

- e. Any solid or hazardous waste disposal sites;
 - f. Any wastewater treatment ponds or facilities, except those permitted under Section NR 110.15(3)(b), Wis. Adm. Code; and
 - g. Any sanitary sewer or water supply lines.
3. **Area Regulations:** There are no specific minimum lot size requirements although conservancy zoned lands that lie within a larger parcel or tract of land, the remainder of which is zoned in any other District, shall have a minimum area requirement of that non-conservancy district.

SECTION 8 OR-C-W ORIGINAL VILLAGE CONSERVANCY WETLAND DISTRICT & C-W BUFFER DISTRICT REGULATIONS

A. The Purpose and Intent

The Original Village Conservancy Wetland District is established to preserve and protect areas of the Village that have historically been governed by the original conservancy and wetland regulations. This district is intended to maintain the ecological functions, natural character, and environmental quality of wetlands and associated lands. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Conservancy Wetland District, ensuring the continued protection of sensitive natural resources, wildlife habitat, and water quality. By maintaining these longstanding standards, the district supports environmental stewardship, safeguards community health and safety, and promotes a high quality of life for residents.

B. Use regulations: Permitted uses

1. The following uses are permitted within the C-W Conservancy - Wetland District and the C-W Buffer District subject to the provisions of Chapters 30 and 31 of the Wisconsin Statutes, and the provisions of other local, state and federal laws, if applicable:
 - a. Activities and uses which do not require the issuance of a conditional use permit, provided that no wetland alteration occurs:
 - b. Hiking, fishing, trapping with live traps only (not by bolt or Conobear traps), swimming, snowmobiling and boating;
 - c. The harvesting of wild crops, such as marsh bay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
2. Uses which do not require the issuance of a conditional use permit and which may involve wetland alterations only to the extent provided below:
 - a. The maintenance and repair of existing drainage systems to restore pre-existing levels of drainage, including the minimum amount of filling necessary to dispose of dredged spoil, provided that the filling is otherwise permissible and that dredged spoil is placed on existing spoil banks where possible;
 - b. The construction and maintenance of walkways, observation decks and trail bridges built on pilings, including limited excavating and filling necessary for such construction or maintenance;
 - c. The installation and maintenance of sealed tiles for the purpose of draining lands outside the shoreland-wetland zoning district provided that such installation or maintenance is done in a manner designed to minimize adverse impacts upon the natural functions of the shoreland-wetland listed in Section 7(B) of this Ordinance; and

- d. The maintenance, repair, replacement and reconstruction of existing highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
- e. Uses which are allowed upon the issuance of a conditional use permit and which may include wetland alterations only to the extent specifically provided below:
 - (1) The construction and maintenance of roads which are necessary for the continuity of the municipal street system, the provision of essential utility and emergency services, provided that:
 - (a) The road cannot, as a practical matter, be located outside the wetland;
 - (b) The road is designed and constructed to minimize adverse impacts upon the natural functions of the wetland listed in Section 7(B) of this Ordinance;
 - (c) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;
 - (d) Road construction activities are carried out in the immediate area of the roadbed only; and
 - (e) Any wetland alteration must be necessary for the construction or maintenance of the road.
 - (2) The establishment and development of public and private parks and recreation areas, outdoor education areas, historic, natural and scientific areas, game refuges and closed areas, fish and Wildlife habitat improvement projects, game bird and animal farms and wildlife preserves, provided that:
 - (a) Any private development allowed under this paragraph shall be used exclusively for the permitted purpose;
 - (b) The construction and maintenance of roads necessary for the uses permitted under this paragraph are allowed only where such construction and maintenance meets the criteria in Section 3(D)(5) and Section 7(C)(1)(g); and
 - (c) Wetland alterations in game refuges and closed areas, fish and wildlife habitat improvement projects, and wildlife preserves, shall be for the purpose of improving wildlife habitat or to otherwise enhance wetland values.
 - (3) The construction and maintenance of electric and telephone transmission lines, water and gas distribution lines and sewage collection lines and related facilities and the construction and maintenance of railroad lines provided that:
 - (a) The utility transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
 - (b) Only limited filling or excavating necessary for such construction or maintenance is allowed and said activities comply with Section 3(D)(5) and Section 7(C)(1)(g) of this Ordinance; and
 - (c) Such construction or maintenance is done in a manner designed to minimize adverse impacts upon the natural functions of the wetland listed in Section 7(C)(1)(g) of this Ordinance.

SECTION 9 EC ENVIRONMENTAL CORRIDOR OVERLAY DISTRICT

A. Purpose and Intent

The EC Environmental Corridor Overlay District, as mapped or intended to be mapped, includes non-wetland/floodplain primary and secondary environmental corridors and isolated natural resource areas as defined in this Ordinance, and is intended to be used to preserve, protect, enhance, and restore significant woodlands, upland wildlife habitat areas, scenic overlooks, slopes exceeding 12%, and upland wooded areas, while also affording an opportunity to use the site for limited residential purposes, in concert with the goal and intent of the Regional Land Use Plan, or locally adopted plan, which recommends that residential densities in such areas not exceed one unit per five acres for all parcels which lie entirely within the environmental corridor. Where questions arise as to the exact location or boundary of an environmental corridor, the extent and location of such corridors shall be refined and finally determined by infield investigation by the Zoning Administrator or designee, and a notation shall be made on the district zoning map of the Village's Zoning and Shoreland Protection Ordinance indicating that such a determination has been made for future reference and map amendment purposes.

If an in-field determination finds that all or a portion of a property within said overlay district is erroneously mapped, the field determined boundaries shall immediately become subject to the applicable district regulations. Lands with an underlying zoning designation of FLP Farmland Preservation District shall comply with the more restrictive parameters of the FLP District but shall be allowed limited disturbance within EC areas if authorized in accordance with Section 11(I)(3)(d).

B. Permitted, accessory and conditional uses.

All permitted, accessory and conditional uses shall be in compliance with the uses identified within the underlying zoning district.

SECTION 10 FLC FARMLAND CONSERVANCY DISTRICT

A. Purpose and intent

This District is intended to apply to those areas that are designated on the Comprehensive Development Plan for Waukesha County for Farmland Preservation and which are presently in agricultural use by virtue of either cultivation, pasture or in some other way, and which if they were not being used for agricultural purposes would be classified as conservancy lands due to inherent wet soil characteristics and/or the presence of natural vegetation indicative of wet soils. The intent of the District is to preserve and maintain agricultural uses on lands suited for such purposes. They often include lands poorly suited for urban or suburban development while being particularly well suited for some types of agricultural use.

In this District, structures related to farm operations, including existing dwellings, are deemed consistent with the purpose of this section where the location of buildings associated with the permitted agricultural operation is found to conform with health, sanitation and safety provisions of this and any other state regulation or local ordinance. Determination of such suitability shall be evidenced by on-site examination and evaluation. The intent for mapping purposes is that lands within this District shall have exhibited those Agricultural Uses in the past. It is not the intent of this section to promote or permit the conversion of wetlands. If a new lot of less than 35 acres is proposed and a portion of the lands to be included in the lot area are zoned FLC District, said lands may only be included within the lot area if the proposal complies with the siting, density, area, etc. parameters of the FLP District.

B. Use regulations: Permitted uses

1. Any uses and structures permitted in the C-1 Conservancy Overlay District.
2. Agricultural and farm uses, except fur and pig farms and poultry and/or egg production which require Conditional Use authorization pursuant to Section 10(D)(4). Such uses shall not fill or convert Wetlands.
3. Agricultural Accessory Uses including existing Single-family Dwellings that existed on January 1, 2014 and shelters for housing animals that comply with Section 2(B)15. of this Ordinance or permitted as an appurtenance to a Farm Residence, except that no structure shall be located in a Floodplain or wetland or upon lands not suited due to soil limitations.
4. Nurseries, greenhouses and hatcheries.
Retail sales of such product to that which is produced by the farm operator, subject to review and approval of a Site Plan and Plan of Operation by the Plan Commission and the Zoning Administrator in accordance with Section 3(c) of this Ordinance.
5. Roadside stands, subject to the provisions of Section 11(D)(5).

C. Use regulations: Accessory uses

1. Agricultural accessory uses.
 - a. Includes existing single-family dwellings that existed on January 1, 2014 and shelters for housing animals that comply with Section 2(b)14 of this Ordinance or permitted as an appurtenance to a Farm Residence, except that no structure shall be located in a Floodplain or wetland or upon lands not suited due to soil limitations
 - b. Roadside stands.
 - (1) Limited to 100 square feet in size.
 - (2) Only produce and farm products can be displayed for sale.
 - (3) No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet

to any lot line.

- (4) No parking within the right-of-way of the public road is allowed.

D. Use regulations: Conditional uses

Conditional uses, as provided in Section 4(E) and listed below:

1. Accessory dwelling unit.
2. Animal Hospitals and Veterinarian Clinics; and Commercial Dog Kennels but only if they comply with the Farm Family Business provisions of ATCP 49.
3. Commercial truck parking. except that such use may be allowed but only if incidental to and compatible with the continued long term Agricultural Use of the lands as determined by the Town Plan Commission and the County Zoning Administrator and comply with the Farm Family Business provisions of ATCP 49.
4. Fur farms, pig farms, creameries, condensories, commercial or custom grain drying operations and poultry and/or egg production.
5. Land altering activities in accordance with the requirements of Section 4(E)(7), provided such activities do not negatively affect the long-term suitability of the lands for agricultural purposes.
6. Expansion or restoration of a non-conforming use or structure.
7. Boarding Stable and/or Riding arena.

E. Bulk Regulations

Residential use structures must comply with the requirements of Section 11(I) and structures are subject to the following locational requirements:

Minimum & Maximum Lot Area	35 acres for agricultural parcels.
Minimum Floor Area for Single-Family Dwelling	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted	10% of lot area or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset	20 feet, 50 feet for buildings housing animals
Maximum Residential Principal Building Height	35 feet
Maximum Farm Principal Building Height	35 feet for any structure located within 75 feet of ordinary high water mark 60 feet for all others 100 feet if an equal or greater height from property lines.
Maximum Accessory Building Height	60 feet, if used for farm or agricultural

purposes.

18 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

F. Rezoning lands out of FLC District

1. Except as provided in Section 10(G)(2), lands may not be rezoned out of the FLC District unless the Village finds all of the following in writing, after public hearing, as part of the official record of the rezoning:
 - a. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.
 - b. The rezoning is consistent with any applicable comprehensive plan.
 - c. The rezoning is substantially consistent with the County Farmland Preservation Plan, which is in effect at the time of the rezoning.
 - d. The rezoning will not substantially impair or limit current or future Agricultural Use of other protected farmland.
2. Subsection 10(G)(1) does not apply to any of the following:
 - a. A rezoning that is affirmatively certified by DATCP under Ch. 91 of State Statutes.
 - b. A rezoning that makes the farmland preservation zoning ordinance map more consistent with the County Farmland Preservation Plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the rezoning.
3. By March 1 of each year, Lac La Belle shall provide to DATCP a report of the number of acres that the Village has rezoned out of the FLC District during the previous year and a map that clearly shows the location of those acres.

SECTION 11 FLP FARMLAND PRESERVATION DISTRICT

A. Purpose and Intent

The intent and purposes of the FLP Farmland Preservation District are:

1. To maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural Development and minimizing land use conflicts among incompatible uses.
2. To maintain a viable agricultural base and associated agricultural supportive uses.
3. To protect and preserve the rural landscape.
4. To implement the provisions of the Waukesha County Farmland Preservation Plan.
5. To comply with the provisions of the Wisconsin Farmland Preservation Law which permits eligible landowners to receive tax credits under Section 71 of the Wisconsin State Statutes.
6. To maintain a use that adds to the economic base of the Village.

B. Lands to be included within the FLP Farmland Preservation District.

Lands that are to be included or mapped within the FLP District are limited to those lands that have been designated for farmland preservation in the adopted Waukesha County Farmland Preservation Plan.

C. Use Regulations: Permitted Uses

1. Agricultural or farm uses.
2. Agriculture-Related Uses subject to the requirements of Chapter 91 of the Wisconsin Statutes.
3. Pre-existing Nonfarm Residences that existed as of January 1, 2014 and Farm Residences that existed as of May 31, 2015.
4. A transportation, communication, utility (electric, gas, telephone, cable, fiber optic, water, sewer, etc.) transmission, distribution, or pipeline, drainage, or other use that is required under state or federal law to be located in a specific place or that is authorized to be located in a specific place under a state or federal law that pre-empts the requirement for a Conditional Use Permit for that use as outlined in Section 11(E)(3)(c) below.
5. Legal non-conforming uses.
6. Other uses identified by DATCP rule and which are deemed consistent with the stated purpose and intent of this District subject to approval of the Plan Commission and the Zoning Administrator.

D. Accessory Uses:

1. Living quarters for full-time farm employees if the unit is within 200 feet of the existing cluster of farm buildings, is served by a common driveway, and is intended and necessary for the farm operation. Occupancy of such living quarters is limited to full-time hired employees of the farming operation and their immediate family. Such living quarters may not be inhabited by the farm owners. Only one such quarters for full-time farm employees is permitted on a lot.
2. Home occupations if said particular use complies with the farm family business provisions as

specified by rule by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

3. Hobby kennels.
4. Farm buildings housing animals, barnyards, and feedlots that are not located within a floodland, nor closer than 100 feet to any navigable water course, nor closer than 100 feet to an existing adjacent dwelling.
5. Roadside stands, subject to the following requirements:
 - a. Temporary roadside stand structures shall be no more than 100 square feet in size.
 - b. Off-street parking for a minimum of five vehicles must be provided and there shall be no parking within the right-of-way of the public road.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. Only produce and farm products can be displayed for sale.
 - e. Roadside stands with a permanent Building shall require Site Plan and Plan of Operation approval and shall comply with all size and locational requirements.
6. Nurseries, orchards, greenhouses/horticulture/floriculture, viticulture, apiculture, forestry, and hatcheries limiting the retail sales of such product to that which is produced on the premises by the farm operator, subject to review and approval of a Site Plan and Plan of Operation by the Plan Commission in accordance with Section 3(c)6 of this Ordinance.

