

ARTICLE B

General Provisions

SEC. 13-1-10 JURISDICTION AND GENERAL PROVISIONS.

- (a) **JURISDICTION.** The jurisdiction of this Chapter shall apply to all structures, lands, water, and air within the corporate limits of the City of Menasha.
- (b) **COMPLIANCE.** No new structure, new use of land, water or air or change in the use of land, water or air shall hereafter be permitted and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a zoning permit and without full compliance with the provisions of this Chapter and all other applicable local, county and state regulations.
- (c) **DISTRICT REGULATIONS TO BE COMPLIED WITH.** Except as otherwise provided, the use and height of buildings hereafter erected, converted, moved, enlarged or structurally altered and the use of any land shall be in compliance with the regulations established herein for the district in which such building or land is located.
- (d) **YARD REDUCTION OR JOINT USE.** No lot, yard, parking area, building area or other space shall be reduced in area or dimension so as not to meet the provisions of this Chapter. No part of any lot, yard, parking area or other space required for a structure or use shall be used for any other structure or use, unless in accordance with Sec. 13-1-51(b)(2)i and Sec. 13-1-51(f).
- (e) **ONE MAIN BUILDING PER LOT.** Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot and in no case shall there be more than one (1) main building on one (1) lot.
- (f) **LOTS ABUTTING MORE RESTRICTIVE DISTRICT.** Any side yard, rear yard or court abutting a district boundary line shall have a minimum width and depth in the less restricted district equal to the average of the required minimum widths and depths for such yards and courts in the two (2) districts which abut the district boundary line.

SEC. 13-1-11 SPECIAL USE PERMITS.

- (a) **INTENT.** It is recognized that an increasing number of new kinds of uses are appearing daily and that many of these possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually.
- (b) **HOW DETERMINED.** In granting a special use permit, the Common Council shall consider the advice and recommendation of the Plan Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, morals and general welfare of occupants of surrounding lands. Among other things, the Plan Commission shall consider the following findings where applicable:
 - (1) The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value, and there will be no deterrents to development of vacant land;
 - (2) The use shall have an appearance that will not have an adverse effect upon adjacent properties;
 - (3) The use shall be reasonably related to the overall needs of the City and to existing land use patterns;
 - (4) The use will not cause traffic hazards or congestion; and

- (5) The use shall have adequate utilities, access roads, drainage and other necessary facilities.
- (c) **SPECIAL CONDITIONS.** In granting a special use permit, the Common Council may impose additional conditions as recommended by the Plan Commission that are necessary to protect the best interests of the surrounding area or the community as a whole. These conditions may include, but are not limited to, the following:
- (1) Increasing the required lot size or yard dimension;
 - (2) Limiting the height, size or location of buildings;
 - (3) Controlling the location and number of vehicle access points;
 - (4) Increasing the street width;
 - (5) Increasing the number of required off-street parking spaces;
 - (6) Limiting the number, size, location or lighting of signs;
 - (7) Requiring additional fencing, screening, landscaping or other facilities to protect adjacent or nearby property;
 - (8) Designating sites for open space; and
 - (9) Establishing time limits for compliance.
- (d) **PROCEDURE.** The procedure for obtaining a special permit is as follows:
- (1) The property owner or his agent shall meet with the Department of Community Development to explain his proposal and learn whether the proposed use may be permitted and what special requirements or standards shall be met. The applicant shall also obtain an application form.
 - (2) The applicant shall file the completed application form with the Department of Community Development and shall pay a filing fee as established by the Common Council.
 - (3) Within 30 days of receipt of the application, the Department of Community Development shall schedule an informal public hearing to be held before the Plan Commission and shall also schedule a formal public hearing before the Common Council. Prior to the formal public hearing, a Class Two (2) notice as provided in Chapter 985 of the Wisconsin Statutes shall be published in the official newspaper of the City of Menasha. Owners of all properties lying within one hundred (100) feet of the proposed special use shall be notified of the public hearing via regular mail.
 - (4) After holding the informal public hearing, the Plan Commission shall make a recommendation to the Council.
 - (5) Following the formal public hearing and after careful consideration of the Plan Commission's recommendations, the Common Council shall vote to grant or deny the special use permit.
- (e) **REVOCAION.**
- (1) All special use permits shall be automatically revoked one (1) year after being granted by Common Council action if the holder thereof does not implement the permit. Implementation of a permit shall consist of:
 - a. Obtaining a building permit for a use granted by such special permit; or
 - b. If a building permit is not required, any action by the holder of a special permit to implement such permit. If necessary, the Common Council shall determine whether such action is acceptable and in good faith.
 - (2) Thirty (30) days prior to the automatic revocation of such permit, the Department of Community Development shall notify the holder of the permit, by registered or certified mail, that the permit will be revoked in thirty (30) days.

SEC. 13-1-12 SITE PLANS REQUIRED.

- (a) **Intent.** For the purpose of promoting compatible development, stability of property values, enhancement of safety and to prevent impairment or depreciation of property values, no person shall commence any multifamily, commercial or industrial use, or erect any structure or change the occupancy of any structure, without first obtaining approval of detailed site, architectural and landscaping plans, as set forth in this section, prior to the issuance of a building permit.
- (b) **Review.** The Plan Commission shall review site, architectural, lighting and landscaping plans for the following activities within each zoning district:
- (1) R-1A, R-1 Single Family and R-2 Two-Family Residence Districts
 - a. Any proposed use that is listed as requiring site plan approval or a special use permit.
 - (2) R-2A, R-3 and R-4 Multi-Family Residence Districts
 - a. Any proposed new construction 3 units or greater.
 - b. Any proposed use that is listed as requiring site plan approval or a special use permit.
 - c. Any proposed addition or expansion to a non-conforming lot, structure, or use.
 - (3) C-1 General Commercial, C-2 Central Business District, C-3 Business and Office, C-4 Business Park, I-1 Heavy Industrial, and I-2 General Industrial District Districts
 - a. Any proposed new construction.
 - b. Any proposed use that is listed as requiring site plan approval or a special use permit.
 - c. Any proposed addition or expansion to a non-conforming lot, structure, or use.
 - (4) R-MH Residential Mobile home District
 - a. Any proposed mobile home park.
 - b. Any change or expansion to an existing mobile home park.
- (c) **Procedure and Requirements.** All site plans shall be submitted according to the policies, procedures, and requirements outlined in the City of Menasha Site Plan Review Guide.
- (d) **General.** Site development shall be compatible with existing or permissible adjacent or surrounding development, street layout and traffic flow.
- (e) **Site Design.**
- (1) Ingress/Egress and Driveways. The design of all driveways and points of ingress/egress shall conform to the requirements of Section 13-1-51.
 - (2) Parking and Loading. All off-street parking and loading shall conform to the requirements of Sections 13-1-50 and 13-1-51. Off- street parking shall be arranged for convenient access and safety of pedestrians, bicycles and vehicles.
 - (3) Fire Protection. A plan for site access shall be provided including the location of fire hydrants, the location, width and turning radii of access drives and the type of building for fire protection purposes.
 - (4) Truck Docks and Loading Areas. All buildings shall be constructed and located such that the Fire Department can have access around the building during the entire year.

