

Appendix C: Model Ordinance Language

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These model ordinances have been drafted to enable their independent adoption into local and county zoning ordinances. There are redundancies among the model ordinances that communities should address before adopting two or more. Additionally, the model ordinances should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption. The model ordinances have been written to allow their application to cities, villages, the county, and towns with sole zoning authority, although some customization will certainly be necessary.

A. Model Highway Corridor Design Overlay (HCDO) District

This proposed ordinance amendment would establish a new overlay zoning district within a zoning ordinance—the HCDO Highway Corridor Design Overlay District. This district has been drafted to help implement community character recommendations the Sauk County Highway 12 Growth Management Plan, and could therefore be mapped around the Highway 12 corridor and any future bypasses. The ordinance amendment itself would not map the HCDO district anywhere in Sauk County. Mapping a specific HCDO district would require later approval by the affected town board and the county board (or city council or village board), through the regular zoning map amendment process, after the district is established in the respective zoning ordinance. Further, where subsequently mapped, the HCDO district would not change the underlying or base zoning of the property, and would therefore not change the range of allowable land uses on the property. Instead, mapping a site within the HCDO district would establish certain site planning and design requirements for new non-agricultural land uses allowed in those base zoning districts (see Subsection (2), below). Subsection (1) simply provides definitions of some terms used in Subsection (2).

This model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption. This ordinance has been generally been written from a county perspective and would need to be modified for towns that are not under county zoning and for cities and villages.

(1) Definitions

- A. Development approval. One or more government actions approving a proposed land development or use proposal, including but not limited to a rezoning, certified survey map approval, subdivision plat approval, conditional use permit, site plan approval, zoning permit, sign permit, or variance.
- B. Primary highway. The main highway around which an HCDO Highway Corridor Design Overlay District has been mapped, but not including any road or highway that intersects or passes over or under the primary highway.

(2) HCDO Highway Corridor Design Overlay District.

NOTE: This section establishes site planning requirements and design standards for new non-agricultural development projects within an HCDO district to achieve the purpose described in subsection (2)A. Commercial, industrial, institutional, and multiple family residential projects would have to meet nearly all of these requirements, including petitioner completion of site planning in advance of development approval. Subsection (2)D would require the submittal of a development plan (site layout plan), landscape plan, lighting plan, signage plan, erosion control/stormwater plan, and building elevations to both the county and appropriate town, and the approval of those plans by the appropriate town and county agency (e.g., town board, county planning and zoning committee depending on type of request), before a zoning permit would be issued for construction. Single family and two family housing developments and agricultural uses would not be subject to these site planning requirements.

Subsections (2)E through (2)I include substantive standards that non-agricultural development projects would have to meet to obtain approval, with the notable exception of building design requirements for single- and two-family residences. Approaches to address many of these standards would have to be shown in the submitted site planning maps. These design standards were derived from recommendations of the Sauk County Highway 12 Growth Management Project, associated town planning efforts, similar highway design overlay districts throughout the country, sign standards advised by national sign control publications, simple point-based landscaping systems in use elsewhere, and lighting standards of the Illuminating Engineering Society of North America

A. Statement of purpose.

The purpose of the HCDO Highway Corridor Design Overlay District is to maintain and enhance the aesthetic appeal, character, scenic beauty, natural landscape, dark sky, traffic safety, and orderly development along and visible from major highway corridors.

B. Designation.

The HCDO district may be mapped or expanded on the zoning district maps in accordance with the procedures for changing zoning district boundaries prescribed in section 59.69, *Wis. Stats* <use appropriate town zoning or city zoning authorization statute as appropriate>. Individual HCDO Districts shall generally be mapped in areas with actual or potential visibility from the primary highway. Lands subject to this section shall be designated by attaching the suffix “HCDO” to the base zoning district in which the lands are located (e.g., C-2 HCDO).

C. Applicability and exceptions.

- 1) The provisions of this section shall supplement the regulations applicable in the base zoning district covering lands also mapped within the HCDO District.
- 2) Except where otherwise specifically indicated, the provisions of this section shall apply to all new construction, any total redevelopment of an existing developed site, and any addition which results in a total expansion of at least 25% in building floor area, outdoor storage area, or parking lot area over that existing as of <insert date of ordinance adoption>. When such an addition is proposed, the entire site and all improvements thereon shall comply with the provisions of this section, to the extent practical, given existing site and building conditions.
- 3) The provisions of this section shall not apply to any land use that is listed under <insert appropriate zoning ordinance reference> as a permitted use within the A-1 Agriculture District (Exclusive).

D. Site planning.

Petitioners submitting an application for development approval of a project including a non-residential use or multiple family dwelling shall at the time of the first such application submit, to both the zoning administrator and the appropriate town clerk, 10 sets of the plans listed below, except where the zoning administrator determines that a particular plan is not applicable to the proposed project. A zoning permit shall not be issued until these plans have been submitted, recommended, and approved by the appropriate town or county agencies, and amended by the petitioner as necessary to comply with any conditions of approval. The property owner shall then be responsible for installing and maintaining all site improvements shown on the approved plans. The following required plans shall be drawn to a recognized scale, and include a north arrow, date of preparation, and contact information:

- 1) Development plan, which shall include the location and dimensions of all existing and proposed lot lines, wetlands, floodplains, woodlands, slopes of greater than 12% buildings, other structures, parking lot, loading area, circulation areas, outdoor storage areas, screened dumpsters, and internal and adjacent streets and land uses.
- 2) Landscape plan, which shall:
 - a) Locate all existing trees with a trunk diameter (caliper) at breast height of over six inches or a height of over 30 feet, or the limits of woodlots within which at least 50% of the trees meet at least one of these criteria.
 - b) Show all proposed landscape plantings for the site, indicating their locations, quantities, species, and size at time of planting.
- 3) Erosion control and stormwater management plan(s), which shall meet all applicable requirements of <insert appropriate ordinance reference>, including existing and proposed surface elevations of the lot.
- 4) Building elevations, which shall depict and describe the dimensions, colors, and materials proposed for all exterior sides and roofs, along with lighting, signs, and mechanical units.
- 5) Sign plan, which shall include the location, height, dimensions, color, materials, lighting and sign copy area of all proposed exterior signage.

- 6) Lighting plan, which shall illustrate the location, height, type, orientation, and power of all proposed outdoor lighting.

E. Site design.

- 1) No buildings, parking, drive aisles, or other hard surfaced areas shall be placed within a 30-foot wide strip adjacent to the current or officially mapped right-of-way or road easement edge of the primary highway, except for any permitted driveways connecting to the primary highway. TRANS 233, Wis. Admin. Code, may establish greater or more restrictive setbacks along state and federal highways.
- 2) The siting of all buildings shall meet any applicable standard within the adopted comprehensive or land use plan covering the area, unless the appropriate town or county agency waives compliance.
- 3) Interconnected parking lots, streets, driveways, and walkways shall be provided wherever practical to facilitate movement between sites.
- 4) Loading docks, dumpsters, mechanical equipment, and outdoor storage areas for non-residential and non-agricultural uses shall be visually screened from the primary highway, other public roads, and adjacent properties used or zoned for residential purposes.
- 5) As part of the development approval process, the appropriate town or county agency may specify siting, volume, time, area, screening, or related requirements for outdoor storage or outdoor display areas.

F. Building design.

The following requirements shall apply only to projects including a non-residential use or multiple family dwelling:

- 1) Building materials, colors, designs, and scale shall contribute to the desired character, image, and cohesion of the area, with any standards included within the town's comprehensive plan or land use plan or the Sauk County Highway 12 Growth Management Plan providing more detailed guidance.
- 2) Principal buildings shall be oriented to front on the primary highway or provide an architecturally detailed façade visible from the primary highway.
- 3) Principal buildings shall be architecturally finished on all sides and include architectural details such as variations in height and roof lines; exterior wall offsets; overhangs and canopies; windows; bays; and visually distinct entrances.

G. Landscaping.

- 1) New landscape plantings shall be focused near building foundations, within and around parking lots and loading areas, and within the yard adjacent to the primary highway.
- 2) All projects including a non-residential use or multiple family dwelling shall provide new plantings equivalent to the following type and number per every one acre of lot area: four canopy trees with a caliper of at least two inches at time of planting, eight ornamental or evergreen trees with a height of at least six feet at time of planting, and 20 shrubs with a height of at least 18 inches at time of planting.
- 3) All projects including or intended for more than one single-family or two-family dwelling shall provide new plantings, earthen berms, or both within the 30-foot wide yard adjacent to the primary highway right-of-way or road easement edge.
- 4) Credit towards new planting requirements shall be provided where the protection and retention of existing trees are provided for on the landscape plan.

H. Signs.

All signage shall comply with *<insert reference to sign ordinance>* and the following requirements, with the following requirements controlling in the event of conflict. These requirements shall not apply to agriculture signs, farm signs, crop signs, auxiliary signs, directional signs, parking lot signs, community information signs, political signs, garage sale signs, private property protection signs, or real estate signs.

- 1) One wall, awning, projecting, or marquee sign shall be permitted per building or customer entrance, whichever is greater. The maximum wall sign copy area shall be one square foot for every one lineal foot of length of the wall on which it is applied or 64 square feet, whichever is less.
- 2) One ground sign shall be permitted per lot. The maximum sign copy area for all faces of the ground sign visible at one time shall be ½ square foot for every one lineal foot of frontage of the public street nearest to the sign or 64 square feet, whichever is less. The maximum ground sign height shall be 16 feet.
- 3) The following types of signs shall be prohibited: temporary signs; signs that extend over the adjacent roof line of a building; off-premise advertising signs that are illuminated, greater than 64 square feet in sign copy area, or greater than 16 feet in height; pylon signs; electronic signs that flash or move a message more than one time per minute; mobile or portable signs; and signs that move or rotate.

I. Exterior lighting.

- 1) All exterior light fixtures that are over 150 watts and not in the rights-of-way or easements of public roads shall be completely shielded or recessed into canopies, with the fixtures mounted parallel to the ground.
- 2) The maximum illumination level at all lot lines shall be 0.5 footcandle, the average illumination level within the lot shall be no greater than 2.5 footcandles, except where the petitioner demonstrates that different light levels meet standards of the Illuminating Engineering Society of North America.
- 3) As part of the development approval process, the appropriate town or county agency may specify certain hours within which illumination of signs or exterior light fixtures is permitted or prohibited.

NOTE: Insert this statement in appropriate location within the community's sign ordinance. This proposed statement is a reference that alerts the reader to the additional sign standards for the HCDO District prescribed in Subsection (2)H.

Signs within the HCDO Highway Corridor Design Overlay District are subject to the additional provisions in *<Insert reference to sign standards in HCDO District>*, which shall control in the event of conflict with similar rules in *<Insert reference to sign ordinance>*.

B. Model Standards for Telecommunications Facilities

Telecommunication facilities (e.g., cell towers) can have a significant impact on the character of the rural landscape, particularly along high traffic corridors like Highway 12 and any future bypasses. Still, providing reasonable opportunities for these types of facilities is important to satisfy an obvious demand and comply with federal telecommunications law. The following model telecommunication facilities ordinance is based on models already in place in urban and rural areas throughout Wisconsin. Particular attention was paid, in drafting this model ordinance, to providing incentives for co-location of antennas and using existing tall structures to serve as platforms for telecommunications facilities (i.e., "alternative support structures"). These twin goals are intended to limit the spread of numerous single-purpose/single provider telecommunications towers.

This model ordinance is intended to be incorporated as one component of a zoning ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose.

The purpose of this Section is to provide a thorough and consistent set of standards for the siting and installation of wireless telecommunications facilities in the various zoning districts in which they may be allowed, and more generally to protect the public health, safety, welfare, aesthetics and natural environment of the <county/city/village/town> in such a manner that does not unduly interfere with the placement and construction of said facilities. More specifically, the intent of this Section is to:

- A. Mitigate the potential for adverse visual impacts caused by wireless telecommunications facilities through design and siting standards.
- B. Ensure that a business environment characterized by high service quality, competition and non-discrimination prevails with regard to wireless telecommunication services in a manner consistent with the Federal Telecommunications Act of 1996.
- C. Establish a clear process for obtaining necessary permits for wireless telecommunications facilities that adequately protect the interests of the citizens of the <county/city/village/town> while minimizing the burden of compliance to service providers.
- D. Protect environmentally and aesthetically sensitive areas of the <county/city/village/town> by restricting the design, height, location and operation of wireless telecommunications facilities in these areas, and by promoting their disguise, camouflage, screening or other design treatments intended to minimize their obtrusiveness.
- E. Encourage use of multiple-antenna alternative support structures such as buildings and water towers as an alternative to stand-alone, single-use, single-provider structures, and require good-faith attempts for co-location of facilities.

(2) Applicability.

The requirements of Section shall apply to all new wireless telecommunications facilities that had not received a building permit prior to adoption of this Section. Wireless telecommunications facilities which pre-exist this Section, or have been legally permitted prior to its adoption, shall not be required to meet the requirements contained herein. This Section is not intended to regulate residential satellite dishes that are thirty-six inches or less in diameter, residential television antennas, or amateur radio facilities. This Section shall not be construed as to override additional or more stringent Federal or State of Wisconsin requirements, including but not limited to any regulations or restrictions imposed by the State Bureau of Aeronautics, the Federal Communications Commission (FCC), or the Federal Aviation Administration (FAA).

(3) Definitions

- A. “Alternative support structure” means a water tower, silo, utility pole, light pole, smokestack, electrical transmission tower, building or other similar structure of at least fifty feet in height, and used as a structural base, stand, pedestal, or physical support for one or more wireless telecommunications facilities.
- B. “Co-location” means the clustering of multiple antennas, dishes or similar telecommunications facilities or devices operated by different service providers but located on a single, freestanding wireless telecommunications facility or alternative support structure.
- C. “Freestanding wireless telecommunications facility” means a self-supporting telecommunications tower or other self-supporting wireless telecommunications facility that is not mounted, or otherwise attached to, an alternative support structure. A tower using guy wires shall be considered a freestanding wireless telecommunications facility.
- D. “Wireless telecommunications facility” means a facility that consists of or includes one or more antennas, antenna arrays, telecommunications towers, microwave relay systems, satellite dish antennas of at least thirty-six inches in diameter, or other similar communications devices used for transmitting, receiving or relaying radio, microwave, digital, cellular or other wireless telecommunications signals. For the purposes of this ordinance, wireless telecommunications facilities shall not include conventional, non-wireless telephone poles (unless also serving as an alternative support structure), residential satellite dishes less than thirty-six inches in diameter, residential television antennas, and amateur radio facilities.
- E. “Wireless telecommunications support facility” means any and all ancillary structures, mechanicals, shelters, devices or equipment, other than attached antennas, that are incidental or accessory to the operation of a wireless telecommunications facility.

(4) Areas where wireless telecommunication facilities allowed.

Section XX identifies the zoning districts in which wireless telecommunications facilities may be allowed, and what types of facilities are allowed as permitted or conditional uses. In no case shall a wireless telecommunications facility be located in or on districts or sites listed on the State or National Register of Historic Places, or within environmental corridors, wetlands, floodplains, or critical species habitats mapped by the Southeastern Wisconsin Regional Planning Commission, Wisconsin Department of Natural Resources, or through more detailed field surveys.

(5) Type of approval required.

In zoning districts where they are allowed, the first wireless telecommunications facility to be located on an alternative support structure and all new freestanding wireless communication facilities shall require a conditional use permit. In zoning districts where they are allowed, the second or greater wireless telecommunications facility to be located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility shall be allowed as a permitted use, except that any addition or extension to an existing wireless telecommunications facility that adds more than ten feet to the overall height of the existing facility or alternative support structure shall require a conditional use permit. In zoning districts where wireless telecommunication facilities are allowed, wireless telecommunication *support* facilities shall be allowed as permitted accessory uses upon the establishment of the principal facility. All wireless telecommunication facilities and wireless telecommunication support facilities shall be subject to site plan review.

NOTE: In general, in cities and villages, new towers should only be allowed as conditional uses in industrial zoning districts and perhaps commercial districts. In towns, most ordinances allow new towers as conditional uses in agricultural districts as well. New wireless facilities located on alternative support structures, such as a water tower, or on pre-existing towers, could be allowed in other districts as either conditional or permitted-by-right uses. In addition to adopting this model ordinance, communities should amend their permitted and conditional use lists within their various zoning districts to specify what types of telecommunication facilities would be allowed where.

(6) Required application submittal information.

With the application for site plan review or conditional use permit for a wireless telecommunications facility, the petitioner shall submit all information required under *<insert appropriate reference to general site plan submittal requirements>*, along with the following additional information:

- A. The identity, legal status, signature, and contact information of the carrier, service provider, petitioner, and landowner.
- B. FCC license and registration numbers if applicable.
- C. A report prepared by a Wisconsin licensed engineer certifying the structural design of the telecommunications facility and its physical ability to accommodate, either initially or at some time in the future, a total of at least three antenna arrays for separate providers.
- D. In the case of a leased site, a lease agreement, option, or binding lease instrument which does not preclude the lessee from entering into sub-leases on the site at market rates with another co-locating provider(s) and includes the legal description and amount of property leased.
- E. For a proposed wireless telecommunications facility within a one-mile radius of an airport, copies of an Affidavit of Notification indicating that the airport operator and airport property owner have been notified via certified mail, along with copies of the determination of no hazard from the FAA or any other findings of the Wisconsin State Bureau of Aeronautics, such as they may apply.
- F. Proof of a satisfactory level of liability insurance coverage, with the *<Community Name>* listed as an additional named insured party.
- G. Certified statement and map prepared by a licensed radio frequency engineer showing the coverage area of the proposed facility.
- H. For a wireless telecommunications facility that requires a conditional use permit, a feasibility analysis that identifies at least three alternative sites, pre-existing freestanding wireless telecommunications facilities, and/or alternative support structures that could technically support a comparable level of service. The intent of this analysis is to present options to minimize the number, size, and adverse environmental impacts of wireless telecommunications facilities. The analysis shall specifically address the potential for co-location on pre-existing freestanding wireless telecommunications facilities and the use of alternative support structures. It shall also explain the rationale for selection of the proposed site in view of the relative merits of the alternatives. Approval of the project is subject to the plan and architectural review commission's determination that the chosen site is more advantageous than any other alternative site that is both technically feasible and available for use. The plan and architectural review commission may choose to independently verify the findings of this analysis at the applicant's expense.
- I. For a wireless telecommunications facility that requires a conditional use permit, a performance bond in the amount of \$20,000 naming the *<county/city/village/town>* as obligee, as security for the potential future removal of abandoned or inactivated facilities.
- J. For a wireless telecommunications facility that would be set back from any property line or principal building a distance less than the height of the facility, including the height of any alternative support structure, a analysis prepared by a licensed structural engineer demonstrating that the facility would not pose a threat to the public, existing principal buildings, or adjacent properties in the event of failure.
- K. The amount and location of any fuel proposed to be stored on site.
- L. Any other information that the zoning administrator may deem necessary.

(7) Co-location and use of alternative support structures.

- A. In its review of alternative sites considered by the petitioner, the plan and architectural review commission shall prioritize reasonable alternatives that involve co-locating the new facility on an existing freestanding wireless telecommunications facility or locating the new facility on an alternative support structure, such as a tall building, water tower, smokestack, or electrical transmission tower. Co-location or use of an alternative support structure shall not be required on any facility or structure not structurally designed to accommodate a new wireless telecommunications facility.
- B. All freestanding wireless telecommunication facilities issued a conditional use permit after the effective date of this Section, known hereinafter as “host facilities,” shall make available space for the co-location of telecommunications antennas or antenna arrays for at least two additional competing wireless telecommunications providers, including space for wireless telecommunication support facilities. This requirement does not apply if the owner or operator of the host facility can demonstrate, to the satisfaction of the plan and architectural review commission, that the placement of the additional antennas or equipment would impair or disrupt, for a significant period of time, the service provided by the host facility.
- C. Where a wireless telecommunication facility provider proposes to utilize an alternative support structure, the provider shall make available space for the co-location of telecommunications antennas or antenna arrays for at least two additional competing wireless telecommunications providers, and shall thereafter be considered a host facility. If the plan and architectural review commission determines, based on evidence supplied by the applicant, that the proposed facility or alternative support structure is not structurally sound or not otherwise appropriate for additional antennas or arrays, the commission may waive this requirement.
- D. All new wireless telecommunication facilities and sites shall be designed to promote sharing of both tower space and ancillary facilities such as access roads, parking areas, buildings, and utilities.
- E. The owner or operator of the host facility shall make co-location space reasonably available to other competing providers at prevailing market lease rates for the industry. Failure to comply with this provision shall be grounds for revocation of the conditional use permit.
- F. Alternative support structures must be at least fifty feet in height to be considered for the addition of a wireless telecommunication facility, not including the height of any architectural projections. The plan and architectural review commission may deny the placement of numerous wireless telecommunication facilities on a single alternative support structure if it determines that such placement would have a negative aesthetic, architectural, public safety, or operational impact.
- G. Wireless telecommunications facilities located on alternative support structures shall be considered accessory uses.

