

CHAPTER XXXI
ZONING ORDINANCE
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

ARTICLE 3.00 ZONING DISTRICTS

3.01 ESTABLISHMENT

A. Zoning Districts

For the purpose of this ordinance, the Village of Slinger is hereby divided into the following zoning districts:

- A-1 Agricultural/Transitional District
- R-1 Single-Family Residential District
- R-2 Single-Family Residential District
- R-3 Single-Family Residential District
- R-4 Single-Family Residential District
- R-5 Single-Family Residential District
- R-6 Single-Family Residential District
- Rd-1 Two-Family Residential District
- Rm-1 Multiple-Family Residential District
- Rm-2 Multiple-Family Residential District
- Mh-1 Mobile Home Park Residential District
- B-1 Commercial District
- B-2 Commercial District
- B-3 Commercial District
- B&LM-1 Business and Light Manufacturing District
- M-1 Limited Manufacturing District
- M-2 General Manufacturing District
- P-1 Park & Recreation District
- I-1 Institutional District
- C-1 Conservancy District
- F-1 Floodplain Conservancy
- HP Historic Preservation (Reserved for Future Use)
- GP Groundwater Protection (Overlay District)
- PUD Planned Unit Development Overlay District
- COS Conservation Subdivision Overlay

B. Designation of Boundaries

Boundaries of these districts are hereby established as shown on the map entitled "Zoning Map - Village of Slinger, Wisconsin" dated June 17, 1996, which accompanies and is herewith made a part of this ordinance. Such boundaries shall be construed to follow corporate limits, U.S. Public Land Survey lines, lot property lines, centerlines of streets, highways, alleys, easements, railroad rights-of-way or such lines extended, and the limits of delineated Conservancy areas unless otherwise noted on the Zoning Map. The floodplain limits are based on the limits shown on the Flood Hazard Boundary Map published by the Federal Emergency Management Agency (FEMA), dated October 21, 1977, and additional interpretations made by the staff of the Southeastern Wisconsin Regional Planning Commission in May 1981. The floodplain limits are further depicted on the Village of Slinger large-scale (1" = 200', 2' contour interval) topographic maps prepared for the Village by Owen Ayres and Associates, Inc., from aerial photography taken on April 22, 1980.

C. Zoning of Annexed Areas.

1. Temporary Zoning. The Village Board shall refer to the Planning Commission for a recommendation regarding the temporary zoning classification for any land being considered for annexation, and shall include in the annexation ordinance a provision designating a temporary zoning district classification for such area.
2. Permanent Zoning: If the intended land use is known at the time of annexation, or as soon as practical after the annexation is final, the permanent zoning classification for the annexed area shall be established by zoning amendment pursuant to S62.23 (7) (d) stats.
3. Floodplains. At the time of annexation, floodplain areas shall be zoned to the F-1 Floodplain Conservancy District.
4. Wetlands. At the time of annexation, wetland areas shall be zoned to the C-1 Conservancy District.

3.02 ZONING MAP.

A certified copy of the Zoning Map shall be adopted and approved with the text as part of this ordinance and shall bear upon its face the attestation of the Village President and Village Clerk and shall be available to the public in the office of the Village Clerk.

Modifications to the zoning districts shall be entered and attested on the certified copy. Changes in the F-1 Floodplain District shall not become effective until approved by the Wisconsin Emergency Management Agency (WEMA).

3.03 A-1 AGRICULTURAL/TRANSITIONAL DISTRICT

The A-1 Agricultural/Transitional District is intended to provide the Village with a transitional district allowing the maintenance of existing continuous agricultural uses until such time as urban development is warranted and/or necessary.

A. Permitted Uses

1. Forest Preserves
2. Game Management

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Agricultural-related uses
2. Single-family farm dwellings

C. Permitted Accessory Uses

1. Forest and Game Management related structures
2. Chicken keeping and chicken coops in accord with Section 2.07 K.

D. Parcel Area & Width

1. The minimum area of a parcel of land maintained and/or annexed to the Village with the A-1 Agricultural/Transitional District shall be 10 acres.

