

ARTICLE C

Zoning Districts

(Revised Ord. 2010-04, May 11, 2010)

SEC. 13-1-20 DISTRICTS CREATED.

For the purpose of this Chapter, the Village of Marshall is hereby divided into the following fifteen (15) zoning districts:

- (a) R-1S Single Family Residential District, Small Lot
- (b) R-1L Single Family Residential District, Large Lot
- (c) R-1W Single Family Waterfront Residential District
- (d) R-1E Single Family Estate Residential District
- (e) R-2 Two-Family Residential District
- (f) R-M Multi-Family Residential District
- (g) M-H Mobile Home
- (h) R-C Residential Conservation Overlay District
- (i) B-C Downtown and Central Business District
- (j) B-G General Business District
- (k) B-H Highway Business District
- (l) B-P Business Park District
- (m) M-I Industrial District
- (m) A-G Urban Agricultural District
- (o) P-R Park and Recreation District

SEC. 13-1-21 DISTRICT BOUNDARIES.

- (a) **Zoning Map.** The boundaries of the districts enumerated in Article C, Section 13-1-20 above are hereby established as shown on a map entitled "Zoning Map, Village of Marshall, Wisconsin, adopted 2010," by reference and made a part hereof. The map shall bear upon its face the attestation of the Village President and the Village Clerk-Treasurer and shall be available to the public in the office of the Village Clerk-Treasurer.
- (b) **Location of District Boundaries.** The boundaries shall be construed to follow corporate limits; U.S. Public Land Survey lines; lot or property lines; center lines of streets, highways, alleys, easements and railroad rights-of-way; or such lines extended unless otherwise noted on the Zoning Map.
- (c) **Effect of Vacation of Streets and Alleys.** Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (d) **Effect of Annexations and Consolidations.** Annexations to or consolidations with the Village subsequent to the effective date of this Chapter shall be placed in the A-G Urban Agricultural District unless the annexation ordinance temporarily placed the land in another district. Within one (1) year, the Plan Commission shall evaluate and recommend a permanent district classification to the Village Board.

SEC. 13-1-22 R-1S SINGLE FAMILY RESIDENTIAL DISTRICT, SMALL LOT

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The R-1S District is intended to provide residential development limited to single family homes set individually on small lots.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-1S District:
- (1) Single family detached dwellings.
 - (2) One (1) private garage with up to two (2) stalls for each residential parcel.
 - (3) Accessory uses and buildings less than two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1). Permitted accessory uses and buildings include:
 - a. Gardening, tool and storage sheds incidental to the residential use.
 - b. Off-street parking. See Article G, Section 13-1-92.
 - c. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
 - d. Signs as permitted by Village ordinances.
 - (4) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (5) Foster family care and day care center [with less than nine (9) persons.]
 - (6) Uses customarily incidental to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses within the R-1S District:
- (1) Professional home offices.
 - (2) Funeral services.
 - (3) Accessory buildings in excess of two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1), but not to exceed 720 square feet. (Rev. 08/10 Ord. 2010-07)
 - (4) Community living arrangements and day care centers which have a capacity of nine (9) or more persons.
 - (5) Utilities (electric substations, telephone switching stations, gas regulators, etc.).
 - (6) Bed and breakfast inns with up to four (4) guest rooms and serving only breakfast.
 - (7) Parks, playgrounds and swimming pools.
 - (8) Schools and churches and their affiliated uses, except accessory buildings, shall require site plan approval only by the Plan Commission in accordance with the requirements of Article M, Section 13-1-174. (rev. 8/96)
 - (9) Home occupations.
- (d) **Lot, Building and Yard Requirements.**
- (1) Lot Frontage. Minimum sixty-five (65) feet.
 - (2) Lot Area. Minimum seven thousand, five hundred (7,500) square feet.
Maximum thirteen thousand (13,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum fifteen (15) feet.
 - b. Side Yards: Minimum ten (10) feet. [If street side of corner lot, a minimum of fifteen (15) feet.]
 - c. Rear Yard: Minimum thirty (30) feet.

- (4) Garages. (Rev. 08/10 Ord. 2010-07) One (1) private garage with up to two (2) stalls for each residential parcel.
 - a. Garage minimum square footage 400 sq. ft.
 - b. Detached garages -maximum square footage -720 sq. ft.
 - c. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - d. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 720 square feet.
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. Maximum thirty-five percent (35%).
 - (7) Floor Area Per Dwelling Unit. Minimum one thousand, two hundred (1,200) square feet.
 - (8) Percentage of Lot Coverage--Non-Residential Uses. (rev. 4/97) Maximum fifty percent (50%).
- (e) **Design Review.** Refer to Article M, Section 13-1-174(b) for applicable design review requirements.

SEC. 13-1-23 R-1L SINGLE FAMILY RESIDENTIAL DISTRICT, LARGE LOT

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The R-1L District is intended to provide residential development limited to single family homes set individually on larger lots.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-1L District:
 - (1) Single family detached dwellings.
 - (2) One (1) private garage with up to three (3) stalls for each residential parcel.
 - (3) Accessory uses and buildings less than two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1). Permitted accessory uses and buildings include:
 - a. Gardening, tool and storage sheds incidental to the residential use.
 - b. Off-street parking. See Article G, Section 13-1-92.
 - c. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
 - d. Signs as permitted by Village ordinances.
 - (4) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (5) Foster family care and day care center [with less than nine (9) persons.]
 - (6) Uses customarily incidental to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses within the R-1L District:
 - (1) Professional home offices.
 - (2) Funeral services.

- (3) Accessory buildings in excess of two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1), but not to exceed 720 square feet. (Rev. 08/10 Ord. 2010-07)
 - (4) Community living arrangements and day care centers which have a capacity of nine (9) or more persons.
 - (5) Utilities (electric substations, telephone switching stations, gas regulators, etc.).
 - (6) Bed and breakfast inns with up to four (4) guest rooms and serving only breakfast.
 - (7) Parks, playgrounds and swimming pools.
 - (8) Schools and churches and their affiliated uses, except accessory buildings shall require site plan approval only by the Plan Commission in accordance with the requirements of Article M, Section 13-1-174. (rev. 8/96)
 - (9) Home occupations.
- (d) **Lot, Building and Yard Requirements.** (Rev. 08/10 Ord. 2010-07)
- (1) Lot Frontage. Minimum eighty-five (85) feet.
 - (2) Lot Area. Minimum ten thousand, five hundred (10,500) square feet.
Maximum thirty thousand (30,000) square feet, excluding public improvements and easements.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum twenty-five (25) feet.
 - b. Side Yards: Minimum ten (10) feet. [If street side of corner lot, a minimum of fifteen (15) feet.]
 - c. Rear Yard: Minimum thirty (30) feet.
 - (4) Accessory Structures; including attached or detached garages. (Rev. 8/10)
One (1) private attached or detached garage with up to three (3) stalls for each residential parcel.
 - a. Garage minimum square footage 400 sq. ft.
 - b. Detached garages -maximum square footage -720 sq. ft.
 - c. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - d. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 720 square feet.
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. Maximum thirty-five percent (35%).
 - (7) Floor Area Per Dwelling Unit. Minimum one thousand, five hundred (1,500) square feet.
 - (8) Percentage of Lot Coverage--Non-Residential Uses. (rev. 4/97) Maximum fifty percent (50%).
- (e) **Design Review.** Refer to Article M, Section 13-1-174(b) for applicable design review requirements.

SEC. 13-1-24 R-1W SINGLE FAMILY WATERFRONT RESIDENTIAL DISTRICT

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to

any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

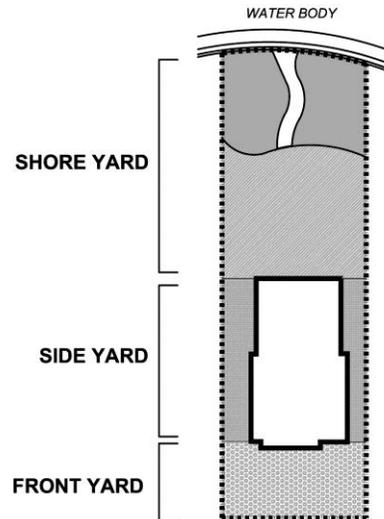
- (a) **Purpose.** The R-1W District is intended to provide residential development limited to single family homes set on individual shoreline lots, while providing for the preservation and aesthetic appearance of the shoreline. The R-1W District is designed to:
- (1) Protect and enhance the scenic character of the Village.
 - (2) Improve the natural, environmental and ecological merits of private properties, where appropriate.
 - (3) Establish natural visual buffers which assist to screen views of built structures, as viewed from roads, water bodies, and neighboring properties.
 - (4) Mitigate adverse impacts to water quality attributed to stormwater runoff.
 - (5) Provide high quality landscape standards that preserve and augment the existing character of the Village.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-1W District:
- (1) Single family detached dwellings.
 - (2) One (1) private garage with up to three (3) stalls for each residential parcel.
 - (3) Accessory uses and buildings less than two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1). Permitted accessory uses and buildings include:
 - a. Gardening, tool and storage sheds incidental to the residential use.
 - b. Off-street parking. See Article G, Section 13-1-92.
 - c. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
 - d. Signs as permitted by Village ordinances.
 - (4) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (5) Foster family care and day care center [with less than nine (9) persons.]
 - (6) Uses customarily incidental to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are conditional uses within the R-1W District:
- (1) Professional home offices.
 - (2) Boathouses abutting the waterway provided the structure: (a) has no kitchen or built-in cooking facility; (b) is not utilized for overnight stay; and (c) meets the requirements of Article K, Section 13-1-140(b).
 - (3) Accessory buildings in excess of two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1), but not to exceed 720 square feet. (Rev. 08/10 Ord. 2010-07)
 - (4) Community living arrangements and day care centers which have a capacity of nine (9) or more persons.
 - (5) Bed and breakfast inns with up to four (4) guest rooms and serving only breakfast.
 - (6) Parks, playgrounds and swimming pools.
 - (7) Schools and churches and their affiliated uses, except accessory buildings shall require site plan approval only by the Plan Commission in accordance with the requirements of Article M, Section 13-1-174. (rev. 8/96)
 - (8) Home occupations.
- (d) **Lot, Building and Yard Requirements.** (Rev. 08/10 Ord. 2010-07)

