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
137. **78-105(2)(g)7bK and 78-105(2)(g)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
138. **78-105(2)(h)7bK and 78-105(2)(h)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
139. **78-105(3)(a)9bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
140. **78-105(3)(b)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
141. **78-105(4)(a)9bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
142. **78-105(4)(b)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
143. **78-105(4)(c)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
144. **78-105(5)(a)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
145. **78-105(5)(b)8bH** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
146. **78-105(5)(c)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
147. **78-105(6)(a)8bJ** Required bufferyard: See ~~sub~~section 78-610(4)(b) along zoning district boundary
148. **Figure 2.1 205-4: Large Scale Retail and Commercial Development Requirements**
149. **Figure 2.2 205-2: Large Development Questionnaire**

150. **Figure 2.3 205.3: Economic and Fiscal Impact Analysis Requirements**

1. For the project, estimate the following:	
a. Types of jobs created	
b. Number of full-time (40 hrs/wk) and part time (less than 40 hrs/wk) jobs created	
c. The impact of the project on the overall local job market at year one and year five.	
2. Estimate the amount of local labor to be used in the construction of the project and in employment. Local is defined as city or county residents or businesses.	
3. Include an analysis indicating the market proposed for the project and the area from which patrons will be attracted.	
4. Evaluate the impact of the proposed project on commercial and/or retail vacancy rates in the proposed market area.	
5. Estimate to what extent the proposed project would reduce the proposed market area's economic base by eliminating existing businesses.	
46. Compare and evaluate the projected costs and benefits to the community resulting from the project including:	
a. Projected costs arising from increased demand for and required improvements to public services and infrastructure.	
b. Value of improvements to public services and infrastructure to be provided by the project.	
c. Projected tax revenues to the city to be generated by the project in the first five years.	
d. Projected impact of the project in the first five years on land values (both residential and commercial) and potential loss or increase in tax revenues to the City of Stoughton.	
7. Projected lifespan of building.	

151. **Section 78-905(5)(c)** The zoning administrator may also evaluate the application to determine whether the requested is in harmony with the recommendations of the comprehensive plan, particularly as evaluated by the standards of subsection (5)(c)1. through 6., below:

152. **Section 78-206(3)(f)** Institutional residential development.

Description: This land use is a form of residential development designed to accommodate institutional residential land uses, such as senior housing, retirement homes, assisted living facility, nursing homes, hospices, group homes, convents, monasteries, dormitories, nursing homes, convalescent homes, limited care facilities, rehabilitation centers, and similar land uses not considered to be community living arrangements under the provisions of Wisconsin Statutes 62.23. No individual lots are required, although the development shall contain a minimum of 800 square feet of gross site area for each occupant of the development. A minimum of 30 percent of the development's gross site area (GSA) shall be held as permanently protected green space. ~~(See note (f) below.)~~

153. **Section 78-709(1)** Purpose. The purpose of this section is to regulate the creation of noise which adversely ~~effects~~ affects adjoining properties in order to prevent the creation of nuisances and to promote the general welfare of the public.

154. **Section 78-709(3) Requirements.** All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound-pressure level of noise radiated ~~e~~continuously from a facility exceed at the lot line of the subject property the values given in Table 78-709(3)(a) (set out hereafter) as measured by, at the minimum, a Type 2 sound meter that is in compliance with ANSI standard S1.4-1983, where said lot abuts property within any residential, office, business zoning district, or the Planned Industrial (PI) district. (See section 78-102.)
155. **Section 78-206(10)(a)1eI Clearing.** Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances. Trimming of natural vegetation which blocks wind is not required by the owner or occupant of the property for which the vegetation is located if the vegetation was planted prior to the wind energy system installation. The responsibility lies with the owner of the wind energy system to negotiate the trimming of existing natural vegetation. The responsibility lies with the owner of the property where natural vegetation is planted after the installation of the wind energy system to trim the natural vegetation so as not to cause wind blockage.
156. **Section 78-206(10)(b)1eI Clearing.** Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances. Trimming of natural vegetation which blocks wind is not required by the owner or occupant of the property for which the vegetation is located if the vegetation was planted prior to the wind energy system installation. The responsibility lies with the owner of the wind energy system to negotiate the trimming of existing natural vegetation. The responsibility lies with the owner of the property where natural vegetation is planted after the installation of the wind energy system to trim the natural vegetation so as not to cause wind blockage.
157. This ordinance shall be in full force and effect from and after its date of publication.

Dates

Council Adopted: _____

Mayor Approved: _____

Donna Olson, Mayor

Published: _____

Attest: _____

Kelly Michaels, City Clerk