E. Building Height & Area

1. Buildings shall be limited to a maximum 35 feet in height.
2. No farm building or parts of farm buildings shall exceed 80 feet in height.
3. The total minimum floor area of a dwelling shall be 1,200 square feet, with a first floor area of not less than 800 square feet.

F. Yards

1. A minimum street yard (setback) of 50 feet from the highway or road right-of-way shall be required.
2. There shall be a side yard on each side of all structures not less than 25 feet in width.
3. There shall be a rear yard of not less than 50 feet.

3.04 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-1 Residential District is intended to provide for single-family residential development in a more rural large lot setting. Typical lots will not have sanitary sewer or municipal water system connections.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage.
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons

C. Permitted Accessory Uses

1. Gardening, tool, and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.
3. Chicken keeping and chicken coops in accord with Section 2.07 K.

D. Lot Area & Width

1. Lots shall have a minimum area of 40,000 square feet and shall be not less than 150 feet in width.

E. Green Space

1. There shall be a minimum of 80% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 1,500 square feet. Two story dwelling units shall require a minimum of 1,800 square feet, with a first floor area of not less than 1,000 square feet.
3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all streets shall be required.
2. There shall be a minimum side yard of 15 feet to the lot line.
3. There shall be a rear yard of not less than 25 feet.

4. The minimum side and rear yard setback for all accessory structures shall be 10 feet.

3.05 R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-2 Residential District is intended to provide for large lot single-family residential development, served by municipal sewer and water facilities or private (on site or off site) sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 20,000 square feet and shall be not less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 75% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 1,500 square feet. Two story dwelling units shall require a minimum of 1,800 square feet, with a first floor area of not less than 1,000 square feet.

3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all streets shall be required.
2. There shall be a minimum aggregate side yard of 30 feet, and no single side yard shall be less than 15 feet. No 15 foot side yard shall abut a second 15 foot side yard.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be ten (10) feet.

3.06 R-3 SINGLE-FAMILY RESIDENTIAL DISTRICT

The R-3 Residential District is intended to provide for medium sized lot single-family residential development, served by municipal sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 14,000 square feet and shall be not less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 70% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 1,200 square feet. Two story dwelling units shall require a minimum of 1,800 square feet, with a first floor area of not less than 1,000 square feet.
3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all streets shall be required.
2. There shall be a minimum aggregate side yard of 30 feet, and no single side yard shall be less than 10 feet. No 10 foot side yard shall abut a second 10 foot side yard.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be five(5) feet.

3.07 R-4 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-4 Residential District is intended to provide for medium sized lot single-family residential development, served by municipal sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage.
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons
2. Home Occupations/Home Industry in an Accessory Building

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 12,000 square feet and shall be not less than 80 feet in width.

E. Green Space

1. There shall be a minimum of 65% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 1,100 square feet. Two story dwelling units shall require a minimum 1,400 square feet, with a first floor of not less than 800 square feet.
3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all public streets shall be required.
2. There shall be two side yards with a minimum aggregate width of 25 feet. No single side yard shall be less than 10 feet, and no 10-foot side yard shall abut upon another 10-foot side yard.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be five(5) feet.

3.08 R-5 SINGLE FAMILY RESIDENTIAL DISTRICT

The R-5 Residential District is intended to provide for small sized lot single-family residential development, served by municipal sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage.
2. Foster Homes

3. Family Day Care Homes
4. Community Living Arrangements ~~8~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons
2. Home Occupations/Home Industry in an Accessory Building

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 9,600 square feet and shall be not less than 80 feet in width.

E. Green Space

1. There shall be a minimum of 55% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 1,000 square feet. Two story dwelling units shall require a minimum 1,200 square feet, with a first floor of not less than 700 square feet.
3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all public streets shall be required.
2. There shall be two side yards with a minimum aggregate width of 25 feet. No single side yard shall be less than 10 feet, and no 10-foot side yard shall abut upon another 10-foot side yard.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be five(5) feet.

3.09 R-6 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-6 Residential District is intended to provide for small sized lot single-family residential development, served by municipal sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with an attached or detached garage.
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons
2. Home Occupations/Home Industry in an Accessory Building

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 7,200 square feet and shall be not less than 60 feet in width.