E. Use Regulations: Conditional Uses

1. Conditional Uses pursuant to the procedural requirements of Section 4, and if all of the following apply:
 - a. The use and its location in the FLP District are consistent with the purposes and intent of the FLP District.
 - b. The use and its location in the FLP District are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - c. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from Agricultural Use or Green Space use.
 - d. The use does not substantially impair or limit the current or future Agricultural Use of surrounding parcels of land that are zoned for or legally restricted to Agricultural Use.
 - e. Construction damage to land remaining in Agricultural Use is minimized and repaired to the extent feasible.
 - f. The use does not conflict with surrounding land uses.
2. Prior to the issuance of a Conditional Use Permit for an approved Conditional Use in the FLP District, any requirements listed for an individual Conditional Use under Section 4(E), in Section 11(e) of the FLP District, or imposed as part of the Conditional Use approval must first be satisfied.
3. The list of Conditional Uses that may be applied for within the FLP District is as follows:
 - a. Government, nonprofit community uses, institutional, Buildings for religious assembly, cemeteries and mausoleums for the burial of human remains only, and other public and semi-public Buildings and uses – as defined in this Ordinance.

- b. Animal Hospitals and Veterinarian Clinics; and Commercial Dog Kennels but only if they comply with the Farm Family Business provisions of ATCP 49.
- c. Commercial Truck Parking, except that such use may be allowed but only if incidental to and compatible with the continued long term Agricultural Use of the lands as determined by the Plan Commission and comply with the Farm Family Business provisions of ATCP 49.
- d. Fur Farms, Pig Farms, Creameries, Condenseries, Commercial or Custom Grain Drying Operations and Poultry and/or Egg Production.
- e. Boarding Stables and Riding Arenas (including commercial boarding stables), except that such use may be allowed only if incidental to and compatible with the continued long term Agricultural Use of the lands (i.e., private hunt clubs during the non-growing season, for example).
- f. Land altering activities in accordance with the requirements of Section 4(E)(7), provided such activities do not negatively affect the long-term suitability of the lands for agricultural purposes.
- g. Accessory Dwelling units, pursuant to Section 4(E)(8), provided that the density requirements of the Farmland Preservation Plan are complied with.

F. Building Location

1. Road Setback:

- a. Residential Use Structure:
50 feet minimum, unless measured from a Local Road, in which case, the setback is 35 feet minimum.
- b. Accessory or Farm Building:
50 feet minimum, unless measured from a Local Road, in which case, the Setback is 35 feet minimum. Buildings that house animals must be 50 feet minimum.

2. Shore and Wetland Setback:

- a. Shoreland setback 75 feet minimum.
- b. Wetland setback 25 feet minimum.

3. Floodplain Setback (within the two tenths percent (0.2%) floodplain per FEMA):

- a. 35 feet minimum.

4. Offset:

- a. Residential Use Structure:
20 feet minimum, unless otherwise excepted in this Ordinance.
- b. Accessory or Farm Building:
20 feet minimum, unless otherwise excepted in this Ordinance. Buildings that house animals must be 50 feet minimum.

G. Height Regulations

1. Residential Buildings:

- a. Residence: The regulations and exceptions of Section 3(I)1 apply.
- b. 35 feet maximum.

2. Farm Buildings:

- a. 60) feet maximum. The Structure shall not exceed 35 feet in height if located within 75 feet of the Ordinary High Water Mark of a Navigable Waterway.
- b. Farm buildings may be increased to not more than 100 feet where the Road Setback, Shore/Wetland Setback, and Offset all equal or exceed the height of the Structure. In no case, shall the Structure exceed 35 feet in height if located within 75 feet of the Ordinary High Water Mark of a Navigable Waterway.

H. Area and Building Footprint Regulations

1. Minimum Floor Area required for Single-family Dwelling where permitted:

- a. First floor: 850 square feet.
- b. Total: 1,100 square feet.

2. Maximum Building Footprint permitted: 10% lot area, or 1,100 square feet, whichever is greater.

3. Additional regulations and exceptions from Section 3(J) apply.

I. New Residences and Lots

New residences and new lots or parcels of less than 35 acres shall be prohibited for lands currently zoned FLP District and shall only be authorized if in accordance with the following requirements:

- 1. Rezoning required. New residences and new lots or parcels of less than 35 acres in area are not permitted within the FLP District without the benefit of rezoning. If a new Residence or lot of less than 35 acres is proposed for lands currently zoned FLP District, the land must first be rezoned to the R-1 Residential District where farm or residences are a permitted use.

Lands to be rezoned must comply with the density parameters of the Comprehensive Development Plan for Waukesha County that are described in detail in Section 11(I)(2) below. Prior to submitting an application to rezone lands currently zoned FLP District, petitioners shall participate in a concept review meeting to be held with the respective Zoning Administrator to discuss proposed density and lot siting and compliance with the below stated requirements of this section.

If a lot of less than 35 acres is permitted via the rezoning process, the remnant lands can be less than 35 acres in area provided that a deed restriction is recorded against said lands prohibiting construction of residences or non-farm Buildings.

New Nonfarm Residences must also comply with the standards set forth in Chapter 91 of the Wisconsin Statutes.

- 2. Density. A maximum density of one dwelling unit per 35 acres shall be permitted for lands designated for Farmland Preservation on the adopted Comprehensive Development Plan for

Waukesha County. Existing dwelling units and land divisions that have taken place after the dates specified below shall be used in computing available density. If only part of a parcel is within the Village's shoreland jurisdictional area, the entire property's acreage, number of existing dwelling units and prior land divisions from parent parcels shall be considered in determining available density.

- a. Density Considerations- land divisions after January 1, 1997: New lots or parcels of less than 35 acres that were created from a parent parcel or parcels that comprised a farm, as it existed on January 1, 1997, and that were located on lands designated "Agricultural Preservation" or "Farmland Preservation" at the time of land division on the Comprehensive Plan for Waukesha County, shall be counted in determining the available density or "Development Rights" remaining for a farm as it was configured on May 31, 2015. The number of available Development Rights shall be reduced by one Development Right for each such lot that was created after January 1, 1997. Farm boundaries, as of May 31, 2015, have been mapped on the "Farm Tracking Unit" layer on the Waukesha County GIS website in order to make available density information readily available. Density tracking is further described in Section 11(I)(2)(d).

Example: 105 acre farm comprised of two parcels in the same ownership.

Step 1- 35 Acre Density Calculation = 105 acres/35 = 3 (Maximum number of dwelling units before consideration of existing dwelling units and recent land divisions).

Step 2- Account for existing dwelling units and land divisions that created parcels of less than 35 acres after January 1, 1997: The farm contains one house. (counts as one dwelling unit) and a lot of less than 35 acres was split from the farm by Certified Survey Map in 2001 (counts as second dwelling unit)= total of 2.

Step 3- Subtract total of Step 2 from Step 1 to adjust for existing dwelling units and parcels of less than 35 acres created since January 1, 1997. (3 minus 2 = 1).

Summary- Available dwelling units/Development rights:

Farm is entitled to one additional dwelling unit or Development Right.

- b. Density Exception for Legal Lots of Record that existed on May 31, 2015: Existing legal lots of record as of May 31, 2015 that are less than thirty-five (35) acres in size shall be entitled to one dwelling unit if a dwelling unit does not already exist on the parcel, with the following exceptions:
 - (1) If new lots or dwelling units have been created from a parent parcel or farm after 1997 without the benefit of a comprehensive development plan amendment from the Farmland Preservation category to another appropriate land use category, and 35 acre density cannot be maintained with the addition of another dwelling unit, then no additional dwelling units are permitted.
 - (2) If a prior imposed rezoning condition, deed restriction, conveyance, or some other official action prohibiting future land splits or dwelling units exists, then no additional dwelling units shall be permitted on said existing legal lot of record.

- c. Review of Land Divisions.

Each residence that is permitted shall be placed on a separately described parcel created in conformance with the Farmland Preservation Plan, the minor land division regulations and this Ordinance,.

- d. Density Tracking. Available density or dwelling units are tracked by a mapping layer on the Waukesha County Geographic Information System. Each farm consisting of one or more contiguous parcels that were owned by a common owner or owners as of May 31, 2015 have

been assigned a "Farm tracking unit" name and number. Farm Tracking Units have been created to track the number of lots or dwelling units (Development Rights) that a farm or farm owner is entitled to when applying the density considerations of Section 11(I)(2)(a and b).

Each time that a new dwelling unit or lot is created in the future, in accordance with the standards of Section 11, the Farm Tracking Unit data will be updated on the Waukesha County GIS. In addition, a deed restriction must be recorded against the land to disclose the remaining density available to a given Farm Tracking Unit.

- e. Density Transfer. Transfer of density rights from one Farm Tracking Unit to another Farm Tracking Unit or property must be approved by the Village and will be tracked on the farm tracking unit Waukesha County GIS layer. A deed restriction must be recorded against the land to disclose the density transfer.

3. Siting Standards.

Lands that are zoned FLP, but that are proposed to be rezoned to the R-1 District to accommodate new Nonfarm Residences, must comply with the following siting standards. Compliance with siting standards shall be considered by the Village as part of the rezoning review process.

- a. New Nonfarm Residences or lots shall be located on uncultivated lands to the greatest extent practicable.
 - b. New Nonfarm Residences or lots shall be clustered together to the greatest extent practicable.
 - c. New Nonfarm Residences or lots shall be located on non-prime (non-Class I and II) soils to the greatest extent practicable.
 - d. New Nonfarm Residences or lots may be permitted within upland Environmental Corridor areas that are zoned FLP District with an EC Environmental Corridor Overlay District designation provided that the area to be disturbed is rezoned to the R-1 District and provided that the Village has made a determination that alternative building sites located outside of the Environmental Corridor and cultivated lands are not available. If such a determination is made, the maximum area of Environmental Corridor disturbance shall be 15,000 square feet per lot, inclusive of drive areas, septic sites, building sites and any other area to be disturbed. In addition, any authorized disturbance within the Environmental Corridor shall comply with Waukesha County Comprehensive Development Plan recommendations which call for no more than one dwelling unit per five acres of upland area. A deed restriction shall be recorded in the office of the Register of Deeds identifying and describing the permitted area of Environmental Corridor disturbance prior to Zoning Permit issuance.
 - e. Lots shall be located near existing roads to the extent practicable with consideration of the above stated criteria.
4. Lot Size requirements for Lots created by rezoning from the FLP District to the R-1 District (per the Village of Lac La Belle Subdivision Ordinance):
- a. Minimum parcel size, one acre.
 - b. Minimum average width for parcels, 150 feet.
 - c. Maximum parcel size, three acres, except as may be provided in Section 11 (I)5 below for those residual existing dwellings and parcels that result due to Farm Consolidation.

5. Lot Size for Farm Consolidations created by rezoning from the FLP District to the R-1 District (per

the Village of Lac La Belle Subdivision Ordinance):

- a. Minimum parcel size, one acre.
- b. Minimum average width: 150 feet.
- c. Maximum parcel size, 5 acres.

J. Rezoning land out of FLP District

1. Except as provided in Section 11(J)(2), lands may not be rezoned out of the FLP District unless the Village finds all of the following in writing, after public hearing, as part of the official record of the rezoning:
 - a. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.
 - b. The rezoning is consistent with any applicable comprehensive plan.
 - c. The rezoning is substantially consistent with the County Farmland Preservation Plan, which is in effect at the time of the rezoning.
 - d. The rezoning will not substantially impair or limit current or future Agricultural Use of other protected farmland.
2. Subsection 11(J)(1) does not apply to any of the following:
 - a. A rezoning that is affirmatively certified by DATCP under Ch. 91 of State Statutes.
 - b. A rezoning that makes the farmland preservation zoning ordinance map more consistent with the County Farmland Preservation Plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the rezoning.
3. By March 1 of each year, the Village shall provide to DATCP a report of the number of acres that the Village has rezoned out of the FLP District during the previous year and a map that clearly shows the location of those acres.

SECTION 12 A-T AGRICULTURAL TRANSITION DISTRICT

A. Purpose and intent

This District is intended to reflect the transitional nature of lands that are currently in agricultural or open space use but are planned for and are likely to be developed for other land uses over time.

B. Land to be included with A-T Agricultural Transition District:

1. Lands used for agricultural purposes.
2. Vacant lands consisting of fallow or natural resource lands.

C. Use regulations: Permitted uses

1. Single-family dwelling.

2. Wholesale nurseries, greenhouses, and hatcheries.
3. Any other use permitted as described in the A-1 Agricultural District.

D. Use regulations: Accessory uses

The following Accessory Buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
No living quarters are included in said Boathouse. Only one Boathouse per lot is permitted.
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than 50 feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
8. Private greenhouses. Maximum two separate structures.

E. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4(E)(1) and listed below:

1. Bed and breakfast.
2. Commercial vehicle and construction equipment parking.
3. Accessory dwelling unit.
4. Land altering activity.
5. Expansion or restoration of a nonconforming use or structure.
6. Home occupation.
7. Boarding stables or riding arenas

F. Bulk regulations

Minimum Lot Area	20 acre
Minimum Average Lot Width	300 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads 50 feet for buildings housing animals, excluding dog houses
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	20 feet 50 feet for buildings housing animals, excluding dog houses
Maximum Principal Building Height*	35 feet
Maximum Accessory Building	100 feet when setbacks and offsets equals or exceeds the height of the structure. 60 feet for all other buildings. 35 feet for any structure located within 75 feet of the OHWM of a navigable waterway.

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 13 A-B AGRICULTURAL BUSINESS DISTRICT

A. Purpose and intent

The primary purpose of this District is to maintain, encourage and promote agriculturally related business endeavors on appropriate lands within the community. Such endeavors properly located and regulated serve to support and enhance the viability of agriculture as an economic activity.

For mapping purposes - It is the intent of this Ordinance that suitable areas be described to provide for buffering from adjacent uses and that the minimum size of any proposed establishment of the A-B District be five acres in extent. Existing uses which may come under the A-B Agricultural Business District shall be considered on a case-by-case basis and may be less than five acres if the existing parcel upon which the use is located contains less than the required five acres, with the Plan Commission making a determination as to compatibility with the existing site and the surrounding or adjacent uses.

B. Use regulations: Permitted uses

1. Warehousing, transfer and transport services of agricultural commodities.
2. Horticultural services, including the retail sale of nursery landscape material and other agricultural crops and related commodities.
3. Feed milling operations.
4. Agricultural machinery sales and services.
5. Cheese factories.
6. Bulk milk collection, storage and distribution facilities.
7. Veterinarian services.
8. Custom grain drying.
9. Poultry and/or egg production.
10. Commercial fish or bait ponds or hatcheries.
11. Testing Laboratory related to agricultural, medical, biological, food processing and industrial design operations.

C. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Temporary road stand.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
2. Single-family residential.
3. Accessory structure.

D. Use regulations: Conditional Uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4.

1. Commercial kennel.
2. Fur farms, pig farms, poultry farming, egg production, creamery, condensery, or grain drying operations.
3. Commercial truck parking.
4. Land altering activity.
5. Expansion or restoration of a non-conforming use or structure.
6. Boarding stables and/or riding arena.

E. Bulk regulations

Minimum Lot Area	5 acres
Minimum Average Lot Width	300 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	50% or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	25 feet**
Offset*	100 feet for buildings used for commercial purposes which include the housing of livestock. 20 feet for buildings used for commercial

	purposes which include the housing of livestock when adjacent to lands zoned FLP,A-B, or FLC. 10 feet for all other buildings.
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	35 feet for any structure located within 75 feet of the OHWM of a navigable waterway. 60 feet for all other buildings.

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 14 (RESERVED.)

SECTION 15 RRD-5 RURAL RESIDENTIAL DENSITY DISTRICT 5

A. Purpose and intent

1. The purpose of this five-acre density zoning district is to allow for agricultural and rural use of lands to continue while also allowing for clustered development on lands located in rural or semi-rural areas. Additional stated purposes of the District are as follows:
 - a. Promote the preservation of the rural character of the Village by encouraging farm fields, pastures, orchards, and natural open spaces to be retained either as common open spaces, or as part of a farm operation.
 - b. To achieve the optimum residential environment while recognizing the rural character. The density transfer technique is designed to permit variable lot sizes in the utilization of the most desirable terrain for housing sites while encouraging preservation of natural resource lands and agricultural lands.
 - c. This District allows for the transfer of residential development rights from one area of a parcel to another area of a parcel, thereby allowing an increase in density of Development on suitable lands for Development in exchange for establishing the preservation of natural resource or agricultural lands known as "preserved lands".

B. Review of Proposed Development

Where a development is to occur involving the establishment of "preserved lands," approval by the Plan Commission shall be required. The development proposed shall conform to the following standards:

1. The shape and arrangement of preserved lands shall be approved by the Plan Commission pursuant to the requirements of the RRD-5 District.
2. Lands zoned RRD-5 District that are proposed to be developed via subdivision plat must be developed in a conservation design format, as detailed in the County Development Plan. Subdivisions shall provide common open space and conserve natural resource lands in accordance with the guidelines of the County Development Plan relative to Development of Rural Development Areas and the Rural Density Conservation Design criteria.
3. The preserved lands shall be retained in one of the following manners:
 - a. A deed restriction or covenant recorded with the Waukesha County Register of Deeds so noting that part or all of the Development Rights have been utilized for the subject land. No additional development rights would accrue to that site until such time as it could be served with municipal sewer and a zoning change is approved by the Village in accordance with adopted Village Land Use Plans.
 - b. All lot owners within the developed area for which the preserved lands are protected could own an undividable interest in said preserved land. Development of those lands may not occur until such time as sewer is available and a zoning change is approved by the Village in accordance with adopted Village Land Use Plans.
 - c. The preserved lands may be retained in public ownership if the Village or County is willing to accept a dedication or acquire the lands.
4. In order to preserve the rural character as well as the efficiency and safety of existing road systems, lands to be developed via subdivision plat shall have lots clustered on interior subdivision streets to

minimize lots being accessed from existing arterials or roadways by individual driveway accesses. The goal of this provision is to encourage grouping of lots on an interior street which will then access the existing road system.

5. Any land claimed in addition to the actual described residential lots, for credit toward meeting the density factor requirement, shall have its status permanently established, and guaranteed, either by dedication to the public, or by appropriate covenants running with the lands, by conveyance of agricultural easements. Such covenants and easements shall be recorded in the office of the Register of Deeds and shall restrict the property against any Development or use except as is consistent with its preservation as agricultural land or as a form of common open space unless sewer becomes available, and the zoning of the property is changed in accordance with adopted Village Land Use Plans. The preserved land status of any parcel shall be indicated on the official zoning map.
6. In addition to requiring an appropriate open space or an agricultural easement on the transferring lands in favor of the Village, covenants shall be placed on the title of each dwelling unit, giving the owner enforceable rights to prevent the future development of the transferring lands until such time as sewer is available and the subject property is rezoned to allow additional development.

C. Use Regulations: Permitted Uses

1. Single-family dwelling.
2. Wholesale nurseries, greenhouses, and hatcheries.
3. Any other uses as permitted in the A-1 Agricultural District, and as regulated below, except quarters for household or farm employees and their families are prohibited.

D. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
- b. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
- c. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than fifty (50) feet from an adjacent property line.
- d. Home occupations and professional offices
- e. Hobby kennel accessory to an otherwise permitted use
- f. Roadside stands.
 1. Limited to 100 square feet in size.
 2. Only produce and farm products can be displayed for sale.
 3. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 4. No parking within the right-of-way of the public road is allowed.
7. Private greenhouses. Maximum 2 structures.

E. Use regulations: Conditional Uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial vehicle and construction equipment parking.
2. Accessory dwelling unit.
3. Land altering activity.
4. Expansion or restoration of a nonconforming use or structure.

F. Bulk regulations

Minimum Lot Area	1 acre
Minimum Average Lot Width	150 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	15% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Maximum Residential Density	1 dwelling unit per 5 acres
Offset*	20 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building	100 feet when setbacks and offsets equals or exceeds the height of the structure. 60 feet for all other buildings. 35 feet for any structure located within 75 feet of the OHWM of a navigable waterway.

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 16 A-5 MINI-FARM DISTRICT

A. Purpose and intent

This District is intended to provide for very low-density single-family residential development and the conversion of older farm dwellings to two-family units in predominantly rural areas in order to maintain, to some degree, the agricultural character of the property. These lands are best suited for small farm units, i.e., truck farms, horse farms, hobby farms, orchards and other similar agriculturally-related activities and usually contain a predominance of U.S.D.A. defined statewide significant category soils or prime category soils on parcels which do not qualify for agricultural preservation zoning or in areas which have an existing pattern of scattered or low-density residential development. Such a District is intended to be used to implement the County or Regional Land Use Plan category entitled "Other Agricultural or Rural Land."

B. Use Regulations: Permitted uses

1. Single-family dwelling.
2. Wholesale nurseries, greenhouses, and hatcheries.
3. Any other uses as permitted in the A-1 Agricultural District.
4. Two-family dwellings in converted farm dwellings existing on June 23, 1970.

C. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
No living quarters are included in said Boathouse. Only one (1) Boathouse per lot is permitted.
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than fifty (50) feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
8. Private greenhouses. Maximum 2 structures

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Bed and breakfast
2. Commercial vehicle and construction equipment parking
3. Accessory dwelling unit
4. Land altering activity
5. Expansion or restoration of a nonconforming use or structure
6. Home occupation

E. Bulk regulations

Minimum Lot Area	5 acre
Minimum Average Lot Width	300 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	30 feet 50 feet for buildings housing animals, excluding dog houses
Maximum Principal Building Height*	35 feet
Maximum Accessory Building	100 feet when setbacks and offsets equals or exceeds the height of the structure. 60 feet for all other buildings. 35 feet for any structure located within 75 feet of the OHWM of a navigable waterway.

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 17 A-1 AGRICULTURAL DISTRICT

i. Purpose and intent

The A-1 Agricultural District is established to preserve and promote agricultural and farm uses as a vital component of the community's rural character and economy. This district is intended to provide opportunities for single-family dwellings and a range of agricultural activities, including crop production, livestock raising, and related uses, while ensuring that such activities are conducted in a manner that protects public health, safety, and welfare. The A-1 District encourages the continued use of land for farming and open space, supports the conservation of natural resources, and seeks to minimize conflicts between agricultural operations and non-agricultural development. Through appropriate standards for lot size, building location, and land use, the district aims to maintain the viability of agriculture, protect environmental quality, and preserve the scenic and rural landscape for future generations.

ii. Use regulations: Permitted uses

1. Single-family dwelling.
2. Agricultural or farm uses, but excluding pig farms, poultry farms, and fur farms etc.
 - a. 1-3 acres in size: Agricultural and farm Uses are limited to recreational chicken uses in accordance with the provisions of Section 3(T) of this Ordinance.
 - b. 3-5 acres in size: Subject to the exceptions listed in Section 17(B)2 above, agricultural and farm uses are permitted with animal keeping (excluding hogs, male goats and fur-bearing animals) being limited to one head of livestock and/or 20 poultry for the first three acres and one additional head of livestock and/or twenty additional poultry per acre for each additional acre over the three acre minimum.
 - c. 5-20 acres in size: Subject to the exceptions listed in Section 17(B)2 above, agricultural and farm uses are permitted with animal keeping (excluding hogs, male goats and fur-bearing animals) being limited to one head of livestock and/or 20 poultry for the first three acres and one additional head of livestock and/or twenty additional poultry per acre for each additional acre over the three acre minimum and up to twenty acres in size.
 - d. Greater than 20 acres in size: Agricultural or farm uses as described in Section 17(B)2 above, except that the keeping of hogs and fur-bearing animals can be considered as a Conditional Use, and the keeping of male goats is a permitted use.
3. Horticulture, including nurseries, greenhouses, and hatcheries limiting the retail sales of such product to that which is produced by the farm operator.
4. Any other uses as permitted in the C-1 Conservancy Overlay District.

iii. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
4. Stables, barns, or poultry houses

Structures which house livestock or poultry shall not be less than fifty (50) feet from an adjacent property line.

5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
8. Private Greenhouses. Maximum 2 structures

iv. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Bed and breakfast
2. Commercial vehicle and construction equipment parking
3. Accessory dwelling unit
4. Land altering activity
5. Expansion or restoration of a nonconforming use or structure
6. Home occupation
7. Commercial kennels
8. Planned unit development.
9. Veterinarian clinic or animal hospital.
10. Fur farms, pig farms, poultry farming, egg production, creamery, condensery, or grain drying operations.
11. Testing laboratory
12. Boarding stables and/or riding arena.

v. Bulk regulations

Minimum Lot Area	3 acres
Minimum Average Lot Width	200 Feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads

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	50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	20 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 18 A-2 RURAL HOME DISTRICT

A. Purpose and intent

The A-2 Rural Home District is intended to provide for low-density residential development in a rural setting, while preserving the open space, agricultural character, and natural resources of the community. This district allows for single-family dwellings and compatible rural uses, supporting a lifestyle that blends residential living with the enjoyment of larger lots, natural landscapes, and limited agricultural activities. The A-2 District aims to maintain the rural atmosphere, protect environmental quality, and ensure that development occurs in a manner that is consistent with the preservation of the area's scenic and agricultural heritage, while providing flexibility for appropriate residential use.

B. Use regulations: Permitted uses

1. Single-family dwelling
2. Agricultural or farm uses, excluding pig farms, poultry farms, and fur farms etc.
3. Any other uses permitted in the A-1 Agricultural District.

C. Use regulations: Accessory uses

The following Accessory Buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than fifty (50) feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
8. Private Greenhouses. Maximum 2 structures

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Bed and Breakfast

2. Commercial vehicle and construction equipment parking
3. Accessory dwelling unit
4. Land altering activity
5. Expansion or restoration of a nonconforming use or structure
6. Home occupation
7. Boarding stables and/or riding arena.

E. Bulk regulations

Minimum Lot Area	3 acres
Minimum Average Lot Width	200 Feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	30 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 19 A-3 SUBURBAN ESTATE DISTRICT

A. Purpose and intent

The A-3 Suburban Estate District is intended to provide for single-family residential development in a semi-rural, estate-like setting, where larger lots and open spaces are preserved to maintain the area's natural beauty and rural character. This district supports residential uses that are compatible with the surrounding landscape, allowing for limited agricultural and horticultural activities while protecting environmental resources and scenic views. The A-3 District aims to balance the desire for spacious, low-density living with the preservation of open space, ensuring that development occurs in a manner that respects the community's suburban estate character and enhances the quality of life for residents.

