

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, NOVEMBER 3, 2022, 7:00 P.M.

The YouTube channel “City of Franklin WI” will be live streaming the Plan Commission meeting so that the public will be able to watch and listen to the meeting.

<https://www.youtube.com/c/CityofFranklinWIGov>.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of October 6, 2022.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

1. **JUNIPER EVENTS LLC INDOOR RE:CRAFT AND RELIC MARKET, A TICKETED SHOPPING EVENT AT THE MILWAUKEE COUNTY SPORTS COMPLEX.** Temporary Use application by Joshua J. Glidden, co-owner of Juniper Events LLC, for a two-day indoor re:craft and Relic ticketed, curated shopping event with over 150 vendors, featuring vintage, handmade and upcycled goods for sale (a juried event, with primary emphasis being placed on the quality and diversity of the products and the aesthetic of the booth displays), and 15 to 20 vendors for food sales (mainly prepackaged products, with 3-4 vendors selling non-prepackaged food), at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for three periods, Fall Market held November 11-13, 2022, Winter Market held January 27-29, 2023 and Spring Market held April 14-16, 2023, from 10:00 a.m. to 4:00 p.m. on Saturdays, and from 10:00 a.m. to 4:00 p.m. on Sundays (with VIP tickets offering early entrance at 9:00 a.m. on Saturdays) [event staff on-site for each of the three events on Friday, from 6:00 a.m. to 9:00 p.m. (vendor setup from 12:00 p.m. to 8:00 p.m.), Saturday, from 6:30 a.m. to 6:00 p.m., and Sunday, from 8:00 a.m. to 9:00 p.m. (vendor teardown from 4:00 p.m. to 9:00 p.m.)], on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.
2. **PRZYBYLA PROPERTY LOT DIVISION AT 7726 WEST DREXEL AVENUE.** Certified Survey Map application by Rick J. Przybyla and Mary A. Przybyla, applicants and property owners, to separate a portion of a parcel of land with frontage on West Drexel Avenue (which includes an existing single-family

- home with an approximate lot size of 165 feet by 175 feet (28,869 square feet, or 2/3 acre)) from the rear of the parcel which will become an outlot (approximately 69,543 square feet) proposed to be part of a future single-family subdivision plat for Ridgewood Reserve Subdivision, property located at 7726 West Drexel Avenue, zoned R-6 Suburban Single-Family Residence District; Tax Key No. 792-9997-000.
3. **PRZYBYLA PROPERTY LOT DIVISION AT 7832 WEST DREXEL AVENUE.** Certified Survey Map application by Rick J. Przybyla and Mary A. Przybyla, applicants and property owners, to demolish an existing home on a parcel of land and to divide the parcel into three parcels (2 lots and 1 outlot) (2 of which will front West Drexel Avenue, and one will be part of a future development), Parcel 1 having 105 feet of frontage with square footage of 15,284, Parcel 2 having 109 feet of frontage with square footage of 16,597 and Parcel 3 having 87,736 square footage, property located at 7832 West Drexel Avenue, zoned R-6 Suburban Single-Family Residence District; Tax Key No. 792-9995-001.
 4. **UNIFIED DEVELOPMENT ORDINANCE (UDO) REWRITE TASK FORCE:** informative session by City Development Staff re: articles: 5. General Development Standards and 6. Sign Standards.

E. Adjournment

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

Next Regular Plan Commission Meeting: November 17, 2022

**City of Franklin
Plan Commission Meeting
October 6, 2022
Minutes**

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the October 6, 2022, regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Alderwoman Shari Hanneman, Commissioners Patrick Leon, Kevin Haley and Patricia Hogan and City Engineer Glen Morrow. Excused was Commissioner Adam Burckhardt. Also present was Principal Planner Regulo Martinez-Montilva.

B. Approval of Minutes

1. Regular Meeting of September 22, 2022 and special meeting of September 21, 2022.

Alderwoman Hanneman moved and Commissioner Haley seconded a motion to approve the September 21, 2022, special meeting minutes. On voice vote, all voted ‘aye’; motion carried (5-0-1).

Commissioner Leon moved and Commissioner Hogan seconded a motion to approve the September 22, 2022, regular meeting minutes. On voice vote, all voted ‘aye’; motion carried (5-0-1).

C. Public Hearing Business Matters

1. **CHRISTIAN S. SARTLER AND KAREN R. SARTLER DETACHED GARAGE CONSTRUCTION.** Rezoning application by Christian S. Sartler and Karen R. Sartler to rezone the property located at 8979 South 42nd Street from R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District (northern portion of the property) to R-3 Suburban/Estate Single-Family Residence District; Tax Key No. 854-9952-000.

The Official Notice of Public hearing for a Rezoning was read into the record by Principal Planner Martinez-Montilva and the Public Hearing was opened at 7:02 p.m. and closed at 7:03 p.m.

Principal Planner Martinez-Montilva presented the request by Christian S. Sartler and Karen R. Sartler to rezone the property located at 8979 South 42nd Street from R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District (northern portion of the property) to R-3 Suburban/Estate Single-Family Residence District; Tax Key No. 854-9952-000.

City Engineer Morrow moved and Alderwoman Hanneman seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District to R-3 Suburban/Estate Single-Family Residence District (specifically located at 8979 South 42nd Street) (approximately 1.507 acres). On voice vote, 4 voted ‘aye’ and 1 voted ‘nay’; motion carried (4-1-1).

D. Business Matters

1. None.

Adjournment

Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of October 6, 2022 at 7:25 p.m.. On voice vote, all voted ‘aye’; motion carried (5-0-1).

DRAFT



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION
Meeting of November 3, 2022
Temporary Use

RECOMMENDATION: City Development staff recommends approval of the Temporary Use Application for Juniper Events to hold the re:Craft & Relic for the dates requested within the application.

Table with 2 columns: Label (Project Name, Project Address, Property Owner, Applicant, Agent, Zoning, Use of Surrounding Properties, Comprehensive Plan, Planner, Applicant Action Requested) and Value (Juniper Events – ReCraft and Relic Temporary Use, 6000 West Ryan Road, Milwaukee County, Juniper Events, Josh Glidden, P-1 Park District; FW Floodway District, FC Floodplain Conservancy District; Agriculture and recreational uses to the north and east, residential uses to the south and east, and floodplain and open space uses to the west, Park District, Marion Ecks, Approval of a Temporary Use)

The applicant, Juniper Events, has filed a Temporary Use Application to host their re:Craft & Relic event at the Milwaukee County Sports Complex. The Temporary Use is not specifically listed within Section 15-3.0804 Detailed Standards for Temporary Uses as an allowed temporary use; therefore, it requires Plan Commission review and approval.

re:Craft & Relic is a two-day indoor shopping event. The applicant is requesting to host the event at the Milwaukee County Sports Complex on November 12-13, 2022; January 28-30, 2023; and April 15-16, 2023.

The event is open to the public from 10:00 a.m. to 4:00 p.m. on Saturday and Sunday with VIP tickets offering early entrance at 9:00 a.m. on Saturdays. The event planners will be on site beginning Friday for setup until vendor teardown which concludes at 9:00 p.m. Sunday.

In addition to the vendors selling goods, the event has vendors selling food. The Franklin Health Department requires any food vendors to be properly licensed prior to the event. The Milwaukee County Sports Complex has a large parking lot with overflow parking areas and often hosts large events. No other changes to the site are proposed for the event.

Staff Recommendation

A motion to approve the Temporary Use Application for Juniper Events to hold the re:Craft & Relic event at the Milwaukee County Sports Complex for the dates requested within the application.

RESOLUTION NO. 2022-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A TEMPORARY USE FOR A RE:CRAFT
AND RELIC MARKET TICKETED, CURATED SHOPPING EVENT
FOR PROPERTY LOCATED AT 6000 WEST RYAN ROAD
(MILWAUKEE COUNTY SPORTS COMPLEX)
(JOSHUA J. GLIDDEN, CO-OWNER OF JUNIPER EVENTS LLC, APPLICANT)

WHEREAS, Joshua J. Glidden, co-owner of Juniper Events LLC having petitioned the City of Franklin for the approval of a Temporary Use to allow for an indoor re:craft and Relic ticketed, curated shopping event with over 150 vendors, featuring vintage, handmade and upcycled goods for sale (a juried event, with primary emphasis being placed on the quality and diversity of the products and the aesthetic of the booth displays), and 15 to 20 vendors for food sales (mainly prepackaged products, with 3-4 vendors selling non-prepackaged food), at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for three periods, Fall Market held November 11-13, 2022, Winter Market held January 27-29, 2023 and Spring Market held April 14-16, 2023, from 10:00 a.m. to 4:00 p.m. on Saturdays, and from 10:00 a.m. to 4:00 p.m. on Sundays (with VIP tickets offering early entrance at 9:00 a.m. on Saturdays) [event staff on-site for each of the three events on Friday, from 6:00 a.m. to 9:00 p.m. (vendor setup from 12:00 p.m. to 8:00 p.m.), Saturday, from 6:30 a.m. to 6:00 p.m., and Sunday, from 8:00 a.m. to 9:00 p.m. (vendor teardown from 4:00 p.m. to 9:00 p.m.)], on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of Joshua J. Glidden, co-owner of Juniper Events LLC for the approval of a Temporary Use to allow for a re:craft & Relic market curated shopping event, for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. The approval granted hereunder shall allow for such use for three periods, Fall Market held November 11-13, 2022, Winter Market held January 27-29, 2023 and Spring Market held April 13-15, 2023, from 10:00 a.m. to 4:00 p.m. on Saturdays, and from 10:00 a.m. to 4:00 p.m. on Sundays (with VIP tickets offering early entrance at 9:00 a.m. on Saturdays) [event staff on-site for each of the three events on Friday, from 6:00 a.m. to 9:00 p.m. (vendor setup from 12:00 p.m. to 8:00 p.m.), Saturday, from

JOSHUA J. GLIDDEN, CO-OWNER OF JUNIPER EVENTS LLC – TEMPORARY USE
RESOLUTION NO. 2022-_____

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6:30 a.m. to 6:00 p.m., and Sunday, from 8:00 a.m. to 9:00 p.m. (vendor teardown from 4:00 p.m. to 9:00 p.m.)] and all approvals granted hereunder expiring at 4:00 p.m. on November 13, 2022, January 29, 2023 and April 15, 2023.

2. Event organizer must provide information on food vendors to Franklin Health Department (FHD) including proof of licensing, vendor information sheet and FHD will require inspection fees from vendors if applicable.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2022.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

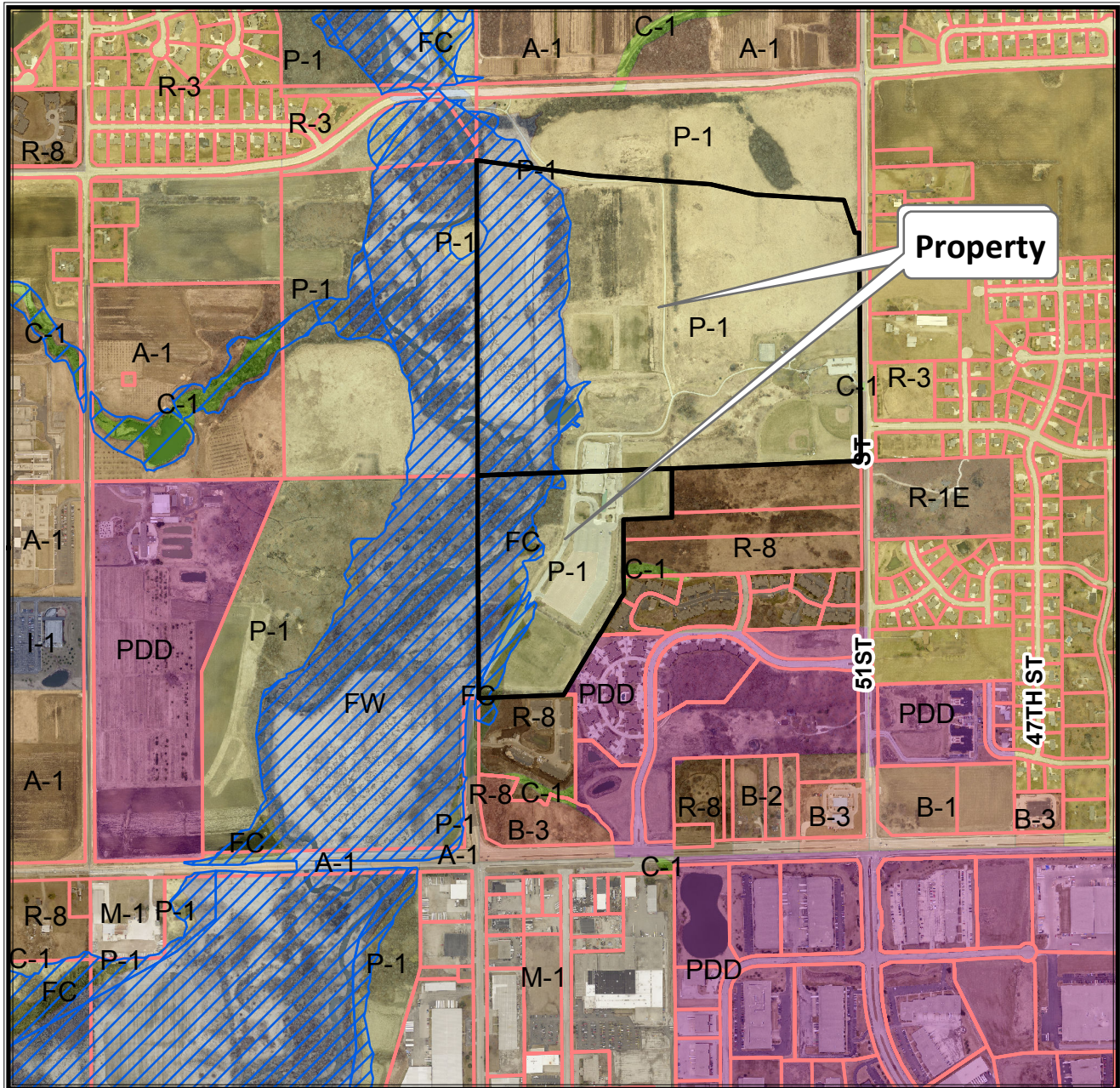
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

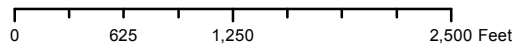


6000 W. Ryan Road

TKN: 852 9999 001 & 882 9987 001



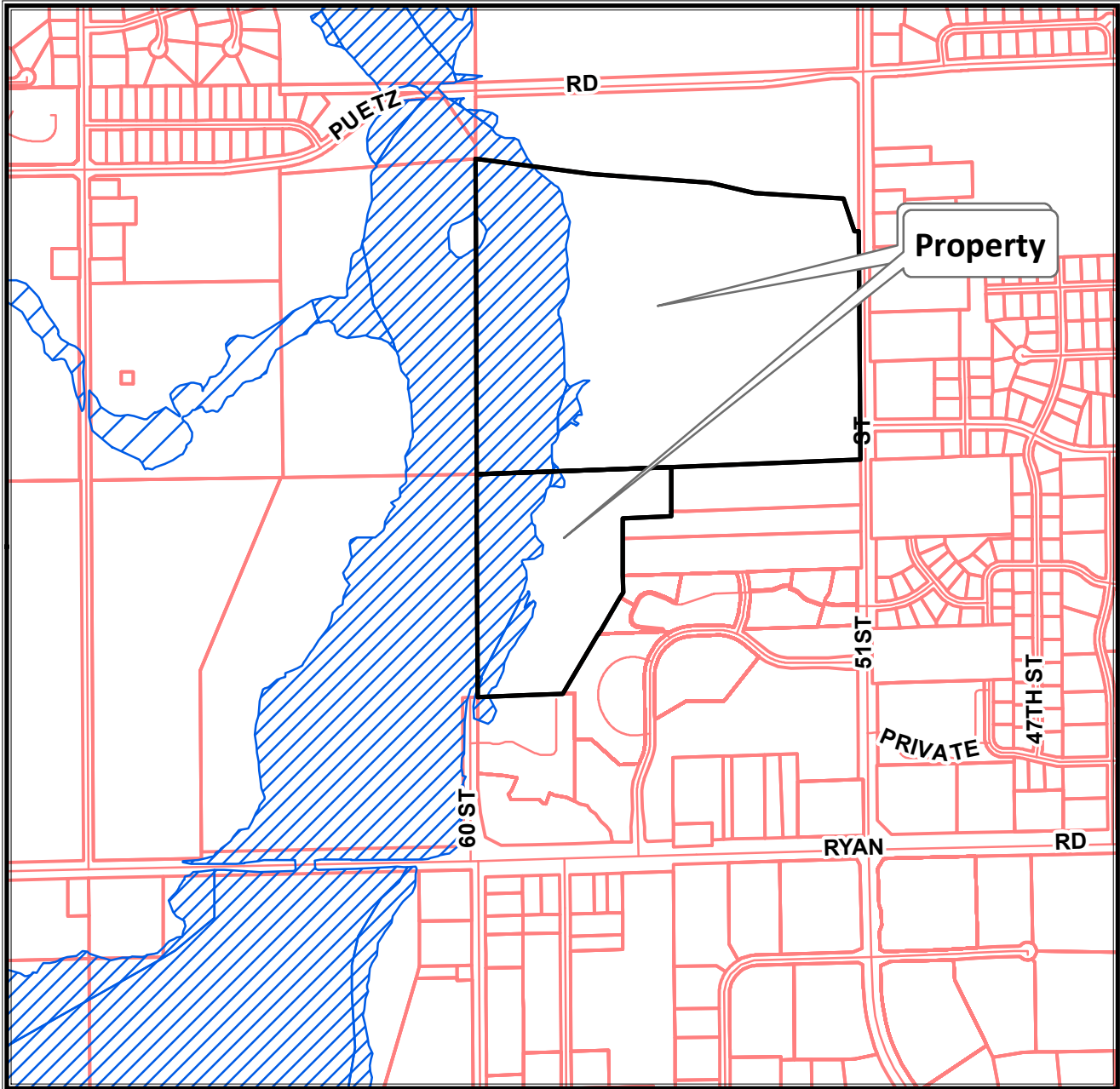
Planning Department
(414) 425-4024



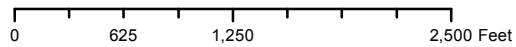
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



6000 W. Ryan Road
TKN: 852 9999 001 & 882 9987 001



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

Project Narrative

re:Craft and Relic is a two-day, indoor, ticketed shopping event held three times a year at the Milwaukee County Sports Complex in Franklin, WI. It is one of the largest indoor events of its kind in the region, featuring vintage, handmade, and upcycled goods. It is a juried event, with primary emphasis being placed on a) the quality & diversity of the products and b) the aesthetic of the booth displays.

re:Craft & Relic is owned by Juniper Events, a company that primarily runs re:Craft & Relic events but has also launched other events in the Milwaukee area (Shop Small at the Mall and the Mobile Boutique Market). The ownership is transferring to Sue Smith of A Happy Thought Indeed Market Management on November 14, 2022.

The first re:Craft & Relic market was in November of 2015. We have since had 14 events total at the Milwaukee County Sports Complex, all the events take place inside the Sports Complex. The event averages around 150 vendors and over 4,000 paid customers.

The dates for our upcoming shows are:

November 12-13, 2022

January 28-29, 2023

April 15-16, 2023

For all three shows we are on-site for the following times:

Friday - 6am to 9pm (vendor setup is from 12pm - 8pm)

Saturday - 6:30am to 6pm

Sunday - 8am to 9pm (vendor teardown is from 4pm to 9pm)

re:Craft & Relic typically has 15-20 vendors at the events that sell food. The majority of these vendors sell prepackaged products. At each event, we typically have 3-4 vendors selling non-prepackaged food.

Our website has more information about our events - www.recraftandrelic.com

Thank you for considering our event!

Joshua Glidden
co-owner

City of Franklin

Department of City Development

Date: September 21, 2022
To: Josh Glidden - Juniper Events
From: Department of City Development Staff
RE: Temporary Use - Juniper Events – ReCraft and Relic – Staff Comments

Department comments are as follows for the temporary use application for a the ReCraft and Relic shopping event submitted by Juniper Events, and date stamped by the City of Franklin on September 9, 2022.

Department of City Development Staff Comments

1. Will there be any changes to the configuration of parking for the event? If so, please provide a drawing or other information describing the changes.
 - **Additional handicap parking spaces will be available for the event.**

City Attorney's Office Staff Comments

1. What are the shopping hours for the event; are they the same as the prior year, 10-4 p.m., on Saturday and Sunday?
 - **Yes, 10am to 4pm on both Saturday and Sunday. Except on Saturday from 9am to 10am we will have a VIP hour to anyone who purchases a VIP ticket. This ticket allows them to enter the event an hour prior to the general public.**
2. Are VIP tickets being sold again?
 - **Yes.**

Engineering Department Staff Comments

No comments

Building Inspection Department Staff Comments

Temporary Use shall be set up so as not to violate any Building Codes relating to aisle widths, exiting or other obstructions to exits. Reference: Wisconsin Commercial Building Code.

Health Department Staff Comments

Event organizer will need to provide information on food vendors to FHD including proof of licensing, vendor information sheet and FHD will require inspection fees from vendors if applicable.

Fire Department Staff Comments

The fire department has the following comments/concerns/requirements regarding the proposed Temporary Use at this location (the applicant should be aware of these requirements through previous correspondence):

- Egress paths shall be maintained and exit doors shall not be obstructed.
- Fire extinguishers shall be unobstructed and visible.
- The following are the requirements established in NFPA1 (Uniform Fire Code) for displaying vehicles within exposition facilities:

20.1.5.5.4.12.1 All fuel tank openings shall be locked and sealed in an approved manner to prevent the escape of vapors; fuel tanks shall not contain in excess of one-half their capacity or contain in excess of 10 gal (38L), whichever is less.

20.1.5.5.4.12.2 At least one battery cable shall be removed from the batteries used to start the vehicle engine, and the disconnected battery cable shall then be taped.

20.1.5.5.4.12.3 Batteries used to power auxiliary equipment shall be permitted to be kept in service.

20.1.5.5.4.12.4 Fueling or defueling of vehicles shall be prohibited.

20.1.5.5.4.12.5 Vehicles shall not be moved during exhibit hours.

- General requirement regarding exposition facilities:

20.1.5.5.4.13.1 The following items shall be prohibited within exhibit halls:

Compressed flammable gases
Flammable or combustible liquids
Hazardous chemicals or materials

- No open flame or gas-fired appliances or cooking equipment are allowed within the building (this is more so a carbon monoxide hazard than fire hazard).

Police Department Staff Comments

No comments

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
 (414) 425-4024
 franklinwi.gov



APPLICATION DATE: _____
 STAMP DATE: _____ city use only

PLAN COMMISSION REVIEW APPLICATION

PROJECT INFORMATION [print legibly]

| APPLICANT [FULL LEGAL NAMES] | APPLICANT IS REPRESENTED BY [CONTACT PERSON] |
|---|--|
| NAME: Joshua Glidden | NAME: |
| COMPANY: Juniper Events | COMPANY: |
| MAILING ADDRESS: 3179 S. 25th Street | MAILING ADDRESS: |
| CITY/STATE: Milwaukee, WI ZIP: 53215 | CITY/STATE: ZIP: |
| PHONE: 414-418-3994 | PHONE: |
| EMAIL ADDRESS: josh@recreatandrelis.com | EMAIL ADDRESS: |

PROJECT PROPERTY INFORMATION

| | |
|--|---|
| PROPERTY ADDRESS: 6000 W. Ryan Road Franklin, WI 53132 | TAX KEY NUMBER: |
| PROPERTY OWNER: Brian Temke | PHONE: |
| MAILING ADDRESS: 6000 W. Ryan Road | EMAIL ADDRESS: |
| CITY/STATE: Franklin, WI ZIP: 53132 | DATE OF COMPLETION: _____ office use only |

APPLICATION TYPE

Please check the application type that you are applying for

- Building Move
 Sign Review
 Site Plan / Site Plan Amendment
 Temporary Use

Most requests require Plan Commission review and approval.
 Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

SIGNATURES

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature(s) below. If more than one, all of the owners of the property must sign this Application.)

I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

| | |
|---|--|
| PROPERTY OWNER SIGNATURE: DATE: 8/3/22 | APPLICANT SIGNATURE: DATE: 7/20/22 |
| NAME & TITLE: Nicole Gettelman - Manager | NAME & TITLE: JOSHUA GLIDDEN Co-owner |
| PROPERTY OWNER SIGNATURE: DATE: 7/20/22 | APPLICANT REPRESENTATIVE SIGNATURE: DATE: 7/20/22 |
| NAME & TITLE: Danica Allen | NAME & TITLE: Danica Allen Co-owner |



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of November 3, 2022
Certified Survey Map

RECOMMENDATION: City Development Staff recommends the Plan Commission forward this application to the Common Council for decision based on the recommended draft Resolution as attached.

| | |
|---|--|
| Property Owner: | Rick Przybyla |
| Applicant: | Rick Przybyla, Creative Homes LLC. |
| Property Address/Tax Key Number: | 7726 W. Drexel Ave. / 792 9997 000 |
| Aldermanic District: | District 2 |
| Agent: | Rick Przybyla, Creative Homes LLC. |
| Zoning District: | R-6 Suburban Single Family Residence District |
| Use of Surrounding Properties: | West: Residential zoned R-6 and FW Floodway South: Residential zoned R-6 North: Residential zoned R-6 and FW Floodway East: Residential zoned R-6 |
| Application Request: | To permit a division of the existing parcel into a lot for one home, and an outlot for future development. |
| Staff Planner: | Marion Ecks, AICP |

APPLICANT'S REQUEST

The applicant requests approval of a Certified Survey Map (CSM) to divide the existing parcel into a lot for one home, and an outlot for future development.

The applicant has also requested a similar division of the neighboring lot located at 7832 W. Drexel Ave. / 792 9995 001 which is being presented under separate cover (Item D.3). The outlots produced by these divisions are intended to become part of a future subdivision plat yet to be submitted for review.

CHARACTER OF THE SITE AND SURROUNDING AREA

The subject property is a single-family lot with an existing home. The surrounding properties share the same zoning and development characteristics. Due to the developed nature of this property, the UDO does not require that the applicant produce a full Natural Resource Protection Plan (NRPP) (§15-3.0501.C). However, they must verify the presence or absence of any natural resources within the lot produced. The applicant has provided a "letter of no resource" to this effect for the proposed Lot 1. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15-4.0103.B.1.d, §15-7.0201.H, etc.). The applicant is aware that disturbances to or removal of wetlands or wetland buffer, impacts to floodplain, or to other natural resources protected under this ordinance require a Natural Resource Special Exception (Table 15-4.0100). None are proposed for this land division.

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a Certified Survey Map (CSM) to divide the existing parcel into a lot for one home, and an outlot to be set aside for future development.

The proposed CSM would produce one residential lot consistent with the requirements of the R-6 zoning. Lot 1 will be 28,869 square feet and Outlot 1 will be 69,543 square feet. The proposed outlot is appropriately designated due to a number of factors including the fact that the parcel does not have street access of any kind. Future division or development will require street frontage, as well as connection to public utilities.

PROJECT ANALYSIS

Staff provided the applicant with staff comments on October 4, 2022, which are attached. Items that are not resolved or must be noted will be reflected in the Conditions of Approval in the Common Council Resolution. Outstanding Planning review comments include:

1. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15- 4.0103.B.1.d, §15-7.0201.H, etc.)

Other Department review comments are included in the memo. Outstanding review comments are as follows:

Engineering Department

1. No objection to this proposal. However, technical issues and conditions/comments from Engineering and Milwaukee County must be resolved before recommending its approval.

The CSM was reviewed by Engineering; staff recommends that a condition requiring any necessary technical corrections be included.

Additional Department Comments – Police, Fire, Inspection

None.

STAFF RECOMMENDATION

The Department of City Development staff recommends the Plan Commission forward this application to the Common Council for decision based on the recommended draft Resolution as attached.

The resolution reflects the above proposed conditions of approval.