(8) Structural, design, and aesthetic standards.

All wireless telecommunications facilities shall be designed and sited in such a manner to minimize or avoid adverse safety, aesthetic or environmental effects per the following requirements:

- A. All wireless telecommunications facilities shall comply with all <county/city/village/town>, state and federal regulations, restrictions, codes, standards and power density limits, including other <county/city/village/town> zoning ordinance standards.
- B. Wireless telecommunications facilities shall be constructed of metal or other non-flammable material, and freestanding facilities shall be self-supporting monopoles or lattice towers, unless otherwise permitted by the plan and architectural review commission. Material color shall blend with surroundings.

- C. All wireless telecommunications facilities and support facilities shall be located and installed in such a manner to minimize disturbance to, take advantage of, or locate behind existing topography and vegetation to minimize visual impact on surrounding properties and public rights-of-way. No wireless telecommunication facility shall be placed in a location that would physically obstruct or otherwise interfere with the full use of other wireless telecommunication facilities, residential satellite dishes, residential television or radio antennas, or amateur radio facilities.
- D. The minimum setback of a new wireless telecommunications facility from all property lines and principal buildings on the site shall equal the height of the wireless telecommunications facility, including the height of any alternative support structure. A setback below this minimum may be considered by the plan and architectural review commission based on submittal of a structural engineering analysis demonstrating that the facility would not pose a threat to the public, existing principal buildings, or adjacent properties in the event of failure. All wireless telecommunications support facilities shall be set back from property lines the same distance as required for principal buildings in the zoning district.
- E. The maximum height above existing grade for any freestanding wireless telecommunications facility, including all antennas, shall be two hundred and fifty feet. Any wireless telecommunications facility mounted on an alternative support structure may extend no greater than fifty feet above the height of an alternative support structure that is less than two hundred feet in height, or no greater than ten feet above the height of an alternative support structure that is two hundred feet in height or greater. The plan and architectural review commission may approve waivers to such height limitations if necessary to facilitate co-location of facilities.
- F. All wireless telecommunications support facilities shall be located within enclosed buildings or fully screened rooftop locations. Such accessory buildings shall not exceed fifteen feet in height and twelve hundred square feet in area, unless otherwise permitted by the plan and architectural review commission to facilitate co-location. The design and exterior surfacing of all such buildings or rooftop screening structures shall be in harmony with the existing or desired architecture for the area. The exterior walls of all such buildings shall be masonry, stone, stucco, pre-cast concrete, or other similar surface.
- G. No commercial message or signage shall be allowed at or on any wireless telecommunications facility, wireless telecommunications support facility, or site used for a wireless telecommunications facility.
- H. Access driveways shall be surfaced in accordance with the requirements *<insert reference to appropriate county or local requirements>*.
- I. The site including the wireless telecommunications facility shall be attractively landscaped, with particular emphasis on landscaping near buildings, tower foundations, and driveways. New vegetation for screening purposes shall be a minimum of five feet in height upon planting, and shall be located on the outside of any required fencing. The base of all freestanding wireless telecommunications facilities shall be enclosed with security fencing, unless the applicant provides other acceptable improvements designed to secure the base of the facility (tower) from public access.

(9) Abandonment and removal.

Any wireless telecommunications facility not continuously operating for a period of 12 months shall be considered abandoned and shall be removed (along with its wireless telecommunication support facilities) within 90 days of receiving an order to remove from the zoning administrator. The cost of removal and site restoration shall be borne entirely by the permit holder. In the event that the permit holder fails to remove the facility, the *<county/city/village/town>* may cash the required performance bond and remove the facility and all support facilities itself.

(10) Compliance.

- A. All wireless telecommunications facilities granted site plan or conditional use permit approval after the effective date of this Section shall remain in compliance with approved plans, conditions of approval, the provisions of this Section as they existed at the time of permit approval, and applicable standards of *<reference appropriate standards for granting conditional use permits>*. The permit holder shall be responsible for the continued maintenance and/or replacement of all buildings, fencing, landscaping and other site improvements.
- B. The permit holder for all wireless telecommunication facilities granted conditional use permit approval after the effective date of this Section shall file an annual report with the zoning administrator demonstrating continued compliance with approved plans, conditions of approval, the provisions of this Section as they existed at the time of permit approval, and the standards of *<reference appropriate standards for granting conditional use permits>*. The petitioner shall also demonstrate that the term of any performance bond or liability insurance policy required under Subsection (6)I. shall remain in effect for at least two years from the date the annual report is submitted. Such report shall be filed within 30 days of the original month of conditional use permit approval.
- C. Failure to comply with subsections A and B above may be grounds for revocation of the permit, penalties pursuant to *<insert reference to violations and penalties section of zoning ordinance>*, or both.

C. Model Standards for Exterior Lighting

Site lighting which is too bright or that results in substantial spillover can result in significant negative impacts on abutting properties, traffic safety, the night sky, and more generally community and rural character. This is particularly the case for commercial development projects, some of which use bright site lighting as an advertising device. The following model lighting ordinance has been drafted to control for lighting impacts while still allowing for site lighting in line with the standards of the Illumination Engineering Society of North America. The ordinance emphasizes use of downlit, cut-off, or “shoebox” fixtures and performance standards covering maximum lighting levels on-site and at property lines.

This model ordinance is intended to be incorporated as one component of a zoning ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose

The purpose of this Section is to regulate the spillover of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity of a light source in order to promote traffic safety and prevent the creation of nuisances. A further purpose of this Section is to regulate outdoor night lighting fixtures to preserve and enhance the area’s dark sky while promoting safety, conserving energy and preserving the environment for astronomy.

(2) Applicability

The requirements of this Section apply to all private exterior lighting within the jurisdiction of this Section, except for lighting within public rights-of-way and/or lighting located on public property.

(3) Definitions

- A. “Exterior lighting” means an outdoor artificial illuminating device, whether permanent or portable used for illumination or advertisement, including general lighting fixtures, searchlights, spotlights and floodlights, whether for architectural lighting, parking lot lighting, landscape lighting, signage, or other purposes.
- B. “Shielded” means a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted. Except for ground and sign mounted light fixtures, that horizontal plane shall be parallel to the surface of the ground.

(4) Depiction on Required Site Plan

Any and all exterior lighting shall be depicted as to its location, orientation, and configuration on the site plan required for the development of the subject property.

(5) Requirements:

A. Orientation of Fixture

All exterior lighting shall be shielded, except for incandescent fixtures of 150 Watts or less, and other sources of 70 Watts or less. In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a transparent shield) is visible from a property located within a residential zoning district. The use of shielded luminaries and careful fixture placement is required so as to facilitate compliance with this requirement.

B. Intensity of Illumination

- 1) In no instance shall the amount of illumination attributable to exterior and interior lighting, as measured at the property line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night.

- 2) The maximum average on-site exterior lighting in non-residential zoning districts shall be 2.4 foot-candles.
- 3) The maximum average on-site exterior lighting in residential zoning districts shall be 0.90 foot-candles.
- 4) The following exceptions shall be permitted:
 - a) Outdoor recreation facilities and assembly areas: Maximum average on-site exterior lighting of 3.60 foot-candles.
 - b) Auto display lots and gas station pump islands: Maximum average on-site exterior lighting of 0.20 foot-candles.
 - c) Where the recommended lighting levels of the Illuminating Engineering Society (IES) suggest a different standard is appropriate.

C. Location

Light fixtures shall not be located in any required buffer area between land uses. Outdoor lighting installation shall not be permitted closer than 3 feet to an abutting property line and, where not specifically otherwise regulated, shall not exceed 35 feet in height for commercial, industrial, and institutional uses; or 20 feet in height for residential uses. The height of both the pole and the base shall be included in the measurement of light fixture height.

D. Flashing, Flickering and other Distracting Lighting

Flashing, flickering and/or other lighting, which may distract motorists, are prohibited.

E. Minimum Lighting Standards

All areas designated on required site and operational plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity of 0.4 footcandles.

F. Special Events Lighting

Any temporary use using exterior lighting, which is not in complete compliance with the requirements of this Section, shall secure a temporary use permit.

G. Display Lot Lighting

Display lot lighting shall be extinguished within minutes after closing of the business. Under no circumstances shall the full illumination of display lots be permitted between 11:00 p.m. and 7:00 a.m. All exterior lighting during such period shall be for security purposes only and at LOW levels per definition by the IES.

H. Architectural Lighting

All architectural lighting shall be of 150 Watts or less in incandescent, and shall be of 70 Watts or less for other lighting types. All exterior lighting during such period shall have a minimum of 90 percent of their light fall onto the illuminated structure, rather than into sky or space beyond the structure.

I. Temporary Security Lighting

Temporary security lighting triggered by motion or noise shall be permitted and exempt from the above provisions. Sensors for such lighting shall not be triggered by activity located off the subject property. Such lighting shall not remain on for more than 15 minutes beyond the triggering event.

J. Holiday Lighting

Holiday lighting shall be permitted and exempt from the provisions of this ordinance.

K. Use of Mercury Vapor Fixtures

No new mercury vapor exterior lighting fixtures shall be installed following the effective date of this Ordinance amendment.

(6) Nonconforming Lighting

All lighting fixtures and structures existing prior to the effective date of this Section shall be considered as legal conforming uses. Except, however, that where non-conforming lighting is deemed to create a public nuisance by the Zoning Administrator, it may be ordered to be modified or removed so as to conform to the standards of this section.

(7) Violations and Penalties

Any person, firm, entity or corporation violating the provisions of this subsection shall be subject to all applicable penalties and procedures. Each day the violation continues after notice and/or citation shall constitute a new violation.



D. Model Standards for Large Retail Buildings

Large scale retail development—or “big box” retail—can have a significant impact on the aesthetic character of an area, traffic, and the business climate in the entire community. In general, the scale of retail uses being contemplated has advanced much more quickly than local governments’ ability to handle these projects. The following model ordinance advocates that communities determine where (in what zoning districts) such uses will be allowed. It also directs considerable attention to aspects of large retail uses that frequently have the greatest visual, community character, and traffic impact.

This model ordinance is intended to be incorporated as one component of a zoning ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose and Applicability

The following requirements are applicable to all new retail and commercial service buildings in excess of 20,000 gross square feet and shall be conditional uses in the zoning districts in which they are allowed. All additions to existing retail and commercial service buildings, built either before or after the adoption of this Ordinance, which bring the total building size to over 20,000 *<may be modified to reflect desired character of local community>* gross square feet shall also require a Conditional Use Permit. The following standards are intended to ensure that large retail and commercial service buildings, and the sites they occupy, are properly located and compatible with the surrounding area and community character of the *<county/city/village/town>*. Such projects shall also be subject to the more general standards for the approval of Conditional Use Permits.

NOTE: In general, large retail buildings should be allowed as conditional uses in certain commercial zoning districts. In addition to adopting this model ordinance, communities should amend their conditional use lists within appropriate districts to specify where retail uses over 20,000 square feet would be allowed as conditional uses. Communities will also need to decide whether 20,000 square feet is the correct threshold. Uses that are usually around 20,000 square feet include new drug stores, office supply stores, and pet superstores.

(2) Compatibility with *< county/city/village/town >* Plans

The applicant shall provide, through a written report submitted with the petition for a Conditional Use Permit application, adequate evidence that the proposed building and overall development project shall be compatible with the *<county/city/village/town>*'s community character, urban design, natural area preservation, commercial development, redevelopment, or community facility objectives as expressed in adopted elements of the *<county/city/village/town>*'s Comprehensive Plan.

(3) Building Materials

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

(4) Building Design

The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of 20 percent of all of the combined façades of the structure shall employ actual façade protrusions or recesses. A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet. Roofs with particular slopes may be required by the *<county/city/village/town>* to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are within 100 feet of public streets shall have arcades,

display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length. The integration of windows into building design is strongly encouraged.

(5) Building Entrances

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

(6) Building Color

Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on façades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas, subject to the limitations in Subsection (12).

(7) Building Location

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

(8) Traffic Impact

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

(9) Parking

Not more than 50 percent of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot. Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required by the <county/city/village/town>'s Zoning Ordinance shall be allowed only with specific and reasonable justification. Parking lot design shall employ interior, curbed landscaped islands at all parking aisle ends. In addition, the project shall provide landscaped islands within each parking aisle spaced at intervals no greater than one island per every 20 spaces in that aisle. Islands at the ends of aisles shall count toward meeting this requirement. Each required landscaped island shall be a minimum of 300 square feet in area. Landscaped medians shall also be used to break large parking areas into smaller pods, with a maximum of 100 spaces in any one pod.

(10) Landscaping

The following landscaping standards shall apply to all sites that include buildings over 20,000 square feet within the <county/city/village/town>:

- A. One 2 1/2-inch to 3-inch caliper canopy shade tree shall be required for every 12 parking spaces. In addition, one 2 1/2-inch to 3-inch caliper canopy shade tree shall be required for the first 11 parking spaces. To calculate the number of trees required, divide the number of parking stalls by 12 and add one.
- B. In parking lots containing 50 spaces or more with two drive aisles or more, or two or more parking bays, at least 50 percent of the required canopy shade trees shall be planted in interior landscape islands, each having a minimum area of 80 square feet of ground area per tree.
- C. At least 10 percent of the interior space of all parking lots shall be landscaped areas.
- D. Each landscaped island shall include one or more canopy shade trees. Each landscaped island shall be of length greater than 8 feet in its smallest dimension. All landscaped islands shall be designed to protect the landscaping.
- E. All parking lots shall be screened from adjacent uses and from the street through the use of decorative fences or walls, earthen berms, dense hedges, or a combination thereof. Where street screening is required, plans submitted for <county/city/village/town> review shall include a graphic depiction of the parking lot screening as seen from the street. Plant materials used for screening shall achieve effective visual screening of the parking areas during all seasons of the year.
In addition to the trees required above, 10 landscape points per parking space shall be installed around the perimeter or within the parking lot per the following point system.

Table 1: 10 Landscaping Points Per Parking Space Requirement

Canopy Shade Tree--2 1/2" to 3" caliper	50 points each
Deciduous Shrub (At planting, shrubs shall be at least one-half of their mature height)	3 points each
Evergreen Shrub (At planting, shrubs shall be at least one-half of their mature height)	5 points each
Decorative Wall or Fence (Minimum height 3 feet)	5 points per 10 lineal feet
Earth Berm-Avg. Height 30"	5 points per 10 lineal feet

- F. Driveways through or to parking lots shall have one canopy shade tree per 40 lineal feet of and along each side of such driveway or drive aisle, in landscape areas within five feet of such driveway or drive aisle. Trees required along driveways or drive aisles shall not contribute to the point total of ten points per parking stall.
- G. Canopy shade trees shall be provided at a ratio of one tree per 20 lineal feet along a public street and one tree per 40 lineal feet along a side lot line parking setback area. Perimeter landscaping along a street may be located in and should be integrated with the streetscape in the street right-of-way. Trees required along street frontages shall not contribute to the point total of ten points per parking stall.

- H. Landscape and building elements shall be used to screen areas of low visual interest or visually intrusive site elements (such as trash collection, open storage, service areas, loading docks, and blank walls) from off-site view. Such screening shall be established on all sides of such elements except where an opening is required for access. If access is possible only on a side that is visible from a public street, a removable or operable screen shall be required.
- I. Required screening shall be provided in the form of new or existing plantings, decorative walls and fences, topographic changes, buildings or a combination of these techniques.
- J. Exposed sections of building walls that are visible from public streets and sidewalks shall have planting beds at least five feet wide placed directly along at least 50 percent of such walls.

(11) Lighting

On-site exterior lighting shall meet all the standards of *<insert reference to exterior lighting standards; see Model included in this Appendix>* of this Ordinance. The color and design of pole lighting standards shall be compatible with the building and the *<county/city/village/town>*'s public lighting in the area, if a particular public lighting theme has been established for the area.

(12) Signage

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

(13) Bicycle and Pedestrian Access

The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities. Internal pedestrian walkways must be distinguished from driving surfaces. Site design shall allow pedestrians to walk parallel to moving cars. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location. The building shall provide awnings or other weather protection features within 30 feet of all customer entrances.

(14) Central Areas/Features

Each development which contains a building over 20,000 square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

(15) Cart Returns

A minimum of one 200-square foot cart return area shall be provided for every one hundred 100 parking spaces. Cart corrals shall be of durable, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. There shall be no exterior cart return or cart storage areas located within 25 feet of the building.

(16) Impact on Existing Business Locations

Where such a building is proposed as a replacement location for a business already located within the <county/city/village/town>, the <county/city/village/town> shall prohibit any privately imposed limits on the type of reuse of the previously occupied building through conditions of sale or lease. If the applicant requires such limits, the applicant may seek <county/city/village/town> approval to demolish the previously occupied structure and prepare the site for future redevelopment.

(17) Waiver of Standards

The <applicable body> may waive any of the above standards by a $\frac{3}{4}$ vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project which compensate for the waiver of the particular standard.



E. Model Standards for Multi-Family Residential Developments

Affordable housing options—including multiple family—will be necessary to serve the growth in employment throughout the Study Area—particularly related to service jobs anticipated in the Tourist Entertainment Corridor. However, new multiple family residential development can be a controversial addition to a community or neighborhood. Often, this is a result of a negative perception of “high density housing” resulting from poor (or cheap) design of earlier projects.

The following model ordinance suggests that small-scale multi-family buildings (generally four unit buildings or less) generally do not have a significant negative effect on the character of a community, and therefore should generally be supported as permitted-by-right uses in multiple family residential zoning districts. However, larger scale multiple family buildings and the multi-building projects that typically include them, can have a significant impact on a community. As such, the model ordinance advocates requiring a conditional use permit for such districts and specifying certain design requirements that such buildings and projects would have to meet to obtain a conditional use permit.

This model ordinance is intended to be incorporated as one component of a zoning ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Description.

All multiple-family residential developments of over four units per building <community may specify different threshold> require a conditional use permit. Because of their potential impact on community character, aesthetics, parking, and traffic, special design regulations are appropriate.

NOTE: In general, large multiple family buildings should be allowed as conditional uses in multiple family zoning districts. In addition to adopting this model ordinance, communities should amend their conditional use lists within appropriate districts to specify where such larger scale multiple family uses would be allowed as conditional uses.

(2) Regulations for all Multi-Family Developments.

- A. The scale (height, bulk) of the building(s) shall be compatible with the scale of existing buildings on nearby parcels.
- B. Not less than 50 percent of the front façade of the principal building(s) shall be covered with brick or other decorative material approved by the <applicable body>.
- C. Not fewer than one parking space per unit shall be provided within a fully enclosed garage, either at grade or sub-grade. Whether attached or detached from the principal building, garages shall not be the dominant visual element from public rights-of-way. Where large garages are necessary, their facades shall be broken up with foundation landscaping, varied façade setbacks, and/or recessed garage doors.
- D. Surface parking lots shall be located so they are not the dominant visual element, screened from public view, and broken up with landscape islands, peninsulas, or similar features. <insert reference to landscaping standards; see model included in this Appendix>
- E. Pedestrian access shall be provided through sidewalks and private walkway connections between public sidewalks, parking areas, and the principal building(s).
- F. All refuse containers shall be located indoors or screened from public view through an opaque fence or wall.



F. Model Standards for Traditional Neighborhoods within a Planned Unit Development

The Highway 12 Corridor Growth Management Plan suggests that communities consider new models for development that better reflect the historic development form of these areas and incorporate creatively-designed mixed use elements. The attached model ordinance may be used to facilitate mixed-use, mixed-density development and redevelopment in a carefully planned context.