B. Use regulations: Permitted uses

1. Single-family dwelling.
2. Agricultural or Farm Uses, but excluding pig farms, poultry farms, and fur farms etc.
3. Any other uses as permitted in the A-1 Agricultural District.

C. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than 50 feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.
8. Private Greenhouses. Maximum 2 structures

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial vehicle and construction equipment parking
2. Accessory dwelling unit
3. Land altering activity
4. Expansion or restoration of a nonconforming use or structure
5. Home occupation
6. Planned development
7. Boarding stables and/or riding arena.

E. Bulk regulations

Minimum Lot Area	2 acres
Minimum Average Lot Width	175 Feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	25 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 20 HG HIGH GROUNDWATER DISTRICT

A. Purpose and intent

This District is intended to apply to those lands that are mapped as having hydric soil conditions (depth to groundwater of one foot or less) according to the Soil Survey of Milwaukee and Waukesha Counties published by the USDA Soil Conservation Service. Many of these lands contain Wetlands and, accordingly, are mapped with a C-1 Conservancy Overlay District designation. Other lands with such soil conditions are presently in Agricultural Use by virtue of either cultivation, pasture or in some other way, and which if they were not being used for agricultural purposes would be classified as conservancy lands due to inherent wet soil characteristics and the presence of natural vegetation indicative of wet soils.

The intent of the District is to preserve and maintain agricultural or open space uses on lands suited for such purposes. These lands are generally poorly suited for urban or suburban Development, while lands outside of wetlands are typically better suited for some type of Agricultural Use. In this District, structures related to farm operations, including existing dwellings, are deemed consistent with the purpose and intent of this section where the location of buildings associated with the permitted agricultural operation are found to conform with health, sanitation and safety provisions of this and any other state regulation or local ordinance. The intent for mapping purposes is that lands within this District shall have exhibited Agricultural Uses in the past. It is not the intent of this section to promote or permit the conversion of wetlands. Lands mapped in this District are typically in the Planned "Other Open Lands to be Preserved" or "Environmental Corridor" Comprehensive Development Plan categories.

B. Use regulations: Permitted uses

1. Existing single-family dwellings.
2. Agricultural or Farm Uses, but excluding pig farms, poultry farms, and fur farms etc.
3. Any other use permitted in the A-1 Agricultural District or C-1 Conservancy District.

C. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall only be permitted if accessory to an existing single-family dwelling.
2. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than 50 feet from an adjacent property line.
3. Home occupations and professional offices

D. Use regulations: Conditional Use

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Land Altering Activity

2. Expansion or restoration of a nonconforming use or structure
3. Home Occupation

E. Bulk regulations

Minimum Parcel Size	5 acres***
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet
Maximum Building Footprint Permitted*	10% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	5 feet
Floodplain Setback*	35 feet**
Offset*	20 feet 50 feet for buildings that house animals
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** Except for HG lands that lie within a larger parcel or tract of land, the remainder of which is zoned in any other District, said parcel shall comply with minimum (gross parcel size requirement of that non-HG district.

F. Determination of boundaries

Where on-site evaluation of soil conditions by a certified soil scientist reveals that soils mapped by the USDA as being hydric are found to be mis-mapped, the lands zoned HG District shall be immediately become subject to the district regulations of the zoning district that is mapped on the balance of the property. If no other zoning district has previously been established on another part of the parcel, the lands shall be zoned as used administratively by the Zoning Administrator. If any such lands are part of an environmental corridor or Wetland, the respective EC Environmental Corridor Overlay District or C-1 Conservancy Overlay District shall continue to apply to said lands.

SECTION 21 R-1 RESIDENTIAL DISTRICT

A. Purpose and intent

The R-1 Residential District is established to provide for single-family residential development in a low-density, rural or semi-rural environment, with a particular emphasis on areas located near lakes and other natural water features. This district is designed to preserve open space, protect the scenic and ecological value of lakeshores, and maintain the natural character of the community. By encouraging spacious lots and careful site planning, the R-1 District ensures that new homes harmonize with the surrounding landscape and water resources. The district promotes a high quality of life for residents by supporting safe, attractive neighborhoods that offer access to recreational opportunities and scenic views, while safeguarding the area's rural heritage and environmental integrity.

B. Use regulations: Permitted uses

1. Single-family dwelling.
2. Agricultural or farm uses but excluding pig farms, poultry farms, and fur farms etc.
3. Any other uses as permitted in the A-1 Agricultural District.

C. Use regulations: Accessory Uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
No living quarters are included in said Boathouse. Only one Boathouse per lot is permitted.
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than 50 feet from an adjacent property line.
5. Home occupations and professional offices
6. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.

d. No parking within the right-of-way of the public road is allowed.

7. Private Greenhouses. Maximum 2 structures

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Bed and breakfast
2. Commercial vehicle and construction equipment parking
3. Accessory dwelling unit
4. Land altering activity
5. Expansion or restoration of a nonconforming use or structure

E. Bulk Regulations

Minimum Lot Area	Unsewered - 1 acre (43,560 square feet) Sewered – 30,492 square feet
Minimum Average Lot Width	Unsewered - 150 feet Sewered – 105 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet
Maximum Building Footprint Permitted*	17.5% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	14 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 22 R-2 RESIDENTIAL DISTRICT

A. Purpose and intent

The R-2 Residential District is intended to provide for single-family residential development at moderate densities, particularly in areas located near lakes and other natural water features. This district seeks to balance residential growth with the preservation of open space and the protection of the scenic and ecological qualities of lakeshores. By promoting thoughtfully planned neighborhoods with appropriately sized lots, the R-2 District ensures that new development complements the natural landscape and enhances access to recreational opportunities. The district supports a high quality of life for residents by fostering attractive, safe communities that respect the area's environmental resources and maintain its semi-rural character.

B. Use regulations: Permitted Uses

1. Single-family dwellings.
2. Agricultural or Farm Uses, but excluding pig farms, poultry farms, and fur farms etc.
3. Any other uses as permitted in the A-1 Agricultural District or C-1 Conservancy Overlay District.

C. Use regulations: Accessory Uses

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
No living quarters are included in said Boathouse. Only one Boathouse per lot is permitted.
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than 50 feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Roadside stands.
 - a. Limited to 100 square feet in size.
 - b. Only produce and farm products can be displayed for sale.
 - c. No such stand shall be closer than 30 feet to the Base Setback Line or closer than 20 feet to any lot line.
 - d. No parking within the right-of-way of the public road is allowed.

8. Private Greenhouse. Maximum 2 structures

D. Use regulations: Conditional Uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial vehicle and construction equipment parking
2. Accessory dwelling unit
3. Land altering activity
4. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	Unsewered - 30,000 square feet Sewered - 21,000 square feet
Minimum Average Lot Width	Unsewered - 120 feet Sewered - 84 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	17.5% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	14 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 23 R-3 RESIDENTIAL DISTRICT

A. Purpose and intent

The R-3 Residential District is established to accommodate single-family residential development at higher densities, often in areas located near lakes and other natural water features. This district is designed to promote efficient land use while preserving access to scenic views and recreational opportunities provided by nearby lakeshores. The R-3 District encourages the creation of attractive, safe neighborhoods that integrate with the natural landscape, supporting a vibrant residential community while respecting environmental resources. Development within the R-3 District aims to balance the benefits of higher-density living with the protection of the area's unique natural features and the enhancement of residents' quality of life.

B. Use regulations: Permitted uses

1. Single-family dwelling.
2. Agricultural or Farm Uses, but excluding pig farms, poultry farms, and fur farms etc.
3. Any other uses as permitted in the A-1 Agricultural District.

C. Use regulations: Accessory uses

The following accessory buildings and uses, subject to the conditions specified:

1. Private garages
Shall be located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that Principal Building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
2. Quarters for household or farm employees;
Such quarters shall be occupied only by individuals employed full time on the premises and their families.
3. Private boathouses
4. Stables, barns, or poultry houses
Structures which house livestock or poultry shall not be less than fifty (50) feet from an adjacent property line.
5. Home occupations and professional offices
6. Hobby kennel
7. Private Greenhouses. Maximum 2 structures

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial vehicle and construction equipment parking
2. Accessory dwelling unit
3. Land altering activity
4. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	Unsewered - 20,000 square feet Sewered - 14,000 square feet
Minimum Average Lot Width	Unsewered - 120 feet Sewered - 84 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	17.5% of lot or 1,100 square feet, whichever is greater
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	14 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building Height*	60 feet, if used for farm or agricultural purposes. 20 feet for all other accessory buildings

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

SECTION 24 OR-1 ORIGINAL VILLAGE RESIDENCE DISTRICT I

A. Purpose and intent

The Original Village Residence District I is established to provide for single-family residential development in areas of the Village that have traditionally been governed by the original Residence District I standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District I, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	20,000 square feet
Minimum Lot Width***	75 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	85 feet from centerline to nearest point of any building. Any building located on a T-Intersection corner lot created by Lac La Belle Drive and any public road intersecting Lac La Belle Drive shall have a setback of eighty-five (85) feet from the center of Lac La Belle Drive and a setback of no less than forty-five (45) feet from the center of the right-of-way of any public road creating the T- Intersection with Lac La Belle Drive. The Rear Yard setback for a T- Intersection corner lot shall have a minimum depth of forty (40) feet.

Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	12 feet minimum on any one side yard. 30 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 75 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 25 OR-1-A ORIGINAL VILLAGE RESIDENCE DISTRICT I-A

A. Purpose and intent

The Original Village Residence District 1-A is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District 1-A standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District 1-A, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	30,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	85 feet from centerline to nearest point of any building. Any building located on a T-Intersection corner lot created by Lac La Belle Drive and any public road intersecting Lac La Belle Drive shall have a setback of eighty-five (85) feet from the center of Lac La Belle Drive and a setback of no less than forty-five (45) feet from the center of the right-of-way of any public road creating the T- Intersection with Lac La Belle Drive. The Rear Yard setback for a T- Intersection corner lot shall have a minimum depth of forty (40) feet.
Shoreline Setback*	75 feet

Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	12 feet minimum on any one side yard. 30 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 75 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 26 OR-2 ORIGINAL VILLAGE RESIDENCE DISTRICT II

A. Purpose and intent

The Original Village Residence District II is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District II standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District II, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Expansion or restoration of a nonconforming use or structure.

E. Bulk regulations

Minimum Lot Area	20,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	90 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

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*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 75 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 27 OR-3 ORIGINAL VILLAGE RESIDENCE DISTRICT III

A. Purpose and intent

The Original Village Residence District III is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District III standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District III, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	20,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	90 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein

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created in such a manner as to give access to more than one (1) family for every seventy-five (75) feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 28 OR-4 ORIGINAL VILLAGE RESIDENCE DISTRICT IV

A. Purpose and intent

The Original Village Residence District IV is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District IV standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District IV, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	30,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	90 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

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**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one (1) family for every seventy-five (75) feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8

SECTION 29 OR-5 ORIGINAL VILLAGE RESIDENCE DISTRICT V

A. Purpose and intent

The Original Village Residence District V is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District V standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District V, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	30,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	90 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

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*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 75 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 30 OR-6 ORIGINAL VILLAGE RESIDENCE DISTRICT VI

A. Purpose and intent

The Original Village Residence District VI is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District VI standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District VI, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	30,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	100 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 100 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet

SECTION 31 OR-7 ORIGINAL VILLAGE RESIDENCE DISTRICT VII

A. Purpose and intent

The Original Village Residence District VII is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District VII standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District VII, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	5 acres
Minimum Lot Width***	200 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	90 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 20 feet minimum sum of yard width.
Rear Yard	40 feet.
Maximum Building Height*	35 feet
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 100 feet of lake frontage.

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**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 32 OR-8 ORIGINAL VILLAGE RESIDENCE DISTRICT VIII

A. Purpose and intent

The Original Village Residence District VIII is established to provide for single-family residential development in areas of the Village that have historically been governed by the original Residence District VIII standards. This district is intended to maintain the established neighborhood character, lot patterns, and development standards that have defined these areas over time. The intent of this district is to preserve the same regulations, requirements, and development standards as the original Residence District VIII, ensuring continuity and predictability for property owners and residents. By maintaining these longstanding standards, the district supports neighborhood stability, protects property values, and promotes a high quality of life for residents, while allowing for continued investment in homes and properties.

B. Use regulations: Permitted uses

1. Single-family dwelling.

C. Use regulations: Accessory uses

1. Signs not over eight square feet in area.
2. Home occupations.
3. Uses customarily incident to a single-family dwelling.

D. Use regulations: Conditional uses

1. Expansion or restoration of a nonconforming use or structure

E. Bulk regulations

Minimum Lot Area	30,000 square feet
Minimum Lot Width***	100 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 1,000 square feet**** Total = 1,200 square feet.
Minimum Road Setback*	85 feet from centerline to nearest point of any building.
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	20 feet minimum on any one side yard. 40 feet minimum sum of yard width.
Rear Yard	40 feet 100 feet rear yard setback if rear yard abuts a navigable body of water. Measured from Ordinary High Water Mark to nearest point of any building.
Maximum Building Height*	35 feet

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Vision Clearance | 20 feet

*Additional regulations and exceptions from Section 3 apply.

**Within the .2% floodplain per FEMA.

*** In this residence district no real estate shall be subdivided into lots or sold, or leased, or any easement therein created in such a manner as to give access to more than one family for every 100 feet of lake frontage.