- (1) Lot Frontage. Minimum sixty-five (65) feet. Existing lot widths recorded prior to January 1, 2009 are considered to be conforming.
 - (2) Lot Area. Minimum nine thousand (9,000) square feet. Existing lot areas recorded prior to January 1, 2009 are considered to be conforming.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum fifteen (15) feet.
 - b. Side Yards: Minimum ten (10) feet. [If street side of corner lot, a minimum of fifteen (15) feet.]
 - c. Shore Yard: Minimum seventy-five (75) feet.
 - d. Front, side, and shore yards recorded prior to May 1, 2010 are considered to be conforming.
 - (4) Accessory Structures; including attached or detached garages. (Rev. 8/10)
One (1) private attached or detached garage with up to three (3) stalls for each residential parcel.
 - a. Garage minimum square footage 400 sq. ft.
 - b. Detached garages -maximum square footage -720 sq. ft.
 - c. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - d. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 720 square feet.
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. For all lots created on or before January 1, 2009 a maximum thirty-five percent (35%) lot coverage is permitted. For lots created after January 1, 2009, no more than twenty percent (20%) impervious surface is permitted.
 - (7) Floor Area Per Dwelling Unit. Minimum one thousand, two hundred (1,200) square feet.
 - (8) Percentage of Lot Coverage--Non-Residential Uses. (rev. 4/97) Maximum thirty (30%).
- (e) **Site Plan Approval and Design Review**. Refer to Article M, Section 13-1-174 for applicable requirements.
- (f) **Landscape Requirements**.
- (1) Landscape Preservation and Installation
In addition to the guidelines listed in the Village of Marshall Landscaping Plan Standards document, the following shall apply:
 - a. Recognize that individual lots and conditions will afford distinctive and varied opportunities for landscape treatment. The total area, topography, location and other conditions specific to individual lots will potentially require variances from landscaping requirements. While deviations from landscape requirements may be necessary, the intent of landscaping purposes and characteristics outlined in this section should be observed.
 - b. A landscape plan should consider the preservation of existing, desired vegetation. Mature tree species that provide a substantial canopy should be retained if possible.
 - c. Except for dead, diseased, or nuisance tree species, removal or alteration of existing trees for development or substantial redevelopment of any waterfront lot should not be conducted without first submitting a tree and vegetation inventory.

- d. Installation of additional plant materials should augment existing vegetation, and achieve purposes outlined in this Section.
- (2) Plant Material Types and Quantities
- a. All plants shall be hardy and within the United States Department of Agriculture (USDA) hardiness zone applicable to the Village of Marshall, Wisconsin (Hardiness Zones 5a to 3a).
 - b. Native or naturalized plant species that provide effective visual screening and benefit wildlife are recommended for consideration in developing a landscape plan.
 - c. All plants shall meet the minimum standards for health, form, and root condition as outlined in the American Nursery and Landscape Association (ANLA) Standards.
 - d. Plant quantities shall be calculated by measuring the exterior “plantable” area (excluding building footprint, vehicular drives, pedestrian walks, at-grade decks and patios), and applied per each one thousand (1,000) square feet of exterior space.
- (3) Landscape Design Criteria
- a. Plants shall be spaced to provide optimum growing conditions. The location, dimensions, and spacing of required plantings should be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as wind, soil, moisture, and sunlight.
 - b. Existing healthy and non-invasive species of trees, shrubs, or woodlands should be incorporated in a landscape plan, and contribute toward the quantity requirement.
 - c. Diversity of vegetation species is recommended, although the selection of a plant palette shall consider new flora that is compatible with the growing and environmental requirements of existing vegetation.
 - d. Trees or shrubs that are planted immediately adjacent to roadway rights-of-way shall be moderately tolerant of both salt spray and salt absorbed into the soil.
 - e. Canopy trees that are newly installed shall reach a minimum height and spread of thirty (30) feet at maturity (ten (10) years growth) as determined by the ANLA Standards and shall be deciduous. New canopy trees shall have a minimum caliper of two (2) inches at planting.
 - f. Ornamental trees that are newly installed shall reach a typical minimum height of fifteen (15) feet at maturity, based on ANLA Standards and shall be deciduous. Ornamental trees shall have a distinctive ornamental character such as showy flowers, fruit, habit, foliage, or bark. New ornamental trees shall have a minimum caliper of one and one-half (1.5) inches.
 - g. A minimum of 50% of the quantity of total vegetation (existing and installed) shall be native species recommended by the Wisconsin Department of Natural Resources (DNR).
 - h. Sufficient plant materials shall be used to filter views of built structures along the roadside, between adjoining properties, and adjacent to the shoreline.
 - i. When implementing a landscape plan, planting design concepts should consider the areas shown in the Yard Area Identification Diagram. Additionally, landscape plans should demonstrate

inclusion of plantings as shown under Required Plantings and a diagram in keeping with the Example Landscape Planting Diagram:

Yard Identification Diagram



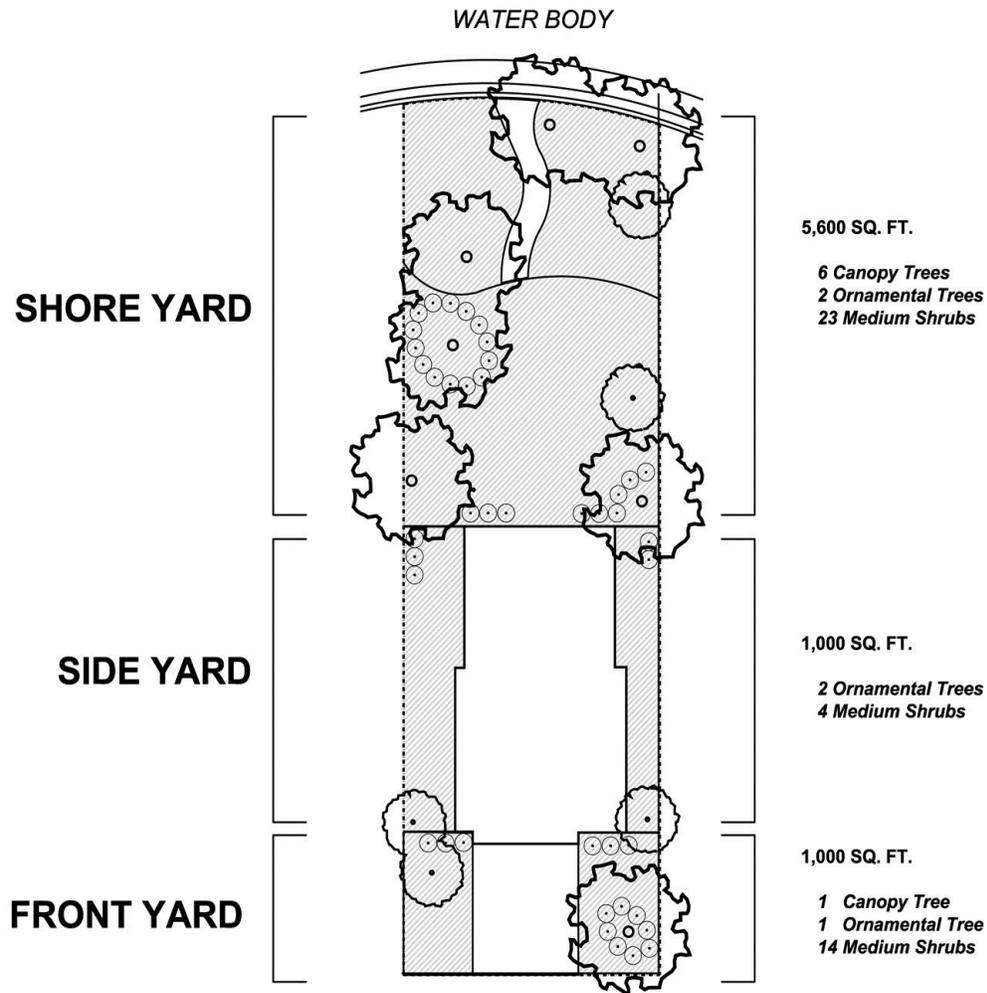
- Front yard areas
 1. Ensure visual screening of buildings from adjacent roadways through vertical layering of plant materials that include groundcovers, shrubs and trees.
 2. Frame residential structures through planting masses that include native and wildlife-beneficial plant species.
- Side yard areas
 1. Ensure visual screening of buildings or other structures when viewed from neighboring properties or streets through a planting scheme that incorporates evergreen (winter screening) vegetation and appropriate height of vegetation to minimize visual intrusion of buildings.
 2. Avoid obstruction of lake views from neighboring properties due to landscape installation.
- Shore yard areas
 1. Shore yard areas should support vegetation that preserves the natural appearance of the shoreline, and supports plant materials that augment visual interest of the shore zone. It is suggested that a vertical diversity of plant materials be