- (5) Storage of Waste and Trash. Except on through lots, waste and trash receptacles shall not be located in the front or street side yard, and shall be screened from view enclosed by a fence or solid material, or by a combination of the fencing and landscaping, and shall comply with the following standards:
 - a. The screening shall be at least six (6) feet in height.
 - b. Screening shall accomplish 75% opacity at the time of installation and shall accomplish the desired screening throughout the year.
- (6) Other Screening. Where it is deemed appropriate or desirable to install screening to restrict view and/or absorb noise, the Plan Commission may require any of the following:
 - a. Additional planting materials.
 - b. Fencing.
 - c. A berm. The slope of the berm shall not exceed 33% (3:1).

(f) Architectural Design and Materials.

- (1) Architectural Design Plan Submittals. An architectural design plan (to scale) must be submitted. It shall include all building elevations with dimensions, entrances, architectural features and building materials and colors.
- (2) General. Building design shall complement the building site and be compatible with existing or permissible adjacent or surrounding buildings and development. Building design shall be compatible with existing and proposed adjacent routes of circulation for vehicles and pedestrians. All side and rear elevations shall be given architectural treatment compatible with the front elevation of the building.
- (3) Walls. No building shall have long expanses of uniform and flat walls. Buildings shall have material and architectural changes in the vertical and horizontal plane. Reasonable articulation of building facades shall be provided by using offsets, recesses and/or projections, changes in plane, changes in height, windows, awnings, arcades and/or colonnades. Use of awnings shall be limited to above windows and entrances. Awnings shall be attached to a vertical wall. All sides of a building that are open to public view from any street or highway shall receive equivalent architectural design consideration.
- (4) Roofs. No building shall have long expanses of uniform roof planes. Reasonable articulation of roof lines shall be provided by using a pitched roof, a partial roof, or parapet walls of varying heights, dormers, overhangs, arches, stepped roofs, gables, or other similar devices. All flat roofs shall be screened with parapets on all sides of the building. If no roof top equipment exists, the parapet shall be a minimum of 18 inches high. All parapets shall feature cornice treatments and shall provide a cap to demonstrate that the upper edge is the top of the building.
- (5) Roof Equipment. The placement of rooftop mechanical equipment is discouraged. If roof mounted mechanical equipment is necessary, it shall be screened from view on all sides. Acceptable screening shall be accomplished by raising the parapet on all sides of the building to be as high as the equipment, or a secondary roof screening system that encloses groups of units. Screens shall be aesthetically incorporated into the design of the building and have materials that are compatible with the building. In no case shall wooden or vinyl fences, or chain-link fencing with slats be used as rooftop equipment screens.

- (6) Ground Equipment. Ground mounted mechanical equipment shall be screened from view with wing walls, landscaping, or a combination of both. Wing walls or other structure used for the screening of ground equipment, shall be made with like material to the principal structure.
- (7) Customer/Public Entrances. Customer and public entrances shall be designed with one or more of the following: canopy, overhang or arch above entrance, recess or projection in the building facade surrounding the entrance, peaked roof, and raised parapet structure over the door or other enhancement.
- (8) Building Materials for New Construction.
- a. Commercial Zoning District. Commercial or mixed use buildings within the commercial zoning districts (C-_) shall be constructed of durable high quality materials such as brick, stone, and decorative concrete. When applying these materials, consideration shall be given to the use, quantity, placement and relationship of each material as part of a comprehensive building facade that incorporates a palette of building materials and design.
1. The primary building façade material shall be a minimum of 50% of the following: stone, brick, decorative concrete, brick veneer, or stone veneer.
 2. Buildings within the Central Business District (C-2) shall be constructed of 75% stone, brick, decorative concrete, brick veneer, or stone veneer.
 3. Multifamily structures shall follow the residential district requirements below under subsection (c).
 4. The following materials shall not cover more than 25% of any building façade: vinyl, EFIS, and/or corrugated metal or other similar metal siding.
- b. Industrial Zoning Districts. The bottom eight (8) feet of an industrial building façade shall be stone, brick, decorative concrete, brick veneer, or stone veneer on any side of the building fronting upon or open to view from a public space or right-of-way.
1. An industrial parcel that has an office building 10,000 square feet or more and meets commercial façade standards may, upon review of the Plan Commission, have the industrial façade standards waived.
 2. Decorative precast panels and split face block shall be given preference over metal siding and the like.
- c. Residential Districts. Multifamily Residential Buildings with more than 2 units and/or Institutional buildings within residential districts (R-_) shall use the following façade standards:
1. The building's façade material shall be a minimum of 25% of the following: stone, brick, decorative concrete, brick veneer, or stone veneer. The following materials shall not cover more than 25% of any building façade: vinyl, EFIS, and/or corrugated metal or other similar metal siding.
- d. PUD, R-MH, and TND zoning district materials. See Applicable Sections.
- e. Use of EIFS. EIFS shall not be allowed on the bottom 6 feet of a building.
- f. Secondary Façade Materials. Secondary façade materials may be used for architectural details or enhancements. Such materials shall be high

quality, durable, and not cover more than twenty-five percent (25%) of the building façade for all districts except the I-1 and I-2 districts. All secondary materials shall be approved by the Plan Commission.

(9) Building Materials for Existing Structures.