**** Exclusive of attached garages, basements, breezeways, or attics having an average height of less than 8 feet.

SECTION 33 P-I PUBLIC AND INSTITUTIONAL

A. Purpose and intent

This District is intended to provide for those uses which serve a public need and are principally of an institutional, educational, medical, or governmental nature (whether public or privately owned and either "for profit" or "not for profit") and serving a public need, (but not including the operation of a bar, restaurant, or recreational facility as a commercial enterprise) unless authorized as a conditional use.

B. Use regulations: Permitted uses

1. Hospitals, clinics, rehabilitation facilities, or similar health centers.
2. Nursing home.
3. Schools, colleges, and universities.
4. Mental health or substance abuse treatment, training, or counseling or rehabilitation facilities.
5. Churches, synagogues and other buildings for religious assemblies.
6. Residential treatment, training, or education facilities.
7. Municipal buildings.
8. Museums.
9. Police and fire stations.
10. Libraries.
11. Public service yards.
12. Publicly owned and operated parks, recreational uses, golf courses, and open space uses.
13. Animal hospitals or veterinary clinic.
14. Cemeteries and mausoleums.

C. Use regulations: Accessory uses

1. Garages and buildings. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Residential quarters. Shall only be occupied by individuals employed full-time on the premises and their families.
3. Stables, barns, or poultry houses. No building which houses said livestock or poultry shall be closer than 100 feet to any lot line.

4. Horticulture uses such as greenhouses, nurseries, and roadside stands. Temporary roadside stands shall not exceed 100 square feet in size.
5. Satellite dishes or other communication equipment apparatus.

D. Use regulations: Temporary uses

Lands within the District may be used on a temporary basis for private and commercial uses usually not more than 1 week in duration. Such uses might consist of carnivals, rental of said Buildings for private gatherings, use of Buildings for temporary commercial displays or trade fairs and similar functions for the purpose of fundraising or other special and unique events in conjunction with the permitted use.

Approval must be granted by the Village Board or the zoning administrator for such temporary use and subject to any condition that may be imposed.

E. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Land altering activity
2. Expansion or restoration of a non-conforming use or structure.

F. Bulk regulations

Minimum Lot Area	N/A
Minimum Green Space Requirement	40%
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, or federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	50 feet for principal buildings 30 feet for accessory buildings
Maximum Principal Building Height*	60 feet
Maximum Accessory Building*	20 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 34 OI-1 ORIGINAL VILLAGE INSTITUTIONAL DISTRICT

A. Purpose and intent

The Original Village Institutional District is established to provide for educational, religious, governmental, and other institutional uses in areas of the Village that have historically been governed by the original Institutional District standards.

B. Use regulations: Permitted uses

1. The exercise of religion in churches, temples, synagogues, mosques, schools, and/or recreational facilities.
2. Libraries, museums, nature centers, and art galleries.
3. Private schools, colleges, and universities.

C. Use regulations: Accessory uses

1. Garages and buildings.
 - a. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Off-street parking and loading areas.
3. Residential quarters for caretakers or clergy and seasonal residential quarters for seasonal staff and employees.
4. Service buildings and facilities normally accessory to the permitted use.
5. Infirmarys.
6. Utilities servicing the property.
7. Ground-mounted and building-mounted earth station dish antennas.
8. Private recreational facilities including:
 - a. Group or organized camps.
 - b. Historic and monument sites.
 - c. Ice-skating.
 - d. Parks (general recreation).
 - e. Picnicking areas.
 - f. Playfields or athletic fields.
 - g. Playgrounds.
 - h. Play lots or tot lots.
 - i. Recreation centers.
 - j. Skiing and tobogganing.
 - k. Swimming beaches.
 - l. Swimming pools.
 - m. Outdoor camping and related camping.
 - n. Short-term lodging and meeting facilities.
 - o. Private indoor and outdoor eating facilities (permanent and temporary).

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Utilities servicing properties other than the subject property.
2. Public administrative offices and public service buildings, including police and fire stations.
3. Wind energy conversion systems.
4. Music and performance facilities directly related to a permitted use.
5. Limited animal husbandry for non-commercial educational purposes conducted within areas approved by the Plan Commission.
6. Seasonal gazebos and structures utilized for uses otherwise permitted in the OI-1 District that are less than 6'x6' in size, are not more than ten feet in height, and that are not permanently anchored to the ground or any permanent structure.
7. Vegetable and/or flower gardens not more than one-half acre in size used for non-commercial, educational purposes.
8. Activities and uses of an organized religion not otherwise expressly permitted by this section that do not constitute the exercise of religion.

E. Bulk regulations

Minimum Lot Area	5 acres
Minimum Lot Width	200 feet
Minimum Road Setback*	75 feet from right-of-way
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	10 feet minimum on any one side yard. 75 feet minimum sum of yard width.
Rear Yard	100 feet
Maximum Building Height*	35 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 35 OPPL ORIGINAL VILLAGE PARK AND PUBLIC LANDS DISTRICT.

A. Purpose and intent

The Original Village Park and Public Lands District is established to provide for the preservation, use, and enjoyment of parks, open spaces, and public lands in areas of the Village that have historically been governed by the original Park and Public Lands District standards.

B. Use regulations: Permitted uses

1. Forest reserves (wilderness areas and refuges).
2. Golf courses, either private or public, with or without clubhouse facilities.
3. Parks (general recreation).
4. Parks (leisure and ornamental).
5. Picnic areas.

C. Use regulations: Accessory uses

1. Garages and buildings.
Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.

D. Use regulations: Conditional uses

1. Temporary uses related to public parks or public land.

E. Bulk regulations

Minimum Lot Area & Lot Width	N/A. Shall provide sufficient area for the principal structure and its accessory structures, off- street parking and loading areas and all required yards.
Minimum Road Setback*	65 feet from centerline
Shoreline Setback*	75 feet
Wetland Setback*	75 feet
Floodplain Setback*	35 feet**
Side Yard	20 feet minimum on any one side yard. 40 feet minimum sum of yard width.
Maximum Building Height*	50 feet or 2½ stories in height
Vision Clearance	20 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 36 B-1 RESTRICTED BUSINESS DISTRICT

A. Purpose and intent

This District is intended to accommodate limited commercial and professional uses that are compatible with the residential character of the Village. This district promotes neighborhood-serving businesses that enhance community convenience while preserving the quiet, scenic, and residential nature of the area.

B. Use regulations: Permitted uses

1. Boarding or lodging houses.
2. Delicatessen.
3. Florist shop.
4. Gift shop.
5. Interior decorator office and/or studio.
6. Professional office and/or studio.
7. Restaurant.
8. Tourist home.
9. Antique shop.
10. Arts and craft studio.
11. Veterinary clinic.
12. Bed and breakfast.

C. Use regulations: Accessory uses

1. Garages and buildings.
 - a. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Satellite dishes or other communication equipment apparatus.
3. Delivery and service vehicle delivery.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial kennel

2. Land altering activity
3. Expansion or restoration of a non-conforming use or structure
4. Commercial vehicle and construction equipment parking.
5. Legal non-conforming uses
6. Multiple family units

E. Bulk regulations

Minimum Lot Area	Unsewered - 30,000 square feet Sewered - 21,000 square feet
Minimum Average Lot Width	Unsewered - 120 feet Sewered - 84 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	20% of lot
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, and federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	14 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building*	20 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 37 B-2 LOCAL BUSINESS DISTRICT

A. Purpose and intent

This District is intended to support a broader range of neighborhood-scale commercial and service-oriented uses that meet the daily needs of residents while maintaining compatibility with the Village's residential character. This district builds upon the uses permitted in the B-1 District by allowing additional retail, dining, financial, and personal service establishments.

B. Use regulations: Permitted uses

1. Animal hospital
2. Antique shop.
3. Art shop.
4. Appliance store.
5. Bakery.
6. Bank or savings and loan office.
7. Barber shop.
8. Beauty shop.
9. Boarding or lodging houses.
10. Clinic.
11. Clothing or dry goods store.
12. Confectionery store.
13. Delicatessen.
14. Drug store.
15. Florist shop.
16. Fruit and vegetable market.
17. Furniture store.
18. Gift shop.
19. Grocery store.
20. Hardware store.
21. Ice cream shop.
22. Interior decorator office and/or studio.
23. Meat and fish market.
24. Music and radio store.
25. Notion or variety shop.
26. Parking lot.
27. Pharmacy.
28. Professional office and/or studio.
29. Radio and television sales and repair shop.
30. Photographer.
31. Restaurant.
32. Shoe store.
33. Soda fountain.
34. Tailor or dressmaking shop.
35. Tea room.
36. Telegraph and telephone office and telephone exchange.
37. Temporary fireworks stand that sells Class "C" fireworks, if allowed by local ordinance.
38. Tourist home.
39. Utility company office.
40. Veterinary clinic.

C. Use regulations: Accessory uses

1. Garages and buildings.
 - a. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Satellite dishes or other communication equipment apparatus.
3. Delivery or service vehicle parking.
 - a. Only permitted when used in conjunction with the operation of a permitted use.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial kennel
2. Land altering activity
3. Expansion or restoration of a non-conforming use or structure
4. Planned development
5. Commercial truck parking
6. Marinas
7. Yacht clubs
8. Multiple family units
9. Commercial recreational facilities

E. Bulk regulations

Minimum Lot Area	Unsewered - 30,000 square feet Sewered - 21,000 square feet
Minimum Average Lot Width	Unsewered - 120 feet Sewered - 84 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	50% of lot
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, or federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	14 feet
Maximum Principal Building Height*	35 feet
Maximum Accessory Building*	20 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 38 B-3 GENERAL BUSINESS DISTRICT

A. Purpose and intent

This district is intended to accommodate a wide range of commercial, service, and trade uses that serve both the local community and a broader regional market. This district builds upon the uses permitted in the B-2 District by allowing more intensive business activities while ensuring compatibility with surrounding land uses. The B-3 District is designed to support economic development and commercial diversity while maintaining high standards for building design and environmental protection to preserve the Village's character and quality of life.

B. Use regulations: Permitted uses

1. Animal hospital.
2. Antique shop.
3. Arcade.
4. Appliance store.
5. Art shop.
6. Auto sales lot and associated buildings.
7. Bakery.
8. Bank or savings and loan office.
9. Barber shop.
10. Beauty shop.
11. Boarding or lodging houses.
12. Boat sales and service.
13. Clinic
14. Clothing or dry goods store.
15. Cold storage plant.
16. Commercial recreational use.
17. Confectionery store.
18. Dairies and bottling plant.
19. Dance halls.
20. Delicatessen.
21. Drug store.
22. Dry cleaning.
23. Florist shop.
24. Fruit and vegetable market. Furniture store.
25. Gift shop.
26. Grocery store.
27. Hardware store.
28. Hotel and motel.
29. Ice cream shop.
30. Interior decorator office and/or studio.
31. Laundries.
32. Lockers.
33. Meat and fish market.
34. Motorsport sales and service.
35. Music and radio store.
36. Notion or variety shop.
37. Parking lot.
38. Pharmacy.
39. Professional office and/or studio.

40. Radio and television sales and repair shop.
41. Photographer.
42. Printing and publishing house.
43. Restaurant.
44. Shoe store.
45. Soda fountain.
46. Tailor or dressmaking shop.
47. Tea room or restaurant (no liquor sales).
48. Telegraph and telephone office and telephone exchange.
49. Temporary fireworks stand that sells Class "C" fireworks, if allowed by local ordinance.
50. Theaters.
51. Tourist home.
52. Used car lot.
53. Utility company office.
54. Veterinary clinic.
55. Video game store or studio.
56. Wholesalers and distributors.

C. Use regulations: Accessory uses

1. Garages and buildings.
 - a. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Satellite dishes or other communication equipment apparatus.
3. Delivery and service vehicle parking.
 - a. Only permitted when used in conjunction with the operation of a permitted use.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Commercial kennel
2. Land altering activity
3. Expansion or restoration of a non-conforming use or structure
4. Commercial truck parking
5. Marinas
6. Yacht clubs
7. Multiple family units
8. Commercial recreational facilities.
9. Fueling station.
10. Commercial vehicles and construction equipment.
11. Private clubs and resorts.

E. Bulk regulations

Minimum Lot Area	Unsewered - 30,000 square feet Sewered - 21,000 square feet
Minimum Average Lot Width	Unsewered - 120 feet Sewered - 84 feet

Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	50% of lot
Minimum Road Setback*	35 feet for local roads 50 feet for county, state, or federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	10 feet for commercial uses 14 feet for residential uses
Maximum Principal Building Height*	35 feet
Maximum Accessory Building*	20 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 39 DOD DOWNTOWN OKAUCHEE DISTRICT

A. Purpose and intent

This district is intended to promote economic development and vitality within a well-planned downtown by allowing a combination of mixed-use development, commercial, office, public and institutional, multiple-family residential, single-family residential, and open space uses. The district provides unique zoning tools that are intended to aid in the preservation of the urban form of Downtown Okauchee while also accommodating redevelopment. The district provides opportunities for higher intensity commercial and mixed-use development and high density residential use, provided sewer requisitions are available, in order to enhance investment opportunities and activity levels within the area. More residents and housing options within a walkable setting are desired to strengthen the local business climate. The requirements of this District are intended to ensure that the safety, health and welfare, and quaintness of Downtown Okauchee are preserved as new investment is accommodated. The provisions are intended to activate the street edge by bringing commercial and mixed-use buildings close to the road with a heightened level of site design.

B. Applicability

This district applies to all areas identified as DOD Downtown Okauchee District on the Zoning Map and on the Downtown Okauchee District Use Zone Map illustrated as Map 39(b) at the end of this Ordinance. The area is generally located west of C.T.H. "P" (Sawyer Road), north of S.T.H. "16" and southeast of Okauchee Lake. Eight use zones have been established within the district.

