



FRANKLIN CITY HALL CHAMBERS
9229 W. LOOMIS ROAD
FRANKLIN, WISCONSIN

PLAN COMMISSION MEETING AGENDA
Thursday, June 20, 2024 at 5:30 P.M.

SPECIAL WORKSHOP (5:30 P.M.)

- A. Call to Order and Roll Call**
- B. Unified Development Ordinance (UDO) Rewrite Task Force.** Zoning map and Articles: (2) Establishment of Districts, (3) District Specific Standards and (4) Use-Specific Standards. Session prepared by planning staff and project consultants Houseal Lavigne Associates and Birchline Planning, LLC.

REGULAR MEETING (6:30 P.M.)

- A. Call to Order and Roll Call**
- B. Approval of Minutes**
 - 1. Approval of the regular meeting of June 6, 2024.
- C. Public Hearing Business Matters**
 - 1. **RLUIPA Unified Development Ordinance Text Amendment.** Request to amend Table 15-3.0603 of the Unified Development Ordinance to add certain Religious and Church and Places of Worship uses as permitted uses in the B-4 South 27th Street Mixed Use District, CC City Civic Center District, I-1 Institutional District, and special uses in the OL-2 General Business Overlay District and P-1 Park District.
- D. Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.
- E. Business Matters**
 - 1. **Conservancy for Healing & Heritage, Minor PDD Amendment.** Request for accessory structure including office and additional event space, new trail segments, and other additions to the Conservancy development, on property located at 6941 S. 68TH Street (743 8978 006).
 - 2. **Department of Public Works Site Plan Amendment.** Request for approval of a Site Plan Amendment to allow for development of a building addition for storage, on property located at 7979 W. Ryan Road (896 9990 001).
- F. Adjournment**

Development's office at 414-425-4024, Monday through Friday, 8 AM – 4:30 PM.

*Supporting documentation and details of these agenda items are available at City Hall during regular 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: July 18, 2024.

City of Franklin
Plan Commission Meeting
June 6, 2024
Minutes

unapproved

A. Call to Order and Roll Call

Mayor John Nelson called the June 6, 2024 Plan Commission meeting to order at 6:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor John Nelson, City Engineer Glen Morrow, Alderwoman Courtney Day and Commissioners Kevin Haley and Michael Shawgo. Excused were Commissioners Rebecca Specht and Patrick Leon. Also, present were City Attorney Jesse Wesolowski, Principal Planner Régulo Martínez-Montilva and Director of Administration Kelly Hersh.

B. Approval of Minutes – Regular Meeting of May 23, 2024

Commissioner Haley moved and Alderwoman Day seconded a motion to approve the May 23, 2024 meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-2).

C. Public Hearing Business Matters

1. None.

D. Citizen comment period. Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.

The citizen comment period opened at 6:01 p.m. and closed at 6:12 p.m. Two citizen comments.

E. Business Matters

1. Safari Homes, Site Plan to allow for five multifamily buildings upon property located 3709 W College Avenue (TKN 713 9996 003).

Principal Planner Martinez-Montilva presented the Site Plan request.

Commissioner Haley moved to table to the next meeting. There was no second, motion failed.

Alderwoman Day moved and City Engineer Morrow seconded a motion to adopt a resolution conditionally approving a Site Plan for Lake Grove Place, a multi-family residential development (3709 W College Avenue) (Safari Homes Franklin LLC, applicant), resolution dated June 6, 2024, and conditioned upon the installation of a screening fence as well as obtaining all county approvals for work within College Avenue right-of-way. On voice vote, all voted ‘aye’; motion carried (4-0-2).

2. Payne & Dolan, Inc. Franklin Aggregates biannual report (2022-2023).

Bryanna Bucholtz presented the biannual report (2022-2023).

Commissioner Haley moved and Alderwoman Day seconded a motion to accept and place on file. On voice vote, all voted 'aye'; motion carried (4-0-2).

- 3. Milwaukee County - DPRC, Minor PDD Amendment and Site Plan.** Request to amend PDD No. 38 fencing requirements and a Site Plan to install a fence with a height of eight feet upon property located at 9000 South 68th Street (TKN 883 9999 002).

Principal Planner Martinez-Montilva presented the Minor Planned Development District (PDD) and Site Plan request.

Planned Development District Minor Amendment

- City Engineer Morrow moved and Alderwoman Day seconded a motion to determine the proposed Planned Development District Amendment to be a Minor Amendment. On voice vote, all voted 'aye'; motion carried (4-0-2).
- City Engineer Morrow moved and Alderwoman Day seconded a motion to recommend adoption of an Ordinance amending Table 15-3.0443E.1.B. related to fencing requirements (Milwaukee County - DPRC, applicant). On voice vote, all voted 'aye'; motion carried (4-0-2).

Site Plan

City Engineer Morrow moved and Alderwoman Day seconded a motion to adopt a Resolution approving a Site Plan to allow for the installation of a fence with a height of eight feet upon property located at 9000 68th Street, subject to Common Council approval of the concurrently submitted Planned Development District Amendment (Milwaukee County – DPRC, applicant). On voice vote, all voted 'aye'; motion carried (4-0-2).

F. Adjournment

Commissioner Haley moved and Commissioner Shawgo seconded to adjourn the meeting at 7:08 pm. On voice vote, all voted 'aye'; motion carried (4-0-2).



MEMORANDUM

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Date: June 11, 2024

SENT VIA EMAIL

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

From: Jackie Wells, AICP, Practice Lead
Ruben Shell, AICP, Planner II
Houseal Lavigne Associates

**Re: Franklin, WI UDO Update
Task Force Meeting - Draft UDO Articles 2 and 3**

The purpose of this memorandum is to provide an overview of Articles 2 and 3 of the draft UDO. This memo provides an overview of the feedback and background that informed the major changes from the existing UDO. This memo provides background to inform discussion at the Task Force's June 20th meeting.

Article 2: Establishment of Districts and Article 3: District Specific Standards

Article 2: Establishment of Districts lists the zoning districts within the draft UDO and sorts them into five categories; residential, commercial and mixed-use, industrial and agricultural, miscellaneous, and floodplain. Article 2 then establishes a purpose and intent statement for each of the zoning districts that briefly describes the uses and development patterns each district is intended to promote.

Article 3: District Specific Standards establishes the standards that apply within each of the zoning districts listed in Article 2. The bulk and dimensional standards including lot area, lot area per dwelling unit, lot width, yard setbacks, and building height and impervious surface coverage that apply within each district are listed in tables at the beginning of this Article. Then, the land uses that are allowed by right or as a Conditional Use are shown in tables. The Zoning Districts are listed in columns, and the uses are listed as rows in these tables. The uses allowed by-right are shown as "P" while those allowed as a conditional use are shown as "C" in the table. The uses that are prohibited in each district are designated with a blank space in the table. Last, Article 3 establishes standards that apply within certain zoning districts, such as the B-SM - Saint Martin's Road Historic Business District and the City's FF Floodfringe and GFP General Floodplain Districts.

Accompanying Articles 2 and 3 is also a proposed zoning map that shows how the zoning districts are proposed to apply throughout the City geographically.

Up-Front Outreach and Input Heard

During the kickoff and community engagement phases of the project, the project team heard substantial input from stakeholders regarding the City's zoning districts and the bulk and dimensional and use standards that apply within them. The project team heard substantial interest in exploring the consolidation of several of the City's zoning districts that serve similar purposes or encompass areas of the community with similar historic development patterns. The project team also heard interest from stakeholders in simplifying the bulk and dimensional standards and making them easier for staff and applicants to understand. A detailed list of the feedback heard from stakeholders is as follows:

- The R-3 through R-6 Residential Districts should be consolidated, as they serve similar purposes.
- The Countryside/Estate District (R1-E) applies to only one parcel and should be eliminated from the UDO.
- The existing floodplain districts do not match the FEMA-designated floodplain.
- Consider eliminating the C-1 Conservancy District, which does not exist in the UDO text and O-L Office District, which governs only few parcels.
- The overlay districts governing 27th Street should be replaced with consistent base district standards
- The UDO contains a complicated list of uses based on Standard Industrial Classification (SIC) codes that should be simplified.
- The UDO contains too many special uses that must undergo extensive approval processes.
- Clarify lot coverage standards to encompass all impervious surfaces and distinguish building coverage from lot coverage.
- Remove overly-complicated development standards that exist throughout the UDO.

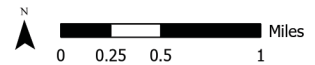
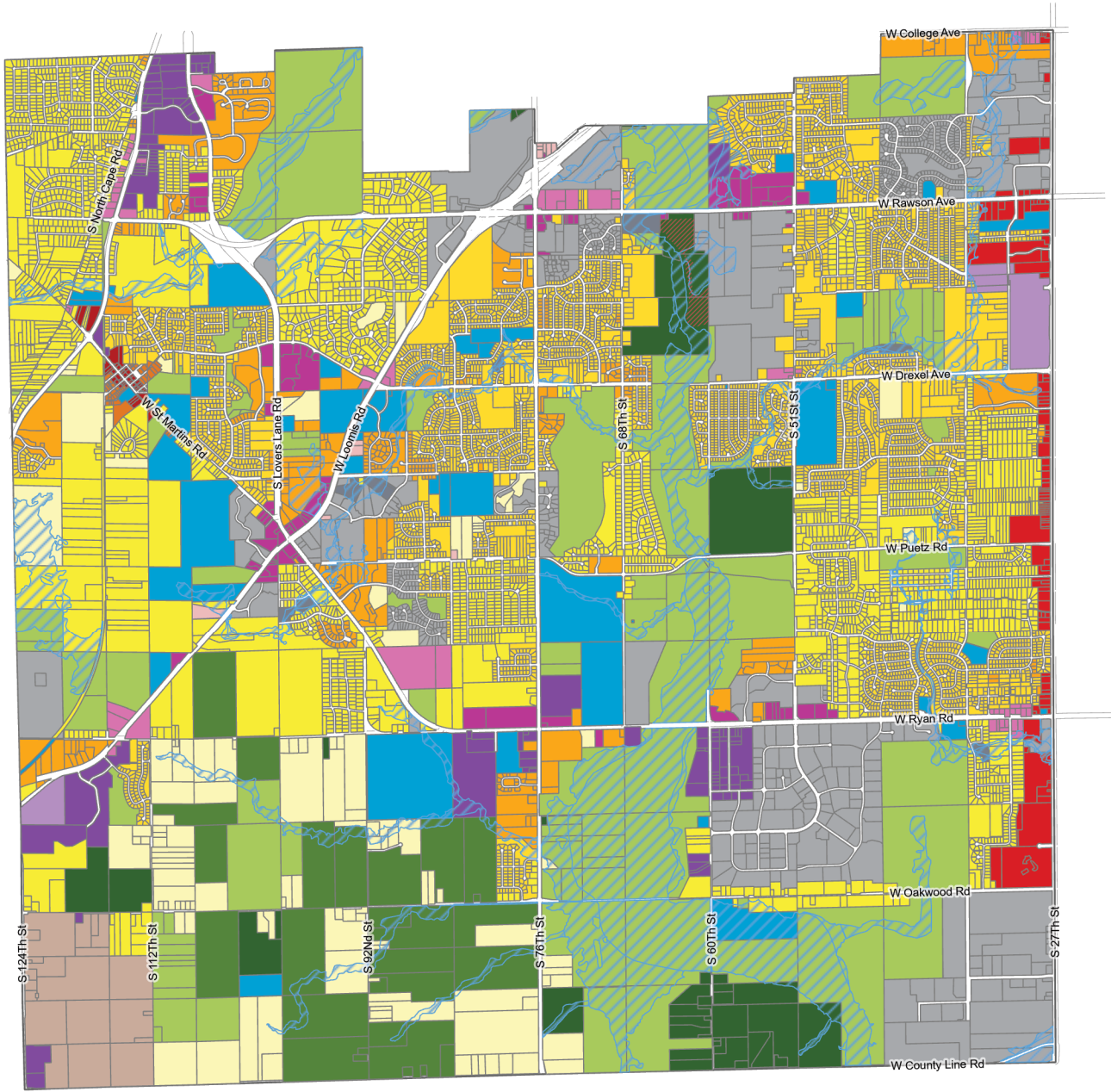
Major Proposed Changes

Using the feedback from the beginning of the process and described above, the project team explored and recommend changes to the existing UDO that are reflected in the drafts of Articles 2 and 3. Among these adjustments is the rezoning of specific areas of the City in the proposed Zoning Map. These proposed rezonings/map changes are not meant to substantially alter how property owners or developers are allowed to use and develop land throughout the community. Property rights and the type of development allowed in the proposed map would not be significantly impacted by the proposed changes. Instead, the proposed map adjustments are intended to achieve one or more the following measures:

- Consolidate existing residential or commercial zoning districts that serve similar purposes.
- Match existing development with UDO bulk and dimensional standards, reducing nonconformity rate and enabling easier reinvestment in property.
- Remove districts that apply to only a few select properties in the City.

The draft of Article 3 also contains the simplification of several of the City's existing development standards including floor area ratio regulations, minimum floor area standards for dwelling units, and complex differentiation between conservation development and standard development. More detail regarding the simplification of the proposed zoning map and bulk and dimensional standards will be discussed during the June 20th meeting.

Proposed Zoning



Proposed Zoning

- | | | |
|----------------------------------|--|-----------------------------------|
| A - Agricultural | B-N - Neighborhood Business | LI - Limited Industrial |
| A-P - Prime Agricultural | B-G - General Business | P - Parks and Open Space |
| R-C - Conservation Residence | B-R - Regional Business | L - Landfill |
| R-SE - Suburban/Estate Residence | B-P - Business Park | Policy Direction |
| R-SR - Suburban Residence | B-MU - South 27th Street Mixed-Use | PDL - Planned Development Legacy |
| R-M - Multiple-unit Residence | B-SM - Saint Martin's Road Historic Business | PDO - Planned Development Overlay |
| R-V - Village Residence | I - Institutional | FW - Floodway |

Article 2. Establishment of Districts

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15-2-01. Districts Established

A. Base Districts.

1. Residential Districts.

- a. R-C - Conservation Residence District
- b. R-SE - Suburban/Estate Residence District
- c. R-SR - Suburban Residence District
- d. R-M - Multiple-Unit Residence District
- e. R-V - Village Residence District

2. Commercial and Mixed-Use Districts.

- a. B-N - Neighborhood Business District
- b. B-G - General Business District
- c. B-R - Regional Business District
- d. B-MU - South 27th Street Mixed-Use District
- e. B-SM - Saint Martin's Road Historic Business District

3. Industrial and Agricultural Districts.

- a. B-P - Business Park District
- b. LI - Limited Industrial District
- c. A - Agricultural District
- d. A-P - Agricultural Prime District

4. Miscellaneous Districts.

- a. P - Park and Open Space District
- b. I - Institutional District
- c. L - Landfill District

d. PDL - Planned Development Legacy District

5. **Floodplain Districts.**

a. FW - Floodway District

b. GFP - General Floodplain District

c. FF - Floodfringe District

15-2-02. Purpose and Intent of Districts

A. Residential Districts

1. **R-C - Conservation Residence District.** The R-C Conservation Residence District is intended to allocate land for single-family residential uses on large lots and in low-density settings. The District is further intended to preserve open space, sensitive natural features, and maintain the community's rural residential setting and scenic viewsheds where these assets exist in the southern areas of the City.
2. **R-SE - Suburban/Estate Single-Family Residence District.** The R-SE Suburban/Estate Single-Family Residence District is intended to provide land for single-family residential housing in moderately-low densities and that is suburban or semi-rural in character. The District is further intended to preserve and protect the City's natural resources, including woodlands and open spaces.
3. **R-SR - Suburban Single-Family Residence District.** The R-SR Suburban Single-Family Residence District is intended to provide land for single-family suburban residential housing at moderately low densities. The District is designed to preserve the community's suburban and semi-rural character and its open space and natural resources. The district is intended to allow infill in locations where moderately low-density neighborhoods exist and to allow new residential growth as the community determines is appropriate.
4. **R-M - Multiple-Family Residence District.** The R-M Multiple-Family Residence District is intended to establish and preserve land for both multifamily and single-family attached residential development such as duplexes, townhomes, and rowhomes to accommodate a variety of households with different lifestyles, age ranges, and incomes. The District is intended to allow a flexible mix of scales, densities and formats throughout the community while ensuring that the single-family attached and multifamily residential uses enhance the character of Franklin's residential setting, contribute to the community's visual appeal, and ensure the adequate provision of open space.
5. **R-V - Village Residence District.** The R-V Village Residence District is intended to preserve the single-family residential character and architectural qualities of the Saint Martin's Historic Village Area. The District is intended to allow new single-family residential infill on vacant or underused sites in the Village area, provided that such development is consistent with the historic visual character and preserves its moderate residential density.

B. Commercial and Mixed-Use Districts

1. **B-N - Neighborhood Business District.** The B-N Neighborhood Business District is intended to provide for the day-to-day retail, commercial service, and employment needs of Franklin residents, particularly the needs of the neighborhoods adjacent to properties in the District. The District is further intended to promote a mutually supportive mix of small-scale retail establishments and to ensure safe and convenient pedestrian and vehicular circulation on-site and between adjacent sites as redevelopment of existing sites occurs.
2. **B-G - General Business District.** The B-G General Business District is intended to promote a variety of commercial service and retail uses along the City's major roadways. The District is intended to allow moderately large-scale development that serves the general population of Franklin. It is further intended to promote commercial development in visually appealing plaza formats that promote safe and convenient pedestrian travel on sites and between adjacent sites and neighborhoods.

3. **B-R - Regional Business District.** The B-R Regional Business District is intended to promote a variety of commercial service and retail uses along the City's major roadways to serve the needs of Franklin residents as well as a regional consumer market beyond the City's borders. Moderately large-scale development should be configured with groups of large-lot commercial structures with outlot commercial buildings surrounding shared parking areas and should provide safe and convenient pedestrian travel on-site, and when practicable, between other sites and neighborhoods.
4. **B-MU - South 27th Street Mixed-Use District.** The B-MU South 27th Street Mixed-Use District is intended to provide land for a mutually-supportive combination of retail, commercial, office, and compact residential uses in buildings' upper floors along South 27th Street. Development is configured in multi-building plaza formats and on relatively large sites. The District is intended to facilitate greater densities of retail, commercial, office, and residential uses than in the B-1 through B-3 Districts, given South 27th Street's direct access to bus transit. The development should further be arranged in cohesive plaza developments that facilitate convenient vehicle and pedestrian travel and enhance the corridor's appearance.
5. **B-SM - Village Business District.** The B-SM Village Business District is intended to promote a mix of commercial retail, service, and upper-floor residential uses in the historic Saint Martin's Village area while maintaining the area's traditional character and built form. The District is designed to preserve historic structures while allowing infill development on underused sites that is consistent with the area's built characteristics and architectural qualities. Development should continue to be formatted in small lots and buildings should be placed relatively near front lot lines to preserve the area's pedestrian-oriented character.

C. Industrial and Agricultural Districts.

1. **B-P - Business Park District.** The B-P Business Park District is intended to promote a flexible mix of light industrial, research, and office uses in a campus like setting. Uses are conducted primarily indoors and do not have the potential to generate nuisances to adjoining properties. Circulation systems should be integrated into the site in a cohesive manner to ensure convenient pedestrian and vehicular travel.
2. **LI - Limited Industrial District.** The LI Limited Industrial District is intended to provide land for manufacturing, industrial, warehousing, and similar uses of a limited scale and intensity. The district is intended to support employment opportunities in the City while maintaining the community's natural resources and neighborhood character.
3. **A - Agricultural District.** The A Agricultural District is intended to preserve land in the City historically used for small farming operations engaged in crop production, the raising of livestock, the cultivation of orchards, and other small-scale agricultural activities. The district also accommodates limited single-family housing. The District is intended to preserve the large contiguous parcels of land that are characteristic of the community's rural areas.
4. **A-P - Prime Agricultural District.** The A-P Prime Agricultural District is intended to preserve and protect land in the City historically designated as prime agricultural land in the City of Franklin's Comprehensive Plan. The District is intended to preserve the natural integrity, agricultural productivity, and scenic qualities of these lands while allowing limited single-family residential development.

D. Miscellaneous Districts

1. **P - Park and Open Space District.** The P Park and Open Space District is intended to provide land for parks and recreational facilities that meet the needs of the Franklin community while also preserving the City's natural resources, including rivers, woodlands, and open space.
2. **I - Institutional District.** The I Institutional District is intended to allocate land for public or semi-public uses, municipal facilities, utilities, and noncommercial places of assembly as defined in this UDO. The district serves to accommodate existing and future public and semi-public uses and to allocate land separately from commercial and residential uses.
3. **L - Landfill District.** The L Landfill District is intended to contain and regulate existing and former landfill uses in the City while mitigating their adverse impacts such as odor, noise, and traffic on the community's commercial and residential areas.

4. **PDL - Planned Development Legacy District.** The PDL Planned Development Legacy District includes properties that have been previously zoned as a "planned development district" and are governed by a unique set of regulations as set forth in the related planned development ordinance. Properties zoned in the Legacy Planned Development District will continue to operate under their specific planned unit development ordinance. No property may be rezoned into the Legacy Planned Development District after the date of the adoption of this chapter.

E. Floodplain Districts.

1. **FW - Floodway District.** The FW Floodway District, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 5.1(5).
2. **GFP - General Floodplain District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
3. **FF - Floodfringe District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.

15-2-03. Official Zoning Map

- A. **Official Zoning Map Established.** The location and boundaries of the districts established by this UDO shall be established in the Zoning Map as amended, which is incorporated herein and hereby made a part of this Ordinance.
- B. **District Boundary Description and Interpretation.**
 1. **Zoning Boundary Determination.** The district boundaries shall be streets, alleys, railroads, lot lines, streams, floodplain boundaries, and wetland boundaries unless otherwise shown on the Zoning Map.
 2. **Zoning Boundary Determination for Approximate Boundaries.** Where the designation of the Official Zoning Map indicates that various zoning districts are approximately bounded by a street, alley, lot line, stream, floodplain boundary, or wetland boundary, such lot line or the centerline of such street, alley, or railroad right-of-way, or centerline of the main channel of such stream, the floodplain boundaries, or wetland boundaries as delineated on maps prepared by the City or under the Root River Watershed study, or as determined through the use of on-site wetland delineation, flood profiles and accompanying hydrologic and hydraulic engineering data, shall be construed to be the zoning district boundary line.
 3. **Split Zoning of New Lots Prohibited.** The split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed except for parcels split between a district and the AO, GFP, FW, and FF Districts.
 4. **Zoning of Annexed Land.** Any additions to the incorporated area of the City of Franklin shall be classified in the A Agricultural District until otherwise classified by amendment.
 - a. **Annexations or Consolidations Containing Shorelands.** Annexations containing shorelands shall comply with [§ 62.231 of the Wisconsin Statutes](#).
 - b. **Annexations or Consolidations Containing Floodplains.** Annexations or consolidations containing floodplains shall be placed in the following districts as applicable:
 - i. All floodways and unnumbered A Zones on the FEMA map shall be placed in the FW Floodway District.
 - ii. All other floodplains shall be placed in the GFP General Floodplain District.

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REVIEW GUIDE

- Existing Text
- New Text
- Deleted or Moved Text
- References to be updated

Article 2. Establishment of Districts

15-2-01. Districts Established 1
 **Error! Bookmark not defined.**

15-2-02. Purpose and Intent of Districts 2
 **Error! Bookmark not defined.**

15-2-03. Official Zoning Map 11

15-2-01. Districts Established

A. Base Districts.

1. Residential Districts.

- a. ~~R-C-4~~ - Conservation Residence District
- b. ~~R-1 - Countryside/Estate Single Family Residence District~~
- e. ~~R-2 - Estate Single Family Residence District~~
- b. ~~R-SE-4~~ - Suburban/Estate ~~Single Family~~ Residence District
- d. ~~R-3E - Suburban/Estate Single Family Residence District~~
- e. ~~R-4 - Suburban Single Family Residence District~~
- f. ~~R-5 - Suburban Single Family Residence District~~
- c. ~~R-SR2~~ - Suburban ~~Single Family~~ Residence District
- g. ~~R-7 - Two Family Residence District~~
- d. ~~R-MF - Multiple Family Unit Residence District~~ ~~R-8 Multiple Family Residence District~~
- h.e. ~~R-V-R~~ - Village Residence District

2. Commercial and Mixed-Use Districts.

- a. ~~B-N1~~ - Neighborhood Business District
- b. ~~B-G2~~ - General Business District
- c. ~~B-R3~~ - ~~Community Regional~~ Business District

- d. ~~B-MU4~~ - South 27th Street Mixed-Use District
- e. ~~B-SMB-5~~ - Highway Business District
- f. ~~B-6~~ - Professional Office District
- g. ~~B-7~~ - South 27th Street Mixed Use Office District
- h. ~~OL-1~~ - Office Overlay District
- i. ~~OL-2~~ - General Business Overlay District
- j. ~~CC~~ - City Civic Center District
- k.e. ~~SMHB V-B~~ - Saint Martin's Road Historic Business District

3. **Industrial and Agricultural Districts.**

- a. ~~B-P~~ - Business Park District
- b. ~~M-2~~ - General Industrial
- e.b. ~~LIM-1~~ - Limited Industrial District
- c. ~~A-1~~ - Agricultural District
- d. ~~A-P~~ - Agricultural Prime District

4. **Miscellaneous Districts.**

- a. ~~I-1~~ - Institutional District
- a. ~~P-4~~ - Park and Open Space District
- b. ~~I~~ - Institutional District
- c. ~~L~~ - Landfill District
- b.d. ~~PDL - Planned Development Legacy District~~ ~~PDD - Planned Development Districts~~
- ~~L-1~~ - Landfill District

5. **Floodplain Districts.**

- a. ~~FW~~ - Floodway District
- b. ~~GFP~~ - General Floodplain District
- c. ~~FF~~ - Floodfringe District

6. **Overlay Districts.**

- ~~AO~~ - Airport Overlay District
- a. ~~HPO~~ - Historic Preservation Overlay District

15-2-02. Purpose and Intent of ~~Base~~-Districts

A. Residential Districts

1. ~~RC-4R-C - Conservation Residence District. The RC-4R-C Conservation Residence District is intended to provide space allocate land for single-family residential uses on large lots and in low-density settings. The District is further intended to preserve open space, sensitive natural features, and maintain the community's rural residential setting and scenic viewsheds where these assets exist in the southern areas of the City.~~

~~District Intent. The RC-1 Conservation Residence District is intended to provide for allowing a diversity of lot sizes and single and multiple family uses, housing choices and building densities, while protecting and restoring environmentally sensitive areas, in furtherance of the goals and objects of the South 27th Street Corridor Element of the Comprehensive Master Plan, and:~~

- ~~1. To guide the detailed analysis of the development parcel so as to locate and coordinate appropriate areas for development and conservation.~~
- ~~2. To preserve the rural character through the permanent preservation of meaningful open space and sensitive natural resources.~~
- ~~3. To preserve scenic views by minimizing views of new development from existing roads.~~
- ~~4. To provide commonly owned open space areas for passive and/or active recreational use by residents of the development and, where specified, the larger community.~~
- ~~5. To provide for a diversity of lot sizes, housing choices and building densities to accommodate a variety of age and income groups.~~
- ~~6. To provide buffering between residential development and non-residential uses.~~
- ~~7. To protect and restore environmentally sensitive areas and biological diversity, minimize disturbance to existing vegetation, and maintain environmental corridors.~~
- ~~8. To preserve significant archaeological sites, historic buildings and their settings.~~
- ~~9. To meet demand for housing in a rural setting.~~
- ~~10. Be served by public sanitary sewer and water supply facilities.~~

2. ~~R-4R-SE - Suburban/Estate Single-Family Residence District. The R-4R-SE Suburban/Estate Single-Family Residence District is intended to provide land for single-family residential housing in moderately-low densities and that is suburban or semi-rural in character. The District is further intended to preserve and protect the City's natural resources, including woodlands and open spaces.~~

~~2.~~

3. ~~District Intent. The R-3 District is intended to:~~

- ~~1. Provide for the continuance of SUBURBAN/ESTATE lots as set forth in the City of Franklin Comprehensive Master Plan and components thereof.~~
- ~~2. Be used in order to protect the character of building bulk in established SUBURBAN/ESTATE residential neighborhoods and subdivisions.~~
- ~~3. Be served by public sanitary sewer and water supply facilities, (1) except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lot(s) of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water.~~

- ~~4. The options in this district promote open space and natural resource base protection. These requirements will result in an SUBURBAN/ESTATE community character. R-2R-SR - Suburban Single-Family Residence District. The R-2R-~~

SR Suburban Single-Family Residence District is intended to provide land for single-family suburban residential housing at moderately low densities. The District is designed to preserve the community's suburban and semi-rural character and its open space and natural resources. The district is intended to allow infill in locations where moderately low-density neighborhoods exist and to allow new residential growth as the community determines is appropriate.

A. District Intent. The R-6 District is intended to:

1. Provide for the continuation of higher density SUBURBAN type single-family dwelling lots in areas of the City where such development has already occurred or where such areas are planned to develop as set forth in the City of Franklin Comprehensive Master Plan and components thereof.

2. Be used in order to protect the existing character of single-family dwelling lots in established residential neighborhoods and subdivisions.

3. Permit higher density SUBURBAN type single-family residential development in a manner that is consistent with the provision of a high-quality SUBURBAN community character.

4. Be served by public sanitary sewer and water supply facilities, (1) except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lot(s) of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water.

5. Be used as a transitional district between the less dense R-5 District and other higher density residential districts. The R-6 District is the most dense of the SUBURBAN single-family residence district types.

5.3. Areas of open space may also be provided in this district in order to maintain this character. The options in this district promote open space protection and natural resource base protection. The requirements for the various options available under the provisions of this district are intended to reinforce the open nature of the City's SUBURBAN environment.

4. R-MF - Multiple-Family Residence District. The R-MF Multiple-Family Residence District is intended to establish and preserve land for both multifamily and single-family attached residential development such as duplexes, townhomes, and rowhomes to accommodate a variety of households with different lifestyles, age ranges, and incomes. The District is intended to allow a flexible mix of scales, densities and formats throughout the community while ensuring that the single-family attached and multifamily residential uses enhance the character of Franklin's residential setting, contribute to the community's visual appeal, and ensure the adequate provision of open space. A. District Intent. The R-7 District is intended to:

1. Establish and preserve two-family residential districts in the City.

2. Permit higher density SUBURBAN type two-family residential development in a manner that is consistent with the provision of a high-quality SUBURBAN community character as set forth in the City of Franklin Comprehensive Master Plan and components thereof.

3. Be served by public sanitary sewer and water supply facilities.

4. Be used as a transitional district between the less dense R-6 District and other higher density R-8 District. The R-7 District is the least dense of the multi-family residence district types.

Areas of open space may also be provided in this district in order to maintain this character. The options in this district promote open space and natural resource base protection. The requirements for the various options available under the provisions of this district are intended to reinforce the open nature of the City's SUBURBAN environment. A. District Intent. The R-8 District is intended to:

1. Establish and preserve multi-family residential districts in the City.

~~2. Permit high density URBAN type multi-family residential development in a manner that is consistent with the provision of a high-quality URBAN character within a SUBURBAN community character setting as set forth in the City of Franklin Comprehensive Master Plan and components thereof. The R-8 District is the most dense of the residence district types.~~

~~3. Be served by public sanitary sewer and water supply facilities.~~

~~4. Be used as a transitional district between the less dense R-7 District and other higher intensity commercial or institutional use districts with the provision of adequate landscape bufferyards.~~

6.5. **VR-V - Village Residence District.** The VR-V Village Residence District is intended to preserve the single-family residential character and architectural qualities of the Saint Martin's Historic Village Area. The District is intended to allow new single-family residential infill on vacant or underused sites in the Village area, provided that such development is consistent with the historic visual character and preserves its moderate residential density.

A. District Intent. The VR District is intended to:

~~1. Be used exclusively in the Village of St. Martins Planning District as delineated in the City of Franklin Comprehensive Master Plan.~~

~~2. Prevent the Village of St. Martins area from becoming nonconforming as it would if placed under a different more SUBURBAN-oriented zoning district classification.~~

~~3. Provide for the minor infilling of vacant or redevelopment areas within the unincorporated Village of St. Martins consistent with the requirements of this zoning district and the established community character of the Village of St. Martins.~~

~~4. Permit future residential development and redevelopment of the Village of St. Martins area consistent with earlier approved Subdivisions and Certified Survey Maps.~~

~~5. Be served by public sanitary sewer and water supply facilities, (1) except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lot(s) of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water.~~

The VR Village Residence District, as used here, is not intended to be confused with incorporated "villages" as defined by the Wisconsin State Statutes. **Nonresidential Commercial and Mixed-Use Districts**

B.

1. **B-1B-N - Neighborhood Business District.** The B-N+ Neighborhood Business District is intended to provide for the day-to-day retail, commercial service, and employment needs of Franklin residents, particularly the needs of the neighborhoods adjacent to properties in the District. The District is further intended to promote a mutually supportive mix of small-scale retail establishments and to ensure safe and convenient pedestrian and vehicular circulation on-site and between adjacent sites as redevelopment of existing sites occurs.

A. District Intent. The B-1 Neighborhood Business District is intended to:

~~1. Provide for the convenience of persons residing in nearby residential areas and is, thus, limited in its functions to accommodating the basic day-to-day shopping and service needs of the residents living in the adjacent areas.~~

~~2. Allow for the clustering of buildings on parcels of land under individual or multiple ownership.~~

~~3. Provide for an arrangement of retail trade establishments that are compatible in function and operation.~~

~~4. Limit building height to not exceed two stories in order to assist in assuring compatibility with surrounding land uses of a lesser intensity.~~

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~~While the off-street parking requirements for the B-1 District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-1 District are established to increase its compatibility with a SUBURBAN character as set forth in the City of Franklin Comprehensive Master Plan.~~

- 2. ~~**B-G2 - General Business District.** The B-G2 General Business District is intended to promote a variety of commercial service and retail uses along the City's major roadways. The District is intended to allow moderately large-scale development that serves the general population of Franklin. It is further intended to promote commercial development in visually appealing plaza formats that promote safe and convenient pedestrian travel on sites and between adjacent sites and neighborhoods.~~

~~A. District Intent. The B-2 General Business District is intended to:~~

- ~~1. Provide for the orderly and attractive development and grouping, in appropriate and convenient locations, of small-lot business activities of a general nature.~~
- ~~2. Limit building height to not exceed two stories in order to assist in assuring compatibility with surrounding land uses of a lesser intensity.~~
- ~~3. Provide adequate on-site parking and loading areas to such business activities.~~

~~While the off-street parking requirements for the B-2 District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-2 District are established to increase its compatibility with a SUBURBAN character as set forth in the City of Franklin Comprehensive Master Plan.~~

- ~~3. **Community B-R3 - Regional Business District.** The B-R3 Regional Business District is intended to promote a variety of commercial service and retail uses along the City's major roadways to serve the needs of Franklin residents as well as a regional consumer market beyond the City's borders. Moderately large-scale development should be configured with groups of large-lot commercial structures with outlot commercial buildings surrounding shared parking areas and should provide safe and convenient pedestrian travel on-site, and when practicable, between other sites and neighborhoods.~~

~~A District Intent. The B-3 Community Business district is intended to:~~

- ~~2. Provide for relatively large groupings of retail sales and customer service establishments in a community-serving shopping area.~~
- ~~3. Accommodate the clustering of buildings on parcels of land under individual or multiple ownership.~~
- ~~4. Provide for an arrangement of retail trade establishments that are compatible in function and operation.~~
- ~~5. Provide on-site parking for customer automobiles combined with a pedestrian-oriented shopping environment.~~

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~~While the off-street parking requirements for the B-3 District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-3 District are established to increase its compatibility with a SUBURBAN character as set forth in the City of Franklin Comprehensive Master Plan.~~

- ~~3.~~
- 4. ~~**B-MU4 - South 27th Street Mixed-Use District.** The B-MU4 South 27th Street Mixed-Use District is intended to provide land for a mutually-supportive combination of retail, commercial, office, and compact residential uses in buildings' upper floors along South 27th Street. Development is configured in multi-building plaza formats and on relatively large sites. The District is intended to facilitate greater densities of retail, commercial, office, and residential uses than in the B-1 through B-3 Districts, given South 27th Street's direct access to bus transit. The and development should~~

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further be arranged in cohesive planned plaza formats developments that facilitate convenient vehicle and pedestrian travel and enhance the corridor's appearance.

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A. District Intent. The B-4 South 27th Street Mixed Use District is intended to provide for the development of certain mixed uses, including retail, commercial, office and residential development, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Master Plan and:

- 1. Require that future land division be limited, such that no new lots are created that are smaller than two acres in size.
- 2. Require that no new lots of record for the development of new One-family detached dwellings or Two-family attached dwellings be created after the effective date of this ordinance.

[Amended 5-19-2015 by Ord. No. 2015-2176]

3. Require that new residential development meet the R-8 Multiple-Family Residence District Development Standards in Table 15-3.0209.

4. Require that cross-access for both pedestrian and vehicular circulation is provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall be sufficient in most cases to provide the appropriate cross-access easements to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment that would facilitate the completion of the connection. The city may require a letter of credit sufficient to ensure the construction of the future pedestrian and vehicular connection when actual construction is not taking place at the time of site plan approval.

5. Require special use approval for all new buildings greater than 40,000 square feet in area, whether single-tenant or multi-tenant spaces.

6. Single retail establishments are limited to tenant space of 80,000 square foot or less in area.

7. Be served by public sanitary sewer and water supply facilities.

8. A Special Use lawfully existing within the area of this District prior to and upon the creation of this District shall remain as such Special Use and a conforming use, with any future amendment to the Special Use Permission, to be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the District Intent and District Standards in this Section.

5. While the off-street parking requirements for the B-4 South 27th Street Mixed Use District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-4 South 27th Street Mixed use District are established to increase its compatibility with an URBAN character as set forth in the City of Franklin 27th Street Corridor Plan. **B-SMVB - Village Business District.** The B-SMVB Village Business District is intended to promote a mix of commercial retail, and service, and upper-floor residential uses in the historic Saint Martin's Village area while maintaining the area's traditional character and built form. The District is designed to preserve historic structures while allowing infill development on underused sites that is consistent with the area's built characteristics and architectural qualities. Development should continue to be formatted in small lots and buildings should be placed relatively near front lot lines to preserve the area's walkable pedestrian-oriented character.

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A. District Intent. The B-5 Highway Business District is intended to:

- 1. Accommodate automobile-oriented sales and service establishments.
- 2. Provide for relatively small retail sales and service establishments which are dependent upon an abutting highway for business purposes. All property in the B-5 District shall abut either a U.S. or State Trunk designated highway.

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3. Be characterized by business establishments that have on-site parking for customer automobiles.

4. Provide for an arrangement of retail trade establishments that are compatible in function and operation.

6. While the off-street parking requirements for the B-5 District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-5 District are established to increase its compatibility with a SUBURBAN character as set forth in the City of Franklin Comprehensive Master Plan.

5.

C. Industrial and Agricultural Districts.

1. B-P - Business Park District. The B-P Business Park District is intended to promote a flexible mix of light industrial, research, and office uses in a campus like setting. Uses are conducted primarily indoors and do not have the potential to generate nuisances to adjoining properties. Circulation systems should be integrated into the site in a cohesive manner to ensure convenient pedestrian and vehicular travel.

A. District Intent. The BP Business Park District is intended to:

1. Be applied to those areas of the City identified for business park development by the adopted City of Franklin Comprehensive Master Plan.

2. Provide for the development of the attractive groupings of office, manufacturing, industrial, and limited ancillary service uses which serve the needs of the occupants of the BP Business Park District.

3. Foster uses of a limited intensity.

4. Provide an aesthetically pleasing environment.

5. Provide for ample off-street parking and loading areas and landscape planting and screening of adjacent land uses of a lower intensity.

6. Accommodate industrial or business parks under unified design and ownership which exceed 20 acres in area.

2. LIM-1 - Limited Manufacturing Industrial District. The LIM-1 Limited Manufacturing Industrial District is intended to provide land for manufacturing, industrial, warehousing, and similar uses of a limited scale and intensity. The district is intended to ensure that the that the manufacturing support employment opportunities in the City is offered while maintaining the community's natural resources and neighborhood character is maintained.

A. District Intent. The M-1 Limited Industrial District is intended to:

1. Provide for manufacturing, industrial, warehousing, and uses of a limited nature and size in locations where the relative proximity to other uses requires more restrictive regulation.

2. Accommodate existing scattered uses of an industrial nature so as not to make them nonconforming uses.

The M-1 District is not intended to accommodate industrial or business parks under unified design and ownership which exceed 20 acres in area. The community character of the M-1 District is SUBURBAN as set forth in the City of Franklin Comprehensive Master Plan

3. A-1 - Agricultural District. The A-1 Agricultural District is intended to preserve the City's lands in the City historically used for small farming operations engaged in crop production, the raising of livestock, the cultivation of orchards, single family housing and other small-scale agricultural activities. The district also accommodates limited single-family housing. The District is intended to preserve the large contiguous parcels of land that are characteristic of the community's rural areas.

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A. District Intent. The A-1 Agricultural District is intended to:

1. Provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-2 Prime Agricultural District and which are generally best suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agricultural-related activity.
2. Retain the COUNTRYSIDE and RURAL character of areas of the City of Franklin in which the A-1 District is used as set forth in the City of Franklin Comprehensive Master Plan. In addition, certain RURAL uses are permitted in the district.
4. A-P - Prime Agricultural District. The A-P Prime Agricultural District is intended to preserve and protect land in the City historically designated as prime agricultural land in the City of Franklin's Comprehensive Plan. The District is intended to preserve the natural integrity, agricultural productivity, and scenic qualities of these lands while allowing limited single-family residential development.

District Intent. The A-2 Prime Agricultural District is intended to:

1. Maintain, enhance, and preserve agricultural lands historically utilized for the production and raising of livestock.
2. Prevent the premature conversion of agricultural land to scattered URBAN and SUBURBAN uses such as residential, commercial, and industrial uses.
3. Be used and limited to those lands shown as "Prime Agricultural Land" on the City of Franklin Comprehensive Master Plan.
4. Retain the COUNTRYSIDE and RURAL character of areas of the City of Franklin in which the A-2 District is used as set forth in the City of Franklin Comprehensive Master Plan.

D. Miscellaneous Districts

1. P-1 - Park and Open Space District. The P-1 Park and Open Space District is intended to provide land for parks and recreational facilities that meet the recreational needs of the Franklin community while also preserving the City's natural resources, including rivers, woodlands, and open space.
1. District Intent. The P-1 Park District is intended to provide for areas where the recreational needs, both public and private, of the populace can be met without undue disturbance of natural resources and adjacent uses.
2. I-1 - Institutional District. The I-1 Institutional District is intended to allocate land for public or semi-public uses, municipal facilities, utilities, and noncommercial places of assembly as defined in this UDO. The district serves to accommodate existing and future public and semi-public uses and to allocate land separately from commercial and residential uses. District Intent. The I-1 Institutional District is intended to: Eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public, or quasi-public purpose, is anticipated to be permanent.
3. Accommodate a maximum permitted building height of three stories.
4. The resulting character of this district would be SUBURBAN as set forth in the City of Franklin Comprehensive Master Plan.
3. L-1 - Landfill District. The L-1 Landfill District is intended to contain and regulate existing and former landfill uses in the City while mitigating their adverse impacts such as odor, noise, and traffic on the community's commercial and residential areas.

A. District Intent.

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1. The L-1 Landfill District is intended to regulate land use at existing, as well as former landfill sites in the City of Franklin.

2. The L-1 District is not intended to accommodate new landfill sites in the City of Franklin.

The implementing zoning ordinance requirements of the L-1 District address safety issues pertaining to landfills, protection of the natural resource base, minimization of adverse impacts upon surrounding and areawide land uses, aesthetics of the landfill site and surrounding environs, landscaping, noise, and traffic impacts upon the street and highway system serving the L-1 District. Landfill restoration requirements are set forth in the implementing zoning regulations. The minimum L-1 District size shall be 160 acres.

2.4. **PDL - Planned Development Legacy District.** The PDL Planned Development Legacy District includes properties that have been previously zoned as a "planned development district" and are governed by a unique set of regulations as set forth in the specific related planned development ordinance. Properties zoned in the Legacy Planned Development District will continue to operate under their specific planned unit development ordinance. No property may be rezoned into the Legacy Planned Development District after the date of the adoption of this chapter.

E. Floodplain Districts.

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3.1. **FW - Floodway District.** The FW Floodway District, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 5.1(5). The FW Floodway District is intended to be used to protect people and property from flood damage by prohibiting the erection of structures that would impede the flow of water during periodic flooding. Permitting use of the floodway would increase damages in the broader floodplain by increasing flood stages. In delineating the FW District, the effects of development within the associated flood fringe shall be computed utilizing the single degree of encroachment principle. Flood stage increases equal to or greater than 0.01 foot in height shall not be permitted unless the applicant has made appropriate legal arrangements with all affected units of government and all property owners affected by the stage increase, and until all such affected units of government have amended their water surface profiles and floodplain zoning maps to reflect the increased flood elevations.

4.2. **FC Floodplain Conservancy District / GFP - General Floodplain District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM. The FC Floodplain Conservancy District is intended to preserve in essentially open space and natural uses lands which are unsuitable for intensive URBAN development purposes due to poor natural soil conditions and periodic flood inundations. The proper regulation of these areas will serve to maintain and improve water quality, prevent flood damage, protect wildlife habitat, and prohibit the location of structures on soils which are generally not suitable for such use. In delineating the FC District, consideration shall be given to maintaining flood storage capacity and preventing significant increases in the flood discharges identified in applicable floodplain studies. No increase in the regional flood elevation shall be permitted that is equal to or greater than 0.01 foot unless the applicant has made appropriate legal arrangements with all affected units of government and all property owners affected by the increase in elevation, and all such affected units of government have amended their water surface profiles and floodplain zoning maps to reflect the increased flood elevations.

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5.3. **FF - Floodplain Fringe Overlay / Floodfringe District.** The GFP General Floodplain District is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM. The FFO Floodplain Fringe Overlay District is intended to provide for and encourage the most appropriate use of land and water in areas subject to periodic flooding and to minimize flood damage to people and property. The FFO Floodplain Fringe Overlay District is an overlay zoning district that imposes certain additional requirements on the underlying basic zoning district without disturbing the requirements of the basic district. In the instance of conflicting requirements, the more restrictive of the conflicting requirements shall apply.

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15-2-03. Overlay Districts.

~~AO – Airport Overlay District. The AO Airport Overlay District is intended to allow for the coordination, planning and development of land uses near General Mitchell Field, to control conflicts with adjoining residential and commercial uses, and to mitigate airport-related impacts such as noise.~~

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~~A. District Intent. The AO Airport Overlay District is intended to:~~

- ~~1. Allow for the coordination, planning, and development of land uses in the vicinity of General Mitchell Field, but limits uses and requires noise protection.~~
- ~~2. Control conflicts between land uses and noise generated by aircraft and to protect the public health, safety, and welfare from the adverse impacts associated with excessive noise.~~
- ~~3. Ensure that land uses in the airport noise impact area are mutually compatible with airport noise.~~
- ~~4. Provide acoustical performance standards.~~
- ~~5. Be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land or lot lying in the AO District shall also lie in one or more of the other zoning districts. The effect is to create a zoning district which has the characteristics and limitations of the underlying district, together with the characteristics and limitations of the AO District.~~
- ~~6. Provide adequate notice to land owners and prospective land owners that airport operations should be considered as possibly affecting the use of property within the AO Airport Overlay District.~~
- ~~7. Regulate land uses within designated existing or projected airport impact areas by providing height restrictions which will assure safe, unobstructed access for all aircraft which enter and exit General Mitchell Field.~~

15-2-04.15-2-03. Official Zoning Map

~~A. Official Zoning Map Established. The location and boundaries of the districts established by this Ordinance-UDO are shall be set forth established in the Official Zoning Map, dated July 1, 1998, and as amended, which is incorporated herein and hereby made a part of this Ordinance. The Official Zoning Map shall consist of a series of one inch equals 100-foot scale maps for each U. S. Public Land Survey quarter-section in the City of Franklin, Wisconsin. These maps, together with everything shown thereon, and all amendments thereto, shall be as much a part of this Ordinance as though fully set forth and described herein.~~

B. District Boundary Description and Interpretation.

- ~~1. Zoning Boundary Determination. The zoning district boundaries are shall be streets, alleys, railroads, lot lines, streams, floodplain boundaries, and wetland boundaries unless otherwise shown on the Official Zoning Map.~~
- ~~2. Zoning Boundary Determination for Approximate Boundaries. Where the designation of the Official Zoning Map indicates that various zoning districts are approximately bounded by a street, alley, lot line, stream, floodplain~~

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boundary, or wetland boundary, such lot line or the centerline of such street, alley, or railroad right-of-way, or centerline of the main channel of such stream, the floodplain boundaries, or wetland boundaries as delineated on maps prepared by the City or under the Root River Watershed study, or as determined through the use of on-site wetland delineation, flood profiles and accompanying hydrologic and hydraulic engineering data, shall be construed to be the zoning district boundary line.