1. The primary façade materials for all new additions to existing buildings shall meet the requirements of a new structure as stated above. The Plan Commission may consider the use of alternative façade materials that are durable and of high quality for such additions or expansions. The considerations for such alternative materials shall be limited to the following criteria:
 - (a) Compatibility with the building materials and architecture of the existing structure.
2. Secondary façade materials may be used for architectural details or enhancements. Such materials shall be high quality, durable, and not cover more than twenty-five percent (25%) of the building façade. All secondary materials shall be approved by the Plan Commission.
3. Exterior alterations including the replacement of existing siding or other wall coverings or coatings, and the installation of new or replacement windows, doors or other architectural features shall meet the following criteria and require approval by the Community Development Department:
 - (a) The new or replacement materials shall be of the same type as used in the original construction, except that the Community Development Department may require the use of other durable, high quality materials if it determines that the original materials are no longer commercially available or have less than a 30-year durability rating. Such durability shall be determined based on the manufacturer's guarantee.
 - (b) The Community Development Department may require the use of one or more of the following to be applied in conjunction with the proposed exterior alteration:
 - 1) The use of a secondary building material
 - 2) The use of secondary colors
 - 3) The use of materials with varying textures
 - 4) The use of architectural embellishments
 - 5) The use of façade modulation
 - (c) In commercial and residential districts, corrugated metal panel and the like are less desirable materials and shall not be allowed to be replaced with new metal panel on existing buildings. Other durable high quality materials will be approved by the Community Development Department for the replacement of existing metal panel or the like.

- b. Campus Setting. For new buildings in an existing campus setting the primary façade materials for new buildings shall follow the guidelines of the applicable zoning district. The Plan Commission may allow other materials that are durable and of high quality. The consideration of such alternative materials shall be limited to the following standards and criteria:

1. Compatibility with the common design theme of the campus.
 2. Compatibility with the architecture and building materials exhibited by other buildings in the campus.
 3. Materials shall have a minimum of a 30 year durability rating as determined by the manufacturer's guarantee.
- (10) Chain or Franchise Design. Chain or franchise design, characterized by large logos and/or colors used over large expanses of a building or other building formats incorporating trademarked or brand-identified design features may be disapproved by the Plan Commission if found to be in conflict with local architectural composition, character, vernacular, and historic context.
- (11) Large Buildings. On large buildings, 3 stories or greater or 30,000 square feet, the Plan Commission may consider the use of alternative durable high quality façade materials.
- (12) Accessory Structures. Accessory structures shall be given compatible architectural treatment to the principal structure.
- (13) All façade material calculations shall be made less the façade's glazed area.
- (g) **Landscaping Design and Materials**
- (1) Landscape Plan Submittals. A landscape plan (to scale) must be submitted. It shall include details of all proposed landscaping, buffering and screening, including the estimated costs. The landscape plan shall be prepared by a landscape professional and shall show the location and dimensions of all existing and proposed structures, parking, drives, rights-of-way, and any other permanent features, and the following landscape information:
- a. A plant list, with estimated costs, and a coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing, and common names of all landscape materials used.
 - b. The location and type of existing trees over four inches in diameter (measured six inches above the ground) within the area to be developed.
 - c. The location and percent slope of all proposed berms (using one-foot contours).
 - d. Other information as stated in the Site Plan Review Guide.
- (2) General. The following minimum landscape area per district shall apply:

District	Minimum Landscaped Area
Special Uses in the R-1, R-1A, R-2, R-2A, R-3, R-4 districts	20%
R2A	25%
R-3	20%
R-4	20%
C-1	15%
C-2	5%
C-3	20%
C-4	20%
I-1	5%
I-2	5%
PUD	See Section 13-1-33
R-MH	See Article H
TND	See Section 13-1-38

- (3) Landscaping Adjacent to Buildings. A landscaped buffer not less than three feet in width shall be provided at the base of the principal building facing a public street or parking exposure. At least 50 percent of building perimeter landscaping shall be landscaped utilizing plant materials other than turf. Plant materials shall be comprised of a minimum of 25 percent evergreens but no more than 50 percent evergreens.
- (4) Perimeter Landscaping. The front setback area shall be landscaped except for points of ingress and egress approved by the Plan Commission. At least one canopy tree, not less than 1.5 inch caliper shall be provided for every 35 linear feet along the perimeter of the site adjacent to the street. (This provision may be waived by the Plan Commission if the site is already wooded.) At least 25 percent of the perimeter area shall be landscaped utilizing plant material other than turf. Plant materials shall be comprised of a minimum of 25 percent evergreens but no more than 75 percent evergreens.
- (5) Parking Lot Landscaping.
- a. *Perimeter Screening.* All parking lots adjacent to a street shall provide a landscaped buffer along the street not less than 8 feet in width. At least one canopy tree, not less than 1.5 inch caliper and five shrubs shall be provided for every 30 linear feet within the perimeter. Shrubs shall be maintained to a height of not less than three feet and shall be comprised of a minimum of 50 percent evergreens. The perimeter screening may be combined with the perimeter landscaping requirement in sub(4) above provided, however, that plantings of this section are required.
 - b. *Interior Landscaping Areas.* Parking lots 5,000 square feet or larger shall provide interior landscaping areas totaling not less than 10 percent of the parking area. Interior landscaping areas may include landscape islands, landscape peninsulas or planting strips. Each such area must be a minimum area of 100 square feet and shall contain at least one canopy tree not less than 1.5 inch caliper, plus shrubs and/or groundcover. Turf is prohibited. Landscaped areas shall be protected by curbing or other means approved by the Plan Commission. Landscaped areas shall provide a minimum of 30 inches for vehicle overhang.
- (6) Bio-retention Devices. Perimeter and Parking Lot landscaping requirements pertaining to planting as enumerated in subsections (4) and (5) may be supplanted, in whole or in part, by landscaping contained in bio-retention devices if the following requirements are met:
- a. Plantings contained in bio-retention devices are designed by a landscaping professional, reviewed and approved by Plan Commission as part of the overall landscape plan.
 - b. Plant materials shall reflect varying heights, textures, species, and seasonal color, and be designed such that plantings look neat and orderly. Plantings used for the purpose of parking lot screening shall be maintained to a height of at least 3 feet above the finished grade at the parking lot when fully mature.
 - c. Applicable requirements pertaining to the number and spacing of canopy trees may be modified only if accommodation of the bio-retention device expressly prohibits installation of the required amount or spacing of trees.
 - d. Such devices must be a permitted stormwater management practice, as

approved by the Department of Public Works.