RESOLUTION NO. 2022-_____

A RESOLUTION CONDITIONALLY APPROVING A 1 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (RICK J. PRZYBYLA AND MARY A. PRZYBYLA, APPLICANTS)
(AT 7726 WEST DREXEL AVENUE)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, more specifically, of the property located at 7726 West Drexel Avenue, bearing Tax Key No. 792-9997-000, Rick J. Przybyla and Mary A. Przybyla, applicants; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Rick J. Przybyla and Mary A. Przybyla, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicants, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

RICK J. PRZYBYLA AND MARY A. PRZYBYLA – CERTIFIED SURVEY MAP
RESOLUTION NO. 2022-_____

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and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Rick J. Przybyla and Mary A. Przybyla, successors and assigns, and any developer of the Rick J. Przybyla and Mary A. Przybyla 1 lot and 1 outlot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Rick J. Przybyla and Mary A. Przybyla and the 1 lot and 1 outlot certified survey map project for the property located at 7726 West Drexel Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. Technical issues and conditions or comments from the City of Franklin Engineering Department and Milwaukee County must be resolved before recording.
7. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15- 4.0103.B.1.d, §15-7.0201.H, etc.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Rick J. Przybyla and Mary A. Przybyla, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Rick J. Przybyla and Mary A. Przybyla, with the Office of the Register of Deeds for Milwaukee County.

RICK J. PRZYBYLA AND MARY A. PRZYBYLA – CERTIFIED SURVEY MAP
RESOLUTION NO. 2022-_____

Page 3

Introduced at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of
Franklin this _____ day of _____, 2022.

APPROVED:

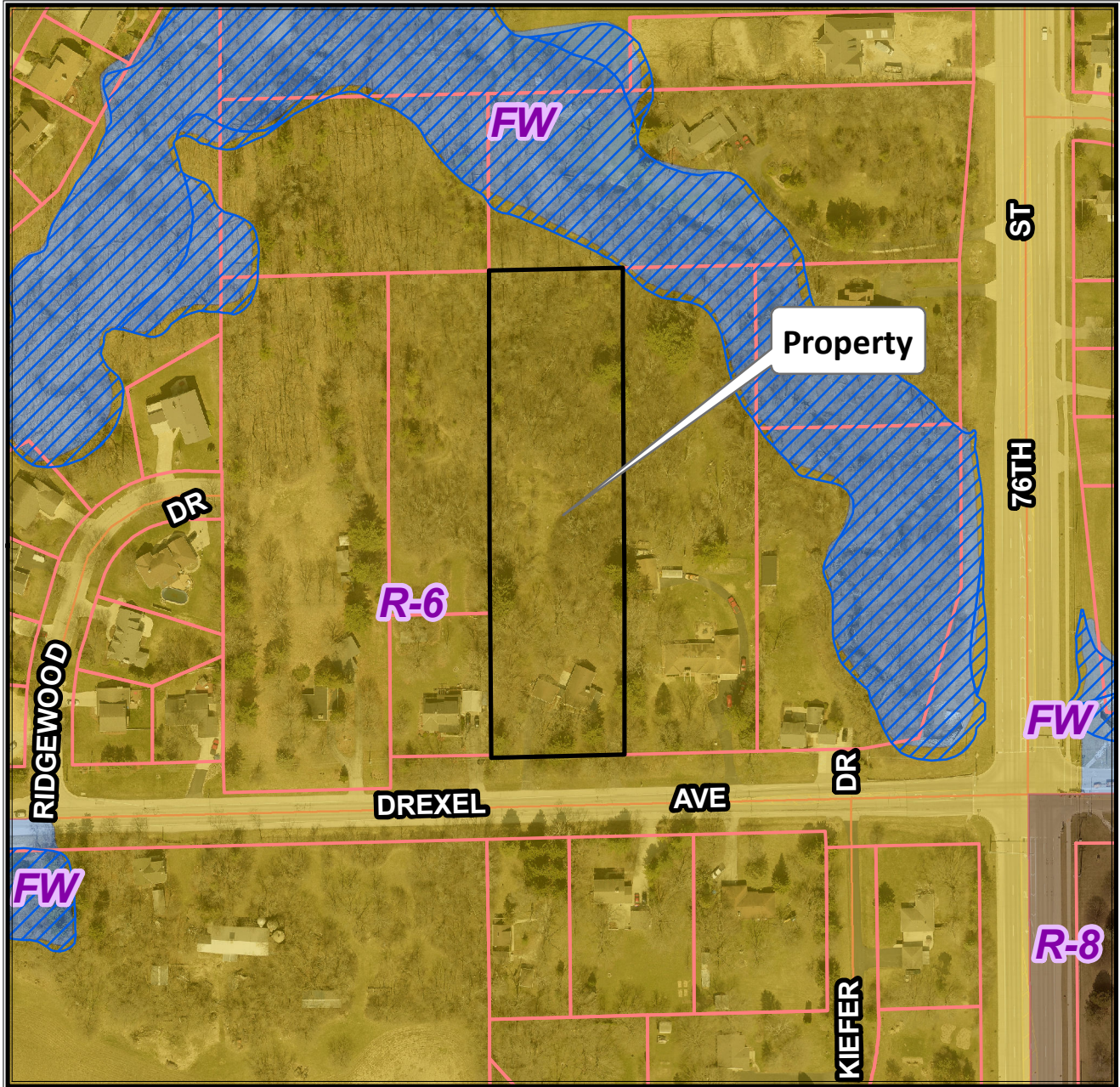
Stephen R. Olson, Mayor

ATTEST:

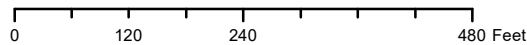
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7726 W. Drexel Ave.
TKN 792 9997 000



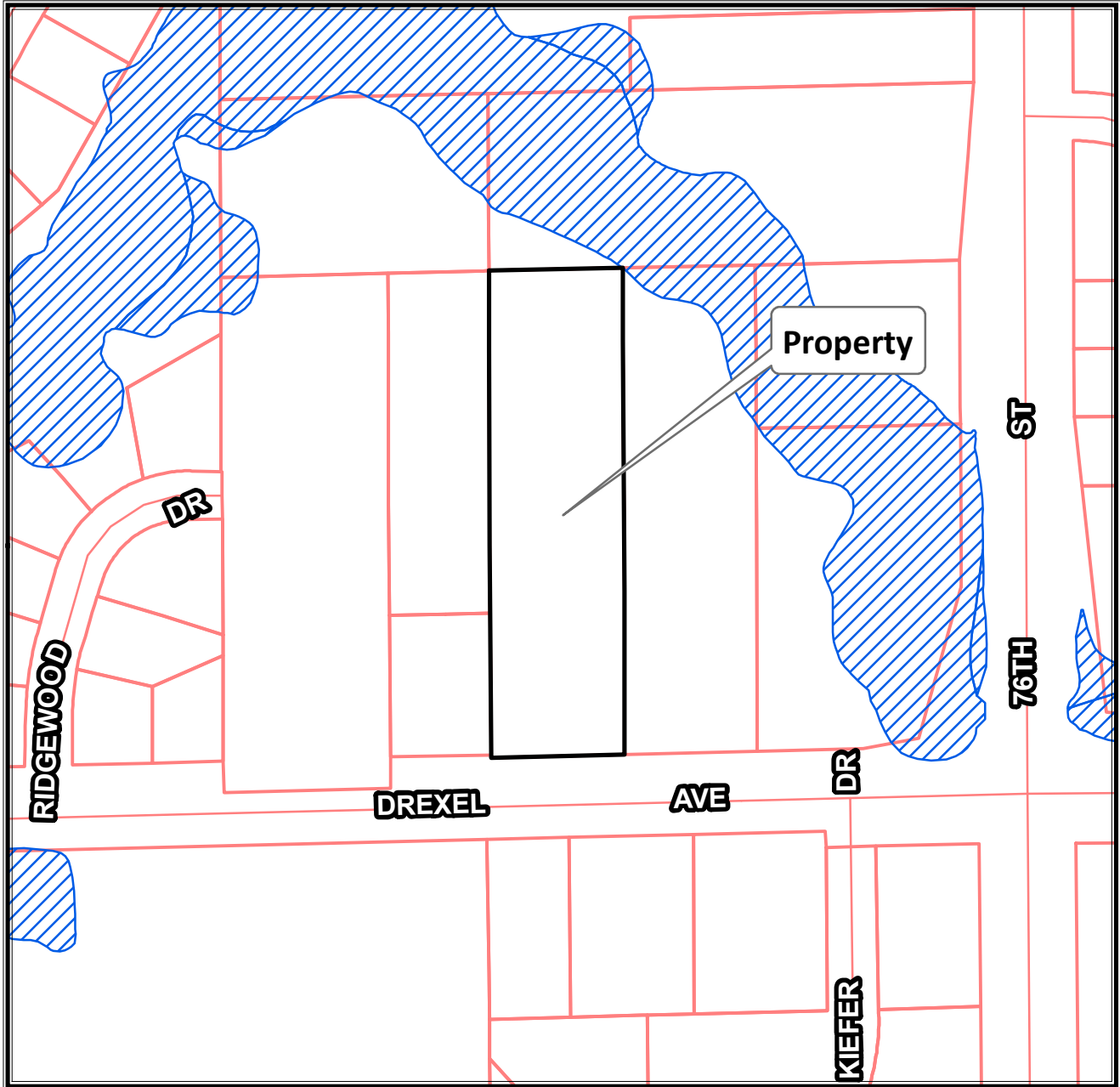
Planning Department
(414) 425-4024



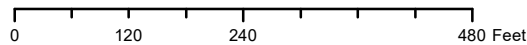
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7726 W. Drexel Ave.
TKN 792 9997 000



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

City of Franklin

Department of City Development

October 4, 2022

To: Rick Przybyla

From: City Development Staff

RE: Staff Comments - Przybyla CSM – 7726 W. Drexel Ave.

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Certified Survey Map submitted by Rick Przybyla and date stamped by the City of Franklin on September 2, 2022.

Department of City Development

Unified Development Ordinance (UDO) Requirements

The lot is zoned R-6 Suburban Single-Family Residence District (UDO Section 15-3.0207).

- ✓ 1. The proposed lots meet the minimum lot area, depth, and width requirements of the zoning district.
- ✓ 2. Please depict the front yard setback from the proposed new front lot line, as well as other setbacks (side and rear yard) for the proposed Parcel 1. The minimum front yard is 30' – please refer to table 15-3.0207 (attached) for other setback information.

Certified Survey Map (CSM)

Division 15-7.0700: Certified Survey Map describes the required elements of a CSM:

- ✓ 3. Please be aware that §15-7.0701: General Standards for CSMs, requires that the standards of Part 8: Improvements and Construction be met for all development resulting from this CSM.
- ✓ 4. Is any part of the property within the 75' shoreline buffer of Legend Creek? If yes, §15-7.0702.B requires the buffer to be depicted on the CSM. *no*
- ✓ 5. Note that the map date and date of any subsequent revisions must be shown on the CSM (§15-7.0702.H)
- ✓ 6. Include the current zoning and zoning boundary lines of all parcels, lots or outlots proposed to be created by the Certified Survey Map (§15-7.0702.M). *AS SHOWN*
- ✓ 7. Note that additional information may required by the City Planner, Plan Commission, City Engineer, or Common Council, in accordance with §15-7.0702.R.
- ✓ 8. Please depict the dimensions and include the area of the proposed Right of Way dedication in square feet.

Design Standards for Land Divisions

UDO Division 15-5.0100: Design Standards for Land Divisions governs the arrangement of and access to roads, right-of-way and other infrastructure, and the dimensions of lots and easements.

- ✓ 9. §15-5.0105.B.1 and §15-5.0106.C require a minimum of 60 feet frontage along a public street. *Outlot 1 does not meet this requirement; the outlot designation is appropriate for this reason. Future development of this lot will be required to meet street frontage standards of the UDO.*
- ✓ 10. Note that for Certified Survey Maps requiring the installation of public improvements, the Subdivider shall enter into a written contract ("Subdivider's Agreement") prior to approval of the Certified Survey Map (§15-9.0309.F).

Natural Resource Protection Plan

Division 15-4.0100 governs the preservation of natural resources. All development in the City of Franklin shall comply with the natural resource protection standards set forth in Table 15-4.0100, and be described by a Natural Resource Protection Plan (NRPP) as defined by Division 15-7.0200.

- ✓ 11. In the case that no protected resources exist on the proposed developable Parcel 1 with existing house to be razed, verification with a "letter of no resource" from an assured delineator is acceptable. Staff notes that the applicant has submitted a letter for this CSM and the related CSM at 7832 W. Drexel.
- ✓ 12. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15-4.0103.B.1.d, §15-7.0201.H, etc.)
- ✓ 13. Per the requirements of Table 15-4.0100, disturbances to or removal of wetlands or wetland buffer, impacts to floodplain, or to other natural resources protected under this ordinance require a Natural Resource Special Exception. *DEAD, ASH, TREES
BUCKTHORN*

General Planning Comments

- 14. The applicant may request, in writing, a delay of the review by Plan Commission and Common Council to allow for a resolution to the design requirements and other comments. *NO*

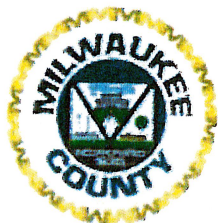
Engineering Comments

- ✓ • No objection to this proposal. However, technical issues and conditions/comments from Engineering and Milwaukee County must be resolved before recommending its approval.
- ✓ • On page 1 of 5, under the legend, remove structures to be razed.
- ✓ • On page 3 of 5, on the second paragraph of the surveyor's certificate insert, "and the City of Franklin Unified Development Ordinance Division- 15 in surveying..."
- ✓ • On page 5 of 5, replace the Common Council Approval Certificate with:

- ✓ • "Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No. _____ Signed this _____ day of _____, 20__."
- ✓ • Correct the Mayor's name to Stephen
- ✓ • Remove the Certificate of County Treasurer, City Treasurer, and the City Clerk.

Milwaukee County

✓ Milwaukee County Register of Deeds Comment Letter is attached.



REGISTER OF DEEDS

Milwaukee County

ISRAEL RAMÓN · Register of Deeds

September 16, 2022

City of Franklin
Attn: Marion Ecks,
Department of City Development
9229 W. Loomis Road
Franklin, WI 53132

\$75.00 Review Fee Paid

RE: Preliminary Review of Certified Survey Map
Being a Part of SE ¼, of SE ¼ of Sec 5 -T9-R21, City of Franklin, County of Milwaukee, State of Wisconsin

Owners(s): Rick Przybyla & Mary Przybyla
Parcel No: 792-9997 – 7726 W. Drexel Ave

Comment: All preliminary reviews require the CSM to be to scale and the correct size.

Comment: Outlot 1 creating a land lock parcel. Will outlot 1 need access to a road? Page 2 is missing Parcel 1 on the diagram. The legend information at the bottom of page 1 has strike overs

Disclaimer: Milwaukee County is reviewing the Preliminary Plat for closure issues and to verify ownership. Please refer to Wisconsin State Stats 236 and the local municipalities ordinances for further questions.

Sincerely,

Rosita Ross

Rosita Ross
Real Property Supervisor
Rosita.ross@milwaukeecountywi.gov
414-278-4047

CC: James Beaty/Horizon Land Development Services LLC

CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN



GRAPHIC SCALE
1" = 100'

BEARING REFERENCE:

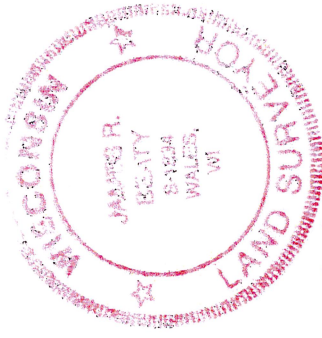
BEARINGS REFERENCED TO WISCONSIN STATE PLANE COORD. SYSTEM; SOUTH ZONE (NAD27). WITHIN WHICH THE SOUTH LINE OF THE SE 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IS ASSUMED TO BEAR N88°35'23"W (PER SEWRPC CSSD. REVISED JAN 2016)

OWNER/SUBDIVIDER:

Rick J. and Mary A. Przybyla
9244 W. Grandview Ct.
Franklin, WI 53132

PREPARED BY / SURVEYOR:

HORIZON LAND DEVELOPMENT SERVICES, LLC
W313 S2562 PENNY LANE
WALES, WISCONSIN 53183
1-262-349-1575
jamieb@horizonlanddevelopmentservices.com



James R. Beaty
James R. Beaty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022

PARCEL 1
CSM 3416

CREATIVE HOMES, INC.
UNPLATTED LANDS

25" SANITARY SEWER
ESMT. DOC. #4835587

1" ip fnd
2ft above
100yr B.F.E.
(elevation varies)
100YR B.F.E.
BOUNDARY

R-6
OUTLOT 1
AREA:
69,543s.f.

R-6
OUTLOT A
CSM 3410

NOTE:
Floodplain limits shown per FEMA
NFIP FIRM Map No. 55079C0144E,
with an effective date of Sept 26, 2008.

Outlot 1 to become part
of future development.

Existing Zoning R-6

Setbacks as shown

front - 30ft

rear - 30ft

side - 10ft

other ordinances may apply see code

CONC. MONU.

W/ BRASS CAP

SW COR. SE 1/4

SEC. 9-5-21

N. 334,901.71

E. 2,530,654.84

1870.65'

S. LINE SE QTR. SEC. 9-5-21

N88°35'23"E 2655.65'

LEGEND

- - INDICATES IRON PIPE 1" x 18", 1.13 LBS./LIN.FT. SET (1.315o.d.)
- - 1" IRON PIPE FOUND (UNLESS NOTED)
- - CONC. MONU. W/BRASS CAP FOUND
- (R) - RECORDED AS

UNPLATTED LANDS

UNPLATTED LANDS
OWNER:
JOHN W. BURNSIDE & JANELLE JAWORSKI

PARCEL 1
AREA:
28,869s.f.

PARCEL 1
CSM 3410

EXIST'G
H SF

EXIST'G
H SF

bldg
setback
(see note)

5ft TO BE
DEDICATED FOR
PUBLIC STREET
PURPOSES
AREA=806s.f.

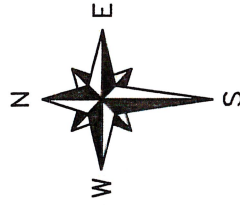
W. DREXEL AVE.
(R.O.W. VARIES)

bituminous surface

CONC. MONU.
W/ BRASS CAP
SE COR. SE 1/4
SEC. 9-5-21
N. 334,967.07
E. 2,533,309.51

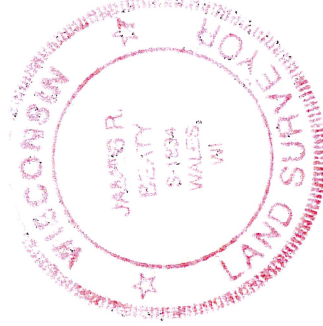
CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN



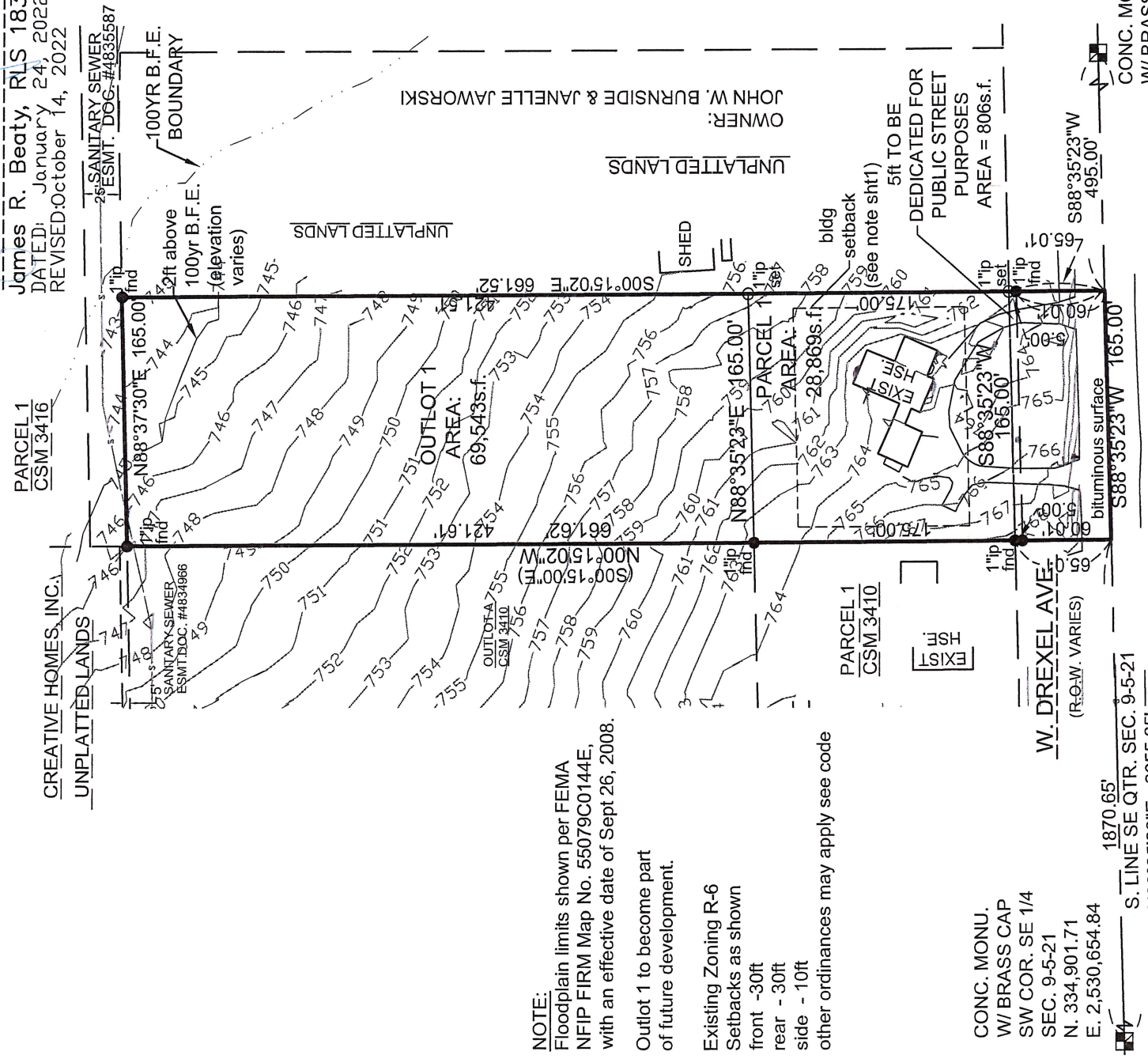
GRAPHIC SCALE
1" = 100'

TOPOGRAPHIC DETAIL



James R. Beatty

James R. Beatty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022



NOTE:
Floodplain limits shown per FEMA NFIP FIRM Map No. 55079C0144E, with an effective date of Sept 26, 2008.

Outlot 1 to become part of future development.
Existing Zoning R-6
Setbacks as shown
front - 30ft
rear - 30ft
side - 10ft
other ordinances may apply see code

CONC. MONU.
W/ BRASS CAP
SW COR. SE 1/4
SEC. 9-5-21
N. 334,901.71
E. 2,530,654.84

1870.65'
S. LINE SE QTR. SEC. 9-5-21
N88°35'23"E 2655.65'

LEGEND
O - INDICATES IRON PIPE 1" x 18", 1.13 LBS./LIN.FT. SET (1.3150o.d.)
● - 1" IRON PIPE FOUND (UNLESS NOTED)
■ - CONC. MONU. W/BRASS CAP FOUND
(R) - RECORDED AS

CERTIFIED SURVEY MAP NO - _____

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

SURVEYOR'S CERTIFICATE:

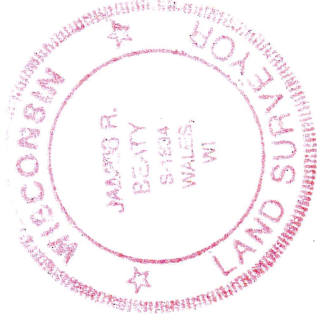
I hereby certify that by the direction of the Owner, I have surveyed, divided, and mapped the land shown and described hereon, being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at the Southeast corner of the Southeast 1/4 of said Section 9; thence South 88°35'23" West along the south line of said southeast 1/4 of Section 9, a distance of 495.00 feet to the point of beginning of the lands hereinafter described; thence continuing South 88°35'23" West, a distance of 165.00 feet to a point on the south line of aforesaid southeast 1/4 OF section 9; thence North 00°15'02" West, a distance of 661.62 feet along the east line of CSM 3410, to a point; thence North 88°37'30" East, a distance of 165.00 feet to a point; thence South 00°15'02" East, a distance of 661.52 feet to the place of beginning. Said Lands containing 109,138 s.f. (2.5055 AC.), more or less of land. Excepting therefrom the North 5 feet of the South 65 feet of lands which is dedicated to the city of Franklin for public street purposes. Area Dedicated containing 806 s.f., of land.

I further certify that I have fully complied with the provisions of section 236.34 of the Wisconsin Statutes and the City of Franklin Unified Development Ordinance Division- 15 in surveying, dividing, and mapping and that this Certified Survey Map is a true and correct representation of all exterior boundaries and the division of said land.

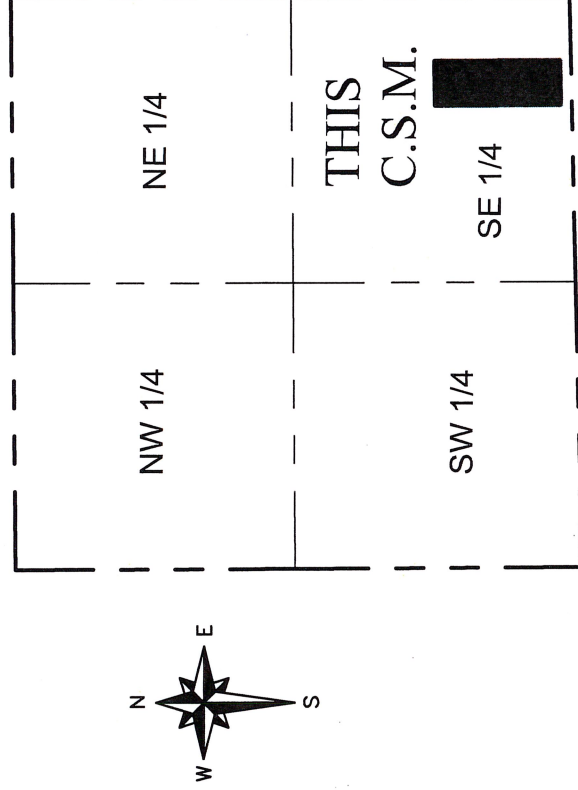
Dated this 24th day of January, 2022.
REVISED: October 14, 2022


James R. Beaty, RLS 1834



VICINITY MAP

(n.t.s.)



S/E 1/4 SECTION 9
T. 5 N., R. 21 E.

CERTIFIED SURVEY MAP NO - _____

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

OWNER'S CERTIFICATE:

As owner(s), we hereby certify that we have caused the land shown and described on this Certified Survey Map to be surveyed, divided, and mapped as shown hereon.

We also certify that this map is required by section s236.34 of the Wisconsin Statutes to be submitted to the following for approval or objection:

Rick Przybyla, Owner _____ Mary Przybyla, Owner _____

State of Wisconsin)
ss
Milwaukee County)

Personally came before me this _____ day of _____, 2022, the above named Rick Przybyla & Mary Przybyla, to me known to be the person who executed the foregoing instrument and acknowledged the same.

(SEAL)
Notary Public, State of Wisconsin
My commission expires _____
My commission is permanent.

CONSENT OF MORTGAGEE

I, Tri City National Bank, mortgagee of the above described land, do hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and I do hereby consent to the above certificate of Rick & Mary Przybyla, owners.