~~3. Split Zoning of Newly Created Lots Not Allowed Prohibited.~~ The split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed except for parcels split between a district and the AO, GFP, FW, and FC, FFO, and SW Districts, and for and upon an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only.

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~~3.4. Zoning of Annexed Land.~~ Any additions to the incorporated area of the City of Franklin, ~~resulting from disconnections from incorporated areas in Milwaukee County, Waukesha County, Racine County or otherwise,~~ shall be automatically classified in the A-4 Agricultural District until otherwise classified by amendment.

- a. **Annexations or Consolidations Containing Shorelands.** Annexations containing shorelands shall comply with **§ 62.231 of the Wisconsin Statutes.**
- b. **Annexations or Consolidations Containing Floodplains.** Annexations or consolidations containing floodplains shall be placed in the following districts as applicable:
 - i. All floodways and unnumbered A Zones on the FEMA map shall be placed in the FW Floodway District.
 - ii. All other floodplains shall be placed in the ~~FC Floodplain Conservancy~~GFP General Floodplain District.

~~Annexations or Consolidations Containing Shoreland Wetlands.~~ Annexations or consolidations containing shoreland wetlands shall be placed in the ~~SW Shoreland Wetland Overlay District.~~

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Article 3. District Specific Standards

15-3-01. Bulk and Dimensional Standards 1
 15-3-02. Calculating Dimensional Standards..... 2
 15-3-03. Exceptions to Bulk and Dimensional Standards..... 3
 15-3-04. Permitted, Limited, Conditional, and Temporary Uses..... 4
 15-3-05. B-SM - Saint Martin’s Road Historic Business District Specific Standards. 8
 15-3-06. FF Floodfringe District and GFP General Floodplain District. 9

15-3-01. Bulk and Dimensional Standards

- A. **Residential District Bulk and Dimensional Standards.** Table 15-3.0100(A) establishes the bulk and dimensional requirements for development or the use of a lot in each residential district.

Table 15-3-01(A): Residential District Bulk and Dimensional Standards					
Standard	R-C	R-SE	R-SR	R-M	R-V
<i>Lot Standards (Minimum)</i>					
Lot Area (sqft)	10,000	18,000	10,000	12,000(1)	7,200
Lot Area / DU (sqft)(2)	--	--	--	4,500	--
Lot Width (ft)	60	90	80	100	60
<i>Yard Setbacks (Minimum)</i>					
Front (ft)	25	45	30	15	25
Street Side (ft)	15	35	20	10	15
Interior Side (ft)	5	10	10	5	5
Rear (ft)	25(3)	30(3)	30(3)	15(3)	25(3)
<i>Building Standards (Maximum)</i>					
Height Building (ft)	35	35	35	35	35
Impervious Surface Coverage (%)	20	40	50	60	40
<i>Notes</i>					
(1) A lot area of 6,000 square feet shall be allowed for duplex structures with a parti wall.					
(2) Lot area per dwelling unit requirements shall apply in addition to the baseline lot area requirement for each additional dwelling unit on a lot over one.					
(3) Minimum setback of 10 feet shall be allowed for garages.					

- B. **Nonresidential and Mixed-Use District Bulk and Dimensional Standards.** Table 15-3.0100 (B) establishes the bulk and dimensional requirements for development or uses of a parcel in each nonresidential or mixed-use district.

Table 15-3-01(B): Mixed-Use and Nonresidential District Bulk and Dimensional Standards											
Standard	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	I	P
<i>Lot Standards (Minimum)</i>											
Lot Area (acres)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3	35	n/a	n/a
Lot Width (ft)	50	50	50	50	50	50	50	200	300	50	50
Lot Depth (ft)	110	110	110	110	110	110	110	110	110	110	110
<i>Yard Setbacks (Minimum)</i>											
Front (ft)	25	25	40	30(1)	10	50	30	50	50	30	50
Street Side (ft)	25	25	40	30(1)	15	50	30	50	50	20	50
Interior Side (ft)	10	10	10	10(1)	5	20	20	25	25	10	20
Rear (ft)	20	20	20	30(1)	20	40	15	50	50	30	50
<i>Building Standards (Maximum)</i>											
Height Building (ft)	40	40	50	50(2)	40	95	45	35	35	45	40
Impervious Surface Coverage (%)	60	70	70	70	90	60	70	n/a	n/a	60	n/a
<i>Notes</i>											
(1) 40% of the required setback may be reduced when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% of the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling units shall be provided on site to qualify.											
(2) An additional ten (10) feet of building height shall be allowed when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling unit shall be provided on site to qualify.											

15-3-02. Calculating Dimensional Standards

- A. **Lot Width.** Lot width shall be measured as the distance between the side lot lines of a lot at right angles to its depth along a straight line parallel to the front lot line.
- B. **Lot Widths for Lots that Abut a Cul-de-Sac.** The lot width of all lots which abut a cul-de-sac may be reduced by a maximum of twenty (20) percent of the required lot width for the district in which it is located. The required lot width for the district shall be met at the front yard setback line.
- C. **Yard Setbacks.**
1. A required yard setback shall be measured as the horizontal distance from the center point of the applicable lot line into the interior of the lot for the minimum distance specified in [Table 15-3.0100\(A\)](#) or [Table 15-3.0100\(B\)](#).
 2. The span of a yard setback shall be measured as follows.
 - a. **Front Yard.** From the interior side lot line to the other interior side lot line or street side lot line as applicable.
 - b. **Street Side Yard.** From the front yard setback line to the rear lot line.
 - c. **Interior Side Yard.** From the front yard setback line to the rear yard setback line.
 - d. **Rear Yard.**
 - I. From the interior side lot line to the other interior side lot line; or
 - II. From the interior side lot line to the street side yard setback line.

- D. **Height.** Building height shall be the vertical distance measured from the mean elevation of the finished lot grade along the building frontage to the highest elevation of the roof.
- E. **Impervious Surface Coverage.** The portion of a lot that is not covered with soil or natural vegetation. Such surfaces include areas covered by buildings, porches, decks, patios, terraces, and swimming pools, and also include surfaces constructed of asphalt, concrete, gravel composite, brick, stone, tile or any other paving material used for parking, driveways and walkways.

15-3-03. Exceptions to Bulk and Dimensional Standards

- A. **Height Exceptions.** The following structures may exceed the height limitations established in **Table ##-###** and **##-###** as follows.
 - 1. **Architectural Projections.** Architectural projections such as antennae, spires, steeples, belfries, parapet walls, cupolas, domes, flues, and chimneys may exceed the height limit for the district to provide for projections usual and customary to the proposed use.
 - 2. **Special Structures.** Structures such as elevator penthouses, mechanical penthouses, gas tanks, grain elevators, observation towers, and scenery lofts, manufacturing equipment and necessary appurtenances, cooling towers, fire towers, substations, and smoke stacks are exempt from the height limitations of this UDO provided the structures are an integral part of and do not detract from the design of the principal structure as approved by the Plan Commission and/or Architectural Board.
 - 3. **Essential Services, Utilities, Water Towers, and Electric Power and Communication Transmission Lines.** Essential services, utilities, water towers, and electric power and communication transmission lines are exempt from the height limitations of this Ordinance. Building-mounted earth station dish antennas shall not exceed the maximum height regulation of the district in which they are located.
 - 4. **Agricultural Structures.** Agricultural structures, such as barns, silos, windmills, shall not exceed in height twice their distance from the nearest lot line.
 - 5. **Public or Semipublic Facilities.** Public or semipublic facilities, such as schools, churches, hospitals, monuments, sanatoriums, libraries, and governmental offices and stations, may be erected to a height of sixty (60) feet, provided all required yard setbacks are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.
 - 6. **Modification of Other Ordinances and Regulations Not Permitted Under this Division.** Modifications permitted under this Division of this Ordinance do not modify any requirements of federal, State, or local building codes relating to the elements addressed in this Division of this Ordinance.
- B. **Yard Setback Exceptions.** Obstructions into the yard setback requirements specified in Section **##-###** and **##-###** may be permitted as follows.
 - 1. **Uncovered Stairs, Landings, and Fire Escapes.** Uncovered stairs, landings, and fire escapes may project a maximum of six (6) feet into a required yard setback and shall not be closer than three (3) feet to any lot line.
 - 2. **Architectural Projections.** Architectural projections including chimneys, flues, sills, eaves, belt courses, and ornamental features, may project a maximum of two (2) feet into a required yard setback. Bay windows may project a maximum of three (3) feet into a required yard setback.
 - 3. **Accessibility Structures.** ADA accessible wheelchair ramps and other features designed to promote universal access on the subject site may project into a required yard setback but shall be located at least three (3) feet from any lot line.
 - 4. **Utility and Electric Power and Communication Transmission Lines.** Utility and electric power and communication transmission lines are exempt from the yard setback and distance requirements of this Ordinance.

5. **Terraces, Patios, Uncovered Decks.** Terraces, patios, uncovered decks, and ornamental features which do not extend more than three (3) feet above or below the adjacent grade may project a maximum of ten (10) feet into any required yard setback, however any such structure shall be setback at least five (5) feet from any property line.
6. **Lampposts and Flagpoles.** Lampposts with a maximum height of ten (10) feet and flag poles with a maximum height of thirty five (35) feet may project into required yard setbacks, however any such structure shall be set back at least five (5) feet from any property line.
7. **Air Conditioning Units.** Air conditioning units may project up to five (5) feet into a required side or rear yard setback but shall not be closer than five (5) feet from any property line.
8. **Below-Ground Stairways and Windows.** Stairways and windows that are constructed entirely below the site's finished grade may project into any required yard setback.
9. **Fences.** Fences may be located in required yard setbacks as specified in **Section 15-5-##**.
10. **Rainwater Harvesting Structures.** Rainwater harvesting structures with two-hundred (200) gallons or less of storage may project into a required side or rear yard setback but shall not be closer than five (5) feet from any property line. Rainwater harvesting structures with over two-hundred (200) gallons of capacity meet the location standards for accessory structures in **Section ##-#-##**. In no instance shall an underground rainwater harvesting structure be within five (5) feet of an easement.
 - a. If rain water harvesting structures are to be buried they shall be considered stormwater and shall conform to the requirements of SPS 382. A plumbing permit shall be required. Rain water harvesting structures located above ground shall not require a plumbing permit and shall not be required to conform with the requirements of SPS 382.
 - b. All rainwater harvesting structure shall be adequately maintained and in functional condition and shall meet the applicable standards of Section 190-24 of the Franklin municipal code.

15-3-04. Permitted, Limited, Conditional, and Temporary Uses.

- A. The following key shall be used in the interpretation of **Table 15-3.0400(B) and (C)**.
 1. **Permitted Uses.** Uses which are marked as "P" in the table shall be allowed subject to all applicable regulations of this UDO.
 2. **Conditional Uses.** Uses which are marked as "C" in the table shall be allowed upon the approval of a Conditional Use Permit as detailed in **Section ##-#-##**.
 3. **Temporary Uses.** Uses which are marked "T" in the tables shall be allowed upon the approval of a Temporary Use Permit as detailed in **Section ##-#-##**.
 4. **Prohibited Uses.** A blank space in the tables indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this UDO.
 5. **Uses Not Listed.** If a proposed use is not listed in the tables, the Zoning Administrator shall determine if the use is substantially similar to a use listed on the tables per **Section ##-#-##**. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
 6. **Additional Regulation.** If a use has use specific standards they are highlighted in green. Use specific standards shall apply to permitted, conditional, and temporary uses.
- B. **Permitted, Conditional, and Temporary Uses in Residential Districts.**

Table 15-3-04(B): Permitted, Conditional, and Temporary Uses in Residential Districts					
Use	R-C	R-SE	R-SR	R-MF	R-V
<i>Residential</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Community Living, 1-15 Persons	P	P	P	P	P
Community Living, 16 + Persons	C	C	C	C	C
Single-Family	P	P	P		P
Mobile/Manufactured Home Park, Existing Prior to this UDO				P	
Dwelling Duplex			C	P	
Dwelling Townhome				P	
Dwelling Multifamily Building				P	
Dwelling Multifamily Complex				P	
Senior Housing, Assisted Living	C	C	C	C	C
Senior Housing, Nursing Care	C	C	C	C	C
Senior Housing, Total Life Care				C	
<i>Institutional</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Educational Facility	C	C	C	C	C
<i>Place of Assembly</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Noncommercial Place of Assembly, ##### sqft or less	P	P	P	P	P
Noncommercial Place of Assembly, more than ##### sqft	C	C	C	C	C
<i>Recreation, Amusement, and Lodging</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Lodging House	P	P	P	P	P
Short Term Rental	P	P	P	P	P
<i>Agricultural</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Community Garden	P	P	P	P	P
Crop Production	C				
Indoor Agriculture	C				
Telecommunications Tower	C	C	C	C	C
<i>Accessory</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Accessory Dwelling, Detached/Attached	C	C	C	C	C
Accessory Dwelling, Internal	P	P	P	P	P
Accessory Structure	P	P	P	P	P
Artisan Workshop	P	P	P	P	P
Home Based Business	P	P	P	P	P
Solar Energy Collection System, canopy	P	P	P	P	P
Solar Energy Collection System, ground mounted	P	P	P	P	P
Solar Energy Collection System, roof mounted	P	P	P	P	P
<i>Temporary</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Construction Related	T	T	T	T	T
Food Truck	T	T	T	T	T

C. Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts.

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Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
<i>Residential</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Single-Family				P	P			P	P				
Multifamily, above ground floor only	P	P	P	P	P								
<i>Institutional</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Educational Facility											C		
Governmental Uses											C		
Health Care Facility	P	P	P	P			P				C		
Cemetery											C		
<i>Place of Assembly</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Indoor Commercial Place of Assembly, ##### sqft or less	P	P	P	P	P			C	C	C	P		
Indoor Commercial Place of Assembly, more than ##### sqft	C	P	P	P	C			C	C	C	P		
Outdoor Commercial Place of Assembly	C	C	C	C	C			C	C	C	P		
Noncommercial Place of Assembly, ##### sqft or less								C	C	C	P		
Noncommercial Place of Assembly, more than ##### sqft								C	C	C	P		
<i>Recreation, Amusement, and Lodging</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Campground								C	C				P
Lodging House								P	P				
Hotel	C	C	C	C									
Motel		C											
Recreation Area													P
Short-Term Rental					C			P	P				
<i>Retail</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Adult Establishment							C						
General Retail, ##### sqft or less	P	P	P	P	P								
General Retail, more than ##### sqft	S	P	P	P	C								
Multitenant Shopping Center	C	C	C	C									
Wholesale Establishment							C						
<i>Service</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Animal Boarding Facility/Kennel and/or Veterinary Service	C	C					C	C					
General Service, ##### sqft or less	P	P	P	P	P								
General Service, more than ##### sqft	S	P	P	P	C	P							
Financial Institution	P	P	P	P		P							
Funeral Home	C	C											
Office, above ground floor only				P	P								

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Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Office, ##### sqft or less	P	P	P	P	P	P							
Office, more than ##### sqft	P	P	P	P		P							
Office Complex/Business Park						P							
<i>Eating and Drinking</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Bar/Tavern	P	P	P	P	P								
Brewery/Winery/Distillery							C						
Brewery/Winery/Distillery Tasting Room	P	P	P	P	P								
Food Truck Court	C	C	C	C	C	C							
Micro Brewery/Winery/Distillery		P	P	P	P								
Restaurant	P	P	P	P	P								
<i>Vehicle Related</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Auto Sales/Rental and Service		C	C				P						
Carwash		C	C				P						
Major Automotive Repair			C				P						
Minor Automotive Repair			P				P						
Vehicle Fuel Sales		C	C				P						
<i>Agricultural</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Community Garden								P	P				
Crop Production								P	P				
Animal Husbandry								P	P				
Indoor Agriculture							P	P	P				
Nursery Retail	P	P	P					P	P				
Nursery Wholesale								P	P				
<i>Industrial</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Artisan Manufacturing	P	P	P	P	P								
Brewery/Winery/Distillery							P	C	C				
Composting Facility							C	C	C				
Distribution Facility							C						
Equipment Rental, Sales, and Service	P	P	P				P						
Extractive Industry							C	C					
Heavy Industry							C						P
Home Improvement Center/ Lumberyard	P	P	P				P						
Landfill												C	
Light Industry							C						
Recycling Facility											C	C	
Salvage Yard							C					P	
Self-Service Storage Facility			C				C						
Solid Waste Facility							C					C	
Storage Yard							C						

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Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Warehouse							C						
<i>Utility and Transportation</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Airport/ Heliport											C		
Helistop		C	C	C		C					C		
Loading Areas and Parking Areas as a Principal Use													P
Railroad Use											C		
Sanitary Sewer or Water Supply Lines													C
Solar Farm								C	C				
Telecommunications Tower	C	C	C	C	C	C	C	C	C	C	C	C	
Wastewater Treatment Ponds and Facilities													P
Waterborne Transportation Uses													P
Wind Farm								C	C				
<i>Accessory</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Accessory Retail	P	P	P	P	P	P	C						
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	
Artisan Workshop								P	P				
Drive Through	C	C	C	C									
Donation Drop Box	C	C	C	C			C						
Outdoor Activity/Operation/Storage							C						
Outdoor Dining	P	P	P	P	P								
Outdoor Display/Sale of Merchandise	P	P	P	P	P								
Solar Energy Collection System, canopy	P	P	P	P	P	P	P	P	P	P	P	P	
Solar Energy Collection System, ground mounted	C	C	C	C	C	C	C	C	C	C	C	C	
Solar Energy Collection System, roof mounted	P	P	P	P	P	P	P	P	P	P	P	P	
<i>Temporary</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Construction Related	T	T	T	T	T	T	T	T	T	T	T	T	
Farmers Market	T	T	T	T	T			T	T				
Food Truck	T	T	T	T	T	T		T	T				
Seasonal Sales	T	T	T	T	T			P	P				

15-3-05. B-SM - Saint Martin’s Road Historic Business District Specific Standards.

A. Canopies and Awnings.

1. Building canopies, awnings, or similar weather protection devices are encouraged on the first floor of all buildings.

2. If provided, the device shall project a minimum of three (3) feet and a maximum of five (5) feet from the façade to which it is affixed.
- B. Building Frontage.** The primary façade of all nonresidential and mixed-use development shall meet the standards of one (1) of the frontage types detailed in subsection one through four below. The use of the resulting front yards or porches for outdoor dining or other activity generating uses that support the subject lot's principal use is encouraged.
1. **Projecting Porch.** The primary façade of the building shall be sufficiently set back from the property line to accommodate the projecting porch within the front yard setback. The resulting front yard may or may not be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch shall be open on three (3) sides and have a roof form that shall be separate from the principal structure. A projecting porch may encroach into a required front yard setback to a maximum extent of ten (10) feet. The following minimum standards shall apply to projecting porches.
 - a. **Width.** Ten (10) feet
 - b. **Depth.** Eight (8) feet
 - c. **Height.** Eight (8) feet
 2. **Storefront.** The primary façade of the building shall adjoin the required minimum front setback. Accordion-style windows and doors or other operable windows are encouraged. The following standards shall apply to shopfronts.
 - a. **Window Area.** Sixteen (16) square feet
 - b. **Window Width.** Three (3) feet
 - c. **Window Height.** Four (4) feet
 - d. **Sill Height.** Three (3) feet
- C. 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.
- D. Parking Location.** Off-street parking spaces and lots shall be located to the rear or interior side of the principal building.

15-3-06. FF Floodfringe District and GFP General Floodplain District.

- A. Statutory Authorization, Finding of Fact, Statement of Purpose, Title, and General Provisions**
1. This ordinance is adopted pursuant to the authorization in Wisconsin Statutes Annotated s. 61.35 and 62.23 and the requirements in s. 87.30.
 2. Uncontrolled development and use of the floodplains and rivers within the City of Franklin would impair the public health, safety, convenience, general welfare, and tax base.
 3. This ordinance is intended to regulate floodplain development in order to:
 - a. Protect life, health and property;
 - b. Minimize expenditures of public funds for flood control projects;
 - c. Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
 - d. Minimize business interruptions and other economic disruptions;
 - e. Minimize damage to public facilities in the floodplain;

- f. Minimize the occurrence of future flood blight areas in the floodplain;
 - g. Discourage the victimization of unwary land and homebuyers;
 - h. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
 - i. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
4. This Section shall constitute, for statutory purposes, the Floodplain Zoning Ordinance for the City of Franklin, Wisconsin.
5. **General Provisions.**
- a. **Areas to be Regulated.** This Section regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map.
 - b. **Official Maps and Revisions.** Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, VE, V1-30, or V on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (i) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the **Planning Manager**.
 - c. **Official Maps.**
 - i. Flood Insurance Rate Map (FIRM) panel number 55079C0144E, effective on 09/26/2008; number 55079C0142E, effective on 09/26/2008; number 55079C0161E, effective on 09/26/2008; number 55079C0163E, effective on 09/26/2008. [NOTE: CHECK WITH GIS MANAGER & SEWRPC to ensure all are included & correct; from <https://msc.fema.gov/portal/search?AddressQuery=Franklin%2C%20Wisconsin#searchresultsanchor>].
6. **Establishment of Floodplain Zoning Districts.** The flood hazard areas regulated by this ordinance are divided into districts as follows and collectively shall be known as the “Floodplain Districts”:
- a. The **Floodway District (FW)**, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, **within AE Zones as shown on the FIRM [see Section 5(c)li) above]**, or within **A Zones shown on the FIRM** when determined according to Wisconsin Statutes Annotated s. 5.1(5).
 - b. The **Floodfringe District (FF)** is that portion of a riverine special flood hazard area outside the floodway **within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 5.1(5), within A Zones shown on the FIRM.**
 - c. The **General Floodplain District (GFP)** is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the **FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.**
7. **Locating Floodplain Boundaries.**
- a. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subsections (7)(d) or (7)(e) below. If a significant difference exists, the map shall be amended according to Section **[.XXI]** Amendments.
 - b. The Zoning Administrator may rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for

documenting actual pre- development field conditions and the basis upon which the district boundary was determined. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to **SECTION XX] 7.3(3)** and the criteria in (a) and (b) below.

- c. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to **sXX]** Amendments.
- d. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- e. Where flood profiles do not exist for projects, including any boundary of zone A or AO, the location of the boundary shall be determined by the map scale.

8. Removal of Lands from Floodplain.

- a. Compliance with the provisions of this section shall not be grounds for removing land from the floodplain unless the affected land is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to **s. 8.0 Amendments**.
- b. The delineation of any of the Floodplain Districts may be revised by the City of Franklin where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The Zoning Administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
 - i. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation; and
 - ii. the fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F.
- c. Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

9. Compliance.

- a. No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- b. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with **s. 9.0**.
- c. Floodplain development permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Zoning Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with **s. 9.0**.

10. Municipalities and State Agencies Regulated.

- a. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if **s. 13.48(13)**, Stats., applies.
- b. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when **s. 30.2022**, Stats., applies. Although exempt from a local zoning

permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards.

- c. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply:
 - i. The City provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d),
 - ii. The capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source.
 - iii. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the City in the analysis of the project site.

11. Abrogation and Greater Restrictions

- a. This Section supersedes all the provisions of the this UDO which relate to floodplains. A more restrictive provision shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- b. This Section is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this Section shall prevail.

12. Interpretation. In their interpretation and application, the provisions of this Section are the minimum requirements liberally construed in favor of the City of Franklin, and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this Section, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this Section or in effect on the date of the most recent text amendment to this Section.

13. Warning and Disclaimer of Liability. The flood protection standards in this Section are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This Section does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This Section does not create liability on the part of, or a cause of action against, the City of Franklin, or any officer or employee thereof, for any flood damage that may result from reliance on this Section.

14. Severability. Should any portion of this Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

B. General Standards Applicable to All Floodplain Districts.

1. Applicability.

- a. The City of Franklin Zoning Administrator shall review all permit applications to determine compliance with the provisions of this Section.
- b. If a proposed building site is in a Floodplain District as defined in this Section , all new construction and substantial improvements shall:
 - i. Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - ii. Be constructed with flood-resistant materials;
 - iii. Be constructed by methods and practices that minimize flood damages; and

- iv. Be constructed in a manner wherein mechanical and utility equipment is elevated to or above the flood protection elevation.
- c. If a subdivision or other proposed new development is in a Floodplain District as defined in this Section, the Zoning Administrator shall assure that:
 - i. Such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the Floodplain District;
 - ii. Public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii. Adequate drainage is provided to reduce exposure to flood hazards.
- d. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in **s. 7.1(2)**.

2. Hydraulic and Hydrologic Analyses.

- a. No development within a Floodplain District shall:
 - i. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - ii. Cause any increase in the regional flood height due to floodplain storage area lost.
- b. The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of **s. 8.0** Amendments are met

3. Watercourse Alterations

- a. No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the Zoning Administrator has notified in writing all adjacent municipalities, the Wisconsin Department of Natural Resources, and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of Subsection B.2 above must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.
- b. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to **s. 8.0** Amendments, the City of Franklin shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

4. Applicability of Chapter 30 and 31, Wisconsin Statutes, Development. Development which requires a permit from the Department, under Chapters 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to this Section are made in accordance with **s. 8.0** Amendments.

5. Public or Private Campgrounds. Public or private campgrounds ~~shall have a low flood damage potential and~~ shall meet the following provisions:

- a. The campground is approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection;
- b. A land use permit for the campground can properly be issued by the Zoning Administrator;
- c. The character of the river system and the campground elevation are such that a 72- hour warning of an impending flood can be given to all campground occupants;

- d. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, officials of the City of Franklin (including but not the City's emergency government coordinator and the chief law enforcement official) which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- e. This agreement shall be for no more than one (1) calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the Wisconsin Department of Agriculture, Trade and Consumer Protection and all other applicable regulations.
- f. All mobile recreational vehicles placed on site must meet one of the following:
 - i. Be fully licensed, if required, and ready for highway use; or
 - ii. Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or
 - iii. Meet the requirements in either s. 3.0, 4.0, 5.1, or 5.3 for the floodplain district in which the structure is located;
- g. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- h. All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which shall be kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with 2.4(6) and shall ensure compliance with all the provisions of this section;
 - i. The City of Franklin shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- j. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- k. All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.
- l. Standards for structures in a campground:
 - i. All structures must comply with the applicable requirements in ss. 3.0, 4.0, 5.1, or 5.3 for the floodplain district in which the structure is located;
 - ii. A portable deck or landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with subsections (a) through (j) above. Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

- m. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the City of Franklin pursuant to subsection 5(d) and 5(e) above.
 - n. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the City pursuant to subsection 5(d) and 5(e) above.
6. A land use permit shall be obtained as provided under **7.1(2)** before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

C. Floodway District (FW)

1. **Applicability.** This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(5).
2. **Permitted Uses.** The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:
 - a. The uses are not prohibited by any other provision of these Regulations;
 - b. The standards in this Subsection C are met; and
 - c. All permits or certificates have been issued in accordance with **section 7.1**.
 - d. Permitted Uses:
 - i. Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting
 - ii. Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - iii. Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of **s. 3.3(4)**.
 - iv. Uses or structures accessory to open space uses or classified as historic structures that comply with **s. 3.3 and 3.4**.
 - v. Extraction of sand, gravel or other materials that comply with **s. 3.3(4)**.
 - vi. Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chapters 30 and 31, Wisconsin Statutes.
 - vii. Public utilities, streets and bridges that comply with **s. 3.3(3)**.
 - viii. Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Chapter SPS 383, Wisconsin Administrative Code.

- ix. Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
 - x. Wastewater treatment ponds or facilities permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code
 - xi. Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway, which development complies with the regulations for the floodplain area occupied.
3. **Standards for Developments in the Floodway.**
- a. Any development in the floodway shall comply with Subsection B above and have a low flood damage potential.
 - b. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to Subsection B.2 and 7.1(2)(c). The analysis must be completed by a professional engineer registered in the state of Wisconsin.
 - c. Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in Subsection A(8) above.
4. **Structures.** Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
- a. Not designed for human habitation
 - b. Does not have a high flood damage potential
 - c. Is constructed to minimize potential flood damage;
 - d. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - i. The lowest floor is elevated to or above the regional flood elevation and is dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water, and completely dry to the flood protection elevation without human intervention during flooding;
 - ii. Has structural components capable of meeting all provisions of Subsection 6, Certification below and;
 - iii. Has certification by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Subsection 6, Certification, below.
 - e. Shall be anchored to resist flotation, collapse, and lateral movement
 - f. Mechanical and utility equipment are elevated to or above the flood protection elevation; and
 - g. Does not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
5. **Design for Automatic Entry of Floodwaters.** For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets Subsection (4)(a) through (4)(e) above, and meets or exceeds the following standards:
- a. The lowest floor must be elevated to or above the regional flood elevation;

- b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - d. The use must be limited to parking, building access or limited storage.
6. **Certification:** Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 - b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
 - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
 - e. Placement of utilities to or above the flood protection elevation.
7. **Public Utilities, Streets, and Bridges.** Public utilities, streets and bridges may be allowed by permit, if:
- a. Adequate floodproofing measures are provided to the flood protection elevation; and
 - b. Construction meets the development standards of s. 2.1.
8. **Fills or Deposition of Materials.** Fills or deposition of materials may be allowed by permit, if:
- a. The requirements of s. 2.1 are met;
 - b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
 - c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
 - d. The fill is not classified as a solid or hazardous material.
9. **Prohibited Uses.** All uses not listed as permitted uses in Subsection C(2) above are prohibited, including the following uses:
- a. Habitable structures, structures with high flood damage potential, and structures not associated with permanent open-space uses;
 - b. Storage of materials that are buoyant, flammable, explosive, or potentially injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
 - c. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
 - d. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department- approved campgrounds that meet the applicable provisions of City of Franklin ordinances and Chapter SPS 383, Wisconsin Administrative Code.

- e. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of City of Franklin ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
- f. Any solid or hazardous waste disposal sites;
- g. Any wastewater treatment ponds or facilities, except those permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code;
- h. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

D. Floodfringe District (FF)

1. **Applicability.** This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to **s. 5.1(5)**.
2. **Permitted Uses.** Any structure, land use, or development is allowed in the Floodfringe District if the standards in **s. 4.3** are met, the use is not prohibited by the City of Franklin Land Development Regulations, or any other ordinance or regulation of the City of Franklin; and all permits or certificates specified in **s. 7.1** have been issued.
3. **Standards for Development in the Floodfringe District.** The provisions of Subsection (C) above shall apply in addition to the following requirements, according to the proposed use. Any existing structure in the Floodfringe District must meet the requirements **of s. 6.0**, Nonconforming Uses.
 - a. **Residential Uses.** Any existing structure in residential use in the Floodfringe District must meet the requirements of s. 6.0 Nonconforming Uses. Any structure for residential use, including a manufactured home, which is to be newly constructed or moved into the Floodfringe District, shall meet or exceed the following standards:
 - i. All new construction, including placement of manufactured homes, and all substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation for an area extending at least 15 feet beyond the limits of the structure. No area may be removed from the Floodfringe District unless the resulting condition can be shown to meet **s. 1.5(5)**.
 - ii. Notwithstanding Subsection (D)(4)(a) above, a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation.
 - iii. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection (d)(1) through (d)(2) below.
 - iv. In developments where existing street or sewer line elevations make compliance with Subsection (4)(c) above impractical, the City of Franklin may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - a) The City of Franklin Zoning Administrator has secured written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - b) The City of Franklin has adopted and in place a DNR-approved emergency evacuation plan applicable to the site that follows acceptable hazard mitigation planning guidelines.

- b. **Accessory Structures and Uses.** In addition to meeting the provisions of Section B, General Standards, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- c. **Commercial Uses.** In addition to meeting the provisions of Section B, General Standards, any commercial structure which is erected, altered or moved into the Floodfringe District shall meet the requirements of [s. 4.3\(1\)](#). Subject to the requirements of [s. 4.3\(5\)](#), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- d. **Manufacturing and Industrial Uses.** In addition to meeting the provisions of Section B, General Standards, any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in [s. 7.5](#). Subject to the requirements of [s. 4.3\(5\)](#), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- e. **Storage of Materials.** Materials that are hazardous, buoyant, flammable, explosive, or potentially injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with [s. 7.5](#). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- f. **Public Utilities, Streets, and Bridges.** All public utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans. In addition, the following criteria shall apply:
- i. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if the proposed improvements are designed to comply with [s. 7.5](#).
 - ii. Minor roads or non-essential utilities may be constructed at lower elevations if ~~they are~~ designed to withstand flood forces to the regional flood elevation.
- g. **Sewage Systems.** All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to [s. 7.5\(3\)](#), to the flood protection elevation and meet the provisions of all City of Franklin standards and Chapter SPS 383, Wisconsin Administrative Code.
- h. **Wells.** All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to [s. 7.5\(3\)](#), to the flood protection elevation and shall meet the provisions of Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- i. **Solid Waste Disposal Sites Prohibited.** Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- j. **Deposition of Material.** Any deposition of material must meet all the provisions of this Section.
- k. **Manufactured Homes.**
- i. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - ii. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - a) have the lowest floor elevated to the flood protection elevation; and
 - b) be anchored so that the manufactured home does not float, collapse or move laterally during a flood

- iii. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).
- I. **Mobile Recreational Vehicles.** A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions. All mobile recreational vehicles must be on site for less than one-hundred eighty (180) consecutive days and be either:
 - i. fully licensed and ready for highway use; or
 - ii. shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c).

E. General Floodplain District (GFP)

1. **Applicability.** The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 1.5(2)(a).
2. **Floodway Boundaries.** For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 1.5(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to s. 5.1(5).
 - a. If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s 3.0.
 - b. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.
3. **Permitted Uses.** Pursuant to s. 5.1(5) for any application for development, the Zoning Administrator shall determine whether proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (Section C) and Floodfringe (Section D) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(4), provided that all permits or certificates required under s. 7.1 have been issued.
4. **Standards for Development in the General Floodplain District.** Any development within the floodway, as determined pursuant to 5.1(5), shall comply with the provisions of Section C, Floodway. Any development within the floodfringe, as determined pursuant to Section 5.1(5), shall comply with the provisions of Section D, Floodfringe.
 - a. New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:
 - i. to or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
 - ii. if the depth is not specified on the FIRM, to or above two (2) feet above the highest adjacent natural grade.
 - b. New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
 - c. In AO/AH zones, adequate drainage paths shall be provided to guide floodwaters around structures.
 - d. All development in zones AO and zone AH shall meet the requirements of s. 4.0 applicable to flood fringe areas.
5. **Determination of Floodway and Floodfringe Limits.** Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the Zoning Administrator shall:
 - a. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain

developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

- b. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - i. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
 - ii. A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information; and
 - iii. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

F. Non-Conforming Uses

1. Applicability.

- a. The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with Section 87.30, Wisconsin Statutes, Sections NR 116.12-14, Wisconsin Administrative Code, and 44 CFR 59-72.
- b. These standards shall apply to all modifications or additions to any nonconforming use or structure, and to the use of any structure or premises which was lawful before the passage of this Section or any amendment thereto.
- c. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, the City of Franklin shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

2. Continuation of Use. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this Section may continue subject to the following conditions:

- a. No modifications or additions to a nonconforming use or structure shall be permitted unless such modifications or additions comply with applicable provisions of this Section. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use.
 - i. Maintenance is not considered a modification; maintenance shall include painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities.
 - ii. Any costs associated with the repair of a damaged structure shall not be considered maintenance.
- b. The construction of a deck that does not exceed two-hundred (200) square feet and that is adjacent to the exterior wall of a principal structure shall not be considered an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
- c. If a nonconforming use or the use of a nonconforming structure is discontinued for twelve (12) consecutive months, the non-conforming use or use of the non-conforming structure is no longer permitted. Any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this Section.

The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;

- d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed fifty (50) percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- e. No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- f. If on a per event basis the total value of the work being done under (d) and (e) above equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#).
- g. Except as provided in subdivision (h) below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, re-constructed, or rebuilt unless the use and the structure meet the current requirements of this Section. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- h. For nonconforming buildings that are substantially damaged or destroyed by a non-flood event, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met and all required permits have been granted prior to the start of construction:
 - i. **Residential Structures.** All such residential structures:
 - a) Shall have the lowest floor, including basement, elevated to or above the flood protection elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of [s. 7.5\(2\)](#).
 - b) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
 - c) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - d) In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
 - e) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in [s. 5.1\(4\)](#).

- f) In AO Zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
 - ii. **Nonresidential Structures.** All such non-residential structures:
 - a) Shall meet the requirements of s. 6.1(2)(h)1a-f.
 - b) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5 (1) or (2).
 - c) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
 - d) A nonconforming historic structure may be altered if the alteration does not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3 (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1 (2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.
3. **Floodway District.**
- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
 - i. Has been granted a permit or variance in conformance with all ordinance requirements;
 - ii. Meets the requirements of s. 6.1;
 - iii. Shall not increase the obstruction to flood flows or regional flood height;
 - iv. Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and
 - v. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d) The use must be limited to parking, building access or limited storage.
 - vi. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and Chapter SPS 383, Wisconsin Administrative Code.

- vii. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- b. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all City of Franklin ordinances, s. 7.5(3) of this Section, and Chapter SPS 383, Wisconsin Administrative Code.
- c. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all City of Franklin ordinances, s. 7.5(3), and Chapters NR 811 and NR 812, Wisconsin Administrative Code.

4. Floodfringe District

- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of s. 4.3 except where s. 6.3(2) is applicable.
- b. Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Zoning and Building Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if all of the following are met:
 - i. No floor is allowed below the regional flood elevation for residential or commercial structures;
 - ii. Human lives are not endangered;
 - iii. Public facilities, such as water or sewer, shall not be installed;
 - iv. Flood depths shall not exceed two feet;
 - v. Flood velocities shall not exceed two feet per second; and
 - vi. The structure shall not be used for storage of materials as described in s. 4.3(5).
- c. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all City of Franklin ordinances, s. 7.5 (3) and Chapter SPS 383, Wisconsin Administrative Code.
- d. All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this Section, s. 7.5 (3) and Chapter NR 811 and NR 812, Wisconsin Administrative Code.

G. Administration

1. Zoning Administrator; Land Use Permits; Certificates of Compliance

- a. Duties and Powers. The Zoning Administrator is authorized to administer this Section and shall have the following duties and powers:
 - i. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications

- ii. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
 - iii. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
 - iv. Keep records of all official actions such as:
 - a) All permits issued, inspections made, and work approved;
 - b) Documentation of certified lowest floor and regional flood elevations;
 - c) Floodproofing certificates.
 - d) Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 - e) All substantial damage assessment reports for ~~floodplain~~ structures in floodplain districts.
 - f) Lists of nonconforming structures and uses.
 - v. Submit copies of the following items to the Department of Natural Resources Regional office:
 - a) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 - b) Copies of case-by-case analyses and other required information.
 - c) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
 - vi. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department of Natural Resources Regional office.
 - vii. Submit copies of amendments to the FEMA Regional office.
- b. **Land Use Permit.** A land use permit shall be obtained before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Zoning Administrator shall include:
- i. **General Information**
 - a) Name and address of the applicant, property owner and contractor;
 - b) Legal description, proposed use, and whether it is new construction or a modification;
 - ii. **Site Development Plan.**
 - a) A site plan drawn to scale shall be submitted with the permit application form and shall contain:
 - (i) Location, dimensions, area and elevation of the lot;
 - (ii) Location of the ordinary highwater mark of any abutting navigable waterways;
 - (iii) Location of any structures with distances measured from the lot lines and street center lines;
 - (iv) Location of any existing or proposed on-site sewage systems or private water supply systems;

- (v) Location and elevation of existing or future access roads;
- (vi) Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
- (vii) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- (viii) Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
- (ix) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

iii. **Hydraulic and Hydrologic Studies**

- a) All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State of Wisconsin. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Wisconsin Department of Natural Resources.
 - (i) **In Zone A floodplains and in AE zones within which a floodway is not delineated:**
 1. **Hydrology:** The appropriate method shall be based on the standards in Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 2. **Hydraulic modeling:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
 - a. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - b. Channel sections must be surveyed.
 - c. A minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - d. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
 - e. The most current version of HEC-RAS shall be used.
 - f. A survey of bridge and culvert openings and the top of road is required at each structure.
 - g. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - h. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical

data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

- i. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- (ii) **Mapping.** A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
1. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided
- (iii) **In Zone AE Floodplains:**
1. **Hydrology:** If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 2. **Hydraulic model:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
 - a. **Duplicate Effective Model:** The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
 - b. **Corrected Effective Model:** The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.
 - c. **Existing (Pre-Project Conditions) Model:** The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
 - d. **Revised (Post-Project Conditions) Model.** The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
 - e. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
 - f. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface

elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

3. **Mapping.** Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
 - a. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
 - b. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
 - c. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
 - d. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
 - e. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
 - f. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 - g. Both the current and proposed floodways shall be shown on the map.
 - h. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.
- iv. **Expiration.** All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.
- c. **Certificate of Compliance.** No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
 - i. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this Section;
 - ii. Application for such certificate shall be concurrent with the application for a land use permit;
 - iii. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
 - iv. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a Wisconsin registered professional engineer or architect that the requirements of **s. 7.5** are met.

- v. Where applicable pursuant to s. 5.1(4), the applicant must submit a certification by a registered Wisconsin professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
- vi. Where applicable pursuant to s. 5.1(4), the applicant must submit certifications by a Wisconsin registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by s. 5.1(4).
- d. **Other Permits.** Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

2. **Plan Commission; Role and Responsibilities.**

- a. The Plan Commission of the City of Franklin shall, with respect to this Section:
 - i. Oversee the functions of the office of the zoning administrator; and
 - ii. Review and advise the Common Council body on all proposed amendments to this ordinance, maps and text; and
 - iii. Publish adequate notice pursuant to Chapter 985, Wisconsin Statutes, specifying the date, time, place and subject of any public hearing.
- b. The Plan Commission of the City of Franklin shall not, with respect to this Section:
 - i. Grant variances to the terms of the ordinance in place of action by the Board of Zoning and Building Appeals; or
 - ii. Amend the text or zoning maps in place of official action by the governing body.

3. **Board of Zoning and Building Appeals; Role and Responsibilities.** The Board of Zoning and Building Appeals established pursuant to Section 62.23(7)(e) Wisconsin Statutes is hereby authorized or shall be appointed to act for the purposes of this Section. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Zoning Administrator shall not be the secretary of the Board.

- a. **Powers and Duties.** The Board of Zoning and Building Appeals shall:
 - i. **Appeals** - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this Section;
 - ii. **Boundary Disputes** - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
 - iii. **Variances** - Hear and decide, upon appeal, variances from the ordinance standards.
- b. **Appeals to the Board of Zoning and Building Appeals.**
 - i. **Standing to Appeal.** Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the Board all records regarding the matter appealed.
 - ii. **Notice and Hearing for Appeals and Variances.**

- a) **Notice.** The Board shall:
 - (i) Fix a reasonable time for the hearing;
 - (ii) Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
 - (iii) Assure that notice shall be mailed to the parties in interest and the Wisconsin Department of Natural Resources Regional office at least 10 days in advance of the hearing.

- b) **Hearing.** Any party may appear in person or by agent. The Board shall:
 - (i) Resolve boundary disputes according to **s. 7.3(3)**;
 - (ii) Decide variance applications according to **s. 7.3(4)**; and
 - (iii) Decide appeals of permit denials according to **s. 7.4**.

- c) **Decision.** The final decision regarding the appeal or variance application shall:
 - (i) Be made within a reasonable time;
 - (ii) Be sent to the Department of Natural Resources Regional office within ten (10) days of the decision;
 - (iii) Be issued in the form of a written determination signed by the chairman or secretary of the Board;
 - (iv) State the specific facts which are the basis for the Board's decision;
 - (v) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
 - (vi) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings

- c. **Boundary Disputes.** The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:
 - i. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
 - ii. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
 - iii. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to **s. 8.0** Amendments.

- d. **Variance.**
 - i. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 - a) Literal enforcement of the ordinance will cause unnecessary hardship;
 - b) The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises (in which case the ordinance or map must be amended to grant a permit);

- c) Issuance of the variance will not result in an outcome or precedent contrary to the public interest; and
 - d) The variance is consistent with the purpose of this ordinance as set forth in Subsection A.
 - ii. In addition to the criteria in Subsection (i) above, to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
 - a) The variance shall not cause any increase in the regional flood elevation;
 - b) The applicant has shown good and sufficient cause for issuance of the variance;
 - c) Failure to grant the variance would result in exceptional hardship;
 - d) Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and
 - e) The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
 - iii. A variance shall not:
 - a) Grant, extend or increase any use prohibited in the zoning district;
 - b) Be granted for a hardship based solely on an economic gain or loss;
 - c) Be granted for a hardship which is self-created;
 - d) Damage the rights or property values of other persons in the area;
 - e) Allow actions without the amendments to this ordinance or map(s) required in **s. 8.0**, Amendments; or
 - f) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
 - iv. When a floodplain variance is granted the Board shall notify the applicant in writing that the authorized action may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy of this notice shall be maintained with the variance record.
- 4. Review of Appeals and Permit Denials.**
- a. The Board of Zoning and Building Appeals shall review all data related to the appeal including, but not limited to:
 - i. Permit application data listed **in s. 7.1(2)**;
 - ii. Floodway/floodfringe determination data **in s. 5.1(5)**;
 - iii. Data listed in **s. 3.3(1)(b)** in cases where the applicant has not submitted this information to the Zoning Administrator; and
 - iv. Other data submitted with the application or submitted to the Board with the appeal.
 - b. For appeals of ~~a~~ denied permits, the Board shall:
 - i. Follow the procedures of **s. 7.3**;
 - ii. Consider recommendations of the Plan Commission; and
 - iii. Either uphold the denial or grant the appeal.

- c. For appeals concerning increases in regional flood elevation the Board shall:
 - i. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 Amendments; or
 - ii. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

5. Floodproofing Standards.

- a. No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards set forth in ss. 2.0, 3.0, 4.0, 5.1, or 5.3.
- b. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - i. Certified by a registered Wisconsin professional engineer or architect; or
 - ii. Meeting or exceeding the following standards:
 - a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - b) The bottom of all openings shall be no higher than one-foot above grade; and
 - c) Openings ~~may be~~ equipped with screens, louvers, valves, or other coverings or devices provided that these permit the automatic entry and exit of floodwaters.
 - iii. Floodproofing measures shall be designed, as appropriate, to:
 - a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - b) Protect structures to the flood protection elevation;
 - c) Anchor structures to foundations to resist flotation and lateral movement;
 - d) Minimize or eliminate infiltration of flood waters;
 - e) Minimize or eliminate discharges into flood waters;
 - f) ~~Placement of~~ Locate essential utilities to or above the flood protection elevation; and
 - g) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - (i) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - (ii) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;

- (iii) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
- (iv) The use must be limited to parking, building access or limited storage.

H. **Amendments.**

1. **General Provisions.** Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section H.2 below
 - a. **In AE Zones with a mapped floodway**, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with **s. 8.1**. Any such alterations must be reviewed and approved by FEMA and the Wisconsin Department of Natural Resources.
 - b. In **A Zones** increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this Section, the official floodplain maps, floodway lines, and water surface profiles, in accordance with **s. 8.1**.
2. **Action by Common Council.** The Common Council shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:
 - a. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
 - b. Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
 - c. Any changes to any other officially adopted floodplain maps listed in **s. 1.5 (2)(b)**;
 - d. Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
 - e. Correction of discrepancies between the water surface profiles and floodplain maps;
 - f. Any upgrade to a floodplain zoning text required by Section NR 116.05, Wisconsin Administrative Code, or otherwise required by law, or for changes by the City of Franklin; and
 - g. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.
3. **Procedures.**
 - a. Amendments may be made upon petition of any party according to the provisions of Section 62.23, Wisconsin Statutes. The petitions shall include all data required by **s. 5.1(5) and 7.1(2)**. The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.
 - b. The proposed amendment shall be referred to the Plan Commission for a public hearing and recommendation to the Common Council. The amendment and notice of Common Council public hearing shall be submitted to the Wisconsin Department of Natural Resources Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Section 62.23, Wisconsin Statutes.
 - c. No amendments shall become effective until reviewed and approved by the Wisconsin Department of Natural Resources.