Through the recommended Planned Unit Development approach, developers would achieve greater flexibility from typical ordinance standards in exchange for excellence in site design and careful local government review. The following ordinance may also be used to facilitate the development of “traditional neighborhoods,” as defined in Section (1) below. Under Wisconsin law, all communities that include over 10,000 people have to have a traditional neighborhood development ordinance.

This model ordinance is intended to be incorporated as one component of a zoning ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose and intent.

The Planned Unit Development (PUD) District is established to promote improved environmental design and innovative uses of land in the <county/city/village/town>. To this intent, this district allows variation in the relationship of uses, structures and open spaces in developments conceived and implemented as cohesive, unified projects.

The PUD District is intended to allow desirable innovative development activities that demonstrate cohesive site planning. This district is not intended solely to simply circumvent the intent of other zoning districts, or seek variance from other district regulations.

The Traditional Neighborhood Development (TND) option of the PUD District is intended to promote the development and redevelopment of land consistent with the design principles of traditional neighborhoods. Lands developed under the Traditional Neighborhood option of the PUD District shall be labeled as PUD-TND on the Zoning Map. Specifically, a traditional neighborhood development:

- A. is compact;
- B. is designed for the human scale (sizes of buildings in proportion to sizes of people);
- C. provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another;
- D. provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes;
- E. incorporates a system of relatively narrow, interconnected streets with sidewalks and paths that offer multiple routes for motorists, pedestrians, and bicyclists within and through the neighborhood;
- F. requires public utilities including municipal water and sanitary sewer;
- G. retains, to the extent reasonably practical, existing buildings with historical or architectural features that enhance the visual character of the community;
- H. incorporates significant environmental features into the design; and
- I. is consistent with the <Community Name> Comprehensive Plan.

(2) Permitted uses.

In the PUD District, any permitted or conditional use in any of the other districts in this title, or mix of uses, may be permitted subject to the criteria listed below. Within a PUD-TND District, the mix of permitted uses shall be further defined by Subsection (6)A., below. Any plans, uses, or requirements approved by the <county/city/village/town> as part of a PUD general development plan or specific implementation plan shall be construed to be and enforced as part of this title.

(3) Lot, building, yard, and parking requirements.

In the PUD District, there shall be no specified lot area, lot width, yard, height, parking or open space requirements. Within a PUD-TND District, the lot, building, yard, and parking requirements shall be further defined by Subsection (6)B. through G., below. Any lot, building, yard, or parking requirements approved by the <county/city/village/town> as part of a PUD general development plan or specific implementation plan shall be construed to be and enforced as part of this title.

(4) Proposed developments—Criteria for approval.

As a basis for determining the acceptability of applications for rezoning to the PUD District, the following criteria shall be applied to the proposed development:

- A. The proposed development shall be compatible with the physical nature of the site with particular concern for preserving natural features, existing vegetation and topography.
- B. The proposed development shall be an asset to the community aesthetically. The buildings and uses shall blend in with the surrounding neighborhood.
- C. The proposed development shall not create traffic or parking demands incompatible with existing or proposed facilities. The width and location of streets, other paving and lighting should be appropriate to the uses proposed. In no case shall standards be less than those necessary to insure public safety as determined by the <county/city/village/town>.
- D. The proposed development shall not place avoidable stress on the <county/city/village/town>'s water supply, sanitary sewer and storm water drainage systems.
- E. The proposed development shall make adequate provisions for the permanent preservation and maintenance of open space.
- F. For a PUD-TND development, the minimum zoning district area shall be five acres and the design shall meet the requirements of Subsection (6).

(5) Procedures for rezoning, general development plan, and specific implementation plan approval.**A. Step 1: Procedure for Rezoning.**

- 1) The procedure for rezoning to the PUD District shall be the same as for any other zoning district change, except that in addition, twenty copies of a General Development Plan (GDP) shall be submitted to and approved by the <applicable body>. The GDP of the proposed project shall include the following:
 - a) A site inventory and analysis map with topography at two foot contours to identify site assets, resources, and constraints, including but not limited to floodplains, wetlands, soils with limitations for building development, utility easements, slopes greater than 15%, and existing trees over 4 inches in diameter;
 - b) A conceptual site plan or neighborhood development plan, at a scale of no less than one inch equals 100 feet, which indicates existing and proposed building outlines, location of streets, driveways, parking areas, sidewalks and bicycle paths, service access areas for receiving material and trash removal, and other impervious surfaces;
 - c) A utility feasibility analysis, including a map showing the general locations of proposed public utility connections;
 - d) The location of recreational and open space areas reserved or dedicated to the public;
 - e) A conceptual landscape plan showing general locations and types of proposed landscaping, including maintenance of existing vegetation where appropriate;
 - f) A phasing plan, where applicable;

- g) A conceptual stormwater management plan identifying the proposed patterns of major stormwater run-off, locations of stormwater infiltration areas, and other significant stormwater management features;
 - h) Typical proposed building elevations identifying the architectural style(s) of the development;
 - i) A written report that provides general information about the site conditions, development objectives, covenants, conservation easements, or agreements that will influence the use and maintenance of the proposed development may be required for larger or more complex projects;
 - j) Any other data required by the *<applicable body>* in order to evaluate the development.
- 2) Upon *<applicable body>* approval and adoption of the general development plan and associated zoning change to the PUD District or PUD-TND District, all plans submitted as well as other commitments, conditions of approval, restrictions and other factors pertinent to assuring that the project will be carried out as presented, shall be filed with the zoning administrator and shall be referred to in regard to enforcement or modification of the general development plans.
 - 3) If applicant does not submit and have approved at least one specific implementation plan for a Planned Unit Development within two years of *<county/city/village/town>* approval of a rezoning to the Planned Unit Development district or PUD-TND District, the previously approved general development plan shall be considered null and void. A new petition and approval process shall be required to obtain approval of the same or a revised general development plan.

B. Step 2: Specific Implementation Plan Approval

- 1) Detailed plans, described below under the Specific Implementation Plan (SIP) submittal requirements, are not required to be submitted at the time the PUD or PUD-TND zoning is approved; however, the GDP and SIP review process may be combined and made faster by doing so. Before any building permit is issued, the *<applicable body>* shall review and approve an SIP. If the approved GDP specified that development of the site would proceed in phases, the *<applicable body>* may approve an SIP covering only a portion of the previously approved GDP area. The applicant shall file twenty copies of the SIP with the *<county/city/village/town>*. In addition to meeting all application requirements for site plan review, the SIP application shall include the following:
 - a) Where a land division or lot consolidation is proposed, a final plat or CSM of the entire development area included in the SIP, meeting all requirements of the *<county/city/village/town>*'s Land Division and Subdivision regulations
 - b) For multi-lot PUD's, a detailed neighborhood development plan showing the arrangement, design, and uses of different lots, buildings, driveways, parking areas, parks and open spaces, and paths.
 - c) Typical elevations or detailed design standards for single- and two-family residential buildings and detailed elevations of all proposed non-residential, mixed use, and multi-family residential buildings. Such detailed elevations shall identify all wall signs; the percentage of ground floor commercial façade in windows; and the location, height and materials for screening walls and fences, including those proposed to surround outdoor trash and recyclable storage areas, electrical, mechanical and gas metering equipment, and rooftop equipment; where building construction is not imminent, detailed design standards that will apply to all non-residential buildings may substitute for detailed elevations, if approved by the Zoning Administrator;
 - d) Signage plans demonstrating a unified or compatible sign design theme for major signage in the PUD-TND;
 - e) A detailed storm water management and erosion control plan;

- f) Arrangements, bylaws, provisions or covenants that govern the organizational structure, use, architectural standards, maintenance and continued protection of the Planned Unit Development.
- 2) At a regular meeting, the *<applicable body>* shall approve, conditionally approve with changes consistent with the approved general development plan, or reject the SIP. An SIP for a PUD-TND development that is consistent with the GDP and meets other applicable ordinance provisions shall be entitled to approval or conditional approval. A final plat or certified survey map associated with the development may also be subject to *<applicable body>* approval under the provisions of *<county/city/village/town>*'s Land Division and Subdivision regulations. Upon final approval of the SIP, it shall be filed with the zoning administrator, and shall be referred to in regard to enforcement of modification of the development plans. All covenants, restrictions or contractual agreements with the *<county/city/village/town>* shall be recorded with the register of deeds before final issuance of building permits.
- 3) If an applicant does not commence construction within one year after *<county/city/village/town>* approval of an SIP for a Planned Unit Development or PUD-TND development, or complete construction within two years of approval of the SIP, the previously approved SIP shall be considered null and void; except where the *<applicable body>* approves an alternative phasing plan with the SIP. A new petition and approval process shall be required to obtain SIP approval.

(6) Design standards for traditional neighborhood developments (PUD-TND districts).

PUD-TND developments that meet the following design standards and any other applicable ordinance provisions shall be entitled to approval or conditional approval:

A. Required mix of uses.

A traditional neighborhood development shall consist of a mix of residential uses, a mixed use area, and open space areas as provided below:

1) Mix of residential uses.

A mix of two or more of the following uses shall be proposed within the PUD-TND:

- a) Single-family detached dwellings. Minimum lot size shall be 4,500 square feet. Minimum lot width shall be 45 feet with an attached garage and 40 feet with a detached garage. Dwellings within condominium developments shall be subject to similar density standards.
- b) Single-family attached dwellings, including duplexes, townhouses, and row houses. Minimum lot size shall equal 3,500 square feet per dwelling unit. Minimum lot width shall equal 30 feet per dwelling unit. Dwellings within condominium developments shall be subject to similar density standards.
- c) Multi-family dwellings, including senior housing. Minimum lot size shall equal 1,250 square feet for each efficiency dwelling unit, with an additional 250 square feet of lot area required for each additional bedroom in the dwelling unit.
- d) "Special needs" housing, including community living arrangements and assisted living facilities on lots of suitable size to accommodate the project.

2) Mixed-use area.

A mixed-use area shall be included within the PUD-TND. At least 90% of the residences within the PUD-TND shall be within ¼ mile from a mixed-use area within or outside of the project. The total gross land area of nonresidential development uses, including off-street parking areas, shall not exceed 25% of the area of the entire PUD-TND. A mixed-use area within the PUD-TND shall include a mix or two or more of the following uses:

- a) Commercial uses, such as services, retail, restaurants, and accommodations. Individual businesses shall not exceed 6,000 square feet each in primary floor area.

- b) Attached residential dwellings, including single-family attached, multi-family, second-story residential units, live/work units, and “special needs” housing.
- c) Civic or institutional uses, such as municipal offices, libraries, post offices, places of worship, and educational facilities.
- d) Small open space areas, such as a central square, neighborhood park, or playground.

3) Open space area.

Protected common open space, in public or private ownership, shall be incorporated into the PUD-TND. At least 15 percent of the gross land area of the PUD-TND must remain as permanently protected common open space, not including private yards. Large outdoor recreation areas should generally be located at the periphery of the PUD-TND rather than a central location. Open spaces may include environmental corridors, other protected natural areas, parks, or stormwater facilities. At least 90% of the residences within the PUD-TND shall be within ¼ mile from a protected common open space area. The PUD-TND shall be subject to all <county/city/village/town> parkland dedication and fee requirements.

B. Stormwater management.

The design and development of the PUD-TND shall meet the requirements of the <county/city/village/town>'s Stormwater Management Ordinance and demonstrate the following principles:

- 1) minimize off-site stormwater runoff;
- 2) promote on-site filtration;
- 3) utilize natural stormwater management systems wherever practical;
- 4) utilize stormwater management Best Management Practices (BMPs);
- 5) minimize the discharge of pollutants to ground and surface water; and
- 6) maintain and protect natural topography and existing land cover to the extent reasonably practicable.

C. Lot and block design standards.

1) Block and lot size diversity.

Street layouts shall provide for perimeter blocks that are a maximum of 400 feet deep and 800 feet long. A variety of lot sizes in accordance with Subsection (6)A.1. shall be provided to facilitate housing choice and meet the requirements of people with different housing needs.

2) Building setbacks.

Table 1: Building Setbacks

Use Area	Maximum Front Yard Setback	Minimum Building Separation
Mixed Residential Area	25 feet	10 feet ²
Mixed Use Area	15 feet ¹	10 feet ²

¹Commercial, civic or institutional buildings should generally abut the sidewalks in the Mixed-Use Area.

²Minimum building separation standards shall substitute for required side and rear lot setbacks.

D. Circulation standards.

The circulation system shall allow for different modes of transportation, provide functional and visual links among the residential areas, mixed-use area, and open space areas within the PUD-TND; connect to existing and proposed development outside the PUD-TND; provide adequate traffic capacity, provide connected pedestrian and bicycle routes including off-street paths or bicycle lanes on streets; control through traffic; limit direct lot access on streets with higher expected traffic volumes; and promote safe and efficient mobility throughout the neighborhood. More specific design standards that shall be met are as follows:

1) Pedestrian circulation.

Convenient and continuous pedestrian circulation systems, including walkways and paths, that minimize pedestrian-motor vehicle conflicts shall be provided throughout the PUD-TND through the following design characteristics:

- a) Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced.
- b) All streets, except for alleys, shall be bordered by sidewalks on both sides in accordance with the specifications listed in Table 2.
- c) Clear and well-lighted walkways shall connect building entrances to the adjacent public sidewalk and to associated parking areas.
- d) Sidewalks and walkways shall comply with the applicable requirements of the Americans with Disabilities Act.
- e) Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be well lit and clearly marked with contrasting paving materials at the edges, raised pavement, or with striping. Curb bulb-outs, median refuges, and other related techniques should also be incorporated along collector streets and at key intersections to shorten the pedestrian-crossing distance.
- f) Where necessary to maintain the continuity of the pedestrian circulation system, between-lot walkways or paths may be required.

2) Bicycle circulation.

Facilities for bicycle travel shall be included in the project, and may include off-street bicycle paths (generally shared with pedestrians and other non-motorized users), separate striped, bicycle lanes on streets per Table 2, signed bicycle routes, or some combination. Any existing bicycle routes through the site shall be preserved, enhanced, or relocated if necessary. The developer may be required to dedicate land or easements and construct bicycle and pedestrian facilities.

3) Motor vehicle circulation.

Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features such as curb extensions, traffic circles, and medians are encouraged slow traffic speeds on local streets.

- a) Arterial streets should generally not bisect a PUD-TND. Other streets within a PUD-TND shall be classified as follows: Collector streets are intended to be used to carry traffic from minor streets to arterial streets, include the principal entrance street to a residential development, and may be subject to access controls. Minor streets are intended to be used primarily for access to abutting properties, and are usually not subject to access controls. Alleys are special public ways affording secondary access to abutting properties.
- b) Minimum street design standards for a PUD-TND shall be in accordance with Table 2 and the graphic that follows.

Table 2: Minimum Street Design Requirements in a Traditional Neighborhood Development

Type of Street	Street Width, curb-face to curb-face (feet)	Curb & Gutter	Street Terrace	Sidewalks	Bicycle Lanes
Collector Street	36 (2-sided parking) 30 (1-sided parking) 24 (no parking)	Both sides, 2 feet wide	Both sides, min. 8 feet wide	Both sides, min. 5 feet wide*	Where required, add 4 foot wide lanes
Minor Street	28 (2-sided parking) 26 (1-sided parking) 20 (no parking)	Both sides, 2 feet wide	Both sides, min. 6 feet wide	Both sides, min. 5 feet wide*	None
Alley	14 (no parking)	None	None	None	None

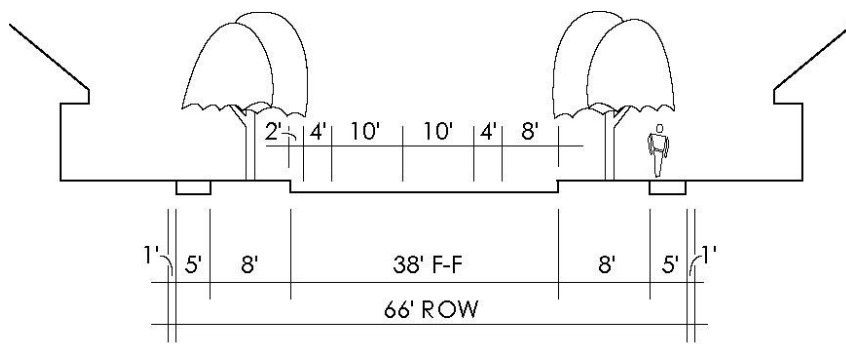


Figure 1: Schematic sketch of a typical collector street cross-section with one-sided parking and bike lanes.

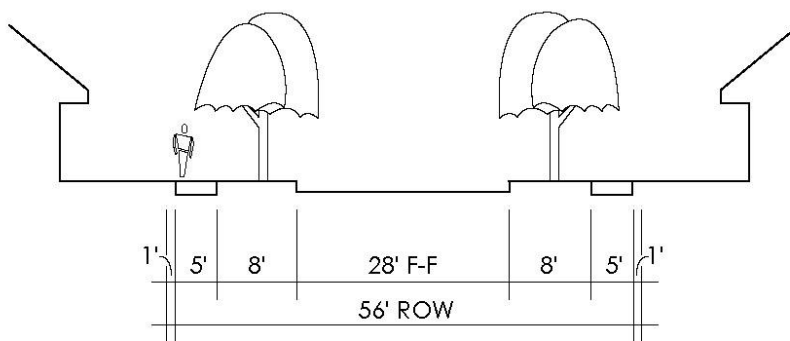


Figure 2: Schematic sketch of a typical minor street cross-section with two-sided parking.

- c) The PUD-TND should maintain the existing street grid, where present, and restore any disrupted street grid where feasible. The orientation of streets shall enhance the visual impact of common open spaces and prominent buildings, create lots that facilitate passive solar design, minimize street gradients, and minimize the use of double frontage lots. All streets shall extend through the development or terminate at other streets, except minor streets may temporarily “dead end” when such streets act as connections to future phases or other sites outside the PUD-TND and may permanently terminate in a cul-de-sac only where there will be a through connection via a pedestrian way or bicycle path at the terminus.
- d) All PUD-TNDs shall meet the parking requirements of *<Reference appropriate section of communities zoning ordinance>*; the *<county/city/village/town>* may allow adjacent on-street parking to apply toward the minimum parking requirements. Off-street parking lots for shared or community use are encouraged. For multi-family buildings and in the required mixed-use area, off-street parking lots may not be adjacent to or opposite from a street intersection and shall be located to the rear or sides of buildings. If located to the side of a building, screening from the public street shall be provided through landscaping and/or decorative fencing. All businesses, civic uses, and multi-family residences shall provide adequate bicycle parking areas and facilities to serve their expected customer or resident base.
- e) All PUD-TNDs shall meet the loading requirements of *<Reference appropriate section of community’s zoning ordinance>*. In addition, site and neighborhood development plans shall provide a direct route to service or loading dock areas, while minimizing the movement of loading vehicles through parking areas.
- f) All PUD-TNDs shall meet the parking lot surfacing requirements of *<Reference appropriate section of community’s zoning ordinance>*. In addition, reduction of impervious surfaces through the use of interlocking pavers is strongly encouraged for areas such as remote parking lots and parking areas for periodic uses.
- g) All parking and loading areas fronting and within 15 feet of public street rights-of-way, residential districts, or residential uses shall meet the screening requirements of *<Reference appropriate section of community’s zoning ordinance>*. The corners of parking lots, “islands,” and all other areas not used for parking or vehicular circulation shall be landscaped and curbed. Such spaces may also include architectural features such as benches, kiosks or bicycle parking. Parking lots containing more than 30 spaces shall be broken up into smaller pods including not more than 30 spaces each, with the pods separated from another by landscaped areas or buildings.

E. Architectural standards.

A variety of architectural features and building materials is encouraged to give each building or group of buildings a distinct character, while maintaining a compatible design theme throughout the PUD-TND. More specific design standards that shall be met are as follows:

1) Existing structures.

Existing structures, if determined to be historic, architecturally, or culturally significant, shall be protected from demolition or encroachment by incompatible structures or land development, to the extent reasonably practical. The U.S. Secretary of the Interior’s Standards for Rehabilitation of Historic Properties shall be used as the criteria for renovating historic or architecturally significant structures.