WITNESS the hand of Tri City National Bank, mortgagee, this _____ day of _____, 2022.
In the presence of:

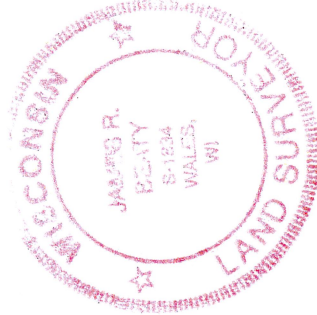
Tri City National Bank
Mortgagee

Bruce C. Elliot, Executive Vice President

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

Personally came before me this _____ day of _____, 2022, the above named Bruce C. Elliot, Executive Vice President of the above named corporation and to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires _____
(Notary Seal)



James R. Beaty
James R. Beaty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022

CERTIFIED SURVEY MAP NO - _____

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

COMMON COUNCIL APPROVAL CERTIFICATE

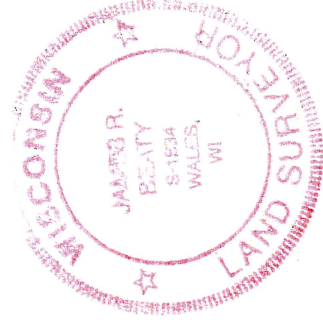
Approved and dedication accepted by the Common Council of the City of Franklin by Resolution NO. _____ Signed this ____ day of _____, 20__.

Approved _____

Adopted _____

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk



James R. Beaty

James R. Beaty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of November 3, 2022
Certified Survey Map

RECOMMENDATION: City Development Staff recommends the Plan Commission forward this application to the Common Council for decision based on the recommended draft Resolution as attached.

| | |
|---|--|
| Property Owner: | Rick Przybyla |
| Applicant: | Rick Przybyla, Creative Homes LLC. |
| Property Address/Tax Key Number: | 7832 W. Drexel Ave. / 792 9995 001 |
| Aldermanic District: | District 2 |
| Agent: | Rick Przybyla, Creative Homes LLC. |
| Zoning District: | R-6 Suburban Single Family Residence District |
| Use of Surrounding Properties: | West: Residential zoned R-6 and FW Floodway South: Residential zoned R-6 North: Residential zoned R-6 and FW Floodway East: Residential zoned R-6 |
| Application Request: | To permit a division of the existing parcel into two lots for single family homes, and an outlot for future development. |
| Staff Planner: | Marion Ecks, AICP |

APPLICANT'S REQUEST

The applicant requests approval of a Certified Survey Map (CSM) to divide the existing parcel into two lots for single family homes, and an outlot for future development.

The applicant has also requested a similar division of the neighboring lot located at 7726 W. Drexel Ave. / 792 9997 000 which is being presented under separate cover (Item D.2). The outlots produced by these divisions are intended to become part of a future subdivision plat yet to be submitted for review.

CHARACTER OF THE SITE AND SURROUNDING AREA

The subject property is a single-family lot with an existing home. The surrounding properties share the same zoning and development characteristics. Due to the developed nature of this property, the UDO does not require that the applicant produce a full Natural Resource Protection Plan (NRPP) (§15-3.0501.C). However, they must verify the presence or absence of any natural resources within the lot produced. The applicant has provided a "letter of no resource" to this effect for the proposed Lot 1. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15-4.0103.B.1.d, §15-7.0201.H, etc.). The applicant is aware that disturbances to or removal of wetlands or wetland buffer, impacts to floodplain, or to other natural resources protected under this ordinance require a Natural Resource Special Exception (Table 15-4.0100). None are proposed for this land division.

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a Certified Survey Map (CSM) to divide the existing parcel into two lots fronting Drexel Ave., and an outlot to be set aside for future development.

The proposed CSM would produce two lots consistent with the requirements of the R-6 zoning. Lot 1 will be 15,284 square feet and Lot 2 will be 16,597 square feet. The proposed outlot will be 90,664 square feet. The outlot designation is necessary due to a number of factors: future division or development will require street appropriate street frontage, as well as connection to public utilities.

The CSM also includes 13,351 square feet of area to be dedicated to the City of Franklin as right of way. The front lot line and right of way will align with neighboring parcels as a result.

PROJECT ANALYSIS

Staff provided the applicant with staff comments on October 4, 2022, which are attached. Items that are not resolved or must be noted will be reflected in the Conditions of Approval in the Common Council Resolution. Outstanding Planning review comments include:

1. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15- 4.0103.B.1.d, §15-7.0201.H, etc.).
2. Accessory structures on Outlot 1 must be removed. §UDO-15-3.0801E prohibits accessory structures on a lot without a primary structure.

Other Department review comments are included in the memo. Outstanding review comments are as follows:

Engineering Department

1. Must resolve all technical issues identified by Milwaukee County. Upon receipt of the comments from the County, the City comments below may be revised to reflect changes required by the County.

The CSM was reviewed by Engineering; staff recommends that a condition requiring any necessary technical corrections be included.

Additional Department Comments – Police, Fire, Inspection

None.

STAFF RECOMMENDATION

The Department of City Development staff recommends the Plan Commission forward this application to the Common Council for decision based on the recommended draft Resolution as attached.

The resolution reflects the above proposed conditions of approval.

RESOLUTION NO. 2022-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (RICK J. PRZYBYLA AND MARY A. PRZYBYLA, APPLICANTS)
(AT 7832 WEST DREXEL AVENUE)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, more specifically, of the property located at 7832 West Drexel Avenue, bearing Tax Key No. 792-9995-001, Rick J. Przybyla and Mary A. Przybyla, applicants; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Rick J. Przybyla and Mary A. Przybyla, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicants, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

RICK J. PRZYBYLA AND MARY A. PRZYBYLA – CERTIFIED SURVEY MAP
RESOLUTION NO. 2022-_____

Page 2

and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Rick J. Przybyla and Mary A. Przybyla, successors and assigns, and any developer of the Rick J. Przybyla and Mary A. Przybyla 2 lot and 1 outlot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Rick J. Przybyla and Mary A. Przybyla and the 2 lot and 1 outlot certified survey map project for the property located at 7832 West Drexel Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. Future development of Outlot 1 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15- 4.0103.B.1.d, §15-7.0201.H, etc.).
7. Accessory structures on Outlot 1 must be removed. §UDO-15-3.0801E prohibits accessory structures on a lot without a primary structure.
8. The applicant must resolve all technical issues identified by Milwaukee County. Upon receipt of the comments from the County, the City comments below may be revised to reflect changes required by the County.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Rick J. Przybyla and Mary A. Przybyla, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to

RICK J. PRZYBYLA AND MARY A. PRZYBYLA – CERTIFIED SURVEY MAP
RESOLUTION NO. 2022-_____

Page 3

obtain the recording of the Certified Survey Map, certified by owners, Rick J. Przybyla and Mary A. Przybyla, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

APPROVED:

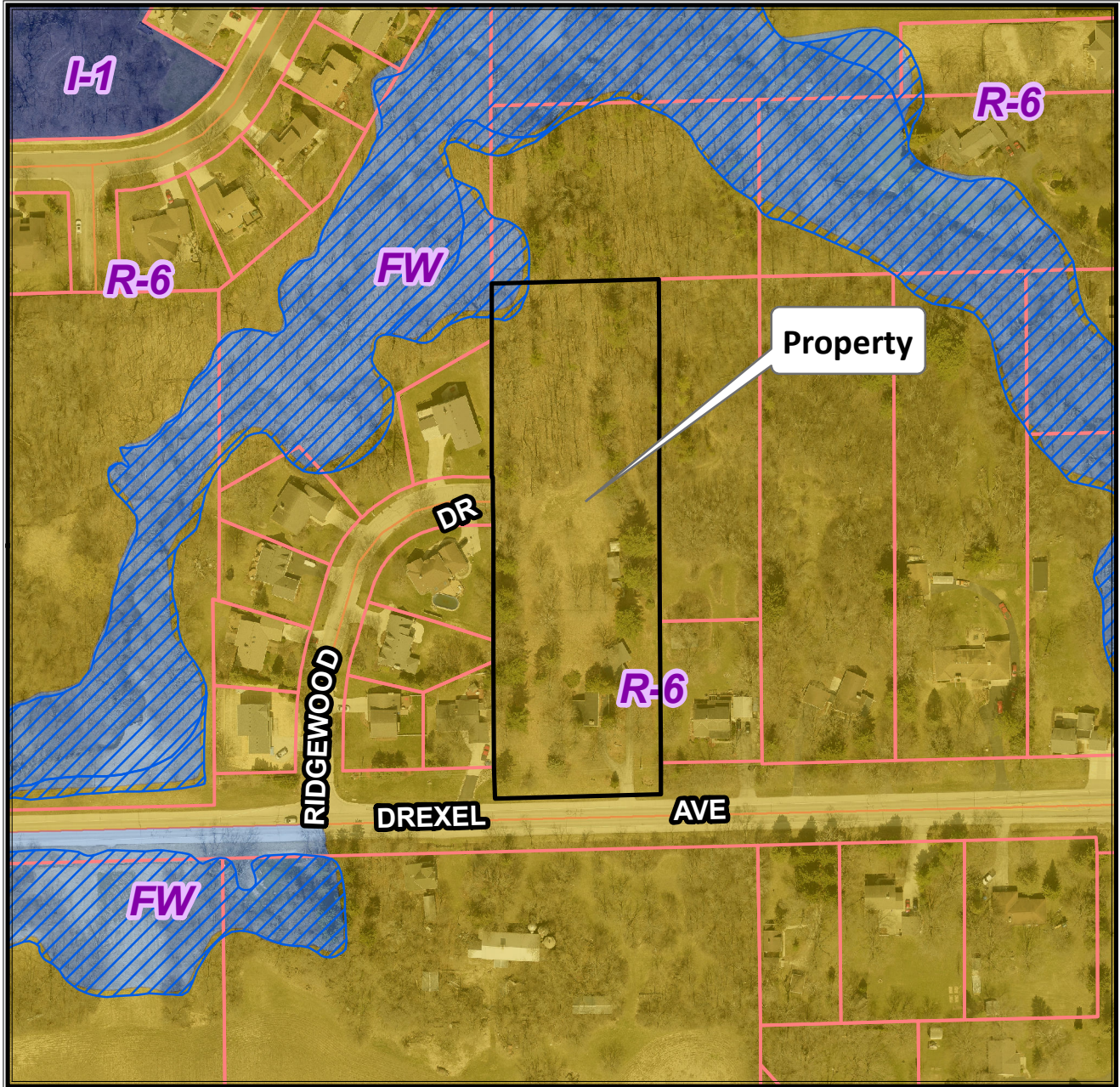
Stephen R. Olson, Mayor

ATTEST:

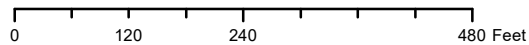
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7832 W. Drexel Ave.
TKN 792 9995 001



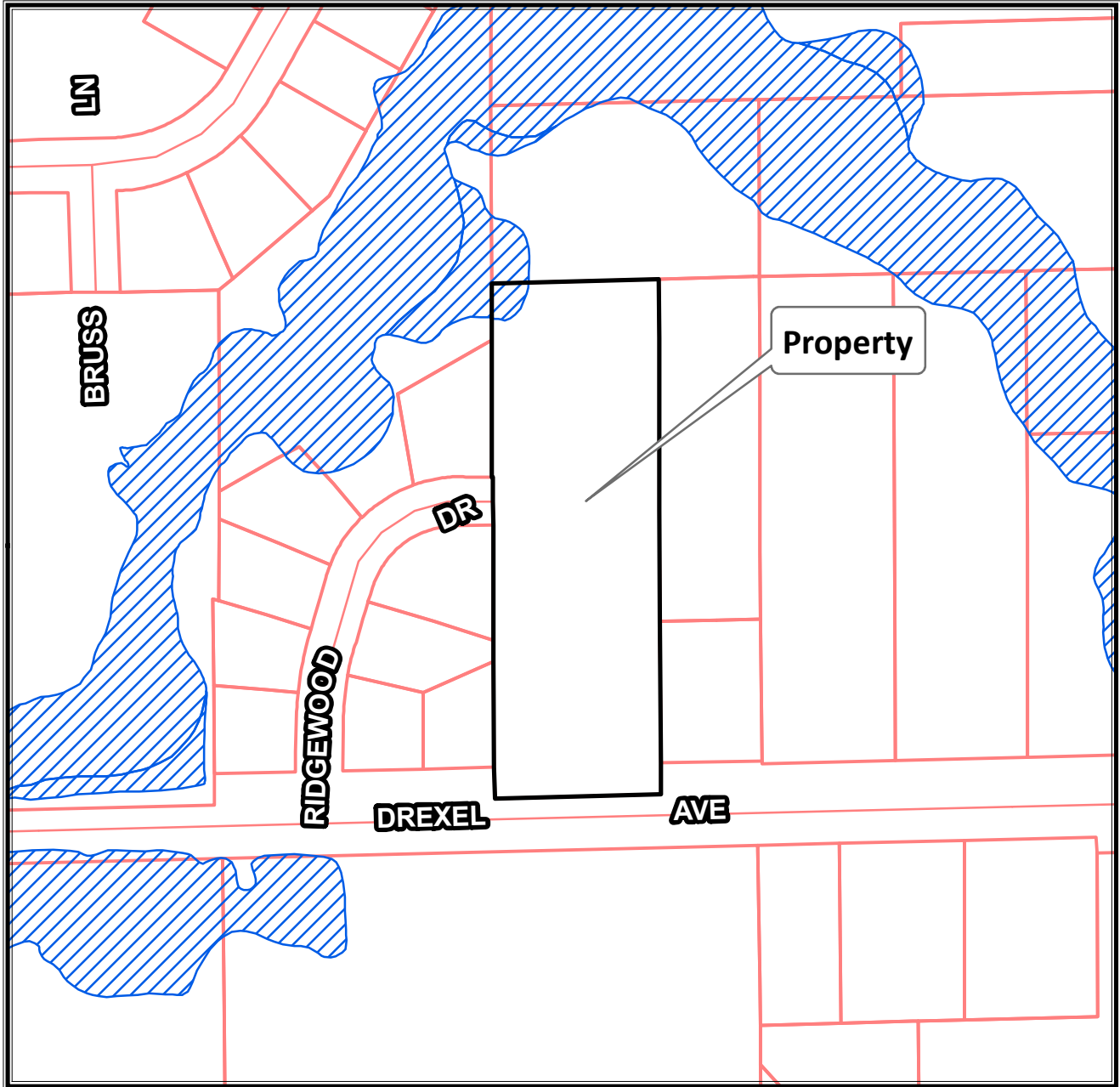
Planning Department
(414) 425-4024



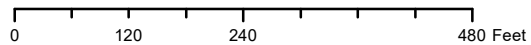
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7832 W. Drexel Ave.
TKN 792 9995 001



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



City of Franklin
Department of City Development

Date: October 5, 2022

To: Rick Przybyla

From: City Development Staff

RE: Staff Comments - Przybyla CSM – 7832 W. Drexel Ave.

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Certified Survey Map submitted by Rick Przybyla and date stamped by the City of Franklin on September 2, 2022.

Department of City Development

Unified Development Ordinance (UDO) Requirements

The lot is zoned R-6 Suburban Single-Family Residence District (UDO Section 15-3.0207).

- ✓ 1. The proposed lots meet the minimum lot area, depth, and width requirements of the zoning district.
- ✓ 2. Please depict the front yard setback from the proposed new front lot line, as well as other setbacks (side and rear yard) for the proposed Parcel 1. The minimum front yard is 30' – please refer to table 15-3.0207 (attached) for other setback information. *AS SHOWN - SETBACK*
- ✓ 3. Include the length of the lot line between Parcels 1 and 2; it is not legible on the draft provided.

Certified Survey Map (CSM)

Division 15-7.0700: Certified Survey Map describes the required elements of a CSM:

- ✓ 4. Please be aware that §15-7.0701: General Standards for CSMs, requires that the standards of Part 8: Improvements and Construction be met for all development resulting from this CSM.
- ✓ 5. Is any part of the property within the 75' shoreline buffer of Legend Creek? If yes, §15-7.0702.B requires the buffer to be depicted on the CSM. *NO*
- ✓ 6. Note that the map date and date of any subsequent revisions must be shown on the CSM (§15-7.0702.H)
- ✓ 7. Include the current zoning and zoning boundary lines of all parcels, lots or outlots proposed to be created by the Certified Survey Map (§15-7.0702.M). *AS SHOWN*
- ✓ 8. Note that additional information may required by the City Planner, Plan Commission, City Engineer, or Common Council, in accordance with §15-7.0702.R.
- ✓ 9. Please include the area of the proposed Right of Way dedication in square feet.

Design Standards for Land Divisions

UDO Division 15-5.0100: Design Standards for Land Divisions governs the arrangement of and access to roads, right-of-way and other infrastructure, and the dimensions of lots and easements.

10. Parcel 3 should be labeled as an Outlot. If this is not desired, the following applies:
 - ✓ a. A full NRPP is needed (see Natural Resource Protection Plan, below).
 - ✓ b. Land Division Variance for street frontage: §15-5.0105.B.1 and §15-5.0106.C require a minimum of 60 feet frontage along a public street.
Parcel 3 does not meet this requirement; the outlot designation is required for this reason. Future development of this lot will be required to meet street frontage standards of the UDO.
- ✓ 11. Note that for Certified Survey Maps requiring the installation of public improvements, the Subdivider shall enter into a written contract ("Subdivider's Agreement") prior to approval of the Certified Survey Map (§15-9.0309.F).

Natural Resource Protection Plan

Division 15-4.0100 governs the preservation of natural resources. All development in the City of Franklin shall comply with the natural resource protection standards set forth in Table 15-4.0100, and be described by a Natural Resource Protection Plan (NRPP) as defined by Division 15-7.0200.

- ✓ 12. In the case that no protected resources exist on the proposed developable Parcels 1 and 2 with existing house to be razed, verification with a "letter of no resource" from an assured delineator is acceptable. Staff notes that the applicant has submitted a letter for this CSM and the related CSM at 7726 W. Drexel.
- ✓ 13. Development of Parcel 3 will require a full NRPP and conservation easements for those natural resources to be protected under the NRPP (§15- 4.0103.B.1.d, §15-7.0201.H, etc.)
- ✓ 14. Per the requirements of Table 15-4.0100, disturbances to or removal of wetlands or wetland buffer, impacts to floodplain, or to other natural resources protected under this ordinance require a Natural Resource Special Exception. *DEAD, ASH TREES BUCKTHORN*

General Planning Comments

- ✓ 15. Accessory structures on parcel 3 must be removed. §UDO-15-3.0801E prohibits accessory structures on a lot without a primary structure.
- ✓ 16. The applicant may request, in writing, a delay of the review by Plan Commission and Common Council to allow for a resolution to the design requirements and other comments. *NO*

Engineering Comments

- ✓ • Must resolve all technical issues identified by Milwaukee County. Upon receipt of the comments from the County, the City comments below may be revised to reflect changes required by the County.

Milwaukee County

- ✓ Milwaukee County Register of Deeds Comment Letter is attached.



REGISTER OF DEEDS

Milwaukee County

ISRAEL RAMÓN • Register of Deeds

September 16, 2022

City of Franklin
Attn: Marion Ecks,
Department of City Development
9229 W. Loomis Road
Franklin, WI 53132

\$75.00 Review Fee Paid

RE: Preliminary Review of Certified Survey Map
Being a Part of SE ¼, of SE ¼ of Sec 5 -T9-R21, City of Franklin, County of Milwaukee, State of Wisconsin

Owners(s): Creative Homes Inc.
Parcel No: 792-9995-001 – 7832 W. Drexel Drive

Comment: All preliminary reviews require the CSM to be to scale and the correct size. The current map has overstrikes, and the text is too small or not legible. The scale graphic is not 1-100 as noted.

Comment: Verify all distances and bearings against the legal description on page 3. Verify the N lines of parcel 3. Distances of 205.40 stated in the legal description do not match 204.39 on the diagram on page 1. Verify the total acreage of each lot. The current information is not legible.

Disclaimer: Milwaukee County is reviewing the Preliminary Plat for closure issues and to verify ownership. Please refer to Wisconsin State Stats 236 and the local municipalities ordinances for further questions.

Sincerely,

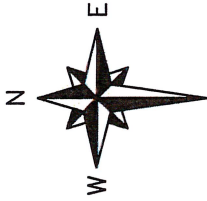
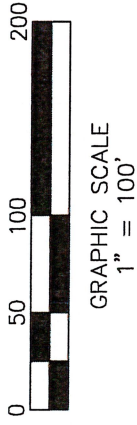
Rosita Ross

Rosita Ross
Real Property Supervisor
Rosita.ross@milwaukeecountywi.gov
414-278-4047

CC: James Beaty/Horizon Land Development Services LLC

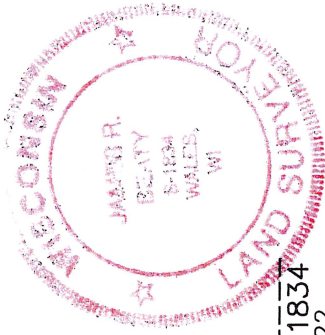
CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN



BEARING REFERENCE:
 BEARINGS REFERENCED TO WISCONSIN STATE PLANE COORD. SYSTEM, SOUTH ZONE (NAD27) S WITHIN WHICH THE SOUTH LINE OF THE SE 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IS ASSUMED TO BEAR N88°35'23"W (PER SEWRPC CSSD, REVISED JAN 2016)

OWNER/SUBDIVIDER:
 Creative Homes, Inc.
 9244 W. Grandview Ct.
 Franklin, WI 53132

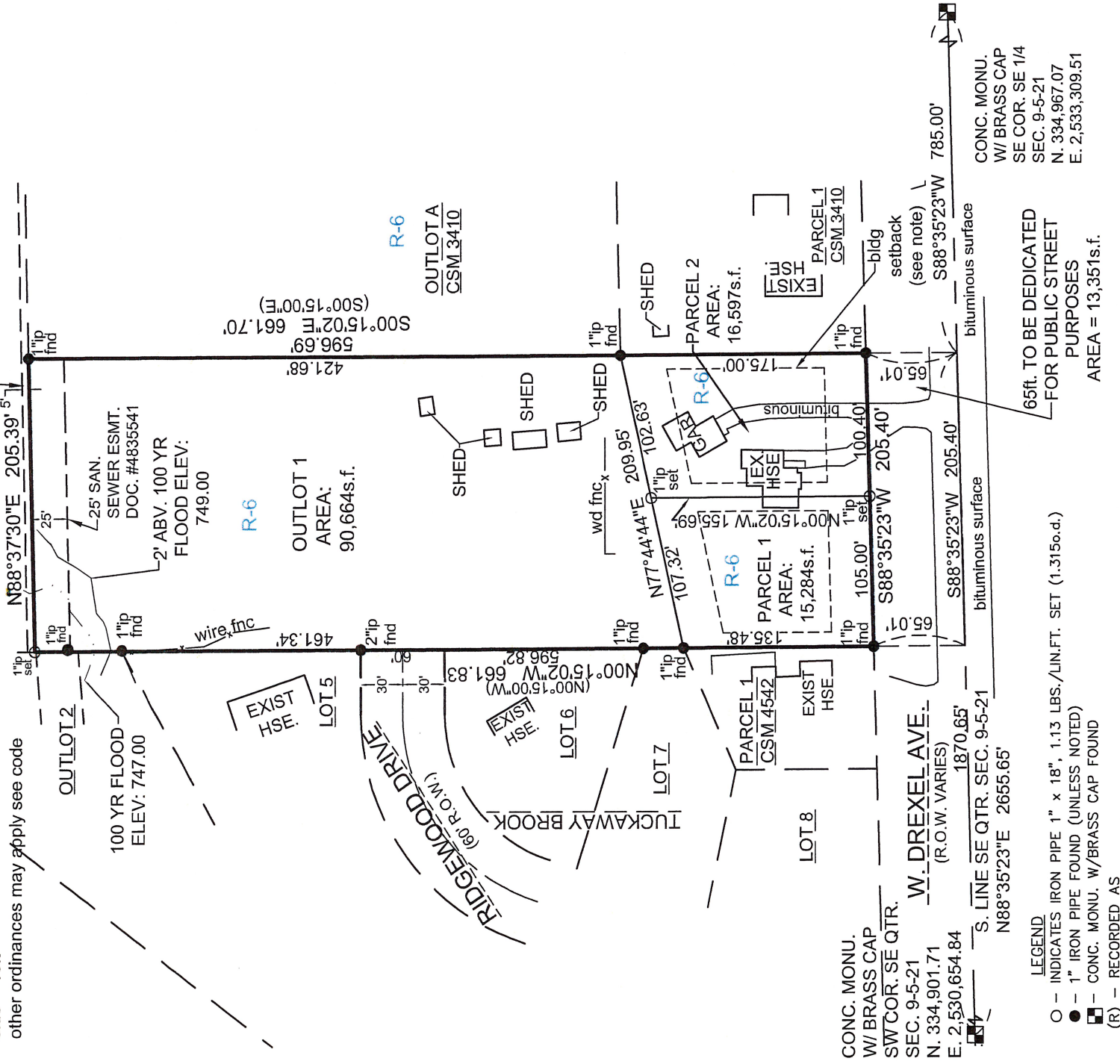


James R. Beaty
James R. Beaty, RLS 1834
 DATED: January 24, 2022
 REVISED: October 14, 2022

Outlot 1 to become part of future development.

Existing Zoning R-6
 Setbacks as shown
 front - 30ft
 rear - 30ft
 side - 10ft
 other ordinances may apply see code

note: existing structures on parcel 1, 2 & 3 to be razed
CREATIVE HOMES, INC.
 UNPLATTED LANDS
 5' SAN. SEWER ESMT. DOC. #4834966

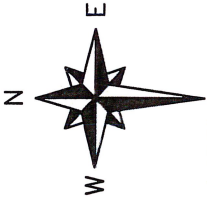


CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN



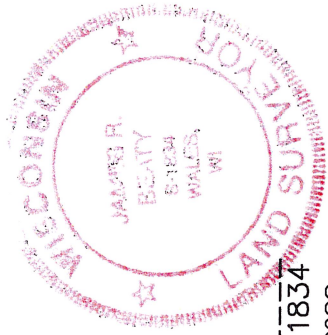
GRAPHIC SCALE
1" = 100'



BEARING REFERENCE:
BEARINGS REFERENCED TO WISCONSIN STATE PLANE COORD. SYSTEM, SOUTH ZONE (NAD27)S WITHIN WHICH THE SOUTH LINE OF THE SE 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IS ASSUMED TO BEAR N88°35'23"W (PER SEWRPC CSSD. REVISED JAN 2016)

Outlot 1 to become part of future development.