- d. All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.
- I. **Enforcement and Penalties.** Any violation of the provisions of this Section by any person shall be unlawful and shall be referred to the City of Franklin Attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the City of Franklin, the State of Wisconsin, or any citizen thereof pursuant to [Section 87.30, Wisconsin Statutes](#).

REVIEW GUIDE

Existing Text
 New Text
 Deleted or Moved Text
 References to be updated

Article 3. District Specific Standards

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15-3-01. Bulk and Dimensional Standards

A. **Residential District Bulk and Dimensional Standards.** [Table 15-3.0100\(A\)](#) establishes the bulk and dimensional requirements for development or the use of a lot in each residential district.

Table 15-3-01(A): Residential District Bulk and Dimensional Standards					
Standard	R-C	R-SE	R-SR	R-M	R-V
<i>Lot Standards (Minimum)</i>					
Lot Area (sqft)	10,000	18,000	10,000	12,000(1)	7,200
Lot Area / DU (sqft)(2)	--	--	--	4,500	--
Lot Width (ft)	60	90	80	100	60
<i>Yard Setbacks (Minimum)</i>					
Front (ft)	25	45	30	15	25
Street Side (ft)	15	35	20	10	15
Interior Side (ft)	5	10	10	5	5
Rear (ft)	25(3)	30(3)	30(3)	15(3)	25(3)
<i>Building Standards (Maximum)</i>					
Height Building (ft)	35	35	35	35	35
Impervious Surface Coverage (%)	20	40	50	60	40
<i>Notes</i>					
(1) A lot area of 6,000 square feet shall be allowed for duplex structures with a parti wall.					
(2) Lot area per dwelling unit requirements shall apply in addition to the baseline lot area requirement for each additional dwelling unit on a lot over one.					
(3) Minimum setback of 10 feet shall be allowed for garages.					

A.B. Nonresidential and Mixed-Use District Bulk and Dimensional Standards. Table 15-3.0100 (B) establishes the bulk and dimensional requirements for development or uses of a parcel in each nonresidential or mixed-use district.

Table 15-3-01(B): Mixed-Use and Nonresidential District Bulk and Dimensional Standards											
Standard	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	I	P
Lot Standards (Minimum)											
Lot Area (acres)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3	35	n/a	n/a
Lot Width (ft)	50	50	50	50	50	50	50	200	300	50	50
Lot Depth (ft)	110	110	110	110	110	110	110	110	110	110	110
Yard Setbacks (Minimum)											
Front (ft)	25	25	40	30(1)	10	50	30	50	50	30	50
Street Side (ft)	25	25	40	30(1)	15	50	30	50	50	20	50
Interior Side (ft)	10	10	10	10(1)	5	20	20	25	25	10	20
Rear (ft)	20	20	20	30(1)	20	40	15	50	50	30	50
Building Standards (Maximum)											
Height Building (ft)	40	40	50	50(2)	40	95	45	35	35	45	40
Impervious Surface Coverage (%)	60	70	70	70	90	60	70	n/a	n/a	60	n/a
Notes											
(1) 40% of the required setback may be reduced when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% of the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling units shall be provided on site to qualify.											
(2) An additional ten (10) feet of building height shall be allowed when at least 15% of dwelling units on site are deed restricted to be affordable relative to 80% the Milwaukee County Area Median Household Income. A minimum of 1 total dwelling unit shall be provided on site to qualify.											

15-3-02. Calculating Dimensional Standards

A. Lot Width. Lot width shall be measured as the distance between the side lot lines of a lot at right angles to its depth along a straight line parallel to the front lot line.

B. Lot Widths for Lots that Abut a Cul-de-Sac. The lot width of all lots which abut a cul-de-sac may be reduced by a maximum of twenty (20) percent of the required lot width for the district in which it is located. The required lot width for the district shall be met at the front yard setback line.

C. Yard Setbacks.

1. A required yard setback shall be measured as the horizontal distance from the center point of the applicable lot line into the interior of the lot for the minimum distance specified in Table 15-3.0100(A) or Table 15-3.0100(B).
2. The span of a yard setback shall be measured as follows.
 - a. **Front Yard.** From the interior side lot line to the other interior side lot line or street side lot line as applicable.
 - b. **Street Side Yard.** From the front yard setback line to the rear lot line.
 - c. **Interior Side Yard.** From the front yard setback line to the rear yard setback line.
 - d. **Rear Yard.**
 - I. From the interior side lot line to the other interior side lot line; or
 - II. From the interior side lot line to the street side yard setback line.

A.D. Height. Building height shall be the vertical distance measured from the mean elevation of the finished lot grade along the building frontage to the highest elevation of the roof.

E. Impervious Surface Coverage. The portion of a lot that is not covered with soil or natural vegetation. Such surfaces include areas covered by buildings, porches, decks, patios, terraces, and swimming pools, and also include surfaces constructed of asphalt, concrete, gravel composite, brick, stone, tile or any other paving material used for parking, driveways and walkways.

15-3-03. Exceptions to Bulk and Dimensional Standards

A. **Height Exceptions.** The following structures may exceed the height limitations established in Table ##-### and ##-### as follows. ~~The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modification shall be in accord with the following:~~

1. **Architectural Projections.** Architectural projections such as antennae, spires, steeples, belfries, parapet walls, cupolas, domes, flues, and chimneys ~~are exempt from the height limitations of this Ordinance~~ may exceed the height limit for the district to provide for projections usual and customary to the proposed use.

2. **Special Structures.** ~~Special S~~structures such as elevator penthouses, mechanical penthouses, gas tanks, grain elevators, observation towers, and scenery lofts, manufacturing equipment and necessary appurtenances, cooling towers, fire towers, substations, and smoke stacks are exempt from the height limitations of this ~~Ordinance;~~ UDO provided the ~~special~~ structures are an integral part of and do not detract from the design of the principal structure as approved by the Plan Commission and/or Architectural Board.

~~3.~~ **Essential Services, Utilities, Water Towers, and Electric Power and Communication Transmission Lines.** Essential services, utilities, water towers, and electric power and communication transmission lines are exempt from the height limitations of this Ordinance.

~~4.3.~~ **Communication Structures.** ~~Ground-mounted earth station dish antennas shall not exceed a height of 15 feet.~~ Building-mounted earth station dish antennas shall not exceed the maximum height regulation of the district in which they are located.

~~5.4.~~ **Agricultural Structures.** Agricultural structures, such as barns, silos, windmills, shall not exceed in height twice their distance from the nearest lot line.

~~6.5.~~ **Public or Semipublic Facilities.** Public or semipublic facilities, such as schools, churches, hospitals, monuments, sanatoriums, libraries, and governmental offices and stations, may be erected to a height of sixty (-60) feet, provided all required yard ~~setbacks~~ are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.

~~7.6.~~ **Modification of Other Ordinances and Regulations Not Permitted Under this Division.** Modifications permitted under this Division of this Ordinance do not modify any requirements of federal, State, or local building codes relating to the elements addressed in this Division of this Ordinance.

B. **Yard Setback Exceptions.** ~~The yard requirements stipulated elsewhere in this ordinance may be modified as follows~~ Obstructions into the yard setback requirements specified in Section ##-### and ##-### may be permitted as follows.

1. **Uncovered Stairs, Landings, and Fire Escapes.** Uncovered stairs, landings, and fire escapes may project ~~into any yard~~ a maximum of ,but not further than six (6) feet into a required yard setback and shall not be closer than three (3) feet to any lot line.

2. **Architectural Projections.** Architectural projections ~~including ,such as~~ chimneys, flues, sills, eaves, belt courses, and ornamental ~~features,~~ may project a maximum of into any required yard; ~~but such projections shall not exceed two (2) feet into a required yard setback.~~ Bay windows may project a maximum of three (3) feet into a required yard setback. (See § 15-2.0202(E)(1)(2) of this Ordinance for exceptions.)

3. Accessibility Structures. ADA accessible wheelchair ramps and other features designed to promote universal access on the subject site may project into a required yard setback but shall be located at least three (3) feet from any lot line.
4. Essential Services, Utilities, and Electric Power and Communication Transmission Lines. Essential services, Utilities, and electric power and communication transmission lines are exempt from the yard setback and distance requirements of this Ordinance.
5. Terraces, Patios, Uncovered Decks. Terraces, patios, uncovered decks, and ornamental features which do not extend more than three (3) feet above or below the adjacent grade may project a maximum of ten (10) feet into any required yard setback, however any such structure shall be setback at least five (5) feet from any property line.
6. Lampposts and Flagpoles. Lampposts with a maximum height of ten (10) feet and flag poles with a maximum height of thirty five (35) feet may project into required yard setbacks, however any such structure shall be set back at least five (5) feet from any property line.
7. Air Conditioning Units. Air conditioning units may project up to five (5) feet into a required side or rear yard setback but shall not be closer than five (5) feet from any property line.
8. Below-Ground Stairways and Windows. Stairways and windows that are constructed entirely below the site's finished grade may project into any required yard setback.
9. Fences. Fences may be located in required yard setbacks as specified in Section 15-5-##.
10. Rainwater Harvesting Structures. Rainwater harvesting structures with two-hundred (200) gallons or less of storage may project into a required side or rear yard setback but shall not be closer than five (5) feet from any property line. Rainwater harvesting structures with over two-hundred (200) gallons of capacity meet the location standards for accessory structures in Section ##-#-##. In no instance shall an underground rainwater harvesting structure be within five (5) feet of an easement.
 - a. If rain water harvesting structures are to be buried they shall be considered stormwater and shall conform to the requirements of SPS 382. A plumbing permit shall be required. Rain water harvesting structures located above ground shall not require a plumbing permit and shall not be required to conform with the requirements of SPS 382.
 - a.b. All rainwater harvesting structure shall be adequately maintained and in functional condition and shall meet the applicable standards of Section 190-24 of the Franklin municipal code.
- ~~2. Landscape Bufferyards, Landscaping, Vegetation, and Areas of Natural Resource Features Mitigation Exempt from Yard and Setback Requirements. Landscape bufferyards, landscaping, vegetation, and natural resource features mitigation area are exempt from the yard and setback requirements of this Ordinance. Landscape plantings such as shrubs shall not be permitted in the street right-of-way unless approved by the Plan Commission.~~

15-3-04. Permitted, Limited, Conditional, and Temporary Uses.

- A. The following key shall be used in the interpretation of Table 15-3.0400(B) and (C).
 1. Permitted Uses. Uses which are marked as "P" in the table shall be allowed subject to all applicable regulations of this UDO.
 2. Conditional Uses. Uses which are marked as "C" in the table shall be allowed upon the approval of a Conditional Use Permit as detailed in Section ##-#-##.
 3. Temporary Uses. Uses which are marked "T" in the tables shall be allowed upon the approval of a Temporary Use Permit as detailed in Section ##-#-##

4. **Prohibited Uses.** A blank space in the tables indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this UDO.

5. **Uses Not Listed.** If a proposed use is not listed in the tables, the Zoning Administrator shall determine if the use is substantially similar to a use listed on the tables per Section #-#-#. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.

4.6. **Additional Regulation.** If a use has use specific standards they are highlighted in green. Use specific standards shall apply to permitted, conditional, and temporary uses.

B. Permitted, Conditional, and Temporary Uses in Residential Districts.

Table 15-3-04(B): Permitted, Conditional, and Temporary Uses in Residential Districts					
Use	R-C	R-SE	R-SR	R-MF	R-V
<i>Residential</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Community Living, 1-15 Persons	P	P	P	P	P
Community Living, 16 + Persons	C	C	C	C	C
Single-Family	P	P	P		P
Mobile/Manufactured Home Park, Existing Prior to this UDO				P	
Dwelling Duplex			C	P	
Dwelling Townhome				P	
Dwelling Multifamily Building				P	
Dwelling Multifamily Complex				P	
Senior Housing, Assisted Living	C	C	C	C	C
Senior Housing, Nursing Care	C	C	C	C	C
Senior Housing, Total Life Care				C	
<i>Institutional</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Educational Facility	C	C	C	C	C
<i>Place of Assembly</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Noncommercial Place of Assembly, ##### sqft or less	P	P	P	P	P
Noncommercial Place of Assembly, more than ##### sqft	C	C	C	C	C
<i>Recreation, Amusement, and Lodging</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Lodging House	P	P	P	P	P
Short Term Rental	P	P	P	P	P
<i>Agricultural</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Community Garden	P	P	P	P	P
Crop Production	C				
Indoor Agriculture	C				
Telecommunications Tower	C	C	C	C	C
<i>Accessory</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Accessory Dwelling, Detached/Attached	C	C	C	C	C
Accessory Dwelling, Internal	P	P	P	P	P
Accessory Structure	P	P	P	P	P
Artisan Workshop	P	P	P	P	P
Home Based Business	P	P	P	P	P
Solar Energy Collection System, canopy	P	P	P	P	P
Solar Energy Collection System, ground mounted	P	P	P	P	P

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Table 15-3-04(B): Permitted, Conditional, and Temporary Uses in Residential Districts

Use	R-C	R-SE	R-SR	R-MF	R-V
Solar Energy Collection System, roof mounted	P	P	P	P	P
<i>Temporary</i>	<i>R-C</i>	<i>R-SE</i>	<i>R-SR</i>	<i>R-MF</i>	<i>R-V</i>
Construction Related	T	T	T	T	T
Food Truck	T	T	T	T	T

C. Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts.

Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
<i>Residential</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Single-Family				P-	P-			P	P				
Multifamily, above ground floor only	P	P	P	P	P								
<i>Institutional</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Educational Facility											C		
Governmental Uses											C		
Health Care Facility	P	P	P	P			P				C		
Cemetery											C		
<i>Place of Assembly</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Indoor Commercial Place of Assembly, ##### sqft or less	P	P	P	P	P			C	C	C	P		
Indoor Commercial Place of Assembly, more than ##### sqft	C	P	P	P	C			C	C	C	P		
Outdoor Commercial Place of Assembly	C	C	C	C	C			C	C	C	P		
Noncommercial Place of Assembly, ##### sqft or less								C	C	C	P		
Noncommercial Place of Assembly, more than ##### sqft								C	C	C	P		
<i>Recreation, Amusement, and Lodging</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Campground								C	C				P
Lodging House								P	P				
Hotel	C	C	C	C									
Motel		C											
Recreation Area													P
Short-Term Rental					C			P	P				
<i>Retail</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Adult Establishment							C						
General Retail, ##### sqft or less	P	P	P	P	P								
General Retail, more than ##### sqft	S	P	P	P	C								

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Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Multitenant Shopping Center	C	C	C	C									
Wholesale Establishment							C						
<i>Service</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Animal Boarding Facility/Kennel and/or Veterinary Service	C	C					C	C					
General Service, ##### sqft or less	P	P	P	P	P								
General Service, more than ##### sqft	S	P	P	P	C	P							
Financial Institution	P	P	P	P		P							
Funeral Home	C	C											
Office, above ground floor only				P	P								
Office, ##### sqft or less	P	P	P	P	P	P							
Office, more than ##### sqft	P	P	P	P		P							
Office Complex/Business Park						P							
<i>Eating and Drinking</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Bar/Tavern	P	P	P	P	P								
Brewery/Winery/Distillery							C						
Brewery/Winery/Distillery Tasting Room	P	P	P	P	P								
Food Truck Court	C	C	C	C	C	C							
Micro Brewery/Winery/Distillery		P	P	P	P								
Restaurant	P	P	P	P	P								
<i>Vehicle Related</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Auto Sales/Rental and Service		C	C				P						
Carwash		C	C				P						
Major Automotive Repair			C				P						
Minor Automotive Repair			P				P						
Vehicle Fuel Sales		C	C				P						
<i>Agricultural</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Community Garden								P	P				
Crop Production								P	P				
Animal Husbandry								P	P				
Indoor Agriculture							P	P	P				
Nursery Retail	P	P	P					P	P				
Nursery Wholesale								P	P				
<i>Industrial</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Artisan Manufacturing	P	P	P	P	P								
Brewery/Winery/Distillery							P	C	C				
Composting Facility							C	C	C				
Distribution Facility							C						
Equipment Rental, Sales, and Service	P	P	P				P						

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Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Extractive Industry							C	C					
Heavy Industry							C						P
Home Improvement Center/ Lumberyard	P	P	P				P						
Landfill												C	
Light Industry							C						
Recycling Facility											C	C	
Salvage Yard							C					P	
Self-Service Storage Facility			C				C						
Solid Waste Facility							C					C	
Storage Yard							C						
Warehouse							C						
<i>Utility and Transportation</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Airport/ Heliport											C		
Helistop		C	C	C		C					C		
Loading Areas and Parking Areas as a Principal Use													P
Railroad Use											C		
Sanitary Sewer or Water Supply Lines													C
Solar Farm								C	C				
Telecommunications Tower	C	C	C	C	C	C	C	C	C	C	C	C	
Wastewater Treatment Ponds and Facilities													P
Waterborne Transportation Uses													P
Wind Farm								C	C				
<i>Accessory</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Accessory Retail	P	P	P	P	P	P	C						
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	
Artisan Workshop								P	P				
Drive Through	C	C	C	C									
Donation Drop Box	C	C	C	C			C						
Outdoor Activity/Operation/Storage							C						
Outdoor Dining	P	P	P	P	P								
Outdoor Display/Sale of Merchandise	P	P	P	P	P								
Solar Energy Collection System, canopy	P	P	P	P	P	P	P	P	P	P	P	P	
Solar Energy Collection System, ground mounted	C	C	C	C	C	C	C	C	C	C	C	C	
Solar Energy Collection System, roof mounted	P	P	P	P	P	P	P	P	P	P	P	P	
<i>Temporary</i>	<i>B-N</i>	<i>B-G</i>	<i>B-R</i>	<i>B-MU</i>	<i>B-SM</i>	<i>B-P</i>	<i>LI</i>	<i>A</i>	<i>A-P</i>	<i>P</i>	<i>I</i>	<i>L</i>	<i>FW</i>
Construction Related	T	T	T	T	T	T	T	T	T	T	T	T	
Farmers Market	T	T	T	T	T			T	T				

Table 15-3-04(C): Permitted, Conditional, and Temporary Uses in Nonresidential and Mixed-Use Districts

Use	B-N	B-G	B-R	B-MU	B-SM	B-P	LI	A	A-P	P	I	L	FW
Food Truck	T	T	T	T	T	T		T	T				
Seasonal Sales	T	T	T	T	T			P	P				

~~15-3-03. South 27th Street Mixed-Use District B-MU South 27th Street Mixed-Use District Specific Standards.~~

- ~~A.—District Intent.~~ The South 27th Street Design Overlay District is intended to:
- ~~B.—Further the implementation of the South 27th Street Corridor Master Plan Amendment adopted by the City of Franklin on January 20th, 2005. Specifically, the plan intends for the South 27th Street Corridor and adjacent areas to:~~
- ~~a.—Be a local, regional and statewide destination for people to work, live, shop, recreate, and interact with one another.~~
 - ~~b.—Be an attractive center of economic activity in southeast Wisconsin with clearly and conveniently linked strong neighborhoods, beautiful parks and open spaces, and engaging civic and institutional places.~~
 - ~~c.—Serve as a unifying place for the cities of Franklin and Oak Creek, and for Milwaukee County.~~
- ~~2.—Apply whenever new principal and/or accessory buildings are constructed in the district following the effective date of this ordinance.~~
- ~~3.—Apply whenever building additions in the district result in an increase in floor area of 50% or more over the floor area of the existing building at the time of the addition.~~
- ~~4.—Exempt residential uses from compliance with the requirements set forth in this Division.~~
- ~~5.—Authorize the Plan Commission to waive any of the South 27th Street Design Overlay District Standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.~~
- ~~6.—Allow existing structures to remain conforming with regard to this Division.~~
- ~~C.—District Standards.~~ Properties in the South 27th Street Design Overlay District are regulated by the City of Franklin Unified Development Ordinance in its entirety, and all provisions set forth in this Division, including the following:
- ~~§ 15-3.0352 Parking Requirements~~
 - ~~§ 15-3.0353 Landscape and Site Design General Standards~~
 - ~~§ 15-3.0354 Landscaping Requirements for Off-Street Parking Areas~~
 - ~~§ 15-3.0355 Architectural Requirements~~
- ~~D.—District Area.~~ The requirements set forth in this Division apply to properties included within the area outlined on the map below:

South 27th Street Design Standards

- E. ~~Parking Requirements.~~** On-site parking shall be provided as set forth in § 15-5.0203. In addition, the following standards apply:
- F. ~~Parking Required and Location Regulated.~~** Not more than 50% of the off-street parking spaces shall be located directly between the front facade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot.
- 1. ~~Number of Parking Spaces Limited.~~** Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required under § 15-5.0203 are not permitted.
 - 2. ~~Potential Parking Reductions.~~**
 - a. ~~Shared Parking.~~** The Plan Commission may authorize as much as a 40% reduction in the area to be paved for non-residential off-street parking stalls when parking is shared by two or more uses provided:
 - i. ~~The reduction does not exceed 40% of the required parking.~~**
 - ii. ~~The uses that are sharing parking have peak parking demand at different times.~~**
 - iii. ~~Pedestrian sidewalks or paths are provided as safe connections between any uses sharing the parking area.~~**
 - iv. ~~A shared parking agreement, signed by all parties, is approved by the City Council, following receipt of Plan Commission recommendations. The agreement shall state a minimum time frame for the agreement to be in effect; provide for ingress/egress easements; and be recorded with the County as a covenant.~~**
 - b. ~~Other Requested Parking Reductions.~~** If a parking reduction is requested for any reason other than shared parking, or a parking reduction beyond 40% is requested for shared parking arrangements, technical documentation shall be furnished by the applicant during the site plan review process to indicate, to the satisfaction of the Plan Commission, that actual off-street parking demand for that particular use is less than the required amount or that sufficient on-street parking is available in the area.
 - 3. ~~Land-Banking of Reserved Parking Area.~~** When a parking reduction has been authorized, the Plan Commission may require that sufficient area on the property be held in reserve for the potential future development of paved off-street parking to meet the full requirements. When required, this reserve off-street parking area shall be shown and noted on the site plan, maintained as open space, and developed with paved off-street parking spaces when the City determines that such off-street parking is necessary due to parking demand on the property which exceeds original expectations. The reserve parking area may not be counted as part of any required green space area, nor may it be used as the location of landscaping that is required under § 15-5.0302. The City may require that a letter of credit or other approved financial surety be provided at the time of permit issuance in an amount not to exceed 125% of the estimated cost of parking lot completion, to be exercised at City discretion, should the need for parking lot completion be determined.
- G. ~~Landscape and Site Design General Standards.~~**
- 1. ~~Vision Clearance Necessary.~~** Landscaping and site amenities shall be provided to satisfy the requirements of this Division. All site improvements shall be designed and undertaken in such a way that clear site lines are maintained for the safety and convenience of all pedestrian and vehicular users.
 - 2. ~~Coordination of Site Furnishings.~~** Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and provide an attractive and strong relationship with adjoining properties and the public sidewalk.
 - 3. ~~Pedestrian Considerations.~~**

~~4.—New streets proposed as part of new developments shall provide "pedestrian friendly" streetscapes.~~

~~Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see lighting discussion below) and furnishings to create a pedestrian-friendly character.~~

~~The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties.~~

~~5.—Sidewalks shall be provided along the entire length of any facade containing a public entrance, leaving room for foundation planting beds.~~

~~a.—Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities.~~

~~b.—Internal pedestrian walkways shall be distinguished from driving surfaces.~~

~~c.—The building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building.~~

~~6.—Reducing the Impact of Vehicular Use Areas. For properties such as gas stations where vehicular circulation is dominant on the site walkways, landscaping, architectural features and lighting shall be provided to make these areas more attractive and inviting. Decorative fences, walls and/or landscaped edges shall screen front parking areas from the public sidewalk. Screening shall not exceed three feet six inches in height.~~

~~7.—Bicycle and Pedestrian Amenities Required. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.~~

~~8.—Landscaping. On-site landscaping shall be provided per the landscaping requirements found in § 15-5.0302. In addition, the project shall provide:~~

~~a.—Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building. Building foundation landscaping shall be placed so that, at maturity, the plant's drip line is within 10 feet of the foundation. Canopy/shade trees shall not be used to meet this requirement.~~

~~b.—Screen fences and/or landscaped buffers at property edges, particularly where commercial and light industrial properties adjoin residential properties.~~

~~c.—Off-street parking area landscaping as set forth in § 15-5.0302.~~

~~9.—Central Areas/Features. Each development which contains a building over 50,000 square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.~~

~~10.—Cart Returns. A minimum of one 200 square foot cart return area shall be provided for every one 100 parking spaces for any establishment utilizing carts. Cart corrals shall be of durable, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. Exterior cart return or cart storage areas shall be situated for the safety and convenience of users, however no such facilities shall be located within 25 feet of the building.~~

~~H.—Landscaping Requirement For Off-Street Parking Areas.~~

1. ~~**Parking Lot Landscaping Required.** Interior and perimeter buffer landscaping is required for all off-street parking lots and their associated vehicular use areas, with the exception of those infill and redevelopment projects that have been granted an exception by the Plan Commission. These regulations stipulate the design and placement of such plantings. The actual number of plant units utilized in such plantings may be counted toward the total number of plant units required on-site as determined under § 15-5.0302.~~

2. ~~**Required Trees for Parking Lot Perimeter and Interior Applications.**~~
 - a. ~~Shade or decorative trees are required within the vehicular use area at a ratio of one tree for every 15 parking spaces or fraction thereof, unless the Plan Commission grants an exception. The trees must be evenly distributed throughout the vehicular use area.~~
 - b. ~~Existing trees of desirable species and quality that can be preserved, where grading does not cut them off from a reasonable supply of water and where the area under the canopy remains undisturbed, shall count toward the tree requirements for off-street parking areas on a tree-for-tree basis.~~
 - c. ~~Where a landscape border or other landscape area abuts the vehicular use area, shade or decorative trees within these landscaped areas may count toward the vehicular use area requirement, provided:

 - i. ~~The trees are located within 10 feet of the vehicular use area.~~
 - ii. ~~The number of trees that are provided within the vehicular use area is not reduced by more than 50% of the amount required; and~~
 - iii. ~~There is a minimum of one tree provided within the vehicular use area.~~~~
 - d. ~~Trees shall be planted in such a way that they are protected from vehicle damage.~~

3. ~~**Interior Landscaping for Off-street Parking Areas.** The interior parking lot landscaping standards of this section shall apply to all off-street parking lots and their vehicular use areas containing 20 or more parking spaces. The intent of this section is to require landscaping within vehicular use areas; therefore, landscaping screens, planting strips and landscaping surrounding buildings shall not be considered as interior landscaping. Interior parking lot landscaping is required as follows:~~
 - a. ~~A minimum of 20 square feet of interior landscaped island shall be provided per parking stall.~~
 - b. ~~The interior landscaping shall be provided within landscaped islands a minimum of 250 square feet in area. Landscaped islands shall be three feet shorter than the depth of any adjacent space. A landscaped island nine feet in width and 30 feet in length with rounded ends, placed alongside two parking stalls each 18 feet in depth placed end-to-end, would meet all dimensional requirements for landscaped islands, provided the dimensions are measured from the inside of any curbs.~~
 - c. ~~The interior parking lot landscaping shall be placed so as to delineate driving lanes, define rows and generally mitigate the visual impact of the parking lot while maintaining clear site lines for safety purposes.~~
 - d. ~~Plants in landscaped islands shall be underlain by soil (not base course material), and shall be protected by curbing or other protective treatment.~~
 - e. ~~The interior parking lot landscaping shall be composed of a combination of hardy trees, shrubs, perennials, and groundcover that are able to tolerate winter salt and snow. Where islands are used as retention/infiltration areas for storm water management, they should be landscaped appropriately for that purpose. Decorative mulch and weed barriers may be utilized when shown on an approved landscape plan.~~
 - f. ~~Landscaped islands that function as storm water retention/infiltration areas shall be subject to the following:

 - i. ~~Landscaped islands shall be a minimum of 15 feet in width if used for this purpose.~~~~

~~ii.—Parking areas will sheet drain into the landscaped islands through curb cuts or other apertures.~~

~~iii.—Proposed plantings shall be tolerant of flood conditions.~~

~~4.—**Screening for Off-street Parking Areas.** The perimeter parking lot screening standards of this section shall apply to all off-street parking areas for six or more vehicles or larger than 2,000 square feet in area. Off-street parking areas, including aisles and driveways, shall be effectively screened year-round as follows:~~

~~a.—Perimeter planting areas shall be designed to maintain and protect visibility at driveways and access points.~~

~~b.—On-site perimeter greenbelts at least 10 feet in width shall be installed along any street side and along all interior lot lines when parking is located on that side of any building on the site.~~

~~i.—Street side greenbelts shall contain dense landscape screening which provides plantings at least 18 inches high at planting and 30 inches high at maturity. Such greenbelts shall provide a semi-opaque screen at a minimum during the winter season.~~

~~ii.—Interior side lot line greenbelts for non-residential uses when adjacent to residential uses shall contain dense landscape screening which provides plantings at least 36 inches high at planting and 48 inches high at maturity. Such greenbelts shall provide a semi-opaque screen at a minimum during the winter season.~~

~~iii.—Other greenbelts not specifically described above shall contain a minimum of one tree or shrub for each 15 feet of perimeter to be planted in effective groupings within said strip. The remainder of the strip shall be planted in grass, ground cover or other effective landscape treatment.~~

~~c.—Berms may be utilized as part of the perimeter landscaping.~~

~~I.—**Architectural Requirements.**~~

~~1.—**Building Character and Design.**~~

~~2.—Buildings located on prominent sites—such as key intersections, corners, terminations of street vistas, and on high points—shall be multi-story and exhibit quality architectural design to serve as landmarks;~~

~~3.—All exterior materials shall be durable, of high quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use.~~

~~Brick, stone and terra-cotta are preferred primary materials for new buildings or additions.~~

~~The use of false brick or other "faux" sidings is discouraged.~~

~~Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings.~~

~~Painting of brick and stone is discouraged.~~

~~Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.~~

~~All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention.~~

~~Building massing that creates modulation and articulation is encouraged.~~

~~Multi-story buildings that allow for a mix of retail, office or residential uses are preferred.~~

~~**Design Standards for Non-Residential Buildings [20,000 Square Feet or Less in Area].**~~

Purpose and Intent. The purpose of these design standards is to guide the design of smaller non-residential buildings constructed in the South 27th Street Design Overlay District to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings in the vicinity. These standards are intended to support good quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians and motorists. Good design results in buildings that are in visual harmony with nearby buildings, leading to a city that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a sustainable community which facilitates easy pedestrian movement and establishment of a rich mixture of uses.

The standards of this section apply whether the use is allowed as a Permitted Use, Special Use or Accessory Use. The Plan Commission shall evaluate site plans and architectural plans for compliance with these provisions.

Compatibility with Existing Buildings.

Buildings shall maintain a similar size, shape, height, bulk, scale and mass of surrounding architecture, unless required to vary due to zoning district dimensional standards.

Where building sizes will not be equivalent or comparable to those existing in the same general vicinity, larger building facades shall be broken down into units that resemble the size of existing facades.

Building Materials and Colors.

Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.

Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, though it may be used for accents including awnings.

Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone type construction.

Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern.

Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on facades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas.

Roof Materials, Parapets, and Roof Pitch.

Pitched roof structures shall have a minimum roof pitch of 6:12.

Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.

Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.

Visible sloped roofs must be neutral in color, such as gray, black, or dark brown.

Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.

All roof and wall mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.

Building Facades.

Decorative devices – such as molding, entablature, and friezes – are expected at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.

Alcoves, Porches, Arcades, etc. Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.

Change in Relief of Building. Buildings must include changes in relief on at least 10% of their primary facade for pedestrian interest and scale. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments.

Windows.

Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.

Ground Floor Window Standards.

All new buildings must provide ground floor windows.

Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.

Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.

Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.

The primary facade of each building, or for corner buildings each of the two facades, must contain at least 20% of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.

Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is 16 square feet per story or 6% of the facade, whichever is greater.

Upper Floor Window Standards.

Glass area dimensions shall not exceed five feet by seven feet. (The longest dimension may be taken either horizontally or vertically.)

Windows must have trim or molding at least two inches wide around their perimeters.

Pedestrian Accessibility.

Buildings shall maintain and/or enhance the pedestrian scale.

Building entries must comply with the accessibility requirements of the applicable state and federal codes.

Special attention shall be given to designing a primary building entrance that is both attractive and functional.

Buildings located at the intersection of two streets shall utilize a corner entrance to the building unless this requirement is waived by the Plan Commission.

The pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.

Landscaping/Streetscape.

Benches, outdoor seating, and trash receptacles must complement any existing decorative street lighting and be in keeping with the overall architectural character of the area.

Upon prior approval of the Plan Commission and Common Council, benches and other streetscape items may be placed within the public right-of-way, provided they do not block free movement of pedestrians. A minimum pedestrian walkway width of six feet shall be maintained at all times.

External Storage.

The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited unless identified on an approved site plan and fully screened.

Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of six feet must be maintained at all times.

Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with the provisions of §§ 15-3.0802 and 15-3.0803.

Design Standards for Non-Residential Buildings [Greater than 20,000 Square Feet in Area].

Purpose and Intent. The design standards for buildings greater than 20,000 square feet are intended to ensure that large buildings, and the sites they occupy, are properly located and compatible with the surrounding area and community character of the South 27th Street Design Overlay District. Such projects shall also be subject to the more general standards for the approval of Special Use Permits or PUD Districts when applicable.

The following requirements are applicable to all new buildings in excess of 20,000 gross square feet. These requirements are also applicable when additions to non-residential and mixed-use buildings built either before or after the effective date of this Division, bring the total building size to over 20,000 gross square feet.

Waiver of Standards. The Plan Commission may waive any of the following standards by a 3/4 vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

Compatibility with City Plans. The applicant shall provide, through a written report submitted with the petition for a Site Plan adequate evidence that the proposed building and overall development project shall be compatible with the City's community character, urban design, natural area preservation, commercial development, redevelopment, or community facility objectives as expressed in adopted elements of the City's Comprehensive Master Plan.

Building Materials. Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.

Building Design. The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window

openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of 20% of all of the combined facades of the structure shall employ actual facade protrusions or recesses. A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet for buildings over 50,000 square feet. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are on properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged.

a.—**Building Entrances.** Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. Unless exempted by the Plan Commission all sides of the building that directly face or abut a public street or public parking area shall have at least one public entrance, except that the City shall not require building entrances on more than two sides of any building.

4.—**Building Color.** Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on facades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas.

5.—**Building Location.** Modest building setbacks are encouraged. Where buildings are proposed to be distant from a public street, the overall development design shall include smaller buildings on pads or outlots closer to the street.

6.—**Screening.** Mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground-level views, with materials identical to those used on the building exterior. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above. Gates and fencing may be used for security and access, but not for screening, and shall be of high aesthetic quality.

7.—**Traffic Impact.** All projects that include buildings over 20,000 square feet shall have direct access to an arterial or collector street, or shall dedicate public roads which have direct access to a public street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; and traffic control devices; and sidewalks. The site design shall provide direct connections to adjacent land uses if required by the City. Prior to development approval, the applicant's traffic engineer shall complete and present a traffic impact analysis following Wisconsin Department of Transportation guidelines. Where the project will cause off-site public roads, intersections, or interchanges to function below level of service C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct and/or pay for required off-site improvements.

i.—**Natural Resources Protection.** Existing natural features shall be integrated into the site design as a site and community amenity.

ii.—**Signage.** The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations, configurations, and colors throughout the development. All freestanding signage within the development shall compliment on-building signage. Monument style ground signs are strongly preferred over pole signs, and consolidated signs for multiple users are strongly preferred over multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area.

15-3-05. B-SM - Saint Martin's Road Historic Business District Specific Standards.**A. Canopies and Awnings.**

1. Building canopies, awnings, or similar weather protection devices are encouraged on the first floor of all buildings.
2. If provided, the device shall project a minimum of three (3) feet and a maximum of five (5) feet from the façade to which it is affixed.

B. Building Frontage. The primary façade of all nonresidential and mixed-use development shall meet the standards of one (1) of the frontage types detailed in subsection one through four below. The use of the resulting front yards or porches for outdoor dining or other activity generating uses that support the subject lot's principal use is encouraged.

1. **Projecting Porch.** The primary façade of the building shall be sufficiently set back from the property line to accommodate the projecting porch within the front yard setback. The resulting front yard may or may not be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch shall be open on three (3) sides and have a roof form that shall be separate from the principal structure. A projecting porch may encroach into a required front yard setback to a maximum extent of ten (10) feet. The following minimum standards shall apply to projecting porches.

- a. **Width.** Ten (10) feet
- b. **Depth.** Eight (8) feet
- c. **Height.** Eight (8) feet

2. **Storefront.** The primary façade of the building shall adjoin the required minimum front setback. Accordion-style windows and doors or other operable windows are encouraged. The following standards shall apply to shopfronts.

- a. **Window Area.** Sixteen (16) square feet
- b. **Window Width.** Three (3) feet
- c. **Window Height.** Four (4) feet
- d. **Sill Height.** Three (3) feet

C. 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.**A-D. Parking Location.** Off-street parking spaces and lots shall be located to the rear or interior side ~~lot~~ of the principal building.

- ~~15-3-04. This Section sets forth those uses which are permitted uses and special uses in the AO Airport Overlay District.~~
- ~~15-3-05. Establishment of District Boundaries and Districts. The AO Airport Overlay District boundaries shall be based upon the General Mitchell Field study titled General Mitchell International Airport. Part 150 Noise Compatibility Study: Noise Exposure Maps and Noise Compatibility Program, prepared by Coffman Associates, Inc., dated October 1993. Boundaries shall be subject to periodic updating and amendment. The AO Airport Overlay District shall be established in like manner as any other zoning district permitted by this Ordinance.~~
- ~~15-3-06. Establishment of Airport Noise Impact Areas. Airport noise impact areas (numbered AO Districts) shall be established in order to distinguish between the severity of the levels of noise impact so that appropriate uses and acoustical performance standards can be established to mitigate the adverse impacts of aircraft noise in order to protect the public health, safety, and welfare.~~
- ~~15-3-07. Noise Zones. Noise levels shall be classified into noise zones, and the Day-Night Average Sound Level (DNL) classifications shall be used for all noise sources. DNL shall be mathematically symbolized as Ldn.~~
- ~~15-3-08. Two Airport Noise Impact Areas Established. For the purpose of administering these regulations, there shall be two Airport Noise Impact Areas established as follows:~~
- ~~15-3-09. The AO-1 District for areas of Ldn 65-70.~~
- ~~15-3-10. The AO-2 District for areas of Ldn 70-75. Permitted Uses in the AO Airport Overlay District. All permitted uses in the underlying zoning district(s) shall be permitted by right, except as qualified by § 15-3.0608(C).~~
- ~~15-3-11. Special Uses in the AO Airport Overlay District. All special uses which may be allowed in the underlying zoning district(s) may be permitted as special uses, except as qualified by § 15-3.0608(C).~~
- ~~15-3-12. Use Limitations and Noise Level Reduction (NLR) Standards in the AO-1 Airport Overlay District. all buildings In addition to the use limitations presented for the underlying zoning district(s) in which the AO-1 Airport Overlay District is located, the use limitations set forth in this Section shall also apply to the specific AO-1 Airport Noise Impact Area. Uses within the AO-1 District shall be permitted only in accordance with the following guidelines:~~
- ~~15-3-13. Residential Uses. For all residential uses measures to achieve a noise level reduction (outdoor to indoor) of 25 dB must be incorporated into the design and construction of the residential structure(s). Mobile home parks or courts shall not be permitted.~~

~~15-3-14. [Commentary: Normal construction can be expected to provide a noise level reduction of 20 dB; thus, the reduction requirements are about 5 dB over standard construction and normally assume mechanical ventilation and closed windows year round. Noise level reduction criteria will not eliminate outdoor noise problems. However, building location and site planning, design and use of berms and barriers can help mitigate outdoor noise exposure particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.]~~

~~15-3-15. Nonresidential Uses. For land uses in the SIC categories of 805, 806, and 82 (nursing and personal care facilities, hospitals, and educational facilities), cultural facilities including churches, auditoriums, and theaters, measures to achieve a noise level reduction (outdoor to indoor) of 25 dB must be incorporated into the design and construction of the structure(s). Outdoor music shells or amphitheaters shall not be permitted.~~

~~15-3-16. Use Limitations and Noise Level Reduction (NLR) Standards in the AO-2 Airport Overlay District. In addition to the use limitations presented for the underlying zoning district(s) in which the AO-2 Airport Overlay District is located, the use limitations set forth in this Section shall also apply to the specific AO-2 Airport Noise Impact Area. Uses within the AO-2 District shall be permitted only in accordance with the following guidelines:~~

~~15-3-17. Residential Uses. For all residential uses measures to achieve a noise level reduction (outdoor to indoor) of 30 dB must be incorporated into the design and construction of the residential structure(s). Mobile home parks or courts shall not be permitted.~~

~~15-3-18. [Commentary: Normal construction can be expected to provide a noise level reduction of 20 dB; thus, the reduction requirements are about 10 dB over standard construction and normally assume mechanical ventilation and closed windows year round. Noise level reduction criteria will not eliminate outdoor noise problems. However, building location and site planning, design and use of berms and barriers can help mitigate outdoor noise exposure particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.]~~

~~15-3-19. Nonresidential Uses. Measures to achieve a noise level reduction (outdoor to indoor) of 25 dB must be incorporated into the design and construction of the structure(s) for uses in the SIC manufacturing categories of 20, 22, 23, 24, 25, 26, 127, 28, 29, 30, 32, 33, 34, 38, and 39; SIC transportation, communication, and utilities categories of 40, 41, 42, 44, 45, 48, and 49; the SIC trade categories of 50 and 51; the SIC retail categories of 52, 53, 54, 56, 57, 58, and 59; and the SIC services categories of 72, 73, and 76.~~

~~15-3-20. Nonresidential Uses in the SIC Categories of 805, 806, and 82. For land uses in the SIC categories of 805, 806, and 82 (nursing and personal care facilities, hospitals, and educational facilities), cultural facilities including churches, auditoriums, and theaters, measures to achieve a noise level reduction (outdoor to indoor) of 30 dB must be incorporated into the design and construction of the structure(s). Outdoor music shells or amphitheaters shall not be permitted.~~

15-3-24, 15-3-06. FF Floodfringe District and GFP General Floodplain District.**A. Statutory Authorization, Finding of Fact, Statement of Purpose, Title, and General Provisions**

1. This ordinance is adopted pursuant to the authorization in Wisconsin Statutes Annotated s. 61.35 and 62.23 and the requirements in s. 87.30.
2. Uncontrolled development and use of the floodplains and rivers within the City of Franklin would impair the public health, safety, convenience, general welfare, and tax base.
3. This ordinance is intended to regulate floodplain development in order to:
 - a. Protect life, health and property;
 - b. Minimize expenditures of public funds for flood control projects;
 - c. Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
 - d. Minimize business interruptions and other economic disruptions;
 - e. Minimize damage to public facilities in the floodplain;
 - f. Minimize the occurrence of future flood blight areas in the floodplain;
 - g. Discourage the victimization of unwary land and homebuyers;
 - h. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
 - i. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
4. This Section shall constitute, for statutory purposes, the Floodplain Zoning Ordinance for the City of Franklin, Wisconsin.
5. **General Provisions.**
 - a. **Areas to be Regulated.** This Section regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, VE, V1-30, or V on the Flood Insurance Rate Map.
 - b. **Official Maps and Revisions.** Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, VE, V1-30, or V on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (i) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the **Planning Manager**.
 - c. **Official Maps.**
 - i. Flood Insurance Rate Map (FIRM) panel number 55079C0144E, effective on 09/26/2008; number 55079C0142E, effective on 09/26/2008; number 55079C0161E, effective on 09/26/2008; number 55079C0163E, effective on 09/26/2008. [NOTE: CHECK WITH GIS MANAGER & SEWRPC to ensure all are included & correct; from <https://msc.fema.gov/portal/search?AddressQuery=Franklin%2C%20Wisconsin#searchresultsanchor>].
6. **Establishment of Floodplain Zoning Districts.** The flood hazard areas regulated by this ordinance are divided into districts as follows and collectively shall be known as the "Floodplain Districts":

- a. The **Floodway District (FW)**, is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, **within AE Zones as shown on the FIRM** [see Section 5(c)li above], or within **A Zones shown on the FIRM** when determined according to Wisconsin Statutes Annotated s. 5.1(5).
- b. The **Floodfringe District (FF)** is that portion of a riverine special flood hazard area outside the floodway **within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 5.1(5), within A Zones shown on the FIRM.**
- c. The **General Floodplain District (GFP)** is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the **FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.**

7. Locating Floodplain Boundaries.

- a. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subsections (7)(d) or (7)(e) below. If a significant difference exists, the map shall be amended according to Section **[.XX]** Amendments.
- b. The Zoning Administrator may rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to **[SECTION XX] 7.3(3)** and the criteria in (a) and (b) below.
- c. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to **[sXX]** Amendments.
- d. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- e. Where flood profiles do not exist for projects, including any boundary of zone A or AO, the location of the boundary shall be determined by the map scale.

8. Removal of Lands from Floodplain.

- a. Compliance with the provisions of this section shall not be grounds for removing land from the floodplain unless the affected land is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to **s. 8.0 Amendments**.
- b. The delineation of any of the Floodplain Districts may be revised by the City of Franklin where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The Zoning Administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
 - i. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation; and
 - ii. the fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F.
- c. Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

9. Compliance.

- a. No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- b. Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with **s. 9.0.**
- c. Floodplain development permits issued on the basis of plans and applications approved by the Zoning Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Zoning Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with **s. 9.0.**

10. Municipalities and State Agencies Regulated.

- a. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if **s. 13.48(13), Stats.**, applies.
- b. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when **s. 30.2022, Stats.**, applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards.
- c. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project **under s. 30.2022,** then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply:
 - i. The City provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under **s. 30.123(6)(d),**
 - ii. The capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source.
 - iii. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the City in the analysis of the project site.

11. Abrogation and Greater Restrictions

- a. This Section supersedes all the provisions of the this UDO which relate to floodplains. A more restrictive provision shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- b. This Section is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this Section shall prevail.

12. Interpretation. In their interpretation and application, the provisions of this Section are the minimum requirements liberally construed in favor of the City of Franklin, and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this Section, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this Section or in effect on the date of the most recent text amendment to this Section.**13. Warning and Disclaimer of Liability.** The flood protection standards in this Section are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This Section does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free

from flooding and flood damages. This Section does not create liability on the part of, or a cause of action against, the City of Franklin, or any officer or employee thereof, for any flood damage that may result from reliance on this Section.

14. **Severability.** Should any portion of this Section be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected.

B. General Standards Applicable to All Floodplain Districts.

1. Applicability.

- a. The City of Franklin Zoning Administrator shall review all permit applications to determine compliance with the provisions of this Section~~whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.~~
- b. If a proposed building site is in a Floodplain District as defined in this Section ~~flood-prone area~~, all new construction and substantial improvements shall:
 - i. Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - ii. Be constructed with flood-resistant materials;
 - iii. Be constructed by methods and practices that minimize flood damages; and
 - iv. Be constructed in a manner wherein mechanical and utility equipment is elevated to or above the flood protection elevation.
- c. If a subdivision or other proposed new development is in a Floodplain District as defined in this Section ~~flood-prone area~~, the Zoning Administrator shall assure that:
 - i. Such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the Floodplain District~~flood-prone area~~;
 - ii. Public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii. Adequate drainage is provided to reduce exposure to flood hazards.
- d. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in **s. 7.1(2)**.

