



Village of Marshall

AFFIDAVIT & CERTIFICATION AND AFFIDAVIT OF POSTING

I, Deanna Chadwick, being duly sworn on oath depose and certify that this is a true, correct, and official copy of the **Ordinance 2023-05**, an ordinance to amend Title 13, Chapter 1 of the Municipal Code (Zoning Code), creating an Institutional zoning district, mapping that new district over an expanded Municipal Building parcel and the Community Center Site, adjusting conditional uses and minimum setbacks in the R-1-S district, and repealing unique setback requirements where zoning districts transition.

I, Deanna Chadwick, being duly sworn on oath, depose that on October 4, 2023, I posted three copies of the same of the following: **Ordinance 2023-05**, an ordinance to amend Title 13, Chapter 1 of the Municipal Code (Zoning Code), creating an Institutional zoning district, mapping that new district over an expanded Municipal Building parcel and the Community Center Site, adjusting conditional uses and minimum setbacks in the R-1-S district, and repealing unique setback requirements where zoning districts transition.

Here to attach is a copy of said document. This document has been posted in three of the most public places in the Village of Marshall, Dane County, Wisconsin, as follows:

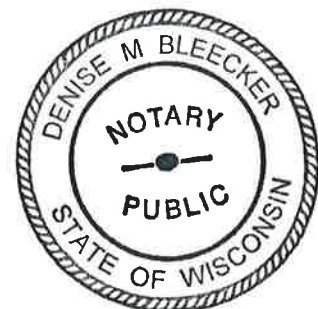
1. Post Office
2. Municipal Building
3. Posted to the web: 12-21-2023
4. Published in the Courier 1-4-2024

Deanna Chadwick
Deanna Chadwick, Village Clerk

Subscribed and sworn to me this 21st day of December 2023.

Denise M Blecker

Denise Blecker, Notary Public, State of Wisconsin
Commission expires: 2/21/2025



VILLAGE OF MARSHALL

ORDINANCE 2023-05

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 1 OF THE MUNICIPAL CODE (ZONING CODE), CREATING AN INSTITUTIONAL ZONING DISTRICT, MAPPING THAT NEW DISTRICT OVER AN EXPANDED MUNICIPAL BUILDING PARCEL AND THE COMMUNITY CENTER SITE, ADJUSTING CONDITIONAL USES AND MINIMUM SETBACKS IN THE R-1-S DISTRICT, AND REPEALING UNIQUE SETBACK REQUIREMENTS WHERE ZONING DISTRICTS TRANSITION

Ordinance amendment introduced by: Plan Commission

Purpose of ordinance amendment: The amendment establishes the "INT" Institutional District (zoning district), and maps that new district over the to-be-expanded Municipal Office/Police Department parcel and the Marshall Community Center parcels. Future mapping of the INT district over other parcels through subsequent ordinance amendments may occur but is not part of this ordinance. The INT district is intended to better address the unique characteristics of institutional land uses—such as municipal facilities, schools, and churches—than when such uses are in business or residential districts. The amendment also adds municipal offices as a conditional use in the R-1-S district, reduces the minimum required interior side yard in the R-1S district to five feet to reflect the more compact conditions in the Village's downtown where that district is most commonly mapped, and eliminates unique setback requirements where lots abut more restrictive zoning districts.

The Village Board of the Village of Marshall, Dane County, Wisconsin ordains that Title 13, Chapter 1, Article C, of the Municipal Code shall be amended as follows:

Section 1: Section 13-1-12(d) [Lots Abutting More Restrictive Districts] is repealed, and Sections 13-1-12(e) through (j) are re-lettered accordingly.

Section 2: Section 13-1-20 is amended to read as follows:

13-1-20 Districts Created

For the purpose of this Chapter, the Village of Marshall is hereby divided into the following 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
- (n) A-G - Urban Agricultural District
- (o) P-R - Park and Recreation District
- (p) INT – Institutional District

Section 3: Section 13-1-22(c)(8) [R-1S district conditional uses] is amended to read as follows:

- (8) Schools, churches, municipal offices, 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.

Section 4: Section 13-1-22(d)(3) [R-1S district lot, building, and yard requirements] is amended to read as follows:

(3) Principal Building Setbacks.

- a. Front Yard: Minimum fifteen (15) feet.
- b. Side Yards: Minimum five (5) feet. [If street side of corner lot, a minimum of fifteen (15) feet].
- c. Rear Yard: Minimum thirty (30) feet.

Section 5: Section 13-1-37 is created to read as follows:

13-1-37 INT Institutional 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.)