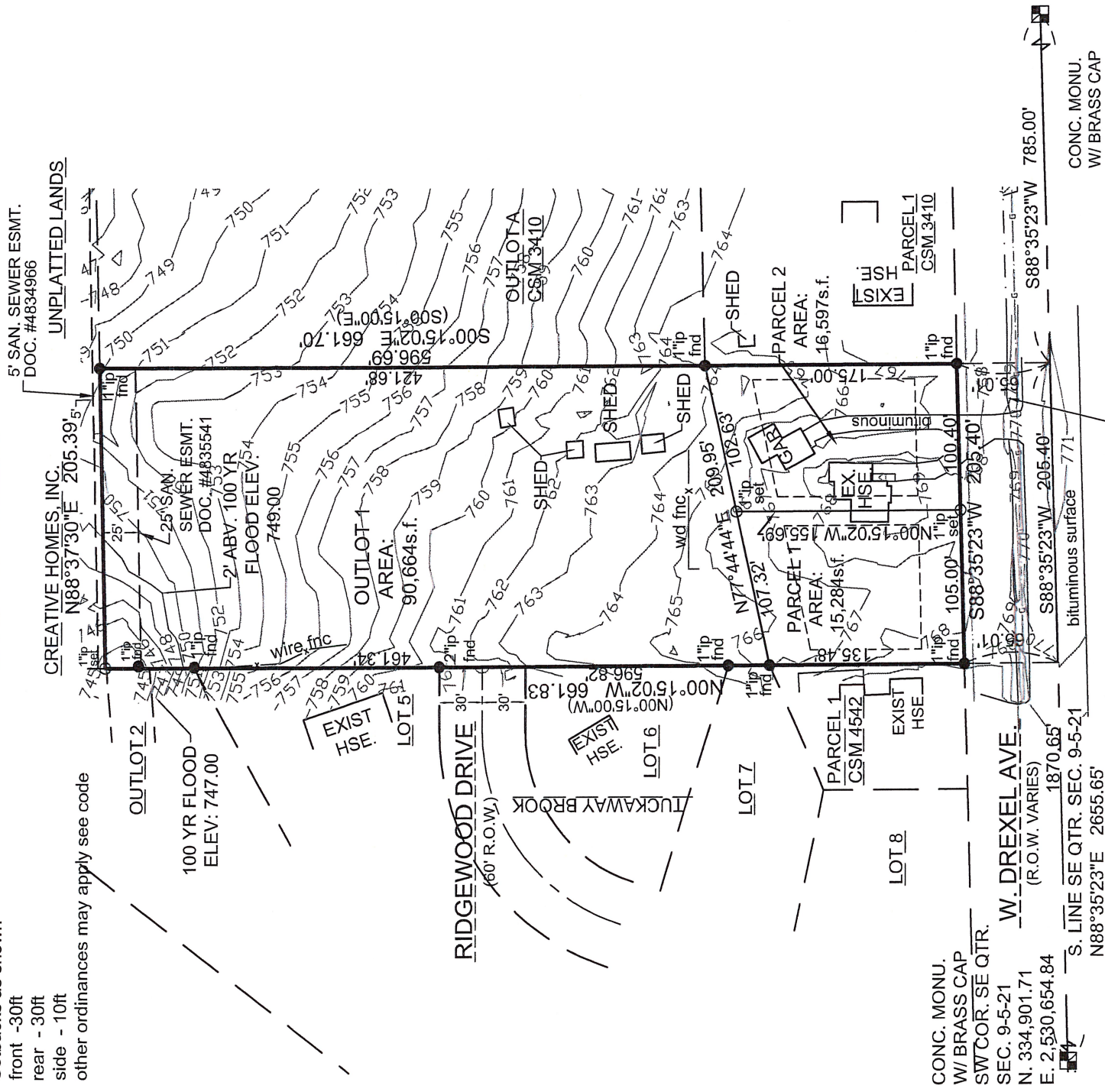
Existing Zoning R-6
Setbacks as shown
front - 30ft
rear - 30ft
side - 10ft
other ordinances may apply see code



James R. Beaty

James R. Beaty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022

TOPOGRAPHIC DETAIL



- LEGEND**
- O - INDICATES IRON PIPE 1" x 18", 1.13 LBS./LIN.FT. SET (1.315o.d.)
 - - 1" IRON PIPE FOUND (UNLESS NOTED)
 - - CONC. MONU. W/BRASS CAP FOUND
 - (R) - RECORDED AS

65ft. TO BE DEDICATED FOR PUBLIC STREET PURPOSES
AREA = 13,351s.f.

CONC. MONU. W/ BRASS CAP
SE COR. SE 1/4 SEC. 9-5-21
N. 334,967.07
E. 2,533,309.51

CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

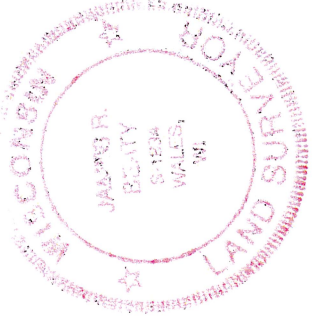
SURVEYOR'S CERTIFICATE:

I hereby certify that by the direction of the Owner, I have surveyed, divided, and mapped the land shown and described hereon, being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at the Southeast corner of the Southeast 1/4 of said Section 9; thence South 88°35'23" West along the south line of said southeast 1/4 of Section 9, a distance of 785.00 feet to the point of beginning of the lands hereinafter described; thence South 88°35'23" West, along the north line of West Drexel Ave., a distance of 205.40 feet to a point on the south line of aforesaid southeast 1/4 section; thence North 00°15'02" West, a distance of 661.83 feet along the east line of CSM 4542, and the east line of Tuckaway Brook, a subdivision plat recorded in the Milwaukee County Register of Deeds Office on Reel No. 1763, Image No. 954, to a point; thence North 88°37'30" East, a distance of 205.39 feet to a found 1" iron pipe being the northwest corner of Outlot A of CSM 3410; thence South 00°15'02" East along the west line of said CSM 3410, a distance of 661.70 feet to the place of beginning. Said Lands containing 135,897 s.f. (3.1198 AC.), more or less of land. Excepting therefrom the South 65 feet which is dedicated for public street purposes. Area Dedicated is

I further certify that I have fully complied with the provisions of section 236.34 of the Wisconsin Statutes and the City of Franklin Ordinances in surveying, dividing, and mapping and that this Certified Survey Map is a true and correct representation of all exterior boundaries and the division of said land.

Dated this 24th day of January, 2022.
REVISED: October 14, 2022



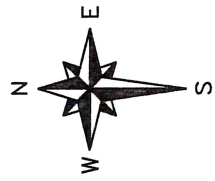
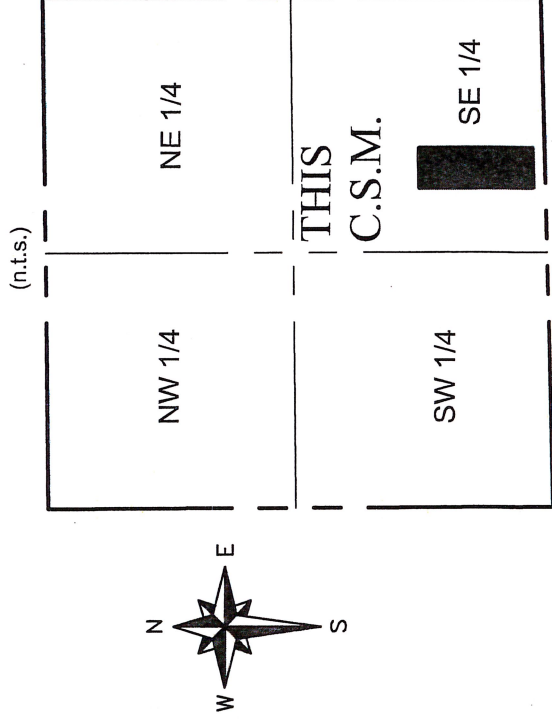

James R. Beaty, RLS 1834

PREPARED BY / SURVEYOR:
HORIZON LAND DEVELOPMENT SERVICES, LLC
W313 S2562 PENNY LANE
WALES, WISCONSIN 53183
1-262-349-1575
jamieb@horizonlanddevelopmentsservices.com

NOTE:

Floodplain limits shown per FEMA NFIP FIRM Map No. 55079C0144E, with an effective date of Sept 26, 2008.

VICINITY MAP



S/E 1/4 SECTION 9
T. 5 N., R. 21 E.

CERTIFIED SURVEY MAP NO -

ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

CORPORATE OWNER'S CERTIFICATE

Creative Homes, Inc., a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. Creative Homes, Inc., does further certify that this map is required to be submitted to the following for approval or objection:

City of Franklin

IN WITNESS WHEREOF, the said Creative Homes, Inc., has caused these presents to be signed by Rick Przybyla, its Managing Member, at Franklin Wisconsin, and its corporate seal to be hereunto affixed

on this _____, day of _____, 2022.

In the presence of:

Creative Homes, Inc.

Rick Przybyla, President _____ name, Title

STATE OF WISCONSIN)
SS
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2022, Rick Przybyla, of the above named Creative Homes, Inc., to me known to be the person who executed the foregoing instrument, and to me known to be such President of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) _____
Notary Public, _____, Wisconsin

My commission expires _____.

CONSENT OF CORPORATE MORTGAGEE

Tri City National Bank, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this map, and does hereby consent to the above certificate of Creative Homes Inc., owner.

IN WITNESS WHEREOF, the said Tri City National Bank, has caused these presents to be signed by Bruce C. Elliot, its Executive Vice President, at Hales Corners, Wisconsin, on this _____ day of _____, 2022.
In the presence of:

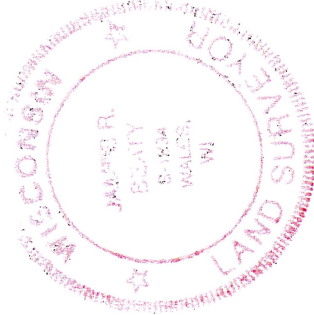
Tri City National Bank
Corporate Name

Bruce C. Elliot, Executive Vice President _____ Date

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

Personally came before me this _____ day of _____, 2022, Bruce C. Elliot, Executive vice President of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Executive Vice President of said corporation, and acknowledged that they executed the foregoing instrument as such officer, as the deed of said corporation, by its authority.

Notary Public, State of Wisconsin
My commission expires _____
SEAL



James R. Beaty
James R. Beaty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022

CERTIFIED SURVEY MAP NO - _____
ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH,
RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

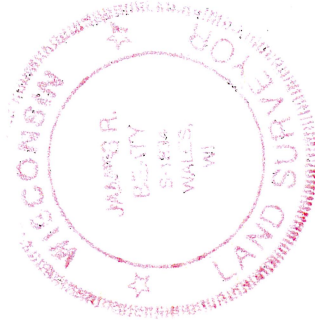
COMMON COUNCIL APPROVAL CERTIFICATE

Approved and dedication accepted by the Common Council of the City of Franklin by
Resolution NO. _____ Signed this _____ day of _____, 20__.

Approved _____ Adopted _____

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk



James R. Beauty
James R. Beauty, RLS 1834
DATED: January 24, 2022
REVISED: October 14, 2022



MEMORANDUM

Date: October 25, 2022

SENT VIA EMAIL

To: City of Franklin UDO Update Task Force
Régulo Martínez-Montilva, AICP, Principal Planner
Marion Ecks, AICP, Associate Planner

From: Houseal Lavigne Associates
Jackie Wells, AICP, Project Manager
Ruben Shell, AICP, Planner II

Re: **Franklin, WI Unified Development Ordinance
Draft Articles 5 - 6 Overview**

The purpose of this memorandum is to provide an overview of the content contained within the draft Article 5 - General Development Standards and Article 6 - Sign Standards and portray the substantial changes to those Articles from the current Unified Development Ordinance (UDO). Questions identified by City staff and the project team for discussion by the Task Force are also provided.

ARTICLE 5. GENERAL DEVELOPMENT STANDARDS

Article 5 contains all the UDO provisions that regulate the physical development of sites in the City. The Article includes regulations for a variety of topics; parking, driveways, landscaping, screening, fencing, building design, outdoor lighting, and vision clearance areas.

Section 15-5-01 includes the City's standards for off-street parking and loading which are proposed to be updated to:

- Establish an allowed maximum quantity of off-street parking per land use
- Require vehicular cross access between adjacent development along an Arterial Road.
- Require on-site pedestrian circulation systems for multifamily, mixed-use, and nonresidential development only
- Require the provision of off-street bicycle parking
- Require the provision of infrastructure to electric vehicle charging stations in any commercial or mixed-use district.

Section 15-5-02 establishes new driveway standards for the City. Driveways on lots with single-family and duplex uses are proposed to differentiate between driveways, garage access drives, and parking pads to provide more flexibility while maintaining safe and consistent curb cut widths. New standards are proposed for driveways on lots with townhouse, multifamily, and nonresidential uses to regulate driveway width and placement to provide for motorist and pedestrian safety. The existing UDO provision restricting the placement of driveways near street intersections is retained.

Sections 15-5-03 establishes the location of required landscaping including bufferyards between adjacent uses. Meanwhile, Section 15-5-04 establish detailed regulations regarding the provision of landscaping including the number of trees, shrubs, grasses, and bioretention plantings for different types of land uses. The regulations of this section are retained from the existing UDO and revisions and additions are made to introduce more green infrastructure, healthier trees, and more ecologically useful plantings. Section 15-5-06

HOUSEAL LAVIGNE
ASSOCIATES, LLC

CHICAGO, IL
188 West Randolph Street, Suite 200
Chicago, Illinois 60601
(312) 372-1008

www.hlplanning.com
info@hlplanning.com

contains the City's existing minimum landscaping standards for off-street parking areas and lots. These standards are revised to include additional detail for the quantity and specifications of landscaping provided within and along the exterior of parking areas.

Section 15-5-07 contains entirely new and enhanced standards for the screening of grease traps, trash, and recycling receptacles; ground/wall mounted mechanical units; roof-mounted mechanical units; and loading docks and truck-parking areas.

Next Section 15-5-08 establishes new standards that regulate the placement and provision of fencing. The section includes an allowance for privacy fences with a maximum height of 6 feet in street-facing side yards when set back from the property line. Several existing UDO regulations regarding fence maintenance, prohibition on the storage of material, and allowances for snow fencing are retained.

After that, standards are established to regulate townhouse, multifamily, mixed-use, and nonresidential design in Section 15-5-09 including minimum requirements for exterior building cladding materials, façade articulation, and glazing on sites with these uses.

Section 15-5-10 establishes standards for outdoor lighting on lots, including requirements for full cut-off lighting and regulations for the maximum light level at the property line for nonresidential and residential uses to further minimize land use incompatibilities. The existing UDO's allowed lighting pole height by district is retained in Table 15-5-10(C)(2).

Section 15-5-11 includes the City's standards for vision clearance areas at the intersection of streets and driveways with streets.

Questions For Task Force Discussion

The following issues have been identified for discussion and policy direction as the Task Force considers the draft Article 5.

- Are the pedestrian circulation standards in Section 15-5-01(C)(11), which require on-site pedestrian circulation systems for pedestrians on sites with multifamily, mixed-use, and nonresidential development appropriate for Franklin?
- Are the requirements for the provision of infrastructure to support electric vehicle charging stations in Section 15-5-01(F) appropriate for Franklin? Would the City prefer more stringent measures such as requirements for electric vehicle charging stations, or less stringent requirements such as an incentive?
- What is the appropriate width limit for driveways for single-family and duplex uses in Section 15-5-02(D)? A standard of twelve feet in width at the property line has been discussed and is included in the draft.
- What materials should be allowed for fencing in Section 15-5-08(D)? Should chain link fences be prohibited, and should vinyl-coated chain link fences be allowed instead?
- Are the exterior building cladding material standards in Section 15-5-09 appropriate to regulate the appearance of townhouse, multifamily, mixed-use, and nonresidential buildings in Franklin?

ARTICLE 6. SIGN STANDARDS

Article 6 - Signs features fully new language proposed to replace the current language in Chapter 210. The proposed Article includes content neutral regulations that comply with the SCOTUS decision in the Reed vs. the Town of Gilbert, AZ case. Where applicable, the existing sign area, location, projection, and height standards have been carried forward into the draft of Article 6 and are shown without tracked changes in the redline version of the Article. The existing standards that regulate wind pressure, allowable stresses, and materials are also carried forward.

Two sign types that are currently allowed in the City, billboards and marquee signs, are proposed to be prohibited per Section 15-6-08. Cold air inflatable signs and other signs that feature moving parts or on which movement is caused either by wind or mechanical devices are also prohibited per Section 15-6-08.

Questions For Task Force Discussion

The following issues have been identified for discussion and policy direction as the Task Force considers the draft Article 6.

- Billboards, roof signs, and marquee signs are currently allowed under the existing UDO but are prohibited in Article 6 as drafted. Should these signs continue to be allowed in the City?
- Cold-air inflatable signs and other signs with moving parts that are activated by the wind or mechanically are prohibited in Article 6 as drafted. Should these signs be allowed in the City?
- Feather signs are allowed in several commercial districts in the draft of Article 6. Are these types of signs appropriate to allow in Franklin?

Article 5. General Development Standards

| | |
|---|----|
| 15-5-01. Off-Street Parking and Loading | 1 |
| 15-5-02. Driveways | 12 |
| 15-5-03. Required Landscaping..... | 16 |
| 15-5-04. Minimum Landscape Standards..... | 17 |
| 15-5-05. General Landscaping Requirements | 21 |
| 15-5-06. Minimum Landscaping Standards for Off-Street Parking Areas and Lots | 22 |
| 15-5-07. Screening | 23 |
| 15-5-08. Fencing..... | 27 |
| 15-5-09. General Townhouse, Multifamily, Mixed-Use, and Nonresidential Design Standards | 30 |
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15-5-01. Off-Street Parking and Loading

- A. **Applicability.** The off- street parking and loading provision provisions of this Article shall apply as follows.
1. **No Off-Street Parking Required.** The off-street parking maximums in **Section #-#-##** establish maximum quantities of off-street parking that may be provided for each use on a lot. The off-street parking maximums do not constitute a parking requirement. Applicants may provide off street parking less than the maximum established for the applicable use.
 2. **Existing Uses Established Prior to the Effective Date of This Ordinance.** This article shall not require the reduction or addition of any parking or loading spaces for uses existing as of the effective date of this UDO.
- B. **Off-Street Parking Limited.**
1. **Maximum Requirements.** To minimize the creation of impervious surface, no off-street parking area shall be designed or used to provide a greater number of off-street parking spaces than the limit established in **Table #-#-##**.
 2. **Parking Increases Allowed.** The Zoning Administrator may allow an increase in the number of off-street parking spaces allowed of up to thirty (30) percent of the spaces provided above the maximum when the following provisions are met.
 - a. The additional spaces over the maximum are surfaced with a permeable paving system or one hundred (100) percent of the first half (1/2) inch of runoff from the additional parking area is treated with green infrastructure.
 - b. Additional parking area landscaping equivalent to an area fifteen (15) percent greater the minimum square feet of parking area landscaping specified in **Section #-#-##** is provided.
 - c. The parking lot perimeter landscape zone required in **Section #-#-##** is at least ten (10) feet in width.

- d. No more than fifty (50) percent of the parking spaces over the maximum parking allowed shall be located in the front yard.
3. **Calculations.** The following rules shall apply when calculating the specified maximum quantity of parking spaces.
 - a. **Area Measurements.** Parking calculations shall be based upon the definition of Gross Floor Area as defined in this UDO.
 - b. **Fractions.** When measurements of the maximum quantity of off-street parking spaces result in a fractional number, the resulting number shall be rounded up to the next higher whole number.
 - c. **Combined Uses on the Same Parcel.** When a combination of the uses in **Table ###-##** are located on the same parcel, the maximum quantity of off-street parking allowed shall be the largest quantity allowed for any of the individual uses.
 - d. **Uses Not Listed.** Off-street parking spaces for uses not listed in **Table ###-##** shall be provided for a use deemed similar, as determined by the Plan Commission.

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| Table 15-5-01(B): Maximum Parking Requirements | |
|---|---|
| Use | Maximum Parking |
| <i>Residential Uses</i> | |
| Single-Family | 2 / dwelling |
| Duplex | |
| Townhouse | 1.5 / dwelling |
| Multifamily Building | |
| Multifamily Complex | |
| Multifamily, above ground floor only | |
| Community Living, 1-15 Persons | 2 / dwelling |
| Community Living, 16 + Persons | 3 / dwelling |
| Senior Housing, Assisted Living | 1 / dwelling |
| Senior Housing, Nursing Care | 0.5 / dwelling |
| Senior Housing, Total Life Care | |
| <i>Institutional</i> | |
| Educational Facility | As determined by the Plan Commission |
| Governmental Uses | |
| Health Care Facility | 0.5 / bed for in-patient facilities; 0.5 / examining or operating room for out-patient facilities |
| Cemetery | As determined by the Plan Commission |
| <i>Place of Assembly</i> | |
| Indoor Commercial Place of Assembly, ##### sqft or less | 1 / 3 Individuals at Maximum Occupancy |
| Indoor Commercial Place of Assembly, more than ##### sqft | |
| Outdoor Commercial Place of Assembly | |
| Noncommercial Place of Assembly, ##### sqft or less | |
| Noncommercial Place of Assembly, more than ##### sq ft | |
| <i>Recreation, Amusement, and Lodging</i> | |
| Campground | 1 / camp site |
| Lodging House | 1 / lodging unit |
| Hotel | |
| Recreation Area | |
| Short Term Rental | |
| <i>Retail Uses</i> | |
| Adult Establishment | 1 / 250 sq ft |
| Retail, less ##### sqft or less | |
| Retail, More Than ##### sqft | 1 / 200 sq ft |
| Multitenant Shopping Center | |
| Wholesale Establishment | 1 / 250 sq ft |
| <i>Service</i> | |
| Animal Boarding Facility/Kennel and/or Veterinary Service | 1 / 300 sq ft |
| General Service, ##### sqft or less | |
| General Service, more than ##### sqft | |

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| | |
|--|--|
| Financial Institution | |
| Funeral Home | |
| Office, above ground floor only | |
| Office, ##### sqft or less | |
| Office, more than ##### sqft | |
| Office Complex/Business Park | |
| <i>Eating and Drinking Uses</i> | |
| Bar/Tavern | 1 / 150 sq ft |
| Brewery/Winery/Distillery | |
| Brewery/Winery/Distillery Tasting Room | |
| Food Truck Court | |
| Micro Brewery/Winery/Distillery | |
| Restaurant | |
| <i>Vehicle Related Uses</i> | |
| Carwash | 1 / stall |
| Vehicle Fuel Sales | 1 / 250 sqft |
| Auto Sales/Rental and Service | 1 / 500 sq ft |
| Major Automotive Repair | 3 / Service Bay |
| Minor Automotive Repair | |
| <i>Agricultural</i> | |
| Community Garden | 0.25 per garden plot or as determined by Plan Commission |
| Crop Production | 1 or as determined by Plan Commission |
| Animal Husbandry | |
| Indoor Agriculture | 1 / 500 sqft |
| Nursery Retail | |
| Nursery Wholesale | |
| | |
| <i>Industrial Uses</i> | |
| Artisan Manufacturing | 1 / 1,000 sq ft |
| Brewery/Winery/Distillery | |
| Composting/ Recycling Facility | |
| Distribution Facility | |
| Equipment Rental, Sales, and Service | |
| Extractive Industry | |
| Heavy Industry | |
| Home Improvement Center/ Lumberyard | |
| Landfill | As determined by the Plan Commission |
| Solid Waste Facility | |
| Light Industry | 1 / 1,000 sq ft |
| Self-Service Storage Facility | |
| Storage Yard | |
| Warehouse | |
| <i>Utility and Transportation</i> | |

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| | |
|---|--|
| Airport/ Heliport | As determined by the Plan Commission |
| Helistop | |
| Loading Areas, Parking Areas, and Landing Strips As a Principal Use | |
| Railroad Use | |
| Sanitary Sewer or Water Supply Lines | |
| Solar Farm | |
| Telecommunications Tower | |
| Wastewater Treatment Ponds and Facilities | |
| Waterborne Transportation Uses | |
| Wind Farm | |
| <i>Accessory Uses</i> | |
| Accessory Dwelling, Detached / Attached | 1 / dwelling |
| Accessory Dwelling, Internal | |
| Accessory Retail | 1 / 250 sq ft |
| Accessory Structure | n/a |
| Artisan Workshop | |
| Drive Through | |
| Donation Drop Box | |
| Outdoor Activity/Operation/Storage | |
| Outdoor Dining | |
| Outdoor Display/Sale of Merchandise | |
| Home Based Business | |
| Solar Energy Collection System, canopy | |
| Solar Energy Collection System, ground mounted | |
| Solar Energy Collection System, roof mounted | |
| <i>Temporary Uses</i> | |
| Construction Related | As required through Temporary Use Permit process |
| Farmers Market | |
| Food Truck Court | |
| Seasonal Sales | |

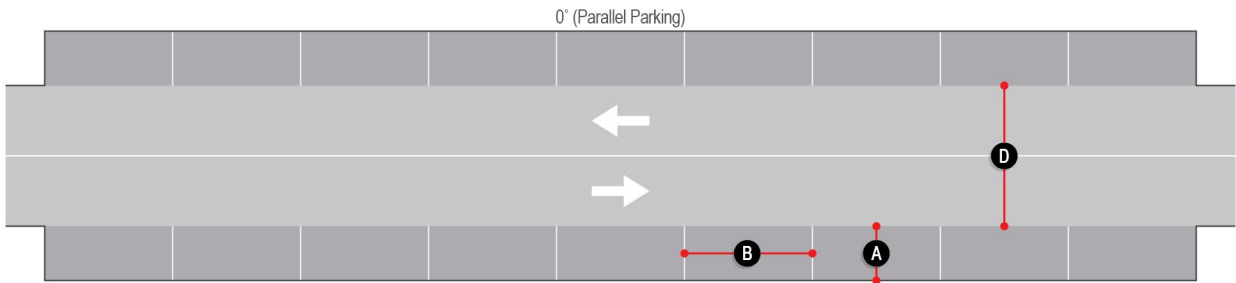
C. **Off-Street Parking Design, Location, and Size.** In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased, off-street parking stalls for all vehicles in accordance with the regulations of this section.