2. **Hydraulic and Hydrologic Analyses.**

- a. No development within a Floodplain District shall:
 - i. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - ii. Cause any increase in the regional flood height due to floodplain storage area lost.
- b. The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of **s. 8.0** Amendments are met

3. **Watercourse Alterations**

- a. No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the Zoning Administrator has notified in writing all adjacent municipalities, the Wisconsin Department of Natural Resources, and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of Subsection B.2 above must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.
 - b. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to **s. 8.0** Amendments, the City of Franklin shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.
4. **Applicability of Chapter 30 and 31, Wisconsin Statutes, Development.** Development which requires a permit from the Department, under Chapters 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to this Section are made in accordance with **s. 8.0** Amendments.
5. **Public or Private Campgrounds.** Public or private campgrounds ~~shall have a low flood damage potential and~~ shall meet the following provisions:
- a. The campground is approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection;
 - b. A land use permit for the campground ~~is~~ can properly be issued by the Zoning Administrator;
 - c. The character of the river system and the campground elevation are such that a 72- hour warning of an impending flood can be given to all campground occupants;
 - d. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, officials of the City of Franklin (including but not the City's emergency government coordinator and the chief law enforcement official) which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
 - e. This agreement shall be for no more than one (1) calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the Wisconsin Department of Agriculture, Trade and Consumer Protection and all other applicable regulations.
 - f. All mobile recreational vehicles placed on site must meet one of the following:
 - i. Be fully licensed, if required, and ready for highway use; or
 - ii. Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or
 - iii. Meet the requirements in either **s. 3.0, 4.0, 5.1, or 5.3** for the floodplain district in which the structure is located;
 - g. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
 - h. All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which shall be kept on file at the campground. Such authorization shall allow placement of a camping unit consistent with 2.4(6) and shall ensure compliance with all the provisions of this section;

- i. The City of Franklin shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
 - j. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
 - k. All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.
 - l. Standards for structures in a campground:
 - i. All structures must comply with the applicable requirements in ss. 3.0, 4.0, 5.1, or 5.3 for the floodplain district in which the structure is located;
 - ii. A portable deck or landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with subsections (a) through (j) above. Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
 - m. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the City of Franklin pursuant to subsection 5(d) and 5(e) above.
 - n. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the City pursuant to subsection 5(d) and 5(e) above.
6. A land use permit shall be obtained as provided under 7.1(2) before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

C. Floodway District (FW)

1. **Applicability.** This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(5).
2. **Permitted Uses.** The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:
 - a. The uses are not prohibited by any other provision of these Regulations;
 - b. The standards in this Subsection C are met; and
 - c. All permits or certificates have been issued in accordance with section 7.1.
 - d. Permitted Uses:

- i. Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting
 - ii. Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - iii. Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
 - iv. Uses or structures accessory to open space uses or classified as historic structures that comply with s. 3.3 and 3.4.
 - v. Extraction of sand, gravel or other materials that comply with s. 3.3(4).
 - vi. Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chapters 30 and 31, Wisconsin Statutes.
 - vii. Public utilities, streets and bridges that comply with s. 3.3(3).
 - viii. Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Chapter SPS 383, Wisconsin Administrative Code.
 - ix. Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
 - x. Wastewater treatment ponds or facilities permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code
 - xi. -Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway, which development complies with the regulations for the floodplain area occupied.
3. **Standards for Developments in the Floodway.**
- a. Any development in the floodway shall comply with Subsection B above and have a low flood damage potential.
 - b. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to Subsection B.2 and 7.1(2)(c). The analysis must be completed by a professional engineer registered in the state of Wisconsin.
 - c. Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in Subsection A(8) above.
4. **Structures.** Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
- a. Not designed for human habitation
 - b. Does not have a high flood damage potential
 - c. Is constructed to minimize potential flood damage;

- d. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - i. The lowest floor is elevated to or above the regional flood elevation and is dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water, and completely dry to the flood protection elevation without human intervention during flooding;
 - ii. Has structural components capable of meeting all provisions of Subsection 6, Certification below and;
 - iii. Has certification by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Subsection 6, Certification, below.
 - e. Shall be anchored to resist flotation, collapse, and lateral movement
 - f. Mechanical and utility equipment are elevated to or above the flood protection elevation; and
 - g. Does not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
5. **Design for Automatic Entry of Floodwaters.** For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets Subsection (4)(a) through (4)(e) above, and meets or exceeds the following standards:
- a. The lowest floor must be elevated to or above the regional flood elevation;
 - b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - d. The use must be limited to parking, building access or limited storage.
6. **Certification:** Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 - b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
 - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
 - e. Placement of utilities to or above the flood protection elevation.
7. **Public Utilities, Streets, and Bridges.** Public utilities, streets and bridges may be allowed by permit, if:
- a. Adequate floodproofing measures are provided to the flood protection elevation; and
 - b. Construction meets the development standards of s. 2.1.
8. **Fills or Deposition of Materials.** Fills or deposition of materials may be allowed by permit, if:

- a. The requirements of [s. 2.1](#) are met;
- b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- d. The fill is not classified as a solid or hazardous material.

9. **Prohibited Uses.** All uses not listed as permitted uses in Subsection C(2) above are prohibited, including the following uses:

- a. Habitable structures, structures with high flood damage potential, and structures not associated with permanent open-space uses;
- b. Storage of materials that are buoyant, flammable, explosive, or potentially injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- c. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- d. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department- approved campgrounds that meet the applicable provisions of City of Franklin ordinances and Chapter SPS 383, Wisconsin Administrative Code.
- e. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of City of Franklin ordinances and Chapters NR 811 and NR 812, Wisconsin Administrative Code
- f. Any solid or hazardous waste disposal sites;
- g. Any wastewater treatment ponds or facilities, except those permitted under Sections NR 110.15(3)(b), Wisconsin Administrative Code;
- h. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

D. **Floodfringe District (FF)**

- 1. **Applicability.** This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to [s. 5.1\(5\)](#).
- 2. **Permitted Uses.** Any structure, land use, or development is allowed in the Floodfringe District if the standards in [s. 4.3](#) are met, the use is not prohibited by the City of Franklin Land Development Regulations, or any other ordinance or regulation of the City of Franklin; and all permits or certificates specified in [s. 7.1](#) have been issued.
- 3. **Standards for Development in the Floodfringe District.** The provisions of Subsection (C) above shall apply in addition to the following requirements, according to the proposed use. Any existing structure in the Floodfringe District must meet the requirements [of s. 6.0](#), Nonconforming Uses.
 - a. **Residential Uses.** Any existing structure [in residential use](#) in the Floodfringe District must meet the requirements of s. 6.0 Nonconforming Uses. Any structure [for residential use](#), including a manufactured home, which is to be newly constructed or moved into the Floodfringe District, shall meet or exceed the following standards:
 - i. All new construction, including placement of manufactured homes, and all substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill.

The fill around the structure shall be one foot or more above the regional flood elevation [for an area](#) extending at least 15 feet beyond the limits of the structure. No area may be removed from the Floodfringe District unless [the resulting condition](#) can be shown to meet [s. 1.5\(5\)](#).

- ii. Notwithstanding Subsection (D)(4)(a) above, a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation.
- iii. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection (d)(1) through (d)(2) below.
- iv. In developments where existing street or sewer line elevations make compliance with Subsection (4)(c) above impractical, the City of Franklin may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - a) The City of Franklin Zoning Administrator has [secured](#) written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - b) [The City of Franklin has adopted and in place](#) a DNR-approved emergency evacuation plan [applicable to the site](#) that follows acceptable hazard mitigation planning guidelines.
- b. **Accessory Structures and Uses.** In addition to meeting the provisions of Section B, General Standards, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- c. **Commercial Uses.** In addition to meeting the provisions of Section B, General Standards, any commercial structure which is erected, altered or moved into the Floodfringe District shall meet the requirements of [s. 4.3\(1\)](#). Subject to the requirements of [s. 4.3\(5\)](#), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- d. **Manufacturing and Industrial Uses.** In addition to meeting the provisions of Section B, General Standards, any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s 7.5. Subject to the requirements of [s. 4.3\(5\)](#), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- e. **Storage of Materials.** Materials that are [hazardous](#), buoyant, flammable, explosive, or [potentially](#) injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with [s. 7.5](#). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- f. **Public Utilities, Streets, and Bridges.** All public utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans. [In addition, the following criteria shall apply:](#)
 - i. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if [they-the proposed improvements](#) are designed to comply with [s. 7.5](#).
 - ii. Minor roads or non-essential utilities may be constructed at lower elevations if ~~they are~~ designed to withstand flood forces to the regional flood elevation.

- g. **Sewage Systems.** All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all City of Franklin standards and Chapter SPS 383, Wisconsin Administrative Code.
- h. **Wells.** All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- i. **Solid Waste Disposal Sites Prohibited.** Disposal of solid or hazardous waste is prohibited in floodfringe areas.
- j. **Deposition of Material.** Any deposition of material must meet all the provisions of this Section.
- k. **Manufactured Homes.**
 - i. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - ii. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - a) have the lowest floor elevated to the flood protection elevation; and
 - b) be anchored so that the manufactured home does not float, collapse or move laterally during a flood
 - iii. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).
- l. **Mobile Recreational Vehicles.** A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions. All mobile recreational vehicles must be on site for less than one-hundred eighty (180) consecutive days and be either:
 - i. fully licensed and ready for highway use; or
 - ii. shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c).

E. General Floodplain District (GFP)

- 1. **Applicability.** The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 1.5(2)(a).
- 2. **Floodway Boundaries.** For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 1.5(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to s. 5.1(5).
 - a. If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s 3.0.
 - b. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.
- 3. **Permitted Uses.** Pursuant to s. 5.1(5) for any application for development, the Zoning Administrator shall determine whether ~~a shall be determined whether the~~ proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (Section C) and Floodfringe (Section D) Districts are allowed within the General Floodplain

District, according to the standards of s. 5.1(4), provided that all permits or certificates required under s. 7.1 have been issued.

4. **Standards for Development in the General Floodplain District.** Any development within the floodway, as determined pursuant to 5.1(5), shall comply with the provisions of Section C, Floodway. Any development within the floodfringe, as determined pursuant to Section 5.1(5), shall comply with the provisions of Section D, Floodfringe.
 - a. New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:
 - i. to or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
 - ii. if the depth is not specified on the FIRM, to or above two (2) feet above the highest adjacent natural grade.
 - b. New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
 - c. In AO/AH zones, adequate drainage paths shall be provided to guide floodwaters around structures.
 - d. All development in zones AO and zone AH shall meet the requirements of s. 4.0 applicable to flood fringe areas.
5. **Determination of Floodway and Floodfringe Limits.** Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the Zoning Administrator shall:
 - a. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
 - b. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - i. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
 - ii. A plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information; and
 - iii. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

F. Non-Conforming Uses

1. Applicability.

- a. The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with Section 87.30, Wisconsin Statutes, Sections NR 116.12-14, Wisconsin Administrative Code, and 44 CFR 59-72.
- b. These standards shall apply to all modifications or additions to any nonconforming use or structure, and to the use of any structure or premises which was lawful before the passage of this Section or any amendment thereto.
- c. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, the City of Franklin shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

2. **Continuation of Use.** The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this Section may continue subject to the following conditions:
- a. No modifications or additions to a nonconforming use or structure shall be permitted unless such modifications or additions comply with [applicable provisions of this Section](#). The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use.
 - i. Maintenance is not considered a modification; maintenance shall include painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities.
 - ii. Any costs associated with the repair of a damaged structure shall not be considered maintenance.
 - b. The construction of a deck that does not exceed two-hundred (200) square feet and that is adjacent to the exterior wall of a principal structure shall not be considered an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
 - c. If a nonconforming use or the use of a nonconforming structure is discontinued for twelve (12) consecutive months, the non-conforming use or use of the non-conforming structure is no longer permitted. Any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this Section.

The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;

- d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed fifty (50) percent% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- e. No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- f. If on a per event basis the total value of the work being done under (d) and (e) above equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with [s. 4.3\(1\)](#).
- g. Except as provided in subdivision (h) below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, re-constructed, or rebuilt unless the use and the structure meet the current requirements of this Section. A structure is considered substantially damaged if the

total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

- h. For nonconforming buildings that are substantially damaged or destroyed by a non-flood [event disaster](#), the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met and all required permits have been granted prior to the start of construction:

i. **Residential Structures.** [All such residential structures:](#)

- a) Shall have the lowest floor, including basement, elevated to or above the flood protection elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of [s. 7.5\(2\)](#).
- b) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- c) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d) In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
- e) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in [s. 5.1\(4\)](#).
- f) In AO Zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

ii. **Nonresidential Structures.** [All such non-residential structures:](#)

- a) Shall meet the requirements of [s. 6.1\(2\)\(h\)1a-f](#).
- b) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in [s. 7.5 \(1\) or \(2\)](#).
- c) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in [s. 5.1\(4\)](#).
- d) A nonconforming historic structure may be altered if the alteration does not preclude the structure's continued designation as a historic structure, the alteration will comply with [s. 3.3 \(1\)](#), flood resistant materials are used, and construction practices and floodproofing methods that comply with [s. 7.5](#) are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of [s. 6.1 \(2\)\(h\)1](#) if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

3. **Floodway District.**

- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
 - i. Has been granted a permit or variance [which meets in conformance with](#) all ordinance requirements;
 - ii. Meets the requirements of [s. 6.1](#);

- iii. Shall not increase the obstruction to flood flows or regional flood height;
 - iv. Any addition to the existing structure shall be floodproofed, pursuant to [s. 7.5](#), by means other than the use of fill, to the flood protection elevation; and
 - v. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d) The use must be limited to parking, building access or limited storage.
 - vi. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, [s. 7.5\(3\)](#) and Chapter SPS 383, Wisconsin Administrative Code.
 - vii. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, [s. 7.5\(3\)](#) and Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- b. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all City of Franklin ordinances, [s. 7.5\(3\)](#) of this Section, and Chapter SPS 383, Wisconsin Administrative Code.
 - c. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all City of Franklin ordinances, [s. 7.5\(3\)](#), and Chapters NR 811 and NR 812, Wisconsin Administrative Code.
- 4. Floodfringe District**
- a. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of [s. 4.3](#) except where [s. 6.3\(2\)](#) is applicable.
 - b. Where compliance with the provisions of [subd. \(1\)](#) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of ~~Adjustment/Appeals~~ [Zoning and Building Appeals](#), using the procedures established in [s. 7.3](#), may grant a variance from those provisions of [subd. \(1\)](#) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if [all of the following are met](#):

- i. No floor is allowed below the regional flood elevation for residential or commercial structures;
 - ii. Human lives are not endangered;
 - iii. Public facilities, such as water or sewer, shall not be installed;
 - iv. Flood depths shall not exceed two feet;
 - v. Flood velocities shall not exceed two feet per second; and
 - vi. The structure shall not be used for storage of materials as described in [s. 4.3\(5\)](#).
- c. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all City of Franklin ordinances, s. 7.5 (3) and Chapter SPS 383, Wisconsin Administrative Code.
 - d. All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this Section, [s. 7.5 \(3\)](#) and Chapter NR 811 and NR 812, Wisconsin Administrative Code.

G. Administration

1. Zoning Administrator; Land Use Permits; Certificates of Compliance

- a. Duties and Powers. The Zoning Administrator is authorized to administer this Section and shall have the following duties and powers:
 - i. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications
 - ii. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
 - iii. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
 - iv. Keep records of all official actions such as:
 - a) All permits issued, inspections made, and work approved;
 - b) Documentation of certified lowest floor and regional flood elevations;
 - c) Floodproofing certificates.
 - d) Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 - e) All substantial damage assessment reports for ~~floodplain~~ structures in floodplain districts.
 - f) Lists of nonconforming structures and uses.
 - v. Submit copies of the following items to the Department [of Natural Resources](#) Regional office:
 - a) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 - b) Copies of case-by-case analyses and other required information.

- c) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
 - vi. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department [of Natural Resources](#) Regional office.
 - vii. Submit copies of amendments to the FEMA Regional office.
- b. **Land Use Permit.** A land use permit shall be obtained before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Zoning Administrator shall include:
- i. **General Information**
 - a) Name and address of the applicant, property owner and contractor;
 - b) Legal description, proposed use, and whether it is new construction or a modification;
 - ii. **Site Development Plan.**
 - a) A site plan drawn to scale shall be submitted with the permit application form and shall contain:
 - (i) Location, dimensions, area and elevation of the lot;
 - (ii) Location of the ordinary highwater mark of any abutting navigable waterways;
 - (iii) Location of any structures with distances measured from the lot lines and street center lines;
 - (iv) Location of any existing or proposed on-site sewage systems or private water supply systems;
 - (v) Location and elevation of existing or future access roads;
 - (vi) Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
 - (vii) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
 - (viii) Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
 - (ix) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).
 - iii. **Hydraulic and Hydrologic Studies**
 - a) All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State of Wisconsin. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Wisconsin Department of Natural Resources.
 - (i) **In Zone A floodplains and in AE zones within which a floodway is not delineated:**
 - 1. **Hydrology:** The appropriate method shall be based on the standards in Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

2. **Hydraulic modeling:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
 - a. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - b. Channel sections must be surveyed.
 - c. A minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - d. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
 - e. The most current version of HEC-RAS shall be used.
 - f. A survey of bridge and culvert openings and the top of road is required at each structure.
 - g. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - h. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 - i. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- (ii) **Mapping.** A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
 1. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided
- (iii) **In Zone AE Floodplains:**
 1. **Hydrology:** If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Chapter NR 116.07(3), Wisconsin Administrative Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

2. **Hydraulic model:** The regional flood elevation shall be based on the standards in Chapter NR 116.07(4), Wisconsin Administrative Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
 - a. **Duplicate Effective Model:** The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
 - b. **Corrected Effective Model:** The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.
 - c. **Existing (Pre-Project Conditions) Model:** The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
 - d. **Revised (Post-Project Conditions) Model.** The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
 - e. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
 - f. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
3. **Mapping.** Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
 - a. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
 - b. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
 - c. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
 - d. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
 - e. The revised floodplain boundaries shall tie into the effective floodplain boundaries.

- f. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 - g. Both the current and proposed floodways shall be shown on the map.
 - h. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.
 - iv. **Expiration.** All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.
- c. **Certificate of Compliance.** No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
 - i. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this Section;
 - ii. Application for such certificate shall be concurrent with the application for a land use permit;
 - iii. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
 - iv. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a Wisconsin registered professional engineer or architect that the requirements of **s. 7.5** are met.
 - v. Where applicable pursuant to **s. 5.1(4)**, the applicant must submit a certification by a registered Wisconsin professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
 - vi. Where applicable pursuant to **s. 5.1(4)**, the applicant must submit certifications by a Wisconsin registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by **s. 5.1(4)**.
- d. **Other Permits.** Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

2. Plan Commission; Role and Responsibilities.

- a. The Plan Commission of the City of Franklin shall, with respect to this Section:
 - i. Oversee the functions of the office of the zoning administrator; and
 - ii. Review and advise the Common Council body on all proposed amendments to this ordinance, maps and text; and
 - iii. Publish adequate notice pursuant to Chapter 985, Wisconsin Statutes, specifying the date, time, place and subject of any public hearing.
- b. The Plan Commission of the City of Franklin shall not, with respect to this Section:

- i. Grant variances to the terms of the ordinance in place of action by the Board of Appeals Zoning and Building Appeals; or
 - ii. Amend the text or zoning maps in place of official action by the governing body.
- 3. **Board of Zoning and Building Appeals; Role and Responsibilities.** The Board of Zoning and Building Appeals established pursuant to Section 62.23(7)(e) Wisconsin Statutes is hereby authorized or shall be appointed to act for the purposes of this Section. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Zoning Administrator shall not be the secretary of the Board.
 - a. **Powers and Duties.** -The Board of Zoning and Building Appeals shall:
 - i. **Appeals** - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this Section;
 - ii. **Boundary Disputes** - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
 - iii. **Variations** - Hear and decide, upon appeal, variations from the ordinance standards.
 - b. **Appeals to the Board of Zoning and Building Appeals.**
 - i. **Standing to Appeal.** Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the Board all records regarding the matter appealed.
 - ii. **Notice and Hearing for Appeals and Variations.**
 - a) **Notice.** The Board shall:
 - (i) Fix a reasonable time for the hearing;
 - (ii) Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
 - (iii) Assure that notice shall be mailed to the parties in interest and the Wisconsin Department of Natural Resources Regional office at least 10 days in advance of the hearing.
 - b) **Hearing.** Any party may appear in person or by agent. The Board shall:
 - (i) Resolve boundary disputes according to s. 7.3(3);
 - (ii) Decide variance applications according to s. 7.3(4); and
 - (iii) Decide appeals of permit denials according to s. 7.4.
 - c) **Decision.** The final decision regarding the appeal or variance application shall:
 - (i) Be made within a reasonable time;
 - (ii) Be sent to the Department of Natural Resources Regional office within ten (10) days of the decision;
 - (iii) Be issued in the form of a written determination signed by the chairman or secretary of the Board;

- (iv) State the specific facts which are the basis for the Board's decision;
 - (v) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
 - (vi) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings
- c. **Boundary Disputes.** The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:
- i. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
 - ii. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
 - iii. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to **s. 8.0** Amendments.
- d. **Variance.**
- i. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 - a) Literal enforcement of the ordinance will cause unnecessary hardship;
 - b) The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises (in which case the ordinance or map must be amended to grant a permit);
 - c) Issuance of the variance is will not result in an outcome or precedent contrary to the public interest; and
 - d) The variance is consistent with the purpose of this ordinance as set forth in Subsection A.
 - ii. In addition to the criteria in Subsection (i) above, to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
 - a) The variance shall not cause any increase in the regional flood elevation;
 - b) The applicant has shown good and sufficient cause for issuance of the variance;
 - c) Failure to grant the variance would result in exceptional hardship;
 - d) Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and
 - e) The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
 - iii. A variance shall not:
 - a) Grant, extend or increase any use prohibited in the zoning district;
 - b) Be granted for a hardship based solely on an economic gain or loss;
 - c) Be granted for a hardship which is self-created;

- d) Damage the rights or property values of other persons in the area;
 - e) Allow actions without the amendments to this ordinance or map(s) required in **s. 8.0**, Amendments; or
 - f) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- iv. When a floodplain variance is granted the Board shall notify the applicant in writing that if the authorized action may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy of this notice shall be maintained with the variance record.

4. Review of Appeals and Permit Denials.

- a. The Board of Zoning and Building Appeals shall review all data related to the appeal including, but not limited to: This may include
 - i. Permit application data listed **in s. 7.1(2)**;
 - ii. Floodway/floodfringe determination data **in s. 5.1(5)**;
 - iii. Data listed in **s. 3.3(1)(b)** in cases where the applicant has not submitted this information to the Zoning Administrator; and
 - iv. Other data submitted with the application or submitted to the Board with the appeal.
- b. For appeals of ~~all~~ denied permits, the Board shall:
 - i. Follow the procedures of **s. 7.3**;
 - ii. Consider recommendations of the Plan Commission; and
 - iii. Either uphold the denial or grant the appeal.
- c. For appeals concerning increases in regional flood elevation the Board shall:
 - i. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements **of s. 8.0** Amendments; or and
 - ii. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

5. Floodproofing Standards.

- a. **No** permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards set forth in **ss. 2.0, 3.0, 4.0, 5.1, or 5.3**.
- b. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - i. Certified by a registered Wisconsin professional engineer or architect; or
 - ii. Meeting or exceeding the following standards:

- a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - b) The bottom of all openings shall be no higher than one-foot above grade; and
 - c) Openings ~~may be~~ equipped with screens, louvers, valves, or other coverings or devices provided that these permit the automatic entry and exit of floodwaters.
- iii. Floodproofing measures shall be designed, as appropriate, to:
- a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - b) Protect structures to the flood protection elevation;
 - c) Anchor structures to foundations to resist flotation and lateral movement;
 - d) Minimize or eliminate infiltration of flood waters;
 - e) Minimize or eliminate discharges into flood waters;
 - f) ~~Placement of~~ Locate essential utilities to or above the flood protection elevation; and
 - g) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - (i) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - (ii) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - (iii) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - (iv) The use must be limited to parking, building access or limited storage.

~~7.6 PUBLIC INFORMATION~~

- ~~(1) Place marks on structures to show the depth of inundation during the regional flood.~~
- ~~(2) All maps, engineering data and regulations shall be available and widely distributed.~~
- ~~(3) Real estate transfers should show what floodplain district any real property is in.~~

H. Amendments.

1. **General Provisions.** Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with Section H.2 below
 - a. **In AE Zones with a mapped floodway**, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with **s. 8.1**. Any such alterations must be reviewed and approved by FEMA and the Wisconsin Department of Natural Resources.

- b. In **A Zones** increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this Section, the official floodplain maps, floodway lines, and water surface profiles, in accordance with **s. 8.1.**
2. **Action by Common Council.** The Common Council shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:
- a. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
 - b. Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
 - c. Any changes to any other officially adopted floodplain maps listed in **s. 1.5 (2)(b);**
 - d. Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
 - e. Correction of discrepancies between the water surface profiles and floodplain maps;
 - f. Any upgrade to a floodplain zoning text required by Section NR 116.05, Wisconsin Administrative Code, or otherwise required by law, or for changes by the City of Franklin; and
 - g. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.
3. **Procedures.**
- a. Amendments may be made upon petition of any party according to the provisions of Section 62.23, Wisconsin Statutes. The petitions shall include all data required by **s. 5.1(5) and 7.1(2).** The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.
 - b. The proposed amendment shall be referred to the Plan Commission for a public hearing and recommendation to the Common Council. The amendment and notice of [Common Council](#) public hearing shall be submitted to the Wisconsin Department of Natural Resources Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Section 62.23, Wisconsin Statutes.
 - c. No amendments shall become effective until reviewed and approved by the Wisconsin Department of Natural Resources.
 - d. All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.
- I. **Enforcement and Penalties.** Any violation of the provisions of this Section by any person shall be unlawful and shall be referred to the City of Franklin ~~A~~attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the City of Franklin, the State of Wisconsin, or any citizen thereof pursuant to **Section 87.30, Wisconsin Statutes.**



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Item C.1.

Meeting of June 20th, 2024

Unified Development Ordinance Text Amendment

RECOMMENDATION: City Development Staff recommends approval of this Unified Development Ordinance Text Amendment of Table 15-3.0603 to include certain Religious and Church and Places of Worship uses as permitted uses in the B-4 South 27th Street Mixed Use District, CC Civic Center District, I-1 Institutional District, and a special use in the OL-2 General Business Overlay District and P-1 Park District.

Table with 2 columns: Field Name and Value. Fields include Project Name, Project Address, Applicant, and Applicant Action Requested.

Introduction and Background:

Before you is an amendment to the Unified Development Ordinance (UDO) Table 15-3.0603 "Permitted and Special Uses in the Nonresidential Zoning Districts" to change certain Religious Organization uses from "Not Permitted" to "Permitted" and "Special" in the B-4 South 27th Street Mixed Use District, CC Civic Center District, OL-2 General Business Overlay District, and P-1 Parks District. The specific Standard Industrial Classification (SIC) titles subject of this amendment are listed below:

- 8661 - Religious Organizations
Not Classified - Church or Other Place of Worship

The intent of this amendment is for the Unified Development Ordinance (UDO) to comply with a federal law titled "The Religious Land Use and Institutionalized Persons Act" (RLUIPA). This law achieves a couple of purposes pertinent to this amendment. It is stated that RLUIPA "requires governments to treat houses of worship as favorably as nonreligious assemblies". Currently, the UDO designates that Civic and Social Associations, SIC Code 8641, as a permitted use within the B-4 district. However, Religious Organizations, SIC Code 8661, are listed as "Not Permitted". This violates RLUIPA requirements.

There is also a requirement in RLUIPA that "bars governments from totally or unreasonably excluding religious assemblies, institutions, or structures". There is a zoning classification within the UDO titled Church or Other Place of Worship. Currently, this classification is not permitted within any zoning district in the City of Franklin. However, Community Centers are listed as a Permitted Use within the CC City Civic Center District and a special use in the OL-2 General Business Overlay District. Additionally, "Assembly Places (Indoor with 100 persons or more)" is a special use within the P-1 Parks District. By permitting Community Centers and Assembly Places in these districts but not Churches or Places of Worship, it violates RLUIPA.

Please note, the proposed text amendment, if adopted, would apply to all properties in the City of Franklin zoned B-4 South 27th Street Mixed Use District, CC City Civic Center District, OL-2 General Business Overlay District, and P-1 Park District.

Project Description and Analysis:

The zoning districts subject of this amendment are the B-4 South 27th Street Mixed Use Commercial District, CC City Civic Center District and OL-2 General Business Overlay District. The intent of these districts as described in the UDO is as follows:

- the B-4 South 27th Street Mixed Use Commercial District, “provide for the development of certain mixed uses, including retail, commercial, office and residential development, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Master Plan”.
- CC City Civic Center District, “Serve as the new ‘downtown’ of the City of Franklin”.
- OL-2 General Business Overlay District: “Provide for the application of B-2 General Business District uses and district standards while retaining the underlying base zoning”.
- P-1 Park District, “Provide for areas where the recreational needs, both public and private, of the populace can be met without undue disturbance of natural resources and adjacent uses”.
- I-1 Institutional District, “Eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public, or quasi-public purpose, is anticipated to be permanent.”.

Table 15-3.0603 of the Unified Development Ordinance (UDO) sets forth those uses which are permitted and special uses in all nonresidential zoning districts in the City of Franklin. Use designations are based on the Standard Industrial Classification Manual (1987, or latest edition) published by the Executive Office of the President, Office of Management and Budget.

The Religious Organization use subject of this amendment are part of Division I: Services and Major Group 86: Membership Organization. Note that this Major Group encompasses other uses that are not included in this amendment. The subject SIC Code associated with this UDO Text Amendment is 8661 “Religious Organizations”. Additionally, the Church or Other Place of Worship use is currently listed under “Other Uses Not Classified Under SIC Code”.

The SIC code listed above is currently allowed as a permitted use in the I-1, Institutional District, and not permitted in any of the districts listed above. “Church or Other Place of Worship” is not a permitted or special use in any zoning district in the City of Franklin.

There are other SIC codes associated with assembly and membership organizations that have permitted and special uses in certain districts. These SIC codes and their respective districts are as follows:

- 8641: Civic and Social Associations – Permitted Use in B-4 South 27th Street Mixed Use Commercial District and I-1 Institutional District.

- Other Uses Unclassified in SIC Code: Community Centers – Permitted Use in CC City Civic Center District and Special Use in OL-2 General Business Overlay District.
- Other Uses Unclassified in SIC Code: Assembly Places (Indoor, for more than 100 persons) – Special Use in P-1 Park District.

To follow RLUIPA requirements, City staff suggest the following changes to Table 15-3.0603:

- SIC Code 8661: Religious Organizations – Not Permitted in B-4, CC, OL-2, and P-1 districts to a Permitted use in B-4 and CC Districts and a Special Use in OL-2 and P-1 District.
- Other Uses Unclassified in SIC Code: Church or Other Place of Worship - Not Permitted in B-4, CC, OL-2, and P-1 districts to a Permitted use in B-4, CC and I-1 Districts and a Special Use in OL-2 and P-1 District.

Staff Recommendation:

City Development Staff recommends approval of this Unified Development Ordinance Text Amendment of Table 15-3.0603 to allow for Standard Industrial Classification Title No. 8661 and Not Classified: Church or Other Place of Worship as permitted uses in the B-4 South 27th Street Mixed Use District, CC Civic Center District, and I-1 Institutional District and a special use in the OL-2 General Business Overlay District and P-1 Park District.

ORDINANCE NO. 2024-_____

AN ORDINANCE TO THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 8661 “RELIGIOUS ORGANIZATIONS” TO ALLOW SUCH USE AS A PERMITTED USE IN THE B-4 SOUTH 27TH STREET MIXED USE COMMERCIAL DISTRICT AND CC CITY CIVIC CENTER DISTRICT, AND AS A SPECIAL USE IN THE OL-2 GENERAL BUSINESS OVERLAY DISTRICT AND P-1 PARK DISTRICT, AS WELL AS UNCLASSIFIED USE “CHURCH OR OTHER PLACE OF WORSHIP” AS A PERMITTED USE IN THE B-4 DISTRICT, CC DISTRICT, I-1 INSTITUTIONAL DISTRICT, AS WELL AS A SPECIAL USE IN THE OL-2 DISTRICT AND P-1 PARK DISTRICT.
(CITY OF FRANKLIN, APPLICANT)

WHEREAS, Table 15-3.0603 of the Unified Development Ordinance sets forth the permitted and special uses in the nonresidential zoning districts; and

WHEREAS, City of Franklin having applied for a text amendment to Table 15-3.0603 to amend the Unified Development Ordinance text at Table 15-3.0603 Title No. 8661 “Religious Organizations” to allow such use as a Permitted Use in the B-4 South 27th Street Mixed Use Commercial District and CC City Civic Center District, and as a Special Use in the OL-2 General Business Overlay District and P-1 Park District, as well as Unclassified Use “Church Or Other Place Of Worship” as a Permitted Use in the B-4 District, CC District, I-1 Institutional District, as well as a Special Use in the OL-2 District And P-1 Park District.

WHEREAS, the Plan Commission having reviewed the proposed amendment to change SIC Code No. 8661 “Religious Organizations” to a Permitted Use in the B-4 South 27th Street Mixed Use Commercial District and CC City Civic Center District, and as a Special Use in the OL-2 General Business Overlay District and P-1 Park District, Unclassified Use “Church Or Other Place Of Worship” as a Permitted Use in the B-4 District, CC District, I-1 Institutional District, as well as a Special Use in the OL-2 District And P-1 Park District and having held a public hearing on the proposal on the 20th day of June, 2024 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 8661 “Religious Organizations” and Unclassified Use “Church or Other Place of Worship” is hereby amended as follows: insert “P” (Permitted Use) in the B-4, CC, and I-1 columns, and insert “S” (Special Use) in the OL-2 and P-1 columns.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of July, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of July, 2024.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____

Table 15-3.0603 - Permitted and Special Uses in the Nonresidential Zoning Districts

[Last amended 12-19-2023 by Ord. No. 2023-2572]

Division I: Services / Major Group 86 Membership Organizations

Proposed amendments in red

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1
861	Business associations										P										
862	Professional Organizations										P										
8621	Professional organizations										P										
863	Labor Organizations										P										
8631	Labor organizations										P										
864	Civic and Social Associations										P										
8641	Civic and social associations				P						P										
865	Political Organizations										P										
8651	Political organizations										P										
866	Religious Organizations				P				P			S					S				
8661	Religious organizations										P										
869	Membership Organizations, not elsewhere classified																				
8699	Membership organizations, not elsewhere classified										P										
87	ENGINEERING & MANAGEMENT SERVICES																				
871	Engineering & Architectural Services																				
8711	Engineering services	P			P		P	P	S	P					P	P	S				

UDO Attachment 3b:15

Supp 6, Feb 2022

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1
	Camps											P									
	Cemeteries																	S	S		
	Ch. 980 Stats. supervised release and crimes against children per offender use																				
	Church or other Place of Worship				P				P		P	S					S				
	Community Centers								P								S				
	Convenience Stores (without the dispensing of gasoline)	P	P	P	P	P	P	S/A	S	P	P	P	P	P	A	P	P	P			
	Convenience Stores (with the dispensing of gasoline)	S	S	S	S	S	S	S		S	S	S	S	S		S					
	Convenience Stores (with the dispensing of gasoline)	S	S	S	S	S				S											
	Cross Country Ski Trails											P									
	Cultural Centers								P							S					

Federal Religious Land Use Protections

- How does federal law protect religious institutions from unduly burdensome or discriminatory land use regulations?
- How can you partner with the U.S. Department of Justice if you are impacted?



U.S. Department of Justice

Civil Rights Division



U.S. Department of Justice

Civil Rights Division

civilrights.justice.gov

How RLUIPA protects religious institutions

RLUIPA stands for “The Religious Land Use and Institutionalized Persons Act.” Among other things, this federal law protects religious institutions from unduly burdensome or discriminatory land use regulations.

Congress passed RLUIPA in 2000 after hearing testimony that land use and zoning regulations often burden religious institutions seeking to exercise their faiths as protected by the U.S. Constitution.

How you can partner with DOJ

If your RLUIPA rights are violated, you may bring a private civil action with your own attorney. DOJ can also review potential RLUIPA violations, open investigations, bring lawsuits to enforce the statute, and file friend-of-the-court briefs in private RLUIPA cases. DOJ can seek court orders to correct violations but cannot seek monetary relief. Unfortunately, DOJ is not able to open investigations or file suits in all complaints that it receives.

To file a complaint about a possible RLUIPA violation, or find out more information about the law, contact the DOJ Civil Rights Division:

 **Telephone:** (800) 896-7743

 **Email:** RLUIPA.complaints@usdoj.gov

What does RLUIPA do?

1) Bars land use regulations that substantially burden religious exercise, except where justified by a “compelling governmental interest” that the government pursues in the least restrictive way possible

For example: A church is denied a permit to build an addition to accommodate more Sunday school classes, which it believes it needs to carry out its religious mission. This may violate RLUIPA if the town cannot show a compelling reason for the denial.

2) Requires governments to treat houses of worship as favorably as nonreligious assemblies

For example: A mosque leases space in a storefront. Zoning officials deny an occupancy permit since houses of worship are forbidden in that zone. However, fraternal organizations, meeting halls, and banquet facilities are all permitted as of right in the same zone. This may violate RLUIPA.

3) Bars governments from discriminating on the basis of religion or religious denomination

For example: An Orthodox Jewish congregation is denied a building permit for a temple despite meeting all of the requirements for height, setback, and parking required by the zoning code. The zoning administrator is overheard making a disparaging remark about the Jewish community. If it were proven that the permit was denied because the applicants were Jewish, this would violate RLUIPA.

4) Bars governments from totally or unreasonably excluding religious assemblies, institutions, or structures

For example: A town enacts a law requiring that houses of worship must be located on parcels with a minimum acreage, but parcels of that size are unavailable or prohibitively expensive. Such a law may be an unreasonable limitation in violation of RLUIPA.

Examples of DOJ's RLUIPA work

City of Santa Ana, California

Micah's Way is a faith-based organization that provides services to people who are homeless. When Santa Ana refused to grant a certificate of occupancy to allow Micah's Way to provide food and drinks to its clients in accordance with its religious beliefs, Micah's Way filed a RLUIPA lawsuit against the city.

DOJ filed a friend-of-the-court brief in a federal district court explaining that feeding persons in need may be religious exercise under RLUIPA and that the City's conduct may have substantially burdened Micah's Way's religious exercise. The court agreed and found that Micah's Way had properly alleged a RLUIPA claim. Soon after, the case settled, and the City allowed Micah's Way to continue providing food and drink to its clients.

Stafford County, Virginia

The All Muslim Association of America purchased property in Stafford County for a cemetery. After learning about the planned cemetery, the County changed its zoning laws to impose new restrictions that would prevent the cemetery from being built. The association reached out to the Civil Rights Division for help.

The Department of Justice investigated the association's claims and brought a lawsuit against the County, alleging violations of RLUIPA.

As a result, the County repealed the ordinance and approved the permits for the association to build its cemetery.



U.S. Department of Justice

Civil Rights Division

civilrights.justice.gov

Examples of DOJ's RLUIPA work

Township of Jackson and Jackson Planning Board, New Jersey

The Orthodox Jewish community in the Township of Jackson wanted to develop land for use by religious boarding schools.

The Township and Planning Board passed zoning ordinances broadly prohibiting religious schools and banning schools with dormitories, both of which are important to providing religious education within the Orthodox Jewish community.

DOJ investigated and filed a RLUIPA case. Ultimately, the Township and Planning Board agreed to a settlement with DOJ which required them to repeal and replace the discriminatory ordinances to allow religious elementary and secondary schools, religious higher learning institutions, and religious residential schools.

Learn more about our work

DOJ's *Place to Worship Initiative*: www.justice.gov/crt/placetoworship

RLUIPA: www.justice.gov/crt/rluipa

This information sheet is intended for informational purposes only. It has no force or effect of law, is not a final agency action, and has no binding legal effect. The information in it may be modified by the Department at any time.



**CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION**



Meeting of June 20, 2024

**Minor Planned Development District Amendment
and Site Plan Amendment**

RECOMMENDATION: The Planning Department recommends approval of this Minor Planned Development District amendment and Site Plan Amendment, subject to the proposed conditions.

Project Name: Conservancy for Healing and Heritage Welcome Center
Property Owner: Conservancy for Healing and Heritage Inc.
Applicant: Susan A. Rabe
Property Address/Tax Key Number: 6941 S 68TH ST / 743 8978 006
Aldermanic District: District 2
Agent: Susan A. Rabe
Zoning District: Planned Development District 28
Use of Surrounding Properties: PDD 28 (north and east)
PDD 37 (west),
B-2 General Business (south)
Application Request: MPDDa and SPa for new building.
Staff Planner: Marion Ecks, AICP

INTRODUCTION/HISTORY:

The Conservancy for Healing and Heritage, Inc. has previously received approval (Ordinance No. 2013-2122) to amend the Polish Community Center Planned Development District (PDD) No. 28 to allow development of a healing garden with native plants, a chapel. The project included a public educational trail connecting the healing garden, neighboring hospital, Koepmeir Lake, the chapel, and the Polish Community Center, to one another.

The applicant is requesting, with agreement from the Department of City Development staff, that the Plan Commission and Common Council determine the proposed amendment to be a Minor Amendment. Major PDD Amendments are typically reserved for changes to the exterior boundaries of a PDD or major changes of use.

The PDD Minor Amendment is intended to allow for the additional accessory structure to serve as a welcome center and offices for the Conservancy. The Site Plan Amendment is intended to approve the site changes.

PROJECT ANALYSIS

The property is zoned PDD 28, and is home to a chapel, surrounded by a healing garden comprised of a number of trails, gazebos, benches, and native plantings, as well as a water feature, an

observation deck, and a number of other accessory structures such as art works, shrines, etc. located both east and west of the chapel.

Site Plan

The applicant is proposing an approximately 1,668 square foot “welcome center” and related amenities, and to refresh some plantings on site. The single-story structure will include offices, restrooms, event space, and a 204 square foot deck looking north into the woods. It will connect via a paved walkway to existing paths.

The development complies with the dimensional requirements of the PDD, which allows for reduced setbacks along the south property line. The current Unified Development Ordinance does not have specific architectural standards but instead requires that a development harmonize with the surrounding area; the proposed building echoes the materials and design of the existing chapel. The facility uses shared parking with Ascension Wisconsin under an operating agreement.

The application complies with the requirements of the UDO for Site Plans and site design.

Natural Resources and prior NRSE

The PDD includes woodlands, wetlands, and Koepmeir Lake. The applicant has previously obtained approval of a Natural Resource Special Exception (NRSE) on September 3, 2019 to allow for the construction of trails and a pier within the lake, and a conservation easement exists on the site. NRSE approvals do not expire. The proposed development does not impact additional natural resources, and so a new NRSE is not required.

Recommended Conditions of Approval

Minor PDD Amendments require Plan Commission review and Common Council approval. The ordinance is drafted with a standard set of condition relating to development timelines and requirements, approvals from other jurisdictions and departments, etc. Site Plan Amendments require Plan Commission approval. The resolution is also drafted with standard set of condition. Staff does not recommend any special conditions of approval.

CONCLUSION:

City Development staff recommends approval of the proposed PDD Minor Amendment and Site Plan Amendment requests with conditions as proposed in the attached draft ordinance and draft resolution.

Exhibits:

- Draft Ordinance
- Draft Resolution
- Applicant Exhibits

ORDINANCE NO. 2024-_____

AN ORDINANCE TO AMEND §15-3.0433 OF THE UNIFIED DEVELOPMENT ORDINANCE, PLANNED DEVELOPMENT DISTRICT NO. 28 (POLISH FESTIVALS, INC. – POLISH COMMUNITY CENTER) TO ALLOW FOR A WELCOME CENTER AND CHANGES TO THE HEALING GARDEN AND NATURE TRAILS AT THE CONSERVANCY FOR HEALING AND HERITAGE (CONSERVANCY FOR HEALING AND HERITAGE, INC., SUSAN A. RABE, CEO AND EXECUTIVE DIRECTOR, APPLICANT) (6941 SOUTH 68TH STREET)

WHEREAS, §15-3.0433 of the Unified Development Ordinance provides for and regulates Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), same having been created by Ordinance No. 99-1552 and later amended by Ordinance Nos. 04-1825; 13-2122, 19-2378, 19-2382, and 20-2441, such District being located at 6941 South 68th Street, bearing Tax Key No. 743-8978-006; and

WHEREAS, Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) includes those lands legally described as follows:

Outlot 1 of Certified Survey Map numbered 7544 recorded in the office of the Register of Deeds for Milwaukee County, more particularly described as follows; That part of the Northwest 1/4, Southeast 1/4, Southwest 1/4, and Northwest 1/4 all in the Southwest 1/4 of Section 3, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee and the State of Wisconsin.

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; ALONG THE WEST LINE OF THE SOUTHWEST 1/4; THENCE S 00°25'13" E 1954.77 FEET; THENCE N 89°26'56" E 150.00 FEET TO THE POINT OF BEGINNING; THENCE N 30°53'12" E 72.99 FEET; THENCE N 49°45'23" E 660.73 FEET; THENCE S 40°14'37" E 273.00 FEET; THENCE N 49°45'23" E 745.30 FEET; THENCE N 28°52'15" E 169.64 FEET; THENCE N 38°44'29" E 694.82 FEET; THENCE N 69°05'25" E 159.08 FEET; THENCE N 89°43'14" E 314.16 FEET; THENCE N 53°59'48" E 250.00 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH 68TH STREET; THENCE S 00°16'46" E ALONG SAID RIGHT OF WAY LINE 344.91 FEET TO THE NORTH LINE OF SAINT PETER'S CEMETERY; THENCE S 89°43'14" W ALONG SAID NORTH LINE 217.80 FEET TO THE WEST LINE OF SAINT PETER'S CEMETERY; THENCE S 13°41'01" E ALONG SAID WEST LINE 449.83 FEET TO THE SOUTH LINE OF SAINT PETER'S CEMETERY; THENCE S 89°43'14" E ALONG SAID SOUTH LINE 113.52 FEET TO THE

WEST RIGHT OF WAY LINE OF SOUTH 68TH STREET; THENCE S 00°16'46" E ALONG SAID RIGHT OF WAY LINE 911.03 FEET; THENCE S 89°26'56" W 283.60 FEET; THENCE N 00°16'46" WEST 60.00 FEET; THENCE S 89°26'56" W 855.17 FEET; THENCE S 00°21'00" E 622.34 FEET TO THE NORTH RIGHT OF WAY LINE OF RAWSON AVENUE; THENCE S 89°26'56" W ALONG SAID RIGHT OF WAY LINE 63.32 FEET; THENCE N 00°21'00" W 622.34 FEET; THENCE S 89°26'56" W 94.88 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE S 00°21'00" E ALONG SAID WEST LINE 1.06 FEET; THENCE S 89°26'56" W 1179.95 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM LOT 1 AND LOT 2 AS SHOWN ON SAID CERTIFIED SURVEY MAP NUMBERED 7544. SAID PARCEL CONTAINS 1587764 SQUARE FEET, 36.450 ACRES, MORE OR LESS; and

WHEREAS, Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, having petitioned for a further amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), to allow for construction of a proposed accessory structure to include office and additional event space, new trail segments, and other additions to the Conservancy development, resulting in resulting in Site Plan changes and an application for a Site Plan for consideration by the Plan Commission concurrent herewith, upon property located at 6941 South 68th Street and adjoining area(s); and

WHEREAS, the City of Franklin Plan Commission having considered the application on the 20th day of June, 2024, and the Plan Commission having determined that the proposed amendment was a minor amendment and having recommended to the Common Council that the proposed amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) be approved; and

WHEREAS, the Common Council having considered the application and having concurred with the recommendation of the Plan Commission and having determined that the proposed amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and that it will promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §15-3.0433 Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended as follows:

Ordinance No. 99-1552, Section 15-3.0433 B. 1. b. is hereby amended to allow for construction of a proposed accessory structure including

office and additional event space, new trail segments, and other additions to the Conservancy development, which shall be located and constructed, and appear as respectively depicted upon and pursuant to those plans and site plan City date-stamped June 7, 2024, attached hereto and incorporated herein. Furthermore, additional minor site changes to the Healing Garden may be allowed pursuant to the Site Plan Amendment provisions set forth in Section 15-7.0100 of the City of Franklin Unified Development Ordinance.

SECTION 2: The proposed Welcome Center at the Conservancy for Healing and Heritage shall be completed within one year from the date of adoption of this Ordinance, or this Ordinance and all rights and approvals resulting therefrom shall be null and void without any further action by the City of Franklin.

SECTION 3: Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, successors and assigns and any developer of the Healing Garden and the Lake and Nature Trails at the Conservancy for Healing and Heritage 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, for the Healing Garden and the Lake and Nature Trails at the Conservancy for Healing and Heritage project, 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.

SECTION 4: All other applicable terms and provisions of §15-3.0433 Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) not inconsistent with the terms of this Ordinance, and the Unified Development Ordinance of the City of Franklin, as amended from time to time, shall apply to the Welcome Center at the Conservancy for Healing and Heritage project, and all terms and provisions of §15-3.0433 Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) as existing immediately prior to the adoption of this Ordinance and not amended by this Ordinance, shall remain in full force and effect.