E. Green Space

1. There shall be a minimum 45% of lot area retained as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of a dwelling shall be 950 square feet. Two story dwelling units shall require a minimum of 1,200 square feet, with a first floor area of not less than 700 square feet.
3. The sum total of all accessory structures on a lot shall not exceed 720 square feet in area.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all streets shall be required.
2. There shall be two side yards with a minimum aggregate width of 18 feet. No single side yard shall be less than 6 feet, and no 6-foot side yard shall abut upon another 6-foot side yard.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be five(5) feet.

3.10 Rd-1 TWO-FAMILY RESIDENTIAL DISTRICTS.

The Rd-1 Residential District is intended to provide for medium sized lot two-family residential development, served by municipal sewer and water facilities.

A. Permitted Uses

1. Single-family dwellings with attached or detached garage
2. Two-family dwellings with attached or detached garage
3. Foster Homes
4. Family Day Care Homes
5. Community Living Arrangements ~~≤~~ 8 persons

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Community Living Arrangements 9 - 15 persons
2. Home Occupations/Home Industry in an Accessory Building
3. One accessory garage apartment dwelling unit per lot located in the second story of a detached garage. On any Rd-1 lot where a garage apartment is approved, the total number of dwelling units shall not exceed two (2), including the garage apartment.

C. Permitted Accessory Uses

1. Gardening, tool and storage sheds incidental to the residential use.
2. Home occupations and professional home offices as specified herein.

D. Lot Area & Width

1. Lots shall have a minimum area of 14,000 square feet and shall be not less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 70% of lot are retained as green space for single family uses, and 50% of lot area retained as green space for two-family uses, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

1. No dwelling or parts of a dwelling shall exceed 35 feet in height. No accessory structure shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The minimum floor area of a dwelling shall be 950 square feet per dwelling unit.
3. The sum total of the area of all accessory structures on a lot shall not exceed 720 square feet for a single-family dwelling or 960 square feet for a two-family dwelling, whichever is larger.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all public roads shall be required.
2. There shall be a minimum side yard of 10 feet to the lot line.
3. There shall be a rear yard of not less than 25 feet.
4. The minimum side and rear yard setback for all accessory structures shall be five(5) feet.

3.11 Rm-1 MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

The Rm-1 Residential District is intended to provide for medium lot size multiple-family residential developments limited to structures not exceeding four units, and served by municipal sewer and water facilities.

A. Permitted Uses

1. Multiple-family dwellings, not to exceed four units per structure with an:
 - (a) Attached or detached 300 square foot garage per unit if the structure is constructed slab on grade.
 - (b) Attached or detached 200 square foot garage per unit if the structure is constructed with a basement.
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements for ~~15~~ 15 persons

B. Conditional Uses

1. Elderly Housing arrangements for < 23 persons
2. Community Living arrangements > 15 persons

C. Permitted Accessory Uses

1. Private garages and carports.
2. Gardening, tool and storage sheds incidental to the residential use.

D. Lot Area & Width

1. Lots shall have a minimum 18,000 square feet and shall be not less than 90 feet in width at the setback.

E. Green Space

1. There shall be a minimum of 55% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height & Area

1. No principal building or parts of a principal building shall exceed 35 feet in height. No accessory building shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of each unit shall be 600 square feet for efficiency and one-bedroom units. Each additional bedroom or area that could be converted to a bedroom shall require an additional 200 square feet of floor area.
3. The sum total of the area of all accessory structures on a lot shall not exceed 480 square feet per dwelling unit.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all streets shall be required.
2. There shall be a minimum side yard of the greater of fifteen (15) feet or the height of the structure at its highest point measured from the finished grade of the same side yard.
3. There shall be a rear yard of not less than 25 feet.

H. Plans & Specifications to Be Submitted to the Plan Commission

To encourage and insure that multiple-family residential development is environmentally compatible with the medium-density residential nature and character of the Village of Slinger, Zoning Permits shall not be issued until such time as plans for the development are reviewed in accordance with Section 10.00 of this Zoning Code. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

3.12 Rm-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The Rm-2 Residential District is intended to provide for medium lot size multiple-family residential developments served by municipal sewer and water facilities.