1. **Access and Cross-Access.**

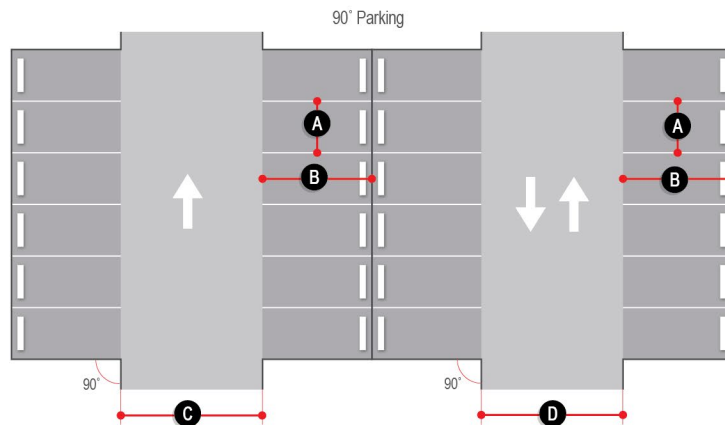
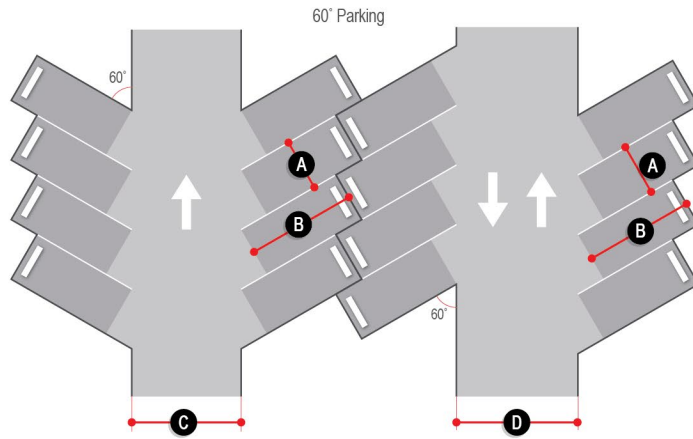
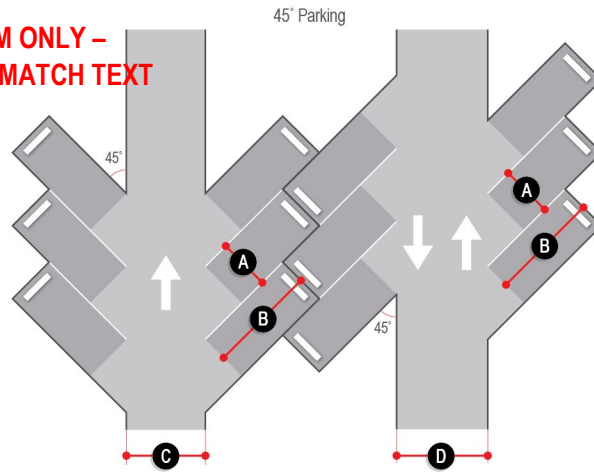
- a. **Access.** Adequate access to a public street shall be provided for each off-street parking lot. Each required off-street parking space shall open directly onto an aisle meeting the requirements specified in [Table ##-###](#).
- b. **Cross Access.** To facilitate vehicular access between adjoining developments and to minimize off-street parking area access points along streets and alleys, all development other than single-family residential development located on a lot fronting on a collector or arterial roadway shall comply with the following standards:

- I. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's off-street parking areas and off-street parking areas in an adjoining non-single-family development, or to the boundary of an adjoining vacant parcel.
 - II. Required vehicular cross access between adjoining off-street parking areas shall be provided through the use of a single two-way maneuvering lane or two one-way maneuvering lanes that comply with the requirements of **Table 15-5-01** are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
 - III. Vehicular cross access between off-street parking areas on adjoining lots shall cross the lot line at right angles or as close to right angles as possible to provide site access.
 - IV. The Zoning Administrator or their designee may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or if the Zoning Administrator determines there exists an inability to connect to the adjacent property due to a site constraint.
 - V. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Milwaukee County Register of Deeds before issuance of a building permit for the development.
 - VI. **Zoning Administrator Waiver.** The Zoning Administrator or their designee may waive the cross access requirement in any instance in which site conditions, including lot configuration, topography, or size, would prohibit the connection's establishment when the waiver does not obviate state or county requirements.
2. **Standards For Parking Spaces, Aisles, and Parking Bays.** Minimum parking space and aisle dimensions shall be in accordance with the standards specified in **Table ##-#-##.**

| Table 15-5-01(C): Parking Stall and Aisle Dimensional Requirements | | | | | | |
|---|-------------|-------------|---------------------|---------------------|------------------------------|----------|
| Parking Angle (Degrees) | (A) | (B) | (C) | (D) | Depth of Interlocking Spaces | Overhang |
| | Space Width | Space Depth | Aisle Width (1-Way) | Aisle Width (2-Way) | | |
| 0 | 9' | 22' | 12' | 18' | n/a | n/a |
| 45 | 9' | 17' | 12' | 18' | 28.25' | 1.5' |
| 60 | 9' | 18' | 16' | 18' | 32' | 1.5' |
| 90 | 9' | 18' | 24' | 24' | 36' | n/a |



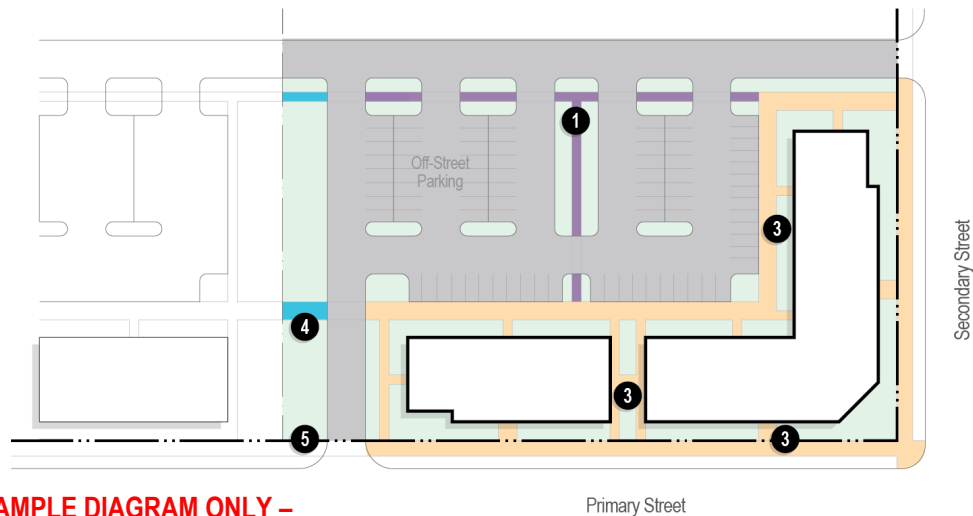
**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



3. **Location on Lot.** Any off-street parking provided shall be located on the same lot as the use being served, or within the limits of a common parking lot serving one or more buildings.
4. **Setback Required.** Off-street parking spaces and aisles shall be set back from front, street side, interior side, and rear property lines as follows.
 - a. **In Residential Districts.** Off-street parking shall be set back at least six (6) feet from lot lines.
 - b. **In Nonresidential Districts.** Off-street parking shall be set back at least ten (10) feet from lot lines, except when a larger setback is explicitly required by this section.
5. **Minimum Distance of Truck Parking from Any Residential Zoning District.** No designated truck parking shall be allowed within one hundred fifty (150) feet of any residential district.
6. **Permanent Off-Street Parking Area Surfacing.** All permanent open, off-street loading and parking spaces shall be improved with a dust-free, all-weather paving system and stormwater management measures as approved by the City Engineer.
7. **Temporary and Event Off-Street Parking Area Surfacing.** All off-street parking serving a temporary use or event may be surfaced with grass or gravel subject to the approval of a temporary use permit as specified in [Section ##-#-##](#).
8. **Edging and Stormwater Management.**
 - a. **Approved Edging and Stormwater Management Required.** Concrete curb and gutter, wheel stops, or an equivalent barrier sufficient to prevent cars from driving into or on any landscaped area shall be installed at the perimeter of all new off-street parking areas, and around all interior landscape areas. A barrier of a minimum of 4" in height generally shall be provided except where required to allow for stormwater inflows as part of an approved stormwater management plan. Curb and gutter shall not be required for additions to existing parking areas where curb and gutter is not present, is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street.
 - b. **Minimum Distance of Required Concrete Curbing from Property Lines.** Perimeter edging for off-street parking areas shall be installed a minimum of ten (10) feet from a property line as measured from the back of curb to prevent the parked vehicles from extending over any lot lines.
9. **Off-Street Parking Stalls.** Off-street parking stalls shall be marked by painted lines or other approved material and shall be maintained to be legible at all times.
10. **Parking of Trucks and Equipment.** No truck or other vehicular equipment of a commercial or industrial nature shall be parked regularly on a lot or parcel in any zoning district except in the districts specified in this section below.
 - a. Agricultural equipment shall be allowed in the R-C - Conservation Residence, R-SE - Suburban/Estate Residence, A - Agricultural, or A-P - Agricultural Prime District.
 - b. Only passenger automobiles, panel trucks, vans or pick-up trucks, each individually not exceeding eight thousand (8,000) pounds manufactured Gross Vehicle Weight, may be parked in a residential district, P Park and Open Space, or I - Institutional District, FW - Floodway, GFP - General Floodplain, or FF - Floodfringe District.
 - c. Any vehicle over eight thousand (8,000) pounds rated Gross Vehicle Weight may be parked in districts not previously mentioned in the normal course of business in conjunction with a commercial or industrial use of the subject property, however, any overnight parking shall be allowed only with a Conditional Use

11. Pedestrian Circulation Standards.

- a. Off-street parking areas serving multifamily, mixed-use and nonresidential development and consisting of twenty (20) or more off-street parking spaces shall incorporate on-site circulation systems exclusively for the use of pedestrians and other non-motorists to navigate the site. Pedestrian circulation systems are encouraged in off-street parking areas with fewer than twenty (20) spaces but are not required.
- a. The on-site pedestrian circulation system shall comply with all ADA standards.
- b. The on-site pedestrian circulation system shall be marked, shall connect all buildings on the site to one another, and shall provide connections to required parking spaces.
- c. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way when public sidewalks are either existing or planned. The on-site pedestrian circulation system shall form a direct route between the building entrance and adjacent public right-of-way that does not require significant out-of-direction travel.
- d. The on-site pedestrian circulation system shall provide at least one (1) connection to all adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The Zoning Administrator may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.



**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

D. Snow Storage Requirements For Off-Street Parking and Loading Areas.

1. **Snow Storage Prohibited in Required Off-Street Parking, Drive, and Loading Areas.** The storage of snow for more than forty-eight (48) hours is hereby prohibited in provided off-street parking, driveway, and loading areas.
2. **On-Site Snow Storage Standards for Parking and Loading Areas.** If an off-site snow repository is not used, adequate on-site snow storage shall be provided using the following standards:
 - a. A minimum site area representing ten (10) percent of the total required off-street parking or loading area, inclusive of access drives, shall be provided as the snow storage area.
 - b. The required snow storage area may be paved or unpaved. In either case, provision for adequate drainage of the snow storage area shall be provided to accommodate snowmelt, and no snowmelt shall drain onto abutting properties.
3. **Use of Setbacks, Yards, Bufferyards, and Stormwater Management Facilities for Snow Storage.** Required setbacks, yards, and bufferyards may be used to accommodate the required snow storage area. However, landscaped areas specified in **Section ##-##-##** shall not be used as snow storage areas. Stormwater management facilities shall not be used as snow storage areas unless specifically approved by the City Engineer as part of a stormwater management plan per **Section 15-18.0600 of the Franklin Municipal code.**

E. Off-Street Bicycle Parking.

1. **Location.**
 - a. Required bicycle parking shall be provided on the same lot as the use it is intended to serve.
 - b. Bicycle parking spaces shall be adequately lit and located such that they are highly visible from the street and/or building entrance(s) from points where bicyclists approach the site.
 - c. The location of bicycle parking shall not conflict with pedestrian and/or vehicle circulation.
 - d. Bicycle parking shall be sited within fifty (50) feet of a building's main entrance. If provided indoors, bicycle parking shall be located within a common area designated for secure bicycle storage.
 - e. Bicycle parking adjacent to a pedestrian walkway shall be sited to ensure that a minimum five (5) foot walkway clearance is maintained.
2. **Design Criteria.** All bicycle parking facilities shall be designed in accordance with standards established by the National Association of City Transportation Officials.
3. **Dimensional Standards.**
 - a. Each bicycle parking space shall be a minimum of six (6) feet in length.
 - b. Bicycle racks shall be located at least three (3) feet in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or landscaping.
 - c. A minimum vertical clearance of seven (7) feet shall be maintained above all bicycle parking facilities.
4. **Off-Street Bicycle Parking Required.**
 - a. Bicycle parking as specified in this subsection shall be required for all multifamily residential, mixed-use, and nonresidential development. Vehicle-related uses as defined in this UDO shall be exempt from the requirement.
 - b. The number of required bicycle parking spaces shall be equal to five (5) percent of the off-street vehicle parking spaces provided, up to ten (10) required bicycle parking spaces.

- c. When the required amount of bicycle parking is less than two (2) spaces, the use shall provide a minimum of two (2) spaces in a bicycle parking area.
- d. Off-street bicycle parking spaces provided on vertical racks mounted on a building wall shall not count toward the minimum quantity required.

F. Electric Vehicle Charging Stations.

- 1. Any parking structure or parking area in the R-M - Multiple-Family Residence District shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station for every twenty-five (25) off-street parking spaces provided on-site.
- 2. Any parking structure or parking area in a commercial or mixed-use district shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station for every fifty (50) off-street parking spaces.
- 3. Any electric vehicle charging stations provided, whether required by this subsection or not, shall not count toward the maximum quantity of parking allowed as specified in **Section 15-#-##**.

G. Off-Street Loading.

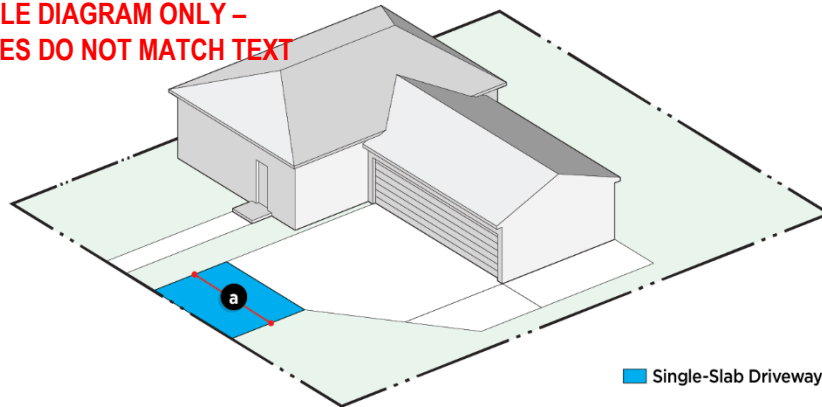
- 1. **Purpose.** The purpose of this Section is to prevent congestion of public rights-of-way and private lots to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities on various sites.
- 2. **Location.** All required loading spaces shall be located on the same lot as the use served. No permitted loading space shall be located within forty (40) feet of the nearest point of intersection of any two streets. No loading space shall be located in a required side yard abutting a parcel in a residential zoning district, a parcel with an existing residential use, or in a required front yard.
- 3. **Access.** Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement. Loading spaces on lots located adjacent to public ways shall be so situated as to enable the vehicles to back into the loading dock from areas other than public ways unless as otherwise approved by the Plan Commission. The blocking of loading spaces by other loading spaces, permanent or moveable structures of any type, including trash receptacles or compactors, shall be prohibited.
- 4. **Surfacing.** All open, off-street loading and parking spaces shall be improved with asphalt, concrete, or a permeable paving system approved by the City Engineer, and with stormwater management facilities as approved by the City Engineer.
- 5. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any residential or nonresidential zoning districts.
- 6. **Maneuvering Space Required to Service Outdoor Loading Areas.** Adequate off-street truck maneuvering area shall be provided on-site and shall not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas. Maneuvering areas shall not be provided within any public street right-of-way or other public lands except as may be allowed by the Plan Commission for properties in the B-P - Business Park and LI - Limited Industrial Districts where permanently dead-ended streets and cul-de-sacs may serve as off-street truck maneuvering. The Plan Commission shall consider the number of proposed loading docks, the proposed use and frequency of loading and unloading and the number of businesses located on the dead-end street or cul-de-sac and determine that the adjacent businesses will not be adversely impacted or affected.
- 7. **Interference With Fire Exit or Emergency Access Prohibited.** Off-street loading facilities shall be designed so as not to interfere with any fire exits or emergency access facilities to either a building or site.

8. **Required Loading Spaces.** The number of loading spaces provided shall be determined by the developer and shall provide for adequate space for standing, turning, loading, and unloading services in a manner that does not interfere with vehicle or bicycle parking, drive aisles, pedestrian walkways, or landscaped areas.

15-5-02. Driveways

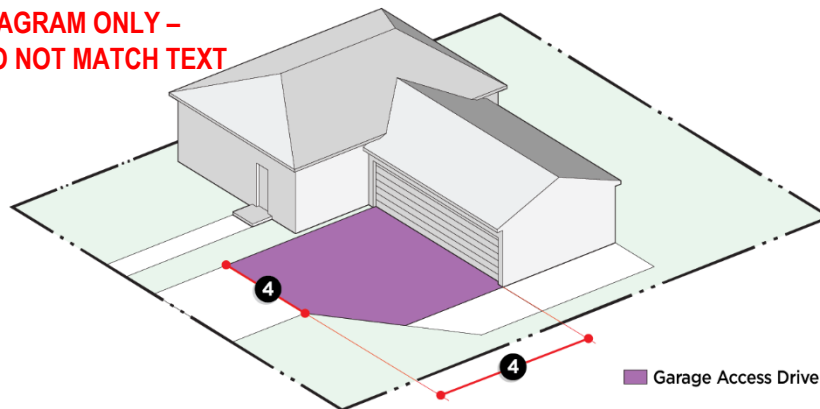
- A. **Driveways on Controlled Access Arterials and Highways Prohibited.** No direct private access shall be permitted to the existing or proposed rights-of-way of expressways or to any controlled access arterial street without permission of the highway agency with access control jurisdiction.
- B. **Right Angles Required.** Driveways shall cross the lot line at right angles or as close to right angles as possible to provide site access.
- C. **Arterial Street and Highway Access and Street Intersections.** No new direct public or private access shall be permitted to an arterial street or highway within one-hundred and fifteen (115) feet of the intersection of the right-of-way lines of another arterial street or highway; and, where lot or parcel size permits, no new direct public or private access shall be permitted to an arterial street or highway within five hundred (500) feet of the intersection of the right-of-way lines of another arterial street unless approved by the Plan Commission.
- D. **Single-Family and Duplex Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.
 1. **Limit of One.** One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per seventy-five (75) feet of lot frontage.
 2. **Single-Slab Driveway Design Standards.**
 - a. Single-slab driveways shall not exceed twelve (12) feet in width at the property line.
 - b. Single-slab driveways shall be surfaced with an all-weather, dustless concrete material which may include decorative concrete, patterned concrete, exposed aggregate concrete, concrete pavers, permeable paver blocks, or similar materials approved by the City Engineer.

EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT



3. **Garage Access Drive.** A garage access drive is permitted and shall meet the standards below. These standards shall not apply to driveways serving a single family-detached home with an attached, one-car garage.
 - a. **Width.** The maximum width of a garage access drive shall be the width of the garage, as measured from the garage door(s) plus an additional three (3) feet on either side of the garage door(s).
 - b. **Length.** The maximum length of a garage access drive shall be sixteen (16) feet from the garage doors.
 - c. **Taper.** The garage access drive shall taper, within ten (10) feet, back to the maximum driveway width.

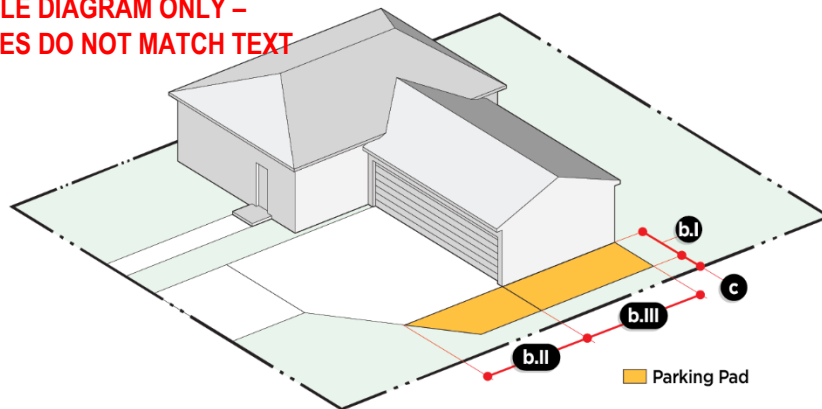
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4. **Parking Pad.**

- a. **Limit of One.** A garage access drive may be extended to include one (1) parking pad.
- b. **Configuration.**
 - I. A parking pad shall be a minimum of nine (9) feet and a maximum of ten (10) feet in width.
 - II. The portion of the parking pad adjacent to the garage access drive shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
 - III. The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.
- c. **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line.
- d. **Screening.** A fully opaque fence with a minimum height of six (6) feet shall be constructed in the side yard abutting the parking pad.
- e. **Surfacing.** A parking pad may be surfaced with asphalt, concrete, grass, gravel, or a permeable paving system. The first half (1/2) inch of runoff over the entire surface shall be treated with green infrastructure if the parking pad is surfaced with asphalt or concrete.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



E. **Townhouse, Multifamily, and Nonresidential Driveway Standards.**

1. **Location.**

- a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- b. No lot other shall have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street, unless otherwise approved by the City Engineer.

GRAPHIC IN DEVELOPMENT

2. **Townhouse Driveway Design Standards.**

- a. One-way driveways for townhouse uses shall be a minimum of nine (9) feet wide and a maximum of twenty (20) feet wide at the property line.
- b. Two-way driveways for townhouse uses shall be a minimum of twenty (20) feet and a maximum of thirty-three (33) feet in width at the property line.
- c. Driveways for townhouse uses shall be surfaced with an all-weather, dust-free concrete material as per **Section C.2.b** above.

GRAPHIC IN DEVELOPMENT

3. **Multifamily and Nonresidential Driveway Standards**

- a. One-way driveways for multifamily and nonresidential uses shall be a minimum of nine (9) feet wide and a maximum of thirty-three (33) feet wide at the property line.
- b. Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty (20) feet wide and a maximum of thirty-six (36) feet wide at the property line.
- c. Driveways for multifamily and nonresidential uses shall be surfaced with an all-weather, dust-free concrete material as per **Section (C)(2)(b)** above.
- d. Islands between the vehicle lanes in opposing directions shall be provided at driveway openings with a minimum width of twelve (12) feet and located six (6) feet from all lot lines.
- e. **Setbacks Required.**
 - I. **Pedestrian Entrance.** Driveways for all retail, service, eating and drinking, vehicle-related, and industrial uses shall be at least two hundred (200) feet from any pedestrian entrance to any institutional or place of assembly use.
 - II. **Property Line.** No driveway shall be located closer than ten (10) feet to any front, street side, side, or rear property line except as follows.
 - i. Where a shared driveway between neighboring lots or parcels is provided to serve as access to a State or County Highway for the purposes of highway safety as approved by either the Wisconsin Department of Transportation or Milwaukee County Highway Department, any minimum driveway setback as required by this Section may be waived, provided that such waiver of setback is for the shared driveway that is constructed over or abutting property lines of lots or parcels that benefit from the shared driveway.

- ii. Approved access points to public streets or cross access between neighboring properties as required in Section ##-##-### may be allowed to cross the required setbacks at or as close to right angles as possible to provide site access.

GRAPHIC IN DEVELOPMENT

- f. **Edge Barrier Required.** Concrete curb and gutter, or an equivalent barrier of a minimum of four (4) inches in height, shall be installed along the length of all new driveways serving multifamily, mixed-use, or nonresidential development.
 - I. The edge barrier may be interrupted where necessary to provide for stormwater inflows.
 - II. This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time.

15-5-03. Required Landscaping

- A. **Landscaping Required.** Landscaping is required in the form of on-lot landscaping, street bufferyards, peripheral bufferyards, and in off-street parking areas and in areas where vegetative mitigation (see Section 15-4.0103 of this Ordinance) is required. The area and/or length of each, as required herein must be measured in order to determine the amount of landscaping required.
- B. **Exemptions and Modifications.** All developments shall meet the provisions of this Division except as specifically exempted below:
 - 1. Residential Development on Existing Lots of Record in the A - Agricultural, A-P - Prime Agricultural, and Residential Districts.
 - 2. Additions to Existing Buildings where the Total Floor Area is not Increased More than Ten (10) Percent. Additions to existing buildings where the total floor area is not increased more than ten (10) percent of the existing total floor area.
 - 3. Additions to Buildings Which Increase Overall Building Area from Ten (10) to Fifty (50) Percent. Additions to buildings which increase their overall building area from ten (10) to fifty (50) percent shall conform to the landscaping standards set forth in this Division reduced by up to thirty (30) percent.
 - 4. Floodplain and Wetland Areas. Areas located within the FW - Floodway and FF - Floodfringe Districts are exempt from the landscaping requirements set forth in this Section except where mitigation or restoration is required by this UDO.
- C. **Bufferyards to Ameliorate Nuisances Between Certain Adjacent Zoning Districts.** A bufferyard is a combination of a setback and a visual buffer or barrier and is a yard or area together with the planting and/or landscape structure required thereon. The amount of land, the type of planting, and the amount of planting specified for each bufferyard requirement of this UDO are designed to ameliorate nuisances between certain adjacent zoning districts. Bufferyards are also designed to ensure a desired character along public streets and roads.
- D. **Bufferyards Required to Separate Different Zoning Districts.** Bufferyards shall be required to separate different zoning districts from each other. Bufferyards function to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.
- E. **Integration with Stormwater Management.** Vegetated features designed and installed to provide stormwater infiltration or treatment, including but not limited to bioretention areas or rain gardens, vegetated swales, or deep-rooted plantings with amended soils, may be incorporated into landscaped areas and bufferyards required under this Section. The plant selection requirements of this Section may be varied in order to accommodate planting plans specific to a vegetated stormwater

infiltration or treatment area, provided the overall landscaping and/or screening plan installed is equivalent or greater to the amount required under this Division.

15-5-04. Minimum Landscape Standards.

A. **Standard Plant Units.** This Section defines the standard plant unit and its definitions of this Section. The following **Table 15-5.0302** specifies the plant unit requirements. Tree requirements shall refer to the diameter measured six (6) inches above root flare. For purposes of this Section, bioretention plantings shall be equivalent to small flowering shrubs or native grasses/forbs at a rate of 9 SF of plantings per large deciduous shrub, small flowering shrub, or native grass/forb.

| Table 15-5-0302(A): Standard Plant Units | | | | | |
|--|--|----------------|--|---|---------------------|
| Planting Type | Planting size | | Land Use Type | | |
| | Minimum Diameter/Size | Minimum Height | Multi-Family | Retail, Service, Institutional, Place of Assembly, Vehicle-Related, and Similar | Industrial |
| Canopy/Shade Tree | 3" diameter at 6" above root flare | -- | 1.5/ dwelling unit | 1/5 parking spaces | 1/10 parking spaces |
| Evergreen Tree OR | -- | 6' | 1/dwelling unit | 1/5 parking spaces | 1/10 parking spaces |
| Ornamental Tree | 3" diameter at 6" above root flare | -- | | | |
| Evergreen Shrub OR | 18" wide | -- | 1/dwelling unit | 1/5 parking spaces | 1/10 parking spaces |
| Large Deciduous Shrub | -- | 3' | | | |
| Small Flowering Shrubs OR Native Grasses/Forbs OR | -- | 18" | 3/dwelling unit | 1/5 parking spaces | 1/10 parking spaces |
| | 1 gallon pot | -- | | | |
| Bioretention Plantings | 3" - 4" pot (or as specified by Landscape Architect) | | Per storm water management plan; Max Spacing 18" on center; 9 SF = one 18" small flowering shrub or 1 gallon pot of native grasses/forbs | | |

A. **Definition and Conditions.** The following definitions and conditions shall apply to the application of **Table 15-5.0302**.

1. **Trees.**

- a. Canopy/Shade trees are deciduous trees providing over-hanging canopy at maturity.
- b. Evergreen Trees refers to coniferous trees and upright-growing arborvitae; bush-type arborvitae may be used as an Evergreen Shrub.
- c. Ornamental Trees are flowering and/or fruit bearing trees, normally growing to full growth shorter than a shade tree.

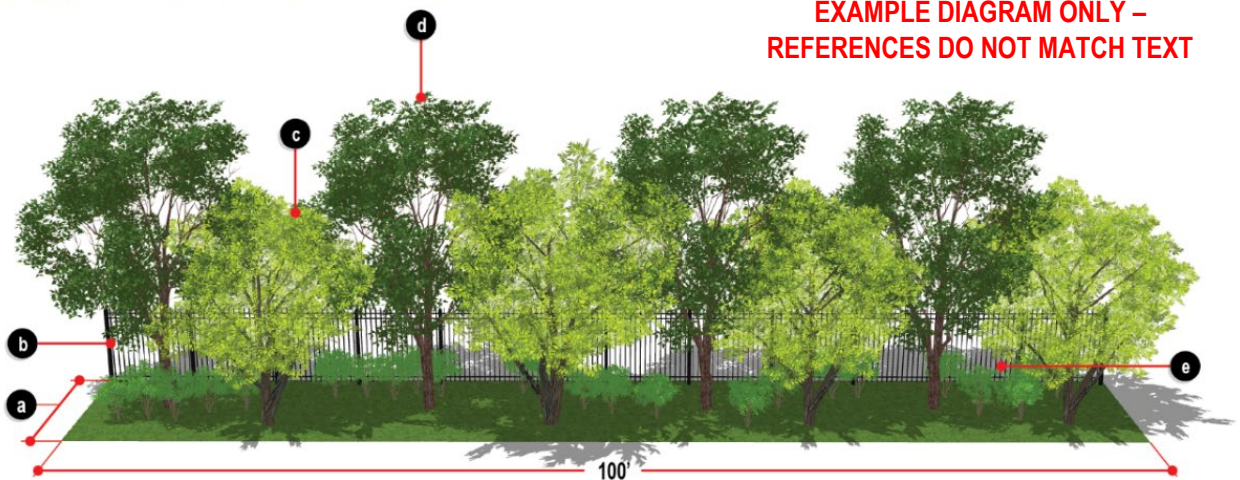
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- 2. The number of plantings required per parking space shall be rounded to the next highest range. For example, fifty-two (52) spaces in a commercial development shall require eleven (11) shade trees, not ten (10).
- 3. The minimum number of plantings shall be five (5) per property for each type.
- 4. The minimum amount of landscaping shall be twenty (20) canopy/shade trees per acre, twenty (20) evergreen trees per acre, ten (10) ornamental trees per acre, and thirty (30) small shrubs per acre. Each acre shall be divisible, rounded to the next number of plantings (i.e., 1.68 acres = 34 shade trees).