2) **New structures.**

- a) New structures within a PUD-TND shall be no more than three stories for single-family detached dwellings and attached dwellings, and six stories for commercial, multi-family dwellings, or mixed use buildings. Buildings within the mixed-use area shall additionally meet the standards depicted in Figure 3.

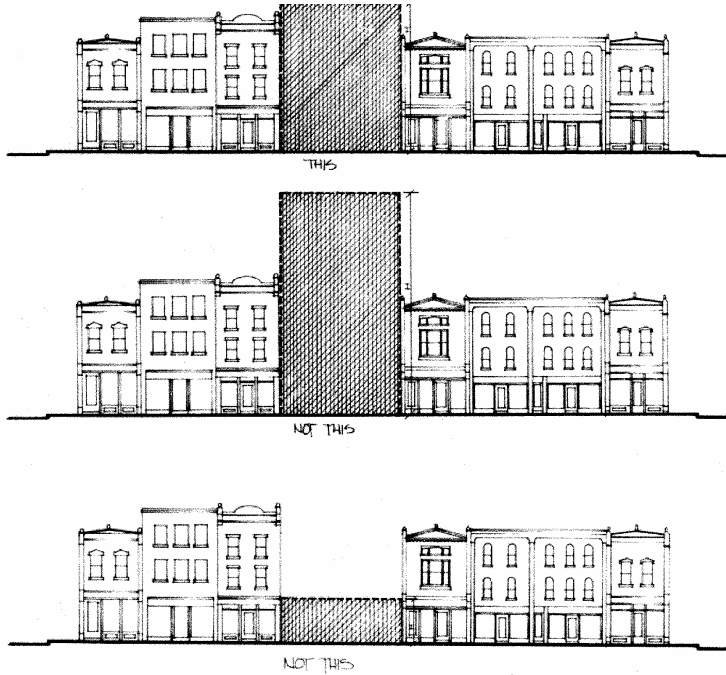


Figure 3: Schematic elevation sketch of a typical mixed-use area “streetscape.” To create a visually unified “streetwall,” buildings shall be no more than 30% taller or 30% shorter than the average building height on the block within the mixed-use area.

- b) Similar architectural features, materials, and the articulation of a building façade shall be continued on all sides visible from a public street. The front façade of the principal building shall face onto the street yard of a public street, not directly toward a parking lot. As buildings are moved closer to the street and to each other, special attention should be paid to design details, house details, and landscaping. Compatible building designs or guidelines shall be followed for new structures on opposite sides of the same street. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the front entrance to all residences. For nonresidential buildings, a minimum of 50 percent of the public street façade(s) on the ground floor shall be transparent, consisting of window or door openings.

3) Garages.

Residential garages shall either be set back a minimum of four feet to the rear of the main front façade of the dwelling structure (not including porches or other projections) or utilize side-entry layout to ensure that the garage does not dominate the view from the street, per the standards illustrated in Figure 4. Varied garage setbacks along alleys are encouraged to create a more interesting streetscape and avoid cramped, monotonous, and claustrophobic alleys.

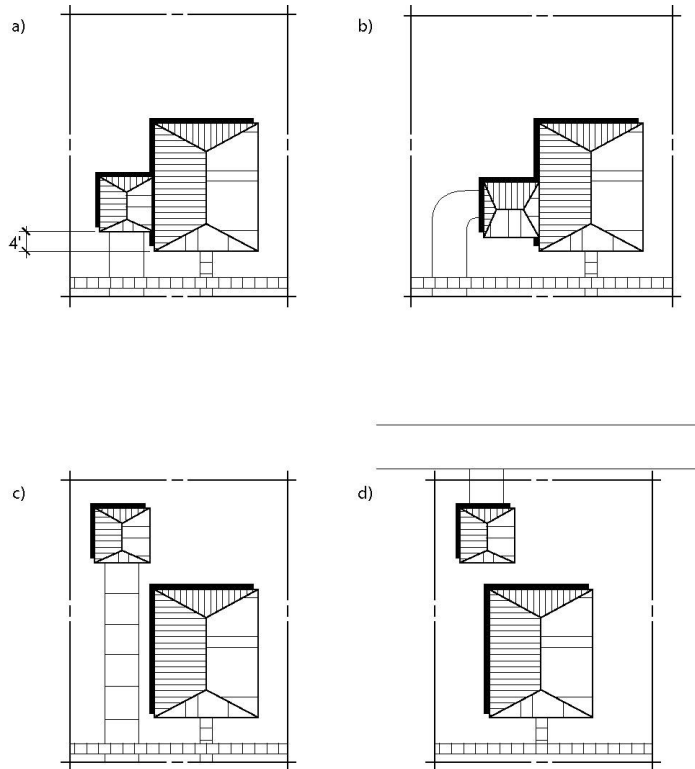


Figure 4: Plan-view diagrams of four alternative garage locations on a residential lot that meet design standards:

- a) attached garage is accessed from a street (street-loaded)
- b) attached garage is accessed from a street (side-loaded—may also be in front of dwelling)
- c) detached garage, behind the house, is accessed from a street
- d) detached garage is accessed from an alley

4) Signage.

Business signs, entrance monuments, and other major signs within a PUD-TND shall share a common or compatible style, which may be demonstrated by similarities in sizes, shapes, and/or materials. In addition, all signage shall meet requirements of the <county/city/village/town>'s sign ordinance <See Model Ordinance provided in this Appendix>.

5) Exterior lighting and utilities.

The styles of proposed street and private lot lighting shall be compatible with one another. All exterior lighting within the PUD-TND shall meet the technical lighting requirements of <Reference community's exterior lighting standards; See Model Ordinance provided in this Appendix >. Street lighting shall be provided on both sides of all streets at intervals of no greater than 75 feet. More, smaller streetlights as opposed to fewer, high intensity lights, should be used. All new public and private utility installations shall be underground.

F. Landscaping and screening standards.

Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas. More specific landscape standards that shall be met are as follows:

1) Street trees.

An average minimum of one deciduous tree per 35 feet of public street frontage shall be required. Street tree placements may be clustered or adjusted to achieve a particular design objective or account for curb openings, street lighting, and other obstructions. Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete. If placement of street trees within the right-of-way will interfere with pre-existing utility lines, trees may be planted within the private street yard adjacent to the sidewalk.

2) Landscape materials.

All plant materials shall meet the minimum standards set forth by the American National Standards Institute in ANSI Z60.1 American Standard for Nursery Stock. Landscape species shall be indigenous or proven adaptable to the climate, but shall not be invasive.

3) Minimum planting size.

Minimum size at time of planting shall be as specified in Table 3.

Table 3: Minimum Size Standards for Landscaping

Plant Type	Minimum Size at Time of Planting
Evergreen tree	4 feet in height
Deciduous canopy tree	2 inch caliper ¹ (street trees may be 1.5 inch)
Small deciduous/ornamental tree	1.5 inch caliper ¹ or 4 feet in height
Evergreen or deciduous shrubs	2 feet unless mature height is less than 4 feet

¹ For the purpose of caliper size, the diameter of the tree shall be measured 6 inches above ground level.

4) Landscape screening.

Where screening is required by this ordinance, it shall meet the requirements of <Reference community's landscaping standards; See Model Ordinance provided in this Appendix >.

(7) Modifications and changes.

Any subsequent change of use of any parcel of land or addition or modification of any approved development plans shall be submitted to the <applicable body> for approval. Minor changes can be granted by the <applicable body>. Major changes that involve changes to the general intent of the project as expressed in the approved GDP shall be made by the <applicable body>. A conditional use permit will be required if the total building coverage of a new or remodeled single-family detached dwelling, including the garage, exceeds 60% of the lot area within a PUD-TND District.



G. Model Standards for Signage

Signage is an important part of business identification, advertising, and growth. However, signs that are too large, too tall, or too numerous can have negative impacts on the overall business climate, on site and traffic visibility, on community appearance, and on rural and community character. Certain parts of the Highway 12 corridor already have what a majority of participants in the planning process to be an over-abundance of signs.

The following is a model for a comprehensive sign ordinance for a local community or the County. It covers both on-premise signage and billboards within a variety of zoning districts. It is intended to control the number and dimensions of signage, particularly related to the size of the parcel or building, while still providing adequate on-site signage opportunities. The model ordinance is generally in line with the sign ordinance already in place in the City of Baraboo.

This model ordinance may be incorporated as one component of a zoning ordinance or as a stand-alone ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose

The purpose of this Section is to establish standards for the fabrication, erection, and use of signs and signage for all properties within the <Community Name>. This Section regulates the location, type, size, and height of signage based on the finding that such regulation furthers six compelling governmental interests:

- A. To promote the public welfare, health, and safety of all persons using the public thoroughfares and right-of-ways within the <Community Name> as to the signage displayed thereon, or overhanging, or projecting into such public spaces;
- B. To advance the aesthetic goals of the <county/city/village/town> throughout the community, and to ensure the effectiveness and flexibility in the design of, and the creativity of, the use of such devices without creating detriment to the general public;
- C. To aid in the proper development and promotion of business and industry;
- D. To reduce the visual clutter caused by advertising signage which the <county/city/village/town> has determined is a significant cause of unsafe traffic and visibility conditions;
- E. To limit the spread of unattractive strip commercial development, of which signs are a primary contributor, so as to be respectful of the reasonable rights of other advertisers and business entities whose messages are also displayed in such areas; and
- F. To implement signage recommendations contained within the Sauk County Highway 12 Corridor Growth Management Plan and the <Community Name>'s Comprehensive Plan.

Furthermore, the <Community Name> advocates that this regulation leaves ample and adequate alternative channels of commercial speech communication for the messages portrayed on such advertising signage, namely, print media, broadcast media, and point-of-purchase display, and is narrowly defined so as to limit any prohibitions on commercial speech on exterior signage.

(2) Sign Permits

A. General Requirements

Except as otherwise provided in Subsection (2)I., no sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a sign permit. This Section shall apply and be construed to require a permit for a change of copy on any sign or for any conversions or changes in the sign structure. This Section shall not apply to repainting with the same sign copy, cleaning, repair, or other normal maintenance of the sign or sign structure. No new permit is required for signs that are in place as of the date of the adoption of this Section, and such

signs may remain as legal nonconforming uses. Any alteration or relocation of such signs shall conform to the requirements of this Section.

B. Permit Requirements

- 1) A sign permit fee shall be required for all new signs and any modifications of any existing sign face or sign structure.
- 2) Any sign permit fee granted hereunder may not be assigned or transferred to any other sign or modified sign face or sign structure.
- 3) Only those permanent or temporary signs which have been granted a permit from the Building Inspector in accordance with the provisions of this Section may be erected, installed, constructed or maintained, except those signs specifically exempted from permit requirements in Subsection I below.
- 4) The owner or tenant may include all such signs at one premise under one permit.

C. Application Procedure

Each initial application for a sign permit shall be filed with the Zoning Administrator on forms to be provided by that office, prior to installation of a new sign or modification of an existing sign face or sign structure. Application shall include:

- 1) The name and address of the permit applicant.
- 2) The approved site plan for the subject property or if not previously required, a site plan for the subject property showing, at a minimum, the location of the proposed sign, the location of all existing signs on the subject property and within 100 feet of the proposed sign, all property lines, parking areas, driveways, public roads, and buildings.
- 3) A legible scaled drawing with description and dimensions of the sign(s) to be erected or maintained under that permit and the sign's proposed location on the building or site.
- 4) The subject property's zoning designation.
- 5) Written proof of consent from the property owner upon which the sign(s) are to be erected and maintained.
- 6) Proof of payment of the appropriate sign permit fee, when required.
- 7) Any other item of information that may be reasonably required by the Zoning Administrator or *<applicable body>* for the purpose of application evaluation.

D. Granting and Issuance

- 1) The Zoning Administrator shall review the submitted application for compliance with the requirements of Subsection (2)C. Upon the receipt of a complete application, the Zoning Administrator shall review said application for compliance with the requirements of the remainder of this Section, and shall, in writing, approve or deny a sign permit based on the submitted application within ten working days of the acceptance of the complete application and payment of the required fee.
- 2) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.
- 3) Denial of a sign permit shall not result in total or partial reimbursement of permit fees paid.

E. Basis for Granting

In reviewing a sign permit application, the Zoning Administrator may consider the following factors in deciding whether or not to grant the issuance of a sign permit.

- 1) Whether the sign is compatible with the surroundings, pursuant to the objectives of proper design and zoning criteria.

- 2) Whether the sign is designed, installed, and maintained to meet the sign users needs while at the same time promoting the surrounding environment desired by the general public.
- 3) Whether the sign is designed, constructed, installed, or maintained in such a manner that it does not endanger public safety or traffic safety.
- 4) Whether the sign is legible, readable, and visible in the circumstances in which it is to be used.
- 5) Whether the sign, including size, height, illumination and location, is respectful of reasonable rights of other advertisers whose messages are displayed in the area.
- 6) Whether the sign is in compliance with the provisions of this Section.
- 7) Whether the sign is in compliance with the provisions of the <Community Name> General Ordinances relating to traffic safety, traffic visibility setbacks, and the Zoning Ordinance.

F. Enforcement and Revocation

- 1) Any sign permit issued by the Zoning Administrator shall be null and void and automatically revoked in the event that construction, installation, or manufacture of the sign has not been commenced within 180 days from the date of the issuance of such permit. If work authorized by such permit is suspended or abandoned for a period of 90 days any time after the work is commenced, the original permit shall become null and void. A new permit shall first be obtained to complete the work, and a new permit fee shall be required.
- 2) Upon Class I notice and after a public hearing conducted by the <applicable body>, any permit may be revoked by the <applicable body> in the event that the applicant has failed to comply with the provisions of these regulations or any conditions that may have accompanied the permit at the time of granting.
- 3) The sign(s) subject to any revoked permits shall be removed by the licensee within 45 days of such revocation.
- 4) Revocation shall not give cause to a right of total or partial reimbursement of license fees paid.

G. Appeals

- 1) Any person affected by a decision of the Zoning Administrator may petition for a hearing before the Board of Zoning Appeals within ten days after the decision is served upon the applicant. The filing of such petition automatically stays removal of any sign involved and already legally erected until the Board decides whether to sustain, modify or withdraw the notice. This decision shall be made by the Board at a public hearing, of which the owner of the sign and petitioner for the appeal shall have reasonable written notice. At the hearing, all persons shall have a reasonable opportunity to show cause why the decision of the Zoning Administrator should be overturned or upheld.
- 2) Any person, including the <county/city/village/town>, aggrieved by the Board's decision may seek judicial review thereof in any court of competent jurisdiction as provided by Wisconsin Statutes.

H. Removal of Defective or Dangerous Signs by the <county/city/village/town>

- 1) If the Zoning Administer determines that any sign is defective, or has been erected, installed, constructed, or maintained so as to be dangerous to the public health and safety, then the Zoning Administer shall notify the sign permit holder or the owner of the property on which the sign is located that such violation must be corrected within ten days of receipt of such notice on penalty of automatic revocation of any sign permit previously granted and summary removal of the sign by the <county/city/village/town> at the expense of the owner of the property.
- 2) If the Zoning Administer sends such notice and the violation is not corrected within ten days, the Zoning Administer shall revoke any sign permit for the defective or dangerous sign and it shall be the duty of the Zoning Administer to remove such sign. The expense of removing such sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay

such expense within one month of being billed therefore, or has not made arrangement for payment satisfactory to the <county/city/village/town> attorney, then such expense shall become a lien on the property and shall be placed upon the tax roll.

I. Signs Allowed without a Permit

The following sign uses and purposes are permitted in all zoning districts without the need for a sign permit. Such signs shall not count as part of the maximum permitted sign area as regulated by Subsection (3)C.

- 1) Address numerals and identification signs not exceeding four square feet in area.
- 2) Legal notices and other signs established, or ordered, by any governmental agency.
- 3) Memorial signs and tablets displayed in cemeteries.
- 4) On-premise directional signs which bear only the business name or logo and if under four square feet in area.
- 5) Temporary signs which conform to the requirements of Subsection (7).
- 6) Political signs and flags of government, religious, fraternal, or civic organizations per the requirements of Subsection (3)A.11.
- 7) Auxiliary signs if under four square feet in area.

(3) General Signage Standards

The following standards and terms shall be used in this Section to assist in the establishment of clear signage regulations. The definition of a sign is as provided in <insert reference to definitions section of the zoning ordinance; definition is included at the end of this model sign ordinance>.

A. Sign Purposes

1) Advertising sign (Off-premise sign)

A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Advertising signs include billboards. No new off-premise advertising signs shall be permitted within the <county/city/village/town>.

2) Auxiliary sign

A sign which provides special information such as price, hours of operation, or warning and which does not include brand names, or information regarding product lines or services. It may contain a business logo if the logo is under one square foot in area. Examples of such signs include "no trespassing" signs and signs which list prices of gasoline, up to one price listing sign per type of fuel, which must be displayed on a single structure.

3) Business sign (On-premise sign)

A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, offered, or manufactured upon the premises where the sign is located.

4) Community information sign

A permanent sign approved with a conditional use permit which may have changeable copy and which is limited to the display of information of interest to the general community regarding scheduled public events and public activities. (Refer to Subsection (4)B.)

5) Directional sign, Off-premise

A sign that indicates only the name, direction, and/or distance of a governmental facility. This definition does not pertain to off-premise advertising signs.

6) Directional sign, On-premise

A sign which indicates only the name, logo (if under one square foot), and or direction of a pedestrian or traffic facility, or a particular building within a complex of structures, on the property on which said facility or building is located.

7) Group sign

A sign displaying the collective name of a group of uses such as the title of a shopping center, office park, or industrial park and its tenants. No sales or price information shall be permitted. Portions of the sign containing names of individual tenants shall be considered as part of the area of a group sign. Group signs shall only be permitted within developments serving two or more non-residential tenants, and are permitted on any form of permitted business or identification signage.

8) Identification sign

A sign indicating the name and/or address of the project, property owner, tenant and/or manager of the property, address, and name and phone number of the property manger.

9) Temporary sign

A sign or advertising display (including festoons, pennants, banners, pinwheels and similar devices) intended to be displayed for a certain period of time. Included in the definition of "temporary signs" are retailers' signs temporarily displayed for the purpose of informing the public of a "sale" or special offer. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be considered as temporary. A mobile or portable sign shall not be considered a temporary sign or used for such a purpose. These signs shall comply with the visibility standards of Subsection (4)A.9. Refer to Subsection (7).

10) Personal greeting and congratulatory sign

A temporary sign which is limited to 32 square feet, and which is limited to a non-commercial, personal greeting or message used to announce, congratulate, or greet members of a family or work staff.

11) Political speech signs

Political speech signs are permitted so long as they locate per the requirements of (4)A. and (4)C., do not impair vision, or do not otherwise create a public nuisance. Political speech signs within residential zoning districts shall not exceed 6 square feet in area and shall be limited to 6 feet in height. Political speech signs within commercial and industrial districts shall not exceed 24 square feet in area and 6 feet in height.

B. Sign Types**1) Awning sign**

A type of projecting, on-building sign (see (f), below) consisting of a fabric or fabric-like sheathing material.

2) Freestanding sign

A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground. This type of sign includes monument signs and pylon signs. The base and support(s) of any and all freestanding signs shall be concealed and shall comply with the State Building Code. The height of a freestanding sign shall be measured per Subsection (3)C.

3) Marquee sign

A type of projecting, on-building sign sheltering the entrance and/or entrance approaches of a theater, auditorium, fairground, museum or other use, which advertises present and scheduled events.

4) Mobile sign

A sign mounted on a frame or chassis designed to be easily relocated, including vehicles and/or trailers whose principal commercial use is for signage.

5) Monument sign

A type of freestanding sign whose bottom edge is located within one foot of a ground-mounted pedestal and whose top edge is located no more than eight feet high.

6) Projecting sign

A type of on-building sign, other than a wall sign, which is attached to and projects more than one foot, generally perpendicular from a structure or building face.