- established or preserved, including a canopy layer of trees, a mid-canopy layer of ornamental trees, and a ground layer of shrubs, ferns, forbs and grasses and other broadleaf groundcover plants.
2. Vegetation should not be removed from the primary shore yard buffer except in access and viewing corridors. The removal of exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation posing an imminent safety hazard is allowed.
 3. A cleared or semi-cleared viewing corridor within the shore yard buffer should adhere to the following dimensions:
 - (a) *When a new principal structure is being constructed, or when required under s. NR 115.21, lots 200 feet or less wide at the ordinary high water mark may have a total width of an access and viewing corridor or corridors that may not exceed 30% of the lot's width, to a maximum of 40 feet, at the ordinary high water mark.*
 - (b) *When a new principal structure is being constructed, or when required under s. NR 115.21, lots which are more than 200 feet wide at the ordinary high water mark are allowed a total width of an access and viewing corridor or corridors that may not exceed 20% of the lot's width, to a maximum of 200 feet, of the lot's width at the ordinary high water mark.*
 4. Retain and consider re-establishing aquatic vegetation along shoreline areas. Property owners should avoid planting nonnative plant species in the shore yard buffer area that may spread to nearby wetlands or waterways and ensure that invasive and nuisance flora is controlled within the shore buffer zone.
 5. Water quality should be protected from pollutants associated with development and pervious surfaces by establishing non-turf buffer zones, including rain gardens, along the shoreline which serve to reduce stormwater runoff, and protect the shoreline from erosion.
- j. When deemed necessary by the Zoning Administrator or Plan Commission, landscape plans should be provided for building work that requires a Zoning Permit and for substantial site development work.

Required Plantings	
Area	Existing and New Plantings
Front Yard (Minimum Width: as Appropriate)	1 canopy trees or 1 evergreen 1 ornamental tree 7 medium to tall shrubs <ul style="list-style-type: none"> • Vegetation should be arranged in masses to filter views from the road edge. • Dispersed, patterns of landscape planting that provide minimal visual buffering

	<p>should be discouraged</p> <ul style="list-style-type: none"> • New understory vegetation that augments existing mature deciduous trees shall be considered in the development of a landscape plan • Front corners of parcel should be anchored with vegetation, if appropriate
<p>Side Yard (Minimum Width: as Appropriate)</p>	<p>1 canopy tree or 1 evergreen or 2 ornamental trees</p> <p>4 medium to tall shrubs</p> <ul style="list-style-type: none"> • Vegetation should provide visual buffering of neighboring building structures • Location of vegetation shall not obstruct lake views from neighboring properties to the greatest extent possible
<p>Shore Yard and Water's Edge (Minimum Width: 30 feet)</p>	<p>1 canopy tree</p> <p>1 ornamental tree</p> <p>4 medium to tall shrubs</p> <ul style="list-style-type: none"> • Retain a non-mowed area of at least 35-feet wide adjacent to shoreline that supports clump grasses, perennials or ground cover of low-growing vegetation • Groundcovers and understory plantings should be established adjacent to buildings to provide a transition from the building face to exterior ground plane • Retain or establish a buffer zone of natural vegetation along shoreline that endeavors to support a natural, wooded setting • Utilize vegetation to enframe views of the lake from upland private residential structures • Implement erosion and stormwater controls through topographic depressions and groundcovers or shrubcovers that promote infiltration near the shoreline.

Example Landscape Planting Diagram



SEC. 13-1-25 R-1E SINGLE FAMILY ESTATE RESIDENTIAL DISTRICT

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The R-1E District is intended to provide for low density single family estate type housing on large lots, while preserving and enhancing the rural character of the surrounding areas.
- (b) **Permitted Uses.** The following uses of land are permitted in the R-1E District:
- (1) Single family detached dwellings.
 - (2) One (1) private garage with up to three (3) stalls for each residential parcel.
 - (3) Accessory uses and buildings less than two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1). Permitted accessory uses and buildings include:
 - a. Gardening, tool and storage sheds incidental to the residential use.
 - b. Off-street parking. See Article G, Section 13-1-92.
 - c. Uses and structures customarily accessory and clearly incidental to permissible principal uses and structures.
 - d. Signs as permitted by Village ordinances.
 - (4) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (5) Foster family care and day care center [with less than nine (9) persons.]
 - (6) Uses customarily incidental to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
- (c) **Conditional Uses.** The following are permitted as conditional uses within the R-1E District:
- (1) Professional home offices.
 - (2) Accessory buildings in excess of two hundred (200) square feet, in accordance with Article K, Section 13-1-140(b)(1), but not to exceed 1200 square feet in area. (Rev. 08/10 Ord. 2010-07)
 - (3) Community living arrangements and day care centers which have a capacity of nine (9) or more persons.
 - (4) Bed and breakfast inns with up to four (4) guest rooms and serving only breakfast.
 - (5) Parks, playgrounds and swimming pools.
 - (6) Schools and churches and their affiliated uses, except accessory buildings shall require site plan approval only by the Plan Commission in accordance with the requirements of Article M, Section 13-1-174. (rev. 8/96)
 - (7) Home occupations.
- (d) **Lot, Building and Yard Requirements.** (Rev. 08/10 Ord. 2010-07)
- (1) Lot Frontage. Minimum one hundred (100) feet.
 - (2) Lot Area. Minimum forty thousand (40,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum sixty (60) feet.
 - b. Side Yards: Minimum twenty (20) feet. [If street side of corner lot, a minimum of forty-five (45) feet.]
 - c. Rear Yard: Minimum thirty (30) feet.

- (4) Accessory Structures; including attached or detached garages. One (1) private attached or detached garage with up to three (3) stalls for each residential parcel.
 - a. Garage minimum square footage 720 sq. ft.
 - b. Detached garages – maximum square footage – 1200 square feet.
 - c. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - d. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 1200 square feet
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. Maximum ten percent (10%).
 - (7) Floor Area Per Dwelling Unit. Minimum one thousand, four hundred (1,400) square feet.
 - (8) Percentage of Lot Coverage--Non-Residential Uses. (rev. 4/97) Maximum thirty (30%).
- (e) **Design Review**. Refer to Article M, Section 13-1-174(b) for applicable design review requirements.

SEC. 13-1-26 R-2 TWO-FAMILY RESIDENTIAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose**. This District is intended to provide for moderate to medium density residential development with emphasis on single and two-family residential uses. Nonresidential uses are limited to those which are compatible with the medium density character of the district.
- (b) **Permitted Uses**. (rev. 5/95)
 - (1) Two-family dwellings.
 - (2) Single family detached dwellings.
 - (3) One (1) private garage with up to two (2) stalls per dwelling unit.
 - (4) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (5) Foster family home and day care center [with less than nine (9) persons]. (Rev. 7/98)
 - (6) Permitted accessory uses and buildings allowed in the R-1S Single Family Residential District, in accordance with Article K, Section 13-1-140(b)(1).
- (c) **Conditional Uses**.
 - (1) Utilities (same as in the R-1S and R-1L Districts.) (Rev. 4/98)
 - (2) Accessory buildings in excess of two hundred (200) square feet, in accordance with Section 13-1-140(b)(1), but not to exceed 720 square feet. (Rev. 08/10 Ord. 2010-07)
 - (3) Day care centers that have a capacity of nine (9) or more persons. (Rev. 7/98)

- (4) Schools and churches and their affiliated uses. Accessory buildings for these uses shall require site plan approval only by the Plan Commission in accordance with the requirements of Article M, Section 13-1-174. (rev. 2/03)
- (5) Dance Studios (Rev. 11/03)
- (d) **Special Permitted Uses.** (Rev. 4/98)
 - (1) Zero lot line or common wall construction single family dwellings.
- (e) **Lot, Building and Yard Requirements -- Permitted Uses.** For all permitted uses the following lot, building and yard requirements apply:
 - (1) Lot Frontage. Minimum eighty (80) feet.
 - (2) Lot Area. Minimum ten thousand five hundred (10,500) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum twenty-five (25) feet.
 - b. Side Yards: Minimum ten (10) feet. [If street side of corner lot, a minimum of fifteen (15) feet.]
 - c. Rear Yard: Minimum thirty (30) feet.
 - (4) Accessory Structures; including attached or detached garages. (Rev. 08/10 Ord. 2010-07)
 - a. **Two-family dwellings** in this district may have one (1) private attached or detached garage with up to two (2) stalls, not exceeding six hundred twenty-four (624) square feet, per dwelling unit.
 - 1. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - 2. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 200 square feet.
 - b. **Single family dwellings** in this district may have one (1) private attached or detached garage with up to three (3) stalls.
 - a. Garage Minimum square footage 400 sq. ft.
 - b. Detached garages -maximum square footage -720 sq. ft.
 - c. The architectural style and building materials of a detached accessory building/garage, exceeding 200 square feet, shall be constructed of the same materials as the primary residence on the lot.
 - d. Accessory Buildings. One accessory building in addition to an attached or detached garage. The cumulative area of an accessory building shall not exceed 720 square feet.
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. Maximum thirty-five percent (35%).
 - (7) Floor Area Per Dwelling Unit. (Rev. 7/98)
 - a. Two-family dwellings in this district shall have a minimum of eight hundred forty (840) square feet per dwelling unit.
 - b. Single family dwellings in this district shall have a minimum of one thousand, two hundred (1,200) square feet.
- (f) **Lot, Building and Yard Requirements – Special Permitted Uses: Zero Lot Line or Common Wall Single Family Units.** (Rev. 4/98) For all attached zero lot line or common wall construction single family dwellings allowed as special permitted uses, the following lot, building and yard requirements apply:

- (1) Lot Frontage. Minimum forty (40) feet (each unit).
 - (2) Lot Area. Minimum five thousand two hundred fifty (5,250) square feet (each unit).
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum fifteen (15) feet.
 - b. Side Yards: Zero feet on one (1) side with a common wall structure and a minimum of ten (10) feet on the other side. [If street side of a corner lot, a minimum of fifteen (15) feet].
 - c. Rear Yard: Minimum thirty (30) feet.
 - (4) Garages. (Rev. 7/98) One (1) private garage with up to two (2) stalls, not exceeding six hundred twenty-four (624) square feet, per dwelling unit: Newly constructed garages in this district shall have a minimum of four hundred (400) square feet.
 - (5) Building Height. Maximum thirty-five (35) feet.
 - (6) Percent of Lot Coverage. Maximum thirty-five percent (35%).
 - (7) Floor Area Per Dwelling Unit. Minimum eight hundred forty (840) square feet.
- (g) **Special Permitted Uses**. (Rev. 4/98)
- (1) Zero Lot Line Duplexes / Common Wall Construction Dwellings.
 - a. When attached dwelling units are created, the plans, specifications, and construction of such buildings shall require that the installation and the construction of sewer, water and other utility services be done in such a manner so as to provide separate systems to each dwelling unit.
 - b. There shall be a minimum one (1) hour fire-rated wall assembly division, separating living areas from the lowest floor level, including the basement, to the underside of the roof sheathing. Such basement wall, if any, shall be masonry.
 - c. When attached dwelling units are created, matters of mutual concern to the adjacent property owners due to construction, catastrophe, and maintenance shall be guarded against by private covenants, deed restrictions, and the approving authority.
 - d. Deed restrictions shall provide:
 1. Each side of the building shall be constructed at the same time and in such a way as to be harmonious with the other side so that the overall effect is aesthetically pleasing.
 2. Each side of the dwelling shall be provided with a minimum of two (2) trees and foundation plantings covering one-half (1/2) of the street side of the unit. Lots shall be maintained equally with respect to lawn care and pruning of shrubs and trees.
 3. No fences shall be permitted along the zero lot line in the front or rear yards.
 4. The dwelling shall be painted, stained or sided one (1) color scheme and any subsequent repainting, staining or siding shall be of one (1) color scheme, or according to the plan established by these covenants. The covenants shall describe exterior property maintenance and what is or is not allowed.
 5. These covenants shall further discuss the housing of dogs, cats or other domesticated household pets.
 6. Violation of these covenants should be handled by the signing parties.

7. Copies of the deed restrictions and private covenants shall be placed on file in the Village Clerk's office and recorded in the office of the Register of Deeds for Dane County.
 8. Changes to covenants or deed restrictions shall require an amendment to the special use approval or conditional use permit required by the zoning ordinance.
- (h) **Design Review.** Refer to Article M, Section 13-1-174(b) for applicable design review requirements.

SEC. 13-1-27 R-M MULTI-FAMILY RESIDENTIAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The R-M District is intended to accommodate higher density development in the form of multi-family residences. The R-M district should promote compatible development; stabilize property values; foster the attractiveness of the community as a place to live and work; protect certain public investments in the area; and raise the level of community expectations for the quality of its environment.
- (b) **Permitted Uses.**
- (1) Multi-family residential buildings with up to four (4) units.
 - (2) Community living arrangements which have a capacity for eight (8) or fewer persons.
 - (3) Foster family home and day care center [with less than nine (9) persons]. (Rev. 7/98)
 - (4) Permitted accessory uses and buildings allowed in the R-1S Single Family Residential District, in accordance with Article K, Section 13-1-140(b)(1).
- (c) **Conditional Uses.** The following are conditional uses within the R-M District:
- (1) Multi-family residential buildings with more than four (4) units.
 - (2) Rooming and boarding houses for up to four (4) guests.
 - (3) Charitable institutions, rest homes, convalescent homes, nursing homes, homes for the care of children, homes for the care of the aged, homes for the care of the indigent and similar institutions.
 - (4) Accessory buildings. (rev. 7/98)
 - (5) Garages or parking spaces incidental to the above uses, provided that: (a) parking is not be located between the street and principal structures; (b) is a minimum of five (5) feet behind the front line of the principal building; and (c) include a seven (7) foot landscape buffer, a minimum of six (6) feet tall, along the side lot lines.
 - (6) Home occupations.
- (d) **Lot, Building and Yard Requirements.**
- (1) Lot Frontage. Minimum eighty (80) feet.
 - (2) Lot Area. Minimum nine thousand (9,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum twenty-five (25) feet.

- b. Side Yards: Minimum ten (10) feet. If street side of a corner lot a minimum of fifteen (15) feet. *(Rev. 4-94)*
 - c. Rear Yard: Minimum twenty-five (25) feet.
 - (4) Building Height. Maximum thirty-five (35) feet. Limited to no more than two (2) stories. *(Rev. 4/94)*
 - (5) Percent of Lot Coverage. Maximum forty percent (40%)
 - (6) Building Requirements. Multi-family residential structures consisting of five (5) or more units shall not have more than fifty percent (50%) of their units as three (3) bedroom units.
- (e) **Multi-Family Development Criteria.** *(rev. 8/96)* The Plan Commission and the Village Board in making their respective recommendation and determination as to a proposed multi-family residential development shall further consider whether:
- (1) Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space and coordination with overall plans for the community.
 - (2) The total net residential density within the multi-family residential development will be compatible with the Village master plan (comprehensive land use and thoroughfare plan), neighborhood plan, or components thereof, and shall be compatible with the density of the district wherein located.
 - (3) Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities if privately owned.
 - (4) Provision has been made for adequate, continuing fire and police protection.
 - (5) The population density of the development will have an adverse effect upon the community's capacity to provide needed schools or other municipal service facilities.
 - (6) Adequate guarantee is provided for permanent preservation of open space as shown on the site plan as approved either by private reservation and maintenance or by dedication to the public.
- (f) **Site Design Criteria for Multi-Family Developments.** *(Rev. 8/96)* In addition to the site plan approval and design review requirements listed in Article M, Section 13-1-174, the following shall apply:
- (1) Where a multi-family residential site adjoins a single family or two-family residential site, the site shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as poured-in-place concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - (2) Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
 - (3) The minimum Landscape Surface Ratio (the area of the lot which is planted and continually maintained in vegetation) is forty (40) percent and shall include native plantings. Trees shall have an initial caliper of no less than one (1) inch and a height of at least six (6) feet.
- (g) **Architectural Requirements and Standards for Multi-Family Developments.** *(rev. 8/96)* To implement the purposes set forth in Section 13-1-27(a), the following architectural review criteria requirements are established:

- (1) Façades. All building façades shall have some brick, stone, or other decorative material approved by the Plan Commission and Village Board. Building façades should be composed with distinct base, middle, and top elements. At least one pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
- (2) Building Mass and Scale. Large buildings should include some small masses and forms to create a more intimate scale and visual richness. Compositional elements such as entries, structural bays, balconies, signs, and roof elements should be prominent. The size and shape of these elements should provide a scale that relates to pedestrians (close view) and surrounding buildings (distance view).
- (3) Materials. Material selection for architectural design shall be based upon the prevailing material already used on existing buildings in the area. No building shall be permitted when any exposed façade is constructed or faced with a finished material which is aesthetically incompatible with other building façades in the area. In addition, no building shall be permitted which presents an unattractive appearance to the public and surrounding properties.
- (4) Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, colors shall be selected in general harmony with the existing neighborhood buildings.
- (5) Compatibility. No building shall be permitted in which the design or exterior appearance is of such unorthodox or abnormal character in relation to the surroundings as to be unsightly or offensive to generally accepted taste.