- (a) **Purpose.** The INT District is intended to enable public, semi-public, educational, religious, and other “gathering” type uses generally intended for non-commercial purposes, with standards to achieve compatibility between such institutional uses and surrounding uses and zoning districts (which are often residential).
- (b) **Permitted Uses.** The following are permitted uses in the INT District:
 - (1) Government buildings and uses, including municipal buildings, fire stations, post offices, and libraries.
 - (2) Public utilities and public services, not including any power generating facility as a principal land use.
 - (3) Indoor and outdoor public recreational uses, including parks, playgrounds, and swimming pools.

- (4) Museums.
- (5) Schools.
- (6) Religious institutions.
- (7) Group day care centers.
- (8) Community centers.
- (9) Public parking lots.
- (10) Funeral homes.
- (11) Private clubs, lodges, and other nonprofit membership organizations.

(c) **Conditional Uses.** The following are conditional uses in the INT District:

- (1) Hospitals and medical and dental clinics, not including veterinary services.
- (2) Public transportation passenger stations.
- (3) Power generating facilities as a principal land use.
- (4) Airports and heliports.
- (5) Agricultural uses.
- (6) Cemeteries.
- (7) Telecommunication facilities.
- (8) Solid waste disposal, composting, and/or recycling facilities.
- (9) Sewage treatment plants.
- (10) Campgrounds.
- (11) 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 institutional residential uses.
- (12) Community living arrangements.
- (13) Dwelling units, but only where accessory to another listed permitted or conditional use.

(d) Lot, Building and Yard Requirements.

- (1) Lot Frontage. Minimum thirty (30) feet if within ¼ mile of a Highway 19/73 intersection; sixty-six (66) feet otherwise.
- (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 is between zero (0) and fifteen (15) feet from the existing right-of-way where within ¼ mile of a Highway 19/73 intersection and within fifteen (10) and twenty-five (25) feet otherwise. 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, better match nearby building setbacks, or otherwise facilitate compatibility with nearby buildings and uses.

- b. Side Yards: None if within ¼ mile of a Highway 19/73 intersection (common party fire walls acceptable); minimum ten (10) feet otherwise.
- c. Rear Yard: Minimum three (3) feet if within ¼ mile of a Highway 19/73 intersection; thirty (30) feet otherwise.

(4) Building Height. Maximum forty (40) feet or three stories, whichever is greater (see also Section 13-1-13).

(5) Percent of Building Lot Coverage. Maximum eighty percent (80%) if within ¼ mile of a Highway 19/73 intersection; fifty percent (50%) otherwise.

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

Section 6: The title and first sentence of Section 13-1-104 are amended to read as follows:

13-1-104 Specific Nonresidential District Sign Standards

Signs are permitted in all Nonresidential Districts, subject to the following restrictions:

Section 7: Section 13-1-174(b)(2)a. is amended to read as follows:

- a. The following developments shall be subject to design review by the Plan Commission:
 - 1. Development of residential projects consisting of three (3) or more dwelling units.
 - 2. Any development in a commercial district.
 - 3. Any development in an industrial district.
 - 4. Any development in a business park district.
 - 5. Any development in an institutional district, or for which the applicant is a public utility or governmental entity.
 - 6. Any parking area including five (5) or more parking spaces

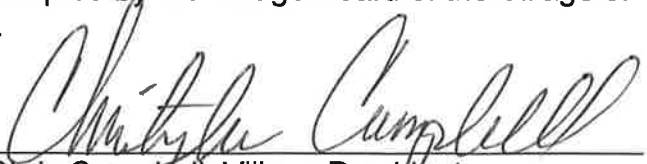
Section 8: Section 13-1-200 is amended to add the following term and definition:

Nonresidential District. One of the following zoning districts: B-C, B-G, B-H, B-P, M-I, A-G, P-R, INT.

Section 9: The Village Zoning Map as described in Section 13-1-21(a) is hereby amended to redesignate from the R-1S Single Family Residential District, Small Lot to the INT Institutional District Dane County tax parcel 0812-161-8040-1 [226 Madison Street,

Institutional District Dane County tax parcel 0812-161-8040-1 [226 Madison Street, community center site] plus land addressed at 130 South Pardee Street and described as Lot 1 on Exhibit A [expanded municipal building site]. Such Zoning Map amendment shall take effect upon the recording of a Certified Survey Map establishing the Lot 1 area in Exhibit A as one legal parcel.

This ordinance was duly considered and adopted by the Village Board of the Village of Marshall on this 25th day of October 2023.


Chris Campbell, Village President


Deanna Chadwick, Village Clerk

EXHIBIT A: 130 SOUTH PARDEE STREET REZONING AREA