SECTION 5: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 6: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 7: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2024.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2024-_____

A RESOLUTION APPROVING A SITE PLAN AMENDMENT FOR A WELCOME CENTER ACCESSORY STRUCTURE AND RELATED IMPROVEMENTS TO THE CONSERVANCY FOR HEALING AND HERITAGE PROPERTY (CONSERVANCY FOR HEALING AND HERITAGE, INC., SUSAN A. RABE, CEO AND EXECUTIVE DIRECTOR, APPLICANT) (6941 SOUTH 68TH STREET)

WHEREAS, The Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director having applied for approval of a proposed site plan amendment for a Welcome Center accessory structure and paved walking path areas, for the Conservancy for Healing and Heritage property, property located at 6941 South 68th Street and adjoining area(s), zoned Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan Amendment for a Welcome Center accessory structure and paved walking path areas, for the Conservancy for Healing and Heritage property, Site Plan property located at 6941 South 68th Street and adjoining area(s), as depicted upon the plans dated June 7, 2024, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, for the Conservancy for Healing and Heritage property, dated June 7, 2024.
2. The Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, successors and assigns, and any developer of the Conservancy for Healing and Heritage property 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, for the Conservancy for Healing and Heritage property project, 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.

CONSERVANCY FOR HEALING AND HERITAGE, INC.,
SUSAN A. RABE, CEO AND EXECUTIVE DIRECTOR – SITE PLAN AMENDMENT
RESOLUTION NO. 2024-_____

Page 2

3. The approval granted hereunder is conditional upon the Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, for the Conservancy for Healing and Heritage property project (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.
4. That the Conservancy for Healing and Heritage property project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2024.

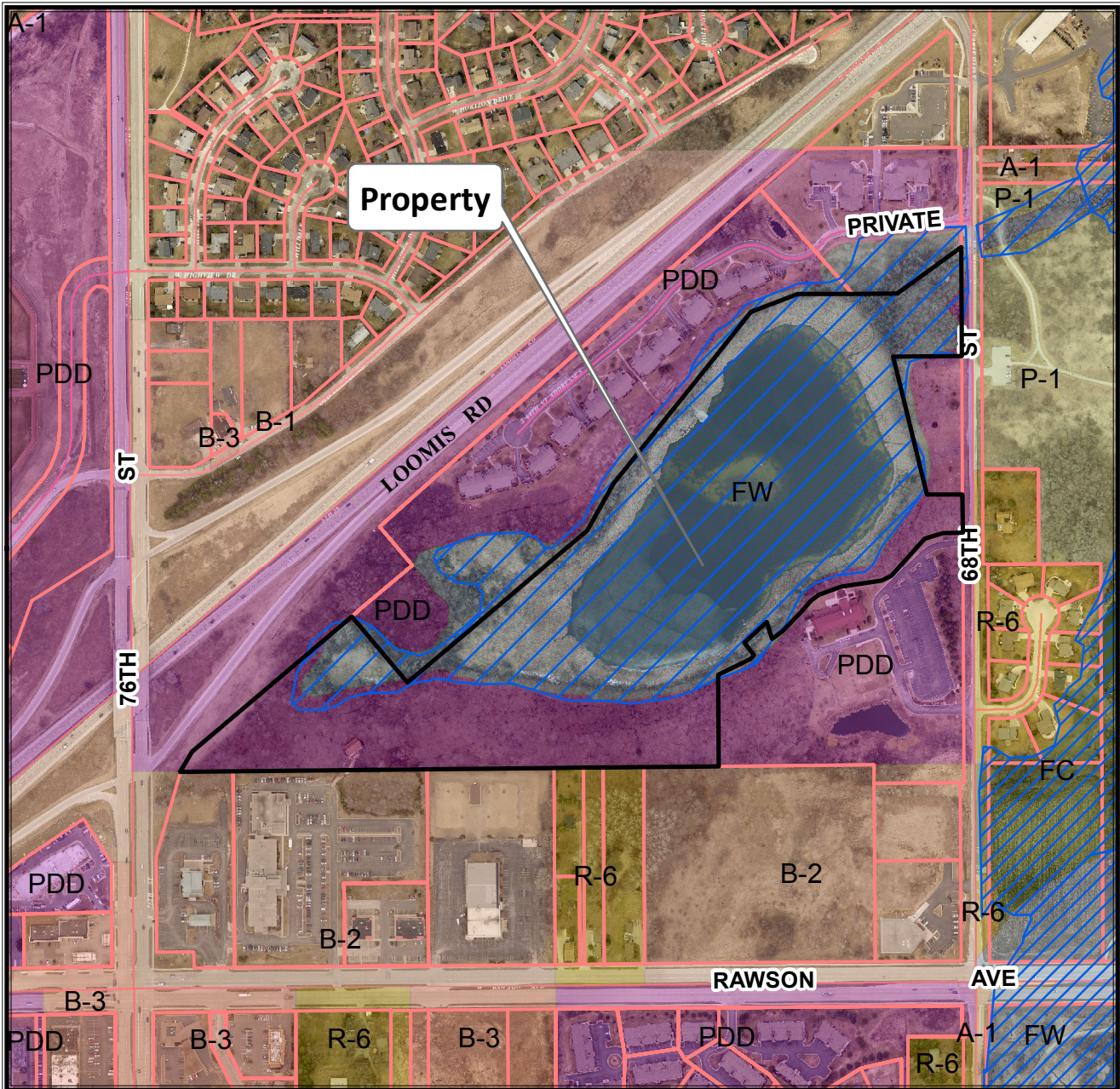
APPROVED:

John R. Nelson, Mayor

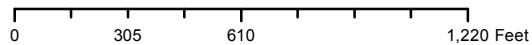
ATTEST:

Shirley J. Roberts, City Clerk

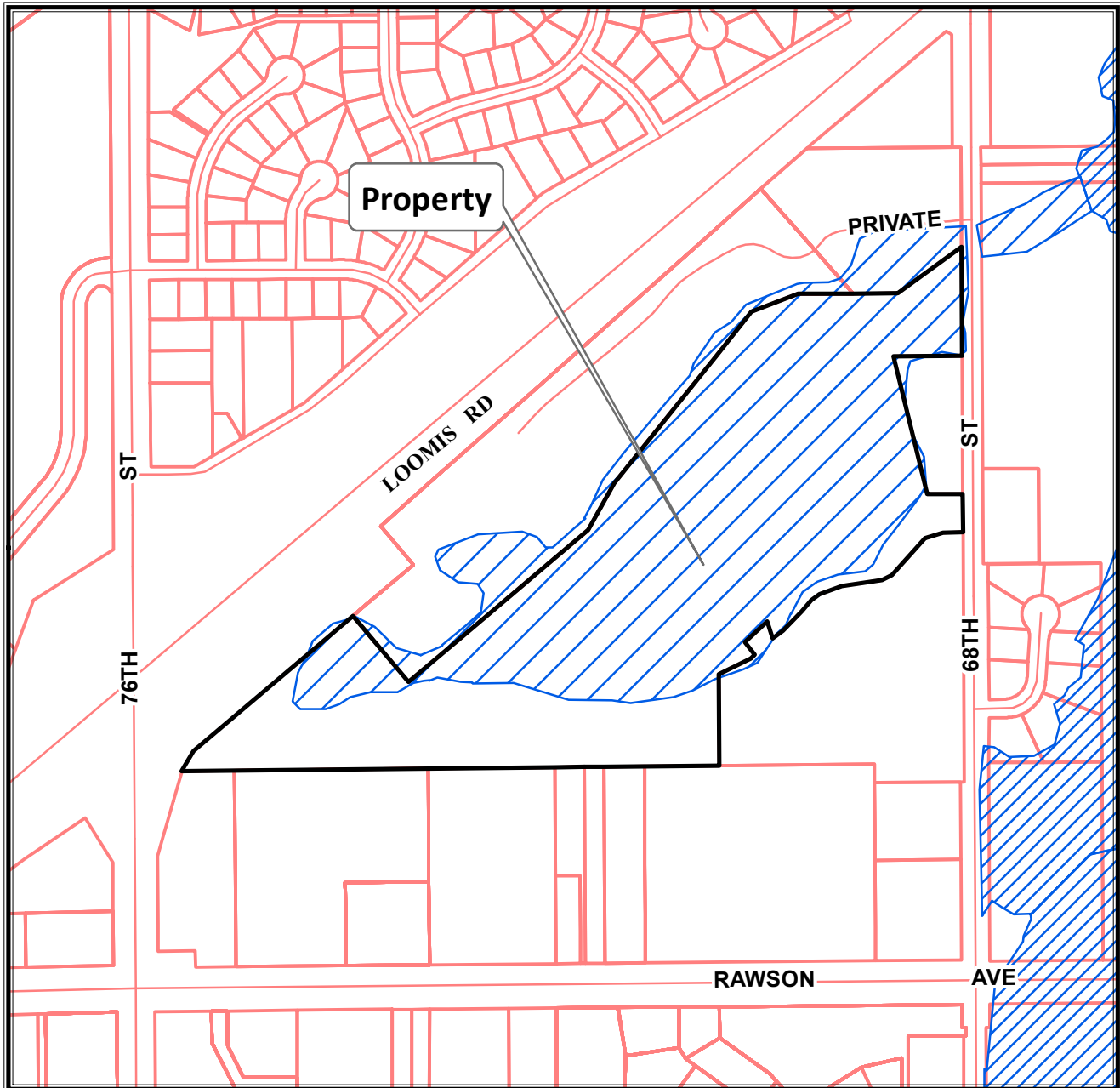
AYES _____ NOES _____ ABSENT _____



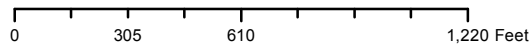
Planning Department
(414) 425-4024



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.



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.

June 6, 2024

Plan Commission
Common Council
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

RE: WELCOME CENTER

Greetings –

I am pleased to submit final documents for review of our planned Welcome Center at the Conservancy for Healing and Heritage.

As a community based organization, the Conservancy provides people a chance to connect to the natural world for comfort, inspiration, physical activity, community connectedness and rejuvenation. Especially those who are dealing with cancer or other life's challenges.

How the Welcome Center will make a difference

Community and social connectedness is an important social determinant of health. Community organizations, like the Conservancy, build connection in our community through education, programs and services and promotion of healthy choices for body, mind and spirit. We will contribute as a destination to improve health in the Franklin and regional community.

- i. The Welcome Center will increase community connectedness amongst residents.
- ii. The Welcome Center will build and strengthen collaborative relationships that support the health needs of residents.

Mental Health includes our emotional, psychological and social well-being. It affects how we think, feel and act and can impact how we react to stress, relate to others and make health choices.

- i. The Welcome Center will increase access to resources within the community. We will provide additional programs in the multi-purpose room.

- ii. The Welcome Center will support a resilient community. It will be a point of contact and direction for a safe connection to nature as a conduit for self-reflection, healing and stress reduction.

Physical activity - being physically active can improve brain health, help manage weight, reduce the risk of disease, strengthen and improve everyday activity ability.

- i. The Welcome Center will increase awareness and usage of our local physical activity opportunities within the community. The We Energies Foundation Healing Garden is ADA accessible and open for all abilities. The Lake & Nature Trails offer those who enjoy a moderate nature walk. Resting benches are available throughout both the Healing Garden and Trails.
- ii. Will enhance accessible activity programs within Franklin and regional community.

Thank you for your consideration. Any questions, please feel free to contact me.

Best regards,

Susan A. Rabe
CEO and Chair of the Board



Welcome Center – Project Narrative

Mission: The Conservancy for Healing & Heritage is dedicated to conserving an exceptional 36-acre parcel of woodland, glacial lake and offering a healing chapel, healing garden and nature trails.

Purpose: The Conservancy's mission is expressed through our Three Pillars of Service

- Conservation and Nature
- Environmental Education
- Healing for body, mind and spirit

Case For Support

Unwavering support from donors, the community and volunteers has made the Conservancy for Healing and Heritage a reality and a unique destination amongst non-profit organizations. Since our founding in 2003, the Conservancy has helped people experience a safe, nature-based healing space. Here they can enjoy exercise, reflection, quietude and connections to creation. In addition, thousands of students have experienced education while learning self-reliance as they become adults. We need your support and with your help, we can do more.

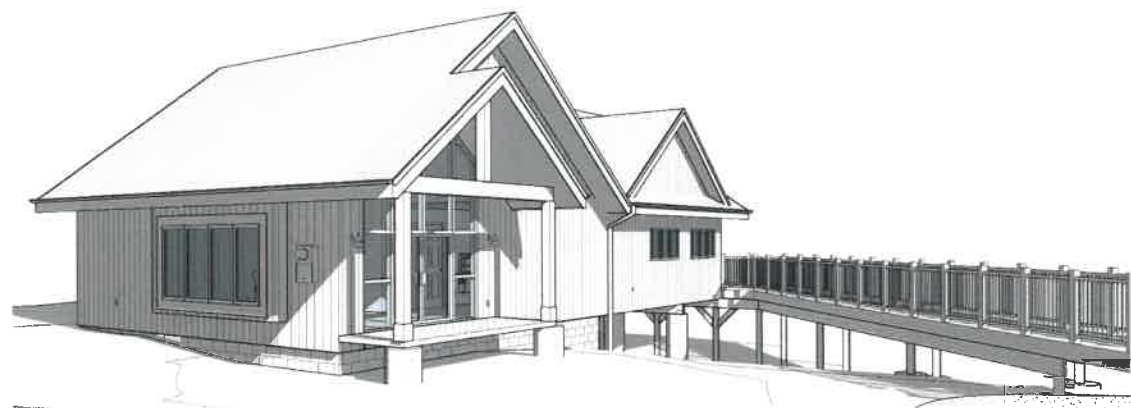
Why is the Conservancy worthy of increased/sustained investment? It is clear the Conservancy serves a variety of needs. A Visitor/Welcome Center will provide a supplemental space for information, learning, resources, and gathering while allowing the chapel to be utilized as intended.

The Visitor/Welcome Center aims to meet the following needs:

- Offer wayfinding both internally and externally, in an engaging, welcoming and comfortable facility. Offer information and direction for visitors, students, cancer patients, and their families. A lighthouse on their journey.
- Formal office space for conducting business on site. Staff will not have travel time between appointments and can meet with stakeholders on site in one convenient location. Staff can more readily answer questions and provide resources for visitors.
- A multipurpose room with views of the woodland to the north as an additional climate-controlled venue for observation, collaboration, and learning for all. It will be available for the community to rent as well as serve as a space for our programs.
- A venue for program opportunities such as educational activities, support and retreats, and community use. This will relieve scheduling in the Healing Chapel.
- Improved access to efficiently utilize existing services and share resources.
- We intend the Visitor Center to not only meet these needs, but also open the door to more opportunity for visitor feedback and collaboration. This is for them.

CONSERVANCY FOR HEALING AND HERITAGE

7410 W RAWSON AVE
FRANKLIN, WI 53132



SECTION A - GENERAL NOTES

1. ANY AND ALL SERVICES RENDERED IN CONNECTION WITH THIS PROJECT, INCLUDING THESE DRAWINGS, ARE SUBJECT TO AND GOVERNED BY THE CORRESPONDING AGREEMENT FOR RESIDENTIAL DESIGN SERVICES EXECUTED BY YOU (THE "CLIENT") AND TK ARCHITECTURAL DESIGN SERVICES, LLC, A WISCONSIN LIMITED LIABILITY COMPANY (THE "FIRM"). THE AGREEMENT SHALL SUPERSEDE ANY AND ALL OTHER DOCUMENTS EXECUTED BY THE CLIENT AND THE FIRM IN CONNECTION WITH THIS PROJECT.
2. AS USED IN THESE DRAWINGS: (A) THE TERMS "APPROVED EQUAL," "EQUAL TO," AND ALL OTHER GENERAL QUALIFYING TERMS ARE REFERENCES TO THE PROFESSIONAL RULING AND JUDGMENT OF THE FIRM; AND (B) ALL DIMENSIONS REPRESENT THE DISTANCE MEASURED FROM CENTERLINE TO CENTERLINE, CENTERLINE TO WALL FACE, OR WALL FACE TO WALL FACE.
3. THE CLIENT AND/OR ITS GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) SHALL: (A) VERIFY ALL DIMENSIONS AND CONDITIONS RELATED TO THE PROJECT SITE, AND SHALL IMMEDIATELY NOTIFY THE FIRM OF ANY DISCREPANCIES, ERRORS, OR OMISSIONS THAT MAY AFFECT THE ORDERLY PROGRESS OF THE PROJECT; AND (B) VERIFY THAT ALL MATERIALS PURCHASED IN CONNECTION WITH THE PROJECT, AND INSTALLATIONS THEREOF, ARE IN COMPLIANCE WITH THE LATEST MANUFACTURER'S SPECIFICATIONS AND APPLICABLE LAWS, RULES, AND REGULATIONS.
4. THE CLIENT AND/OR ITS GENERAL CONTRACTOR(S) SHALL BE SOLELY AND EXCLUSIVELY RESPONSIBLE FOR ANY AND ALL CONSTRUCTION PERFORMED IN CONNECTION WITH THE PROJECT, INCLUDING BUT NOT LIMITED TO: (A) COMPLIANCE WITH ALL MINIMUM STANDARDS; AND (B) COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS.
5. THE CLIENT SHALL BEAR ANY AND ALL COSTS, LOSSES, AND EXPENSES ARISING FROM OR RELATED TO THE DISCOVERY OF CONCEALED OR UNKNOWN CONDITIONS EXISTING ON, IN, OR ABOUT THE PROJECT AND/OR THE PROJECT SITE.
6. THESE DRAWINGS MAY CONTAIN ERRORS AND/OR OMISSIONS AND MAY NOT COMPLY ALL APPLICABLE LAWS, RULES, AND REGULATIONS. IN THE EVENT THE CLIENT BECOMES AWARE OF ANY SUCH ERROR, OMISSION, OR INSTANCE OF NONCOMPLIANCE, THE CLIENT SHALL IMMEDIATELY NOTIFY THE FIRM OF THE SAME.

SECTION B - CONSTRUCTION: QUALITY: WORKMANSHIP

1. ALL DRAWINGS AND SPECIFICATIONS PROVIDED BY THE FIRM IN CONNECTION WITH THIS PROJECT ARE COMPLEMENTARY, AND WHAT IS SHOWN ON, REFERRED TO, OR CALLED FOR BY ONE SHALL BE CONSTRUED AS THOUGH SHOWN ON, REFERRED TO, OR CALLED FOR BY ALL.
2. ALL ELECTRICAL, MECHANICAL, AND PLUMBING DRAWINGS PROVIDED BY THE FIRM IN CONNECTION WITH THIS PROJECT ARE SUPPLEMENTARY TO THE ARCHITECTURAL DESIGN DRAWINGS, AND ALL ELECTRICAL, MECHANICAL, AND PLUMBING ASPECTS SHOWN ON THE ARCHITECTURAL DESIGN DRAWINGS ARE FOR GENERAL LOCATION INFORMATION ONLY. THE GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) SHALL REVIEW AND CONFIRM THE ACCURACY OF ALL RELEVANT DRAWINGS PRIOR TO COMMENCING WORK, AND, IN THE EVENT OF ANY DISCREPANCY BETWEEN DRAWINGS, SHALL NOTIFY THE FIRM AND REQUEST CLARIFICATION.
3. THE CLIENT AND/OR ITS GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) SHALL SUBMIT TO THE FIRM ANY AND ALL REQUESTS FOR INFORMATION AND/OR CLARIFICATION DURING THE BID PHASE, AND, IN THE EVENT ANY SUCH REQUEST IS SUBMITTED TO THE FIRM AFTER THE BID PHASE, THE FIRM WILL FULFILL SUCH REQUEST AS SUPPLEMENTAL INFORMATION WITH NO EXTENSION OF TIME AND/OR MONEY.
4. THE GENERAL CONTRACTOR(S) SHALL FURNISH ALL MATERIALS, LABOR, TOOLS, EQUIPMENT, AND INSURANCE NECESSARY TO MAINTAIN THE ORDERLY PROGRESS OF THE PROJECT IN ACCORDANCE WITH THE DRAWINGS AND ALL OTHER PLANS AND SPECIFICATIONS.
5. THE DRAWINGS AND ANY CONSTRUCTION NOTES ARE SUPPLIED TO ILLUSTRATE THE CLIENT'S DESIGN AND THE GENERAL TYPE OF CONSTRUCTION NECESSARY TO EFFECTUATE SUCH DESIGN, AND ARE INTENDED TO BE UTILIZED IN COORDINATION WITH THE FINEST QUALITY OF CONSTRUCTION, MATERIAL, AND WORKMANSHIP.
6. THE GENERAL CONTRACTOR(S) SHALL, AT ALL TIMES DURING ALL PHASES OF THE PROJECT, MAINTAIN ON THE PROJECT SITE A CURRENT AND COMPLETE COPY OF ALL RELATED DRAWINGS USE BY ALL GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S).

7. THE GENERAL CONTRACTOR(S) SHALL NOTIFY THE FIRM OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL CONDITIONS EXISTING IN, ON, OR ABOUT THE PROJECT SITE, AND SHALL REQUEST CLARIFICATION OF THE SAME PRIOR TO PURCHASING ANY MATERIALS OR COMMENCING ANY WORK ON THE PROJECT.
8. THE GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) RETAINED IN CONNECTION WITH THIS PROJECT SHALL BE RESPECTIVELY RESPONSIBLE FOR ANY COST OR EXPENSE INCURRED BY ANOTHER PARTY CAUSED BY DEFECTIVE OR UNTIMELY WORK AS A RESULT OF, BUT NOT LIMITED TO, INFERIOR WORKMANSHIP OR MATERIALS, IMPROPER SCHEDULING, AND/OR DELINQUENT ORDERING.
9. THE GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) SHALL INSTALL ALL FLASHINGS IN STRICT ACCORDANCE WITH THE FLASHING MANUFACTURER'S PUBLISHED SPECIFICATIONS AND DETAILS, INCLUDING THE AMOUNT OF OVERLAP AND INSTALLATION OF DRIP EDGES, IF REQUIRED.
10. THE GENERAL CONTRACTOR(S), IF NECESSARY, SHALL FURNISH LOAD-BEARING SUPPORT IN WALLS AS MAY BE REQUIRED TO COMPLETE INSTALLATION OF NEW EQUIPMENT.
11. THE CLIENT AND/OR ITS GENERAL CONTRACTOR(S), SUBCONTRACTOR(S), AND/OR SUB-SUBCONTRACTOR(S) SHALL PERMANENTLY IDENTIFY ALL FIRE-RATED WALLS IN ACCORDANCE WITH APPLICABLE LAWS, RULES, AND REGULATIONS.

Sheet List			
Sheet Number	Sheet Name	Current Revision Issued	Current Revision Date
A0	Cover	No	
A1	First Floor Plan	No	
A2	Foundation	No	
A3	First Floor Framing	No	
A4	Roof Plan	No	
A5	Elevations	No	
A6	Elevations	No	
A7	Building Sections	No	
A8	Roof Framing Plan	No	
A9	Site Plan	No	
A10	Electrical Plan	No	
A11	HVAC Plan	No	

NOTES
DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS ONLY. IF CLARIFICATION OR ADDITIONAL DIMENSIONS ARE REQUIRED, NOTIFY THE DESIGNER IMMEDIATELY. FOR WRITTEN CLARIFICATION

Revision		
Rev. Number	Rev. Description	Rev. Date

ENGINEER
D.N. SQUARED
DESIGNS, LLC
N6748 SOUTH LANE
JOHNSON CREEK, WI 53038
BRIAN NORBY, PE
(608) 574-6214

12/1/2023 10:04:19 AM

GENERAL CONTRACTOR

DESIGNER



TK ARCHITECTURAL DESIGN SERVICES

TERRY L. SCHUELKE
55 SOUTH PARK AVE
FOND DU LAC, WI 54935
(414) 507-3046 PHONE
tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE

7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
COVER

A0

NOTES
DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS ONLY. IF CLARIFICATION OR ADDITIONAL DIMENSIONS ARE REQUIRED, NOTIFY THE DESIGNER IMMEDIATELY, FOR WRITTEN CLARIFICATION

Rev. Number	Rev. Description	Rev. Date

ENGINEER
D.N. SQUARED
 DESIGNS, LLC
 N6748 SOUTH LANE
 JOHNSON CREEK, WI 53038
BRIAN NORBY, PE
 (608) 574-6214

12/1/2023 10:04:21 AM

GENERAL CONTRACTOR

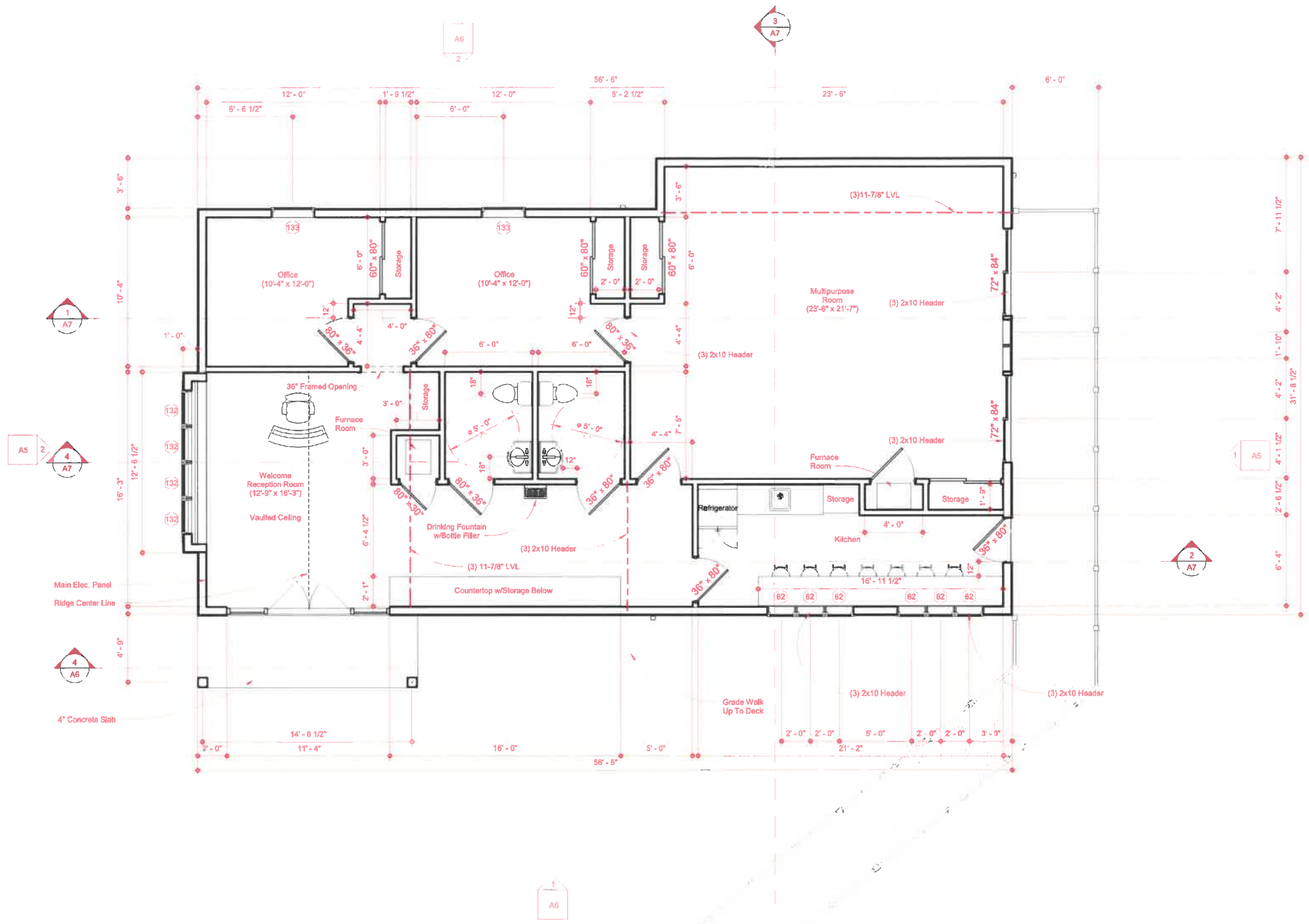
DESIGNER

 TK ARCHITECTURAL DESIGN SERVICES
TERRY L. SCHUELKE
 55 SOUTH PARK AVE
 FOND DU LAC, WI 54935
 (414) 507-3046 PHONE
 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING AND HERITAGE
 7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 FIRST FLOOR PLAN

A1



1 FIRST FLOOR
 1/4" = 1'-0"

Door Schedule	
Door Number	Door Size
	Door-Curtain-Wall-Double-Storefront
15	36" x 80"
16	36" x 80"
17	36" x 80"
18	60" x 80"
19	60" x 80"
20	36" x 80"
24	36" x 80"
30	6'-0"W. x 7'-0"H.
32	6'-0"W. x 7'-0"H.

Door Schedule	
Door Number	Door Size
35	36" x 80"
36	36" x 80"
37	60" x 80"
39	36" x 80"
41	30" x 80"
46	20" x 84"
47	20" x 84"
48	60" x 80"
49	36" x 80"

Window Schedule				
Type Mark	Rough Opening		Type	Head Height
	Width	Height		
62	2'-0"	3'-0"	Window-Direct_Set-Awning_Casement-Kolbe-Forgent-All_Glastra	6'-6"
132	2'-6"	5'-0"	Window-Direct_Set-Awning_Casement-Kolbe-Forgent-All_Glastra	6'-6"
133	3'-0"	5'-0"	Window-Direct_Set-Awning_Casement-Kolbe-Forgent-All_Glastra	8'-0"


NOTES
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Revision			
No.	Date	Description	By

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 N6748 SOUTH LANE
 JOHNSON CREEK, WI 53038
BRIAN NORBY, PE
 (608) 574-6214

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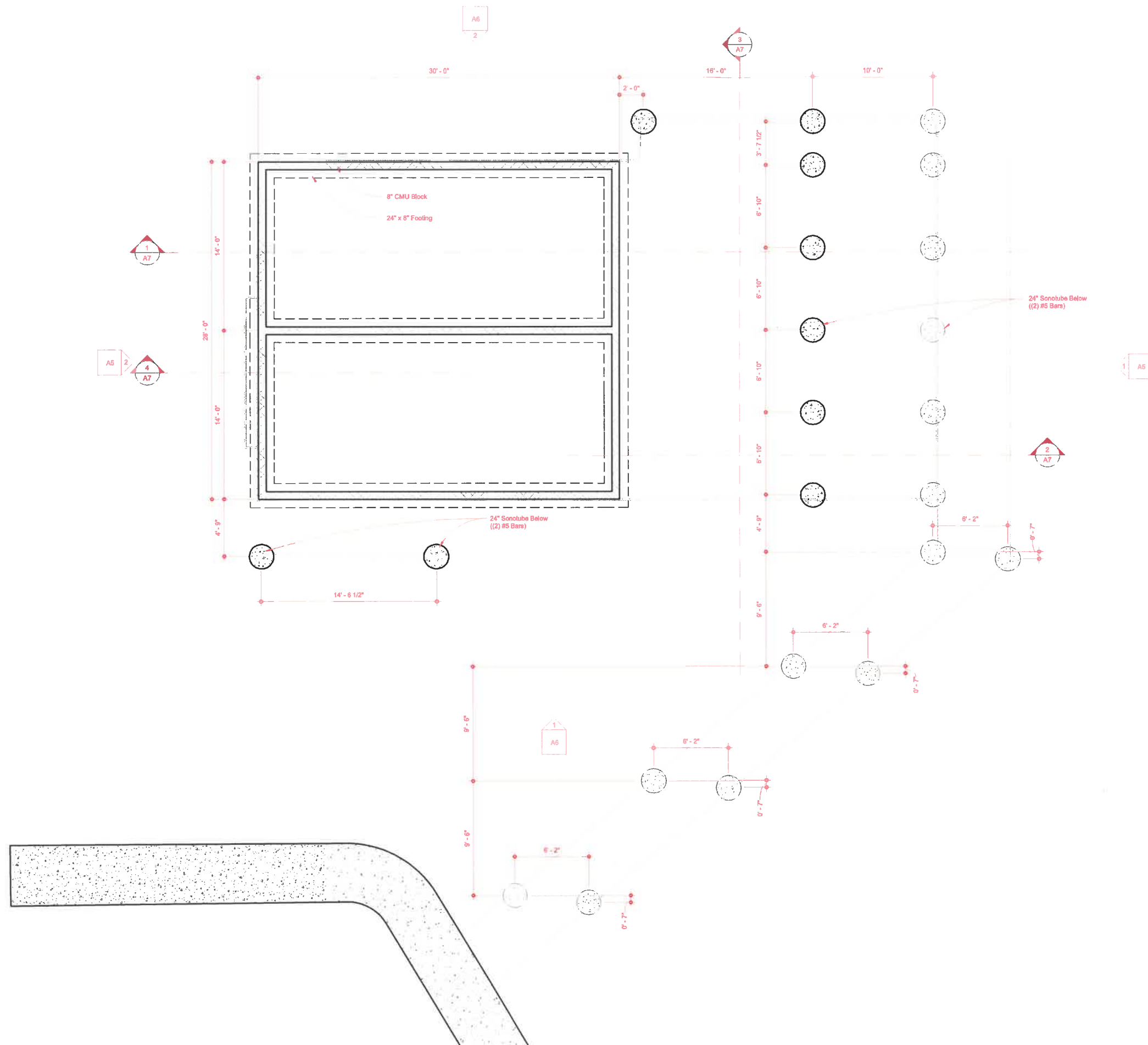
GENERAL CONTRACTOR

DESIGNER

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 (614) 507-3046 PHONE
 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING
 AND HERITAGE
 7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 FOUNDATION

A2



NOTES
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Revision		
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ENGINEER
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 N6748 SOUTH LANE
 JOHNSON CREEK, WI 53038
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 (608) 574-6214

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GENERAL CONTRACTOR

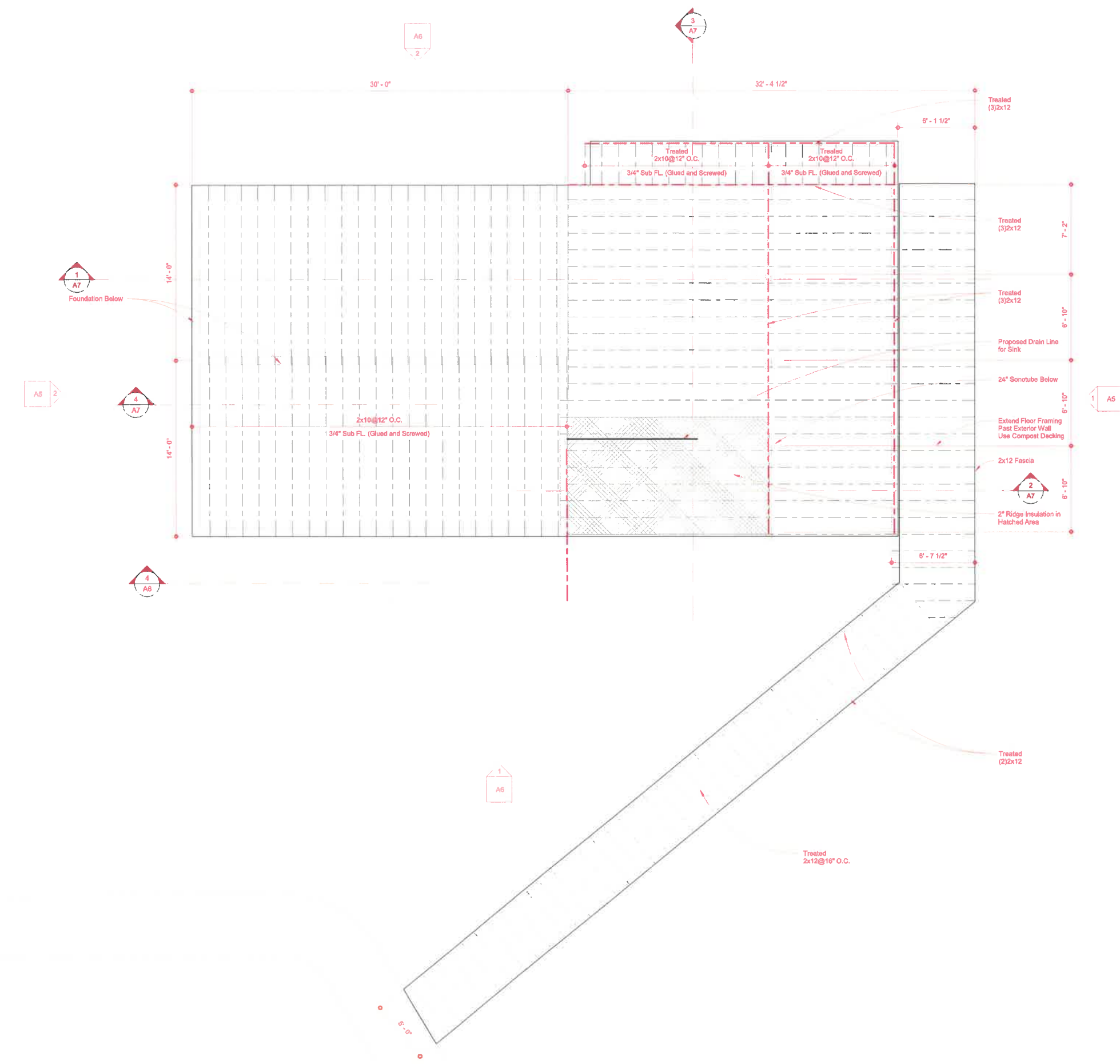
DESIGNER

 TK ARCHITECTURAL DESIGN SERVICES
TERRY L. SCHUELKE
 55 SOUTH PARK AVE
 FOND DU LAC, WI 54935
 (414) 507-3046 PHONE
 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING AND HERITAGE
 7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 FIRST FLOOR FRAMING

A3



NOTES
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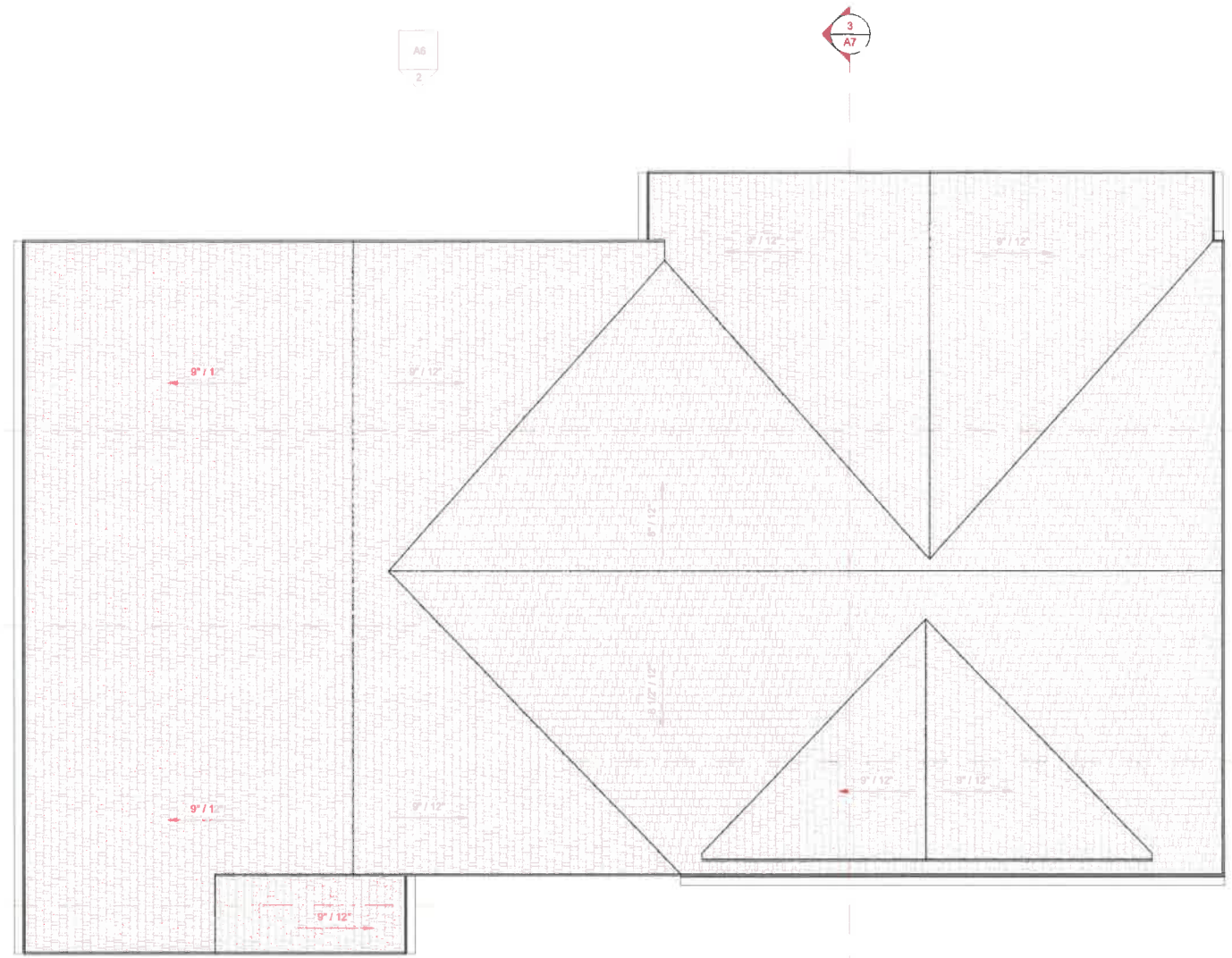
DESIGNER

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 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING AND HERITAGE
 7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 ROOF PLAN

A4



1 ROOF PLAN
 1/4" = 1'-0"

NOTES
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Revision			
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 N6748 SOUTH LANE
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 (608) 574-6214

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GENERAL CONTRACTOR

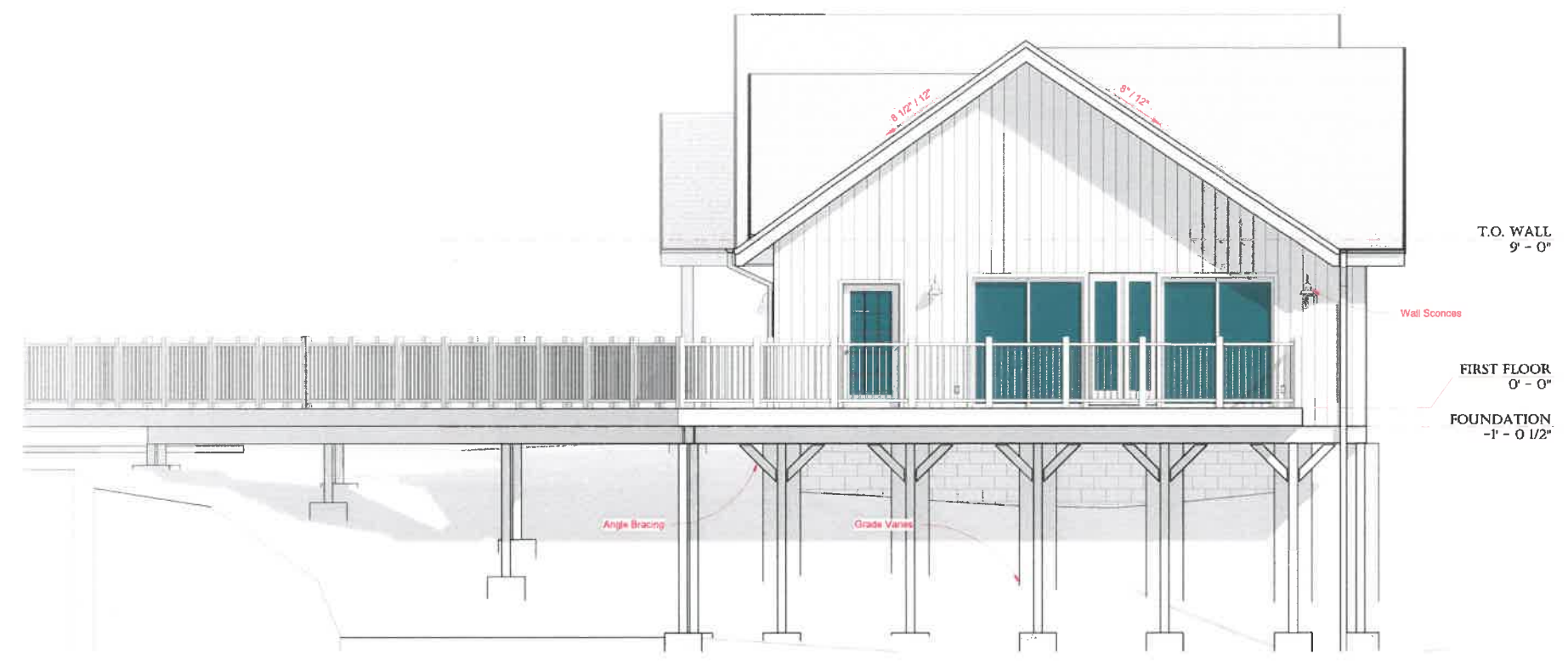
DESIGNER

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 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING AND HERITAGE
 7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 ELEVATIONS