SEC. 13-1-28 M-H MOBILE HOME RESIDENTIAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.)
(Rev. 12/97)

- (a) **Purpose.** The M-H District provides for placement of mobile homes or other manufactured dwelling units in park areas.
- (b) **Permitted Uses.** The following uses of land are permitted in the M-H District.
 - (1) Greenways and open spaces.
 - (2) Single family dwellings.
 - (3) One (1) private garage or carport for each dwelling with up to two (2) stalls. (Rev. 08/10 Ord. 2010-07)
 - (4) Utility lines and pumping stations. (Rev. 08/10 Ord. 2010-07)
 - (5) One Gardening, tool and storage shed incidental to the residential use buildings not to exceed two (200) hundred square feet, in accordance with article K, section 13-1-140(b). (Rev. 08/10 Ord. 2010-07)
- (c) **Conditional Uses.** The following are permitted as conditional uses in the M-H District.
 - (1) Churches and schools.
 - (2) Private parks and playgrounds.
 - (3) Home occupations.
 - (4) Parking areas.
 - (5) Mobile home parks as regulated in Article L.
 - (6) For lots with two street yards, accessory uses and buildings less than two hundred (200) square feet as regulated by Article K, Section 13-1-140(b)(1) and Article L, Section 13-1-156(b)(3).
- (d) **Requirements for Building, Yard, and Lots, Parcels, or Designated Sites for a Residential Unit.** The following lot, building, and yard requirements correspond with Article L, Section 13-1-156.
 - (1) Lot Frontage. Minimum fifty (50) feet.
 - (2) Lot Depth. Minimum one hundred (100) feet.
 - (3) Principal Building Setbacks. (Rev. 08/10 Ord. 2010-07)
 - a. Front Yard: Minimum fifteen (15) feet.
 - b. Side Yards: Minimum six (6) feet. [If street side of corner lot, a minimum of ten (10) feet.]
 - c. Rear Yard: Minimum six (6) feet.
 - (4) Accessory Building Setbacks – (accessory buildings/garages/carports). (Rev. 08/10 Ord. 2010-07)
 - a. Front Yard: Minimum ten (10) feet
 - b. Side Yards: Minimum six (6) feet [if street side of corner lot, a minimum of ten (10) feet].
 - c. Rear Yard: Minimum six (6) feet.
 - (5) Building Height. Maximum fifteen (15) feet.
 - (6) Percent of Lot Coverage. Maximum twenty-five percent (25%).
- (e) **Design Review.** Refer to Article M, Section 13-1-174(b) for applicable design review requirements.

SEC. 13-1-29 R-C RESIDENTIAL CONSERVATION OVERLAY DISTRICT

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The R-C Overlay District is intended to be used in conjunction with an underlying residential zoning district to promote the development of conservation subdivisions. The purpose of the R-C Overlay District is to: (a) preserve environmentally sensitive lands through the permanent preservation of open space and natural resources; (b) allow for integrated housing on portions of the sites that have lower quality natural features; and (c) provide visual access to environmental features from the public right-of-way.
- (b) **Definition.** For the purposes of the R-C Overlay District, the term conservation subdivision is defined as a subdivision characterized by common open space and clustered compact lots. The subdivision preserves and/or protects natural resources in one area of the site, while allowing for the maximum number of residences permitted in the underlying zoning district to be clustered in another portion of the site. Generally speaking, conservation subdivisions are composed of 40 or more acres.
- (c) **Permitted Uses.** In the R-C Overlay District, the underlying zoning district shall determine allowable uses.
- (d) **Conditional Uses.** The underlying zoning district shall determine conditional uses within the R-C Overlay District.
- (e) **Lot, Building and Yard Requirements.**
 - (1) Lot Frontage, Setbacks and Yards. The minimum lot frontage, setback and yard requirements in the underlying zoning district may be modified in the R-C Overlay District to provide flexibility in the siting of homes relative to the significant natural features and open spaces. Requirements will be set by the Plan Commission on an individual development basis and shall be determined prior to final plat approval.
 - (2) Lot Area. The maximum density of a conservation subdivision shall be determined by applying the minimum lot area of the underlying zoning district to the entire area proposed for development. The minimum lot area in a conservation subdivision may be less than the requirements of the underlying zoning district.
 - (3) Common Open Space. A conservation subdivision shall provide common open space as follows:
 - a. A minimum of fifty percent (50%) of the development shall be designated as permanent common open space.
 - b. The ownership, maintenance, and stewardship of common open space shall be accomplished by the Homeowner's Association or Condominium Association, in accordance with Chapter 703 of Wisconsin State Statutes. The subdivision applicant shall provide the Village with a description of the bylaws of the proposed Association and all facilities. The Association shall be established by

the owner or developer prior to the sale of any lots or dwelling units in the development.

- c. A deed restriction shall be established to prevent subdividing any common open space which is part of a conservation subdivision.

- (f) **Design Standards and Additional Requirements.** Refer to Article M, Section 13-1-174 for applicable requirements. Required design standards or other residential zoning requirements may be modified to create a lower impact on the natural environment and provide a greater degree of environmental protection. Infrastructure requirements and modifications shall be reviewed on an individual development basis to determine the appropriate infrastructure based on each site's unique attributes.

SEC. 13-1-30 B-C DOWNTOWN AND CENTRAL BUSINESS DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The B-C District is designed to accommodate those retail service and office uses characteristic of the original "downtown" area of Marshall, especially those which can be most suitably located in a diverse, compact, and centrally located business district.
- (b) **Permitted Uses.** The following uses are permitted in the B-C Downtown and Central Business District when the ground floor area is six thousand (6,000) square feet or less:
 - (1) Paint, glass and wallpaper stores.
 - (2) Hardware stores.
 - (3) Department stores, variety stores, general merchandise stores.
 - (4) General grocery stores, supermarkets, fruit and vegetable stores, meat and fish stores, and miscellaneous food stores.
 - (5) Candy, nut or confectionery stores.
 - (6) Dairy products stores, including ice cream stores.
 - (7) Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery products primarily for sale through outlets located elsewhere or through home service delivery.
 - (8) Clothing and shoe stores.
 - (9) Furniture, home furnishings, and floor covering stores.
 - (10) Restaurants, lunch rooms and other eating places, except drive-in type establishments.
 - (11) Drug stores and pharmacies.
 - (12) Liquor stores.
 - (13) Antique stores and secondhand stores.
 - (14) Sporting goods stores.
 - (15) Book stores.
 - (16) Stationery stores.
 - (17) Jewelry and clock stores.
 - (18) Camera and photographic supply stores.
 - (19) Gift, novelty and souvenir shops.
 - (20) Florist shops.

- (21) Tobacco and smoker's supplies stores.
 - (22) News dealers and newsstands.
 - (23) Wholesale merchandise establishments, only for retail items listed above.
 - (24) Banks and other financial institutions.
 - (25) Offices of insurance companies, agents, brokers and service representatives.
 - (26) Offices of real estate agents, brokers, managers and title companies.
 - (27) Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called Laundromats and laundrettes. Tailor shops, dressmakers' shops, and garment repair shops, but not garment pressing establishments, hand laundries, and hat cleaning and blocking establishments.
 - (28) Photographic studios and commercial photography establishments.
 - (29) Barbershops, beauty shops and hairdressers.
 - (30) Shoe repair shoes and shoe shine parlors.
 - (31) Advertising agencies, consumer credit reporting, news agencies, and employment agencies.
 - (32) Duplicating, blueprinting, photocopying, addressing, mailing, mailing list, and stenographic services.
 - (33) Computer services.
 - (34) Commercial parking lots.
 - (35) Watch, clock and jewelry repair services.
 - (36) Motion picture theaters, not including drive-in theaters.
 - (37) Bowling alleys.
 - (38) Offices of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, and chiropractors; and veterinarian's offices without outdoor kennel facilities.
 - (39) Law offices.
 - (40) The offices, meeting places and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other nonprofit membership organizations.
 - (41) Engineering and architectural firms or consultants. Accounting, auditing, and bookkeeping firms, or services.
 - (42) Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations.
 - (43) The offices of governmental agencies, post offices, libraries and municipal parking lots.
 - (44) Public transportation passenger stations, taxicab company offices taxicab stands, but not vehicle storage lots or garages.
 - (45) Telephone and telegraph offices.
 - (46) Accessory buildings not exceeding two hundred (200) square feet.
- (c) **Conditional Uses.** The following uses are conditional in the B-C District:
- (1) All permitted uses in the B-C District when the ground floor area exceeds six thousand (6,000) square feet.
 - (2) The sale, service, repair, testing, demonstration or other use of piston-type engines or motors, or any type of device, appliance or equipment operated by such engines or motors. However, the number of unenclosed vehicles awaiting sale or repair shall be established by the Plan Commission. Enclosed vehicles shall be stored within a building or enclosed by a complete vision-barrier fence a minimum of six (6) feet in height. Prior to construction, the materials proposed for the fence and fence design shall be