7) Pylon sign

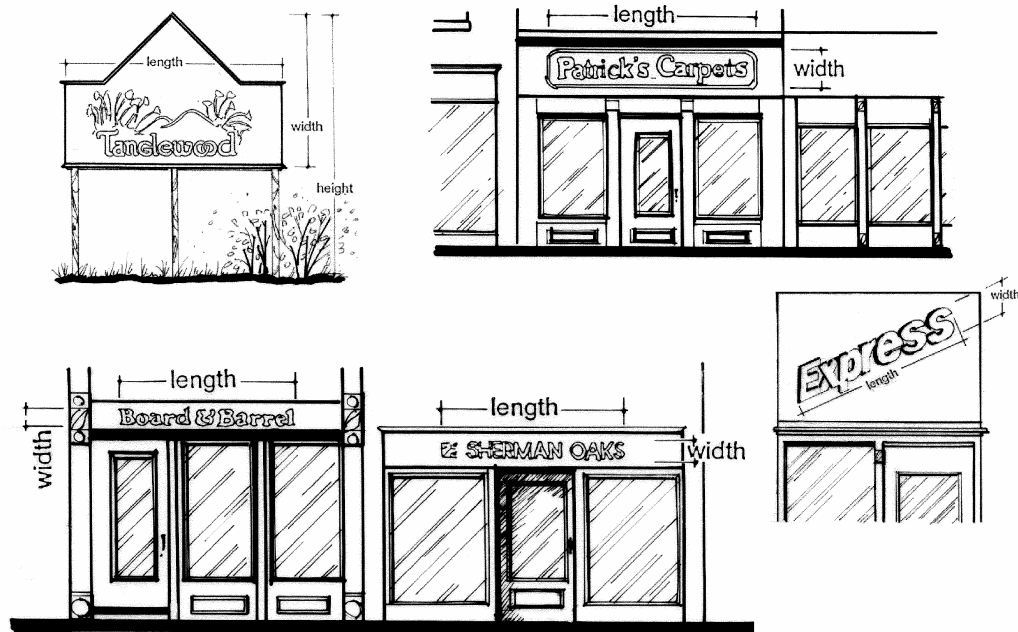
A type of freestanding sign erected upon one or more pylon or post. No new pylons signs shall be permitted after the adoption date of this ordinance

8) Wall sign

A type of on-building sign mounted parallel to a building facade or other vertical building surface.

C. Sign Measurement

- 1) The average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground level.
- 2) Sign area shall be measured in the following manner:
 - a) In the case of a sign placed within a frame, a marquee sign, or other structure, sign area consists of the entire surface area of the sign on which copy could be placed. The supporting structure or bracing of a sign, including the supports of monument signs not used for copy, shall not be counted as a part of the sign face area unless such structure or bracing is made a part of the sign's message. Where a freestanding on-premise sign (monument or pylon) has two or more display faces, the total area of all of the display faces which can be viewed from any single location shall be considered the sign face area.
 - b) In the case of a sign whose message is fabricated together with the background which borders or frames that message, sign face area shall be the total area of the entire background.
 - c) In the case of a sign whose message is applied to a background which provides no border or frame (such as individual letters to a building face or awning), sign face area shall be the combined areas of the smallest rectangles which can encompass each word, letter, figure, emblem, and other element of the sign message per a scaled, fully dimensioned drawing approved by the Zoning Administrator. Where such drawing is not provided, said area shall be the smallest area enclosed in a single rectangle.
 - d) Signs less than one square foot in area are not regulated by this Section.
 - e) The following illustration demonstrates how sign face area is measured.



Sign measurement standards

(4) General Signage Regulations

A. Sign Prohibitions and Limitations

- 1) No sign shall use any word, phrase, symbol, shape, form, or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type and/or traffic control-type signage designs and colors.
- 2) Except for sequin-like eyecatcher devices and temporary signs, no fluttering, undulating, swinging, rotating, or otherwise moving signs or other decorations shall be permitted.
- 3) No illuminated flashing signs shall be permitted. Flashing signs are those that change their appearance more than once every 60 seconds. Electronic message center signs and time/temperature signs are permitted with a conditional use permit. Chasing lights shall be not be allowed.
- 4) No illuminated sign shall be permitted unless the illumination of the sign is so designed that the lighting element (except neon signs) is not visible from any property within a residential zoning district. All illuminated signs shall comply with the State Electrical Code.
- 5) No mobile signs shall be permitted.
- 6) Off-premise directional signs shall be permitted only for governmental uses.
- 7) No inflatable signs shall be permitted, except as temporary signs.
- 8) No advertising vehicle signs shall be permitted, except as temporary signs.
- 9) No sign shall be placed so as to obstruct or interfere with traffic visibility.
- 10) No off-premise advertising signs shall be permitted except for the small blue highway information signs as provided within the right-of-way of USH 12 and STHs <Insert relevant state highways> per applicable State of Wisconsin Statutes. Existing legal off-premise advertising signs made nonconforming by this Section shall be permitted to continue as legal, nonconforming structures. These signs may not be relocated, structurally modified, or replaced if damaged where the cost of

repair of such sign would exceed 50% of its original value. These legal nonconforming signs include the following list:

a) *<Insert list of legal nonconforming signs>*

- 11) No new pylon signs shall be permitted.
- 12) Window obstruction by interior signs shall not exceed more than fifteen percent for all combined window areas on the same facade of the structure. Area devoted to signage within windows shall not count toward the sign area maximum permitted for the use.

B. Community information signs

- 1) Community information signs shall be permitted only as a conditional use within all zoning districts and upon any property within the jurisdiction of the *<Community Name>* Zoning Code. As such, the review of a request for the erection of a community information sign shall comply with the requirements of *<insert reference to conditional use review process>* of the *<Community Name>* Zoning Code. The proposed size, configuration, and design of the sign shall be described as part of the conditional use requirements. As a conditional use, the *<Community Name>* may revoke the designation of an approved community information sign if such sign fails to comply with the requirements of this Section. Such action shall proceed per the requirements of Subsection (2)F. Upon revocation, the owner of said sign shall have 30 days to remove the sign at the owner's expense.
- 2) Such sign shall only display information regarding events and information of general interest to the residents of *<Community Name>*. Copy which may be considered as advertising a product, private or restricted participation event, or activity for private profit shall be prohibited.
- 3) Such sign may be located on private or public property, except for residential properties.
- 4) Such sign shall conform to the visibility requirements of Subsection (4)A.9.
- 5) Such sign shall not be counted as adding to the area of signage on the subject property for the purposes of regulating sign area per Subsections (5) and (6).

C. Sign Location Requirements

- 1) No sign shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal or device. Freestanding signs may not locate within vision triangles nor otherwise impede traffic or pedestrian visibility. Freestanding sign setbacks from right-of-way lines vary by zoning district.
- 2) No sign shall be located within a required bufferyard or within a permanently protected green space area. Refer to the *<Community Name>* Zoning Code.
- 3) No sign shall be mounted or displayed on the roof of a structure.
- 4) No sign, temporary or otherwise, shall be displayed on private property without the owner's or renter's permission.
- 5) Private signs shall not be allowed within road right-of-way lines.
- 6) Projecting signs shall only be permitted if they exist as of the effective date of this Section, and shall be a minimum of seven feet over the elevation of a pedestrian way.
- 7) Freestanding signs shall be located a minimum of twelve feet from property lines or equivalent to their maximum height, whichever is greater, except that on-premise directional signs less than 36 inches tall shall be located a minimum of one foot from a property line.
- 8) Awnings made of cloth are permitted. Such awnings shall be free of backlighting and only contain a lettering band with a single line of copy less than eight inches tall located on the vertical face of the awning and shall be located a minimum of seven and one-half feet for the fabric, and eight feet for the frame, over pedestrian ways.

- 9) No person shall erect, construct, or maintain any sign upon any property or building without the express consent of the owner or person entitled to possession of the property or building or their authorized representative.

D. Sign Configuration Requirements:

1) Freestanding sign configuration

A freestanding sign shall not be erected so that it impedes visibility for safe pedestrian and/or vehicular circulation. The footing and related supporting structure of a freestanding sign including bolts, flanges, brackets, etc., shall be concealed by the sign exterior, masonry covering, earth and permanent groundcover, or through the use of evergreen shrubs..

2) Projecting sign configuration

The bottom edge of a projecting sign shall be located a minimum of ten feet from the ground level directly under the sign. Such sign shall be mounted directly to a building. In no instance shall such sign be projecting more than four feet into and over a public right-of-way or private street, drive, or parking area.

3) Wall sign configuration

A wall sign shall not extend beyond the edge of any wall or other surface to which it is mounted, nor shall it project more than 12 inches from its surface. The height of a wall sign shall be measured from the base of the building below the sign to the top of the sign face. The top of the sign shall be no higher than the nearest portion of the building to which it is mounted without a conditional use permit. Signs painted directly on a wall or other portion of a building are not permitted.

4) Advertising vehicle sign configuration

No persons shall park any vehicle or trailer on a public right-of-way or on private properties so as to be seen from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same or nearby property or any other premise. Licensed business vehicles containing typical business signage and which are actively used on a daily basis for business purposes, are exempt from this prohibition.

(5) Regulations for the Residential Districts

A. Rules for all Signs

- 1) Signs shall comply with all provisions of this Section for general signage definitions and regulations.
- 2) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (5)B., below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.

B. Rules for Particular Sign Purposes

1) Identification Sign

- a) For one-family, two-family, three-family or four-family dwelling:
 - i) Permitted Sign Type: Wall Sign
 - ii) Maximum Permitted Number per Lot: One
 - iii) Maximum Permitted Area per Sign: Two square feet

- b) For multi-family dwelling of five or more units:
 - i) Permitted Sign Type: Wall Sign or Monument Sign
 - ii) Maximum Permitted Number per Lot: One monument or one wall
 - iii) Maximum Permitted Area per Sign: 12 square feet
- c) For multi-building residential development, subdivision, or institutional use:
 - i) Permitted Sign Type: Wall Sign or Monument Sign
 - ii) Maximum Permitted Number per Development: Per Plat or Conditional Use
 - iii) Maximum Permitted Area per Sign: Thirty-Two square feet
 - iv) Maximum Combined Permitted Area of All Signs: Per Plat or Conditional Use
- 2) Auxiliary Sign** (such as "Beware of Dog" or "No Trespassing" for all land uses)
 - a) Permitted Sign Type: Wall Sign or Freestanding Sign
 - b) Maximum Permitted Number per Lot: Two
 - c) Maximum Permitted Area per Sign: Two square feet
- 3) On-Premise Directional Sign** (for multi-family, multi-building development, or institutional uses)
 - a) Permitted Sign Type: Wall Sign or Monument Sign
 - b) Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, and one sign for each parking area conditions list.
 - c) Maximum Permitted Area per Sign: Four square feet for general directional signs, and nine square feet for parking area conditions list.
- 4) Temporary Sign**
Temporary signs are allowed per the requirements of Subsection (7)
- 5) On-Premise Business Sign**
As allowed for legal, non-conforming business only, signs shall comply with the provisions of Subsection (6).
- 6) Off-Premise Directional Sign** (for institutional facility only):
 - a) Permitted Sign Type: Wall Sign or Monument Sign
 - b) Maximum Permitted Number per Development: Per Conditional Use Permit
 - c) Maximum Permitted Area per Sign: Four square feet. A conditional use permit is required for off-premise directional signs larger than four square feet in area.
 - d) Maximum Permitted Area of All Signs: Per Conditional Use Permit
- 7) Community Information Sign**
Community Information Signs shall comply with the provisions of Subsection (4)B.)

(6) Regulations for Non-Residential Districts

A. Rules for all Signs

- 1) Signs shall comply with all provisions of this Section for general signage definitions and regulations.
- 2) Signage on a lot shall be limited to the combined total of all signs listed under Subsection (6)C., below, or as otherwise modified by conditional use, planned development, deed restriction or other site specific regulation, restriction or requirement. The owner of a property containing more than one tenant shall allocate signs to the tenants, up to the allowed maximum for the entire property. This provision will allow the property owner to allocate all of the allowed signage to one tenant and none to another tenant if they saw fit to do so.

B. Signage for Residential and Institutional Uses.

Signage for all residential and institutional land uses (e.g. churches, schools, government buildings) within nonresidential districts shall comply with provisions of Subsection (5).

C. Signage for Nonresidential Uses. (All Office, Commercial and Industrial Land Uses)**1) On-Premise Business Signs**

- a) For Rural Zoning Districts:
 - i) Permitted Sign Type: Wall Sign:
 - (a) Maximum Permitted Number per Lot: One
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall—up to a maximum sign area of 200 square feet for all combined sign faces.
 - ii) Permitted Sign Type: Monument Sign
 - (a) Maximum Permitted Number per Lot: One
 - (b) Maximum Permitted Area per Sign: One-quarter square foot of signage for every foot of the adjacent public street frontage selected for the lot—up to a maximum sign area of 50 square feet for all combined sign faces seen at one time.
 - (c) Maximum Permitted Sign Height: 8 feet *<taller signage may be preferred in Tourist Entertainment Corridor district, possibly including the potential for pylon signs>*
 - (d) Minimum Permitted Sign Setback: 12 feet
- b) For Neighborhood Commercial and Office Zoning Districts:
 - i) Permitted Sign Type: On-Building (Wall or Awning) Sign:
 - (a) Maximum Permitted Number per Lot: One per each business located on the lot.
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall—up to a maximum sign area of 200 square feet for all combined sign faces. The assignment of permitted sign area to individual businesses within the same building will be at the discretion of the property owner, up to a maximum sign area of 50 square feet for each business located within the building.
 - (c) Permitted Location: On the facade that includes the main customer entrance to the business, except that if such facade is directly adjacent to a residentially zoned property, another wall may be selected.
 - ii) Permitted Sign Type: Monument Sign
 - (a) Maximum Permitted Number per Lot: One
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every foot of the adjacent public street frontage selected for the lot—up to a maximum sign area of 50 square feet for all combined sign faces seen at one time. The assignment of permitted sign area to individual businesses within the same lot will be at the discretion of the property owner.
 - (c) Maximum Permitted Sign Height: 8 feet
 - (d) Minimum Permitted Sign Setback: 12 feet

- c) For Other Commercial and Office Zoning Districts:
- i) Permitted Sign Type: On-Building (Wall, Marquee, or Awning) Sign:
 - (a) Maximum Permitted Number per Lot: One per each business located on the lot.
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall—up to a maximum sign area of 300 square feet for all combined sign faces. The assignment of permitted sign area to individual businesses within the same building will be at the discretion of the property owner, up to a maximum sign area of 50 square feet for each business located within the building.
 - (c) Permitted Location: On the facade that includes the main customer entrance to the business, except that if such facade is directly adjacent to a residentially zoned property, another wall may be selected.
 - ii) Permitted Sign Type: Monument Sign
 - (a) Maximum Permitted Number per Lot: One
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every foot of the adjacent public street frontage selected for the lot—up to a maximum sign area of 100 square feet for all combined sign faces seen at one time. The assignment of permitted sign area to individual businesses within the same lot will be at the discretion of the property owner.
 - (c) Maximum Permitted Sign Height: 8 feet *<taller signage may be preferred in Tourist Entertainment Corridor district, possibly including the potential for pylon signs>*
 - (d) Minimum Permitted Sign Setback: 12 feet

d) For Central Business Zoning District

In order to maintain the historic character of the Central Business District, unique standards in relation to size, color, material, and illumination are proposed for this zoning district as follows:

- i) Permitted Sign Type: On-Building (Wall, Awning, Projecting, or Marquee) Sign:
 - (a) Maximum Permitted Number per Lot: Two per each business located on the lot.
 - (b) Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall—up to a maximum sign area of 25 feet. The assignment of permitted sign area to individual businesses within the same building will be at the discretion of the property owner.
- ii) Permitted Sign Colors

Fluorescent, “day glow,” “neon” and other “loud” colors shall not be permitted. Where such colors constitute a component of a standardized corporate theme or identity, muted versions of such colors shall be used. Color combination schemes shall be limited to no more than four different colors. Varying shades, tints or intensities of a color shall count as a different color for this purpose. Color schemes and lettering styles shall be used consistently on all signage throughout the property. Preferred lettering colors are ivory, white or gold, and with preferred background colors being darker shades.
- iii) Permitted Sign Materials:

Permitted sign materials include wood, brass, metal leaf, metal plates, canvas or related fabric, etched glass, stone or concrete. High-quality, textured, low reflectant plastic may be allowed, but internally illuminated plastic signs are not permitted. High gloss paints,

lacquers, varnishes or other “shiny” non-glazing surfaces, including smooth plastics and related materials shall not be used.

iv) Permitted Sign Illumination:

Illumination of exterior signage shall be limited to direct illumination from a shielded light source or individual solid letters with internal lighting tubes that backlight the wall in a “halo” effect. The lighting element of all such fixtures shall not be visible from public rights-of-way or adjoining properties. Internally illuminated signs, including illuminated awnings with or without messages, are not permitted, including neon and related illumination systems.

v) Permitted Sign Location:

Signs shall not be located on any portion of upper stories. The location of signs shall be integrated with, and not cover, architectural elements and details. Projecting signs and awning signs shall not be located to impede visibility of other signs. The following illustration shows permitted sign locations.



e) For Industrial Zoning Districts:

i) Permitted Sign Type: On-Building (Wall or Awning) Sign:

- (a) Maximum Permitted Number per Lot: Two per each business located on the lot, with no more than one sign per business per facade.
- (b) Maximum Permitted Area per Sign: One square foot of signage for every linear foot of exposed exterior wall length on that supporting wall—up to a maximum sign area of 250 square feet for all combined sign faces. The assignment of permitted sign area to individual businesses within the same building will be at the discretion of the property owner.
- (c) Permitted Location: On any facade which is visible from a public street except facades which are directly adjacent to a residentially zoned property.

ii) Permitted Sign Type: Monument Sign:

- (a) Maximum Permitted Number per Lot: One.
- (b) Maximum Permitted Area per Sign: One square foot of signage for every foot of the adjacent public street frontage selected for the lot—up to a maximum sign area of 100 sf for all combined sign faces seen at one time.
- (c) Maximum Permitted Sign Height: 8 feet
- (d) Minimum Permitted Sign Setback: 12 feet

- 2) **Auxiliary Sign** (such as required Gas Price Signs or "No Trespassing" sign):
 - a) Permitted Sign Type: Wall Sign or Freestanding sign
 - b) Maximum Permitted Number per Lot: Per approved site plan.
 - c) Maximum Permitted Area per Sign: Combined area of all auxiliary signs shall not exceed an area equivalent to 50% of the permitted freestanding or on-building sign area, whichever is greater.
- 3) **On-Premise Directional Sign:**
 - a) Permitted Sign Type: Wall Sign or Monument Sign
 - b) Maximum Permitted Number per Lot: One sign for each vehicular entrance, one sign for each vehicular exit, and one sign for each parking area conditions list.
 - c) Maximum Permitted Area per Sign: Four square feet for general directional signs, and nine square feet for parking area conditions list.
- 4) **Temporary Sign**
Temporary signs are allowed per the requirements of Subsection (7)
- 5) **Off-Premise Directional Sign** (for institutional facility only)
 - a) Permitted Sign Type: Wall Sign or Monument Sign
 - b) Maximum Permitted Number per Development: Per Conditional Use Permit
 - c) Maximum Permitted Area per Sign: Four square feet. A conditional use permit is required for off-premise directional signs larger than four square feet in area.
 - d) Maximum Permitted Area of All Signs: Per Conditional Use Permit
- 6) **Community Information Sign**
Community Information Signs shall comply with the provisions of Subsection (4)B.)

(7) Temporary Signs

For all temporary signs, the owner or tenant must contact the Zoning Administrator and provide the name and address of the applicant, and the description and location of the sign to be erected prior to actual installation. The following provisions for temporary signs shall apply:

- A. Except as provided in (7)C., below, a temporary sign may be displayed for a maximum of 30 days within any 12-month period. Any one lot is limited to a maximum of three temporary signs in any 12-month period.
- B. Except as provided in (7)C., below, temporary signs within residential zoning districts shall not exceed six square feet in area and shall be limited to six feet in height. Temporary signs within commercial and industrial districts shall not exceed 24 square feet in area and six feet in height. Temporary signs within the CB District shall not exceed 10 square feet in area and six feet in height
- C. The following restrictions apply to each type of temporary sign:
 - 1) A portable sign is not a temporary sign.
 - 2) For each lot: one "For Sale," or "For Rent" sign for each side of the property abutting a public street or waterway.
 - 3) For each lot: one "Garage Sale" sign.
 - 4) For each lot: one personal greeting/congratulatory sign, which is not intended for commercial purposes.
 - 5) For construction on or development of a lot: one sign indicating the name of the contractors, engineers or architect, or products being used in the construction of a building. Such sign shall be limited to 32 square feet in area and 6 feet in height, and shall be displayed only during the time that construction or development is actively under way

- 6) For each real estate subdivision that has been approved in accordance with the <community name>'s Land Division Regulations: two temporary development project identification signs are permitted to be located on some portion of the subject subdivision. Such signs shall be limited to 32 square feet in area and 6 feet in height and shall only be displayed within the subject subdivision until a time at which building permits have been issued for 80 percent or more of the lots in the subdivision.
- 7) For a temporary event of public interest such as a neighborhood garage sale or church fair: one sign located upon the site of the event. Such sign shall be limited to 32 square feet in area and 6 feet in height.