A5



1 NORTH
 1/4" = 1'-0"



2 SOUTH
 1/4" = 1'-0"

NOTES
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GENERAL CONTRACTOR

DESIGNER



TK ARCHITECTURAL DESIGN SERVICES

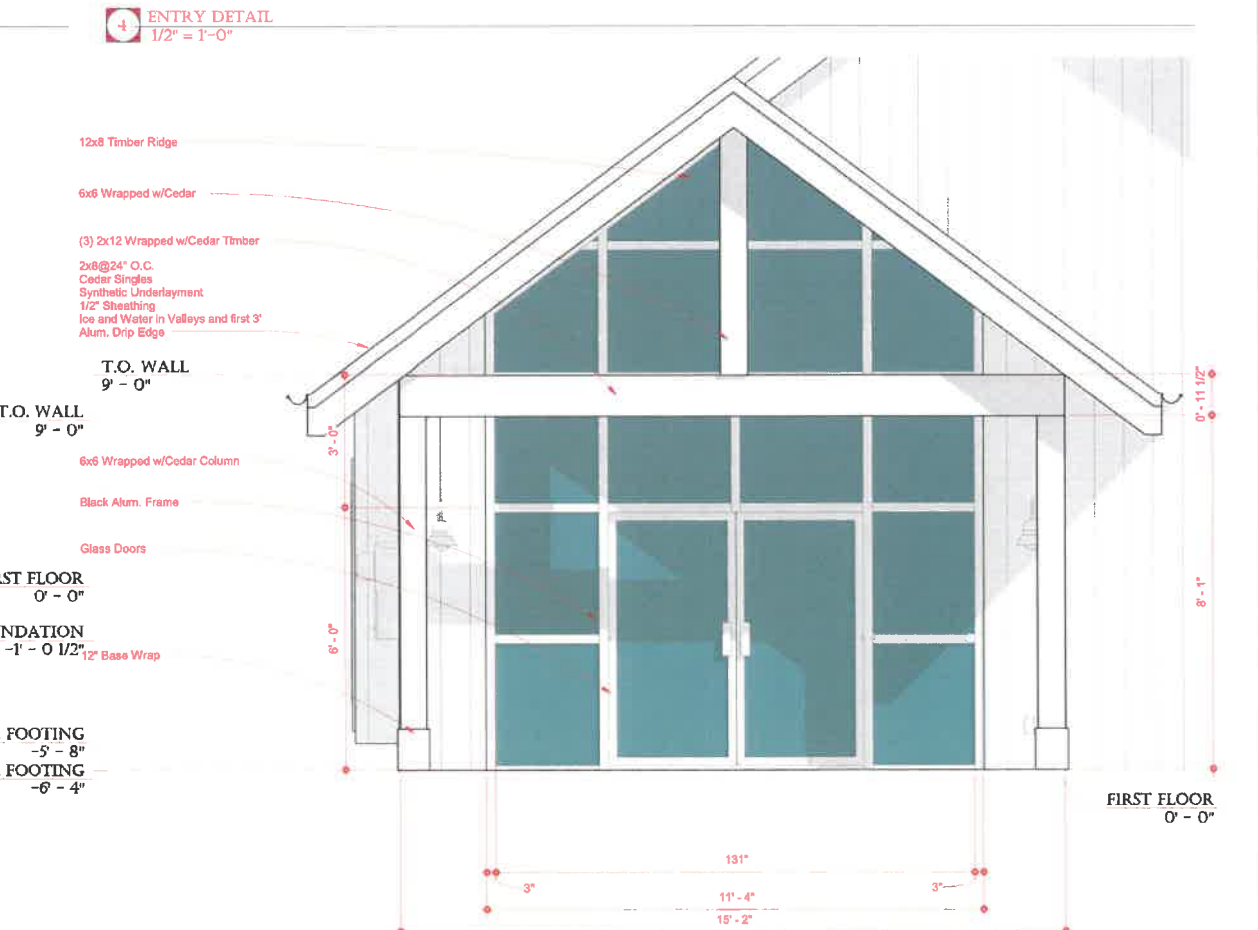
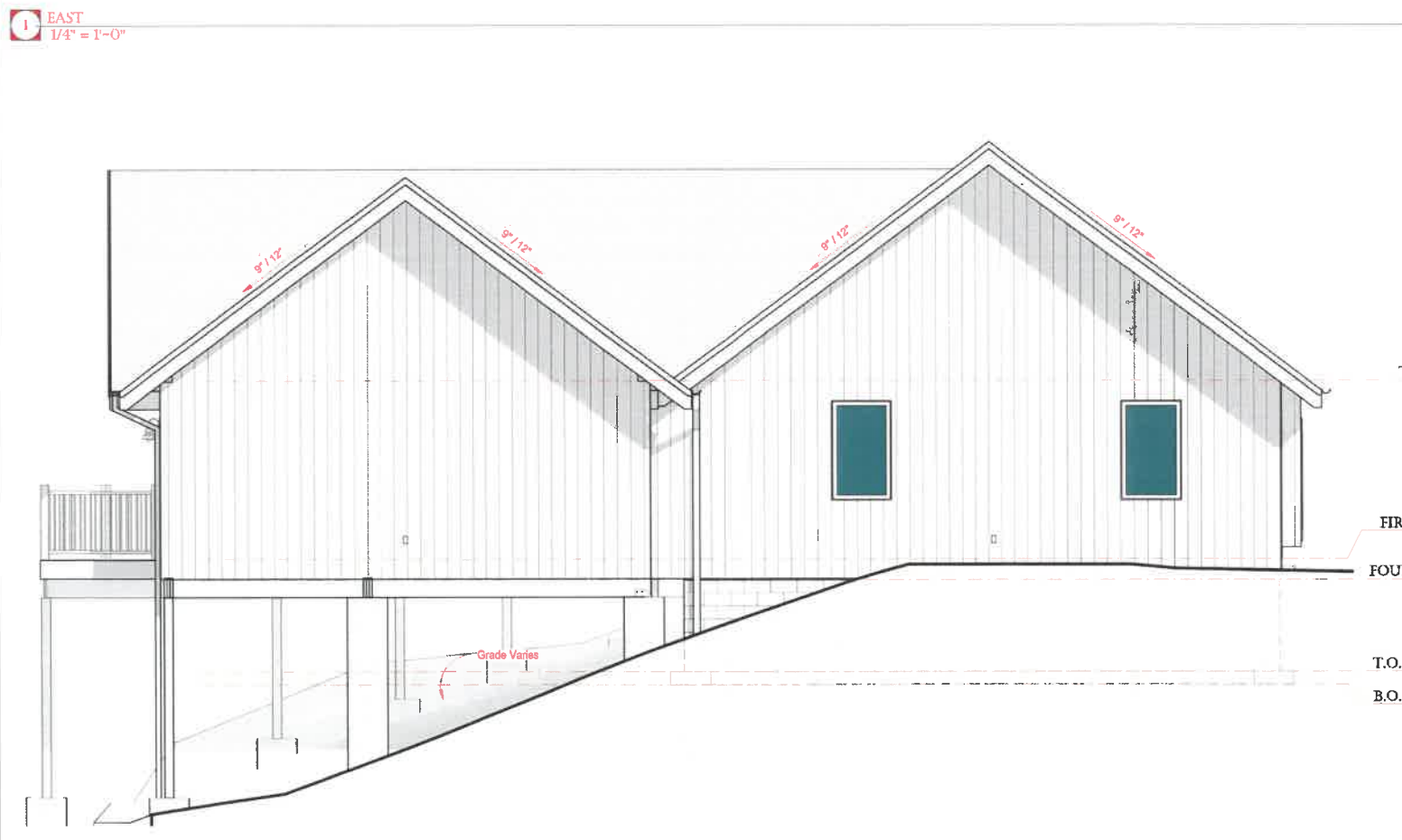
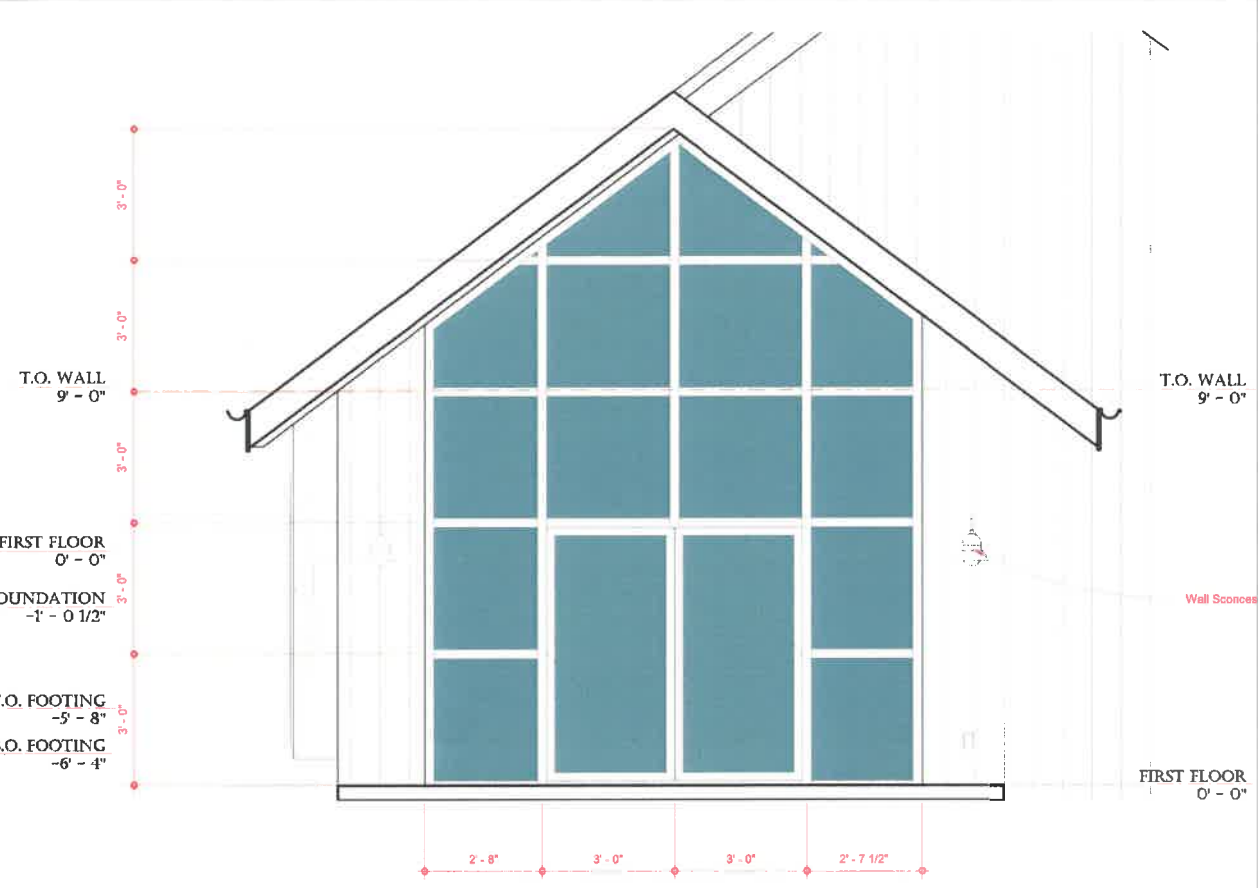
TERRY L. SCHUELKE
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 tschuelke1@gmail.com

LOCATION
 CONSERVANCY FOR HEALING AND HERITAGE

7410 W RAWSON AVE
 FRANKLIN, WI 53132

SHEET TITLE
 ELEVATIONS

A6

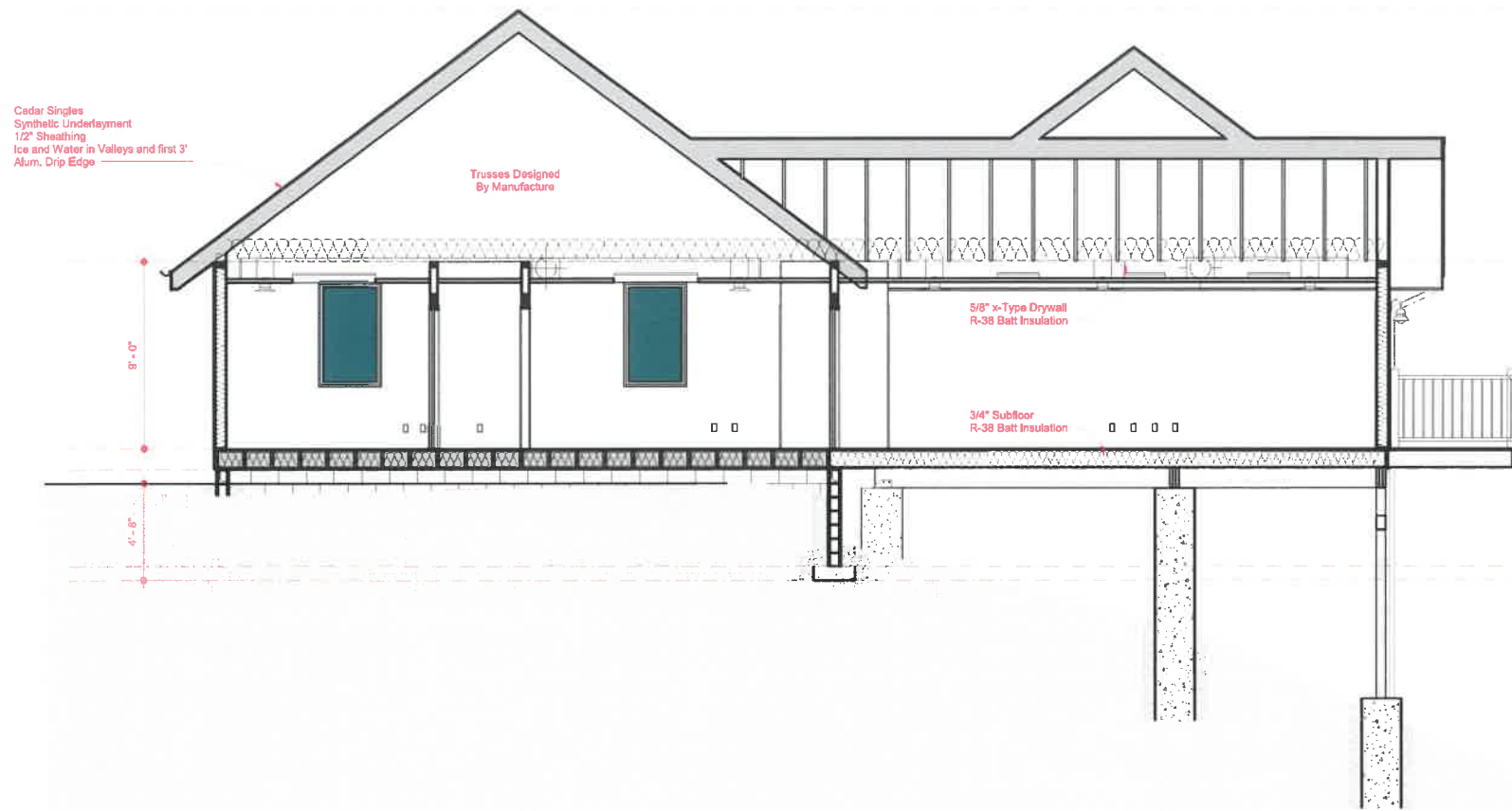


1 EAST
 1/4" = 1'-0"

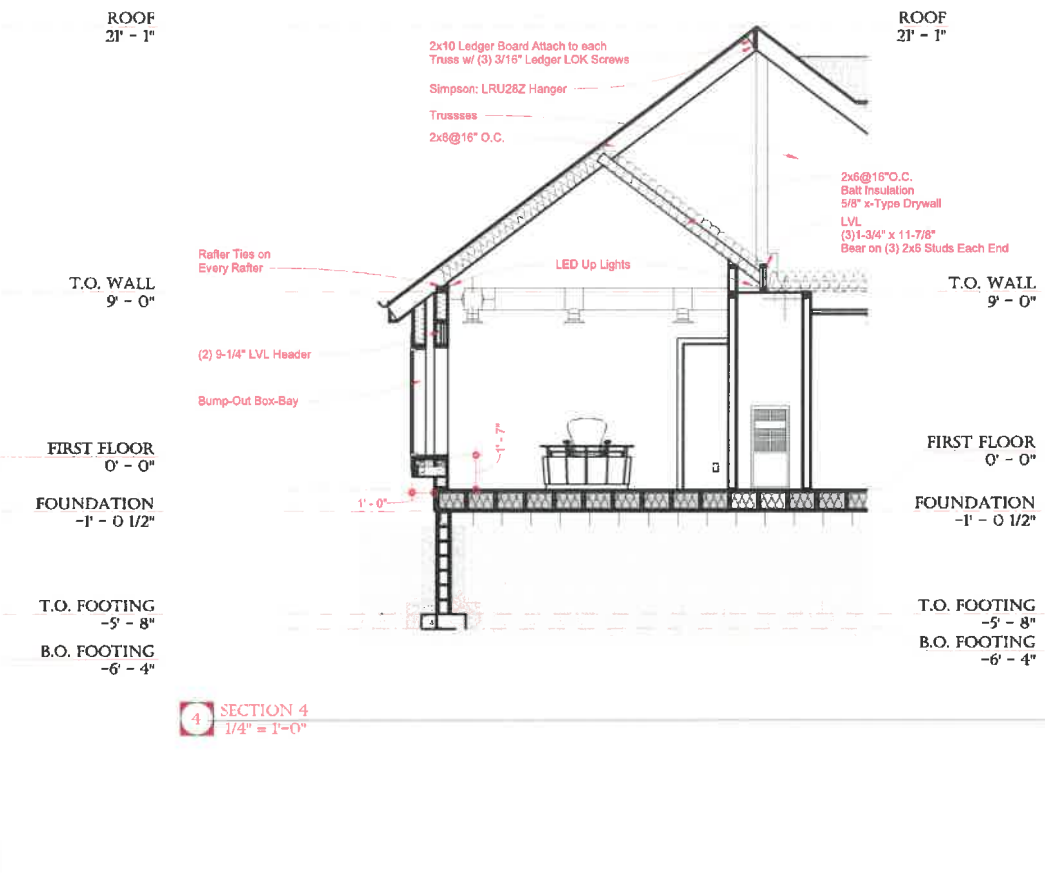
4 ENTRY DETAIL
 1/2" = 1'-0"

2 WEST
 1/4" = 1'-0"

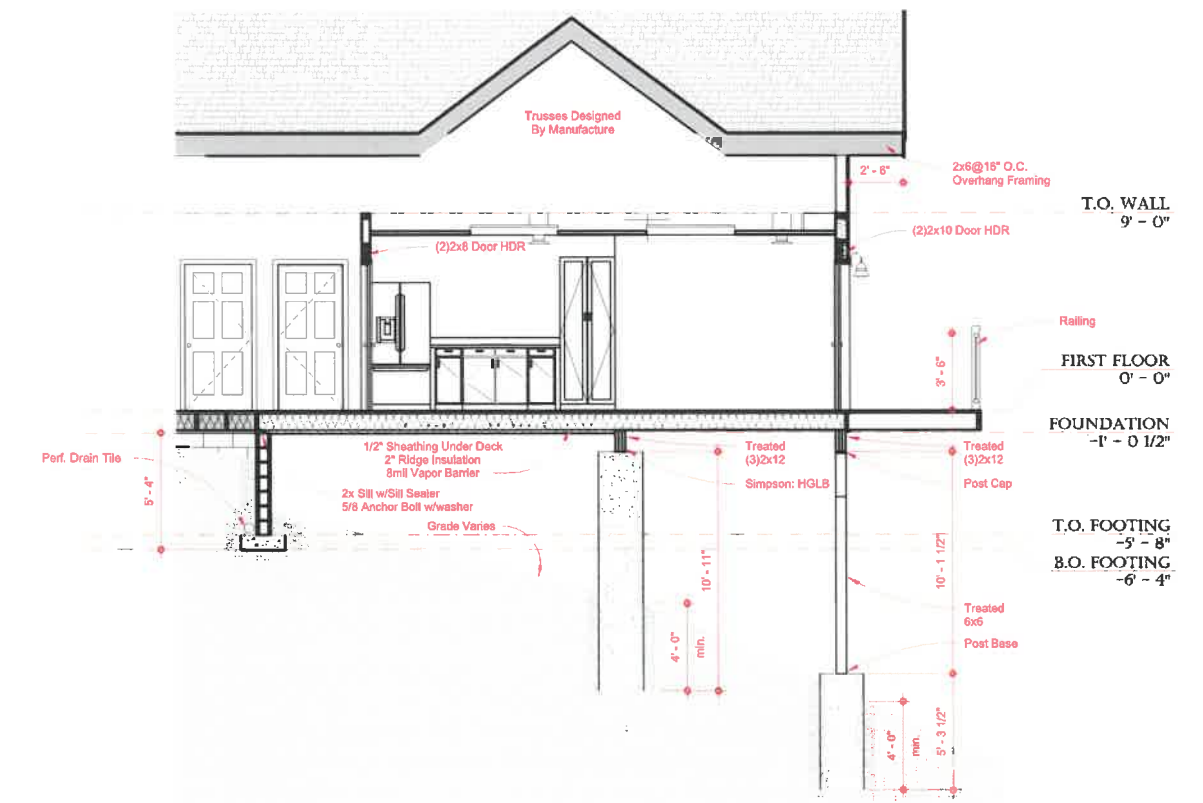
3 EAST - CALLOUT 1
 1/2" = 1'-0"



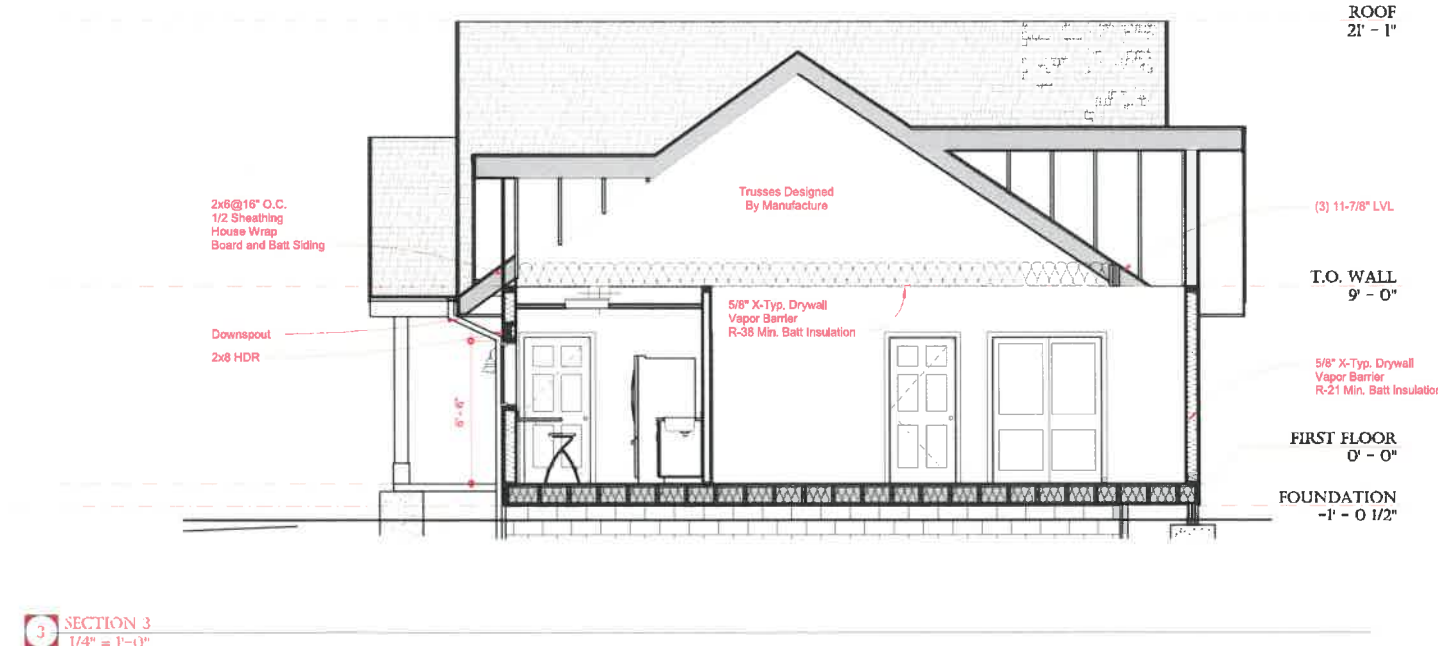
SECTION 1
1/4" = 1'-0"



SECTION 4
1/4" = 1'-0"



SECTION 2
1/4" = 1'-0"



SECTION 3
1/4" = 1'-0"

NOTES
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ENGINEER
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12/1/2023 10:04:28 AM

GENERAL CONTRACTOR

DESIGNER
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tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE
7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
BUILDING SECTIONS

A7

NOTES
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Revision		
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ENGINEER
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DESIGNS, LLC
N6748 SOUTH LANE
JOHNSON CREEK, WI 53038
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(608) 574-6214

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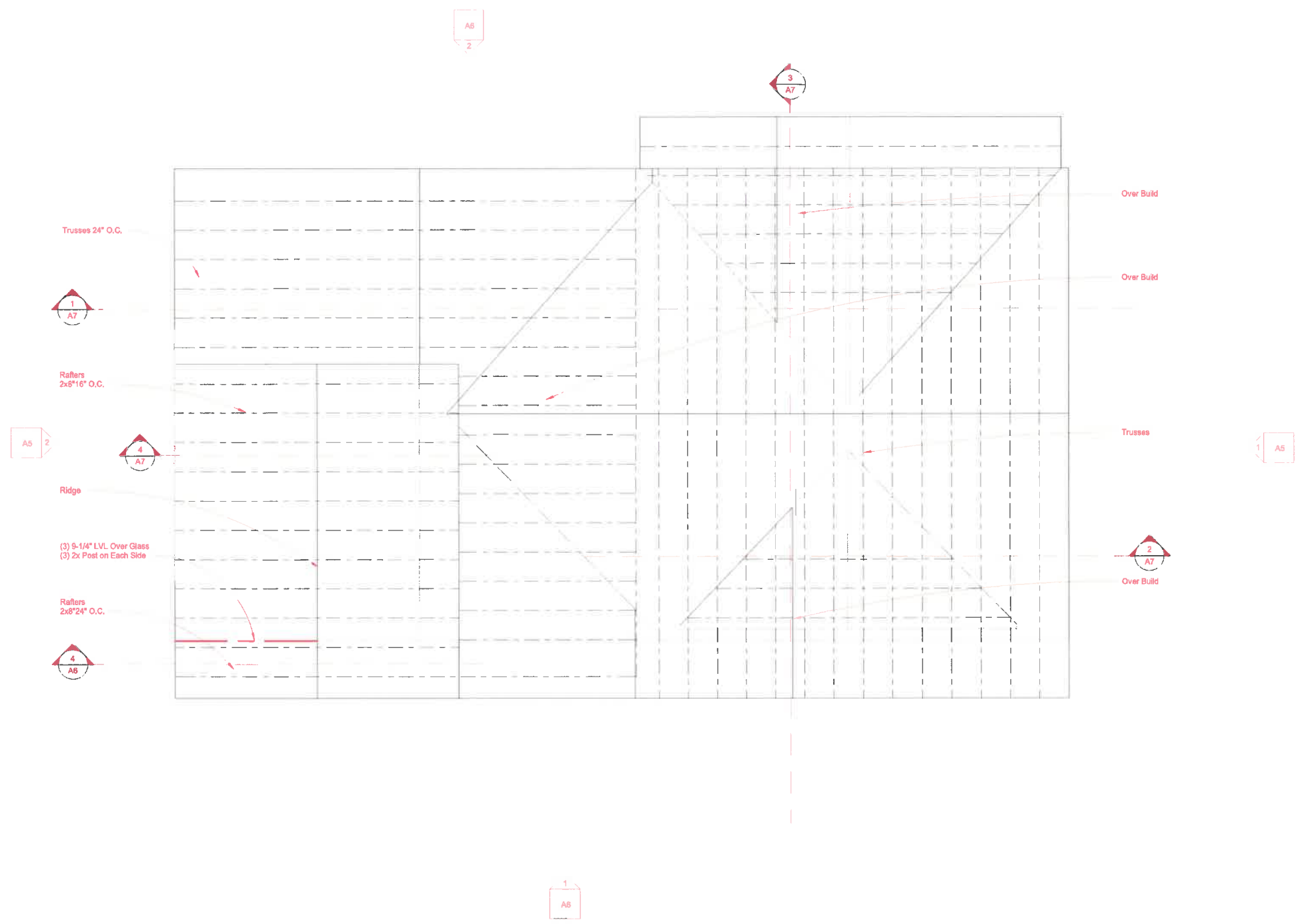
GENERAL CONTRACTOR

DESIGNER
TK
TK ARCHITECTURAL DESIGN SERVICES
TERRY L. SCHUELKE
55 SOUTH PARK AVE
FOND DU LAC, WI 54935
(414) 507-3046 PHONE
tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE
7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
ROOF FRAMING PLAN

A8



1 ROOF FRAMING
1/4" = 1'-0"

NOTES
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ENGINEER
D.N. SQUARED
DESIGNS, S.C.
N6748 SOUTH LANE
JOHNSON CREEK, WI 53038
BRIAN NORBY, PE
(608) 574-6214

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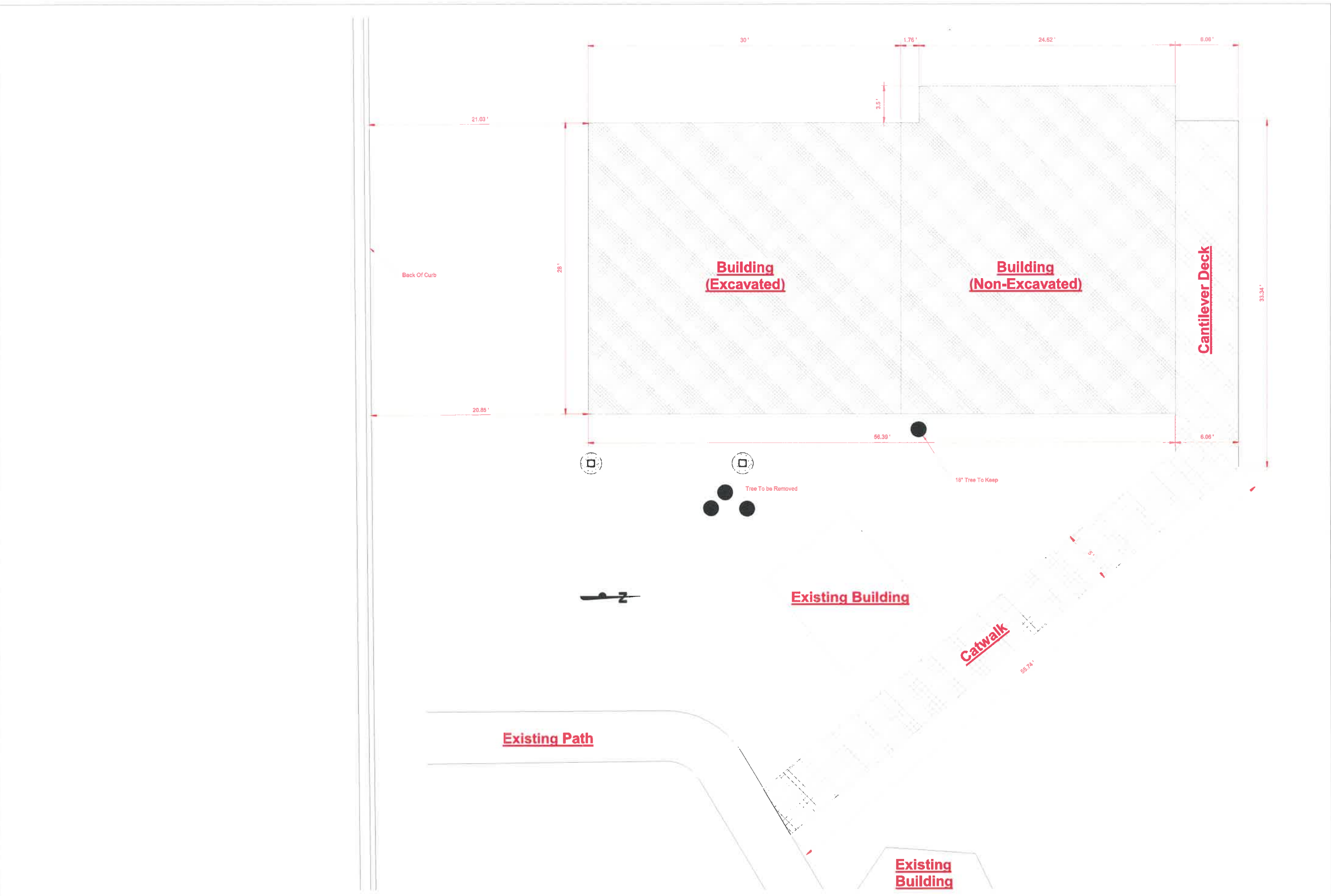
GENERAL CONTRACTOR

DESIGNER
TK
TK ARCHITECTURAL DESIGN SERVICES
TERRY L. SCHUELKE
55 SOUTH PARK AVE
FOND DU LAC, WI 54935
(414) 507-3046 PHONE
tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE
7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
SITE PLAN

A9



NOTES
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Revision		
Rev. Number	Rev. Description	Rev. Date

ENGINEER

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GENERAL CONTRACTOR

DESIGNER



TK ARCHITECTURAL DESIGN SERVICES

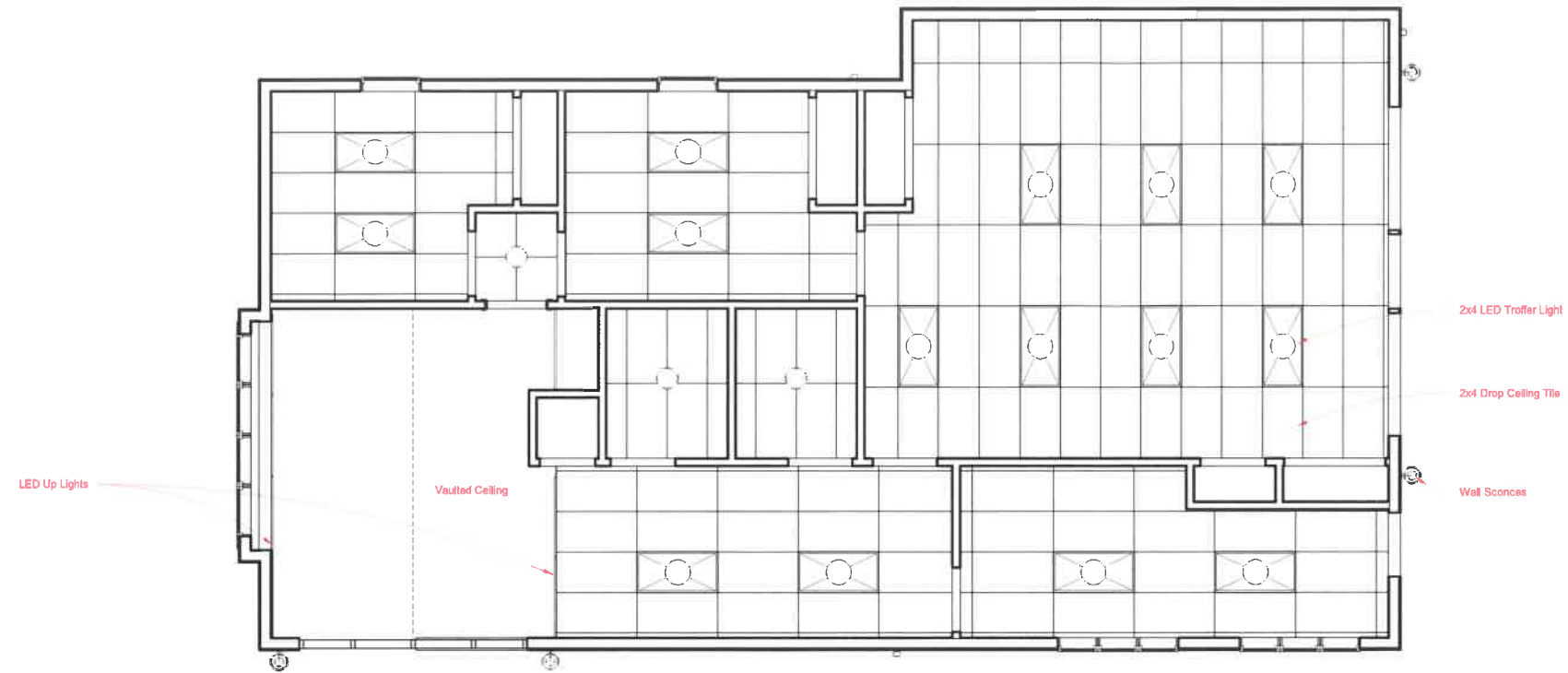
TERRY L. SCHUELKE
3855 EAST BARNARD AVE
CUDAHY, WI 53110
(414) 507-3046 PHONE
tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE

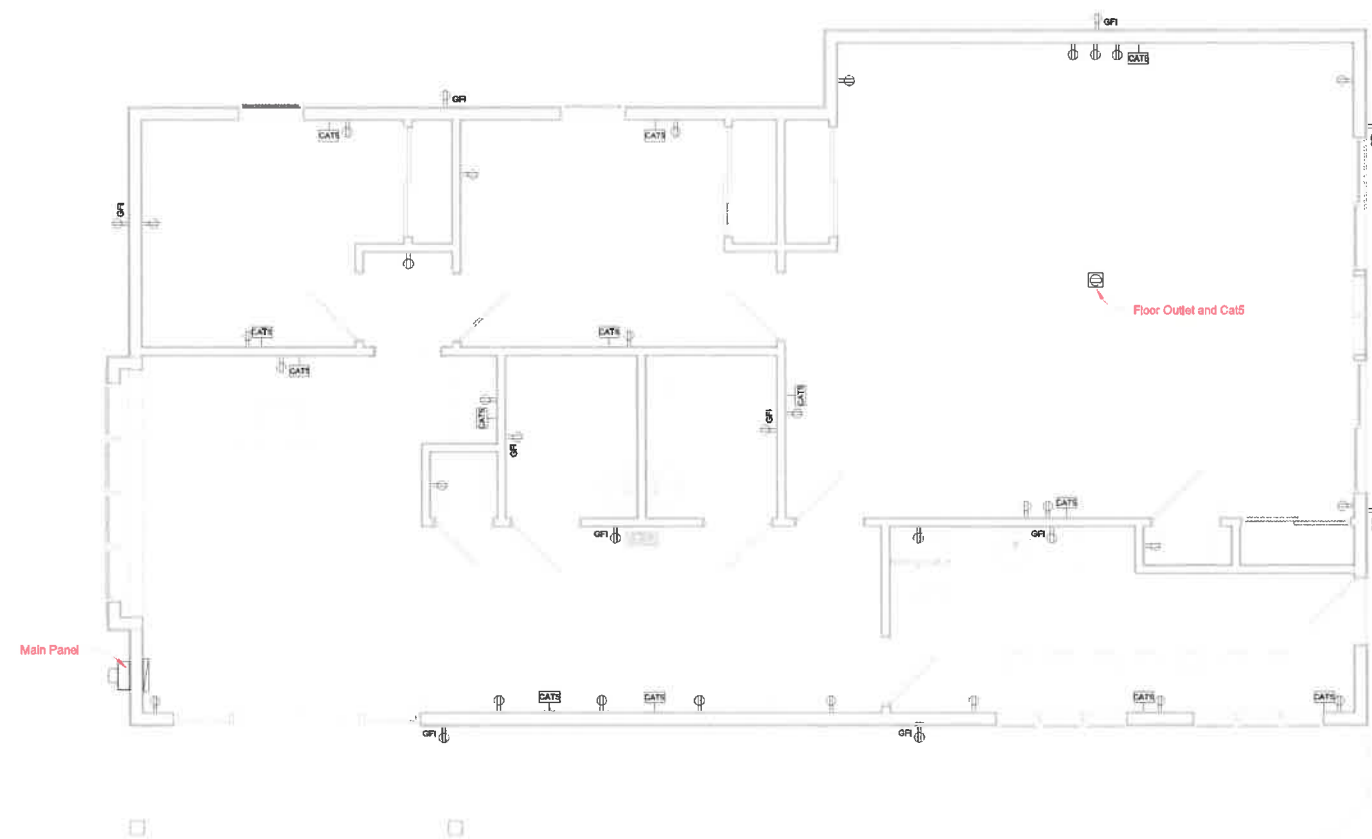
7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
ELECTRICAL PLAN

A10



1 LIGHTING PLAN
1/4" = 1'-0"



2 FIRST FLOOR ELECTRICAL
1/4" = 1'-0"

NOTES
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Revision		
Rev. Number	Rev. Description	Rev. Date

ENGINEER

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GENERAL CONTRACTOR

DESIGNER



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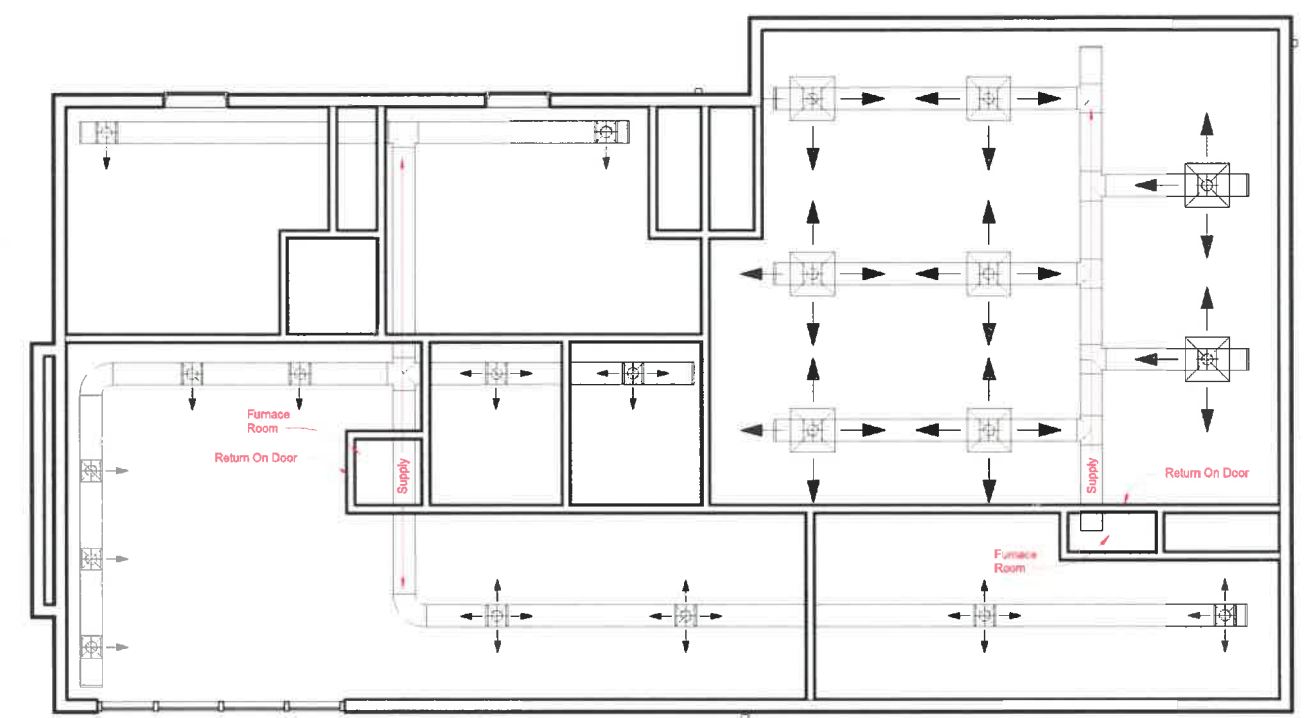
TERRY L. SCHUELKE
3855 EAST BARNARD AVE
CUDAHY, WI 53110
(414) 507-3046 PHONE
tschuelke1@gmail.com

LOCATION
CONSERVANCY FOR HEALING AND HERITAGE

7410 W RAWSON AVE
FRANKLIN, WI 53132

SHEET TITLE
HVAC PLAN

A11



Notes:
This Plan is for reference only. Design must be done by a licensed HVAC Contractor

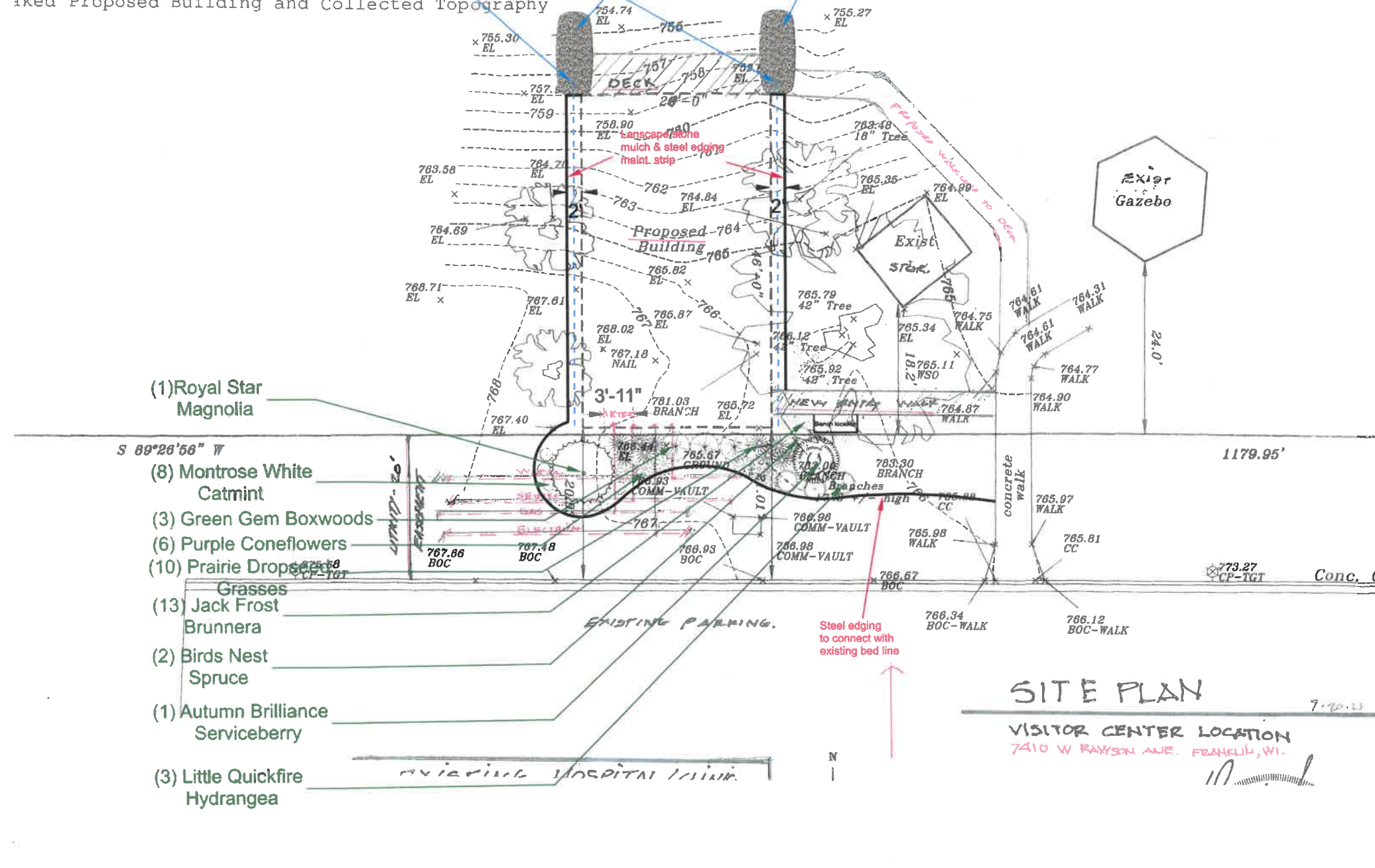
1 FIRST FLOOR HVAC
1/4" = 1'-0"

Buried PVC
downspouts discharge
to daylight

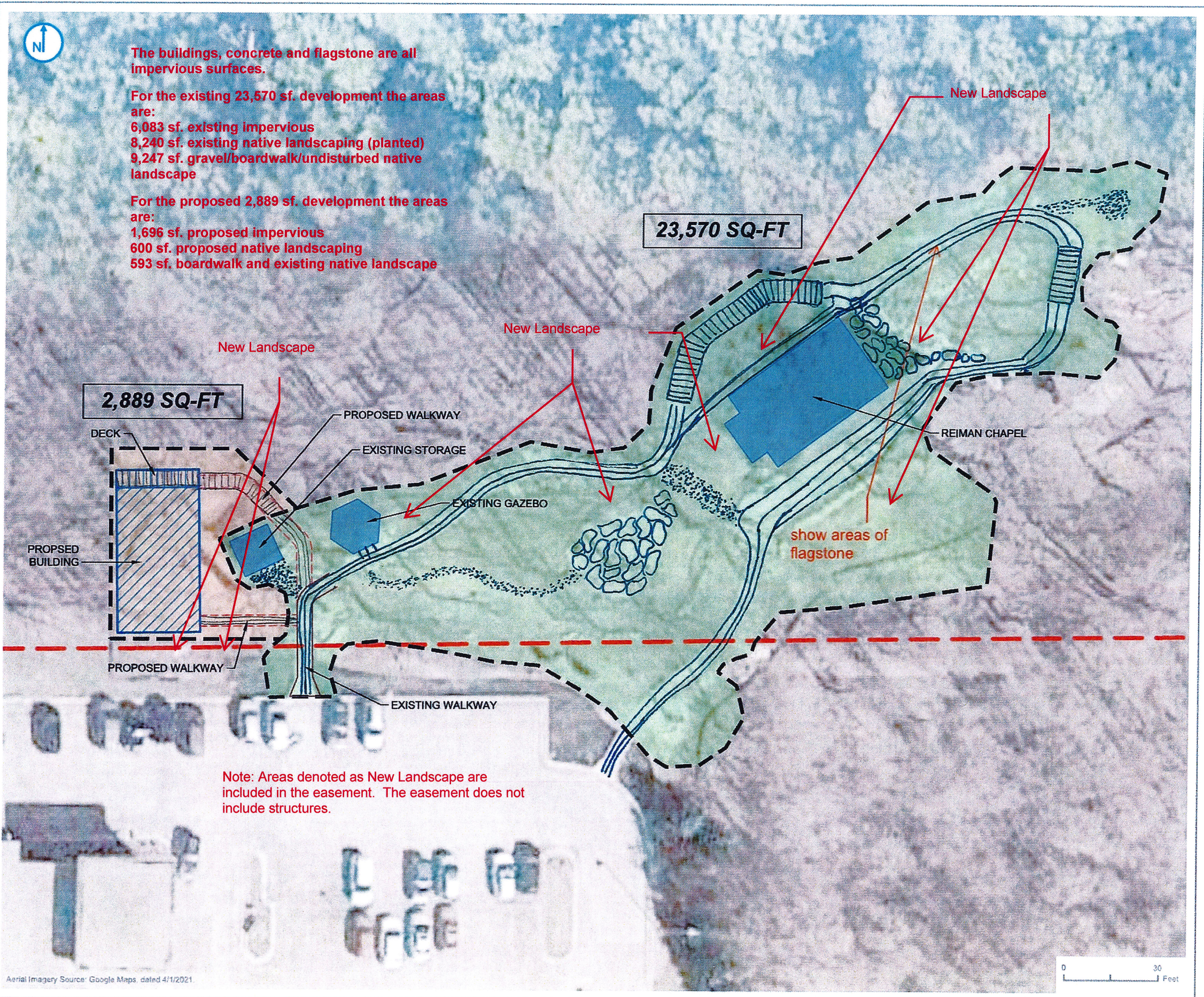
10' x 4' Rip Rap swale bed
installed going down hillside to
disperse rain water discharge

ukee and the State of Wisconsin.

aked Proposed Building and Collected Topography



PROJECT: 1940104255 DATED: 10/30/2023 DESIGNER: ELS



The buildings, concrete and flagstone are all impervious surfaces.