A. Permitted Uses

1. Multiple-family dwellings, not to exceed four units per structure with an:
 - (a) Attached or detached 300 square foot garage per unit if the structure is constructed slab on grade.
 - (b) Attached or detached 200 square foot garage per unit if the structure is constructed with a basement.
2. Foster Homes
3. Family Day Care Homes
4. Community Living Arrangements for ~~at~~ 15 persons

B. Conditional Uses

1. Multiple-family dwellings > 4 dwelling units
2. Elderly Housing arrangements for < 23 persons
3. Community Living arrangements > 15 persons
4. Cellular and Digital Communication Antennas and Towers

C. Permitted Accessory Uses

1. Private garages and carports.
2. Gardening, tool and storage sheds incidental to the residential use.

D. Lot Area & Width

1. Lots shall have a minimum 18,000 square feet and shall be not less than 90 feet in width at the setback.

E. Green Space

1. There shall be a minimum of 55% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height & Area

1. No principal building or parts of a principal building shall exceed 35 feet in height. No accessory building shall exceed 20 feet in height. No accessory structure may exceed the height of the principal building.
2. The total minimum floor area of each unit shall be 750 square feet for efficiency and one-bedroom units. Each additional bedroom or area that could be converted to a bedroom shall require an additional 200 square feet of floor area.

3. The sum total of the area of all accessory structures on a lot shall not exceed 480 square feet per dwelling unit.
4. Buildings for residents age 55 and over which have indoor underground parking shall not exceed 48 feet in height, and shall not contain more than 3 stories, excluding underground parking.

G. Yards

1. A minimum street yard (setback) of 35 feet from the right-of-way of all streets shall be required.
2. There shall be a minimum side yard setback of the greater of fifteen (15) feet or the height of the structure at its highest point measured from the finished grade of the same side yard.
3. There shall be a rear yard of not less than 25 feet.

H. Plans & Specifications to Be Submitted to the Plan Commission

To encourage and insure that multiple-family residential development is environmentally compatible with the medium-density residential nature and character of the Village of Slinger, Zoning Permits shall not be issued until such time as plans for the development are reviewed in accordance with Section 10.00 of this Zoning Code. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

3.13 Mh-1 MOBILE HOME PARK RESIDENCE DISTRICT

The Mh-1 Mobile Home Park District is intended to provide for the location of mobile home parks and mobile home subdivisions in a residential setting that is compatible with adjacent land uses. Mobile homes are declared herein to be residential structures and entitled to the same protection from incompatible uses as are afforded in other residential districts.

A. Permitted Uses

1. Individual mobile homes on lots in mobile home subdivisions.

B. Conditional Uses

1. MOBILE HOME PARKS
 - (a) Minimum park size shall be 10 acres.
 - (b) Minimum park width shall be 450 feet.
 - (c) Maximum number of mobile home sites shall be six (6) per acre.
 - (d) Minimum green space provided shall be 45 percent (45%) of the development area, exclusive of streets.
 - (e) Minimum lot area shall be 7,200 square feet. The mobile home lot shall be a minimum of sixty(60) feet.

- (f) Minimum lot area for a double module mobile home shall be 6,000 square feet. The mobile home lot shall be a minimum of fifty(50) feet wide.
- (g) Minimum setback for a mobile home park shall be fifty(50) feet from all public streets.
- (h) Minimum distance between mobile home units and all other exterior park lotlines shall be forty (40) feet.
- (i) Minimum distance between mobile home and service road shall be twenty-five(25) feet. Minimum distance between mobile home trailers shall be twenty(20) feet.
- (j) All drives, parking areas, and walkways shall be surfaced with dust-free material. There shall be two (2) parking spaces for each mobile home.
- (k) No mobile home sales office or other business or commercial use shall be located on the mobile home park site. However, laundries, washrooms, recreation rooms, maintenance equipment storage and one (1) office are permitted.
- (l) All landscaping and screening shall be approved through the Planning Commission in accordance with Article 9, Section 9.12 of this code.
- (m) All mobile homes shall meet the construction standards of the Mobile Homes Manufacturing Association.
- (n) No mobile home site shall be rented for a period of less than 30 days.