(8) Appearance, Construction, and Maintenance of Signage

- A. All signage within the jurisdiction of this Section shall remain in a state of proper maintenance. Refer to Subsection (8)B., below.
- B. Proper maintenance shall be the absence of loose materials (including peeling paint, paper or other material), the lack of excessive rust, the lack of excessive vibration or shaking, and the presence of the original structural integrity of the sign, its frame and other supports, its mounting, and all components thereof.
- C. The repainting, changing of parts, and preventive maintenance of signs which completely conform to the requirements of this Section, and result in absolutely no change in the appearance of the sign from that originally approved, shall not be deemed alterations requiring a sign permit.
- D. The owner, lessee, or manager of a sign, and the owner of the land on which the same is located, shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- E. Any signs which may be, or may hereafter become rotted, unsafe, or in a state which is not properly maintained shall be repaired or removed by the licensee or owner of the sign, or owner of the property upon which the sign stands upon notice of the Zoning Administrator.
- F. All signs shall be constructed and mounted so as to comply with State Building Codes.
- G. All signs shall be constructed and maintained to conform with State Electrical Codes.
- H. The base of signs shall be landscaped so as to conceal footings, mountings, brackets, and related structural elements.
- I. All signs shall in no instance create a traffic visibility or other safety hazard.
- J. Signage found to be in violation of the provisions of this Section shall be subject to the provisions of the <Community Name> Building Code.

(9) Nonconforming Signs

A. Nonconforming Signs

- 1) Signs legally existing as of the effective date of this Section, which do not conform to the provisions of this Section, shall be nonconforming signs and shall be subject to the provisions of Subsection (9)B. Nonconforming signs may be maintained. No nonconforming on-premise sign shall be altered or moved to a new location without being brought into compliance with the requirements of this Section. Refer to Subsection (9)B.1, below.
- 2) Business signs on the premises of a nonconforming use or building may be continued per Subsection (9)B, but new signs for such uses shall not be allowed, nor shall expand in number, area, height, or illumination. New signs, not to exceed the maximum allowable aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of adoption of this Section.

- 3) Nonconforming signs shall be removed when the principal structure located on the premises undergoes a change of use, or shall be removed per Subsection (9)B. Closing businesses must remove their signs within 60 days of closing.
- 4) Signage not in compliance with the provisions of this Section shall be subject to the provisions of Subsection (9)B.
- 5) Whenever there is a change in the sign user (excluding off-premise signs), owner, or owner of the property on which the sign is located, the new sign user, owner, or new property owner shall forthwith notify the Zoning Administrator of the change. No new sign permit is required unless there is modification of the sign face or sign structure.

B. Removal of Nonconforming Signs

- 1) Alteration of Signs
 - a) For the purpose of this Section, alteration of a sign is considered to be any change to the exterior appearance of any part of the sign, its frame, its supporting structure, or its lighting including: changing the message (except for marquee, community information, or preexisting off-premise advertising signs), symbols, color, material, height, location, or any other alterations as determined by the Zoning Administrator.
 - b) Altering a sign does not include maintaining the existing appearance of the sign; replacing the sign face or the supporting structure with identical materials, colors, and messages; changing the message of a marquee sign; or changing the face of an off-premise advertising sign.
 - c) For a period extending 10 years from the Effective Date of this Ordinance, a tenant sign, which comprises part of a group sign, may be replaced to accommodate a new tenant sign without triggering the need to bring the entire group sign, or any of its parts, into compliance with the provisions of this Ordinance.
- 2) The penalties of the <Community Name> Building Code shall be applicable to violations of the provisions of this Section.

C. Exemptions for Historic Signs

The following historic signs shall be exempt from this Section and may be maintained with altered messages: <Insert exempted historic signs>

Also, insert this in the definitions section of the zoning ordinance or sign ordinance:

Sign: Any object, device, display, structure, or part thereof, situated outdoors and in view of the general public, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, logos, symbols, fixtures, or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, <county/city/village/town>, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Building colors and outline lighting which do not convey a logo or message specific to the use (as determined by the Zoning Administrator) are not considered signs. Definitions of particular functional, locational, and structural types of signs are listed in <insert reference to sign regulations in zoning ordinance>. (Traffic control and other public agency signs located within a right-of-way are not included within this definition and are not regulated by the provisions of this Section.)

H. Model Billboard Control Ordinance

A vast majority of participants in this process have expressed dismay with the number of billboards already along Highway 12 and support for restrictions on additional billboards. Many have been placed in areas that obscure or diminish views of the rural landscape, which is so critical to the economic health of Sauk County. The following model ordinance would allow the county, a city, village, or town to prohibit the construction of new off-premise advertising signs (billboards). This model ordinance may be incorporated as one component of a sign or zoning ordinance or possibly as a stand-alone ordinance. The model ordinance should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption.

(1) Purpose and Findings

- A. The <Community Name> Plan Commission and <applicable approving body> find that excessive and inadequately controlled off-premise signs endanger the unique character and scenic beauty of <Community Name>, harms the appearance of neighborhoods, and reduces property values of neighboring property owners; and
- B. The <Community Name> Plan Commission and <applicable approving body> find that tourism and commerce from both residents and non-residents is an essential part of the economy of <Community Name> and economic development will suffer if the visual attractiveness of the roadways and community is damaged by excessive signage; and
- C. The <Community Name> Plan Commission and <applicable approving body> find that standardized logo signs provided by the Wisconsin Department of Transportation, information centers, on-premise signs, and other media offer local businesses ample opportunity to promote their goods and services to both residents and visitors; and
- D. The <Community Name> Plan Commission and <applicable approving body> find that the proliferation in number, the increase in size, and the use of special effects in message presentation of off-premise outdoor advertising signs unreasonably distracts operators of motor vehicles and causes confusion with traffic lights, signs, or signals, and therefore, increases the risks to the safety of pedestrians, cyclists, and motorists; and
- E. The <Community Name> Plan Commission and <applicable approving body> find that Section <insert applicable statute; 59.70(22), 60.23(29), 62.23, or 61.35>, Wisconsin Statutes enables the <Community Name> to control or prohibit the construction and reconstruction of new off-premise advertising signs;
- F. The <Community Name> finds that a complete prohibition of the construction of new off-premise advertising signs advances the public health, safety and welfare of <Community Name>.

(2) Definitions

- A. Abandoned Sign
Any sign that does not display a well maintained message for a consecutive 120-day period; any sign the owner of which can not be located at owner's last address as reflected on the records of the department; or any sign no longer fully supported, by the structure designed to support the sign, for a consecutive 120-day period
- B. Off-premise Advertising Sign
A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is displayed. Off-premise advertising signs include billboards.

C. Sign

Any object, device, display, structure, or part thereof, situated outdoors and in view of the general public, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, logos, symbols, fixtures, or projected images. Signs do not include the flag or emblem of any nation; organization of nations; state; city; or religious, fraternal, or civic organization. Signs do also not include merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Building colors and outline lighting which do not convey a logo or message specific to the use, as determined by the Building Inspector, are not considered signs. Traffic control and other public agency signs located within a right-of-way are not included within this definition and are not regulated by the provisions of this ordinance.

(3) Sign Prohibitions and Limitations

No new off-premise advertising signs shall be permitted except for the small blue highway information signs per applicable State of Wisconsin Statutes. Existing legal off-premise advertising signs made nonconforming by this Ordinance shall be permitted to continue as legal, nonconforming structures (see (4) below).

(4) Nonconforming Signs

- A. Off-premise advertising signs legally existing as of the effective date of this Ordinance shall be considered nonconforming signs.
- B. Nonconforming signs may be maintained. The repainting, changing of parts, and preventive maintenance of nonconforming signs shall result in absolutely no change in the appearance of the sign, except the changing the face of an off-premise advertising sign
- C. Nonconforming signs shall not be replaced by another non-conforming sign.
- D. Nonconforming signs may not be reestablished after damage or destruction if the *<county/city/village/town>* determines that the estimated cost of reconstruction exceeds 50% of the estimated replacement value. However, it may be replaced if intentionally damaged or destroyed by person(s) who are apprehended and proven to be unconnected to the owner(s) of the sign.

(5) Removal of Defective or Dangerous Signs

- A. If the Zoning Administer determines that any sign is defective, has been abandoned, or has been maintained so as to be dangerous to the public health and safety, then the Zoning Administer shall notify the sign permit holder or the owner of the property on which the sign is located that such violation must be corrected within ten days of receipt of such notice on penalty of automatic revocation of any sign permit previously granted and summary removal of the sign by the *<county/city/village/town>* at the expense of the owner of the property.
- B. If the Zoning Administer sends such notice and the violation is not corrected within ten days, the Zoning Administer shall revoke any sign permit for the defective or dangerous sign and it shall be the duty of the Zoning Administer to remove such sign. The expense of removing such sign shall be charged to the owner of the property on which the sign is located. If the owner fails to pay such expense within one month of being billed therefore, or has not made arrangement for payment satisfactory to the *<county/city/village/town>* attorney, then such expense shall become a lien on the property and shall be placed upon the tax roll.

(6) Appeals

- A. Any person affected by a decision of the Zoning Administrator may petition for a hearing before the Board of Zoning Appeals within ten days after the decision is served upon the applicant. The filing of such petition automatically stays removal of any sign involved and already legally erected until the

Board decides whether to sustain, modify or withdraw the notice. This decision shall be made by the Board at a public hearing, of which the owner of the sign and petitioner for the appeal shall have reasonable written notice. At the hearing, all persons shall have a reasonable opportunity to show cause why the decision of the Zoning Administrator should be overturned or upheld.

- B. Any person, including the <County/City/Village/Town>, aggrieved by the Board's decision may seek judicial review thereof in any court of competent jurisdiction as provided by Wisconsin Statutes.



I. Model Standards for Landscaping

The Highway 12 area has a diverse and in many places dramatic natural landscape. This contributes immeasurably to the visual quality of the area, which in turn enhances quality-of-life for residents and fuels tourism. Many sections of the Highway 12 corridor also have significant development pressures and opportunities. The model landscaping ordinances below have been designed to assist in the preservation of pre-existing vegetation wherever possible and promote new landscape plantings on development sites. There are two alternative model ordinances proposed below. The first "comprehensive" model is designed for communities that have the staff or consultant resources to carefully review landscape plans. It will result in consistently excellent landscape plans. The second "simplified" model is designed for communities with little or no staffing capabilities. It provides significantly greater discretion to the developer in the type, location, and number of landscape plantings.

Either of these model ordinances may be incorporated as a component of a zoning ordinance. The model ordinances should be reviewed by county or municipal attorneys, engineers, and planners, and proper modifications and conversion into local ordinance amendment formats made, prior to local or county adoption. Along with adoption of either ordinance, communities are encouraged to also adopt ordinances requiring the submittal of detailed site and building plans before approving commercial, industrial, and multiple family residential development projects.

COMPREHENSIVE MODEL ORDINANCE

(1) Purpose

The purpose of this section is to indicate the minimum requirements for the landscaping of foundations, developed lots, street frontages, paved areas, permanently protected green space areas, reforestation areas, and bufferyards.

(2) How to Use this Section

- A. This Section contains the standards that govern the amount, size, type, installation and maintenance of required landscaping. This Section recognizes the important and diverse benefits which landscaping provides in terms of protecting the health, safety, and general welfare of the community, and implementing the Comprehensive Plan.
- B. Each section of this Section is oriented to a specific category of required landscaping. The landscaping requirements described in this Section of the Ordinance are cumulative in nature and are required for all development, except single-family residential and agricultural uses, in the following locations: around building foundations, in developed lots, along street frontages, in or around paved areas, in permanently protected green space areas, in reforestation areas, and in bufferyards. Descriptions of these areas and their associated landscape requirements are included in Landscaping Requirements for Regular Development (building foundation, developed lots, street frontages, paved areas) (Subsection (4)); Landscaping Requirements for Permanently Protected Green Space Areas (Subsection (5)); Landscaping Requirements for Reforestation (Subsection (6)); and Landscaping Requirements for Bufferyards (Subsection (7)).
- C. In each instance, a "landscaping point" concept is used to provide a maximum amount of flexibility in terms of the selection of plant materials. Subsection (3) presents sample landscape point combination alternatives used by this Section. At the end of this Section, Subsection (8) provides a listing of plant species fitting into the "climax tree", "tall deciduous tree", "medium deciduous tree", "low deciduous tree", "tall evergreen tree", "medium evergreen tree", "low evergreen tree", "tall deciduous shrub", "medium deciduous shrub", "low deciduous shrub", "medium evergreen shrub", "low evergreen shrub", and "non-contributory plants" used by this Section. Subsection (9) provides requirements for the installation and maintenance of required landscaping, and Subsection (10) describes the procedure for calculating landscaping requirements for this Section.

(3) Landscaping Points, Landscaping Measurements and Sample Landscaping Layouts

A. All landscaping requirements are stated in terms of the number of landscaping points required. The required number of landscaping points is dependent upon the type of land use, the zoning district, and the size of the development. A different number of points is awarded for each plant, depending upon its typical growth rate, its mature height, and whether it is a deciduous or evergreen species. A minimum installation size is required for each of these plant categories. These requirements are as follows:

Table 1: Landscaping Points and Minimum Installation Sizes

Plant Category	Landscaping Points Per Plant	Minimum Permitted Installation Size
Climax Tree	75	2” Caliper
Tall Deciduous Tree	30	1 ½” Caliper
Medium Deciduous Tree	15	6’ Tall
Low Deciduous Tree	10	4’ Tall
Tall Evergreen Tree	40	5’ Tall
Medium Evergreen Tree	20	4’ Tall
Low Evergreen Tree	12	3’ Tall
Tall Deciduous Shrub	5	36” Tall
Medium Deciduous Shrub	3	24” Tall
Low Deciduous Shrub	1	18” Tall
Medium Evergreen Shrub	5	18” Tall/Wide
Low Evergreen Shrub	3	12” Tall/Wide
Non-contributory Plants	0	N/A
<i>Source: A Guide to Selecting Landscape Plants for Wisconsin, E. R. Hasselkus, UW-Extension Publication: A2865</i>		

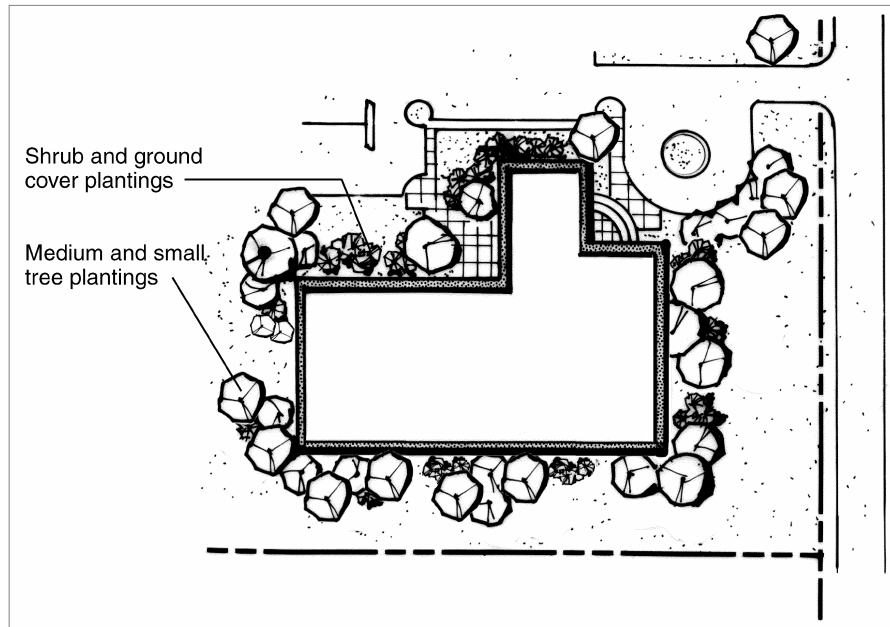
B. Depiction of Sample Landscaping Schemes

The illustrations, shown on the following three pages, depict sample landscaping schemes that may be used for building foundations, developed lots, street frontages, paved areas, reforestation, and bufferyards. In general, landscaping schemes similar to Alternative A are best for building foundations, landscaping schemes similar to Alternative B are best for developed lots, landscaping schemes similar to Alternative C are best for street frontages, landscaping schemes similar to Alternative D are best for paved areas (including parking lots, walkways and plazas), landscaping schemes similar to Alternative E are best for reforestation, and landscaping schemes similar to Alternative F are best for bufferyards. A detailed listing of which plant species fit each plant type is provided in Subsection (8).