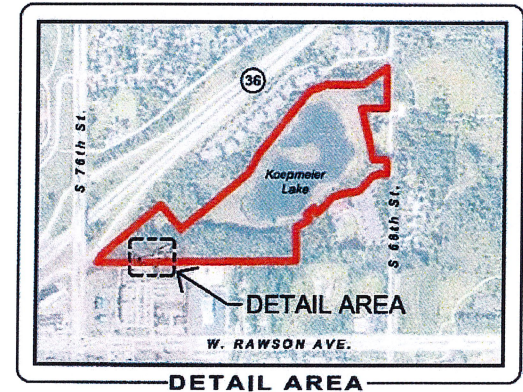
For the existing 23,570 sf. development the areas are:
 6,083 sf. existing impervious
 8,240 sf. existing native landscaping (planted)
 9,247 sf. gravel/boardwalk/undisturbed native landscape

For the proposed 2,889 sf. development the areas are:
 1,696 sf. proposed impervious
 600 sf. proposed native landscaping
 593 sf. boardwalk and existing native landscape

— AREA OF STUDY
 - - - LIMITS OF CONSTRUCTION

existing

proposed



Description of Easement Areas

CONSERVANCY FOR HEALING AND HERITAGE
 7410 WEST RAWSON AVENUE
 FRANKLIN, WISCONSIN

Exhibit C

RAMBOLL AMERICAS
 ENGINEERING SOLUTIONS, INC.
 A RAMBOLL COMPANY



Aerial Imagery Source: Google Maps, dated 4/1/2021.

DEPICTION OF FACILITIES - WEST

EXHIBIT "A"

Healing Gardens

LOCATION: 6941 S. 68th Street, Franklin, Wisconsin

LEGAL DESCRIPTION: Partial Exhibit of Outlot 1 of CERTIFIED SURVEY MAP NO. 7544, that part of the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4, all in the Southwest 1/4 of Section 3, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee and the State of Wisconsin.

May 9, 2023 Staked Proposed Building and Collected Topography
November 29, 2023 Revised Building Dimensions

Buried PVC
downspouts discharge
to daylight

10' x 4' Rip Rap swale bed
installed going down hillside to
disperse rain water discharge

Erosion silt fence

(1) Royal Star
Magnolia

(8) Montrose White
Catmint

(3) Green Gem Boxwoods

(6) Purple Coneflowers

(10) Prairie Dropseed

Grasses

(13) Jack Frost

Brunnera
(2) Birds Nest
Spruce

(1) Autumn Brilliance
Serviceberry

(3) Little Quickfire
Hydrangea

METROPOLITAN SURVEY
SERVICE, INC.

PROFESSIONAL LAND SURVEYORS

8482 South 76th Street

Franklin, Wisconsin 53132

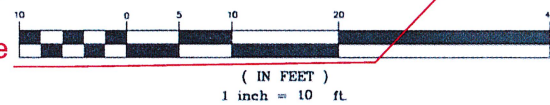
PH. (414) 529-5380

survey@metropolitansurvey.com

www.metropolitansurvey.com



GRAPHIC SCALE



x 768.96
MAG

768.25
MAG

M:\Healing Gardens\INewMachine.dwg 5/11/2023 11:22:20 AM CDT

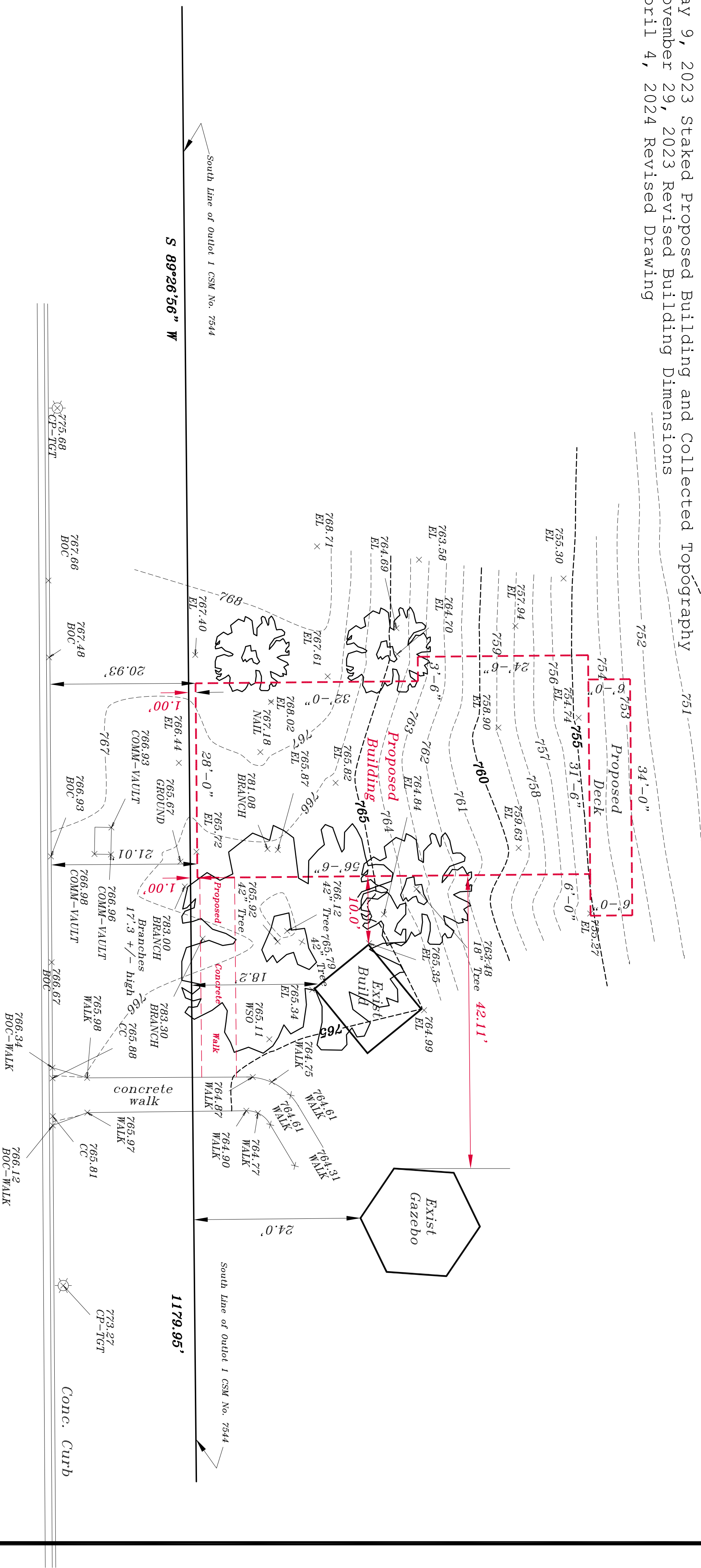
EXHIBIT "A"

Healing Gardens

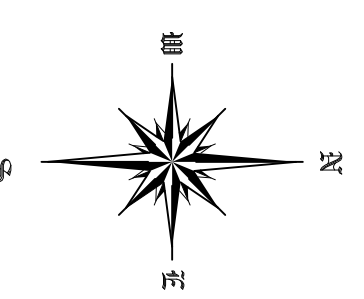
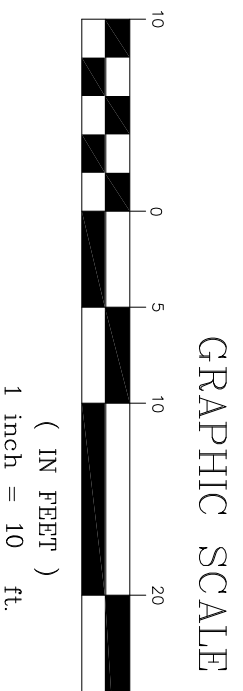
LOCATION: 6941 South 68th Street, Franklin, Wisconsin

LEGAL DESCRIPTION: Partial Exhibit of Outlet 1 of **CERTIFIED SURVEY MAP NO. 7544**, that part of the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4, all in the Southwest 1/4 of Section 3, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee and the State of Wisconsin.

May 9, 2023 Staked Proposed Building and Collected Topography
November 29, 2023 Revised Building Dimensions
April 4, 2024 Revised Drawing



METROPOLITAN SURVEY SERVICE, INC.
PROFESSIONAL LAND SURVEYORS
 8482 South 76th Street
 Franklin, Wisconsin 53132
 PH. (414) 529-5380
 survey@metropolitansurvey.com
 www.metropolitansurvey.com



Dennis C. Sauver
 DENNIS C. SAUER
 S-2421
 Franklin, WI
 LAND SURVEYOR

M:\Healing Gardens\INewMachine.dwg 4/4/2024 8:35:57 AM CDT

768.96
× MAG

768.25
MAG



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of June 20, 2024
Site Plan Amendment

RECOMMENDATION: City Development Staff recommends approval of the proposed Site Plan amendment, subject to the conditions of in the attached draft resolution.

Project Name:	Department of Public Works
Property Owner:	City of Franklin
Applicant:	City of Franklin
Property Address/Tax Key Number:	7979 W Ryan Rd/ 896 9990 001
Aldermanic District:	District 1
Agent:	Jon Wallenkamp, Kueny Archiects, LLC
Zoning District:	I-1 Institutional District
Use of Surrounding Properties:	M-1 Limited Industrial (east and west), B-3 Community Business District (north), R-8 Multifamily Residential District (south)
Application Request:	Approval of a Site Plan Amendment to allow for a building addition.
Staff Planner:	Marion Ecks, AICP

APPLICANT'S REQUEST

The applicant, the City of Franklin's Department of Public Works (DPW), proposes to construct a new addition to the rear of the existing Public Works building in leiu of a separate structure which was previously approved in December 2023.

CHARACTER OF THE SITE AND SURROUNDING AREA

This location includes existing Public Works facilities: offices, salt and sand storage, and parking. The southern portion of the site previously had two baseball diamonds on it which were used by the Lion's Club and local sports leagues. The property is zoned I-1 Institutional District.

The recently approved site plan included a fenced and landscaped berm along the south property line as a buffer between the Public Works facility and the multifamily neighborhood to the south which is zoned. The properties to the east are zoned M-1 Limited Industrial and contain storage and office space, single family homes, and a restaurant; vacant lands to the west are currently zoned M-1 Limited Industrial; and to the north is vacant land zoned B-3 Community Business District.

PROJECT ANALYSIS

The property is zoned I-1 Institutional District. (§15-3.0312). The applicant has previously obtained approval of a Site Plan Amendment for a drop off area and a stand-alone storage building. They are now proposing this revised development, which will provide comparable storage facilities. The applicant is requesting approvals to develop an approximately 12,800 Sq. Ft. building addition to the existing building, to park equipment and which would include indoor storage for office materials. The design includes an approximately 1,681 Sq. Ft. exterior "lean-to" on the east wall of the expansion to provide additional storage space. The proposed structure meets the setback requirements of the I-1 zoning district; review comments were provided for the requirements of that district.

The site contains areas of trees and wetland. The previous approval required that the applicant provide information about natural resources or letter of no resources as part of the site plan approval. With the new application, Planning received updated wetland delineations, which indicate that there will not be impacts to wetland resources. The City Forrester separately evaluated woodlands on the site and determined that they did not constitute woodland under the standard of the UDO. The City will provide mitigation for tree impacts and have submitted a draft plan for this mitigation. Staff recommends the condition of approval that a final mitigation plan be approved, subject to review by the City Forrester and Planning department, prior to the issuance of building permits.

STAFF RECOMMENDATION

City Development Staff recommends approval of the proposed Site Plan, subject to the conditions of approval in the attached draft resolution.

[Draft 06/12/2024]

RESOLUTION NO. 2024-_____

A RESOLUTION APPROVING A SITE PLAN AMENDMENT FOR THE
DEVELOPMENT A BUILDING ADDITION,
UPON PROPERTY LOCATED AT 7979 W RYAN RD
(CITY OF FRANKLIN (JOHN NELSON, MAYOR) APPLICANT;
CITY OF FRANKLIN, PROPERTY OWNER)

WHEREAS, the City of Franklin (John Nelson, Mayor) having petitioned the City of Franklin for the approval of a Site Plan Amendment to allow for development of a new building addition, such Site Plan having been previously approved as part of a Zoning Permit approval for the City of Franklin Department of Public Works Facility and Storage Yard, on January 25, 1996; subsequently amended by RES 2017-005 on June 22, 2017; RES 2019-7468 on February 19, 2019; and RES 2023-020 on December 7, 2023; upon property located at 7979 W Ryan Road, zoned I-1 Institutional District. The property which is the subject of the application bears Tax Key No. 896 9990 001.

WHEREAS, the development proposes a new storage facility and public drop off area and the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0312: I-1 Institutional District of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan amendment review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan Amendment for Department of Public Works, dated April 8, 2024, and June 11, 2024 as submitted by the City of Franklin, as described above, is hereby approved subject to the following conditions:

1. The City of Franklin, successors and assigns and any developer of the Department of Public Works 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, for the Department of Public Works project, 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.
2. The approval granted hereunder is conditional upon the City of Franklin, Department of Public Works project for the property located at 7979 W Ryan Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and

DEPARTMENT OF PUBLIC WORKS - SITE PLAN

RESOLUTION NO. 2024-_____

Page 2

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.

- 3. The Department of Public Works project shall be developed in substantial compliance with the plans City file-stamped April 8, 2024 and June 11, 2024.
- 4. A final tree mitigation plan must be approved, subject to review by the City Forrester and Planning department, prior to the issuance of building permits.

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Department of Public Works development as depicted upon the plans City file-stamped April 8, 2024, and June 11, 2024, attached hereto and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan Amendment for the property located at 7979 W Ryan Road, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2024.

APPROVED:

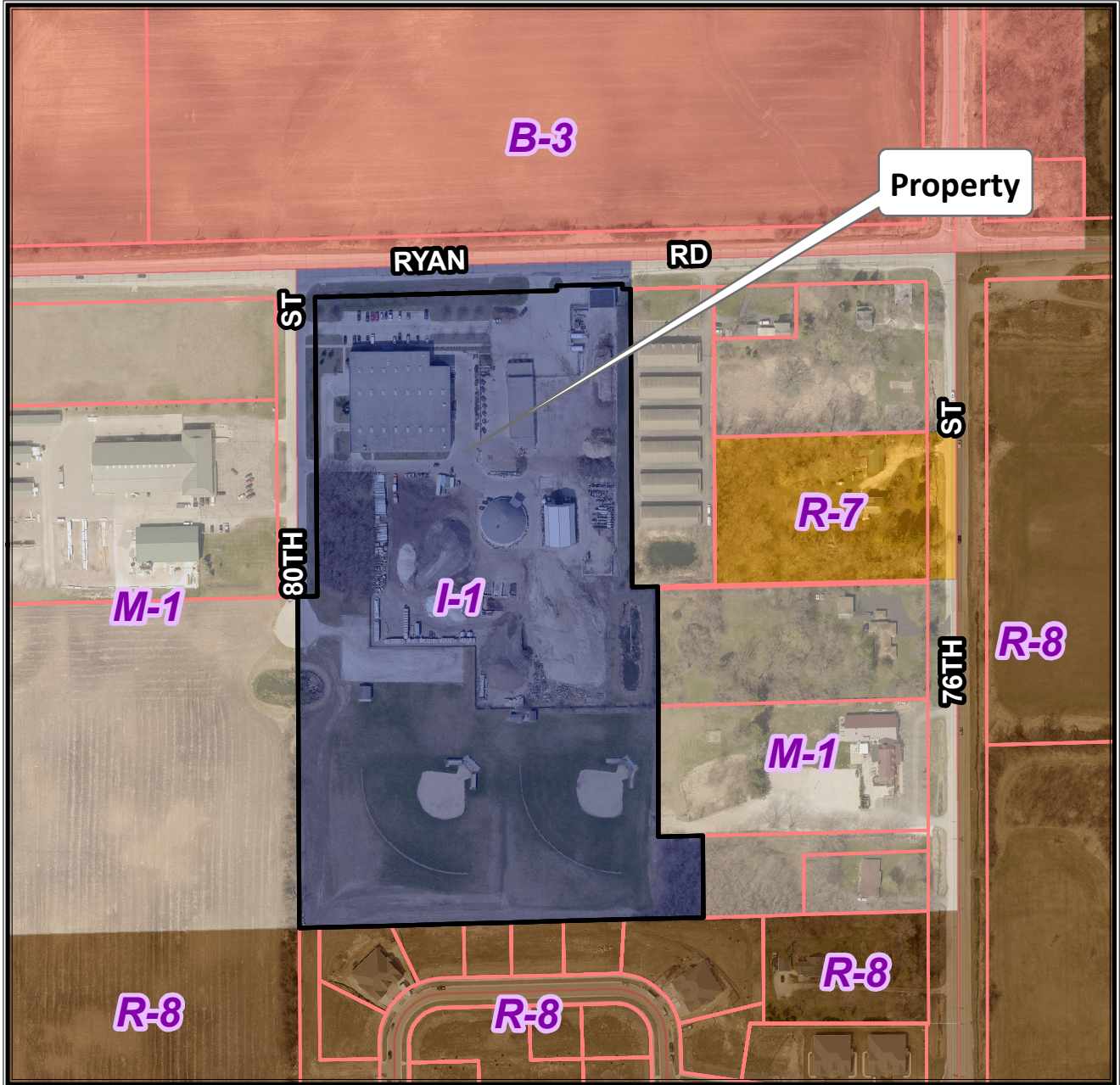
John R. Nelson, Mayor

ATTEST:

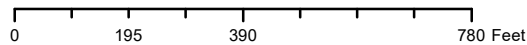
Shirley J. Robinson, City Clerk

AYES _____ NOES _____ ABSENT _____

7979 W. Ryan Road
TKN 896 9990 001

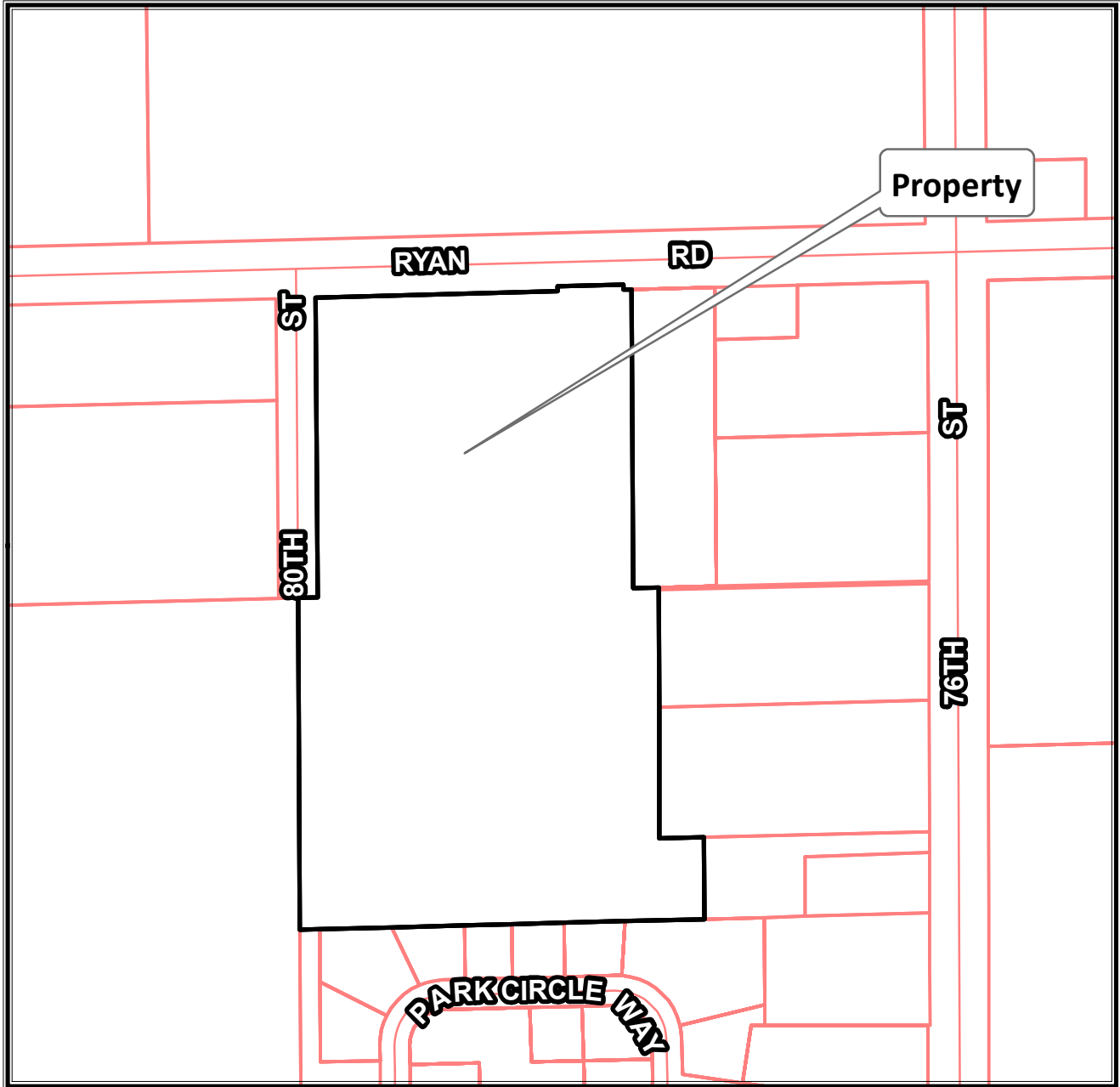


Planning Department
(414) 425-4024

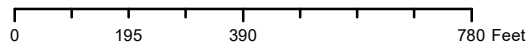


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

7979 W. Ryan Road
TKN 896 9990 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.



NORTH
2021 Aerial Photo



KUENY ARCHITECTS, L.L.C.

April 8, 2024

City of Franklin
Department of City Development
Franklin DPW Addition
7979 W. Ryan Rd
Franklin

Dear Marion Ecks - Principal Planner - (414) 425-4024

Kueny Architects, LLC letter in response to the City's review comments dated March 27, 2024.
Kueny's response following in Bold font.

Thank you for addressing staff comments. A few follow-up questions:

Department of City Development

1. Must provide an NRPP or letter of no resource (§15-7.0102.G, §15-7.0103.J)
 1. **See attached letter. There are no wetlands in the construction area .**

2. Please include the following required information on the Site Plan
 1. Building dimensions (§15-7.0103.I) for the addition and adjoining building. Please also include the lean-to and dimensions on the site plan. What is its area?
R. See revised sheet AD101 showing the revised areas and dimensions.

 2. A Landscape Plan (§15-7.0103.R) Note that the LSR is 0.3. Is new landscaping proposed to replace the foundation plantings that will be removed?
R. There are no foundation landscaped areas proposed at this moment since the new facility is the phase I of a future major addition. The future addition will be on all sides of this area and any landscape around it will be demolished.

 3. A landscape bufferyard is required to separate different zoning districts from each other (§15-5.0301.C). Please provide appropriate landscaping in accordance with §15-5.0302.C. Screening should be provided along the south property line.
R. The south side of the property will be built up creating a green landscape wall with a top berm section against the residential properties. The landscape wall

will be an average of eighteen feet high and covered with coniferous, deciduous, and ornamental trees. See revised sheet AD102 Landscape plan.

4. Please revise the project narrative to clarify the phasing of this development in relation to the recently approved 2023 Site Plan Amendment.

R. See revised narrative clarifying the changes done to previously approved Site Plan Amendment.

Fire Department Comments

1. Franklin Fire Department Construction and Alteration Requirements
2. Follow all relevant WI DSPS and IBC code requirements for fire protection systems for given occupancy, use, and construction types.
3. Pre-existing fire alarm and fire sprinkler systems shall be maintained in compliance with relevant code.
4. Fire Extinguisher placement as per NFPA 10.
5. Master Key set required for placement in Knox Box (if required).

R. Acknowledged for all items 1-5.

Engineering Department Comments

1. A full engineering submittal is required for review and approval. Also, a plat of survey is required for a building permit.

R. Acknowledged. A complete engineering plan will be submitted to obtain the building permit

Please let me know if you have any comments/questions.

Sincerely,



Kuery Architects, LLC
Jon P. Wallenkamp
Principal

April 08, 2024

RE: Narrative - City of Franklin DPW

This project was previous approved as a stand-alone building, It is now an addition to an existing building.

1. Project narrative:

The City of Franklin is constructing a new 12,800 square foot storage facility addition to the south side of their existing DPW facility. The new facility will be constructed using architectural precast walls with architectural metal roof canopy for the east side lean-to. The new facility will house existing equipment that currently sits outside.

Along with the new storage facility a new residential drop-off site will be relocated from north off Ryan Road to the west off 80th street.

The south side of the site will be built up creating a green landscape wall with a top berm section. The landscape wall will be an average of eighteen feet high and covered with coniferous, deciduous, and ornamental trees.

2. Current and anticipate future hours of operation

No Change.

3. Activities performed on the site

No Change.

4. Floor Area Ratio

Required	1.5 max.	Actual	0.49
----------	----------	--------	------

FLOOR AREA RATIO

(PA)	TOTAL PROPERTY AREA	859,045 SF
(NPA)	NET PROPERTY AREA	765,428 SF
(BA)	EXISTING TOTAL BUILDING AREA	38,981 SF
	PROPOSED STORAGE FACILITY	12,000 SF
	TOTAL NEW SITE BUILDING AREA	50,981 SF

RATIO (BA / NPA)	0.067	- Max Allowable .63 (Net) .38 (Gross)
LANDSCAPE SURFACE RATIO (LSR)	0.94	- Min. Required 0.3

Sincerely

Kueny Architects, LLC
Jon P. Wallenkamp, AIA, ALA
Principal



Wetland & Waterway Consulting, LLC

Dave Meyer

S83 W23915 Anesian Avenue • Big Bend, WI 53103

262-719-4286 • Fax 262-364-2197

E-Mail • dave@wetlandwi.com

12-11-23

Jon Wallenkamp
Kueny Architects, LLC
10505 Corporate Drive
Pleasant Prairie, WI 53158

Dear Mr. Wallenkamp:

The purpose of this letter is to describe the natural resource features present on the City of Franklin Storage Facility and Drop Off site located at 7979 W. Ryan Road, Franklin, Wisconsin.

The Natural Resource Features Determination guidelines are defined in the City of Franklin Unified Development Ordinance, Part 4: Natural Resource Protection, Section 15-4.0102. They include Steep Slopes, Woodlands and Forests, Floodplains/Floodways/Floodlands, Lakes and Ponds, Streams, Shore Buffers, Wetlands and Shoreland Wetlands, and Wetland Buffers.

Wetland & Waterway Consulting conducted a site visit on October 19, 2023 to determine the presence or absence of natural resource features on this property. Two areas of Mature Woodland are found on this parcel. Refer to the attached map for locations.

Both Mature Woodland #1 and #2 meet the definition of "...any grove consisting of eight (8) or more individual trees having a DBH of at least twelve (12) inches whose combined canopies cover at least fifty (50) percent of the area encompassed by the grove." The dominant tree species in Mature Woodland #1 are black walnut (*Juglans nigra*), black locust (*Robinia pseudoacacia*), and silver maple (*Acer saccharum*). The dominant tree species in Mature Woodland #2 are black walnut, black locust, silver maple, sugar maple (*Acer saccharum*), bur oak (*Quercus macrocarpa*), and shagbark hickory (*Carya ovata*).

No other Natural Resource Features are present on this property.

Please call me with questions.

Sincerely,

Dave Meyer

June 11, 2024

To Whom This May Concern,

In regards to mitigation in the Southeast corner of the DPW property, the following terms will be agreed upon.

City staff will work with the neighboring condo association to provide sufficient screening behind the addresses of 7796 and 7794 W Park Circle Way North. A vegetative screen can be planted with condo's choice of either Arborvitae, Juniper, Witch Hazel or similar native shrubs. Planting would occur on 7-8ft spacing. This would account for 21 plants in a 150' stretch. Three 2.5" diameter evergreen trees either Douglas Fir, Black Hills Spruce, or White Spruce. Four 2.5" diameter native deciduous trees. Species used could be White Oak, Sugar Maple, Hackberry, Catalpa or other requested native species. Planting will occur after construction to not interfere with installed utilities. Condo Association can confirm planting locations are adequate. In addition to these plantings DPW will also consider installing an additional four 2.5" diameter trees.

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Sugar Maple	Acer Saccharum	2
White Oak	Quercus alba	2
Hackberry	Celtis occidentalis	2
Northern Catalpa	Catalpa speciosa	2
American Arborvitae	Thuja occidentalis	21
Black Hills Spruce	Picea glauca var. densata	3
Total New Trees		32

Sincerely,

Tom Riha

City Forester

ISA- Certified Arborist/Municipal Specialist

CONSULTANTS


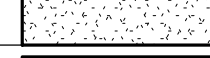
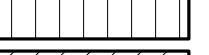
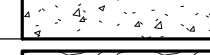
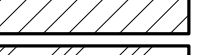

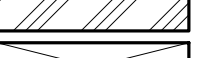
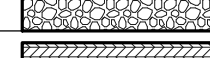

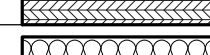
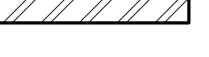
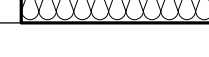
ARCHITECT **Kueny Architects** 10505 Corporate Drive, Suite 100
 (262) 857-8101 Pleasant Prairie, Wisconsin 53158

Architect of Record - Jon P. Wallenkamp (email) jonw@kuenyarch.com

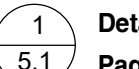

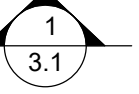
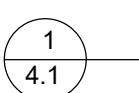
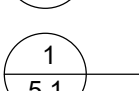
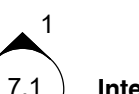

GENERAL NOTES

1. All concrete to test 4000 psi in 28 days.
2. Verify all dimensions, access, utilities and working conditions in the field.
3. Conform to all applicable codes, ordinances and safety standards.
4. Obtain and pay for all required permits and fees.
5. Notify Architect immediately if work cannot proceed as shown on Drawings or as described in the Specifications.
6. No concrete to be poured without Architect's prior review.
7. All Contractor's to co-operate with all trades, Owner's and Architect's representatives.
8. Leave site clean, neat and free of debris at all times.
9. Each Prime and Sub-contractor is responsible for having read each page of the Specifications, Drawings, Addenda and Change Orders.
10. Guard against interfering with Owner's operations.
11. These Drawings contain no provisions or procedures for on-site safety. Each Contractor and their employees are responsible to follow all laws and ordinances and provide their own engineering to provide a safe work place.
12. The locations of existing underground utilities, shown on these Drawings, are shown in an approximate way only and have not been independently verified by the Owner or its representatives. The Contractor shall determine the exact location of all existing utilities before commencing work, and agrees to be fully responsible for any and all damages which might be occasioned by the Contractor's failure to exactly locate and preserve any and all underground utilities.
13. Services perform for this project have been conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in this area under similar budget and time constraints. No warranty, expressed or implied, is made.

MATERIAL INDICATIONS

Earth Backfill		Sand Fill	
Rigid Insulation		Concrete	
Concrete Block		Finished Wood	
Aluminum		Stone Fill	
Lumber (Rough)		Plywood	
Steel		Batt Insulation	

DRAWING LEGEND

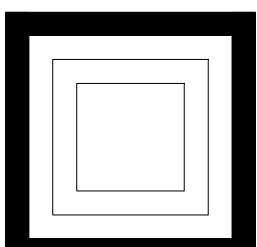
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+ 100.0 Existing Point Elevation			Page Number
+ 100.0 Existing Contours			Building Section
+ 100.0 New or Required Contours			Wall Section
A Grid Lines			Detail Section
Room Name # Room/Space Number			Interior Elevation
101A Door Number			Exterior Elevation
OH 101A OH Door Number			
# Wall Tag			

SHEET INDEX

ARCHITECTURAL	AD1.0 Title Sheet
ARCHITECTURAL	AD100 Overall Site Plan - Base Bid and Alternates Reference Plan
AD101	Site Plan
AD102	Landscape Plan
AD103	80th Street Recycling Site & Base Bid Access Plan - S 80th St.
AD202	Enlarged Floor
AD203	Exterior Elevations
AD204	Enlarged Mezzanine Floor Plan
AD301	Building Sections
AD302	Building Sections
Grand total: 10	

DPW Building Expansion City of Franklin

7979 W Ryan Road Franklin WI 53132



KUENY ARCHITECTS, LLC

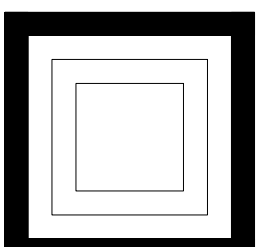
10505 CORPORATE DRIVE • SUITE 100 PLEASANT PRAIRIE, WI 53158

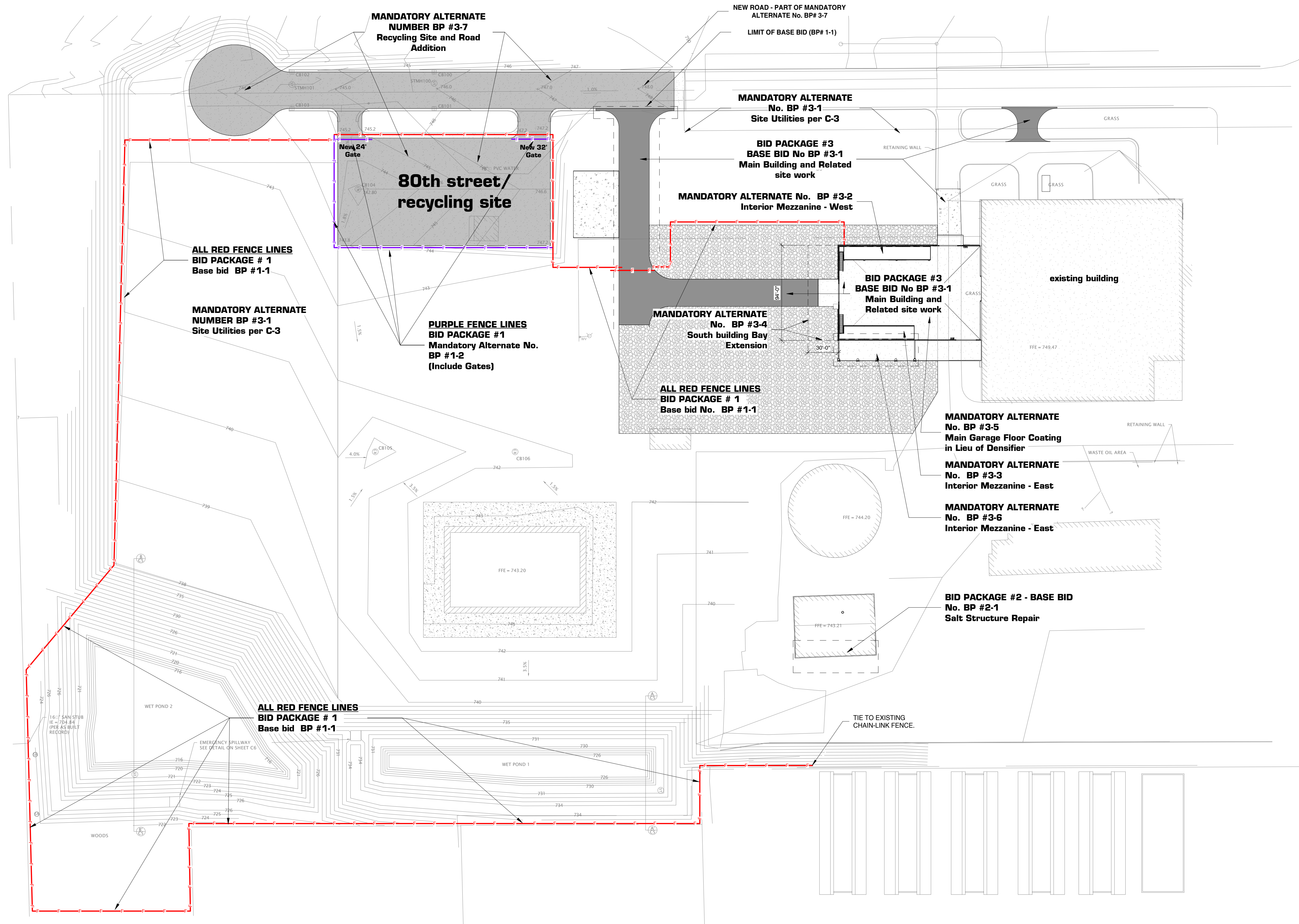
PHONE (262) 857-8101 FAX (262) 857 8103

City of Franklin
DPW Building Expansion

April 2, 2024

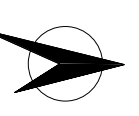
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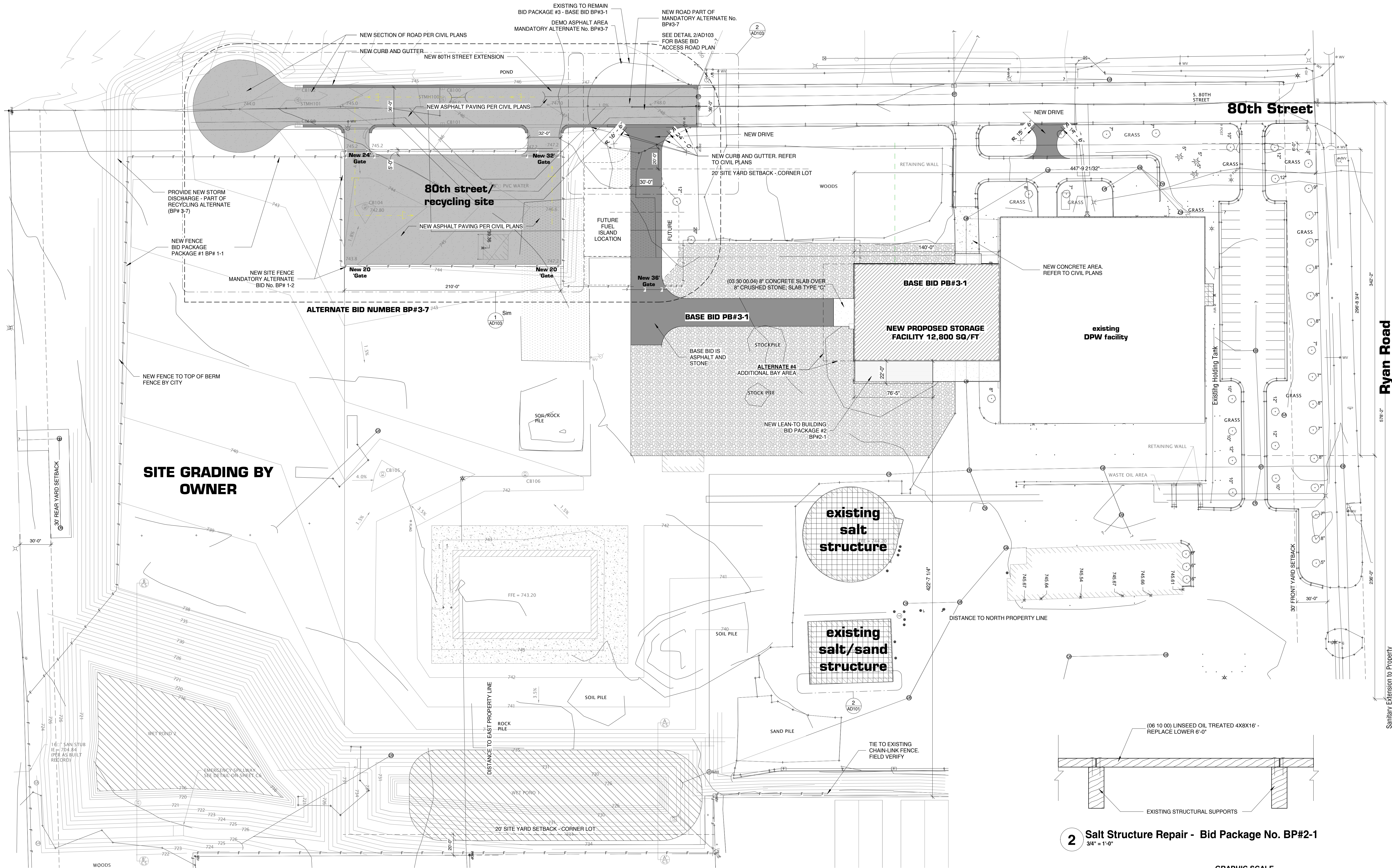
Overall Site Plan - Base Bid and Alternates Reference Plan

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 City of Franklin - DPW Building Expansion
 7979 W Ryan Road Franklin WI 53132
 April 2, 2024



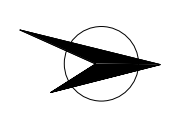
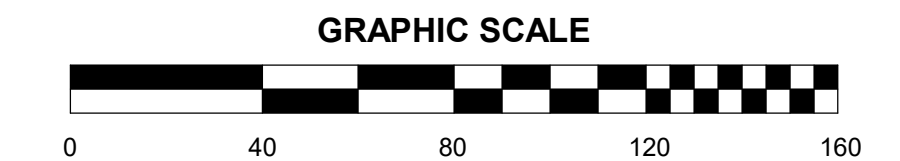
PLAN NORTH
 SCALE: 1" = 50'-0"

AD100



1 DPW - LEVEL 1 - Overall Floor Plan
1" = 40'-0"

2 Salt Structure Repair - Bid Package No. BP#2-1
3/4" = 1'-0"



Site Plan
kuenyarch.com ©2024 Kueny Architects L.L.C. - All Rights Reserved
City of Franklin - DPW Building Expansion
7979 W Ryan Road Franklin WI 53132
April 2, 2024

AD101

Sanitary Extension to Property

Ryan Road

80th Street

SITE GRADING BY OWNER

**80th street/
recycling site**

BASE BID PB#3-1

NEW PROPOSED STORAGE FACILITY 12,800 SQ/FT

existing DPW facility

existing salt structure

existing salt/sand structure

(06 10 00) LINSEED OIL TREATED 4X8X16' - REPLACE LOWER 6'-0"

EXISTING STRUCTURAL SUPPORTS

TIE TO EXISTING CHAIN-LINK FENCE. FIELD VERIFY

SAND PILE

SOIL PILE

SOIL PILE

ROCK PILE

DISTANCE TO EAST PROPERTY LINE

20' SITE YARD SETBACK - CORNER LOT

EMERGENCY SPILLWAY. SEE DETAIL ON SHEET C6

18" SANI STUB (E= 704.84) (PER AS BUILT RECORD)

WET POND 2

WOODS

WOODS

RETAINING WALL

NEW DRIVE

NEW CURB AND GUTTER. REFER TO CIVIL PLANS

20' SITE YARD SETBACK - CORNER LOT

FUTURE FUEL ISLAND LOCATION

FUTURE

NEW LEAN-TO BUILDING BID PACKAGE #2 - BP#2-1

ALTERNATE #4 ADDITIONAL BAY AREA

STOCK PILE

STOCK PILE

BASE BID IS ASPHALT AND STONE

(03 30 00 04) 8" CONCRETE SLAB OVER 8" CRUSHED STONE; SLAB TYPE 'C'

NEW ASPHALT PAVING PER CIVIL PLANS

NEW ASPHALT PAVING PER CIVIL PLANS

PROVIDE NEW STORM DISCHARGE - PART OF RECYCLING ALTERNATE (BP# 3-7)

NEW FENCE BID PACKAGE PACKAGE #1 BP# 1-1

NEW SITE FENCE MANDATORY ALTERNATE BID No. BP# 1-2

NEW FENCE TO TOP OF BERM FENCE BY CITY

ALTERNATE BID NUMBER BP#3-7

1.5%

4.0%

3.5%

1.5%

1 AD103

2 AD101

2 AD103

NEW ROAD PART OF MANDATORY ALTERNATE No. BP#3-7
SEE DETAIL 2/AD103 FOR BASE BID ACCESS ROAD PLAN

EXISTING TO REMAIN BID PACKAGE #3 - BASE BID BP#3-1
DEMO ASPHALT AREA MANDATORY ALTERNATE No. BP#3-7

NEW SECTION OF ROAD PER CIVIL PLANS
NEW CURB AND GUTTER

NEW 80TH STREET EXTENSION

POND

NEW ASPHALT PAVING PER CIVIL PLANS

NEW DRIVE

NEW ASPHALT PAVING PER CIVIL PLANS

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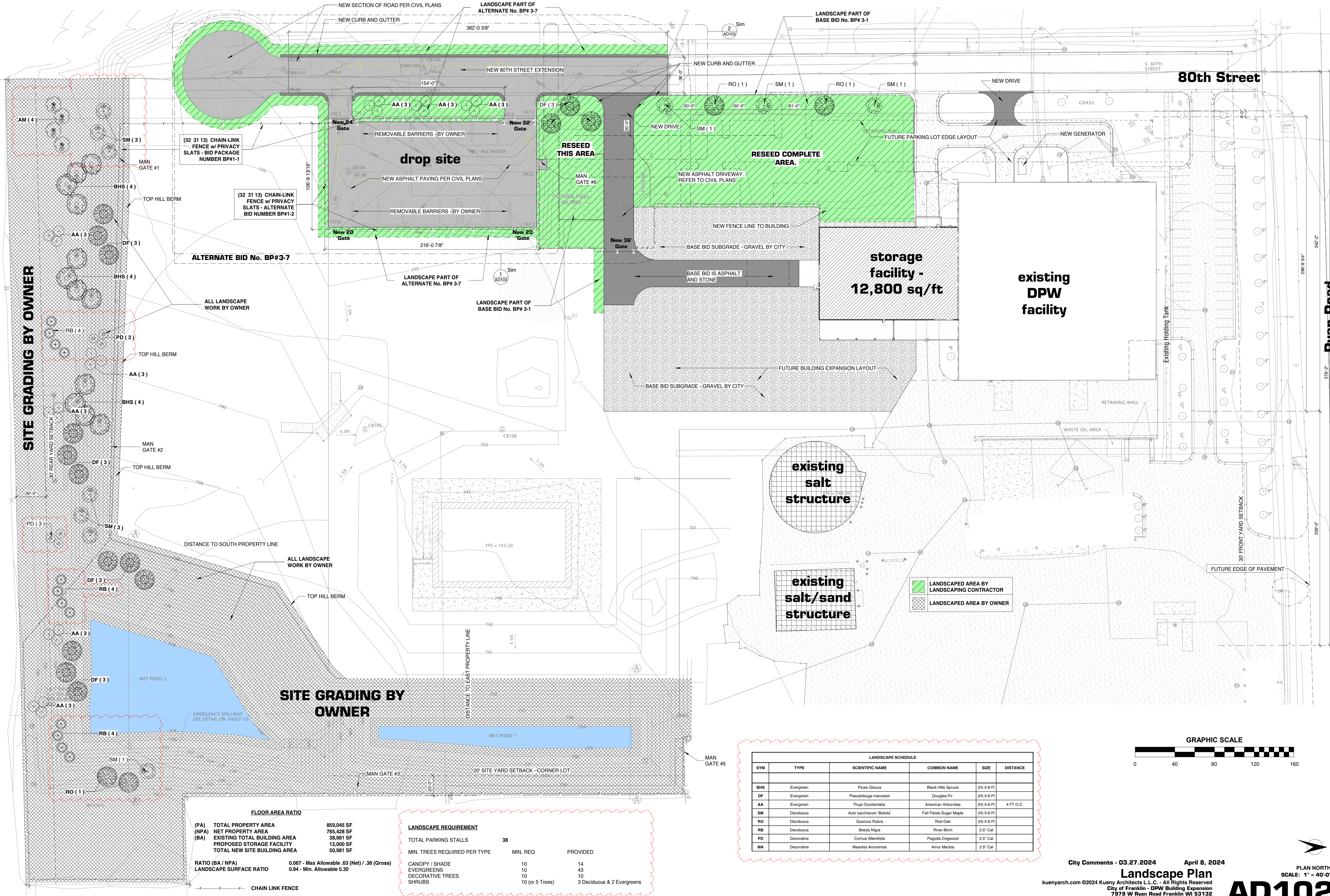
NEW ASPHALT PAVING PER CIVIL PLANS

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NEW ASPHALT PAVING PER CIVIL PLANS



FLOOR AREA RATIO

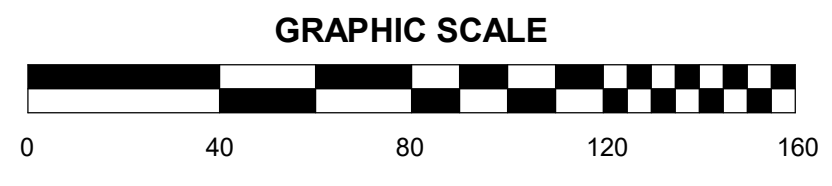
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(BA) EXISTING TOTAL BUILDING AREA	38,981 SF
PROPOSED STORAGE FACILITY	12,000 SF
TOTAL NEW SITE BUILDING AREA	50,981 SF
RATIO (BA / NPA)	0.067 - Max. Allowable .53 (Net) / .38 (Gross)
LANDSCAPE SURFACE RATIO	0.94 - Min. Allowable 0.30