Use requirements for each of the zones are established in subsection (c) below. All dimensional, area, signage, parking, design, and site requirements of this district shall be complied with unless otherwise modified through an exception process provided herein. Any modifications to the boundaries of the district, use zones or regulations of this Section require a zoning amendment in accordance with Section 42 of this Ordinance.

C. Use regulations

The Permitted and Conditional Uses provided for in each use zone are identified on the Downtown Okauchee District Use Zone Map illustrated as Map 39(b) at the end of this Ordinance and in the table below (Table 39(c)). All uses, with the exception of single-family residential, are subject to review and approval of a site plan and plan of operation. Any use that legally existed prior to the creation of this District that is not specifically permitted below is considered a Legal Nonconforming Use and is limited to the provisions of Section 3(M)1.

Use Table (Table 39(c))

	Allowable Uses - Permitted or Conditional Use (CU) by Building Component			
	First Floor- Primary Street Frontage	First Floor- Rear	Upper Floors	Individual/Additional Building
Zone 1 "Central Area"				
Commercial (B-1/B-2 uses)	Permitted	Permitted	Permitted	Permitted
Multiple-family residential	-	Permitted	Permitted	CU (commercial use required along W. Wisconsin Ave. frontage)
Single-family residential unit (secondary use)	-	Permitted	Permitted	-
Single-family residential (only use)	-	-	-	-
Zone 2				
Commercial (B-1/B-2 uses)	Permitted	Permitted	Permitted	Permitted
Multiple-family residential	-	Permitted	Permitted	CU (existing commercial uses must remain)
Single-family residential unit (secondary use)	-	Permitted	Permitted	-
Single-family residential (only use)	-	-	-	-
Zone 3				
Commercial (B-1/B-2 uses)	Permitted	Permitted	Permitted	Permitted
Multiple-family residential	CU	Permitted	Permitted	CU
Single-family residential unit (secondary use)	-	Permitted	Permitted	-
Single-family residential (only use)	-	-	-	-
Zone 4				
Commercial (B-1/B-2 uses)	Permitted	Permitted	Permitted	Permitted
Multiple-family residential	CU	Permitted	Permitted	CU
Single-family residential unit (secondary use)	-	Permitted	Permitted	-
Single-family residential (only use)	-	-	-	Permitted (re-build/expand*)
Zone 5				
Commercial (B-1/B-2 uses)	Permitted	Permitted	Permitted	Permitted
Multiple-family residential	CU	Permitted	Permitted	CU
Single-family residential unit (secondary use)	-	Permitted	Permitted	-
Single-family residential (only use)	-	-	-	Permitted (re-build/expand*) ----- CU (New high density residential)

	Allowable Uses - Permitted or Conditional Use (CU) by Building Component			
	First Floor- Primary Street Frontage	First Floor- Rear	Upper Floors	Individual/Additional Building
Zone 6				
Commercial (B-1/B-2 uses)	Permitted (professional office/studio only)	Permitted (professional office/studio only)	Permitted (professional office/studio only)	Permitted (professional office/studio only)
Multiple-family residential	CU	CU	CU	CU
Single-family residential unit (secondary use)	-	Permitted	Permitted	Permitted
Single-family residential (only use)	-	-	-	Permitted
Zone 7				
Commercial (B-1/B-2 uses)	CU	CU	CU	CU
Multiple-family residential	-	-	-	Permitted (up to 10 units per acre) ----- CU (greater than 10 units per acre)
Single-family residential unit (secondary use)	-	-	-	-
Single-family residential (only use)	-	-	-	-
Zone 8				
Commercial (B-1/B-2 uses)	-	-	-	-
Multiple-family residential	CU	CU	CU	CU
Single-family residential unit (secondary use)	-	-	-	-
Single-family residential (only use)	-	-	-	Permitted

* Single-family residence rebuild/expand means the replacement, relocation, restoration, remodeling, maintenance, repair, vertical and lateral expansions, and reconstruction (including enlargement) of an existing single-family residence provided all dimensional and area requirements of this district are met.

Single-family residential unit (secondary use) means that the residential use exists in conjunction with a commercial or public and institutional use.

Single-family residential (only use) means that the single-family residence is the only use on the property.

All commercial uses in Zone 7 and multiple-family residential uses that require a conditional use listed above are subject to Section 4(g)(22)F. *DOD Downtown Okauchee District PUD*.

Section 4(g) *Conditional Uses permitted* identifies additional uses that may be permitted through the Conditional Use process.

D. Multiple-family residential densities

Where multiple-family residential use is available as a permitted or conditional use, the following densities are encouraged subject to compliance with the design and site requirements of subsection (J) and subject to the DOD Downtown Okauchee District PUD requirements, where applicable. Maximum density will be influenced by available sewer requisitions, building height, building footprint, minimum floor area, dimensional, parking and site requirements of this district, as well as neighborhood compatibility considerations.

1. Zones 1-4, 6-8: A minimum of ten units per acre is encouraged.
2. Zone 5: A minimum of 15 units per acre is encouraged.

E. Building location

1. Road setback: Minimum and maximum Road Setback areas are illustrated on the Road Setback Map illustrated below. Road Setback requirements are provided in the table below.
 - a. Road setback map 39(E)1.A



- b. Road setback table 33(E)1.b

Road Setback Area (Areas are described on map)	Minimum Road Setback	Maximum Road Setback
Area #1	0 ft.*	20 ft.
Area #2	10 ft.	20 ft.
Area #3	20 ft.	None

* All structures shall be located a minimum of 10 feet if directly abutting the roundabout.

- c. Private road setback: The minimum setback from a private road right-of-way is 10 feet. The Road Setback averaging provisions of Section 3(G) apply.
- d. Road setback averaging: The road setback averaging provisions of Section 3(G) only apply to public roads in Zones 6 and 8, where single-family residential use is permitted by right.
- e. Nonconforming to road setback and offset: Any structure that is nonconforming to the road setback or offset provisions of this district is permitted the following, provided all other Ordinance requirements are met:
 - (1) Replacement, restoration, reconstruction, remodeling, maintenance, and repair.
 - (2) Vertical and lateral expansions. If the structure is nonconforming to the minimum road setback or offset provisions, the expansion shall not be located any closer to the base setback line or property line than the existing structure.
- f. Landscaping within road setback area: In all commercial, multiple-family residential and mixed-use areas, landscaping is required between the building and the road if there is sufficient space. The amount and type of landscaping required will be determined through the site plan/plan of operation review process.
- g. Additional regulations and exceptions in Section 3(G). apply.

F. Bulk regulations

Minimum Lot Area	14,000 square feet
Minimum Average Lot Width	84 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Minimum Floor Area for Multiple-Family Dwelling or Residential Units in Mixed-Use Development*	See Section 3(j)1.B.
Maximum Building Footprint Permitted*	Zones 1-5, 7 = 50% of lot Zones 6, 8 = 17.5% or 1,100 square feet, whichever is greater
Minimum Road Setback*	See subsection (e)B. above
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	10 feet 0 feet building separation may be allowed and a 0 foot offset where buildings on adjacent lots will be attached may be allowed within Zone 1 (Central Area) as determined through the site plan/plan of operation review process.
Building Height Requirements*	See subsection (G) below.

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

G. Building Height

1. Principal building height: Maximum height: 42 feet, with the following exceptions:
 - a. The regulations and exceptions from Section 3(H) apply to all Structures located in Zones 6 and 8 as well as all Structures located within 75 feet of the ordinary high water mark of a navigable waterway.
 - b. The provisions of this subsection (4) may provide for additional height.
2. Accessory building height: The regulations and exceptions of Section 3(a) apply.
3. Number of stories:
 - a. Minimum: Any new building used for commercial, mixed-use, or multiple-family residential purposes shall be a minimum of one and one half (1 ½) stories.
 - b. Maximum: Any new building shall be a maximum of three (3) stories, unless the provisions of this subsection (4) are met.
4. Height/number of stories' bonus. In Zones 5 and 7, a maximum height of up to 54 feet may be authorized through the site plan/plan of operation review process as part of a commercial, mixed-use, public and institutional, or multiple-family residential development project, if the development complies with the following:
 - a. The development fits within the neighborhood context.
 - b. The development exhibits exemplary design. Required design elements include use of high-quality building materials and enhanced architectural details.
 - c. Increased building setbacks and offsets may be required to mitigate the additional building height and to ensure that undue shadowing of neighboring properties is avoided. Additional landscaping and green space may be required on the roadside of the building.
 - d. No more than four stories are permitted and the fourth story shall be designed into the roofline in order to reduce the overall building bulk. Flat roofs are prohibited on four story buildings. However, limited flat surfaces may be provided in order to accommodate roof top mechanicals. The area of flat roof allowed shall be determined through the site plan/plan of operation review process. No structure shall contain more than three stories when viewed from the waterfront.

H. Parking regulations

The parking regulations of this Section apply to parking for commercial, public and institutional and multiple-family uses. Parking shall comply with the provisions of Section 3(J) of this Ordinance with the following additional specific requirements intended to reduce visible surface parking and encourage shared parking and a combination of street, municipal, underground, and rear-lot parking:

1. Parking orientation. On-site parking shall be provided to the rear or side of buildings to the maximum extent practicable. Parking shall only be authorized to the front of buildings if unique circumstances are demonstrated such as topography, lot width constraints and shore yard aesthetic considerations. Where front yard parking is authorized through the site plan/plan of operation review process, the landscaping/screening requirements of Section 3(J)(4)(a) shall apply.
2. Parking offset. The required offset is ten feet for all properties abutting single family or multiple-family residential land uses. Offsets can be reduced to zero (0) feet in all other areas provided that there is adequate drainage and space to ensure proper snow storage as part of the site plan/plan of operation review process. Shared parking or common entrances are encouraged where feasible.

I. Commercial, mixed-use, public institutional, and multiple-family use design and site requirements:

In order to foster economic growth and ensure an attractive, vibrant, and accessible Downtown Okauchee area, the following design and site requirements shall be applied to commercial, mixed-use, public and institutional, or multiple-family projects. The requirements of this subsection apply to any new building or an addition to a building that exceeds 50% of the building footprint of the existing structure. These requirements will be reviewed as part of the site plan/plan of operation process and conditional use process, where applicable. Any exterior color or material change to a building must comply with the provisions of this subsection and be reviewed and approved as part of the site plan/plan of operation process.

1. Siting: Proposed development projects must be compatible and complementary to the surrounding neighborhood. Architecture, landscaping and building siting must be designed to create an attractive and cohesive environment that contributes positively to the existing setting. Buildings adjacent to the roundabout shall be oriented toward the roundabout.
2. Building Form: Urban scale architecture (minimum one and one half (1 ½) story buildings) is required. Maximum permissible building height and massing must be complementary to the neighborhood and are subject to the provisions of subsection (F) of Section 39. First floors that are taller than the floors above are considered desirable.
3. Building materials: Building designs shall utilize a variety of aesthetically compatible exterior building materials on all sides visible to the public. Aluminum and vinyl siding are prohibited, except for use on non-primary facades not highly visible from public roads, walkways, primary customer parking areas, and neighboring residential or public uses. Aluminum and vinyl soffits are permitted.
4. Windows: Mixed-use or commercial buildings shall provide large storefront windows that provide visibility and transparency at the pedestrian level. The windows shall make up at least 40% of the façade facing the primary street at the pedestrian level. Second story windows on any building shall be designed with an organized rhythm and spacing.
5. Building design: A variety of aesthetically compatible building styles and

articulations are encouraged throughout this district. Long, monotonous façades or roof designs shall not be permitted. Features such as awnings, windows, entry doors, projections, material changes, or other articulations are required to break up large masses.

6. Roof structures: If the roof is flat, the termination of the flat roof shall be concealed with a parapet. Decorative cornices must reflect the time period of the building. HVAC units and other rooftop mechanicals/utilities are required to be screened from view.
7. Building color: No neon or fluorescent colors are permitted. The exterior color palette of all buildings must be compatible with the surrounding neighborhood.
8. Building entrances: An inviting entrance to buildings shall be located on the primary street side.
9. Landscaping: Landscape treatments shall be provided to enhance architectural features, improve appearance, screen parking areas and Structures, reduce impervious surface, provide shade and enhance the streetscape.
10. Gathering/Open Spaces: Meaningful communal gathering and green spaces provided in accessible settings must be an integral part of any new development. Examples include public or private courtyards, plazas, patios, terraces, community gardens, areas with planters and/or benches, and rain gardens. These spaces should have an urban quality and character that enliven the street, enhance the pedestrian experience, or provide gathering/recreational space for residents. The amount of communal gathering and green spaces shall be proportional to the lot size and intensity of the intended use and shall consider the level of anticipated adjacent pedestrian activity.
11. Pedestrian facilities: Pedestrian facilities must connect buildings and uses within the proposed development and must connect the development to the surrounding neighborhood in order to provide safe and convenient access for patrons, residents, and pedestrians. Bicycle accommodations should be considered in the development design where practical. Sidewalks that will traverse predominantly retail or restaurant use areas shall be a minimum of five feet in width, not including the area used for benches or café dining, to accommodate space for passing pedestrians. Certain designated sidewalks within retail areas should be further widened to allow for sidewalk café dining or outdoor retail display while still providing for pedestrian passage.
12. Streets/neighborhoods: Where streets or neighborhoods are proposed, streets and pedestrian facilities shall contain appropriate streetscape amenities (street trees, street furniture such as benches, planters, trash receptacles, information kiosks, bike racks, appropriate scale lighting and way finding signage) as determined through the through the site plan/plan of operation review process. Terraces to separate pedestrians from vehicles shall be provided, where feasible. ADA compliant accessibility and facilities shall be provided throughout the development. Deck dining within public right-of-way areas may be considered through the site plan/plan of operation review process provided sufficient parking is available; the proposed use is aesthetically pleasing and safe from vehicular/pedestrian traffic; and

emergency access is available.