C. Permitted Accessory Uses

- 1. Private garages and carports in mobile home subdivisions.
- 2. Gardening, tool and storage sheds incidental to the residential use in mobile home subdivisions.
- 3. Home occupations and professional home offices in mobile home subdivisions.

D. Lot Area & Width

- 1. Lots in a mobile home subdivision shall have a minimum of 7,200 square feet in area and shall be not less than 70 feet in width.

E. Green Space

- 1. There shall be a minimum of forty-five(45) percent of lot area designated as green space, as defined in Section 16.02 of this ordinance.

F. Building Height & Area

- 1. No building or parts of a building shall exceed 35 feet in height.
- 2. The minimum floor area for a dwelling shall be 600 square feet.

G. Yards

1. A minimum street yard setback of twenty-five(25) feet from the right-of-way of all public streets shall be required.
2. There shall be two side yards. Each side yard shall be not less than 10 feet in width.
3. There shall be a rear yard of not less than 25 feet.

3.14 B-1 COMMERCIAL DISTRICT

The B-1 Business District is intended to provide for the orderly continuation of the traditional central business district of the Village. The business activities in the district are of a general retail nature and are characterized by on-street parking.

A. Permitted Uses

1. Retail Stores
2. Offices
3. Professional Services
4. Medical Clinics
5. Theaters
6. Taverns/Restaurants
7. Hotels/Motels
8. Financial/Banking Institutions
9. Single-Family Dwellings constructed prior to 08-14-02
10. Two-Family Dwellings constructed prior to 08-14-02.

B. Conditional Uses

The following uses require a Conditional Use Permit as specified in Section 4.00 of the Village of Slinger Zoning Code:

1. Drive-through Facilities
2. Fuel/Automotive Service Stations
3. Antique & Second Hand Merchandise Sales
4. Veterinary Services
5. Funeral Homes
6. Tattooing and/or Body Piercing Establishments as Defined by the State.
7. Multiple-Family Residential Structures
8. Retail Sales/Rental of Sexually Explicit Materials
9. Child Care Facilities
10. Vehicle Sales
11. Septic Tank Services & Installation Use existing prior to 08-14-02
12. Vehicle and Trailer Rentals
13. Construction Services/Contractor Shops
14. Outdoor sale and/or consumption of alcoholic beverages, as part of a tavern/restaurant that is licensed under Wisconsin Statutes Chapter 125
15. Conversion of Commercial Buildings (existing prior to February 18, 2013 to one and two-family dwellings meeting requirements of the Uniform Dwelling

Code.

16. Outdoor storage of operable vehicles, trucks, trailers, RV's, boats and similar recreational equipment. All such storage areas shall be screened from view from nearby public streets and nearby residential and business areas in accord with an approved site plan showing the screening of fencing measures.
17. Youth social activity clubs

C. Permitted Accessory Uses

1. Accessory garages for the storage of vehicles used in conjunction with the operation of a permitted business.
2. Off-street parking and loading areas.
3. Residential quarters for the owner, proprietor, commercial tenant, employee, or caretaker located in the same building as the business. If the residential quarters are located on the ground floor, they shall not be facing upon the public street.
4. Rental efficiency, one bedroom and two bedroom apartments on a non-ground floor provided there shall be a minimum floor area of 400 square feet for an efficiency apartment, 550 square feet for a one-bedroom apartment and 700 square feet for a two-bedroom apartment.
5. Garage accessory to a permitted residence.

D. Lot Area & Width

1. Lots shall have a minimum area of 7,200 square feet and shall be not less than 70 feet in width.

E. Building Height

1. No building or part of a building shall exceed 35 feet in height.

F. Yards

1. No minimum setback shall be required.
2. No minimum side yard is required between buildings, however, where a side yard is required, it shall be not less than 10 feet in width.

G. Plan Review

1. To encourage and insure that business development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits shall not be issued until such time as plans for the development are reviewed in accordance with Section 10.00 of the Zoning Code. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading, unloading, and landscape plans.

3.15 B-2 COMMERCIAL DISTRICT

The B-2 Commercial District is intended to provide for the orderly and attractive grouping at appropriate locations along principal highway routes of those businesses and customer service establishments which routes of businesses and customer service establishments which are logically related to and dependent upon highway traffic or which are specifically designed to serve the needs of such traffic.