5. In the event ornamental trees and/or shrubs are not appropriate for a development, then those types may be replaced by the following schedule:
 - a. One (1) canopy/shade tree for every one (1) required ornamental tree.
 - b. One (1) canopy/shade tree or evergreen tree for every two (2) required large deciduous or evergreen shrubs.
6. In the event evergreen trees are not appropriate for a non-multi-family development, then each required evergreen tree may be replaced by a canopy/shade tree.
7. Tree requirements are stated in terms of the required diameter measured six (6) inches above root flare.

B. **Bufferyard.** When development abuts or is across a street from a residential zoning district or existing residential use, or an existing, less intensive use as determined by the Zoning Administrator the following bufferyard requirements shall apply:

1. Additional planting density shall be required; for the site as a whole, the minimum density of plantings required in **Table 15-5.0302** shall be increased by twenty (20) percent.
2. Emphasis shall be on placing the increased amount of plantings within the bufferyard, except where preservation of existing plant material does not allow additional plantings, or where a combination of fencing and landscaping is provided to accommodate vegetated stormwater management areas.
3. A combination of evergreen trees (which may include arborvitae), other deciduous vegetation, and fencing are recommended within the buffer yard. The minimum planting height of evergreens and fencing at installation shall be six (6) feet.
4. On-site pedestrian circulation systems provided on-site, whether required in **Section 15-5-##** or not, may traverse a bufferyard required in this subsection subject to Zoning Administrator approval.



**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

- D. **Credit For Preserved Existing Plant Materials.** The preservation of healthy, existing plant materials is strongly encouraged. [REF TO NATURAL RESOURCE STANDARDS – removal of invasives] Where plant materials and trees are to be preserved on the site, the following shall apply: .
1. In a non-bufferyard landscape area, preservation of existing canopy/shade trees, evergreen trees, and ornamental trees over six (6) feet in height with a minimum diameter of three inches (3") measured six inches (6") above root flare shall replace one (1) equivalent type of required planting.
 2. In a bufferyard landscape area, existing canopy/shade trees, evergreen trees, and ornamental trees over six (6) feet in height shall replace one-half (1/2) an equivalent type of required planting.
 3. In either a non-buffer or bufferyard, existing large deciduous or evergreen shrubs over five (5) feet in height shall replace one (1) required large shrub planting.
 4. Plantings to be preserved including exact location, size, and type shall be shown on the submitted landscape plan and in any required maintenance and replacement schedules. The City Forester may be consulted to determine the likelihood of survival of canopy/shade, evergreen, and ornamental trees through construction, and may specify required measures for construction-phase protection as a condition of approval of the landscape plan.
- E. **Alternative Minimum Landscape Surface Ratio.** Use of the Alternative Minimum Landscape Surface Ratio shall require a minimum diameter measured six (6) inches above root flare of three (3) inches for canopy/shade trees and two (2) inches for ornamental trees, and a minimum height of six (6) feet for evergreen trees, along with an increase by twenty (20) percent of the minimum quantity of plantings required by Table 15-5.0302. If a bufferyard is present, then the required quantity of plantings increases to thirty (30) percent.
- F. **Ground Cover.** All areas not covered by buildings or paving shall be covered with landscaping. The specific type(s) of groundcover to be used shall be shown on the landscape plan.
1. Open areas not covered by formal landscape plantings shall be planted with deep-rooted plantings (which may include native short-stature grasses or forbs), low growing ground cover, or other living landscape materials, except where existing natural vegetation of the site makes such plantings impossible.
 2. The use of conventional sod or turf grass as ground cover should be limited to those areas planned for active or passive recreation use, or other areas where substantial use of the area is anticipated.
 3. The use of low-growing ground cover on slopes to provide stabilization and where appropriate, pollinator habitat, is encouraged.
 4. The use of salt-tolerant species is recommended in all parking lot landscaped islands and perimeter areas.
 5. Low-growing ground cover such as Barren Strawberry (*Waldesteinia*) is preferred to grass. The use of stone, wood chips, artificial or plastic mulches, or other non-living material to cover more than twenty-five (25) percent of any parking lot landscaped island shall be prohibited.
- G. **Placement.** Generally, placement of all types of plantings shall be dispersed across the entire site at discretion of developer, with the following minimum guidelines:
1. Species of plantings best suited for high traffic areas shall be placed in the highest vehicular and pedestrian traffic areas.
 2. Native species of canopy/shade trees should be placed away from the highest vehicular and traffic areas.
 3. Plantings shall be located so as not to obscure vehicle sight lines.
 4. Plantings shall be located so future growth is not over a sidewalk or parking/ drive area.
 5. Plantings shall be located to soften tall and long building walls.

6. Plantings within buffer yards, in combination with any fencing provided, shall provide visual opacity within two (2) years of planting.
7. Any fruit, nut, or seed-bearing trees shall be located away from parking/drive areas and pedestrian walkways.
8. Canopy/shade trees and evergreen trees shall be separated from one another to ensure the health and longevity of the trees. In no instance shall canopy/shade or evergreen trees be located closer than five (5) feet from one another.

H. Landscape Plan Contents.

1. Landscape Plans shall be prepared by a Landscape Architect or landscape designer. Each Landscape Plan shall include:
 - a. Preparer's name and date of preparation.
 - b. A base site plan that matches the site plan submitted for approval, showing planting locations and existing plantings to be preserved, and the Landscape Surface Ratio percentage.
 - c. A planting schedule of common names, botanical names, and planting sizes and quantities of all planting materials and ground cover.
 - d. Calculations showing how the plan meets or exceeds the minimum quantity of plant materials required, including calculations of preserved plant materials, landscape area plantings, and bufferyard plantings.
 - e. A diagram or plan showing the integration of drainage patterns and stormwater management measures with landscape areas.
2. Landscape Plans shall be submitted with the initial application subject to the following procedures.
 - a. An applicant must at a minimum file a preliminary landscape plan generally depicting the landscaping for the site at the time of initial application filing.
 - b. Landscape Plans must be approved by the Zoning Administrator and, where integrated with a Stormwater Management Plan, the City Engineer.

15-5-05. General Landscaping Requirements

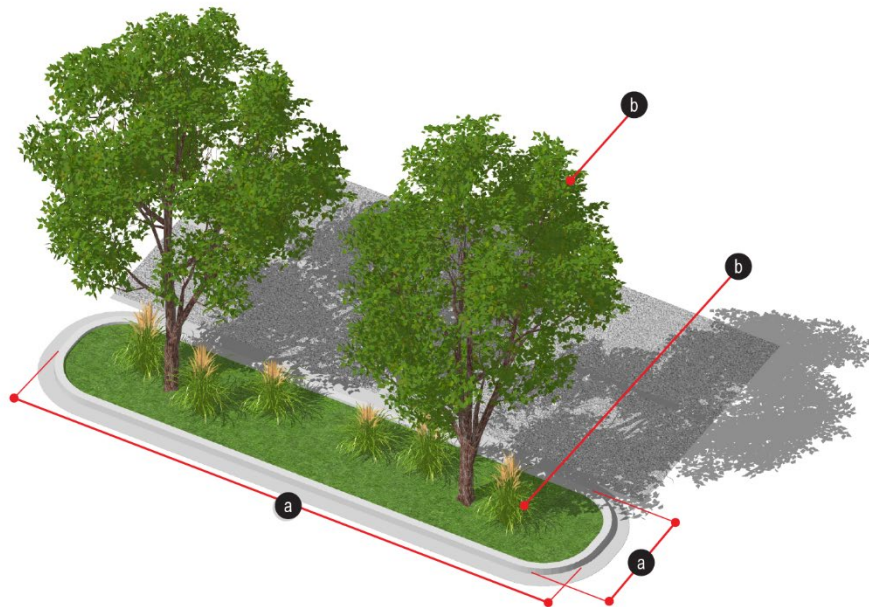
- A. **Physical Containment of Landscaped Areas.** All landscaped areas located within or adjacent to a parking area, or adjacent to a public street or sidewalk, shall be designed to contain landscape materials and to prevent vehicular encroachment through the use of concrete curbing, headers of a minimum four (4) inches in height, or wheel stops.
- B. **Artificial Landscape Materials.** Artificial trees, shrubs, turf, or plants shall not be permitted as landscaping.
- C. **Groundcover.** The use of landscape fabrics or mulches under all areas landscaped with non-living materials, except as required per an approved stormwater management plan, is recommended to prevent weed growth.
- D. **Irrigation.** Appropriate on-site, outdoor water supply (e.g., underground or drip irrigation, hose bibs, etc.) that provides complete coverage to all new living landscaped areas sufficient to provide for plant establishment and ongoing maintenance is required. Watering systems shall be designed to water landscaped areas efficiently and avoid irrigation of adjacent parking areas and access drives, sidewalks, buildings, and public streets. If hose bibs are used, they must be located within one hundred (100) feet of any landscaped area. Temporary or permanent irrigation of bioretention areas or other vegetative stormwater management areas shall be implemented per an approved Stormwater Management Plan, or as specified by a Landscape Architect or landscape designer on the approved landscape plan.
- E. **Location.** New vegetation shall be selected, planted, and maintained so that at maturity it will not interfere with utility lines, snow storage areas, vehicular parking, pedestrian circulation, traffic sight visibility at driveways and street intersections, and will not cause damage or upheaval of sidewalks and pavement.
- F. **Installation.**
1. **Timing of Installation.** Landscaping and irrigation shall be installed in accordance with the approved landscape plan prior to issuance of a Zoning Compliance Permit or commencement of operations. The City will have the right to refuse approval of any project not meeting the provisions of this Section.
 2. **Surety to Include the Cost of Ground Cover.** The cost of vegetative ground cover shall be reflected in the financial surety held in accordance with this Division.
 3. **Return of Financial Surety.** When it is determined that the landscaping and watering systems have been installed in accordance with the approved plans, the City shall return the surety to the applicant.
- G. **Maintenance.**
1. **Responsibility for Maintenance.**
 - a. Maintenance of all landscaping shall be the responsibility of the owner, lessee, heirs, assigns, agents, homeowners' association, or other liable entity of the property and shall consist of regular watering, pruning, mowing, fertilizing, removal and replacement of irrigation systems, and architectural features.
 - b. The owner or liable entity in control of any private premises shall at all times maintain the premises free of litter and weeds.
 - c. Landscape maintenance shall be coordinated, where applicable, with maintenance provisions in an approved Stormwater Management Plan.
 2. **Landscape Phasing.** Future building pads within a phased development shall be maintained in a dust-free condition vegetated with groundcover.
- H. **Plant Replacement.** Any plant materials included in an approved landscaping plan that do not survive a plant establishment period of two (2) years after installation shall be replaced with plant material(s) of the same or like species of equal size within the next planting season, but in any event, within six (6) months of the plant's demise. Said replacement shall be made by the property owner or, in the case of landscape plant materials located within a landscape easement under the control of a homeowners' association, the homeowners' association shall be responsible for said replacement.

- I. **Plant Material Species Mixture.** All landscape plant materials selected shall be adequately mixed so that no singular species exceeds forty (40) percent of the total planting requirements. Where four (4) or more canopy/shade trees are to be installed, at least two (2) species of canopy/shade tree must be installed that include one or more species suitable to the region, such as but not limited to Sugar Maple, Red Maple, Red Oak, Tilia Americana and improved cultivars, or Hybrid Elm.
- J. **Invasive Species Prohibited.** Plant species listed in WI Ch. NR 40 invasive species plant list shall not be used in any landscape areas.

15-5-06. Minimum Landscaping Standards for Off-Street Parking Areas and Lots

- A. **Minimum Landscaping Requirements for Residential, Mixed-Use, and Nonresidential Off-Street Parking Areas and Lots.** Each residential, mixed-use, and nonresidential off-street parking lot shall contain landscaping within the parking lots, along the perimeter of parking lots, and along adjoining entrance drives and circulation drives.
 - 1. A minimum of ten (10) percent of the interior area of the parking lot shall be landscaped, with a minimum total interior planting area of three hundred (300) square feet.
 - 2. The minimum dimension of any planting area shall be nine (9) feet by eighteen (18) feet, with a minimum planting depth of three (3) feet.
 - 3. A minimum of two (2) cubic feet of soil volume per one (1) square foot of projected tree canopy at maturity shall be provided per canopy/shade or ornamental tree planted in an interior parking lot island.
 - 4. In general, larger, contiguous planting areas are preferred over smaller planting areas in order to promote healthy plant growth.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



- B. **Existing Vegetation May Count Toward the Provision of Minimum Off-Street Parking Landscape Requirements.** Existing trees that can, in the opinion of the City Forester, be preserved in a healthy condition after construction, shall count toward the minimum off street parking landscape requirements. The City Forester shall find that conditions during and after construction:

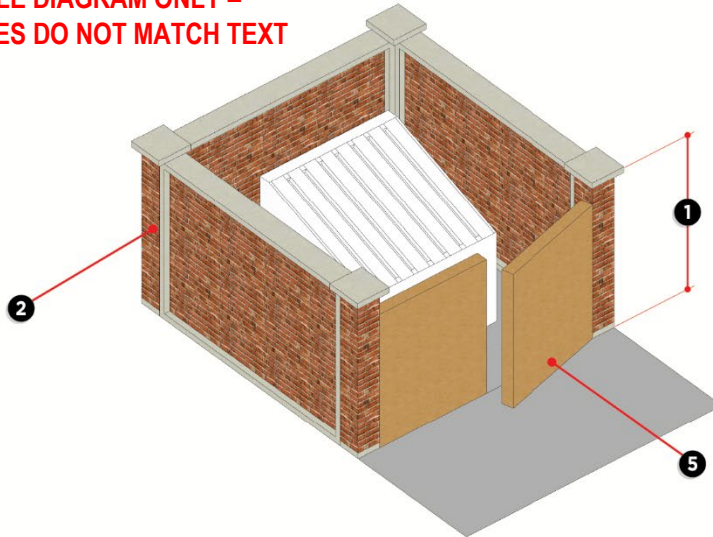
1. Shall not cut off the tree from a reasonable supply of water,
 2. Shall incorporate sufficient soil volume (i.e. 2 cubic feet of soil per 1 square foot of projected canopy area at maturity) and protected from compaction, with the area under the canopy remaining undisturbed; and
 3. Plantings that are preserved within parking lot islands shall be located within islands with a minimum of three hundred (300) square feet in area.
- C. **Barriers Required to Contain Landscape Areas.** The barrier around landscape areas may incorporate wheel-stops, provided the area of vehicle overhang does not exceed two (2) feet and does not damage or interfere with the landscaping. Where vehicle overhangs abut required landscape areas, a minimum five (5) foot wide planting area is required for a single vehicle overhang, and an eight (8) foot wide planter for a double vehicle overhang is required. Vehicle overhang into the public right-of-way is not permitted.
- D. **Uses Not Permitted in Required Landscaped Areas.** Parking (except where vehicle overhang is permitted), buildings, and display of equipment or vehicles are not permitted in required landscaped areas. Required landscaped areas shall not be used for snow storage.
- E. **Required Landscape Materials Not to Constitute a Driving Hazard.** To ensure that landscape materials do not constitute a driving hazard, trees used to landscape parking islands shall have a clear trunk height of six (6) feet; mature shrubs, groundcover, or other landscaping material shall not exceed three (3) feet in height. The landscaped area within these planters may be used to satisfy, to the extent provided, the landscaping requirements.

15-5-07. Screening

- A. **Grease Traps, Trash, and Recycling Receptacles.** The following regulations shall apply to all nonresidential, mixed use, and multifamily development.
1. Grease traps, trash, and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
 2. Materials used for screening shall complement the exterior building cladding materials of the primary building.
 3. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
 4. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
 5. Shrubs, native grasses, or other vegetation shall be installed along the exterior of the enclosure, except for the enclosure openings, to provide a softening effect.
 6. Enclosure openings shall be gated with an opaque material.
 7. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
 8. Property owners shall be responsible for ensuring that grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
 9. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
 10. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
 11. All enclosures shall be curbed, graded and drained in a manner that prevents the discharge of contaminated runoff to surface waters or storm drainage facilities.

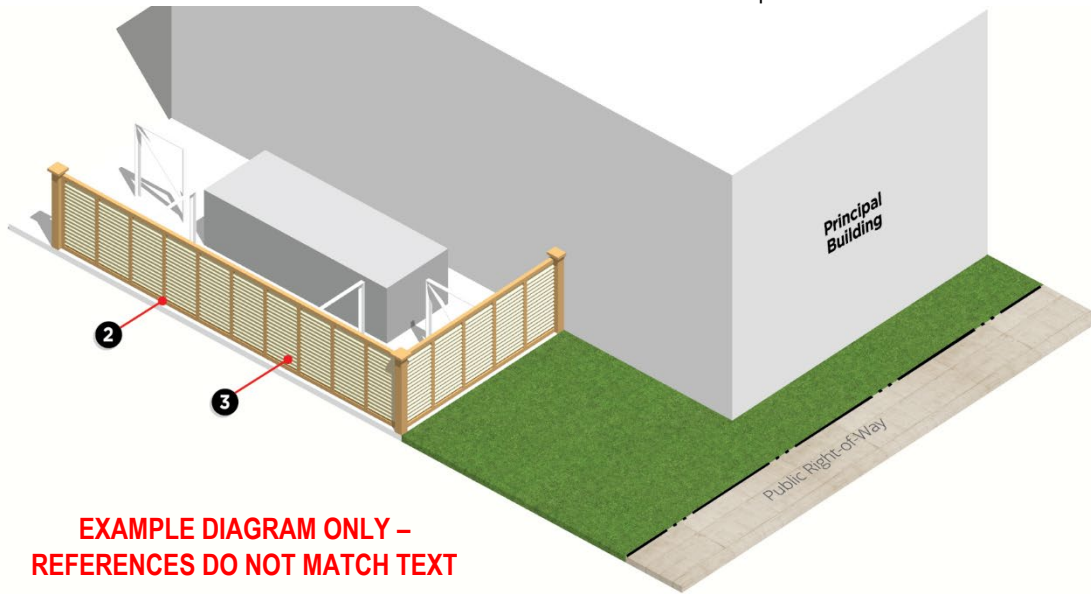
12. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
13. Grease traps, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

**EXAMPLE DIAGRAM ONLY –
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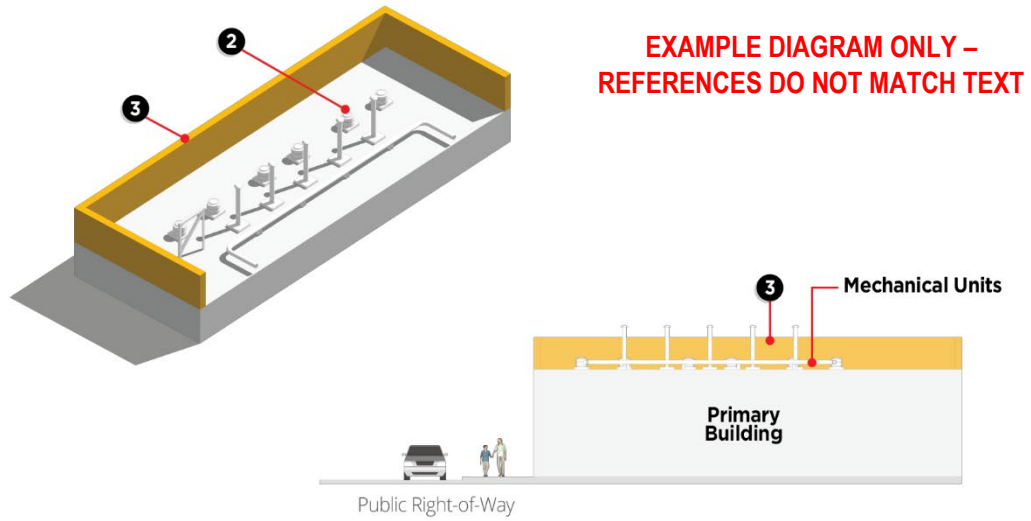


- B. **Ground/Wall Mounted Mechanical Units.** The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery or microbrewery, microwinery, or microdistillery are exempt from these requirements.
1. Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts. Ground-mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
 2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
 3. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.

- Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

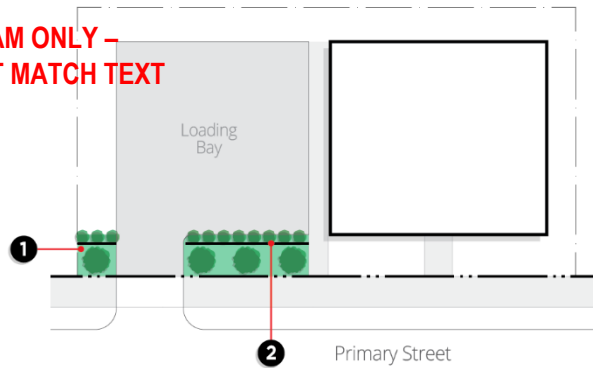


- C. Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed-use developments.
 - Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts.
 - Roof mounted mechanical units that are visible from the closes right-of-way line or adjacent residential property shall be completely screened from public view from those locations.
 - Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
 - Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
 - Additional screening may be required due to topographic differences in the adjoining properties.



- D. **Off-Street Loading Areas.** Off-Street loading areas that are visible from any property in a residential district shall be completely screened from view with a bufferyard as specified in [Section ###-##-###](#).

EXAMPLE DIAGRAM ONLY – REFERENCES DO NOT MATCH TEXT



15-5-08. Fencing

A. General Provisions.

1. **Maintenance Required.** All fences shall be maintained in good repair and in structurally sound condition. All fences shall be constructed and maintained in a good aesthetic condition and of such materials and colors so as not to adversely affect the value, visual character, and visual appeal of adjoining property or property in the immediate neighborhood. All fences shall be constructed and maintained straight, plumb, and of an even height along its length, except for such deviations as required by grade.
2. **Building Permit Required.** No fence shall be constructed in the City without first obtaining a Building Permit as specified in **Section ##-#-##**.
3. **Material Storage Prohibited.** No materials shall be stored between a fence located adjacent to a lot line and the lot line. No materials shall be stored against the fence on its interior side.
4. **Snow Fencing Allowed.** Snow fencing will only be allowed between November 15th and April 15th of each year. No Building Permits for the installation of said snow fencing shall be required.
5. **Utilities.** An applicant seeking to construct a fence shall call Diggers Hotline or similar service to obtain information on the location of underground utilities located on-site.
6. **Finished Side Facing Adjacent Property.** Fencing shall be constructed with the finished or decorative side facing the adjacent or abutting property or street.

- B. **Height.** Fence height shall be the vertical distance measured from the mean elevation of the natural lot grade along the fence to the highest point on the fence, excluding fence posts and supports. Fence posts and supports may protrude an additional six (6) inches above the highest point on the fence.

C. Location.

All fences allowed in this Section shall be located:

1. Wholly within property lines; no part of the fence, post hole, or fence material may encroach or cross a property line
2. A minimum of one (1) foot from any property line abutting a right-of-way,
3. A minimum of one (1) foot from any City easements unless otherwise approved by Common Council
4. Outside of a vision clearance area as detailed in **Section ##-#-##**,
5. In a manner which does not block access to underground utility access structures or fire hydrants, and

D. Material Standards.

1. **Materials Permitted.** Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
 - a. Masonry
 - b. Vegetation (including but not limited to “green wall” systems),
 - c. Wood, chemically treated or naturally resistant to decay,
 - d. Wood Composites,
 - e. Aluminum,
 - f. Vinyl/PVC,

- g. Wrought Iron,
- h. Trellises composed of materials allowed in this subsection, and
- i. As approved by the Zoning Administrator or their designee.

2. **Masonry Fences.** Masonry fences shall be prohibited in the Floodplain Districts. The Zoning Administrator may forward applications for masonry fences to the City Engineer for further review on sites outside the Floodplain Districts on which drainage and flooding concerns are present. Adverse impact of drainage and flooding shall constitute the ground for denial of the application.

E. **Fences on Lots with Single-Family and Duplex Uses.** Fences on lots with single-family and duplex uses shall meet the requirements established below. Barbed wire, razor wire, agricultural fencing, or unconventional materials such as plywood or tarps or others as determined by the Zoning Administrator shall be prohibited on lots with single-family and duplex uses. All fences shall be erected so that the posts and all other supporting members face inward toward the owner's property.

1. **Fences in Front and/or Street Side Yards.**

- a. **Height.** Fences in front and/or street side yards shall not exceed four (4) feet in height except fences in street side yards which may have a maximum height of six (6) feet if located at least five (5) feet from the property line.
- b. **Materials.** Fences in front yards and/or street side yards shall be of non-sight barrier construction and have a maximum opacity of fifty (50) percent except for fences in street side yards, which may be one hundred (100) percent opaque if located a minimum of seven (7) feet from the street side lot line.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



2. **Fences in Interior Side and Rear Yards.**

- a. **Height.** The maximum height of a fence in interior side yards and rear yards shall be six (6) feet. A height of up to eight (8) feet shall be allowed for fences in rear yards abutting an arterial road.
- b. **Materials.** Fence materials utilized in interior side yards and rear yards shall complement fence materials utilized in other yards. Fences in interior side and rear yards may be one hundred (100) percent opaque.

F. **Fences on Lots with Townhome, Multifamily, Mixed-Use, and Nonresidential Uses.**

1. **Height.** The maximum height of fences on a lot with townhome, multifamily, mixed-use, and nonresidential uses shall not exceed six (6) feet.
 - a. **Rear Lots Abutting An Arterial Road.** A height of up to eight (8) feet shall be allowed for fences in rear yards abutting an arterial road.
 - b. **Plan Commission Exception.** The Plan Commission may approve a height above six (6) feet for a fence located in any lot where the proposed increase provides a functional or aesthetic benefit for the proposed use.
2. **Location.** Fences on lots with townhome, multifamily, mixed-use, and nonresidential uses shall be located in rear and interior side yards only, with the exception of fences on lots in the LI - Limited Industrial District which may be located in street side, interior side, and rear yards only. Fences located in the street side yard in the LI - Limited Industrial District shall be buffered from the sidewalk by a landscaped area as specified in **Section #-#-##**.
3. **Barbed Wire.** In the LI - Limited Industrial District, barbed wire may be utilized in interior side and rear yard fences and shall be limited to a maximum height of one (1) foot, and a maximum of three (3) strands of wire. The barbed wire shall not be included in the determination of fence height.

15-5-09. General Townhouse, Multifamily, Mixed-Use, and Nonresidential Design Standards

- A. **Applicability.** The standards of this section shall apply to all townhome, multifamily, mixed-use, and nonresidential development.
- B. **Exterior Building Cladding Materials.** Allowable exterior building cladding materials shall be as detailed in **Table ##-###** below. Glazing shall not be included in the façade material calculations. When part of a common development, buildings shall utilize materials that are consistent with or complement surrounding development.

| Table 15-5-06(B): Exterior Building Cladding Materials | | | | | | |
|---|---------------------------|---------------|------------------------|----------------|--------------------------------|---|
| District | Building Façade Elevation | Masonry (1) | Lap Siding, Stucco (2) | EIFS, Concrete | Architectural Metal Siding (3) | Vinyl Siding, Unfinished Concrete Block |
| <i>Residential, Commercial and Mixed-Use, I - Institutional, and B-P - Business Park Districts</i> | <i>Front, Street Side</i> | Min. 50% | Max. 50% | Max. 15% | Max. 15% | Not permitted |
| | <i>Interior Side</i> | Min. 25% | Max. 75% | Max. 25% | Max. 25% | Not permitted |
| | <i>Rear</i> | Any % allowed | Any % allowed | Max. 25% | Max. 25% | Max. 25% |
| <i>LI - Limited Industrial District</i> | <i>Front, Street Side</i> | Min. 30% | Max 60% | Max. 30% | Max. 30% | Not permitted |
| | <i>Interior Side</i> | Any % allowed | Max. 80% | Max 40% | Max 40% | Not permitted |
| | <i>Rear</i> | Any % allowed | Any % allowed | Max. 40% | Max. 40% | Max. 40% |
| Notes | | | | | | |
| (1) Masonry shall include brick, stacked stone, stone, stone masonry units, and architectural concrete masonry units. | | | | | | |
| (2) Lap siding shall include cementitious fiber board. | | | | | | |
| (3) Architectural metal siding shall not be corrugated. | | | | | | |

- C. **Façade Articulation.** Articulation involves the horizontal and vertical variation of the façade so that walls are subdivided into bays or sections that are vertically proportioned. The following provisions for façade articulation shall apply to any building elevations facing a public right of way or property in a residential district.
 1. The frontage of the building shall be divided into architecturally distinct sections or bays with each section taller than it is wide.
 2. Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters, piers, recesses, projections, windows, awnings, arcades, or an equivalent element that visually subdivides the wall with a roof or cap features that provides a rational terminus and integrates with the overall design of the façade.
 3. The required dividing elements shall have a minimum width of one (1) foot and minimum projection to width ratio of 1:4.