- approved by the Plan Commission. Such enclosure fences shall be maintained in such a manner so as not to constitute a nuisance.
- (3) The sale, service, repair, testing, demonstration or other use of radios, television sets, high-fidelity sound equipment, electronic amplifiers, stereophonic sound systems, musical instruments, or other such devices.
 - (4) Establishments engaged in the sale, service, repair, testing, demonstration or other use of motor-driven bicycles, commonly called motorbikes; with the provision that such activity, when carried out in an establishment which also engages in the sale, repair or other operations with non motor-driven bicycles, shall constitute a separate and distinct use insofar as the intention of this Chapter is concerned.
 - (5) Establishments engaged in the sale, servicing, repairing, testing, demonstration, or other use of electrical household appliances, including refrigerators, freezers, air conditioners, washing machines, vacuum cleaners, dishwashers, irons, toasters, or similar household appliances. Further, such facilities for operating, repairing, loading, unloading and storage of such appliances or equipment shall be provided in a manner which affords no nuisance of obstruction or of the discharge of unpleasant or harmful vapors or liquids, or of unsightly conditions to the public.
 - (6) Miscellaneous repair shops and related services.
 - (7) Garment pressing establishments, hand laundries, and hat cleaning and blocking shops.
 - (8) Taverns, bars, and other drinking places with permit by Village Board.
 - (9) Re upholstery and furniture repair.
 - (10) Establishments engaged in the publishing and printing of newspapers, periodicals or books.
 - (11) Dwelling units.
 - (12) The parking of trucks as an accessory use, when used in the conduct of a permitted business listed above in this Section, shall be limited to vehicles of not over fourteen thousand (14,000) pounds gross vehicle weight when located within one hundred fifty (150) feet of a residential district boundary line.
 - (13) Farm supplies, wholesale trade.
 - (14) Community living arrangements, including day care.
 - (15) Bed and breakfast inns.
 - (16) Commercial parking garages or parking structures.
 - (17) Accessory buildings in excess of two hundred (200) square feet. *(rev. 7/98)*
- (d) **Lot, Building and Yard Requirements.** The General Design Guidelines set forth in the Downtown Redevelopment Plan shall be followed along with the requirements set forth below.
- (1) Lot Frontage: Minimum thirty (30) feet.
 - (2) Lot Area. Minimum three thousand (3,000) square feet.
 - (3) Principal Building Setbacks.
 - a. **Build-To Zone**: The building front shall be placed in the Build-To Zone, which exists between 0 (zero) and 5 (five) feet from the existing right-of-way. On corner parcels, the Build-To Zone exists on both frontages. The Build-To Zone may be varied at the discretion of the Plan Commission to accommodate improved pedestrian circulation and to better match immediately adjacent building setbacks.
 - b. **Side Yard**: No setback required. Party walls are acceptable.
 - c. **Rear Yard**: Minimum ten (10) feet.

- (4) **Building Footprint.** Maximum ten thousand (10,000) square feet unless otherwise approved by the Plan Commission.
 - (5) **Building Height.** Buildings shall have a minimum height of eighteen (18) feet and a maximum height of forty-five (45) feet. If present, a fourth floor is encouraged to follow a penthouse style with a minimum setback of eight (8) feet from the exterior walls.
 - (6) **Percent of Lot Coverage.** Maximum eighty percent (80%).
 - (7) **Building Features.** Projections such as signage, canopies, porches and balconies may extend into the right-of-way no more than 2 feet below the height of 10 feet on the façade, and no more than 4 feet above the height of 10 feet.
- (e) **Site Design and Architectural Requirements.** In addition to the requirements listed in Article M, Section 13-1-174, the Village of Marshall Downtown Redevelopment Plan provides General Design Guidelines for the downtown area. These site and design criteria shall apply to the B-C Central Business District.

SEC. 13-1-31 B-G GENERAL BUSINESS DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The B-G District is intended to provide an area for the business and commercial needs of the community in locations where there is adequate access to major streets and at a lower intensity than the B-C Central Business District.
- (b) **Permitted Uses.** The following uses are permitted in the B-G District:
 - (1) Paint, glass and wallpaper stores.
 - (2) Hardware stores.
 - (3) Department stores, variety stores, general merchandise stores.
 - (4) General grocery stores, supermarkets, fruit and vegetable stores, meat and fish stores, and miscellaneous food stores.
 - (5) Candy, nut or confectionery stores.
 - (6) Dairy products stores, including ice cream stores.
 - (7) Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery products primarily for sale through outlets located elsewhere or through home service delivery.
 - (8) Clothing and shoe stores.
 - (9) Furniture, home furnishings, and floor covering stores.
 - (10) Restaurants, lunch rooms and other eating places, except drive-in type establishments.
 - (12) Drug stores and pharmacies.
 - (12) Liquor stores.
 - (13) Antique stores and secondhand stores.
 - (14) Sporting goods stores.
 - (15) Book stores.
 - (16) Stationery stores.
 - (17) Jewelry and clock stores.
 - (18) Camera and photographic supply stores.
 - (19) Gift, novelty and souvenir shops.

- (20) Florist shops.
 - (21) Tobacco and smoker's supplies stores.
 - (22) News dealers and newsstands.
 - (23) Wholesale merchandise establishments, only for retail items listed above.
 - (24) Banks and other financial institutions.
 - (25) Offices of insurance companies, agents, brokers and service representatives.
 - (26) Offices of real estate agents, brokers, managers and title companies.
 - (27) Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called Laundromats and laundrettes. Tailor shops, dressmakers' shops, and garment repair shops, but not garment pressing establishments, hand laundries, and hat cleaning and blocking establishments.
 - (28) Photographic studios and commercial photography establishments.
 - (29) Barbershops, beauty shops and hairdressers.
 - (30) Shoe repair shops and shoe shine parlors.
 - (31) Advertising agencies, consumer credit reporting, news agencies, and employment agencies.
 - (32) Duplicating, blueprinting, photocopying, addressing, mailing, mailing list, and stenographic services.
 - (33) Computer services.
 - (34) Commercial parking lots, parking garages, parking structures.
 - (35) Watch, clock and jewelry repair services.
 - (36) Motion picture theaters, not including drive-in theaters.
 - (37) Bowling alleys.
 - (38) Offices of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, and chiropractors; and veterinarian's offices without outdoor kennel facilities.
 - (39) Law offices.
 - (40) The offices, meeting places and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other nonprofit membership organizations.
 - (41) Engineering and architectural firms or consultants.
 - (42) Accounting, auditing, and bookkeeping firms, or services.
 - (43) Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations.
 - (44) The offices of governmental agencies, post offices, libraries and municipal parking lots.
 - (45) Public transportation passenger stations, taxicab company offices taxicab stands, but not vehicle storage lots or garages.
 - (46) Telephone and telegraph offices.
 - (47) Accessory buildings not exceeding two hundred (200) square feet.
- (c) **Conditional Uses.** The following uses are conditional in the B-G District:
- (1) The sale, service, repair, testing, demonstration or other use of piston-type engines or motors, or any type of device, appliance or equipment operated by such engines or motors. However, the number of unenclosed vehicles awaiting sale or repair shall be established by the Plan Commission. Enclosed vehicles shall be stored within a building or enclosed by a complete vision-barrier fence a minimum of six (6) feet in height. Prior to construction, the materials proposed for the fence and fence design shall be

- approved by the Plan Commission. Such enclosure fences shall be maintained in such a manner so as not to constitute a nuisance.
- (2) The sale, service, repair, testing, demonstration or other use of radios, television sets, high-fidelity sound equipment, electronic amplifiers, stereophonic sound systems, musical instruments, or other such devices.
 - (3) Establishments engaged in the sale, service, repair, testing, demonstration or other use of motor-driven bicycles, commonly called motorbikes; with the provision that such activity, when carried out in an establishment which also engages in the sale, repair or other operations with non motor-driven bicycles, shall constitute a separate and distinct use insofar as the intention of this Chapter is concerned.
 - (4) Establishments engaged in the sale, servicing, repairing, testing, demonstration, or other use of electrical household appliances, including refrigerators, freezers, air conditioners, washing machines, vacuum cleaners, dishwashers, irons, toasters, or similar household appliances. Further, such facilities for operating, repairing, loading, unloading and storage of such appliances or equipment shall be provided in a manner which affords no nuisance of obstruction or of the discharge of unpleasant or harmful vapors or liquids, or of unsightly conditions to the public.
 - (5) Miscellaneous repair shops and related services.
 - (6) Garment pressing establishments, hand laundries, and hat cleaning and blocking shops.
 - (7) Taverns, bars, and other drinking places with permit by Village Board.
 - (8) Re upholstery and furniture repair.
 - (9) Establishments engaged in the publishing and printing of newspapers, periodicals or books.
 - (10) Dwelling units.
 - (11) The parking of trucks as an accessory use, when used in the conduct of a permitted business listed above in this Section, shall be limited to vehicles of not over fourteen thousand (14,000) pounds gross vehicle weight when located within one hundred fifty (150) feet of a residential district boundary line.
 - (12) Farm supplies, wholesale trade.
 - (13) Community living arrangements, including day care.
 - (14) Bed and breakfast inns.
 - (15) Accessory buildings in excess of two hundred (200) square feet. (rev. 7/98)

(d) **Lot, Building and Yard Requirements.**

- (1) Lot Frontage. Minimum sixty-six (66) feet.
- (2) Lot Area. Minimum eight thousand (8,000) square feet.
- (3) Principal Building Setbacks.
 - a. Build-To Zone: The building shall be placed in the Build-To Zone, which exists between ten (10) and twenty (20) feet from the existing right-of-way. On corner parcels, the Build-To Zone exists on both frontages.
 - b. Side Yards: Minimum ten (10) feet.
 - c. Rear Yard: Minimum thirty (30) feet.
- (4) Building Height. Maximum forty-five (45) feet.
- (5) Percent of Lot Coverage. Maximum fifty percent (50%).
- (6) Lot Area Per Dwelling Unit. Minimum one thousand (1,000) square feet.
- (7) Alley Width. Minimum fifteen (15) feet. Requirements may be modified by conditional use permit.