13. New internal streets: Internal streets must be designed to adequately serve the users of the proposed development and contain traffic calming measures (landscape bump outs, parallel or angle on-street parking, visually conspicuous crosswalks, narrow streets, etc.) while allowing for safe and efficient traffic circulation.
14. Sanitation/water supply: Written documentation shall be submitted by the Town of Oconomowoc that sewer requisitions are available to accommodate any new development. All State well code and groundwater supply provisions shall be complied with by the developer.
15. Accessory building design: Accessory buildings shall be designed so that materials and form are complementary and compatible to the principal building.
16. Architect consultation: The Zoning Administrator has the option and authority to consult with a licensed architect for comments regarding building form and design to ensure an aesthetically pleasing and compatible development that is consistent with the requirements of this subsection (J). The Zoning Administrator has the authority to charge the applicant for all expenses related to the architect's review. The applicant will be notified of the estimated review time and expense prior to any action being taken.
17. Exceptions: Any proposed modifications to the provisions of this subsection shall be reviewed and approved through the site plan/plan of operation process. The applicant shall justify why the development cannot or should not comply with the provisions based on the purpose and intent of this district.

J. Signage Regulations (Downtown Okauchee District only)

Signage is permissible to identify commercial, public and institutional and multiple-family uses in accordance with the standards of this subsection.

1. Wall Signs

a. Number of Signs:

1. Single tenant Building. A maximum of one primary wall Sign is permitted.
2. Two-tenant Building. One wall sign per tenant. The combined size of all signage shall not exceed the maximum size allowed per this subsection b.
3. Multiple-tenant Building. A Master Sign Plan is required to be reviewed and approved through the site plan/plan of operation process. Individual business or tenant Signs must be compatible with the overall design of the Structures and site.
4. The Plan Commission and Zoning Administrator may approve primary wall signs on additional sides of a building under unique circumstances such as, but not limited to, corner lots or buildings

with a side alley exposure.

5. Business/entry identification signage is permitted on the parking side of the building.

b. Size: One square foot per lineal storefront or building width, not to exceed 50 square feet. Multiple-tenant Building signage area to be approved via the Master Sign Plan review. A maximum 20 square foot sign is permitted on the parking side of the building to provide business/entry identification.

2. Free-standing Signs

a. Permissibility

(1) Zones 2-8. One freestanding Sign is permitted if the building is located a minimum of ten feet from the established road right-of-way.

(2) Zone 1. A freestanding Sign waiver may be sought for properties within Zone 1 that do not lend themselves to wall-mounted signage or for Buildings with poor visibility. Waivers must be sought through the site plan/plan of operation review process.

b. Dimensional Requirements

(1) Size: Maximum 35 square feet in area.

(2) Height: Maximum ten feet.

(3) Number: Maximum one per Lot.

c. Setback. The Sign shall be setback ten feet from the edge of the sidewalk. Where there is no sidewalk present, Signs shall be located outside of the established road right-of-way and a minimum of ten feet from the travelled road. Signs shall not obstruct visibility at driveways or intersections.

d. Offset. The Sign shall be a minimum of ten feet from all Lot Lines.

e. Sign Type: Monument style, double post or freestanding bracket style. No pole-type Signs are permitted.

f. Landscaping: Signs shall, to the greatest extent practicable, be surrounded by a minimum five feet wide landscaped area.

3. Other Signs

a. Awning. Lettering shall not cover more than 40% of the awning area, not to exceed 25 square feet. If the awning is the only type of signage

used, the lettering shall not exceed 50 square feet. Awnings shall not obstruct pedestrian traffic.

- b. Projecting. Twenty square foot maximum, extending a minimum of one foot and a maximum of four feet from the building. A minimum clearance of eight feet above the sidewalk is required. The signage shall not be located on the roof of a Building. A maximum of one projecting Sign per Building is permitted unless authorized through the site plan/plan of operation review process.
- c. Window. Lettering shall not cover more than 40% of the storefront window area. No permits are required for the placement of a window sign in compliance with this subsection.
- d. Sandwich Boards. Maximum of one sandwich board per tenant, not to exceed eight square feet in area and four feet in height. Sandwich boards shall not obstruct the sidewalk or impede pedestrian traffic. Sandwich board signage may only be displayed during business hours. No permits are required for the placement of a sandwich board in compliance with this subsection.
- e. Murals. Murals may be authorized through the site plan/plan of operation review process.

4. Illumination Standards

- a. Signage shall only be illuminated with ground lighting or mounted arm lighting. Back-lit, halo-lit or reversed channel letters with illumination are also permitted. Light shall be directed away from passersby and shall not cause glare to the pedestrian or motorist. No illumination is permitted after 10:00 p.m. or after closing, whichever is later.
 - b. Digital Message Boards, internally illuminated signage and blinking or flashing lights are not permitted.
5. Exceptions: Exceptions to sign size or location standards may be authorized through the site plan/plan of operation review process for unique sign design features, such as the use of high quality or natural materials, artistic treatments or symbol shaped signs.

SECTION 40 M-1 LIMITED INDUSTRIAL DISTRICT

A. Purpose and intent

The M-1 Light Industrial District is established to provide areas for light manufacturing, warehousing, distribution, and compatible service-oriented uses that contribute to the local economy while maintaining compatibility with nearby residential and commercial areas. This district is intended to support non-nuisance industrial activities that are conducted within enclosed buildings and do not generate excessive noise, traffic, or environmental impacts. Development in the M-1 District should reflect high standards of site design, including landscaped grounds, adequate off-street parking and loading areas, and appropriate buffering from adjacent uses. The district promotes economic development and job creation while preserving the community's character and protecting public health, safety, and welfare.

B. Use regulations: Permitted uses

1. Animal hospital.
2. Antique shop.
3. Arcade.
4. Appliance store.
5. Art shop.
6. Auto sales lot and associated buildings.
7. Bakery.
8. Bank or savings and loan office.
9. Barber shop.
10. Beauty shop.
11. Boarding or lodging houses.
12. Boat sales and service.
13. Clinic.
14. Clothing or dry goods store.
15. Cold Storage plant.
16. Commercial recreational use.
17. Confectionery store.
18. Dairies and bottling plant.
19. Dance halls.
20. Delicatessen.
21. Drug store.
22. Dry cleaning.
23. Florist shop.
24. Fruit and vegetable market.
25. Furniture store.
26. Gift shop.
27. Grocery store.
28. Hardware store.
29. Hotel and motel.
30. Ice cream shop.
31. Interior decorator office and/or studio.
32. Laundries.
33. Meat and fish market.
34. Motorsport sales and service.
35. Music and radio store.

36. Notion or variety shop.
37. Parking lot.
38. Pharmacy.
39. Professional office and/or studio.
40. Radio and television sales and repair shop.
41. Photographer.
42. Printing and publishing house.
43. Restaurant.
44. Shoe store.
45. Soda fountain.
46. Tailor or dressmaking shop.
47. Tea room or restaurant (no liquor sales).
48. Telegraph and telephone office and telephone exchange.
49. Temporary fireworks stand that sells Class "C" fireworks, if allowed by local ordinance.
50. Theaters.
51. Tourist home.
52. Used car lot.
53. Utility company office.
54. Veterinary clinic.
55. Video game store or studio.
56. Wholesalers and distributors.

C. Use regulations: Accessory uses

1. Garages and buildings. Intended for storage of vehicles and/or equipment when used in conjunction with the operation of a permitted use.
2. Satellite dishes or other communication equipment apparatus.
3. Delivery and service vehicle parking. Only permitted when used in conjunction with the operation of a permitted use.
4. Residential use. Shall be permitted when accessory to otherwise permitted use.

D. Use regulations: Conditional uses

The following conditional uses are permitted subject to receiving a conditional use permit and shall meet the conditions specified in Section 4 and listed below:

1. Land altering activity
2. Expansion or restoration of a non-conforming use or structure
3. Commercial vehicles and construction equipment.
4. Contractor's yard.

E. Bulk regulations

Minimum Lot Area	1 acre (43,560sf)
Minimum Average Lot Width	150 feet
Minimum Floor Area for Single-Family Dwelling*	1 st Floor = 850 square feet Total = 1,100 square feet.
Maximum Building Footprint Permitted*	70% of lot
Minimum Road Setback*	35 feet for local roads

	50 feet for county, state, or federal roads
Shoreline Setback*	75 feet
Wetland Setback*	25 feet
Floodplain Setback*	35 feet**
Offset*	10 feet 50 feet, if abutting residential district.
Bufferyard Requirement	Properties adjacent to residential districts or uses shall be screened from the more district by a planting screen at least six (6) feet high and fifteen (15) feet in width.
Maximum Principal Building Height*	60 feet
Maximum Accessory Building*	60 feet

*Additional regulations and exceptions from Section 3 (General Provisions) apply.

**Within the .2% floodplain per FEMA.

SECTION 41 ZONING BOARD OF APPEALS

A. Establishment

1. Authority: There is hereby created a Board of Appeals pursuant to Section 62.23(7)(e) of the Wisconsin Statutes, to consist of five members and two alternates to be appointed by the Village President and confirmed by the Village Board. The first appointed member shall serve for one year, two for 2 years and two for 3 years, respectively, and thereafter on July 1 of each year the new appointment shall be for three-year terms.
2. General: All members of the Board shall reside within the Village. A vacancy shall be filled for the unexpired term of any member whose term becomes vacant, by appointment of the Village President and confirmation by the Village Board. The members of the Board shall also receive compensation as provided for by the Village Board. The Board shall appoint a chairman, a vice-chairman and shall adopt such bylaws as the Board deems necessary.

B. Rules

1. General: The Board shall elect its own chairman to hold office for one year and until a successor is elected. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent, of failing to vote indicating such fact, and shall keep records of its examinations, and other official actions, all of which shall be filed in the office of the Village Clerk and shall be a public record.

2. Meetings: Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine and shall be open to the public.
3. Procedural: The Board shall adopt other rules governing its procedure as are necessary, consistent with this Ordinance. The Zoning Administrator shall not be the secretary of the board. The rules of procedure, if any, can be found in the office of the Village Clerk.
4. Cooperation with Plan Commission: The Board shall keep the Plan Commission informed as to any matters brought before it and shall call upon the Commission for such information as is pertinent to the matters under consideration.
5. In matters related to Shoreland regulations the WDNR shall be notified of any decision of the board within ten days from the date of the decision.

C. Powers

1. Defined: The Board of Appeals shall have the following powers as defined by statute:
 - a. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of Section 59.69 Wisconsin Statutes, or of this Ordinance.

- b. To hear and decide disputes concerning the C-1 Conservancy Overlay District as shown on the official zoning map.
 - (1) The person contesting the District boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the board; and
 - (2) If a District boundary is incorrectly mapped, the Board should inform the zoning agency, Zoning Administrator, or the person contesting the district boundary location to petition for a map amendment according to Section 42.
- c. To authorize upon appeal in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed, and substantial justice done.

A property owner bears the burden of proving "unnecessary hardship," as that term is used in this section, for an Area Variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

- d. To grant variances for renewable energy resource systems if said system cannot meet normal location requirements of this Ordinance for accessory structures. If the Board denies an application for a variance for a renewable energy resource system, the Board shall provide a written statement of its reasons for denying the application. In this paragraph, "renewable energy resource systems" means a solar energy system, a waste conversion energy system, a wind energy system or any other energy system which relies on a renewable energy resource.
2. Additional requirements: In making its determination, the Board shall consider whether the proposed Area Variance would be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of physical, social or economic effects; and may impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to any which may be stipulated in this Ordinance, as the Board may deem necessary for the protection of adjacent properties and the public interest and welfare.
 3. Performance standards: In order to reach a fair and objective decision, the Board may utilize and give recognition to appropriate performance standards which are available in model codes or ordinances, or which have been developed by planning, manufacturing, health, architectural and engineering research organizations.

4. Enforcement of decision: In exercising the above-mentioned powers, the Board may in conformity with the provisions of this Ordinance, grant or deny the variance application, dismiss the appeal for lack of jurisdiction, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken; and may issue or direct the issue of a permit provided that no such action shall have the effect of permitting in any District a use prohibited in that District; of rezoning; of allowing a variance which would have the effect of intensifying a use in a manner contrary to what a similarly situated property would be allowed; of permitting, without the approval of the County Zoning Agency, any Building within the base setback area as established by Section 3(h)1 of this Ordinance, or of granting exceptions to chapters SPS 383, or NR115 of the Wisconsin Administrative Code, the Waukesha County Sanitary Ordinance and any other federal, state, or local ordinance.
5. Required vote: The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the Applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variation therefrom. The grounds of every such determination shall be stated including the facts which are the basis for the Board's decision and 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.
6. Further appeal: Any person or persons, jointly or severally, aggrieved by any decision of the Board of Appeals, or any taxpayer, or any officer, department, board or bureau of the Village, may appeal from a decision of the Bboard of Appeals within 30 days after the filing of the decision in the office of the Village Clerk in the manner provided in Section 62.23(7)(e)(10) of the Wisconsin Statutes.