Certain types of residential facilities may be permitted in the B-2 District either as second-story units accessory to commercial buildings, or as Conditional Uses for specific types of housing for the elderly.

A. Permitted Uses

1. Essential Services
2. Financial/Banking Institutions
3. Fuel/Automotive Service Stations (Constructed prior to 07-01-02)
4. Hotels/Motels
5. Medical Clinics
6. Offices
7. Professional Services
8. Retail Stores
9. Taverns/Restaurants

B. Conditional Uses

1. Antique and Second Hand Merchandise Sales
2. Assisted Living Facilities for the Elderly
3. Athletic Clubs/Associated Facilities
4. Cellular and Digital Communication Antennas and Towers
5. Community Based Residential Facilities
6. Community Living Arrangements
7. Congregate Housing for the Elderly
8. Construction Services/Contractor Shops
9. Day Care Facilities
10. Drive-through Facilities
11. Fuel/Automotive Service Stations (Constructed after 07-01-02)
12. Funeral Homes
13. Nursing Homes
14. Residential Care Facilities for the Elderly
15. Tattooing and/or Body Piercing Establishments as Defined by the State
16. Theaters
17. Uses Permitted in the M-1 Manufacturing District with no outside storage
18. Vehicle Sales
19. Veterinary Services
20. Car Washes
21. Conference Centers/banquet Halls/Event Facilities
22. Enclosed Connecting Walkways (located in sideyards)

23. Self-Storage Facilities (See Sec 4.02 E.)
24. Auto Body Repair/Restoration with Outdoor Storage
25. Vehicle Towing Services with Outdoor Storage
26. Vehicle & Trailer Rentals
27. Outdoor sale and/or consumption of alcoholic beverages, as part of a tavern/restaurant that is licensed under Wisconsin Statutes Chapter 125
28. Car & light truck repair and service
29. Indoor archery ranges
30. Youth social activity clubs

C. Permitted Accessory Uses

1. Accessory garages for the storage of vehicles used in conjunction with the operation of a permitted business.
2. Off-street parking and loading areas.
3. Residential units in conjunction with a permitted or conditionally permitted use provided residential unit is not on the first, or street, level of the structure. Said residential unit shall have a minimum floor area of 600 square feet for efficiencies and one-bedroom units, plus an additional 200 square feet for each additional bedroom.

D. Lot Area and Width

1. The total development area of a highway business use shall be not less than 20,000 square feet.
2. Individual shops and stores shall provide sufficient area for the principal structure and its accessory structures, offstreet parking and loading areas, and all required yards.
3. No business development shall be less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 25% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height

1. No building or parts of a building shall exceed 45 feet in height.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all public streets shall be required.
2. No principal building or structure shall be located closer than twenty (20) feet to any lot line, except where property is adjacent to zoned residential districts where it shall be forty (40) feet to any residentially zoned lot line.

H. Plan Review

1. To encourage and insure that business development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits shall not be issued until such time as plans for the development are reviewed in accordance with Section 10.00 of the Zoning Code. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking loading and unloading, and landscape plans.

3.16 B-3 COMMERCIAL DISTRICT

The B-3 Commercial District is intended to provide for the orderly and attractive grouping at appropriate locations of professional offices.

A. Permitted Uses

1. Offices
2. Professional Services
3. Medical Clinics

B. Conditional Uses

1. Laboratories
2. Veterinary Clinics
3. Child Care Facilities
4. Financial/Banking Institutions
5. Drive-In Banking Facilities
6. Athletic Clubs/Associated Facilities
7. Uses Permitted in the M-1 Manufacturing District with no outside storage
8. Uses Permitted in the B-1 and B-2 Commercial Zoning Districts
9. Green Space requirement of thirty-five (35) percent of lot area
10. Cellular and Digital Communication Antennas and Towers
11. Vehicle & Trailer Rentals
12. Youth social activity clubs

C. Permitted Accessory Uses

1. Off-street parking and loading areas.

D. Lot Area and Width

1. The total development area of a B-3 Commercial use shall be not less than 20,000 square feet.
2. No business development shall be less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 25% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height

1. No building or parts of a building shall exceed 35 feet in height.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all public streets shall be required.
2. No use shall be located closer than 20 feet to any lot line, except where property is adjacent to zoned residential districts when it shall be 40 feet to any residentially zoned lot line.