(h) **Outdoor Lighting.**

- (1) **Lighting Plan Submittals.** A lighting plan is required for all areas containing outdoor lighting, including, but not limited to, floodlighting, security lighting, event lighting or the lighting of off-street parking and loading areas. Such plan shall become an integral part of any site plan review application. No building permit shall be issued without first obtaining approval of a required lighting plan.

The details of exterior lighting shall show the location and dimensions of all existing and proposed structures, parking, drives, rights-of-way, and any other permanent features, and the following lighting information:

- a. Photometric calculations shall be detailed on an exterior lighting plan unless waived by the Community Development Director. Photometric calculations shall be based on the “mean” light output per the manufacturer’s values of the specified lamp and luminaire photometry data formatted on Illumination Engineering Society (I.E.S.) file compiled by an approved testing laboratory. The details provided for exterior lighting shall include point-to-point photometric calculations at intervals of not more than ten (10) feet, at ground level, and may also be required at six (6) feet above ground level, depending on the applicable risk factors.
- (2) **General.** Site lighting shall be designed to provide adequate illumination of driveways, parking areas, pedestrian paths, building entrances and other areas to promote public safety and prevent the glare of light on adjacent properties.
- (3) **Lighting Standards – Configuration, Pole Height and Timing.**
- a. All exterior lighting shall be of full cutoff design and directed downward and away from adjoining property, with luminaires shielded to prevent glare.
- b. Trees and shrubs shall not interfere with the distribution of exterior lighting necessary for security purposes as required by this section.
- c. Security lighting above building entrances, parking lots, off-street loading areas and service entrances shall have a Color Rendition Index (CRI) of 50 or higher, and be incorporated in exterior areas going to and from the building(s) or use(s) within the site.
- d. All exterior fixtures, when used for security purposes, except for parking lot lighting, shall be illuminated from dusk until dawn, unless otherwise specifically designated on the site plan and as approved through the site plan process. All other exterior lighting that is not necessary for security purposes shall be turned off one (1) hour after the close of business.
- e. Any exterior lighting device designed for security lighting shall be protected by weather and vandal-resistant covering, a managed light source for controlling the times of illumination and fully shielded and directed down to minimize glare and intrusiveness on adjacent properties or rights-of-way.
- f. Lighting in multi-level parking ramps shall be evaluated on a case-by-case basis to maximize safety and to minimize unnecessary glare to adjacent or

nearby residential areas.

- g. Pole height shall not exceed the height of the principal building, or twenty-five feet, whichever is less.
- h. Lighting poles or luminaires may not be placed in Transitional Areas. Poles exceeding fifteen (15) feet in height shall have a minimum setback of thirty (30) feet where the parcel abuts a residential district or use.

(4) Minimum Illumination Guidelines – Security Lighting. All minimum illumination guidelines for security lighting listed in this section shall be maintained from ground level to a height of six (6) feet. The minimum to maximum uniformity ratio may range up to 6:1 in acceptable layouts. In some circumstances, customer convenience, closed-circuit surveillance, and commercial entertainment uses may require a higher level of lighting.

(5) Outdoor Lighting Intensity Standards. When outdoor lighting is proposed or required, the following standards in the table on the following page shall apply and the “activities” as described in the table shall be assigned and evaluated by the Menasha Police Department and Community Development Department based on the type of use, the hours of operation and the area in which the use is located.

Light Use	Minimum Horizontal Foot-Candles	Maximum Horizontal Foot-Candles	Additional Regulations
Parking Lot	0.5	5.0	(1) Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking lot lighting. (2) Parking lot lighting shall have a Color Rendition Index (CRI) of 50 or higher.
Outdoor display and sales	-	5.0	-
Canopies and drive through facilities	5.0	20.0	(1) Luminaires mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is used whereby light is directed upward and then reflected down from the ceiling of the structure. In this case, luminaires must be shielded so that direct illumination is focused exclusively on the ceiling of the structure. (2) Parking lot lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be internally illuminated. Canopy sides may, however, utilize full-cutoff downlighting.

			(3) Lighting for drive-through facilities must be fully shielded. (4) Canopy and bay lighting shall have a Color Rendition Index (CRI) of 50 or higher
Outdoor activity facility	All outdoor entertainment or recreational/sports facility lighting will be reviewed for compliance with minimum site lighting criteria and light trespass criteria and with regard to the intent of these exterior lighting standards to minimize the impact of light trespass and glare on all surrounding properties and public rights-of-way.		
High Risk Activity (e.g. bank deposit night drop or ATM)	4.0	5.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Medium Risk Activity (e.g. convenience store open 24 hours)	2.0	4.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Low Risk Activity (e.g. place of worship, office)	0.5	2.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher

- (6) Light Trespass. All areas containing outdoor lighting (except public street lighting) shall limit light trespass onto adjacent property, when measured at any point along a property line, to the requirements set forth below. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim or a combination of these or other factors.

District Adjoining Subject Property	Maximum Light Spillage to Adjoining Lots Measured in Foot-Candles
A-1, R-1, R-1A, R-2, R-2A, R-3, R-4, PUD, R-MH, TND	0.20
C-1, C-2, C-3, C-4, I-1, I-2	0.50

- (7) Exterior Illumination of Buildings and Other Vertical Structures. When buildings or other structures are illuminated, the design for the illumination shall be in accordance with the following:
- a. The illumination of buildings shall be limited to security lighting or highlighting unique architectural features.
 - b. Luminaries shall be located and/or aimed such that light is directed only onto the building surface. All luminaries used to illuminate buildings shall be fully shielded.
 - c. For statues, monuments, fountains, or other objects for which it may not be possible to illuminate with downward lighting, upward lighting may be used only in the form of spotlights that confine the illumination to the object of interest.
 - d. If upward lighting is used to illuminate flags, only spotlights shall be used; floodlights directed above the horizontal shall not be used to illuminate a flag.