D. Appeals

1. How filed: Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any such decision of the zoning administrator or other Administrative Officer. Such appeal shall be taken within 20 days from the date of the decision of the zoning administrator or other Administrative Officer appealed from by filing with the officer from whom the appeal is taken, and with the Village Clerk, a notice of appeal specifying the grounds thereof and together with the proper fee as established by the Village Board. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.
2. Stay: An appeal shall stay all legal proceedings in furtherance of the action appealed from, unless the officer from whose decision the appeal is taken certifies to the Board of Appeals after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed

otherwise than by a restraining order, which may be granted by the Board of Appeals or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

3. Hearing: Each appeal shall be heard within a reasonable time and not to exceed 90 days from the time the appeal was filed with the Village Clerk. Notice of hearing shall be given by publishing in a newspaper of general circulation in the vicinity of the appeal at least once each week for two consecutive weeks and not less than seven days from the date of hearing. The notice shall be published pursuant to Wisconsin Statutes and shall specify the date, time, place and subject of the hearing. Written notice shall be given to the WDNR not less than ten days prior to the hearing. Written notice shall also be given to the Administrative Officer appealed from and by first class mail to the petitioner, the owners of each parcel of land within 100 feet of the land in question, and any other specifically interested parties not less than ten days prior to the hearing. At the hearing, any party may appear in person, or by agent or by attorney.
4. Decision: The decision on any appeal, variance, or interpretation shall be made within 15 days after closing of the hearing thereon unless such time is extended with the mutual consent of the Board and the petitioner. At such time as a decision is made, the petitioner and the WDNR shall be notified in writing within ten days of the date of the decision. The written decision shall be signed by the chairman of the Board.
5. The owner or Applicant must exercise any variance within two years of the date of the Board of Appeals decision granting the variance, or the approval shall expire and become null and void, and no refund of any fees shall be made. If the variance does require a permit, the permit must be obtained within two years of the date of the decision granting of the variance or the approval shall expire and become null and void, and no refund of any fees shall be made. If the permit is not exercised or obtained within the time allowed, the permit or approval shall expire and become null and void, and no refund of any fees shall be made. However, the Board of Appeals may, upon a written request, grant an extension of the permit or approval without additional fee for good cause as determined by the Board of Appeals.

SECTION 42 CHANGES AND AMENDMENTS

A. Authority

Pursuant to the provisions of Sections 62.2(7)(d) of the Wisconsin Statutes, the Village Board may amend the regulations of this Ordinance or change the District boundaries.

B. Procedure

1. Petition: A petition for amendment of this Ordinance may be made by any property owner in the area to be affected by the amendment or by the Village Board.
2. Filing of petition: One original and two copies of the amendment shall be submitted directly to the zoning administrator or Village Clerk in order that notice of public hearings and other processing may be initiated without unnecessary delay. For areas or regulations that fall within the shoreland zoning, one copy of the petition and the notice of public hearing shall be forwarded to the appropriate regional office of the WDNR not less than ten days prior to the hearing. When the petition involves a change in shoreland wetlands, the additional requirements set forth in Section 42(C) shall be followed.
3. Fee: A petition submitted by other than the Village Board shall be accompanied by the proper fee as established by the Village Board.
4. Data required: In addition to all information required on the petition form, the petitioner shall supply the following:
 - a. Two copies of a map accurately drawn to scale of not less than 100 feet to the inch showing the land in question, its location, the length and direction of each boundary thereof, the location and existing use of all Buildings on such land, and the principal use of all properties within 300 feet of such land.
 - b. Any further information which may be required by the zoning administrator to facilitate the making of a comprehensive report to the Plan Commission including a detailed description of the intended new use.
 - c. A Zoning Amendment application which is filed and is not complete, and therefore is not scheduled for a public hearing as it does not meet all of the requirements as outlined in Section 42(B)4.a and b, shall be held for a period not to exceed six months from the date of the application and shall then expire and be voided by the Zoning Administrator and no refund of the application fee shall be made.
5. Effectuation: Any such amendatory ordinance when so adopted by the Village Board, shall become effective after passage by the Village Board and publication pursuant to Section 62.23(7), Wisconsin Statutes. Copies of any decisions made by the Village Board relative to shoreland zoning shall be submitted to the appropriate regional office of the WDNR within ten days of the decision. Upon receipt of the above cited approvals, the Village Clerk shall record in the clerk's office the date on which such ordinance is passed by the Village Board.

C. Shoreland/wetland rezoning procedure

1. For all proposed text and map amendments to the shoreland/wetland provisions of this Ordinance, the appropriate district office of the WDNR shall be provided with the following:
 - a. A copy of every petition for a text or map amendment to the shoreland/wetland provisions of this Ordinance, within five days of the filing of such petition with the Village Clerk. Such petition shall include a copy of the Final Wisconsin Wetland Inventory Map adopted as part of this Ordinance describing any proposed rezoning of a shoreland/wetland.
 - b. Written notice of the public hearing to be held on a proposed amendment at least ten days prior to such hearing.
 - c. A copy of the Plan Commission's findings and recommendations on each proposed amendment within ten days after the submission of those findings and recommendations to the Village Board; and
 - d. Written notice of the Village Board's decision on the proposed amendment within ten days after it is issued.
2. In order to ensure that the shoreland protection objectives found in Section 281.31 of the Wisconsin Statutes will be accomplished by this Ordinance, a Wetland, or a portion thereof, in the C-1 Conservancy Overlay District (Shoreland-Wetland Zoning District) shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
 - a. Storm and flood water storage capacity,
 - b. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland,
 - c. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters,
 - d. Shoreline protection against soil erosion,
 - e. Fish spawning, breeding, nursery or feeding grounds,
 - f. Wildlife habitat, or
 - g. Wetlands both within the boundary of designated areas of special natural resource interest and those Wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in Section NR 103.04, Wis. Admin. Code, which can be accessed at the following web site: <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.
3. If the WDNR determines that the proposed rezoning may have a significant adverse impact upon any of the criteria listed in subsection 2 above, the WDNR shall notify

the Village Administrator of its determination either prior to or during the public hearing held on the proposed amendment. If the WDNR notifies the Village Administrator that a proposed text or map amendment to the wetlands governed by this Ordinance may have a significant adverse impact upon any of the criteria listed in subsection (2) above, that amendment, if approved by the Village Board, shall contain the following provision: "This amendment shall not take effect until more than 30 days have elapsed after written notice of the Village Board's approval of this amendment is mailed to the WDNR. During that 30-day period the WDNR may notify the Village Board that it will adopt a superseding shoreland ordinance for the Village. If the WDNR does so notify the Village Board, the effect of this amendment shall be stayed until the superseding ordinance adoption procedure is completed or otherwise terminated."

4. If the Village Board approves of a rezoning and the WDNR determines, after review as required by Section NR 117.06(2)(b), Wis. Admin. Code that the Village's shoreland zoning ordinance no longer complies with the requirements of the Wisconsin Statutes and Chapter NR 117 Wisconsin Administrative Code, the WDNR shall, after notice and public hearing, adopt a complying ordinance.
5. Where a wetland alteration has been approved as outlined above and results in an enlarged wetland area, the jurisdictional requirements of this Ordinance including the Conservancy District requirements remain in effect within the subject area. Where a wetland alteration results in a smaller wetland, the zoning category of Contiguous lands shall apply.
6. The Village is required to review and adopt amendments to the Wisconsin Wetland Inventory Map in accordance with Section NR 117.05(1)(a), Wis. Admin. Code. The Wisconsin Wetland Inventory Map is also illustrated on the Department of Natural Resources Surface Water Data Viewer and the Waukesha County GIS.

SECTION 43 PUBLIC HEARINGS

A. Notice

In order that the owners of property involved and other legitimately interested parties may have fair opportunity to be heard, adequate notice shall be given of any public hearing required by the provision of this Ordinance stating the time and place of such hearing and the purpose for which the hearing is being held.

B. Procedure

1. Posting and publishing

- a. Except as may be otherwise herein specifically provided, notice of public hearing shall be given by publication once a week for two (2) consecutive weeks in the official newspaper of the county, or in the newspaper of general circulation in the area of the proposed change or Conditional Use.

When the hearing involves a proposed change in the zoning district classification of any property, or the granting of a Conditional Use, notice of the public hearing shall be given by first class mail to the owners of all lands within 300 feet of any part of the land included in such proposed change or Conditional Use at least seven days before such public hearing. In the case of any proposed text amendment or a Conditional Use request, zoning map amendment or zoning map refinement affecting more than six properties and which does not solely set forth a specific amendment or use change to a single particular property owner's land and where such petition is initiated by the municipality, the county or other governmental agency, the requirements for individual notice to affected property owners or those who own property within 300 feet of the project area shall not be required. The failure of such notice to reach any property owner, provided such failure be not intentional, shall not invalidate any amending ordinance or granting of Conditional Use.

- b. Hearing: A petition to amend this Ordinance or change the District boundaries shall follow the procedure set forth in Section 62.23(7), Wisconsin Statutes. Public hearings shall be conducted by the Plan Commission.

SECTION 44 GENERAL ADMINISTRATION

A. Administrative and enforcement officers.

1. Officers designated. The Village of Lac La Belle Plan Commission is hereby designated as the Zoning Agency for the provisions of this Chapter. The Village administrator is hereby designated as the zoning administrator and administrative officer for the provisions of this Chapter and maintenance of conditional use permit files. The zoning administrator has the authority to designate staff under his direction to perform delegated tasks and duties. The building inspector and the chief of police or their designees are designated as the enforcement officers for the provisions of this chapter.
2. Duties. In the enforcement of this chapter the Zoning Administrator or designee shall perform the following duties:
 - a. Issue the necessary building permits, occupancy and zoning use permits, provided the provisions of this chapter and the building code have been met.
 - b. Keep an accurate record of all permits, numbered in the order of issuance, in a record book for this purpose.
 - c. Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications and appeal forms.
 - d. Submit copies of decisions on variances, conditional use permits, appeals for a map or text interpretation, and map or text amendments within 10 days after they are granted or denied, to the appropriate office of the Department
3. Authority. In the enforcement of this chapter, the building inspector and the chief of police or their designees shall have the power and authority for the following:
 - a. At any reasonable time, and for any proper purpose to enter upon any public or private premises and make inspection thereof.
 - b. Upon reasonable cause or question as to proper compliance, to revoke any building or occupancy permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this chapter, such revocation to be in effect until reinstated by the building inspector or the zoning board of appeals.
 - c. In the name of the Village, and with authorization of the Village board, commence any legal proceedings necessary to enforce the provisions of this chapter or the building code, including the collection of forfeitures provided for herein.
4. Fee Schedule. The fees referred to in other Sections of this Ordinance shall be established by the Village Board and may from time to time be modified.

B. Violations and penalties.

1. Penalties. Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall, upon conviction, be subject to the penalties set forth in section 1-7 of Part I to this Code. Each day that a violation is permitted to exist shall constitute a separate violation and be punished as such.

2. Enforcement by injunction. Compliance with the provisions of this chapter may also be enforced by injunction order at the suit of the Village or one or more owners of real estate situated within an area affected by the regulations of this chapter.
3. Declared nuisances. Any structure erected, structurally altered or placed on a lot, or any use carried on in violation of the provisions of this chapter is hereby declared to be a nuisance per se, and the Village may apply to any court of competent jurisdiction to restrain or abate such nuisance.

SECTION 45 VALIDITY

A. Abrogation and greater restrictions

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern. The Shoreland protection provisions of this Ordinance required by Ch. NR115 Wisconsin Administrative Code, supersede all less restrictive provisions of any other county zoning ordinance.

B. Interpretation

The provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be construed to be a limitation or repeal of any other powers granted by the Wisconsin Statutes and those now possessed by the Village of Lac La Belle. If a provision of this Ordinance, required by statute or ch. NR 117, Wisconsin Administrative Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this Ordinance or in effect on the date of the most recent text amendment to this Ordinance.

C. Severability and non-liability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

D. Repeal

All ordinances or parts of ordinances of the Village inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed. All other ordinances enacted by the Village under Section 62.23 of the Wisconsin Statutes relating to shorelands are hereby superseded.

E. Title

This Ordinance shall be known as, referred to, and cited as the "Zoning and Shoreland Protection Ordinance, Lac La Belle, Wisconsin" and is herein referred to as the "Ordinance".

F. Effective date

This Ordinance shall be effective after a public hearing and recommendation by the Village Plan Commission, and adoption by the Village Board in accordance with Section 62.23 of the Wisconsin Statutes.

Map 33(b): Downtown Okauchee District Use Zone Map

Generalized Allowable Uses
See Section 33(c) for more detailed provisions

ZONE	ALLOWED USES
Central Area ①	Mixed-Use Commercial
②	Mixed-Use Commercial
③	Mixed-Use Commercial Multi-Family with CU
④	Mixed-Use Commercial Multi-Family with CU Single-Family (re-build only)
⑤	Mixed-Use Commercial Multi-Family with CU Single-Family (re-build) Single-Family High Density with CU
⑥	Limited Mixed-Use Limited Commercial Multi-Family with CU Single-Family
⑦	Multi-Family By-right (up to 10 units per acre) with CU (x10 units per acre)
⑧	Single-Family Multi-Family with CU

Table 1

Protection of Priority Trees within 300 feet of the Ordinary High Water Mark
in accordance with Section 3(D)8(b)

Basswood
Beech
Black Cherry
Blue Ash
Butternut
Elm (Red, Rock)
Hackberry
Hickory (Bitternut, Shagbark)
Ironwood
Kentucky Coffeetree
Maple (Red, Silver, Sugar)
Oak (all types including White, Bur, Red, Black, Swamp White, Pin)
Red Cedar
Tamarack
Yellow Birch