Alternative A:

Best Suited for
Building Foundations

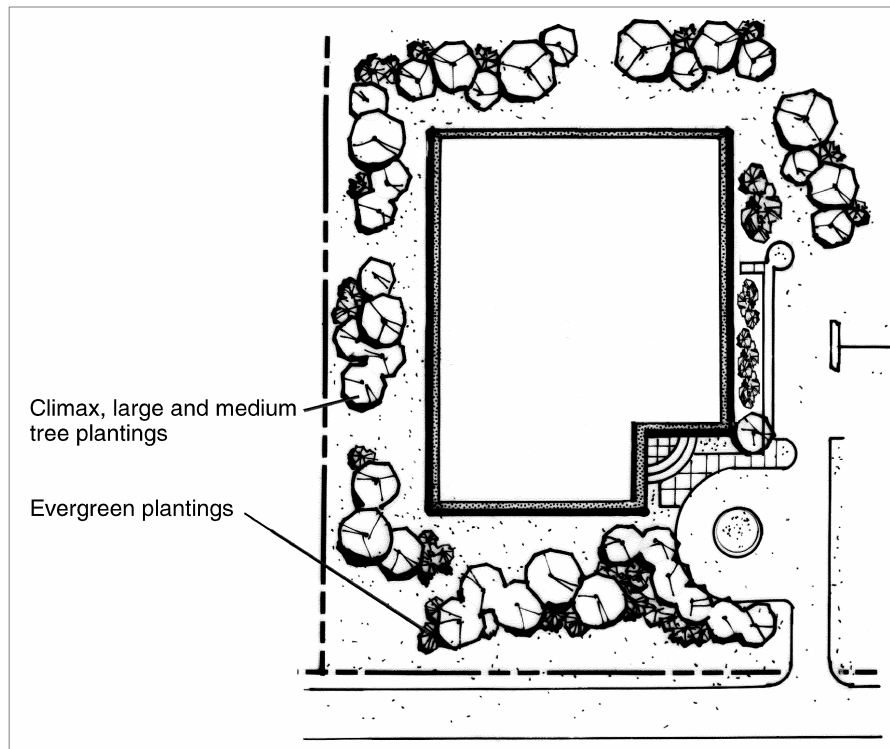
- 750 Landscaping Points:
20 medium trees
15 small shrubs
60 shrubs



Alternative B:

Best Suited for
Developed Lots

- 1250 Landscaping Points:
6 climax trees
8 tall trees
20 medium trees
41 evergreen plantings



Alternative C:

Best Suited for
Street Frontages

Option 1

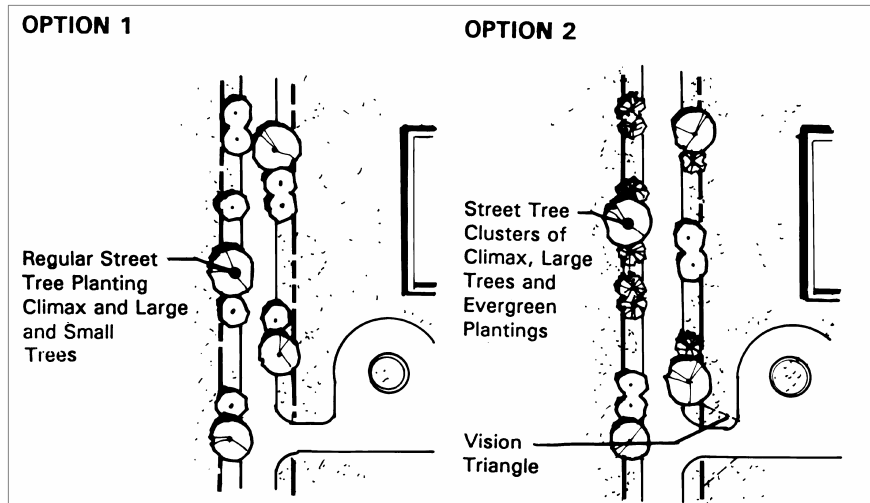
280 Landscaping Points:

- 2 climax trees
- 2 tall trees
- 8 small trees

Option 2

280 Landscaping Points:

- 2 climax trees
- 2 tall trees
- 4 small trees
- 8 evergreen shrubs



Alternative D:

Best Suited for
Paved Areas

Option 1

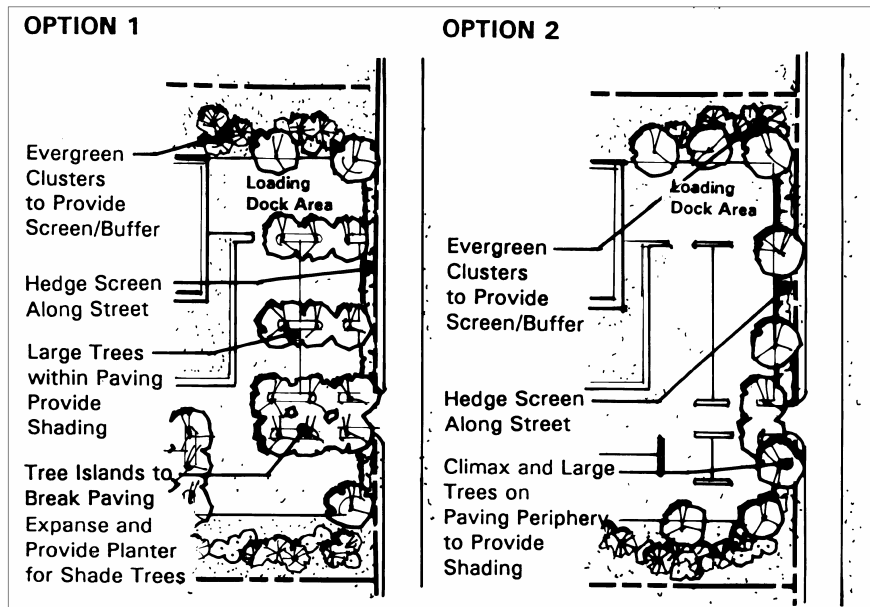
880 Landscaping Points:

- 2 climax trees
- 13 tall trees
- 68 evergreen shrubs

Option 2

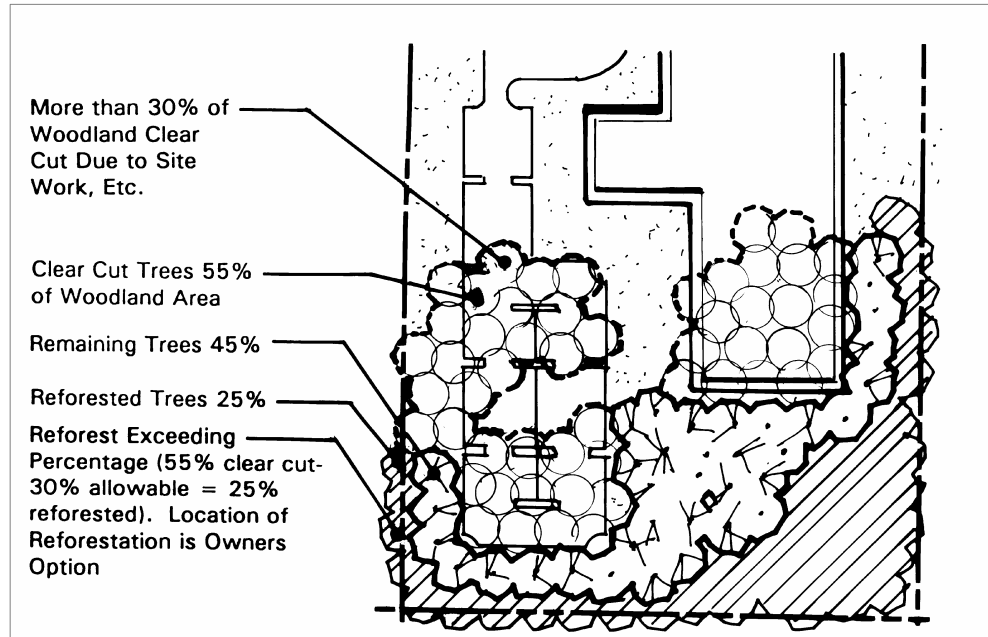
880 Landscaping Points:

- 5 climax trees
- 6 tall trees
- 68 evergreen shrubs



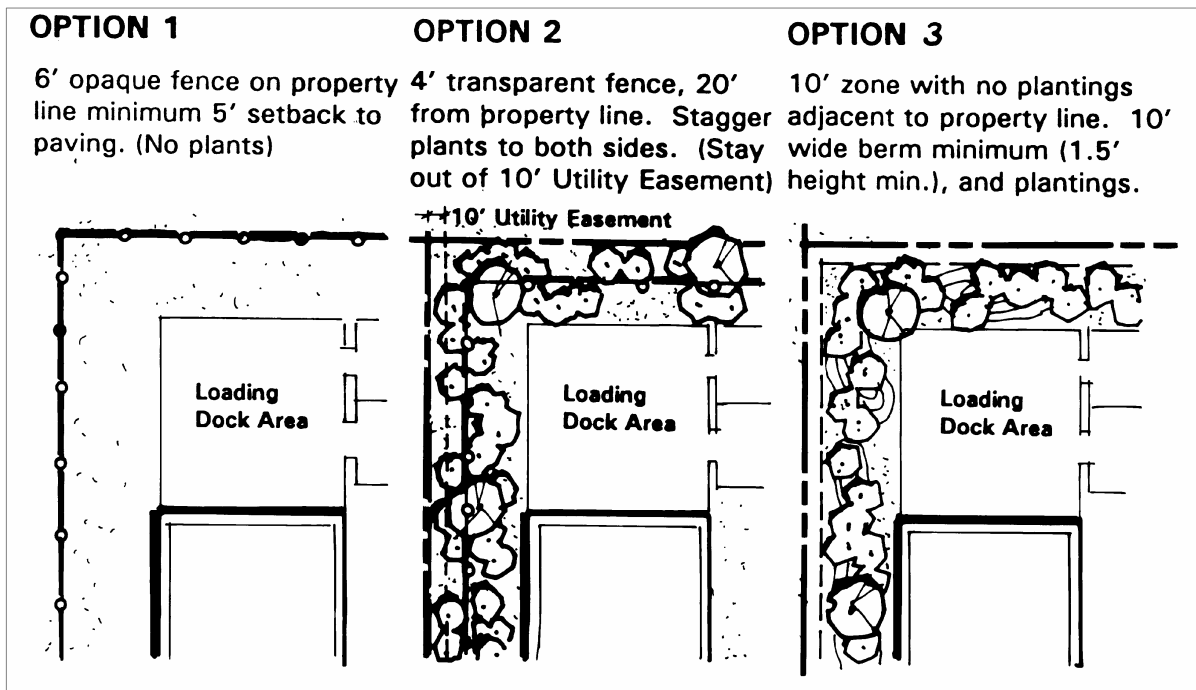
Alternative E:

Best Suited for Reforestation



Alternative F:

Best Suited for Bufferyards

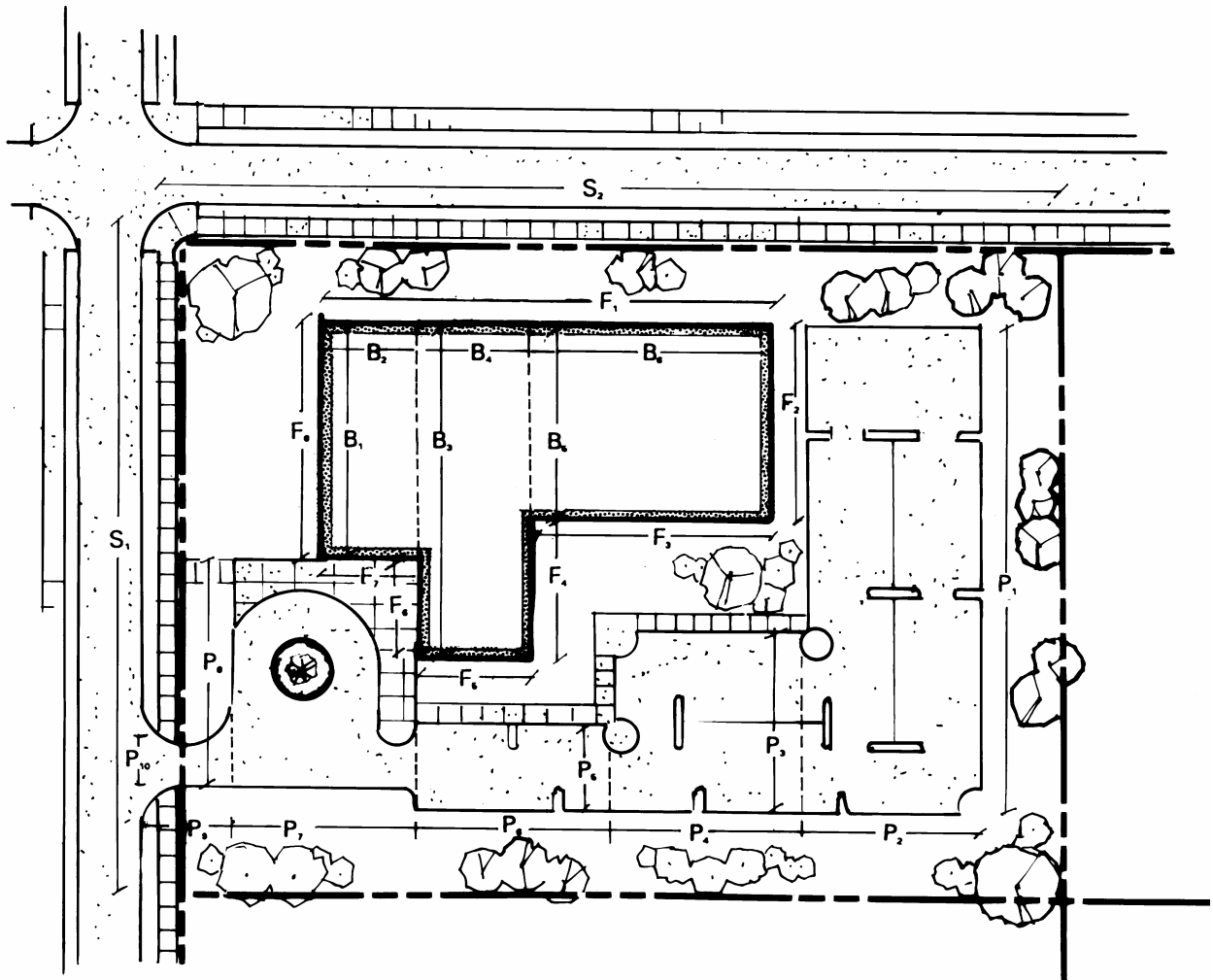


C. Measurement for Landscaping Requirements:

A minimum amount of landscaping points, based upon the zoning district, is required for:

- 1) The linear feet Building Foundations
- 2) The gross floor area of buildings on Developed Lots
- 3) The linear feet of Street Frontage, and
- 4) The total combined area of Paved Areas.

The following diagram illustrates the measurement techniques used to determine these requirements:



Landscape Measurements

Landscaping Calculation Equations for this Example:

$$\text{Paved Area} = (P_1 \times P_2) + (P_3 \times P_4) + (P_5 \times P_6) + (P_7 \times P_8) + (P_9 \times P_{10})$$

$$\text{Street Frontage} = S_1 + S_2$$

$$\text{Building Perimeter} = F_1 + F_2 + F_3 + F_4 + F_5 + F_6 + F_7 + F_8$$

$$\text{Building Floor Area} = (B_1 \times B_2) + (B_3 \times B_4) + (B_5 \times B_6)$$

(4) Landscaping Requirements for Regular Development

Landscaping is not required for Single-family or Agricultural Land Uses.

A. Building Foundations

This Section requires that certain buildings, or building additions, constructed after the effective date of this Section be accented by a minimum amount of landscaping placed near the building foundation.

- 1) Landscaping required by this Section shall be placed so that at maturity, the plant's drip line is located within 10 feet of the building foundation. Such landscaping shall not be located in those areas required for landscaping as street frontages, paved areas, protected green space areas, reforestation areas, or bufferyards. See Section Illustration Alternative A for a suggested scheme.
- 2) For each 100 feet of building foundation perimeter, the following number of landscaping points (per Subsection (3)) shall be provided on a prorated basis, and installed and permanently maintained per the requirements of Subsection (9).
- 3) Climax trees and tall trees shall not be used to meet this requirement. The intent of this Section is to require a visual break in the mass of buildings and to require a visual screen of a minimum of 6 feet in height for all exterior perimeter appurtenances (such as HVAC/utility boxes, standpipes, stormwater discharge pipes and other pipes.)
- 4) Where the officially approved site plan depicts a future building extension, the foundation landscaping requirement shall be calculated by measuring the length of the total perimeter. However, foundation plantings need only be installed based on the landscape points calculated from the portions of the building perimeter that will not be affected by building extension. If this results in point requirements, which are not met through the initial planting, then said requirement shall be met within five years of building permit issuance, or as extended in writing by the *<applicable body>*.

B. Street Frontages

This Section requires that street frontages on certain lots developed after the effective date of this Section contain a minimum amount of landscaping in those areas which abut the right-of-way of a public street.

- 1) All landscaping used to meet this requirement shall be located within 10 feet of the public right-of-way. In no instance shall such landscaping be located within a public right-of-way. See Illustration Alternative C for a suggested landscaping scheme. Landscaping shall not impede vehicle or pedestrian visibility.
- 2) For every 100 linear feet of street frontage where a developed lot abuts a public street right-of-way, the following number of landscaping points (as described in Section(3)) shall be provided on a prorated basis, and installed and maintained per the requirements of Subsection (9).
- 3) Shrubs shall not be used to meet this requirement. A minimum of 50% of all points shall be devoted to climax and/or tall trees and a minimum of 30% of all points shall be devoted to medium trees.

C. Paved Areas

This Section requires that paved areas on certain lots developed after the effective date of this Section contain a minimum amount of landscaping within, or within 10 feet of, the paved area. The intent is to require a continuous visual screen of parking areas from public rights-of-way at a minimum height of 40 inches.

- 1) A minimum of 360 square feet of landscaped area, which shall be located within 10 feet of the paved area, is required for the placement of every 100 landscaping points. Said area does not have to be provided in one contiguous area. Sample configurations are depicted in Subsection (3), above.

Plants used to fulfill this requirement shall visually screen parking, loading and circulation areas from view from public streets.

- 2) For every 20 off-street parking stalls or 10,000 square feet of pavement (whichever yields the greater landscaping requirement) located in a development, the following number of landscaping points (as described in Subsection (3)) shall be provided on a prorated basis, and installed and maintained per the requirements of Subsection (9). A minimum of 30% of all points shall be devoted to climax and/or tall trees and a minimum of 40% of all points shall be devoted to shrubs.
- 3) Parking lot design shall employ interior landscaped islands with a minimum of 400 square feet at all parking isle ends, and in addition shall provide a minimum of one landscaped island of a minimum of 400 square feet in each parking isle for every 20 cars in that aisle. Aisle-end islands shall count toward meeting this requirement. Landscaped medians shall be used to break large parking areas into distinct pods, with a maximum of 100 spaces in any one pod.

D. Developed Lots

This Section requires that certain lots developed after the effective date of this Section contain a minimum amount of landscaping.

- 1) Landscaping required by this Section is most effective if located away from those areas required for landscaping as building foundations, street frontages, paved areas, protected green space areas, reforestation areas, or bufferyards. See Illustration Alternative B for a suggest landscaping scheme.
- 2) The following number of landscaping points (as described in Subsection (3)) shall be provided on a prorated basis for every 1,000 square feet of gross floor area, and installed and maintained per the requirements of Subsection (9).
- 3) The intent of this Section is to provide yard shade and to require a visual screen of a minimum of 6 feet in height for all detached exterior appurtenances (such as HVAC, utility boxes, standpipes, stormwater discharge pipes and other pipes.)

Table 2: Landscaping Requirements for Regular Development

<i>Note: Landscaping is not required for Single-family or Agricultural Land Uses</i>		Components			
		Building Foundation	Street Frontages	Paved Areas	Developed Lots
Types of Landscaping		Climax trees and tall trees shall not be used to meet this requirement	Shrubs not allowed; A min. of 50% of points devoted to climax/tall trees and 30% to med. trees	A min. of 30% of points devoted to climax/tall trees and 40% to shrubs	All plant categories can be used to meet requirements
Placement of Landscaping		Located so that at maturity the plant's drip line is located within 10' of building foundation	Located within 10' of the public right-of-way	Within paved area or within 10' of the paved area	Located away from areas that meet other landscaping requirements (i.e., building foundation, street frontage, paved areas)
Calculation of Landscaping Points		Points per 100' of building foundation	Points per 100 linear feet of street frontage	Greater of: points per 20 parking stalls or 10,000 sq.ft. of parking area	Points per 1,000 sq. ft. of building footprint
Zoning Districts	Rural Holding	20	20	40	10
	Rural Residential – 1 acre				
	Single-family Residential	40	40	80	20
	Two-family Residential	45	45	90	20
	Multi-family Residential Low	50	50	100	20
	Multi-family Residential Med	50	50	100	20
	Neighborhood Office	45	45	80	20
	Planned Office	40	40	80	15
	Neighborhood Business	40	40	80	15
	Planned Business	40	40	80	10
	General Business	20	20	40	5
	Central Business	0	0	20	0
	Planned Industrial	40	40	80	10
	General Industrial	20	20	40	5
Heavy Industrial	20	20	40	5	

(5) Landscaping Requirements for Other Permanently Protected Green Spaces

- A. This Section requires that each acre of other permanently protected green space after the effective date of this Section be planted with a minimum amount of landscaping.
- B. For every one acre of other permanently protected green space in a development, two hundred landscaping points (as described in Subsection (3)) shall be provided. In addition, adequate ground cover shall be provided to stabilize the soil.

(6) Landscaping Requirements for Required Reforestation

- A. This Section requires that each area required to be reforested, be reforested and maintained in a manner appropriate to site conditions.
- B. A detailed reforestation plan shall be submitted by the property owner and approved by the <county/city/village/ town> prior to clear cutting. This plan shall be reviewed by a reforestation consultant chosen by the <county/city/village/ town>, with funding for consulting services provided by the Petitioner to the <county/city/village/ town>.

Rationale: The provisions of this Section are designed to ensure that reforestation efforts required as part of woodland disruption mitigation standards result in the thorough and reasonably rapid replacement of the important and varied environmental functions which woodlands provide.

(7) Landscaping Requirements for Bufferyards

This Section provides the landscaping and width requirements for bufferyards on lots developed after the effective date of this Section. A bufferyard is a combination of distance and a visual buffer or barrier. It includes an area, together with the combination of plantings, berms and fencing, that are required to eliminate or reduce existing or potential nuisances. These nuisances can often occur between adjacent zoning districts. Such nuisances are dirt, litter, noise, glare of lights, signs, and incompatible land uses, buildings or parking areas.

Rationale: One of zoning's most important functions is the separation of land uses into districts that have similar character and contain compatible uses. The location of districts is supposed to provide protection, but in the <county/city/village/ town>, this is not the case since zoning districts permitting uses as diverse as single-family residential and industrial uses were located next to one another long before the effective date of this Section. Bufferyards will operate to minimize the negative impact of any future use on neighboring uses.