- (e) **Site Design and Architectural Requirements.** In addition to the requirements listed in Article M, Section 13-1-174, the following shall apply:
- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Multiple street entries should be used on façades with over one hundred (100) feet of frontage. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Ground floor uses should have clear glazing that accounts for a majority of the façade from approximately two feet to eight feet above grade.
 - c. Outdoor gathering spaces should be visible from the public rights-of-way.
 - (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. Building elements, especially windows, should be vertically proportioned (height greater than width).
 - c. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
 - (3) Landscaping and Screening Requirements.
 - a. Where a commercial site adjoins a residential site, the perimeter shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as poured-in-place concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - b. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
 - c. The minimum Landscape Surface Ratio (the area of the lot which is planted and continually maintained in vegetation) is twenty-five (25) percent and shall include native plantings. Trees shall have an initial caliper of no less than one (1) inch and a height of at least six (6) feet.
 - (4) On-Site Circulation.
 - a. The number of curb cuts should be minimized in order to reduce conflict between pedestrians and vehicles. The width of vehicular parking entries, curb cuts, and driveways should not exceed twenty-four (24) feet in width where they cross public walks.
 - b. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
 - c. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.
 - (5) Parking. In addition to the requirements of Article G, Section 13-1-92, the following requirements shall apply:
 - a. Parking areas must be located under, behind and/or on the sides of buildings and should not be located between the street and buildings.
 - b. Parking areas shall not be located closer to the right-of-way than the primary building.
 - c. Parking areas fronting the street must be screened with landscape elements.

- d. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration. Parking lot edges should also be screened and/or landscaped in accordance with Section 13-1-31(e)(3)(a).

SEC. 13-1-32 B-H HIGHWAY BUSINESS DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The B-H District is intended to provide for commercial business and activities in locations where there is adequate access to major streets or highways.
- (b) **Permitted Uses.** The following uses are permitted in the B-H District:
 - (1) Establishments engaged in the retail sale of automobiles, trailers mobile homes, or campers.
 - (2) Stores for the sale and installation of tires, batteries, mufflers, or other automotive accessories.
 - (3) Restaurants, lunch rooms and other eating places, including drive-in type establishments.
 - (4) Establishments engaged in the daily or extended-term rental or leasing of house trailers, mobile homes or campers.
 - (5) Establishments engaged in daily or extended-term rental or leasing of passenger automobiles, limousines or trucks, without drivers, or of truck trailers or utility trailers.
 - (6) Commercial parking lots, parking garages, or parking structures.
 - (7) Establishments for the washing, cleaning or polishing of automobiles, including self-service car washes.
 - (8) Hotels, motor hotels, or motels.
 - (9) General grocery stores.
 - (10) Accessory buildings not exceeding two hundred (200) square feet.
- (c) **Conditional Uses.** The following uses are conditional within the B-H District.
 - (1) Seasonal roadside stands for the sale of vegetables, fruit, or other farm products, but not other types of products or merchandise.
 - (2) Establishments or facilities for the sale, rental, service, repair, testing, demonstration, or other use of motorcycles, motorized bicycles, go-karts, snowmobiles, aircraft, or other motorized vehicles or other components.
 - (3) Establishments or facilities for the sale, rental, service, repair, testing, demonstration, or other use of motorboats, other watercraft, marine supplies, motors for watercraft, or their components.
 - (4) Rooming and boarding houses.
 - (5) Miscellaneous amusement and recreation services.
 - (6) Camps and recreational vehicle parks.
 - (7) Drive-in and convenience establishments not mentioned above.
 - (8) Automobile repair shops, including shops for general mechanical repairs, automobile body repair, and repair of tires, but not including establishments for rebuilding, re-treading, recapping, vulcanizing, or manufacturing tires.

- (9) Establishments primarily engaged in specialized automobile repair, such as electrical, battery and ignition repair, radiator repair, glass replacement and repair, carburetor repair, and wheel alignment service.
- (10) Community living arrangements, including day care.
- (11) Highway passenger and motor freight transport.
- (12) Retail/wholesale establishments.
- (13) Gasoline service stations, provided that all gasoline pumps, storage tanks, and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line.
- (14) Other businesses similar to the above specifically named businesses.
- (15) Accessory buildings in excess of two hundred (200) square feet. (Rev. 7/98)

(d) **Lot, Building and Yard Requirements.**

- (1) Lot Frontage. Minimum eighty (80) feet.
 - (2) Lot Area. Minimum twelve thousand (12,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum thirty-five (35) feet.
 - b. Side Yards: Minimum ten (10) feet.
 - c. Rear Yard: Minimum thirty (30) feet.
 - (4) Building Height. Maximum thirty-five (35) feet.
 - (5) Percent of Lot Coverage. Maximum forty percent (40%).
- ** Requirements may be modified by conditional use permit.

(e) **Site Design and Architectural Requirements.** In addition to the requirements in Article M, Section 13-1-174, the following shall apply:

- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Ground floor uses should have clear glazing that accounts for a majority of the façade from approximately two feet to eight feet above grade.
- (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. Building elements, especially windows, should be vertically proportioned (height greater than width).
 - c. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
- (3) Landscaping and Screening Requirements.
 - a. Where a commercial site adjoins a residential site, the perimeter shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as poured-in-place concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - b. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
 - c. The minimum Landscape Surface Ratio (the area of the lot which is planted and continually maintained in vegetation) is twenty-five (25) percent and shall include native plantings. Trees shall have an initial

- caliper of no less than one (1) inch and a height of at least six (6) feet.
- (4) On-Site Circulation.
- a. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
 - b. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.
- (5) Parking. In addition to the requirements of Article G, Section 13-1-92, the following requirements shall apply:
- a. Parking areas should preferably be located under, behind and/or on the sides of buildings.
 - b. Parking areas fronting the street shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as decorative concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - c. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration. Parking lot edges should also be screened and/or landscaped in accordance with Article C, Section 13-1-32(e)(5)(b).

SEC. 13-1-33 M-I INDUSTRIAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The M-I District is intended to provide an area for manufacturing and industrial activities. It is also intended to provide an area for a variety of uses which require relatively large installations, facilities or land areas, or which would create or tend to create conditions of public or private nuisance, hazard or other undesirable conditions, or which for these or other reasons may require special safeguards, equipment, processes, barriers, or other forms of protection, including spatial distance, in order to reduce, eliminate or shield the public from such conditions.
- (b) **Permitted Uses.** The following are permitted uses within the M-I District:
- (1) Offices of construction firms, shops, display rooms and enclosed storage.
 - (2) Business services.
- (c) **Conditional Uses.** The following are conditional uses within the M-I District: (Rev. 7/98)
- (1) State-assessed manufacturing operations including, but not limited to:
 - a. Printing and publishing,
 - b. Industrial machinery and equipment.
 - c. Dairy products.
 - d. Plastic materials and synthetics.
 - e. Fabricated metal products.

- f. Furniture and fixtures.
- g. Instruments and related products.
- h. Medicinal chemicals and biological products.
- (2) Warehousing or distribution operations, not including predominantly retail sales to customers on site.
- (3) Laboratories.
- (4) Engineering and management services.
- (5) Fire stations.
- (6) Public utilities and public services.
- (7) Telecommunications facilities.
- (8) Ancillary retail sales and service operations that serve employees within the industrial park.
- (9) Sewage treatment plants.
- (10) Highway passenger and motor freight transport.
- (11) Accessory buildings.
- (12) Recreational uses.

(d) **Lot, Building and Yard Requirements.**

- (1) Lot Frontage. Minimum one hundred (100) feet.
 - (2) Lot Area. Minimum twenty thousand (20,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard. Minimum fifty (50) feet.
 - b. Side Yards. Minimum twenty (20) feet.
 - c. Rear Yard. Minimum thirty (30) feet.
 - (4) Building Height. Maximum forty-five (45) feet.
 - (5) Percent of Lot Coverage. Maximum seventy percent (70%).
- ** Requirements may be modified by conditional use permit.

(e) **Site Design and Architectural Requirements.** In addition to the requirements in Article M, Section 13-1-174, the following shall apply:

- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Clear glazing on a majority of the front façade is strongly encouraged.
- (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
- (3) Landscaping and Screening Requirements.
 - a. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
- (4) On-Site Circulation.
 - a. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
 - b. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.
- (5) Parking.
 - a. Parking areas should preferably be located under, behind and/or on the sides of buildings.

- b. Parking areas fronting the street must be screened with landscape elements. See Article C, Section 13-1-31(e)(3)(a).
 - c. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration.
- (f) **Additional Requirements.** Permitted and conditional uses in the M-I District are also subject to the following requirements:
- (1) Where an M-I Industrial District abuts a residential district, there shall be provided along any rear, side or front line, coincidental with any industrial/residential boundary, a buffer strip not less than forty (40) feet in width as measured at right angles to said lot line. The buffer strip shall be located in the M-I District. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the residential district shall be planted in the exterior twenty-five (25) feet abutting the residential district. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip facing the residential district shall be attractively maintained. Fencing may be used in lieu of planting materials to provide said screening. The fencing shall be not less than five (5) nor more than eight (8) feet in height, and shall be of such materials as to effectively screen the industrial area. The exterior twenty-five (25) feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior fifteen (15) feet may be devoted to parking of vehicles.
 - (2) The minimum landscape surface ratio (the area of the lot which is planted and continually maintained in vegetation) is twenty-five percent (25%).
 - (3) Cross reference: See Article I, Performance Standards.
 - (4) All rezonings to the M-I District intended for industrial or business parks shall be deed restricted.