- (8) Neon Lighting. Light sources consisting of glass tubes filled with neon, argon, krypton, or other similar gas (hereafter referred to as “neon lighting”) are excluded from shielding and line-of-sight requirements. However such lighting shall be included in the light trespass requirements of 13-1-12(h)(6). Furthermore, neon lighting shall not be considered as security lighting.
- (9) Other Outdoor Lighting.
- a. Outdoor lighting not otherwise specified in this code emitting more than one thousand two hundred (1,200) lumens (except motion detector activated lighting) shall be full cutoff and fully shielded. Bulbs in outdoor luminaries emitting from six hundred (600) to one thousand two hundred (1,200) lumens may be installed in luminaries that are not full cutoff and may be visible from the property line provided, however, such bulbs shall be frosted glass or covered by frosted glass or other similarly translucent material.
 - b. A spotlight or floodlight of less than one thousand eight hundred (1,800) lumens need not be full cutoff or fully shielded if its center beam is aimed at a point not beyond any property lines and no less than forty-five degrees (45°) below horizontal, is used for security lighting purposes only, and is motion detector activated and cycles off within five (5) minutes after the cessation of motion within its field of view.
 - c. Tower or antenna lighting except those owned or operated by a governmental entity, shall not be permitted unless required by the Federal Aviation Administration (FAA).
- (10) Exceptions.
- a. The temporary use of low wattage or low voltage lighting for approved festivals, celebrations, and the observance of holidays are exempt from this section except where they create a hazard or nuisance from glare.
 - b. Consideration to light trespass requirements shall be demonstrated prior to commencing the use of the temporary lighting.
 - c. Emergency lighting, public street lighting and traffic control lighting shall be exempt from the requirements of this section.
- (11) Removal pursuant to public order. Lighting found by a governmental agency to create public hazard can be ordered removed or altered.
- (i) **Approval.** Each site, architectural, landscaping, and lighting plan shall be approved by the Plan Commission. Each approved plan shall bear the signature of the Director of Community Development or his/her designee along with the date of approval. The Director of Community Development may authorize plant substitution or minor changes to the landscaping plan. Each approved site plan shall be numbered and filed with the City Department of Community Development. Any conditions of approval shall be met before issuance of a building permit.
- (j) **Site Improvement Agreement.** As a condition of approval, the landowner shall enter into a Site Improvement Agreement with the City, containing the following provisions:
- a. Identifying the approved site plan.
 - b. Identifying the approved landscaping plan.
 - c. Identifying the estimated cost of required site improvements for parking,

- access, sidewalks, landscaping and plants, and other required improvements.
 - d. Providing for a completion date for all activities.
 - e. Providing for reasonable and regular maintenance and replacement of plantings necessitated by death or disease.
 - f. Providing for the submittal of an as-built landscaping plan after installation.
 - g. Providing for a financial guarantee in the form of a cash escrow deposit with the City, or a letter of credit for the benefit of the City and in the name of the City in an amount not to exceed the estimated costs of the required improvements including landscaping and plant costs, for a term commensurate with the completion date plus:
 - i. Three additional months, for parking, access, sidewalks for the purpose of ensuring that required improvements will be timely completed.
 - ii. One additional year for landscaping activities, for the purpose of ensuring that required landscaping will be timely completed and failed plantings will be replaced.
- (k) **Compliance.** Failure to comply with an approved site, architectural, landscaping or lighting plan shall be deemed an ordinance violation.

SEC. 13-1-13 SITE REGULATIONS.

- (a) **SITE SUITABILITY.** No land shall be used or structure erected where the land is unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, or low bearing strength, erosion susceptibility or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community.
- (b) **STREET FRONTAGE.** All lots shall abut upon a public street or other officially approved means of access, and each lot shall have a minimum frontage of twenty-five (25) feet.
- (c) **PRINCIPAL STRUCTURES.** All principal structures shall be located on a lot. Only one (1) principal structure shall be located, erected or moved onto a lot. The Common Council may permit as a conditional use more than one (1) principal structure per lot in any district where more than one (1) such structure is needed for the orderly development of the parcel. Where additional structures are permitted, the Common Council, subject to the recommendation of the Plan Commission, may impose additional yard requirements, landscaping requirements or parking requirements, or require a minimum separation distance between principal structures.
- (d) **DEDICATED STREET.** No zoning permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.
- (e) **LOTS ABUTTING MORE RESTRICTIVE DISTRICTS.** Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yard setbacks in the less restrictive district shall be modified for a distance of not less than sixty (60) feet from the more restrictive district boundary line so such street yard setbacks shall be no less than the average of the street yards required in both districts.
- (f) **SITE SUITABILITY.** No land shall be used or structure erected where the land is held

unsuitable for such use or structure by the Common Council and Plan Commission by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community. The Plan Commission, in applying the provisions of the Section, shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability if he so desires. Thereafter, the Plan Commission may affirm, modify or withdraw its determination of unsuitability when making its recommendation to the Common Council.

- (g) **PRESERVATION OF TOPOGRAPHY.** In order to protect the property owner from possible damage due to change in the existing grade of adjoining lands and to aide in preserving and protecting the natural beauty and character of landscape, no change in the existing topography of any land shall be made which would result in increasing any portion of the slope to a ratio greater than one and one-half (1-1/2) horizontal to one (1) vertical, within a distance of twenty (20) feet from the property line, except with the written consent of the owner of the abutting property and with the approval of the Plan Commission, or which would alter the existing drainage or topography in any way as to adversely affect the adjoining property. In no case shall any slope exceed the normal angle of slippage of the material involved, and all slopes shall be protected against erosion.

- (h) **SHORELAND USE AND DEVELOPMENT.**

1) Shoreland Jurisdictional Area

This subsection shall apply to lands lying within the following distances of navigable waters, as defined under Sec. 281.31(2)(d) Wisconsin Statutes:

- a) One thousand feet from a pond, lake or flowage. If the navigable water is a glacial pothole lake, this distance shall be measured from the high water mark of the lake.
- b) Three hundred feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

This subsection shall not apply to an artificially constructed drainage ditch, pond, or storm water retention basin if the drainage ditch, pond, or retention basin is not hydrologically connected to a natural navigable body of water.

2) Use and Development Standards

- a) For parcels within the corporate boundaries of the City of Menasha prior to May 8, 1982 the following standards shall apply within the R-1, R-1A, R-2, and R-2A, zoning districts:

- 1) Shoreland setback area for a principal building - 50 feet as measured from the ordinary high-water mark.

- b) For parcels annexed to the City of Menasha after May 7, 1982 the following standards shall apply within all zoning districts:

- 1) Shoreland setback area for a principal building - 50 feet as measured from the ordinary high water mark, except that a principal structure may be constructed or placed within the shoreland setback area if all of the following apply:

- a) The principal building is constructed or placed on a lot or parcel of land that is immediately adjacent on each side to a lot or parcel of land containing a principal building.

- b) The principal building is constructed or placed within a distance equal to the average setback of the principal building on the adjacent lots or 35 feet from the ordinary high-water mark,

whichever distance is greater.