A. Required Locations for Bufferyards:

Bufferyards shall be located along (and within) the outer perimeter of a lot wherever two different zoning districts abut one another. Bufferyards shall not be required in front yards.

B. Determination of Required Bufferyard:

The determination of bufferyard requirements is a two-staged process. First, the required level of bufferyard opacity is determined using Table 3. Opacity is a quantitatively-derived measure which indicates the degree to which a particular bufferyard screens the adjoining property. The required level of opacity indicated by Table 3 is directly related to the degree to which the potential character of development differs between different zoning districts. The provisions of this Section indicate the minimum requirements for bufferyards located along zoning district boundaries

1) Identification of Required Level of Opacity:

Table 3 shall be used to determine the minimum level of opacity for the required bufferyard. The required level of opacity is determined by the value given in the cell of the table at which the column heading along the top row of the table (representing the subject property's zoning district) intersects with the row heading along the left hand side of the table (representing the

adjacent property's zoning district). The value listed is the required level of opacity for the bufferyard on the subject property.

2) Identification of Detailed Bufferyard Requirements

- a) If a proposed use adjoins a parcel for which a bufferyard is required by the presence of a zoning district boundary, that use shall provide a bufferyard with the level of the opacity indicated in Table 3.
- b) For each level of opacity listed in Table 3, a wide variety of width, landscaping point, berm, and structure combinations are possible. These are listed in Table 4. The requirements listed in Table 4 pertain to the number of landscaping points, the minimum bufferyard width, and the type of berm or fencing required within every 100 feet of required bufferyard. A variety of landscaping point options are available and may be mixed within distinct portions of the same bufferyard. Subsection (3) describes the various available landscaping point alternatives. Subsection (8) provides a listing of tree and shrub species which correspond the landscaping point descriptions.

Table 3: Required Bufferyard Opacity Values

Adjacent Property's Zoning District	Subject Property's Zoning District														
	RH	RR1	SF	TF	MR_L	MR_M	NO	PO	PB	NB	GB	CB	PI	GI	HI
RH	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
RR-1			0.1	0.2	0.3	0.3	0.3	0.4	0.4	0.4	0.5	0.6	0.4	0.5	1.0
SF				0.2	0.3	0.3	0.3	0.4	0.4	0.4	0.5	0.6	0.4	0.5	1.0
TF-					0.2	0.2	0.2	0.3	0.3	0.3	0.4	0.5	0.3	0.4	1.0
MR_Lo						0.1	0.1	0.2	0.2	0.2	0.3	0.4	0.2	0.3	1.0
MR Md							0.1	0.2	0.2	0.2	0.3	0.4	0.2	0.3	1.0
NO								0.1	0.2	0.2	0.3	0.4	0.2	0.3	0.6
PO									0.1	0.1	0.2	0.3	0.1	0.2	0.6
PB										0.1	0.2	0.3	0.1	0.2	0.6
NB											0.1	0.2	0.1	0.1	0.6
GB												0.1	0.2	0.1	0.6
CB													0.1	0.1	0.6
PI														0.2	0.6
GI															0.5
HI															

* For properties zoned in the Rural Holding District (RH), refer to the Comprehensive Plan's Future Land Use Map to determine the proposed zoning district for said property. Bufferyard requirements shall be taken from this proposal.



Table 4 Detailed Bufferyard Requirements

Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.05	00	10'+	Minimum 44' picket fence*
	00	10'+	Minimum 4' wood rail fence*
	40	10'	-
	36	15'	-
	33	20'	-
	31	25'	-
	29	30'	-
0.10	00	10'+	Minimum 44" picket fence*
	38	10'+	Minimum 4' wood rail fence*
	91	10'	-
	80	15'	-
	73	20'	-
	68	25'	-
	65	30'	-
	62	35'+	-
	00	35'+	Minimum 4' berm
0.20	00	10'+	Minimum 6' solid fence*
	84	10'+	Minimum 44" picket fence*
	133	15'+	Minimum 4' wood rail fence*
	198	15'	-
	173	20'	-
	158	25'	-
	149	30'	-
	140	35'	-
	10	35'+	Minimum 4' berm
	135	40"+	-
	00	40'+	Minimum 5'berm
Continued on next page			

* Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall, which does not contain doors (except those used for emergency exit), may be used to satisfy the required fence portions of the bufferyard requirements.

NOTE: Opacity standards provided courtesy of Lane Kendig, Inc.



Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.30	00	10'+	Minimum 6' solid fence*
	198	15'+	Minimum 44" picket fence*
	320	20'	-
	240	20'+	Minimum 4' wood rail fence*
	276	25'	-
	252	30'	-
	235	35'	-
	104	35'+	Minimum 4' berm
	223	40'	-
	44	40'+	Minimum 5'berm
	215	45'	-
	209	50'+	-
	00	50'+	Minimum 6'berm
	0.40	53	10'+
330		20'+	Minimum 44" picket fence*
440		25'	-
362		25'+	Minimum 4' wood rail fence*
385		30'	-
349		35'	-
208		35'+	Minimum 4' berm
327		40'	-
148		40'+	Minimum 5'berm
310		45'	-
299		50'+	-
56		50'+	Minimum 6'berm
Continued on next page			

* Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall, which does not contain doors (except those used for emergency exit), may be used to satisfy the required fence portions of the bufferyard requirements.

NOTE: Opacity standards provided courtesy of Lane Kendig, Inc.



Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.50	135	15'+	Minimum 6' solid fence*
	564	30'	-
	405	30'+	Minimum 44" picket fence*
	492	30'+	Minimum 4' wood rail fence*
	499	35'	-
	319	35'+	Minimum 4' berm
	454	40'	-
	261	40'+	Minimum 5'berm
	422	45'	-
	405	50'	-
	160	50'+	Minimum 6'berm
	388	55'	-
	374	60'+	-
0.60	221	20'+	Minimum 6' solid fence*
	433	35'+	Minimum 4' berm
	541	35'+	Minimum 44" picket fence*
	630	35'+	Minimum 4' wood rail fence*
	626	40'	-
	379	40'+	Minimum 5'berm
	570	45'	-
	525	50'	-
	270	50'+	Minimum 6'berm
	500	55'	-
	480	60'+	-
Continued on next page			

* Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall, which does not contain doors (except those used for emergency exit), may be used to satisfy the required fence portions of the bufferyard requirements.

NOTE: Opacity standards provided courtesy of Lane Kendig, Inc.



Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.80	415	30'+	Minimum 6' solid fence*
	655	40'+	Minimum 4' berm
	627	45'+	Minimum 5'berm
	873	45'+	Minimum 44" picket fence*
	910	50'	-
	505	50'+	Minimum 6'berm
	809	50'+	Minimum 4' wood rail fence*
	804	55'	-
	744	60'	-
	710	65'	-
	677	70'+	-
1.00	636	40'+	
	732	50'+	
	751	50'+	
	867	55'+	
	1091	60'+	
	1136	60'+	
	1083	65'	
	994	70'	
	934	75'	
	892	80'+	

* Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall, which does not contain doors (except those used for emergency exit), may be used to satisfy the required fence portions of the bufferyard requirements.

NOTE: Opacity standards provided courtesy of Lane Kendig, Inc.

(8) Classification of Plant Species

For the purpose of this Section, plant materials are classified into 13 groupings: "climax tree", "tall deciduous tree", "medium deciduous tree", "low deciduous tree", "tall evergreen tree", "medium evergreen tree", "low evergreen tree", "tall deciduous shrub", "medium deciduous shrub", "low deciduous shrub", "medium evergreen shrub", "low evergreen shrub", and non-contributory plants. Species suitable for landscaping use and compatible with Sauk County climate and soil factors are listed in Table 5, below. The Zoning Administrator shall review proposals for, and the applicability of, species not contained in this list and is authorized to approve appropriate similar species.

Table 5: Classification of Plants-Climax Trees

(75 Landscaping Points)

Botanical Name	Common Name
<i>Acer saccharum</i>	Sugar Maple
<i>Ginkgo biloba</i>	Ginko
<i>Quercus sp.</i>	Oak: Red, White, Pin

Tall Deciduous Trees

(30 Landscaping Points)

Botanical Name	Common Name
<i>Acer sp.</i>	Maple: Red, Norway
<i>Fraxinus sp.</i>	Ash: White, Green
<i>Gleditsia triacanthos</i>	Honeylocust
<i>Populus grandidentata</i>	Bigtooth Aspen
<i>Tilia sp.</i>	Linden: Basswood, Littleleaf, Redmond

Medium Deciduous Trees

(15 Landscaping Points)

Botanical Name	Common Name
<i>Betula sp.</i>	Birch: River, Paper
<i>Prunus sp.</i>	Cherry: Choke, Pin

Low Deciduous Trees

(10 Landscaping Points)

Botanical Name	Common Name
<i>Amelanchier sp.</i>	Serviceberry
<i>Crataegus sp.</i>	Hawthorn: Cockspur, Downy, Washington
<i>Malus sp.</i>	Crabapple sp.

Tall Evergreen Trees

(40 Landscaping Points)

Botanical Name	Common Name
<i>Abies concolor</i>	White Fir
<i>Pinus sp.</i>	Pine: Red, White, Scots
<i>Tsuga Canadensis</i>	Canada Hemlock

Medium Evergreen Trees

(20 Landscaping Points)

Botanical Name	Common Name
<i>Thuja occidentalis</i>	American Arborvitae

Low Evergreen Trees

(12 Landscaping Points)

Botanical Name	Common Name
<i>Juniperus sp.</i>	Juniper: Mountbatten, Redcedar
<i>Thuja sp.</i>	Arborvitae: Pyramidal, Techny

**Tall Deciduous Shrubs
(5 Landscaping Points)**

Botanical Name	Common Name
<i>Cornus sp.</i>	Dogwood: Grey, Pagoda
<i>Syringa sp.</i>	Lilac: Chinese, Hyacinth
<i>Viburnum sp.</i>	Viburnum: Arrowwood, Wayfaringtree, Nannyberry

**Medium Deciduous Shrubs
(3 Landscaping Points)**

Botanical Name	Common Name
<i>Corylus americana</i>	American Filbert, Hazelnut
<i>Cotoneaster sp.</i>	Cotoneaster
<i>Forsythia sp.</i>	Forsythia: Border, Early, Weeping
<i>Rosa sp.</i>	Rose: Virginia, Rugosa

**Low Deciduous Shrubs
(1 Landscaping Point)**

Botanical Name	Common Name
<i>Berberis thunbergii</i>	Japanese Barberry
<i>Spiraea sp.</i>	Spirea: Froebel, Snowmound

**Tall-Medium Evergreen Shrubs
(5 Landscaping Points)**

Botanical Name	Common Name
<i>Juniperus chinensis</i>	Juniper: Pfitzer
<i>Taxus sp.</i>	Yew: Japanese

**Low Evergreen Shrubs
(3 Landscaping Points)**

Botanical Name	Common Name
<i>Juniperus sp.</i>	Juniper: Sargent, Creeping, Andorra

(9) Requirements for Installation, Maintenance & Use of Landscaped and Bufferyard Areas

A. Installation

- 1) Any and all landscaping and bufferyard material required by the provisions of this Section shall be installed on the subject property, in accordance with the approved site plan within 730 days of the issuance of an occupancy permit for any building on the subject property.
- 2) Surety
 - a) If the subject property is to be occupied prior to the installation of all required landscaping and bufferyard material, the property owner shall sign an agreement stating the intent to install the landscaping within the 730 day period. This agreement shall also contain a statement indicating that there are fines associated with not complying with this agreement.
 - b) If a part of a plat of subdivision is approved per the requirements of this Section, said amount may be split into amounts which are applicable to phases of the plat approved per the requirements of the <county/city/village/town>'s Land Division Ordinance.
 - c) Governmental units to which these bond and guarantee provisions apply may, in lieu of said contract or instrument of guarantee, file a resolution or letter from officers authorized to act in its behalf, agreeing to comply with the provisions of this Section.
- 3) Existing plant material which meets the requirements of Subsection (3) and which will be preserved on the subject property following the completion of development, may be counted as contributing to the landscaping requirements.

- 4) All landscaping and bufferyard areas shall be seeded with lawn or native ground cover unless such vegetation is already fully established.
- 5) The exact placement of required plants and structures shall be depicted on the required detailed landscaping plan shall be the decision of each property owner within the requirements of this Section, except that the following requirements shall be met:
 - a) Evergreen shrubs shall be planted in clusters in order to maximize their chance for survival.
 - b) Where a combination of plant materials, and/or berming and/or fencing is used in a bufferyard, the fence and/or berm shall be located toward the interior of the subject property and the plant material shall be located toward the exterior of the subject property.
 - c) A property owner may establish through a written agreement, recorded with the Register of Deeds Office, that an adjacent property owner shall agree to provide a partial or full portion of the required bufferyard on an immediately adjacent portion of their land, thereby exempting the developer from providing all or a portion of the bufferyard on his property.
 - d) In no manner shall landscaping or bufferyard materials be selected and/or located in a manner that results in the creation of a safety or visibility hazard.
 - e) The restrictions on types of plants listed in Subsection (4) shall apply.

B. Maintenance

The continued and continual maintenance of all required landscaping and bufferyard materials shall be a requirement of this Section and shall be the responsibility of the owner of the property on which said materials are required. This requirement shall run with the property and is binding upon all future property owners. Development of any and all property following the effective date of this Section shall constitute an agreement by the property owner to comply with the provisions of this Section. Upon failure to comply with these provisions, the <county/city/village/town> may enter upon the property for the purpose of evaluating and maintaining all required landscaping and bufferyard materials, and may specially assess the costs thereof against the property. Failure to comply with this requirement shall be considered a violation of this Section, and shall be subject to any and all applicable enforcement procedures and penalties.

C. Use of Required Bufferyard and Landscaped Areas

Any and all required bufferyards or landscaped areas may be used for passive recreation activities. Said areas may contain pedestrian, bike or equestrian trails provided that: no required material is eliminated; the total width of the required bufferyard, or the total area of required landscaping, is maintained; and all other regulations of this Section are met. In no event, however, shall swimming pools, tennis courts, sports fields, golf courses, or other such active recreation used be permitted in such areas. Furthermore, in no instance shall any parking be permitted in such areas, nor shall any outdoor display of storage of materials be permitted in such areas. Paving in such areas shall be limited to that required for necessary access to, through, or across the subject property.

D. Utility Easements

Landscaping materials, fences and berms which are located within a duly recorded utility easement and/or a pedestrian easement shall not count toward meeting a landscaping requirement. However, the width of such areas may be counted as part of a landscaping requirement.

(10) Calculating Landscaping and Bufferyard Requirements

In calculating the number of required landscaping points under the provisions of this Section, all areas and distances on which required calculations are based shall be rounded up to the nearest whole number of square feet or linear feet. Any partial plant derived from the required calculations of this Section (for example 23.3 canopy trees) shall be rounded up to the nearest whole plant (24 canopy trees).

(11) Depiction on Required Site Plan

Any and all proposed landscaping on the subject property, required to meet the standards of this Section, shall be clearly depicted and labeled as to its location and make-up on the site plan required for the development of the subject property. <NOTE: *As this section implies, it is also critical that any community wishing to use these standards require by ordinance the submittal of detailed site and landscape plans for commercial, industrial, and multiple family residential development projects prior to approval.*>

SIMPLIFIED MODEL ORDINANCE**(1) Purpose**

The following landscaping standards are intended to protect and improve community appearance, mitigate the environmental and aesthetic impacts of new development, and improve quality of life in the community.

(2) Applicability

Any use for which submittal of a site plan is required under Section aa.bb <community should require site plan submittal for commercial, industrial, and multiple family development proposals if it does not already> shall provide landscaping in accordance with the regulations of this section, except for all uses in the <indicate name of downtown zoning district> District and additions to existing buildings where insufficient dimensions exist on site.

(3) Required Landscaping Plan.

Where a site plan is required for any project under Section aa.bb, all proposed landscape plantings to be located on the subject property shall be depicted as to their location, type, and size at time of planting and maturity.

(4) Landscape Planting Requirements.

Landscaping, "living plants," shall be provided based on the following requirements for street frontages, paved areas, building foundations, buffer yards, and general yard areas. These requirements are additive to each other and any other landscaping or screening requirements of the zoning ordinance. Credit for existing landscaping shall be allowed.

A. Street Frontages.

One large deciduous tree shall be planted for each 50 feet of property line along a public street right-of-way. Said trees shall be planted in the public terrace equidistant from the curb and the normal sidewalk line or on the private site within 10 feet of the property line adjoining the public right-of-way, at the discretion of the <applicable approving body>.

B. Paved Areas.

One large deciduous tree and 60 points of additional landscaping shall be planted for each 1,500 square feet of paving. Paving is defined as all hard surfaced areas within the ground plane including but not limited to parking stalls, driveways, trash enclosure pads, loading docks, sidewalks, plazas and patios. Plants required in this section shall be installed within landscaped islands within the paved area or within 15 feet of the edges of the paved area.

C. Building Foundations.

300 points of landscaping shall be planted for each 100 lineal feet of exterior building wall. Plants required by this section must be installed within 20 feet of the building foundation, and should generally not include large deciduous shade trees.

D. Buffer Yards.

There shall be provided and maintained a permanent buffer yard screen planting along any boundary of a nonresidential zoning district which adjoins any residential district or use. The plantings shall be designed to provide an all-season screen, with an opacity of at least 60% at maturity (80% for outdoor storage facilities). Buffer yard landscaping shall have a minimum height of three feet at time of planting. The use of berming or an opaque fence constructed of materials compatible with the building on the site may be approved by the Plan Commission in addition to or in lieu of landscaping. The location of buffer yard plantings shall be within 25 feet of the property line, except where necessary to avoid utility easements.

E. General Yard Areas.

200 points of landscaping shall be planted for each 5,000 square feet of total lot, site or parcel area. Landscaping required by this standard should be placed where appropriate on the site, but generally in those areas not covered by other provisions of this subsection. At least 50% of the general yard landscaping should be located in street yards.

F. Green Areas

of the site not used for landscape plantings shall be graded and seeded or sodded with an acceptable maintainable lawn seed mix or natural groundcover. Mulching of plantings beds is acceptable provided that such mulching consists of organic or natural materials. Mulches shall be installed so that they will not erode, fall, be plowed or otherwise transported into walks, drives, streets or other hard surfaced portions of the site.

(5) Landscaping Point Credits

Credit for landscape plantings will be granted based on the following schedule:

- A. Large Deciduous Tree (mature height 25+ feet): 150 points
- B. Small Deciduous Tree (mature height <25 feet): 60 points
- C. Evergreen Tree: 40 points
- D. Shrub (deciduous or evergreen): 20 points
- E. Annual/Perennial Bed: 20 points per 20 square feet of bed area

(6) Minimum Landscaping Size at Time of Planting

- A. Large Deciduous Tree. 3 inch diameter at breast height.
- B. Small Deciduous Tree. 1½ inch diameter breast height or 5 feet in height for clump varieties.
- C. Evergreen Tree. 5 feet in height.
- D. Shrub. 18 inches in height, except 36 inches within required buffer yards.
- E. Annual/Perennial Bed. Minimum 20 contiguous square feet in area.

(7) Installation

All landscaping shall be installed consistent with industry accepted standards, and shall be guaranteed by the applicant or the applicant's contractor for 2 years. Installation shall occur prior to occupancy or commencement of operations, unless such occupancy occurs during the winter. If occupancy occurs during the winter, landscaping shall be completed by July 1 of the next year and a letter of credit or performance guarantee may be required in the mean time.

(8) Maintenance

Landscaping required by this subsection is intended to be a permanent site improvement. As such, all landscaping shall be continually maintained in a live state. Maintenance shall include periodic and timely

watering, fertilizing, pruning and any other such normally required horticulture activity necessary to keep all landscaping in a healthy, safe and aesthetically pleasing state. Recognizing that over time plants may mature and die or otherwise expire because of natural or unnatural causes, maintenance shall include the removal and replacement of dead or dying plants. Such replacement shall occur within the same year in which a plant dies or in the spring planting season of the following year.

(9) Location in Utility Easements

Planting in utility easements is at the risk of the property owner. Any plants that must be removed because of utility work within such easements shall be replaced by the property owner at his or her cost.