SEC. 13-1-34 B-P BUSINESS PARK DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The B-P District is established to provide an aesthetically attractive working environment exclusively for and conducive to the development of offices, non-nuisance type manufacturing operations and research and development institutions. The essential purpose of this District is to achieve development, which is an asset to the owners, neighbors and the Village, and to promote and maintain desirable economic development in a park-like setting.
- (b) **Permitted Uses.** The following land uses⁽¹⁾ are permitted in the B-P District:
 - (1) State-classified manufacturing operations [31-33];
 - (2) Offices of construction firms, shops, display rooms and enclosed storage [23];
 - (3) Laboratories, research, development and testing, and manufacturing and fabrication in conjunction with such research and development and operations [54, 621];

(4) Service uses, including professional, scientific and technical services [54].

⁽¹⁾The meaning of the land uses shall be the same as that used in the North American Industry Classification System (NAICS), 1997 edition, published by the U.S. Printing Office. Also see www.census.gov/epcd/www/naics.html. The sector number in the [] is the intended NAICS number following the land use sector. Sector numbers are read from left to right; 2-digit sectors are the most general and 5-digit sectors are the most specific.

(c) **Conditional Uses.** The following are conditional uses within the B-P District:

- (1) Public utilities [22];
- (2) Hotel facilities [72111];
- (3) Specified retail uses: building material dealers [444], convenience food with gasoline stations [447110], carpet cleaning [56174], restaurants [72200], and auto oil change & lube shops and car washes [81119];
- (4) Warehousing or distribution operations, not including predominantly retail sales to customers on site [42];

(d) **Lot, Yard and Building Requirements.** ** (Rev. 04/14 Ord. 2014-02)

- (1) Lot Frontage. Minimum one hundred (100) feet.
 - (2) Lot Area. Minimum twenty thousand (20,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard. Minimum twenty-five (25) feet.
 - b. Side Yard. Minimum fifteen (15) feet.
 - c. Rear Yard. Minimum thirty (30) feet.
 - (4) Building Height. Maximum thirty-five (35) feet.
 - (5) Percent of Lot Coverage. Maximum seventy (70%) percent.
- **Requirements may be modified by conditional use permit.

(e) **Site Design and Architectural Requirements.** In addition to the requirements in Article M, Section 13-1-174, the following shall apply:

- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Clear glazing on a majority of the front façade is strongly encouraged.
- (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
- (3) Landscaping and Screening Requirements.
 - a. Where a parcel zoned B-P adjoins a residential site, the perimeter shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as poured-in-place concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - b. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
 - c. All areas not covered by buildings shall be landscaped. Landscaping should include native plantings and trees shall have

an initial caliper of no less than one (1) inch and a height of at least six (6) feet.

(4) On-Site Circulation.

- a. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
- b. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.

(5) Parking.

- a. Parking areas should preferably be located under, behind and/or on the sides of buildings.
- b. Parking areas fronting the street must be screened with landscape elements. See Article C, Section 13-1-31(e)(3)(a).
- c. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration.

(f) **Additional Requirements.** Permitted and conditional uses in the B-P District are subject to the following requirements:

- (1) No building or improvement shall be erected, placed or altered on any lands in the B-P district until the plans for such building or improvement including site, landscaping and building plan and specifications, have been approved by the Planning Commission.
- (2) All uses shall comply with Village performance standards for air pollution, fire and explosive hazards, glare and heat, liquid or solid wastes, noise and vibration, odors, radioactivity and electrical disturbances and refuse;
- (3) All business, servicing or processing, except off-street parking and loading and outside storage areas regulated by restrictive covenants, shall be conducted within completely enclosed buildings;

SEC. 13-1-35 A-G URBAN AGRICULTURAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

(a) **Purpose.** The A-G Urban Agricultural District is intended to provide for the continuation of general farming and the promotion of biointensive urban agriculture. Urban agriculture encompasses a wide range of activities including the production, processing, marketing and distribution of food in urban and peri-urban areas. Urban agriculture is an important component of food policy and food system planning.

(b) **Permitted Uses**

- (1) General farming, including horticulture, floriculture, forest grazing, hay, orchards, truck farming, and viticulture (grape growing) provided that farm buildings housing animals, barnyards, and feed lots shall not be located in a flood land, and shall be at least three hundred (300) feet from any navigable water or district boundary.

- (2) Vegetable gardens for food cultivation, greenbelts or corridors, peri-urban farms, community and backyard gardens, greenhouses, processing facilities, compost facilities, rooftop gardens, beehives, aquaculture, and farmers' markets.
- (c) **Permitted Accessory Uses.**
- (1) Attached or detached private garages and carports accessory to permitted or permitted accessory uses.
 - (2) General farm buildings including barns, silos, sheds, storage bins and including not more than one (1) roadside stand for the sale of farm products produced on the premises. Any such stand shall conform to the setback, sign and other provisions of this Chapter.
 - (3) One (1) farm dwelling.
 - (4) Private garages and parking space.
 - (5) Home occupation.
 - (6) Signs as regulated by the Village.
 - (7) Buildings temporarily located for purposes of constructing on the premises for a period not to exceed time necessary for such constructing.
 - (8) Gardening and other horticultural uses where no sale of products is conducted on the premises.
- (d) **Conditional Uses.**
- (1) Keeping and raising of domestic stock for agribusiness, show, breeding, or other purposes incidental to the principal use of the premises, and for the use of the occupants of the premises.
 - (2) Transmitting towers, receiving towers, relay and microwave towers without broadcast facilities or studios.
 - (3) Veterinary clinics, provided that open animal structures shall not be located closer than three hundred (300) feet to a property boundary.
 - (4) Public and parochial schools, provided no building shall be located within fifty (50) feet of any lot line.
 - (5) Essential service structures, including but not limited to buildings such as telephone exchange stations, booster or pressure-regulating stations, wells, pumping stations, elevated tanks, lift stations and electrical power sub stations, provided no building shall be located within ten (10) feet from any lot line of an abutting lot in a residential district. Prior to granting such permit, it shall be found that the architectural design of service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare.
- (e) **Lot, Building and Yard Requirements.**
- (1) Lot Frontage. Minimum two hundred fifty (250) feet.
 - (2) Lot Area. Minimum three (3) acres.
 - (3) Principal Building.
 - a. Front Yard: Minimum sixty-five (65) feet.
 - b. Side Yards: Minimum twenty-five (25) feet.
 - c. Rear Yard: Minimum fifty (50) feet.
 - (4) Accessory Building.
 - a. Front Yard: Minimum eighty (80) feet.
 - b. Side Yards: Minimum twenty-five (25) feet.
 - c. Rear Yard: Minimum fifty (50) feet.
 - (5) Building Height. Maximum thirty-five (35) feet.

- (f) **Site Plan Approval and Design Review.** Refer to Article M, Section 13-1-174 for applicable requirements.

SEC. 13-1-36 P-R PARK AND RECREATION DISTRICT. (rev. 3/01)

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances: Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The P-R District is intended to provide for those areas dedicated to or owned by the Village as public park or open space; to provide protection against problems which may result from development in areas where development is inappropriate by reason of unsuitable soils, wetlands, floodplains, or steep slopes; and to provide appropriate areas for commercially operated recreational uses of land within the Village, including uses consistent with those of a recreational nature.
- (b) **Permitted Uses.** The following uses of land are permitted in the P-R District, except as may be prohibited within a federal floodplain area:
- (1) Conservancy parks, public parks, picnic areas, hiking trails, bridle paths, and areas of scenic, historic or scientific value.
 - (2) Forestry and the management of forests.
- (c) **Conditional Uses.** The following are conditional uses in the P-R District:
- (1) Dams, flowages, ponds, and water storage and water pumping facilities, power plants deriving their power from the flow of water and transmission lines and other facilities accessory thereto.
 - (2) Utilities such as, but not restricted to, telephone, telegraph, power or other transmission lines.
 - (3) Relocation of any watercourse or filling, draining or dredging of wetlands, in conformance with the Shoreland Zoning Ordinance enacted pursuant to Sec. 59.971, Wis. Stats.
 - (4) Agriculture.
 - (5) Camping grounds and golf courses.
 - (6) Park shelters, pavilions, refreshment stands and rest rooms.
 - (7) Lighted recreational facilities and swimming pools.
 - (8) Bridle paths.
 - (9) Municipal owned buildings that are open to the general public.
- (d) **Lot, Building and Yard Requirements.** There are no setbacks, lot size or other dimensional standards applicable in the P-R District.
- (e) **Site Plan Approval and Design Review.** Refer to Article M, Section 13-1-174 for applicable requirements.

SEC. 13-1-37 THROUGH SEC. 13-1-49 RESERVED FOR FUTURE USE.