D. **Glazing.**

1. **Transparency Zone.** Glazing that is transparent under all lighting conditions shall extend from a base of contrasting material (not exceeding four (4) feet in height above the adjacent grade) to at least the height of the door head. **Table ##-###** details the minimum required percentage of square footage in the transparency zone that must have a glazing treatment.

| District | Elevation Facing Yard | |
|-------------|-----------------------|-------------|
| | Front | Street Side |
| <i>B-SM</i> | 50% | 40% |
| <i>B-MU</i> | 40% | 30% |
| <i>B-N</i> | 40% | 30% |
| <i>B-G</i> | 30% | 20% |
| <i>B-R</i> | 30% | 20% |
| <i>LI</i> | 30% | 20% |
| <i>I</i> | 30% | 20% |

2. **Upper Story Glazing.** A minimum of twenty (20) percent of the square footage of upper stories of buildings in the B-SM - Saint Martin's Road Historic Village Business and B-MU - South 27th Street Mixed-Use Districts shall include glazing.
3. **Glazing to be Dispersed.** Required glazing shall not be aggregated into a single, undivided area of glazing treatment. Individual glazing areas shall not span more than fifteen (15) linear feet.
4. **Entrance Orientation.** Main entrances to buildings shall be oriented toward the primary street adjoining the subject property. Secondary entrances are encouraged along secondary streets or along building frontages not adjoining a street.

15-5-10. Outdoor Lighting

A. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall-mounted accent lighting, shall either have a fixture cutoff classification of “Full Cutoff” or be fully shielded, unless otherwise expressly permitted in this UDO.

B. **LED Fixtures.** All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:

1. **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
2. **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.

C. **Pole Mounted Outdoor Lighting.**

1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones.
2. **Maximum Lighting Height.** Pole-mounted fixtures shall be mounted at heights as specified in **Table 15-#-##**.

| Table 15-5-10(C)(2): Maximum Lighting Height | |
|--|------------------------------------|
| District | Maximum Permitted Luminaire Height |
| A, A-P, R-C, R-SE, R-SR (1) | 10 |
| R-M, R-V | 15 |
| B-N, B-MU, B-SM (1) | 20 |
| All Other Districts (1) | 25 |
| <i>Notes</i> | |
| (1) A post height of 60 feet shall be allowed for outdoor place of assembly uses including ball diamond, playing fields, golf driving ranges, tennis courts and similar outdoor recreational facilities. | |

D. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.

E. **Outline Lighting, Flickering, and Flashing Prohibited.** Outline lighting shall be prohibited from signs, buildings, and structures. No flickering or flashing lights shall be permitted.

F. **Maximum Light Level at Property Line.**

1. On lots adjacent to lots in a Nonresidential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be one-half (0.5) maintained foot candles at any property line.
2. On lots adjacent to lots in a Residential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.

G. **State Requirements For Street Lighting.** Street lighting shall conform to the standards set forth by the State of Wisconsin for State Trunk Highways, Milwaukee County for County Trunk Highways, and the City for City streets and highways.

H. **Light Level Measurement.**

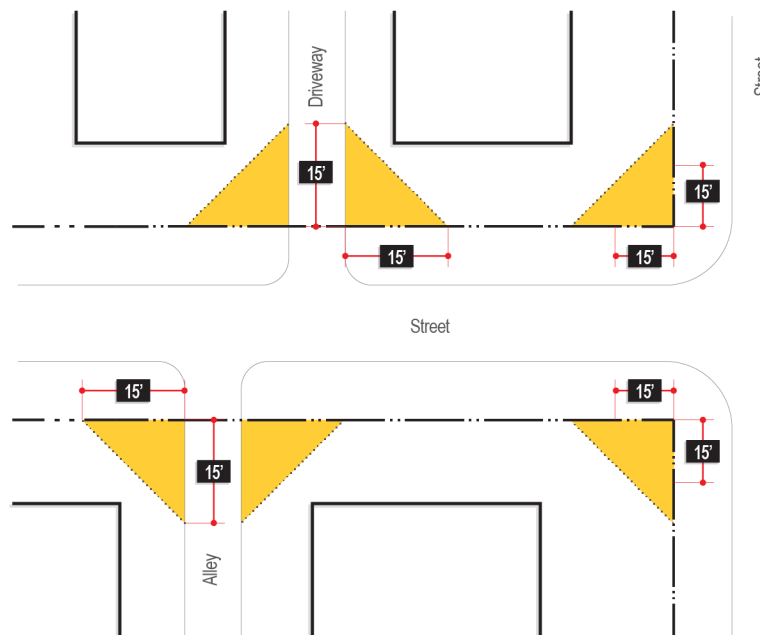
1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any

other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.

2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall have:
 - a. Cosine and color correction,
 - b. An accuracy tolerance of no greater than plus or minus five (5) percent, and
 - c. Been calibrated within the last two (2) years.

15-5-11. Vision Clearance Areas

- A. No visual obstructions, such as structures, parking, or vegetation, taller than three (3) feet above grade shall be permitted in any district in the triangular area of the lot measured as a distance of thirty (30) feet from the center of the intersection of a driveway and a street or from the center of the intersection of two (2) or more streets. This area shall be referred to as a clear sight triangle. In the case of an arterial or collector street intersecting with another arterial or collector street, the clear sight triangle shall be sixty (60) feet from the center of the intersection of the two (2) streets.



Article 6. Sign Standards

| | |
|--|----|
| 15-6-01. Intent, Purpose, and Applicability | 1 |
| 15-6-02. Limit on Sign Area | 1 |
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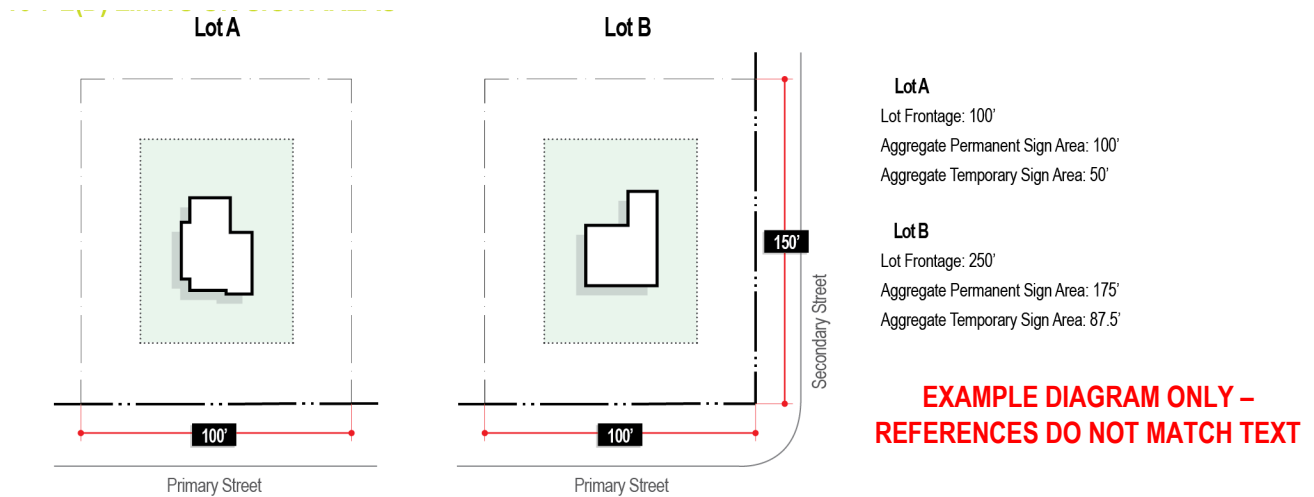
15-6-01. Intent, Purpose, and Applicability

- A. **Purpose and Intent.** The purpose of this Article is to preserve and protect the public health, safety, and welfare by regulating signs of all types. It is intended to:
1. Enhance the physical appearance of the City,
 2. Make Franklin a more enjoyable and pleasing community and create an attractive economic and business climate,
 3. Reduce sign distractions which may increase traffic accidents,
 4. Eliminate hazards caused by unsafe signs,
 5. Relieve pedestrian and traffic congestion, and
 6. Avoid the canceling out effect of adjacent signs.
- B. **Applicability.** Except as otherwise regulated herein, the regulations of this Article shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction, erection, attachment, support, anchorage and maintenance.

15-6-02. Limit on Sign Area

- A. **Permanent Sign Area Limit.** Each lot shall be allowed aggregate permanent sign area equal to two (2) square feet of sign area per linear foot of lot frontage.
- B. **Temporary Sign Area Limit.** Each lot shall be allowed aggregate temporary sign area equal to one (1) square foot of sign area per linear foot of lot frontage.
- C. **Premises Having Frontage on More Than One Dedicated Street.** Premises having frontage on more than one (1) dedicated street will be allowed an additional one (1) square foot of aggregate sign area for each lineal foot of the secondary lot frontage; however additional sign area shall only be displayed on the secondary frontage.

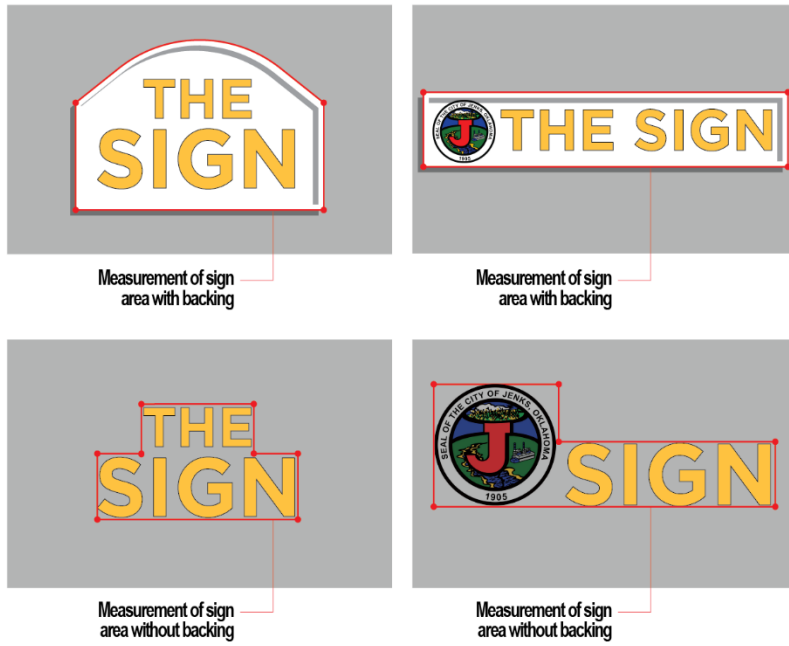
- D. **Irregularly Shaped Lots.** Irregularly shaped lots with minimal lot frontage, relative to more typically shaped lots in the district, may petition for additional aggregate sign area through the Comprehensive Sign Plan process as detailed in **Section ###-##-###**.



15-6-03. Sign Measurement

- A. **Sign Height.** Sign height shall be measured by the total distance between the highest point on the sign to the average elevation of the ground upon which the sign supports are placed, except when:
1. The sign supports rest upon a berm or other area elevated above the surrounding ground, or
 2. The sign supports rest upon a ditch or other area lower than the surrounding ground.
- B. In the cases detailed in **Section ###-##-###** above, the elevation of the centerline of the adjacent roadway shall be considered as the ground level.
- C. **Sign Area.**
1. Unless otherwise defined, sign area is determined by the total area enclosed by a continuous perimeter along the edges of a sign, including any frame or border.
 2. The area of a sign composed of individually-affixed letters is determined by the total area of the smallest geometric shape enclosing the copy.
 3. A maximum of two (2) geometric shapes may be utilized in sign area calculation.

4. The calculation for a double-faced sign shall be the area of one (1) face only.



**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

15-6-04. Permitted and Allowed Sign Types by District

- A. The following key is to be used in the interpretation of **Table ##-##-### Permitted and Allowed Sign Types by Residential District** and **Table ##-##-### Permitted and Allowed Sign Types by Nonresidential and Mixed-Use Districts**.
1. **Sign Types Requiring a Permit.** Sign types marked as “●” in the tables shall be permitted subject to all applicable regulations of this Ordinance and only after the issuance of a Sign Permit as detailed in **Section ##-##-###**.
 2. **Sign Types not Requiring a Permit.** Sign types marked as “○” in the tables shall be allowed subject to all applicable regulations of this UDO without the issuance of a Sign Permit.
 3. **Prohibited Sign Types.** A blank space in the table indicates that a sign type is prohibited in the respective district.
 4. **Interpretation of Similar Sign Type.** If a proposed sign is not listed in the table, the **Zoning Administrator** shall determine if the sign is substantially similar to a sign listed in the table. If it is, the standards applied to the proposed sign shall be the standards applicable to the similar sign. If not, the sign shall be regarded as prohibited.
- B. **Permitted and Allowed Sign Types by Residential District.**

| Table 15-6-04(B): Permitted and Allowed Sign Types by Residential District | | | | | |
|---|----------|------|------|---------|-----|
| Sign Type | District | | | | |
| | R-C | R-SE | R-SR | R-M | R-V |
| <i>Permanent Signs</i> | | | | | |
| Wall Sign | | | | | |
| Single-Tenant Monument Sign | ●(1) | ●(1) | ●(1) | ●(1)(2) | |
| Multi-Tenant Monument Sign | | | | | |
| Awning/Canopy Sign | | | | | |
| Projecting Sign | | | | | |
| Window Sign, Permanent | | | | | |
| On-Site Traffic Directional Sign | | | | ○(2) | |
| <i>Temporary Signs</i> | | | | | |
| Wall Mounted Banner Sign | | | | | |
| Ground Mounted Banner Sign | | | | | |
| Window Sign, Temporary | | | | | |
| Feather Sign | | | | | |
| A-Frame/Sandwich Board Sign | | | | | |
| Post Sign | ○ | ○ | ○ | ○ | ○ |
| Yard Sign | ○ | ○ | ○ | ○ | ○ |
| <i>Notes:</i> | | | | | |
| (1) Sign shall be permitted at entryways or gateways to subdivisions or neighborhoods only. | | | | | |
| (2) Sign shall be permitted for multifamily developments only. | | | | | |

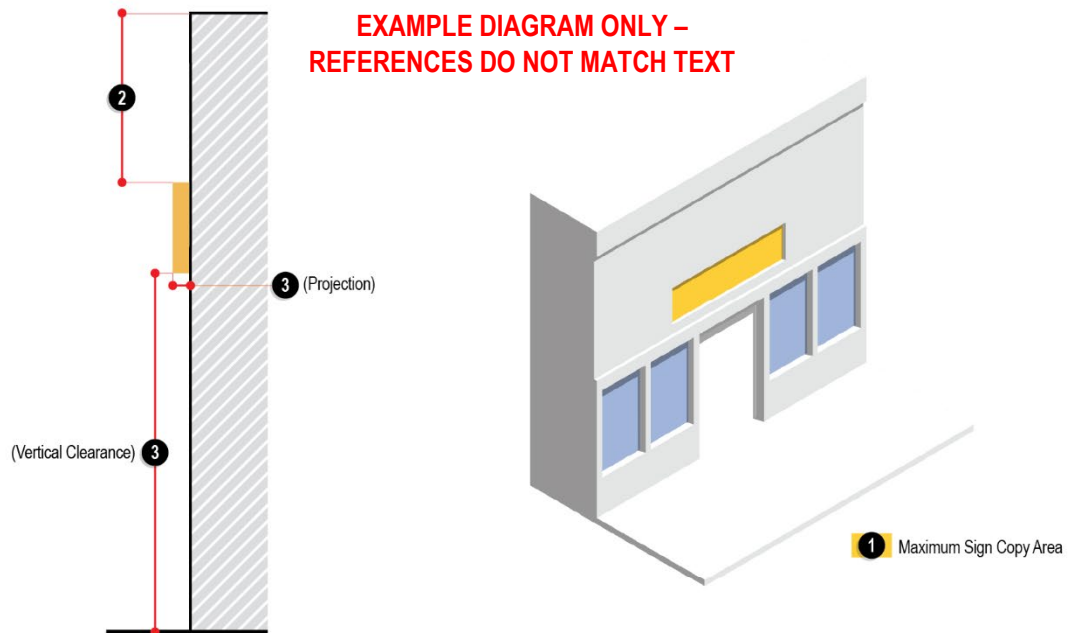
C. Permitted and Allowed Sign Types by Nonresidential and Mixed-Use District.

| Table 15-6-04(C): Permitted and Allowed Sign Types by Nontresidential and Mixed-Use District | | | | | | | | | | | | | |
|--|----------|-----|-----|------|------|-----|----|---|-----|---|---|---|----|
| Sign Type | District | | | | | | | | | | | | |
| | B-N | B-G | B-R | B-MU | B-SM | B-P | LI | A | A-P | I | P | L | FW |
| <i>Permanent Signs</i> | | | | | | | | | | | | | |
| Wall Sign | • | • | • | • | • | • | • | • | • | • | • | | • |
| Single-Tenant Monument Sign | • | • | • | • | | • | • | • | • | • | • | • | • |
| Multi-Tenant Monument Sign | • | • | • | • | | • | • | | | • | • | • | • |
| Awning/Canopy Sign | • | • | • | • | • | • | • | • | • | • | • | | • |
| Projecting Sign | • | • | • | • | • | | | | | | | | |
| Window Sign, Permanent | • | • | • | • | • | | | | | | | | • |
| On-Site Traffic Directional Sign | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| <i>Temporary Signs</i> | | | | | | | | | | | | | |
| Wall Mounted Banner Sign | • | • | • | • | • | • | • | • | • | • | • | • | • |
| Ground Mounted Banner Sign | • | • | • | • | • | • | • | • | • | • | • | • | • |
| Window Sign, Temporary | • | • | • | • | • | • | • | | | • | • | • | • |
| Feather Sign | • | • | • | | | • | • | | | • | • | • | |
| A-Frame/Sandwich Board Sign | ○ | ○ | ○ | ○ | ○ | ○ | ○ | | | ○ | ○ | | • |
| Post Sign | | | | | | | | ○ | ○ | ○ | ○ | | |
| Yard Sign | | | | | | | | ○ | ○ | ○ | ○ | | |

15-6-05. Standards For Permanent Signs

A. Wall Signs.

1. **Sign Area.** The maximum sign area of wall signs shall be ten (10) percent of the total area of the face of the wall to which the sign is to be affixed.
2. **Sign Height.** No wall sign shall protrude above the sill of a second-story window or windows of the building or structure to which such sign is to be attached.
3. **Projection.**
 - a. No part of any wall sign, except lighting reflectors, shall extend more than twelve (12) inches from the face of the wall to which such sign is attached.
 - b. No wall sign shall be erected or maintained to extend beyond the end of the wall facing a street to which such sign is attached.



4. Number of Signs.

a. Primary Wall Signs.

- I. Single tenant buildings shall be permitted a total of three (3) primary wall signs; however only one (1) wall sign shall be displayed on any single building façade.
- II. Multi-tenant buildings shall be permitted one (1) primary wall sign per unit.

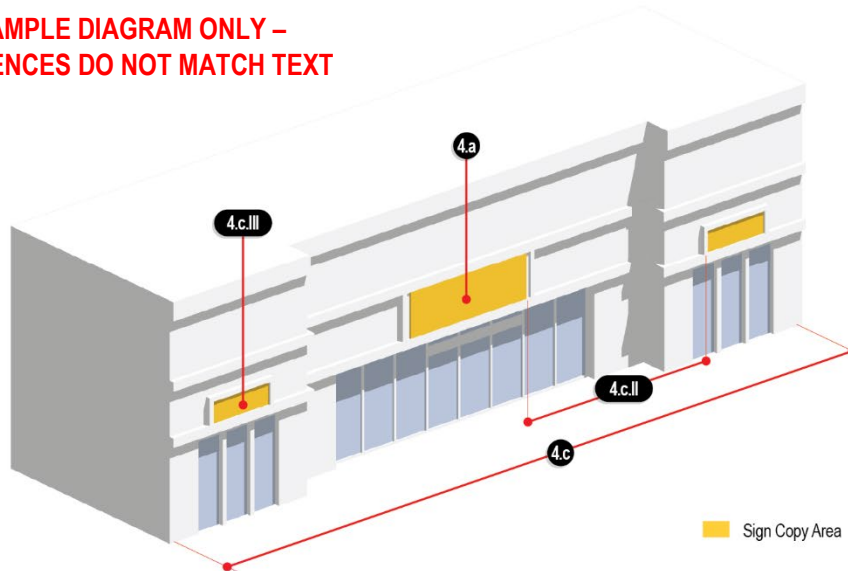
b. Secondary Wall Signs.

A maximum of two (2) secondary wall signs may be authorized for buildings with lineal frontage in excess of seventy-five (75) feet by the Zoning Administrator provided such additional signage is:

- I. In keeping with the overall design and architecture of the building,
- II. A minimum of twenty (20) feet from the primary wall sign and other secondary wall signs,

- III. A maximum of fifty (50) percent of the size of the primary wall sign,
- IV. Less visually prominent on the site than the building's primary wall sign, and
- V. The total area of all primary and secondary wall signs does not exceed the maximum wall sign area as established in **Section ##-#-##**.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



5. Sign Copy.

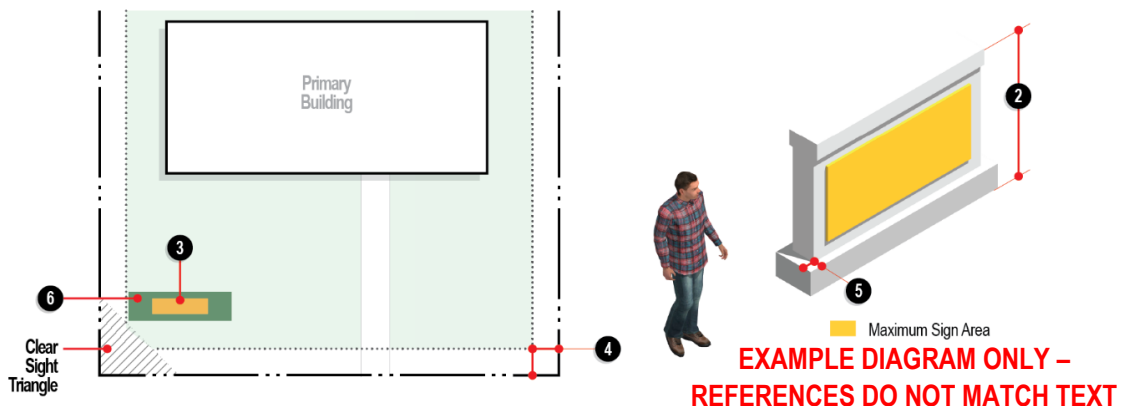
- a. If the sign copy is individually affixed letters, the Zoning Administrator may approve an increase in sign area up to an additional five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
- b. Box/cabinet wall signs shall be prohibited.

6. Other Provisions.

- a. No wall sign shall cover any architectural features (architectural features shall include but not be limited to, pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel) of the building to which it is affixed.
- b. No wall sign shall be affixed to HVAC screening, elevator overrun, or other structures protruding from the roof of the principal building, excluding architectural features that are an integral part of the principal building.

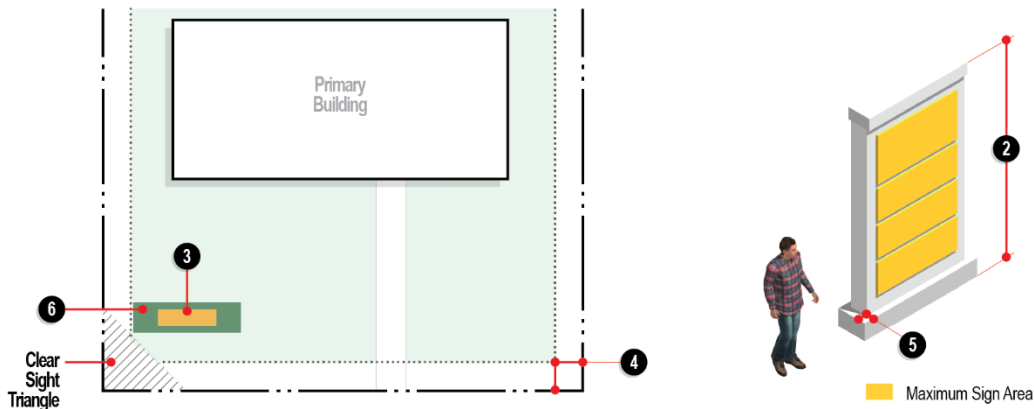
B. Single-Tenant Monument Signs.

1. **Sign Area.** The maximum sign area of a single-tenant monument sign shall be one-hundred-twenty (120) square feet.
2. **Sign Height.** The maximum sign height of a single-tenant monument sign shall be fourteen (14) feet.
3. **Number of Signs.** A maximum of one (1) single-tenant monument sign shall be permitted per lot frontage except with approval from the Plan Commission.
4. **Location.**
 - a. A single-tenant monument signs shall not be closer than five-hundred (500) feet to another single-tenant or multi-tenant monument sign, except where necessary to ensure that each business may have one (1) monument sign.
 - b. No part of any single-tenant monument sign may be closer than fourteen (14) feet to a lot line.
5. **Sign Base.**
 - a. The base of a single-tenant monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face.
 - b. The base of single-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.
6. **Landscape Requirement.**
 - a. All single-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign.
 - b. The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.
 - c. Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet of required landscape area.
7. **Other Provisions.**
 - a. The address of the building(s) to which the single-tenant monument sign is associated shall be displayed on the single-tenant monument sign but shall not count towards maximum sign area.
 - b. The color scheme of a single-tenant monument sign must be consistent with the color scheme of the principal building unless an alternate color scheme is required by an approved comprehensive sign plan.
 - c. All signs shall be designed to comply with the applicable provisions of the Wisconsin Commercial Building Code.



C. **Multi-Tenant Monument Signs.**

1. **Sign Area.** The maximum sign area of a multi-tenant monument sign shall be one-hundred-twenty (120) square feet.
2. **Sign Height.** The maximum sign height of a multi-tenant monument sign shall be sixteen (16) feet.
3. **Number of Signs.** Number of Signs. A maximum of one (1) single-tenant monument sign shall be permitted per lot frontage except with approval from the Plan Commission.
4. **Location.**
 - a. A multi-tenant monument sign shall not be closer than five hundred (500) feet to another single-tenant or multi-tenant monument sign, where necessary to ensure that each business may have one (1) monument sign.
 - b. No part of any multi-tenant monument sign may be closer than sixteen (16) feet to a lot line.
5. **Sign Base.**
 - a. The base of a multi-tenant monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face.
 - b. The base of multi-tenant monument signs shall be constructed from masonry, stone, or similar high-quality materials in keeping with the materials and design of the principal building of the lot.
6. **Landscape Requirement.**
 - a. All multi-tenant monument signs shall be required to plant and maintain a landscape area at the base of the sign.
 - b. The minimum area of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.
 - c. Landscape areas shall be planted with one (1) shrub or native grass per every three (3) square feet of required landscape area.
7. **Other Provisions.**
 - a. The address of the building(s) to which the multi-tenant monument sign is associated shall be displayed on the multi-tenant monument sign but shall not count towards maximum sign area.
 - b. The color scheme of a multi-tenant monument sign must be consistent with the color scheme of the principal building unless an alternate color scheme is required by an approved comprehensive sign plan.