2) Maintenance of shoreland vegetation: Except as provided in subd. a & b, on properties containing vegetation a vegetative buffer zone shall be maintained along the entire shoreline and extending 35 feet inland from the ordinary high-water mark of the navigable water.

a) If the vegetation in the vegetative buffer zone contains invasive species or dead or diseased vegetation, the owner of the shoreland property may remove the vegetation, except that if the owner removes all of the vegetation in the vegetative buffer zone, the owner shall establish a vegetative buffer zone with new vegetation.

b) Owners maintaining or establishing a vegetative buffer zone may remove all of the vegetation in a part of that zone in order to establish a viewing or access corridor that is no greater than 30 feet wide for every 100 feet of shoreline frontage that extends no more than 35 feet inland from the ordinary high-water mark.

SEC. 13-1-14 HEIGHT, SETBACK AND AREA EXCEPTIONS.

The regulations contained herein relating to the height of buildings and the size of yards and other open spaces shall be subject to the following exceptions:

- (a) Churches, schools, hospitals, sanitoriums and other public and quasi-public buildings may be erected to a height not exceeding sixty (60) feet nor five (5) stories, provided the front, side and rear yards required in the district in which such building is to be located are each increased at least one (1) foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.
- (b) Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, penthouses, stacks, scenery lofts, tanks, water towers, ornamental towers, steeples, radio and television towers, telephone, telegraph and power poles and lines, and necessary mechanical appurtenances are excepted from the height regulations of this ordinance and may be erected in accordance with other regulations or codes of the City of Menasha.
- (c) Residences in the residence district may be increased in height by not more than ten (10) feet when all yards and other required open spaces are increased by one (1) foot for each foot when such building exceeds the height limit of the district in which it is located.
- (d) Where a lot abuts on two (2) or more streets or alleys having different average established grades, the higher of such grades shall control only for a depth of one hundred twenty (120) feet from the line of the higher average established grade.
- (e) Buildings on through lots and extending from street to street may have waived the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard provided that the setback requirements on both streets be complied with.
- (f) Where a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was of record as such at the time of the passage of this Code, such lot may be occupied by one (1) family.
- (g) In front yards, balconies may extend a distance of four (4) feet or less, provided they are seven (7) feet or more above the grade at the building line. Steps, stoops, uncovered porches, decks and patios may extend a distance of eight (8) feet or less into the front yard.
- (h) Open or enclosed fire escapes and fire towers may project into a required yard not more than five (5) feet and into a required court not more than three and one-half (3-1/2) feet, provided it be so located as not to obstruct light and ventilation.
- (i) In the C-1, C-2, C-3 and C-4 zoning districts, the Plan Commission may waive or modify

the rear yard and/or side yard setback when internal traffic flow, parking and/or ingress/egress are shared by contiguous, commercial uses allowed in the C-1, C-2, C-3 and C-4 districts and that will benefit the overall development of the site(s). The property owner shall provide and equivalent open space on the same lot in lieu of the require rear yard or side yard setback. This exception does not apply, however, when the adjoining use or zoning district is residential.

- (j) In the C-1, C-2, C-3 districts, and Special Uses in the R-1, R-2, R-3, and R-4 districts, covered canopies shall be allowed to extend into the front yard setback up to the right-of-way. Such canopies shall have a seven (7) foot minimum clearance at all points. Any portion of the canopy proposed to be extended into the right-of-way shall be subject to review and approval from the Director of Public Works and issuance of a revocable occupancy permit.

SEC. 13-1-15 REDUCTION OR JOINT USE.

No lot, yard, parking area, building area or other space shall be reduced in area or dimensions so as not to meet the provisions of this Chapter. No part of any lot, yard, parking area or other space required for a structure or use shall be used for any other structure or use, unless in accordance with Sec. 13-1-51(b)(2)i and Sec. 13-1-51(f).

SEC. 13-1-16 REQUIRED INSPECTIONS FOR REZONINGS TO HIGHER DENSITY RESIDENTIAL DISTRICTS.

- (a) **WHEN APPLICABLE.** The requirements of this Section shall become applicable when an existing structure is requested to be rezoned to a higher density residential use.
- (b) **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of this Section:
- (1) Accessory Structure -- A detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on or partially on any premises.
 - (2) Appropriate Authority -- That person within the governmental structure of the corporate unit charged with the administration of the appropriate code.
 - (3) Approved -- Approved by the local or State authority having such administrative authority.
 - (4) Dwelling Unit -- Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.
 - (5) Multiple Dwelling -- Any dwelling containing more than two (2) dwelling units and/or rooming units.
 - (6) Plumbing -- All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures and the installation thereof, together with all connections to water, sewer, or gas lines.
- (c) **PRELIMINARY DUTIES.** Any person desiring his property to be rezoned must contact the Building Inspector for inspection upon payment of the required fee. The Building Inspector shall inspect the premises to see that the terms of this Section are met, shall outline the deficiencies to be corrected, and to the best of his ability give the property owner an estimated cost. When this is done, said owner has the choice of petitioning the Common

Council for rezoning.

- (d) **MINIMUM STANDARDS.** No owner shall have his property rezoned to a higher residential use from an existing use unless the building meets the minimum requirements of the Menasha Municipal Building Code, Title 15, Chapter 1, including but not limited to the following:
- (1) All units shall provide adequate and safe electrical, heating and plumbing systems as required in Title 15 of the Municipal Code and any State codes referenced therein.
 - (2) Each dwelling unit and any accessory buildings shall be maintained in a safe and sanitary condition.
 - (3) The adequacy of exits, stairways, light and ventilation, smoke detectors, exit lights, isolation of hazards, etc., shall be determined by the Building Inspector and such shall comply prior to approval.
 - (4) Every dwelling unit shall have smoke alarms installed and in good repair.
 - (5) Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked which shall have adequate circulation area and which shall be equipped with the following: a kitchen sink in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure, which is connected to a sewer system approved by the appropriate authority.
 - (6) Within or directly accessible to every dwelling unit there shall be a nonhabitable room which affords privacy to a person within said room and which is equipped with a flush water closet in good working condition. Said flush water closet shall be equipped with easily cleanable surfaces, be connected to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be properly operated and shall be connected to a sewer system which is approved by the appropriate authority.
 - (7) Within or directly accessible to every dwelling unit there shall be a lavatory sink. Said lavatory sink may be in the same room as the flush water closet or, if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure and which is connected to a sewer system approved by said appropriate authority.
 - (8) Within or directly accessible to every dwelling unit there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said bathtub or shower may be in the same room as the flush water closet or in another room and shall be properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated water under pressure and which is connected to a sewer system approved by the appropriate authority.
 - (9) Every dwelling unit shall have approved dual means of egress, leading to safe and open space at ground level, or as required by the laws of this state and the City of Menasha.
 - (10) Access to or egress from each dwelling unit shall be provided without passing through any other dwelling or dwelling unit.
 - (11) Every habitable room shall have at least one (1) window or skylight facing directly outdoors which can be opened easily, or such other device as will ventilate the room

adequately.