LANDSCAPE REQUIREMENT

TOTAL PARKING STALLS	38
MIN. TREES REQUIRED PER TYPE	MIN. REQ. PROVIDED
CANOPY / SHADE	10 14
EVERGREENS	10 43
DECORATIVE TREES	10 10
SHRUBS	10 (or 5 Trees) 3 Deciduous & 2 Evergreens

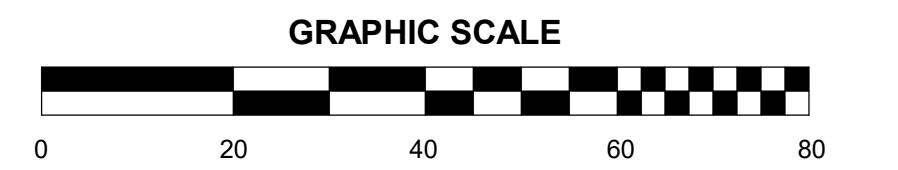
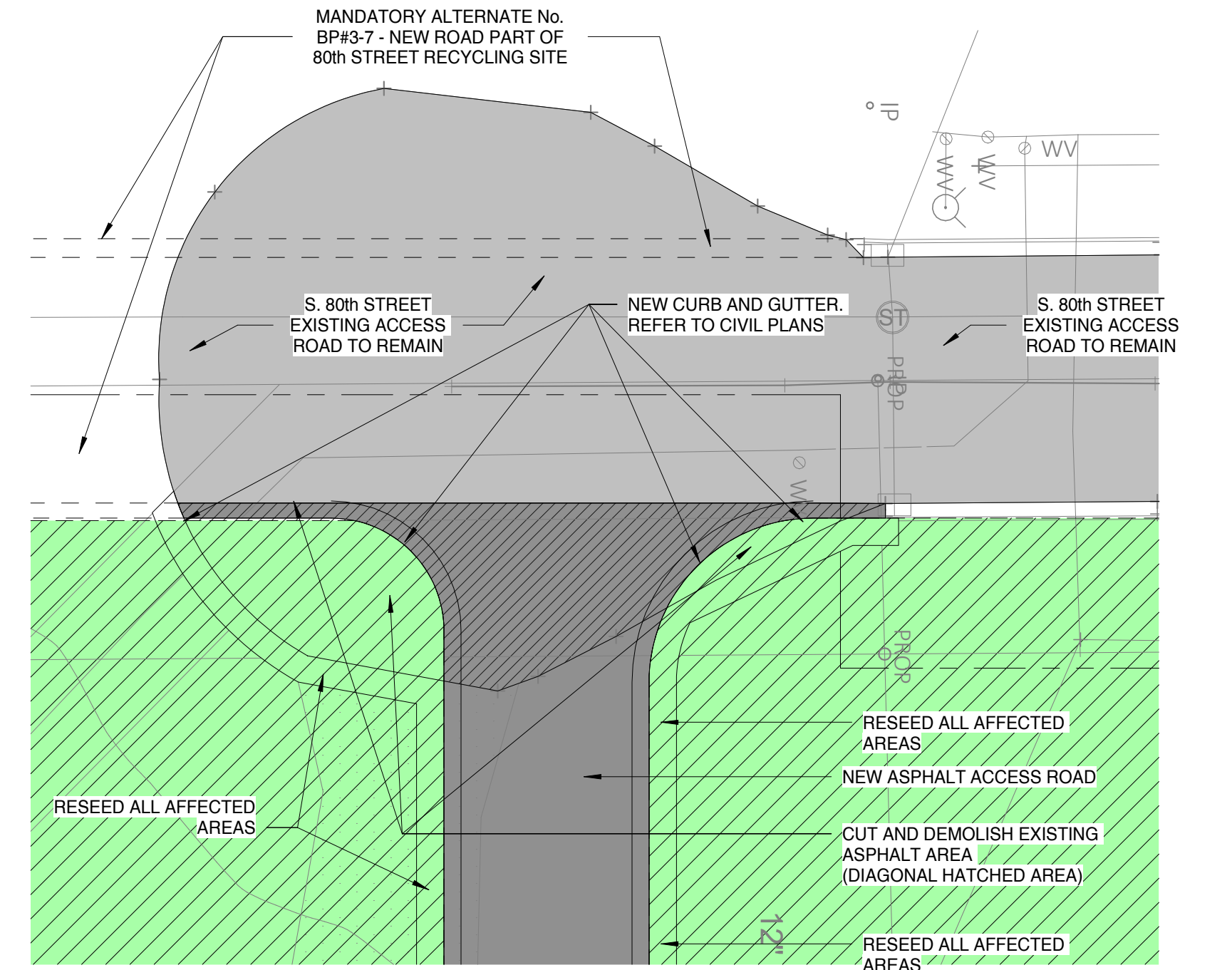
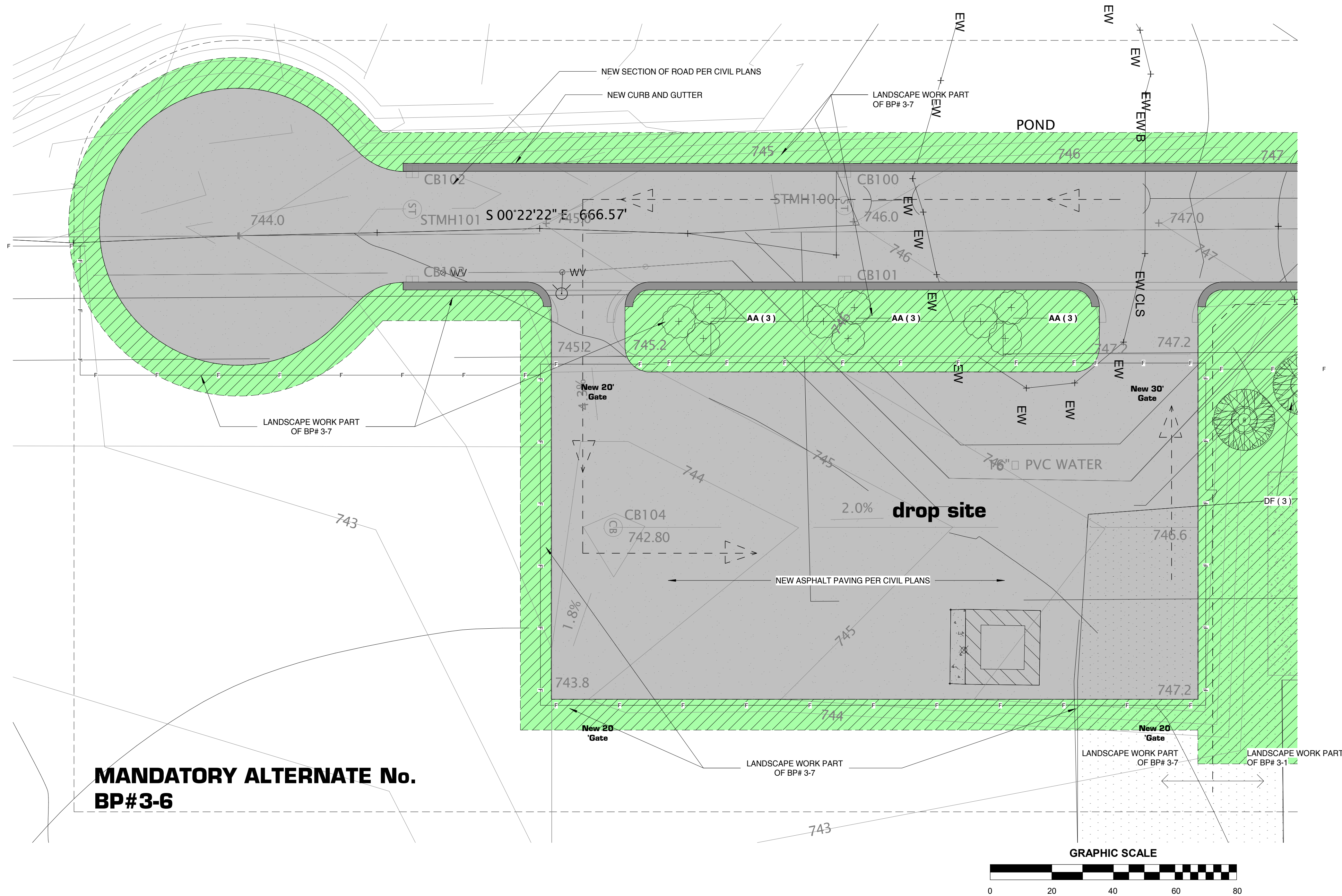
LANDSCAPE SCHEDULE

SYM	TYPE	SCIENTIFIC NAME	COMMON NAME	SIZE	DISTANCE
BHS	Evergreen	Picea Glauca	Black Hills Spruce	(H) 5-6 Ft	
DF	Evergreen	Pseudotsuga menziesii	Douglas-Fir	(H) 5-6 Ft	
AA	Evergreen	Thuja Occidentalis	American Arborvitae	(H) 5-6 Ft	4 FT O.C.
SM	Deciduous	Acer saccharum 'Ballista'	Fall Fiesta Sugar Maple	(H) 5-6 Ft	
RO	Deciduous	Quercus Rubra	Red Oak	(H) 5-6 Ft	
RB	Deciduous	Betula Nigra	River Birch	2.5' Cal	
PD	Decorative	Cornus Alternifolia	Pagoda Dogwood	2.5' Cal	
MA	Decorative	Maackia Amurensis	Amur Mackia	2.5' Cal	



City Comments - 03.27.2024 April 8, 2024
Landscape Plan
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 City of Franklin - DPW Building Expansion
 7979 W Ryan Road Franklin WI 53132
 April 2, 2024

PLAN NORTH
 SCALE: 1" = 40'-0"
AD102



2 Access Plan S. 80th Street - Base Bid No BP# 3-1
 1" = 20'-0"

1 DPW - LEVEL 1 - Drop Site
 1" = 20'-0"

KEYNOTE LEGEND

Spec. #	Description
01 00 00.44	FUTURE BOLLARD LOCATIONS
03 30 00.04	CONCRETE FLOOR OVER 8" CRUSHED STONE SLAB TYPE "C"
03 30 00.22	CONCRETE FLOOR W/WR LINE - PITCH TO DRAIN 1/4" PER FOOT MIN.
03 30 00.27	CONCRETE FROST STOOP TYP @ ALL EXTERIOR DOORS
03 30 00.31	CAST-IN-PLACE CONCRETE COLUMN BASE
03 41 00.01	INSULATED PRECAST CONCRETE WALL PANEL THICKNESS PER DETAILS (MIN. R-20)
03 41 00.13	PRE-CAST WALL TO BE DESIGNED FOR A FUTURE 20"x16" OH DOOR AT THIS LOCATION
05 12 00.04	STEEL COLUMN REFER TO STRUCTURAL PLANS AND SCHEDULES
05 12 00.06	STEEL BOLLARD w/PLASTIC YELLOW COVER PER DETAILS
06 12 00.18	6"x12"x14" HSS TUBE COLUMN
08 11 00.02	HOLLOW METAL DOOR AND FRAME SEE SCHEDULES
08 30 00.01	OVERHEAD SECTIONAL DOOR SEE SPECIFICATIONS
08 30 00.05	OH DOOR LOOP
08 31 00.03	PAINT ALL EXPOSED METAL
22 13 16.A5	CATCH BASIN REFER TO PLUMBING PLANS AND SPECS
22 13 16.A7	TRENCH DRAIN BY PLUMBING CONTRACTOR REFER TO MEP PLANS AND SPECS
22 44 00.A6	WATER REEL BY PLUMBING CONTRACTOR REFER TO MEP
22 44 00.A14	AIR REEL PLUMBING CONTRACTOR REFER TO MEP
23 07 00.A2	EXHAUST VENT DUCT REFER TO MECHANICAL PLANS AND SPECS
26 05 00.01	50 FT CORD ELECTRIC REEL BY ELECTRICAL CONTRACTOR REFER TO ELEC. PLANS

ADDITION ROOM SCHEDULE

NUMBER	NAME	FLOOR TYPE	BASE	WALL FINISH			CEILING		REMARKS	
				NORTH	SOUTH	EAST	WEST	TYPE		HEIGHT
AD101	vehicle storage	Concrete	-	EXIST	PC-1 / GL-2	PC-1 / GL-2	PC-1 / GL-2	STEEL DECK	VARIES	-

ADDITION PAINT SCHEDULE

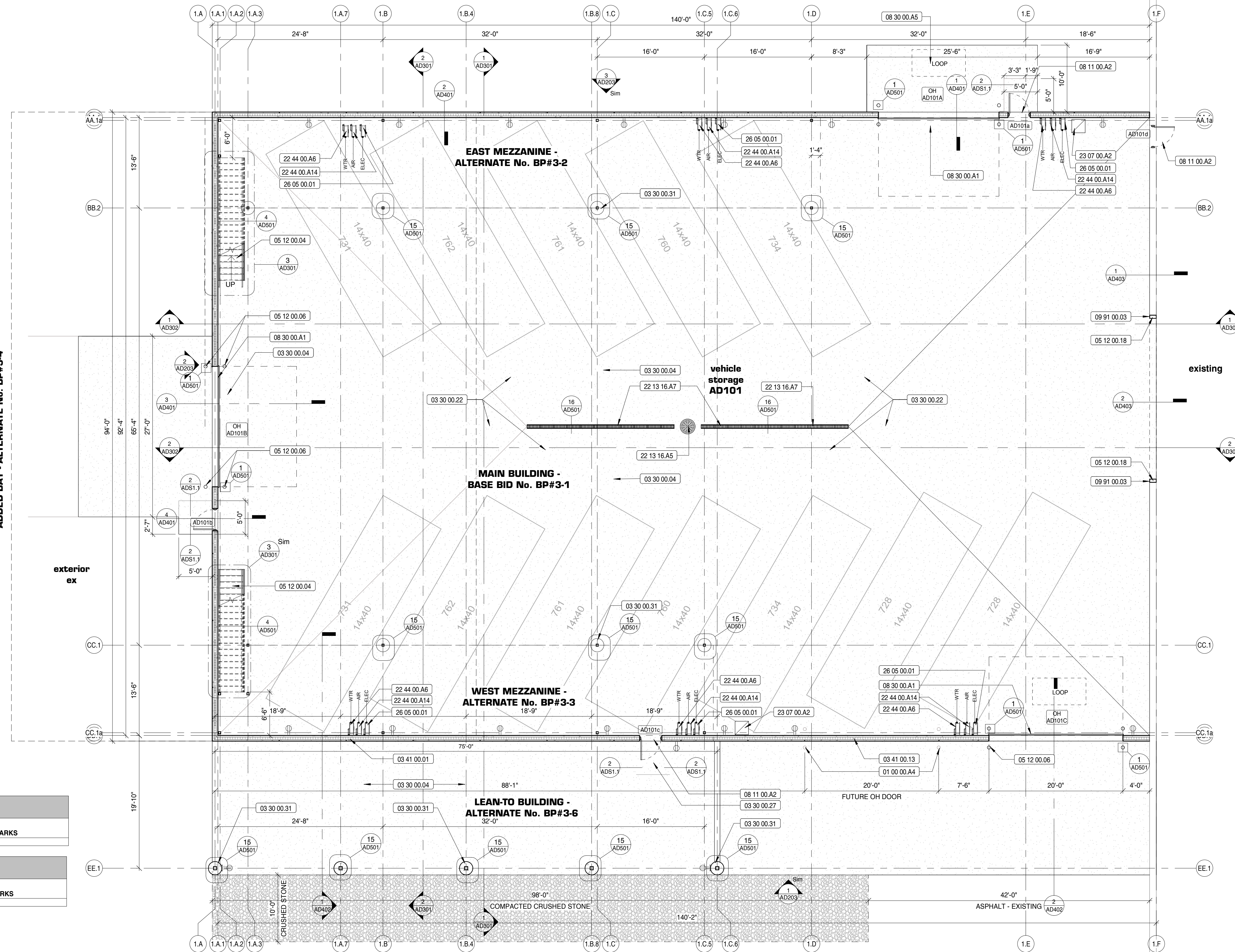
ROOM	NAME	FLOOR	WALLS				CEILING	METAL	WOOD	REMARKS
			NORTH	SOUTH	EAST	WEST				
AD101	vehicle storage	DENSIFIER	EPOXY	EPOXY	EPOXY	EPOXY	DRYFALL	ENAMEL	VARNISH	-

ADDITION DOOR SCHEDULE

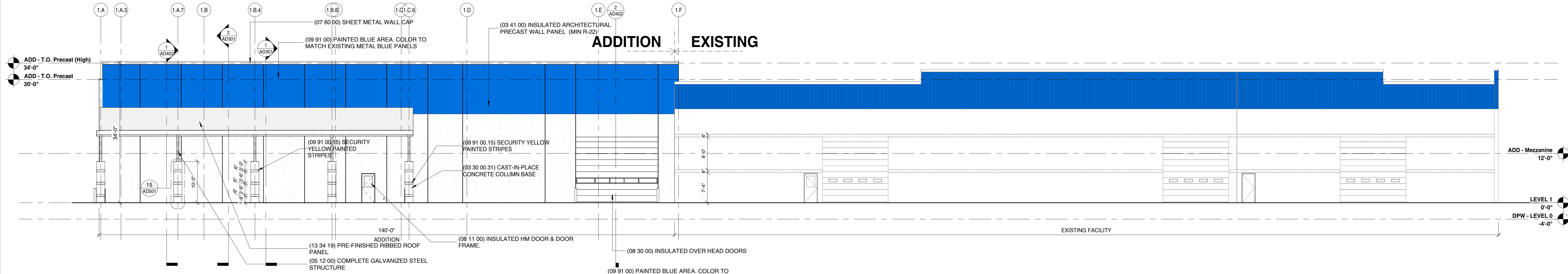
MARK	FROM ROOM		TO ROOM		TYPE	MATERIAL	SWING	DOOR			FRAME			REMARKS		
	NUM	NAME	NUM	NAME				WIDTH	HEIGHT	THICKNESS	GLASS	TYPE	MATERIAL		GLASS	
AD101a	AD101	vehicle storage	ex	exterior	HG	HM	LH	3'-0"	7'-0"	1.34"	1" INSULATED	A	HM	-	DOOR PREPPED FOR FUTURE ELEC. STRIKE	
AD101b	AD101	vehicle storage	ex	exterior	HG	HM	RH	3'-0"	7'-0"	1.34"	1" INSULATED	A	HM	-	DOOR PREPPED FOR FUTURE ELEC. STRIKE	
AD101c	AD101	vehicle storage	ex	exterior	HG	HM	RH	3'-0"	7'-0"	1.34"	1" INSULATED	A	HM	-	DOOR PREPPED FOR FUTURE ELEC. STRIKE	
AD101d	AD101	vehicle storage	ex	exterior	HG	HM	LH	3'-0"	7'-0"	1.34"	INSULATED	X	A	HM	-	DOOR PREPPED FOR FUTURE ELEC. STRIKE
OH AD101A	ex	exterior	AD101	vehicle storage	OH			18'-0"	16'-0"	1.34"	INSULATED					
OH AD101B	ex	exterior	AD101	vehicle storage	OH			18'-0"	16'-0"	1.34"	INSULATED					
OH AD101C	ex	exterior	AD101	vehicle storage	OH			20'-0"	16'-0"	1.34"	INSULATED					

ADDITION HARDWARE SCHEDULE

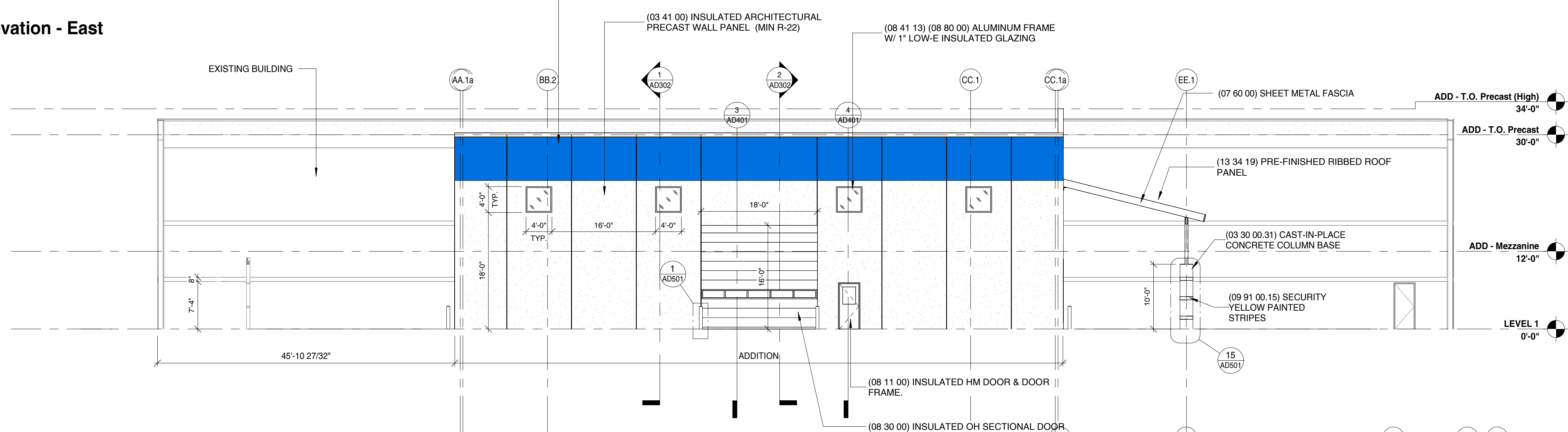
MARK	LOCKSET	PUSH-PULL	HOLD OPEN	CLOSER	HINGE	DOOR STOP	THRESHOLD	WEATHERSTRIP	KICKPLATE	SOUNDSTOP	NAMEPLATE	NOTES
AD101a	MEDECO (SEE SPEC)	-	-	X	B.B.	-	X	X	X	X	-	KICKPLATE ON PATH OF DIRECTION SIDE / DOOR PREP. FOR FUTURE ELEC. STRIKE
AD101b	MEDECO (SEE SPEC)	-	-	X	B.B.	-	X	X	X	X	-	KICKPLATE ON PATH OF DIRECTION SIDE / DOOR PREP. FOR FUTURE ELEC. STRIKE
AD101c	MEDECO (SEE SPEC)	-	-	X	B.B.	-	X	X	X	X	-	KICKPLATE ON PATH OF DIRECTION SIDE / DOOR PREP. FOR FUTURE ELEC. STRIKE
AD101d	MEDECO (SEE SPEC)	-	-	X	B.B.	-	-	-	X	X	-	KICKPLATE ON PATH OF DIRECTION SIDE / DOOR PREP. FOR FUTURE ELEC. STRIKE



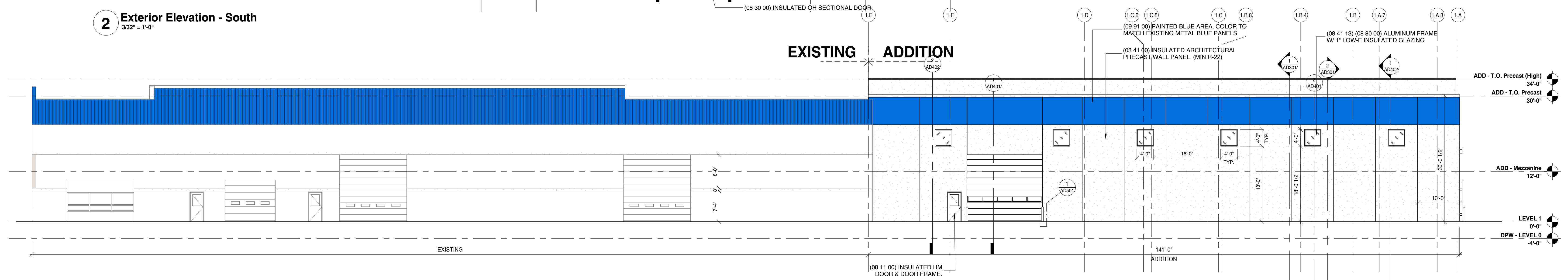
KEYNOTE LEGEND



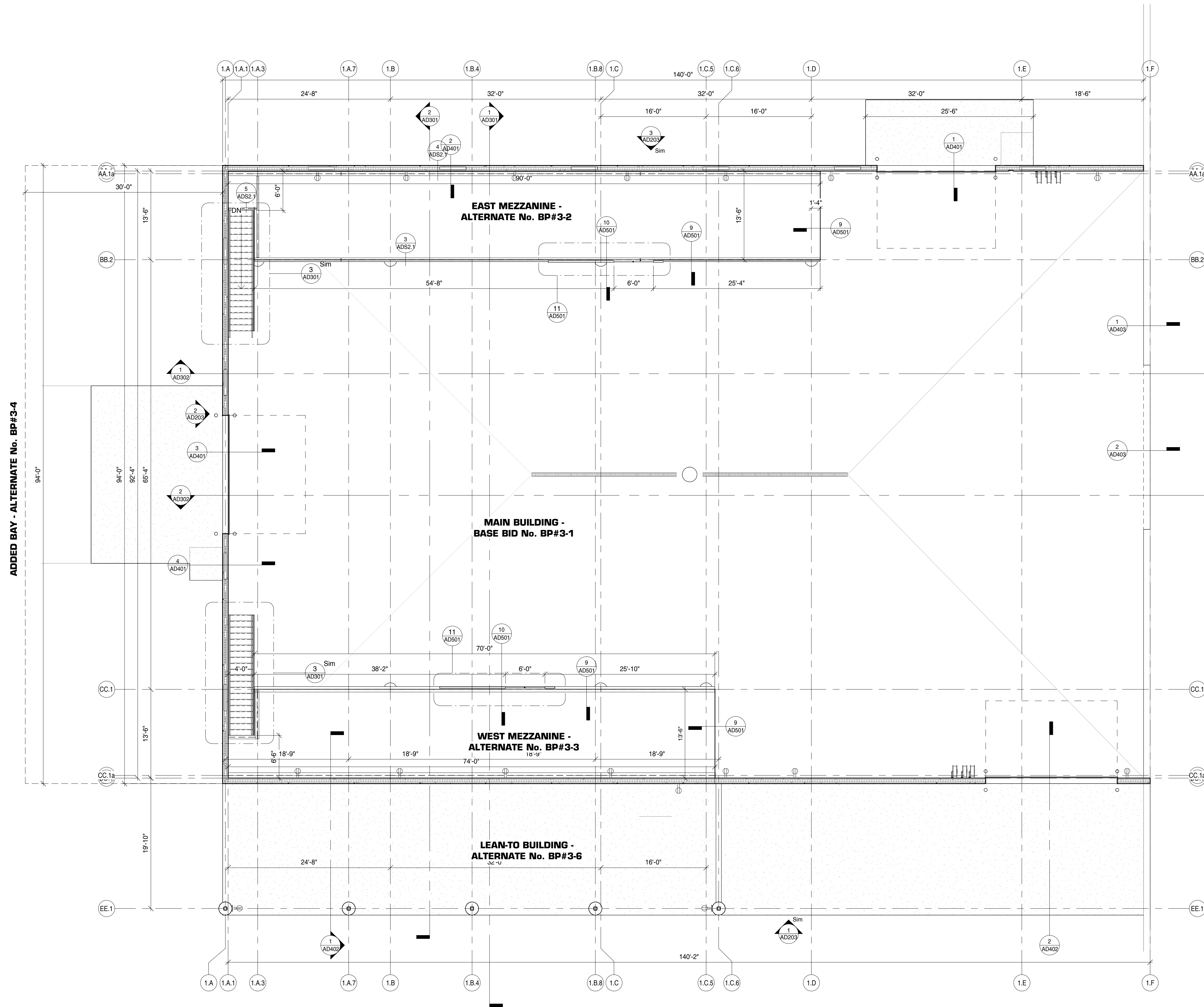
1 Exterior Elevation - East
 3/32" = 1'-0"



2 Exterior Elevation - South
 3/32" = 1'-0"

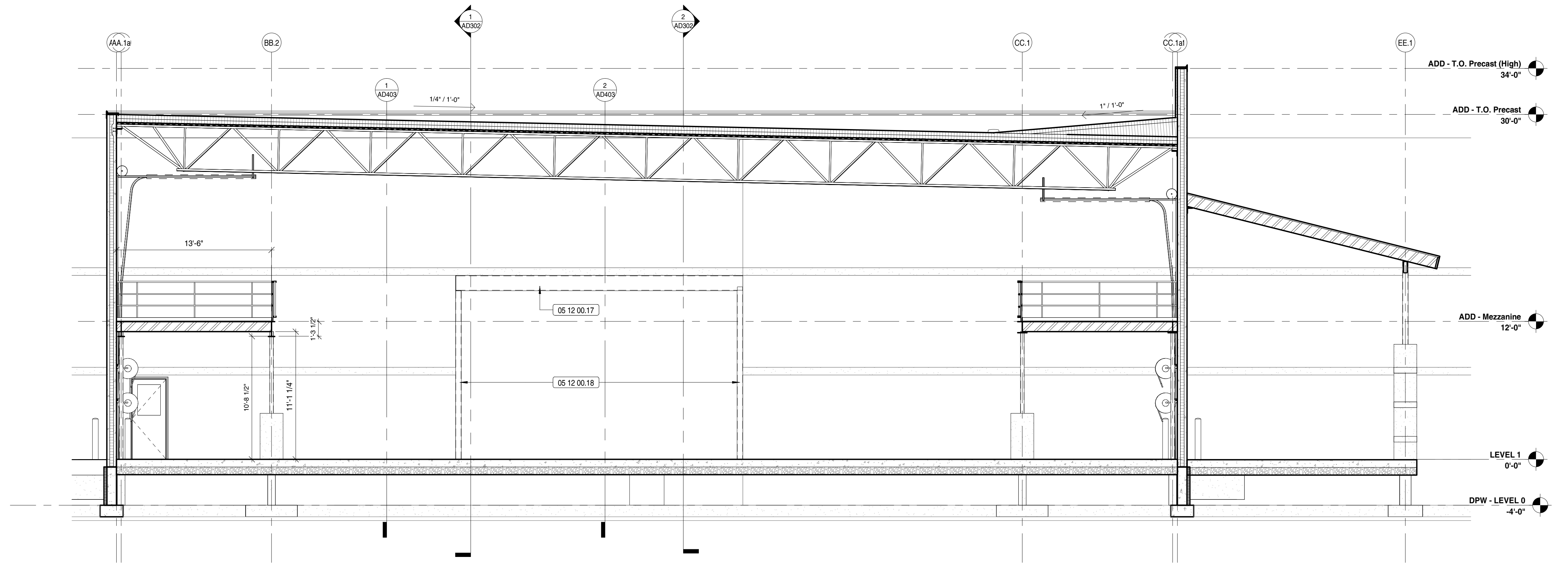


3 Exterior Elevation - West
 3/32" = 1'-0"

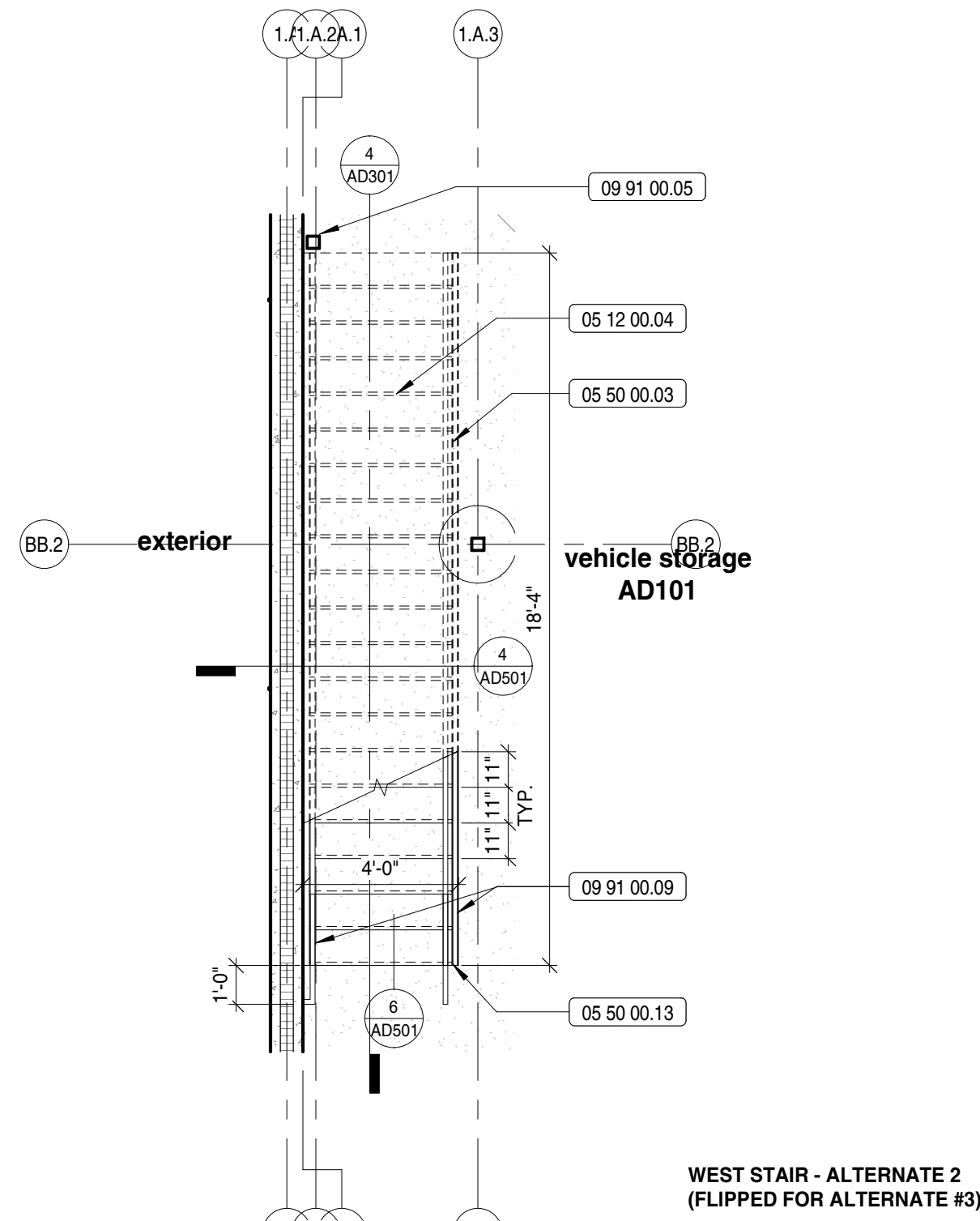


KEYNOTE LEGEND

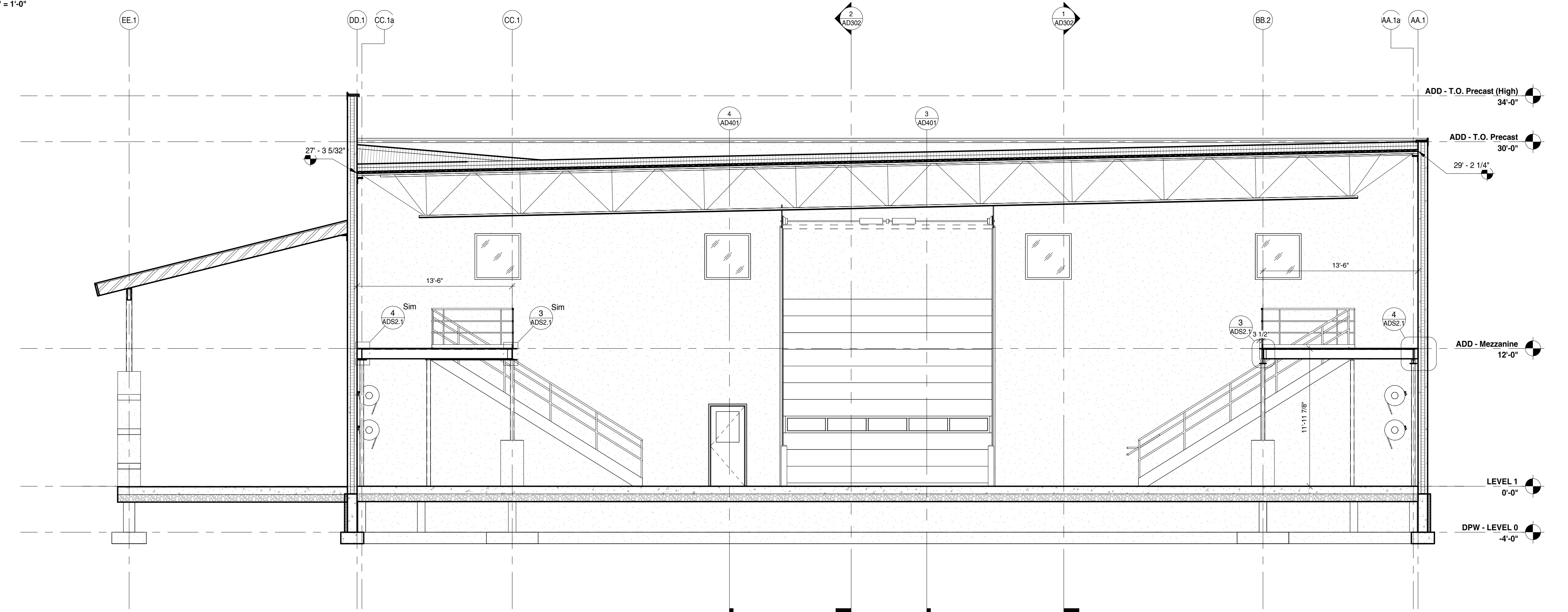
Spec. #	Description
05 12 00 04	STEEL COLUMN: REFER TO STRUCTURAL PLANS AND SCHEDULES
05 12 00 17	16"x12"x12" HSS TUBE BEAM: REFER TO STRUCTURAL PLANS
05 12 00 18	6"x12"x14" HSS TUBE COLUMN
05 50 00 03	1-1/2" DIAMETER STEEL GUARD RAIL
05 50 00 13	ANCHOR STRINGERS W/ (2) LINK EXPANSION ANCHORS
09 91 00 03	PAINT ALL EXPOSED METAL
09 91 00 05	PAINT WALLS PER ROOM FINISH SCHEDULE
09 91 00 09	PAINT ALL STAIR COMPONENTS SECURITY YELLOW PER SPECS
09 91 00 11	PAINT COLUMN BASE SECURITY YELLOW



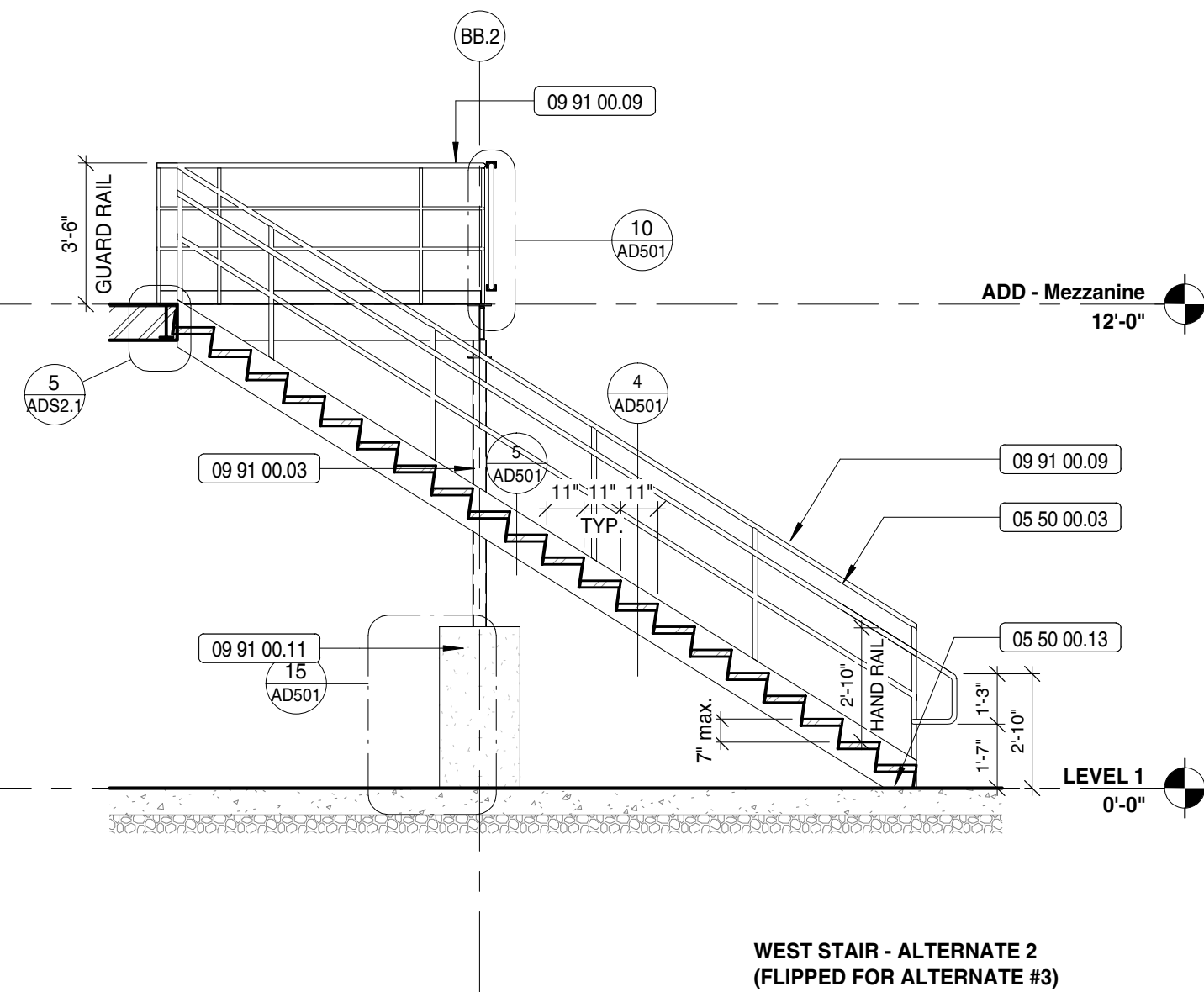
1 SECTION E/W-SOUTH
3/16" = 1'-0"



3 TYP. MEZZANINE STAIR PLAN
1/4" = 1'-0"

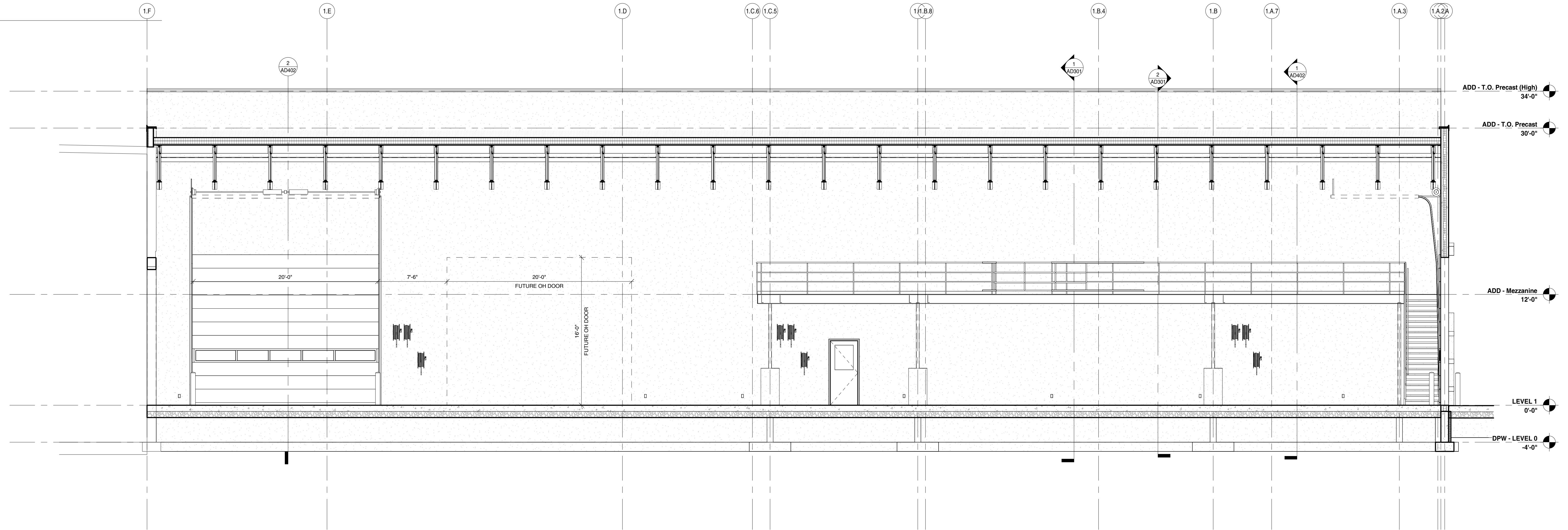


2 BUILDING SECTION E/W - NORTH
3/16" = 1'-0"

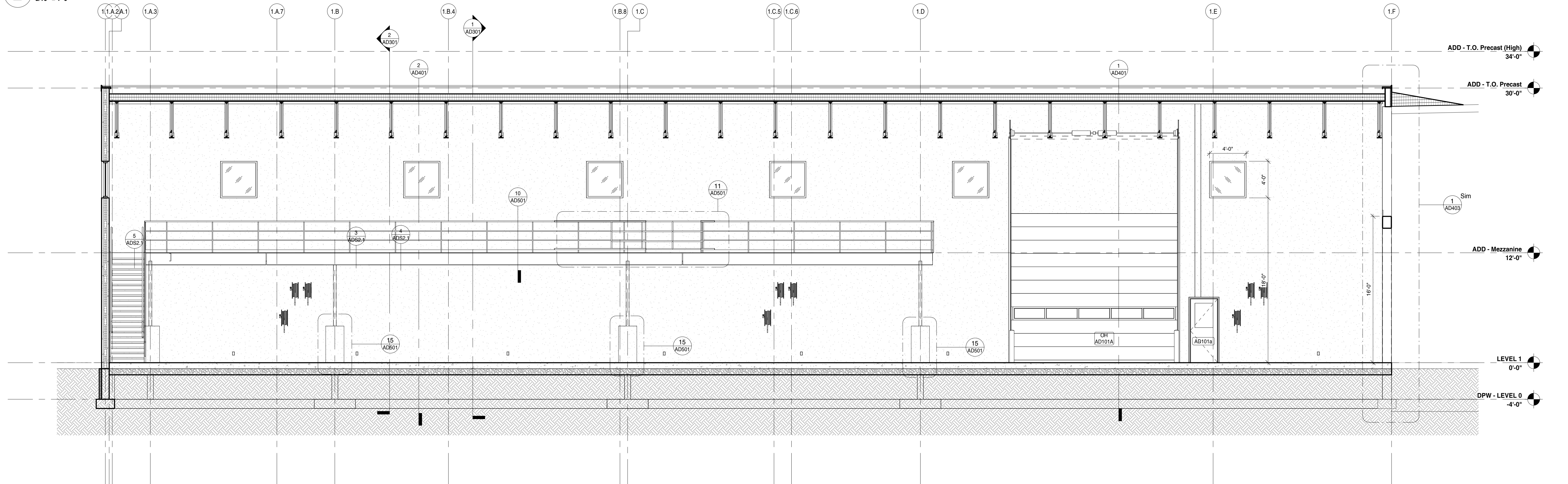


4 TYP. MEZZANINE STAIR SECTION
1/4" = 1'-0"

KEYNOTE LEGEND



2 SECTION N/S - EAST
3/16" = 1'-0"



1 SECTION N/S - WEST
3/16" = 1'-0"

June 11, 2024

To Whom This May Concern,

In regards to mitigation in the Southeast corner of the DPW property, the following terms will be agreed upon.

City staff will work with the neighboring condo association to provide sufficient screening behind the addresses of 7796 and 7794 W Park Circle Way North. A vegetative screen can be planted with condo's choice of either Arborvitae, Juniper, Witch Hazel or similar native shrubs. Planting would occur on 7-8ft spacing. This would account for 21 plants in a 150' stretch. Three 2.5" diameter evergreen trees either Douglas Fir, Black Hills Spruce, or White Spruce. Four 2.5" diameter native deciduous trees. Species used could be White Oak, Sugar Maple, Hackberry, Catalpa or other requested native species. Planting will occur after construction to not interfere with installed utilities. Condo Association can confirm planting locations are adequate. In addition to these plantings DPW will also consider installing an additional four 2.5" diameter trees.

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Sugar Maple	Acer Saccharum	2
White Oak	Quercus alba	2
Hackberry	Celtis occidentalis	2
Northern Catalpa	Catalpa speciosa	2
American Arborvitae	Thuja occidentalis	21
Black Hills Spruce	Picea glauca var. densata	3
Total New Trees		32

Sincerely,

Tom Riha

City Forester

ISA- Certified Arborist/Municipal Specialist