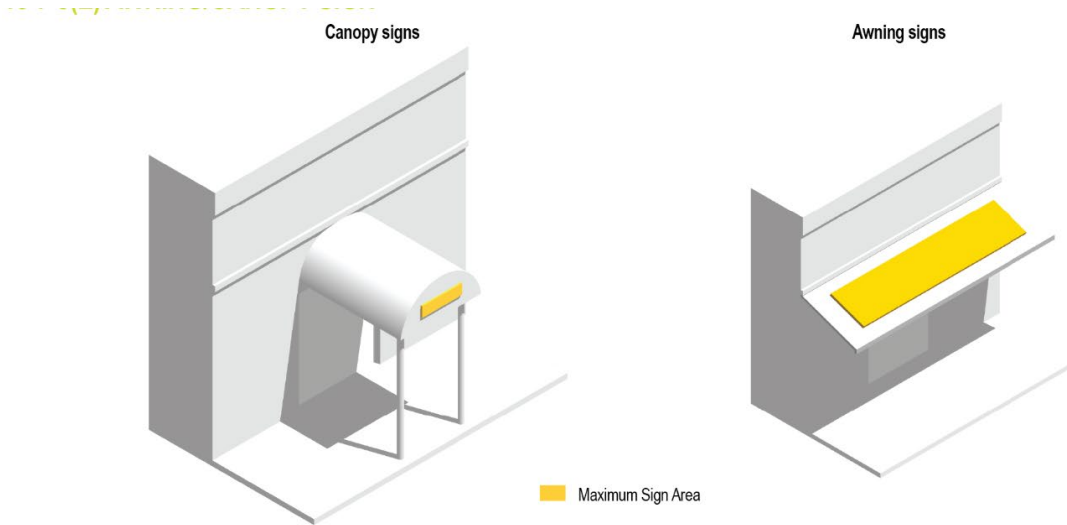
**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

D. **Awning/Canopy Signs.**

1. **Sign Area.**

- a. The maximum sign area of awning/canopy signs shall be forty (40) percent of the face of the awning/canopy upon which the sign shall be printed or affixed.
- b. The area of the awning/canopy sign shall count towards the maximum amount of sign area permitted for wall signs as detailed in **Section ##-#-##**.

- 2. **Other Provisions.** Awning/canopy signs shall only be permitted on awnings/canopies extending above ground floor entrances or windows.



**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

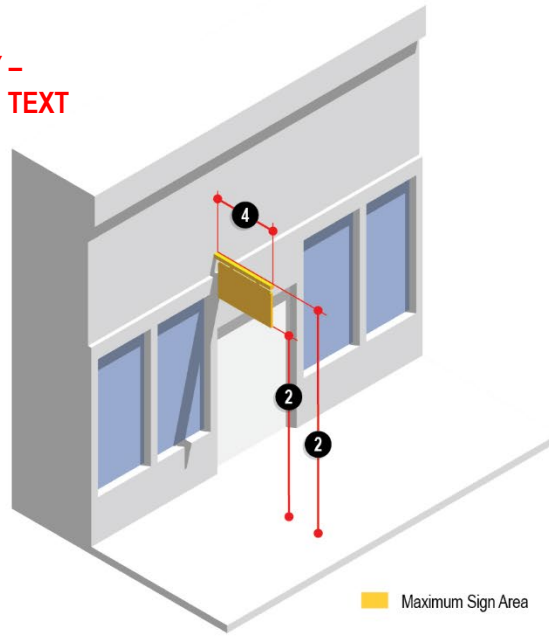
E. **Projecting Signs.**

- 1. **Sign Area.** The maximum permitted sign area of projecting signs shall be four (4) square feet.
- 2. **Sign Height.**
 - a. Projecting signs shall not extend above the roofline of the building to which it is attached, or a maximum of twelve (12) feet, whichever is less.
 - b. Projecting signs shall maintain a minimum vertical clearance of ten (10) feet.
- 3. **Number of Signs.**
 - a. A maximum of one (1) projecting sign shall be permitted per ground floor tenant space.
 - b. A projecting sign shall not be displayed on the same building frontage as an awning/canopy sign.
- 4. **Projection.**
 - a. Projecting signs shall horizontally project a maximum of four (4) feet from the building to which it is attached.
 - b. Projecting signs erected over marquees shall be set back not less than two (2) feet from the outer edge of such marquee.
 - c. No projecting sign shall at the lowest point be less than ten (10) feet above the established grade immediately below

5. Other Provisions.

- a. Projecting signs shall not be internally illuminated.
- b. Projecting signs may encroach upon, extend, or project over a public right-of-way or easement. The property owner may be required to provide a release or hold harmless to the City prior to issuing permits for any such signs.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

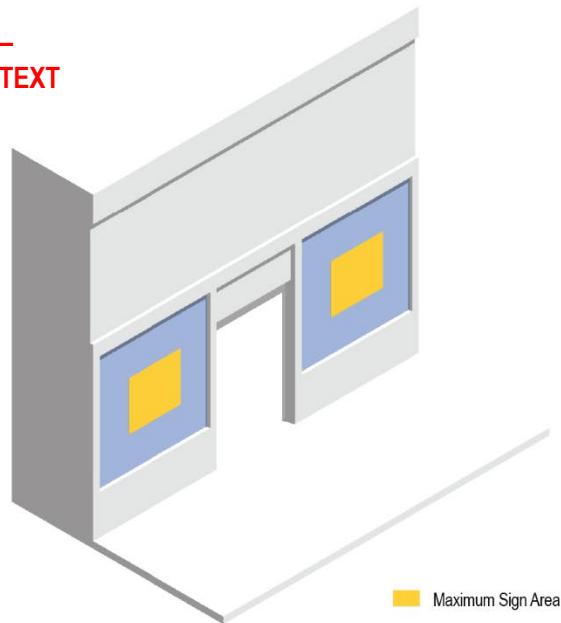


F. **Window Signs, Permanent.**

1. **Sign Area.**

- a. The maximum permitted aggregate sign area of a permanent window sign shall be twenty-five (25) percent of the square footage of the individual window on which the sign shall be located.
- b. The aggregate area of the permanent window sign(s) shall count towards the maximum amount of sign area permitted for wall signs as detailed in [Section #-#-##](#).

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



G. **On-Site Traffic Directional Signs.**

1. **Sign Area.**

- a. The maximum sign area of an on-site traffic directional sign shall be four (4) square feet.
- b. Permitted on-site traffic directional sign area shall not count towards the maximum allowed aggregate sign area as detailed in **Section #-#-##**.

2. **Sign Height.** The maximum height of an on-site traffic directional sign shall be four (4) feet.

3. **Number of Signs.** The permitted number of on-site traffic directional signs shall be determined by the Zoning Administrator or their designee as necessary to assist in the safe movement of vehicular, bicycle, and pedestrian traffic on a property and between properties with vehicular cross access.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



1 Maximum Sign Area

15-6-06. Standards For Temporary Signs

A. General Standards Temporary Signs.

1. Temporary Signs Requiring a Permit.

- a. **Single-Tenant Building.** A maximum of two (2) permitted temporary signs, as permitted per district in **Table #-#-##**, may be displayed concurrently on a lot with a single-tenant building.
- b. **Multi-Tenant Building.**
 - I. A maximum of one (1) permitted temporary sign, as permitted per district in **Table #-#-##**, may be displayed per unit on a lot with a multi-tenant building concurrently.
 - II. In no instance shall more than two (2) freestanding temporary signs be displayed concurrently.

2. Display Period.

- a. The permitted display period of a permitted temporary shall be a maximum of thirty (30) days.
- b. A total of three (3) nonconcurrent display periods shall be permitted per single-tenant building or unit of a multi-tenant building per calendar year.
- c. Display periods shall be separated by a minimum of thirty (30) days.

3. Temporary Freestanding Signs.

Temporary freestanding signs shall include ground mounted banner, feather, post, and yard signs.

- a. Temporary freestanding signs shall be securely anchored into the ground or secured in a portable base designed for such function.
- b. Temporary freestanding signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

B. Wall Mounted Banner Sign.

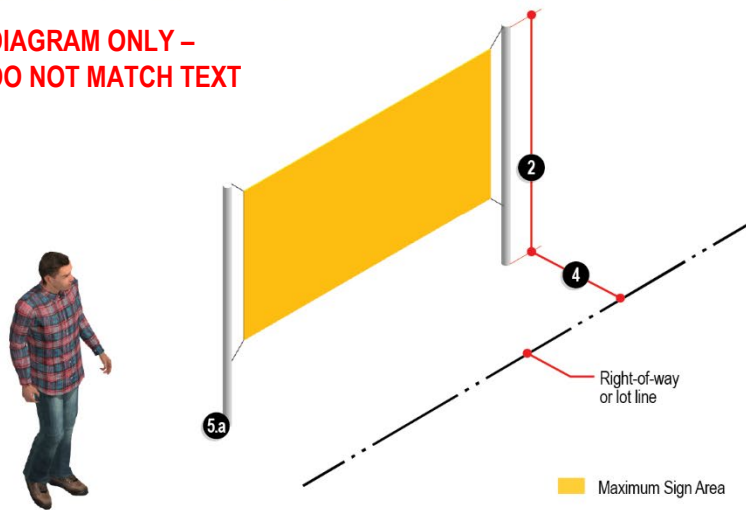
1. **Sign Area.** The maximum area of a wall mounted banner sign shall be five (5) percent of the total area of the face of the wall to which the sign is to be affixed.
2. **Sign Height.** No wall mounted banner sign shall protrude above the highest roofline or the top of the parapet wall or mansard roof.
3. **Location.** Wall mounted banner signs shall be affixed to a building only.
4. **Projection.** Wall mounted banner signs shall be affixed flat against the building to which they are mounted.



C. Ground Mounted Banner Sign.

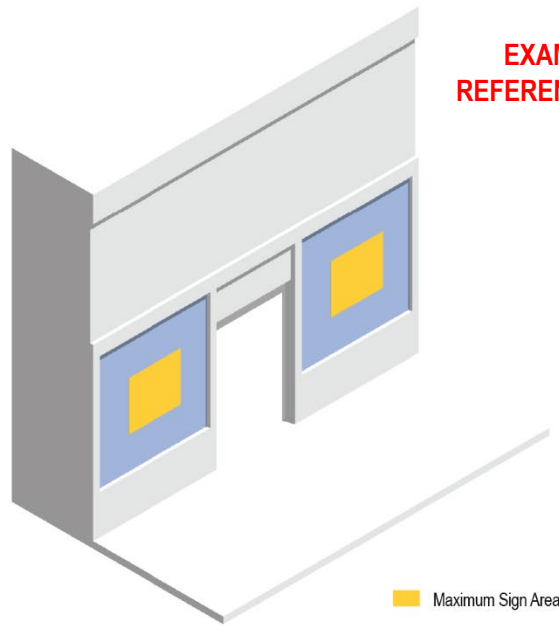
1. **Sign Area.** The maximum sign area of a ground mounted banner sign shall be twenty (20) square feet.
2. **Sign Height.** The maximum sign height of a ground mounted banner sign shall be five (5) feet.

EXAMPLE DIAGRAM ONLY – REFERENCES DO NOT MATCH TEXT



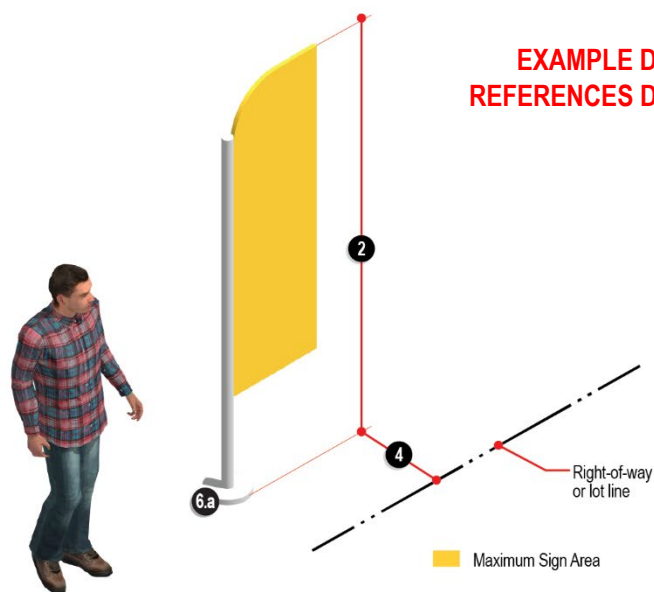
D. Window Signs, Temporary.

1. **Sign Area.** The aggregate maximum sign area of a temporary window sign shall be twenty-five (25) percent of the individual window on the sign shall be affixed.



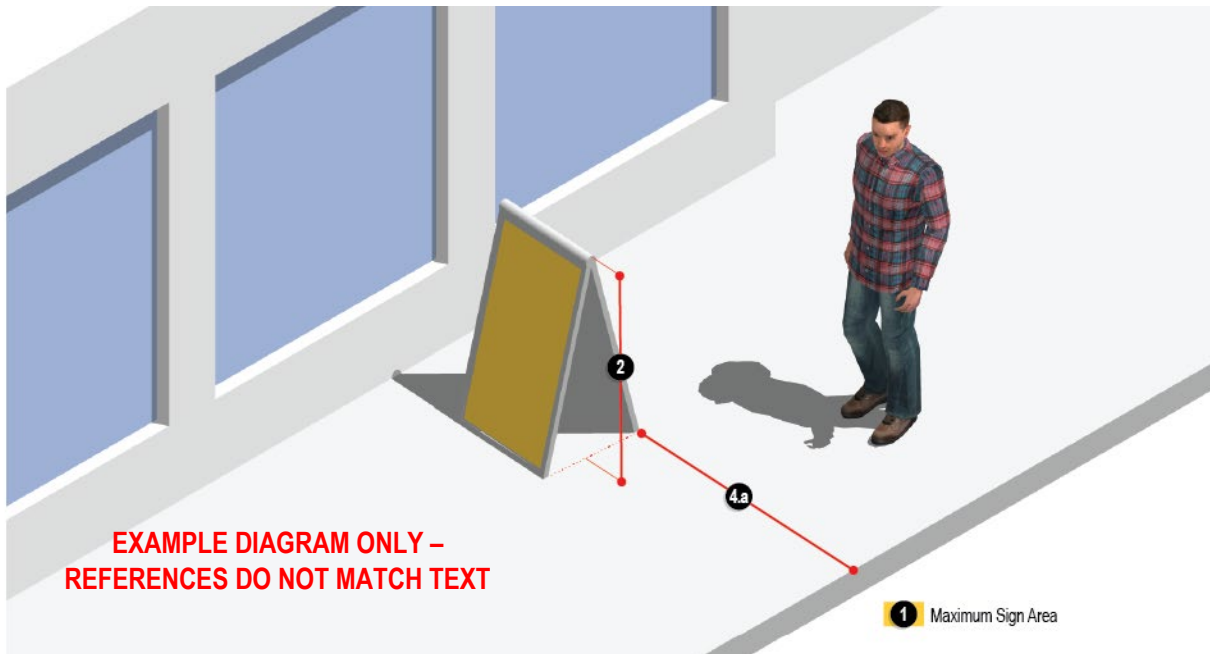
E. Feather Signs.

1. **Sign Area.** The maximum sign area of a feather sign shall be sixteen (16) square feet.
2. **Sign Height.** The maximum sign height of a feather sign shall be ten (10) feet.
3. **Number of Signs.** One (1) feather sign shall be permitted for every fifty (50) feet of street frontage.
4. **Sign Separation.** Each feather sign shall be separated from another feather sign by a minimum of twenty-five (25) feet.



F. **A-Frame/Sandwich Board Signs.**

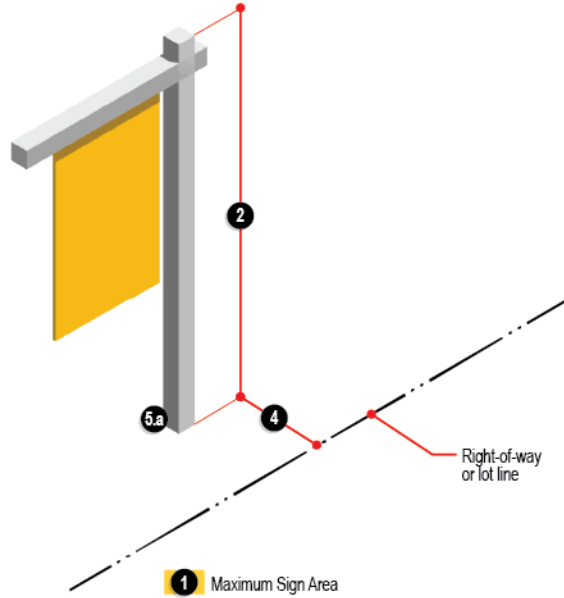
1. **Sign Area.** The maximum sign area of an a-frame/sandwich board sign shall be six (6) square feet.
2. **Sign Height.** The maximum sign height of an a-frame/sandwich board sign shall be four (4) feet.
3. **Number of Signs.** One (1) a-frame/sandwich board sign shall be permitted per single-tenant building or unit of a multi-tenant building.
4. **Sign Separation.** Each a-frame/sandwich board sign shall be separated from another a-frame/sandwich board sign by at least twenty-five (25) feet.
5. **Location.**
 - a. A-frame/sandwich board signs shall be placed in a manner to preserve a continuous sidewalk width of a minimum of five (5) feet.
 - b. No part of any a-frame/sandwich board sign shall block points of ingress or egress.
 - c. A-frame/sandwich board signs shall be placed no more than one (1) foot from the wall of the building or unit of a building to which the sign is associated.
 - d. A-frame/sandwich board signs shall be placed no less than three (3) feet and no more than six (6) feet from the building entrance of the building or unit of a building to which the sign is associated.
6. **Other Provisions.** The display of a-frame/sandwich board signs shall only be permitted during the operating hours of the use to which the sign is associated.



G. **Post Signs.**

1. **Sign Area.** The maximum sign area of a post sign shall be six (6) square feet.
2. **Sign Height.** The maximum sign height of a post sign shall be six (6) feet.
3. **Number of Signs.** A maximum of one (1) post sign shall be allowed per lot frontage.

**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**

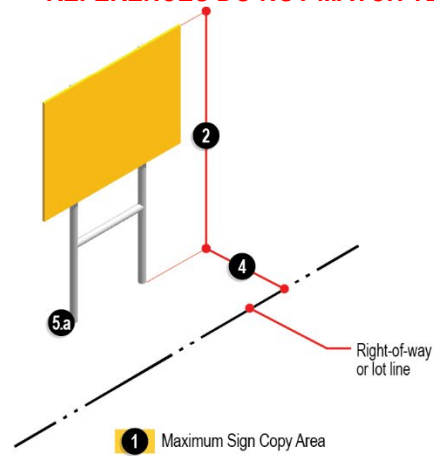


H. Yard Signs.

1. **Sign Area.** The maximum sign area of a yard sign shall be four (4) square feet.
2. **Sign Height.** The maximum sign height of a yard sign shall be three (3) feet.
3. **Number of Signs.** A maximum of two (2) yard signs may be displayed concurrently with the exception of thirty (30) days before and fifteen (15) days after a local, state, or federal election in which case a maximum of six (6) yard signs may be displayed.
4. **Other Provisions.** Yard signs in residential districts displayed for a period of forty-eight (48) hours or less shall be exempt from the requirements of this Section.



**EXAMPLE DIAGRAM ONLY –
REFERENCES DO NOT MATCH TEXT**



15-6-07. General Sign Standards

- A. **Location of Freestanding Signs.** Free standing signs shall include single-tenant monument signs, multi-tenant monument signs, on-site traffic directional signs, ground mounted banner signs, feather signs, post signs, and yard signs.
1. Be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements;
 2. Not block points of ingress or egress;
 3. Not be placed in any sidewalk or pedestrian circulation system, and
 4. Not be located in a clear sight triangle as detailed in **Section ##-#-##**.
- B. **Illumination.**
1. **Location and Design of Light Source.** Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public right-of-way or residential property. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve (12) inches from the face of the sign or building to which it is attached except if such light source is ground mounted, locked in place, and cannot be redirected.
 2. **Level of Illumination.** In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed the outdoor lighting standards established in **Section ##-#-##**. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.
- C. **Wind Pressure, Allowable Stresses and Materials.**
1. All signs shall be constructed, erected, and maintained to safely withstand a wind pressure of at least thirty (30) pounds per square foot.
 2. The allowable stresses in chains, wire ropes, and steel guy rods and their fastenings shall not exceed one-quarter (1/4) of their ultimate strength.
 3. All ferrous chains, wire ropes, guy rods and their fastenings and anchor bolts shall be galvanized or be of other approved equivalent protection. All other ferrous parts of signs subject to corrosion shall be protected and maintained free from corrosion by approved corrosion-resistant coating.
- D. **Identification.** All signs hereafter erected shall bear the manufacturer's name, and the name trademark or other approval mark or symbol of the person erecting such sign.
- E. **Combustible Materials.** All signs shall be constructed of noncombustible materials, provided however, that the letters, decorations, and facings may be made of combustible plastics approved by the Zoning Administrator and Director of Inspection Services.
- F. **Electronic Message Boards.** Single-tenant and multi-tenant monument signs may incorporate electronic message boards in accordance with the following:
1. One-third (1/3) of the sign area must be permanent copy.
 2. The area of the sign devoted to an electronic message board shall be part of, not in addition to, the maximum sign area allowed.
 3. The electronic message format shall conform to the following requirements:
 - a. The message will contain a static message or image only and not have movement, or the appearance of movement, during the static display period.

- b. The transition to change from one message or image to another shall be instant and not dissolve, fade, scroll, travel, or have similar transitions.
- c. The message shall not change more frequently than once every ten (10) seconds.
4. Electronic message boards must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
5. Electronic message boards shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to light conditions.
6. Illumination of electronic message signs shall not exceed 0.3 foot-candles over the ambient lighting conditions when measured at a distance equal to the square footage of the sign area.
7. Applications shall be reviewed by the Zoning Administrator to determine that the sign placement does not interfere with traffic control devices within three hundred (300) feet of the sign or traffic circulation upon roadways. If deemed necessary by the Zoning Administrator a report from a traffic engineer certifying that the proposed sign does not interfere with the design characteristics of the traffic circulation and traffic control devices may be required.

15-6-08. Prohibited Signs and Content

- A. The following signs are specifically prohibited:
 1. Billboards;
 2. Off-premises signs;
 3. Pole/pylon signs;
 4. Flashing signs;
 5. Roof signs;
 6. Marquee signs;
 7. Signs attached to a utility pole, a tree, a fence, a standpipe, gutter, drain or fire escape;
 8. Signs erected so as to impair access to a roof;
 9. Signs located, erected or maintained upon, over or project into any public right-of-way or easement unless otherwise allowing by this Article;
 10. Pennants, streamers, and portable signs not specifically permitted or allowed by this Article;
 11. Signs, not specifically permitted or allowed by this Article, which move or have moving parts, which movement is caused either by the wind or mechanically;
 12. Signs in conflict with traffic signals, vehicular or pedestrian travel, access to fire hydrants and fire lanes and exits, and other signs which reasonably impede or impair the public health, safety and welfare;
 13. Signs on vehicles, boats, or trailers parked so as to be visible from a public right-of-way;
 14. Attention getting devices;
 15. Signs hung across any street or alley;
 16. Signs employing exposed neon lights not completely covered by other acceptable sign materials;

17. Signs painted on or otherwise affixed to fences;

B. Prohibited Content.

1. The following content is prohibited without reference to the viewpoint of the individual speaker:
 - a. Text or graphics of an indecent or immoral nature and harmful to minors,
 - b. Text or graphics that advertise unlawful activity,
 - c. Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, or
 - d. Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
2. The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Wisconsin Constitutions or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the Common Council that each paragraph of this Subsection be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Wisconsin Constitutions.

15-6-09. Safety, Maintenance, and Abandonment

- A. Every sign and all parts thereof, including base, copy, framework, supports, anchors and wiring systems shall:
 1. Be constructed and maintained in compliance with the applicable codes of the City.
 2. Be kept in proper repair.
 3. When not galvanized or constructed of approved corrosion resistive, noncombustible materials, be painted, when necessary, to prevent corrosion, rust, peeling paint, and excessive fading.
- B. Failure of owners to keep signs maintained in good mechanical and visual repair shall be deemed a violation of this Ordinance.
- C. It shall be the duty and responsibility of the owner of every sign to maintain the immediate premises occupied by the sign in a clean condition, free of rubbish. Any landscaping surrounding the sign shall be kept trimmed and in good repair. If the landscaping installed at the time of sign approval dies, said landscaping shall be replaced immediately or as soon as weather permits.
- D. Every existing sign shall be subject to an inspection whenever the Zoning Administrator deems it necessary. In the event an inspection demonstrates that repairs, and/or maintenance is necessary, the sign owner shall be notified and required to complete said repairs and/or maintenance within thirty (30) days of notification. The Zoning Administrator is authorized to grant one (1) thirty (30) day extension, if, upon written request, it is deemed necessary due to extenuating circumstances.
- E. If the Zoning Administrator shall find that any sign is unsafe or unsecure, or is a threat to the public safety, or was, after the adoption of this UDO constructed, erected, or maintained in violation of the provisions of this UDO, they shall give written notice to the sign owner. Such notice shall specify the manner in which the sign is unsafe or in violation of this UDO.
- F. Sign copy shall be removed and in the case of a wall sign, the building façade shall be repaired, by the sign owner when the use which the sign is associated is no longer conducted on the premises. The sign copy shall be removed within thirty (30) days of when the use ceases to operate. If the owner fails to remove the sign copy, the Zoning Administrator or their

designee shall give the owner thirty (30) days written notice to remove it. Failure to comply with the notice shall be deemed a violation of this UDO.

15-6-10. Comprehensive Sign Plan

- A. **Intent.** The intent of the comprehensive sign plan is to provide an alternative procedure under which signs can be designed, constructed, and erected with innovation, imagination, and creative architecture. The objective of the comprehensive sign plan is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable sign regulations.
- B. **Applicability.** Any building or development may elect to submit a comprehensive sign plan. After the approval of a comprehensive sign plan, no permanent sign shall be erected, placed, or maintained except in conformance with the Comprehensive Sign Plan.
- C. **Conditions.** The Zoning Administrator may attach conditions, requirements, or standards necessary to assure that the signs covered by the Comprehensive Sign Plan will not be materially detrimental to persons or property in the vicinity. In making its determination, the Zoning Administrator shall not base any condition on the content of a sign.
- D. **Evaluation Criteria.**
1. **Placement.** All signs shall be placed where they are visible and legible. Factors to be considered include the location of a sign relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall Signs may be approved on building walls other than the wall of a unit of a multi-tenant building in which some units have little or no visibility from the street.
 2. **Quantity.** The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development and the number of development sub-areas.
 3. **Area and Height.** All signs shall comply with the sign area and height requirements established for the sign type as established in [Section 15-6-05](#) and [Section 15-6-05](#).
- E. **Application.** A comprehensive sign plan shall be submitted on a form established by the Zoning Administrator. The application shall contain the following information as well as all other information required by the Zoning Administrator to ensure compliance with the comprehensive sign plan evaluation criteria.
1. Name, address, and telephone number of the applicant.
 2. Location of building, structure, or lot to which or upon which the comprehensive sign plan shall apply.
 3. Name of person, firm, corporation, or association developing the comprehensive sign plan.
 4. Written consent of the owner or lessee of the building, structure, or land to which the proposed comprehensive sign plan is applicable.
 5. Scale drawing of all signs included in the comprehensive sign plan indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment. Said drawings shall be drawn at a scale no smaller than one-eighth (1/8) inch equals one (1) foot and shall be prepared, signed, and sealed by a registered professional engineer when required by the Zoning Administrator.
 6. A scaled drawing indicating the location and position of all signs included in the comprehensive sign plan in relation to nearby buildings or structures. Said drawing shall be at a scale no smaller than one (1) inch equals fifty (50) feet.

- F. **Review and Action.** The Plan Commission shall review the comprehensive sign plan application and approve, approve with conditions, or deny the application based on the evaluation criteria. A written decision including the findings on the evaluation criteria shall be rendered to the applicant.
- G. **Appeals.** Any applicant who receives a notice of denial from the Plan Commission may, within thirty (30) days after receipt of such decision, appeal such decision to the Board of Zoning and Building Appeals by filing a written notice of appeal with the Zoning Administrator with an explanation as to why said decision was not warranted according to the applicant.