- (12) Every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures which shall be properly installed, shall be maintained in good and safe working condition and shall be connected to a source of electric power in a manner prescribed by the ordinances, rules and regulations of the City of Menasha.
 - (13) Every public hall and stairway in every multiple dwelling shall be adequately lighted by natural or electric light at all times.
 - (14) Every dwelling shall have heating facilities which are properly installed and are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit.
 - (15) No owner or occupant shall install, operate or use an unapproved space heater employing a flame that is not vented outside the structure in an approved manner.
 - (16) Every foundation, roof and exterior wall, door, skylight and window shall be reasonably weather-tight, watertight and damp-free, and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment.
 - (17) Every window, exterior door and hatchway or similar devices shall be reasonably watertight and weather-tight.
 - (18) All existing fences shall be in good condition and repair protected against decay by use of paint or other preservatives.
 - (19) Accessory structures shall be structurally sound and in good state of repair.
 - (20) Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, every porch and every appurtenance thereto shall be safe to use and capable of supporting the loads that normal use cause to be placed thereon.
 - (21) Every plumbing fixture and all water and waste pipes shall be properly installed and in good sanitary working condition.
 - (22) The ceiling height of any habitable room shall be at least seven (7) feet, except that in any habitable room under a sloping ceiling at least one-half (1/2) of the floor area shall have a ceiling height of at least seven (7) feet, and the floor area of that part of such a room where the ceiling is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area.
 - (23) No space located partially or totally below grade shall be used as a habitable room of a dwelling unit unless the floor and those portions of the walls are of waterproof and damp-proof construction.
 - (24) There shall be no pipes, ducts or other obstruction less than six (6) feet, eight (8) inches above the floor level so as not to interfere with the normal use of the room or area.
- (e) **FURTHER CONTROLS.** Every ordinance which rezones one residential use to another residential use on existing structures shall carry the provision on the face thereof that the ordinance shall not become effective until the Building Inspector has issued a Certificate of Compliance showing that the terms of the Section have been met and presented to the property owner and are on file in the office of said Inspector.

SEC. 13-1-17 TRANSITIONAL AREAS

- (a) **INTENT.** Transitional areas shall be required to separate commercial and industrial uses

from residential areas. The purpose of the transitional areas is to eliminate or minimize adverse external effects of commercial and industrial development on neighboring residential uses or districts. The transitional area shall be a landscaped area where no portion of a building, loading, parking, storage or driving area may be located.

(b) **APPLICABILITY.** Transitional areas are required as listed in the following table:

ADJACENT USES OR DISTRICTS								
PROPOSED USE	GU	C-1, C-2, C-3, C-4	I-1, I-2	R-3, R-4	R-1, R-1A, R-2, R-2A	Parking Lot	Special use Commercial	Special Use Industrial
GU	NA	NA	NA	Required	Required	NA	NA	NA
C-1, C-2, C-3, C-4	NA	NA	NA	Required	Required	NA	NA	NA
I-1, I-2	NA	NA	NA	Required	Required	NA	NA	NA
R-3, R-4	NA	NA	NA	NA	Required	NA	NA	NA
R-1, R-2	NA	NA	NA	NA	NA	NA	NA	NA
Parking Lot	NA	NA	NA	Required	Required	NA	NA	NA
Special Use Commercial	NA	NA	NA	Required	Required	NA	NA	NA
Special Use Industrial	NA	NA	NA	Required	Required	NA	NA	NA

(c) **GENERAL STANDARDS.**

- (1) Transitional areas shall be designed by a landscaping professional as part of the site plan or special use permit review process.
- (2) Transitional areas shall be located within thirty (30) feet of the property line unless planting is prohibited by easements or other restrictions. In such cases, the transitional area shall be located as near to the property line as practicable.
- (3) Transitional areas shall be designed to achieve a minimum of seventy-five percent (75%) screening within five (5) years of planting. Plant materials shall reflect varying heights, textures, species, seasonal color, and both evergreen and deciduous varieties. For the purpose of calculating the percentage of screening, the transitional area shall be considered to be that area extending from the ground level to 16 feet in height. Screening potential of plant materials shall be calculated as follows:

Plant Type	Screening Potential per Specimen
Deciduous Trees	150 square feet
Upright Evergreens	50 square feet
Shrubs > 4 feet in height	30 square feet
Shrubs < 4 feet in height*	10 square feet

*Mass plantings of annuals or perennials may be substituted for shrubs under four (4) feet in height

- (4) To the extent practicable, transitional areas should be planted in a curvilinear manner. Straight or staggered rows of plantings should be avoided.
- (5) Where earth berms are utilized, they shall be curvilinear and undulating wherever possible. Earth berms shall not exceed a slope of 33% (3:1) for lawn areas. Berms planted with ground cover and shrubs shall not exceed a slope of 50% (2:1). Berms should be graded to appear as smooth, rounded, natural forms.
- (6) Transitional area landscaping shall be designed to achieve a minimum of 75% opacity for both Commercial and Industrial Commercial transitional areas.
- (7) The minimum transitional area landscaping buffers for Commercial transitional areas is ten feet (10'), and twenty feet (20') for Industrial transitional areas.

(d) **SIZE AND TYPE OF PLANT MATERIAL.** The type and minimum size of the plant material that shall satisfy the transitional area requirements shall be:

Plant Type	Minimum Size or Height
Single Stem Canopy Tree	One and one-half inch (1.5") caliper
Multi-Stem Clump Canopy	Ten (10) feet in height
Understory Tree	One inch (1") caliper
Evergreen Tree	Five (5) feet in height
Deciduous shrub	Twenty-four (24) inches in height
Evergreen shrub	Eighteen (18) inches in height

- (e) **MITIGATION OF OTHER VISUAL IMPACTS.** The use of a screening buffer shall be required to mitigate the adverse visual impacts which proposed land uses or site elements will have on the subject property, adjoining properties and the community in general. In addition to the requirements for transitional area landscaping in this Section, the following proposed land use and site elements shall be screened from off-site view with a transitional area landscape buffer:
 - a. Dumpsters, trash disposal, recycling areas, and mechanical equipment.
 - b. Service and loading docks.
 - c. Outdoor storage area or accessory buildings.
- (f) **APPROVAL.** The Plan Commission shall approve the design and plant material content of all required transitional areas. The Plan Commission may consider alternative plant materials, fencing, or reducing transitional area requirements if it determines that the site conditions warrant.
- (g) **ENFORCEMENT.** A building permit shall not be issued until the Plan Commission has approved the transitional area design. A plan for transitional area installation and maintenance shall be included in the Site Improvement Agreement as part of the site plan or special use permit process. Failure to maintain or install an approved transitional area shall be deemed an ordinance violation.

SEC. 13-1-18 SPECIAL USE STANDARDS.

- (a) **INTENT.** In order to insure that approved special uses adequately safeguard the health, safety and general welfare of persons residing or working in adjoining or surrounding property, specific standards have been developed for each special use.
- (b) **STANDARDS.** The following table identifies the special uses and the minimum recommended standards that should be satisfied before a special use permit is applied for. The Plan Commission and/or the Common Council may, however, amend or waive any of the standards.

Special Use Size	Minimum Lot Size	Minimum Yard (Ft.)	Distance From R-1 District Churches	Schools or Community Facilities	Transitional Fencing Area	Off-tional Parking	Site Street Review	Plan Commission Approval of Outdoor Plan and Lighting
Abattoirs, stock yards, tanneries, fertilizer manufacturing and garbage, rubbish, offal, dead animal reduction and dumping	No S-100 ft.	F-100 ft. 300 ft. solid R-100 ft.	300 ft.	6 feet	I-2 employee wood	1 per	Yes	Yes
Acid Manufacture	# S-100 ft.	F-100 ft. 300 ft. R-100 ft.	300 ft.	N/A	I-2 employee	1 per	Yes	No
Airport/heliport	1 acre	#	300 ft.	4 foot wire mesh	C-1	N/A	Yes	Yes
Boarding and rooming houses lodging and bed and breakfast inns	#	#	N/A	N/A	C-1	#	Yes	Yes
Cement, lime or gypsum, etc., manufacture	#	F-100 ft. 300 ft. S-100 ft. R-100 ft.	300 ft.	N/A	I-2	1 per employee	Yes	No

Special Use Size	Minimum Lot Size	Minimum Yard (Ft.)	Distance From R-1 District Churches	Schools or Community Facilities	or Fencing Area	Transitional Parking	Street Review	Plan Commission Approval Off-Plan and Lighting	Site
Cemetery	40 acres	#	N/A	N/A	I-2	N/A	Yes	No	
Church	25,000 Sq. Ft.	#	N/A	N/A	C-1	#	Yes	Yes	
Country club and golf course	80 acres	#	N/A	N/A	C-1	1 per 2 employees plus 3 per hole	Yes	Yes	
Day care center/nursery school	#	#	N/A	Around play area	C-1	1 per 2 employees plus 1 per 5 children	Yes	Yes	
Explosive manufacturing and storage	#	F-100 ft. S-100 ft. R-100 ft.	300 ft.	N/A	I-2	1 per employee	Yes	No	
Farm	1 acre	#	N/A	N/A	C-1	N/A	N/A	No	
Public building	#	#	N/A	N/A	C-1	#	Yes	Yes	
Fuel storage and refining	#	F-100 ft. S-100 ft. R-100 ft.	300 ft.	N/A	I-2	1 per employee	Yes	No	

Special Use Size	Minimum of Outdoor Lot Signage Size	Minimum Yard (Ft.)	Distance From R-1 District Churches	Schools or Community Facilities Fencing Area	Transitional Parking	Street Review	Plan Commission Approval Off-Plan and Lighting	Site
Commercial/landscape nursery	25,000 Sq. Ft.	#	N/A	N/A	C-1	1 per 3 employees plus 1 per 125 sq. ft. of publicly used area	Yes	Yes
Hospital	5 acres	#	N/A	N/A	C-1	#	Yes	Yes
Junk yard	5 acres	#	300 ft	6 foot high solid wood	I-2	1 per 2 employees	Yes	Yes
Mining, quarrying, etc.	20 acres	#	300 ft.	6 foot high solid wood	I-2	1 per 2 employees	Yes	Yes
Nursing home	25,000 Sq. Ft.	#	N/A	N/A	C-1	#	Yes	Yes
Truck sales or service	25,000 Sq. Ft.	#	N/A	N/A	C-1	1 per employee plus 2 per service stall	Yes	Yes
Glue Manufacture	# S-100 ft.	F-100 ft.	300 ft.	N/A	I-2	1 per employee	Yes	No
		R-100 ft.						

Special Use Size	Minimum Lot Size	Minimum Yard (Ft.)	Distance From R-1 District Churches	Schools or Community Facilities	Fencing	Area	Transitional Parking	Street Review	Plan Commission Approval Off-Plan and Lighting	Site
utility structure	#	N/A	N/A	N/A	N/A	N/A	Yes	N/A	Public	N/A
Gasoline station	#	#	N/A	N/A	C-1	#	Yes	Yes		
Railroad uses	N/A	N/A	N/A	N/A	N/A	N/A	Yes	Yes		
Mobile home park	#	#	#	#	#	#	Yes	#		
Multi-family apt. with 500 sq. ft. units	#	#	#	#	#	#	Yes	#		
Clinics or medical office with 40 or more parking stalls	#	#	N/A	N/A	C-1	#	Yes	Yes		
Office building over 3 stories	#	#	N/A	N/A	C-1	#	Yes	Yes		

Stadium or 5 acre auditorium	F-100 ft. S-100 ft. R-100 ft.	N/A	N/A	C-1	1 per 4 seats	Yes	Yes
------------------------------------	-------------------------------------	-----	-----	-----	------------------	-----	-----

KEY: # This refers to the district minimum requirement.

SEC. 13-1-19 RESERVED FOR FUTURE USE