H. Plan Review

To encourage and insure that business development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits shall not be issued until such time as plans for the development are reviewed in accordance with Section 10.00 of the Zoning Code. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking loading and unloading, and landscape plans.

3.165 B & LM-1 BUSINESS AND LIGHT MANUFACTURING DISTRICT

A. Purpose. The B&LM-1 Business and Light Manufacturing District is intended to provide for the development of compatible manufacturing, warehouse, office, service business and supporting uses. The physical and operational characteristics of uses in this District are based on performance standards which would not be detrimental to the public health, safety or welfare or detrimental to the surrounding area as a result of noise, vibration, external lighting, odor, particulate emissions, other visible emissions, hazardous pollutants, traffic, physical appearance, or other similar factors. All uses in this District must comply with applicable local, state and federal codes and standards. Uses in the District are also intended to provide ample off-street parking and loading areas, and landscaped planting screens in areas adjacent to or abutting residential uses or other non-commercial uses, to prevent adverse effects upon adjacent uses.

B. Permitted Uses.

1. Banks, Credit Unions, and similar financial institutions.
2. Business, professional, clerical or general offices.
3. Medical Clinics and offices.

4. Research laboratories.
5. Sales of industrial and construction supplies.
6. Uses involving the manufacture and fabrication of goods conducted entirely inside a building at all times, and in which any noise, vibration, heat or flash produced in any process is confined within the building at all times. Any odors produced or emitted in any process must meet applicable federal and state regulations for air emissions. See the Performance Standards for the B&LM-1 District in Section 9.13.
7. Uses providing a service conducted entirely inside a building at all times, and in which any noise, vibration, heat, or flash produced on the premises by such service use is confined within a building at all times. Any odors produced or emitted must meet applicable federal and state regulations for air emissions. See the Performance Standards for the B&LM-1 District in Section 9.13.
8. Warehouse storage buildings, where all goods and materials are stored inside a building at all times, but not including mini-warehouse buildings. See Section 3.165 D. 5 for mini-warehouses.

C. Permitted Accessory Uses.

1. Food service areas or cafeterias incidental to a permitted use, but not restaurants.
2. Garages or buildings used for the storage of vehicles or equipment used in conjunction with the operation of a permitted use.
3. Ground-mounted and building-mounted dish antennas.
4. Off-street parking and loading areas.
5. Outdoor storage of materials or manufactured products, trucks, trailers and equipment accessory to the principal use. All such outdoor storage areas shall be screened from view from nearby public streets and from nearby residential areas in accord with an approved site plan.
6. Retail sales of products integral with and incidental to a service or manufacturing business located on the same premises.

D. Conditional Uses. The following uses may be permitted in accordance with the provisions of Section 4.00:

1. Communication towers, antennas, structures and facilities.
2. Day care facilities.
3. Incineration in conjunction with and incidental to a service or manufacturing use.
4. Indoor athletic facilities.
5. Self-Storage facilities (See Sec. 4.02 E.)
6. Motels and Hotels.
7. Public or municipal buildings, and public utility structures.
8. Restaurants
9. Vehicle sales and service
13. Veterinary offices and small animal hospitals without outdoor kennels.
14. Vehicle & Trailer Rentals

- E. Prohibited Uses. In addition to other uses not expressly permitted in this district, the following uses are specifically prohibited, and are listed by way of example, but not limitation:
1. All types of residential uses, except guard quarters.
 2. Asphalt & Concrete plants.
 3. Automobile storage, salvage, recycling yards, or similar uses.
 4. Churches, synagogues, schools, or similar institutional uses or places of religious worship.
 5. Contractors yards and the outdoor storage of construction equipment.
 6. Drop forges, ferrous and brass foundries, grain elevators, refineries or tanneries.
 7. Fertilizer storage or packaging.
 8. Planing mills and sawmills.
 9. Principal uses involving the storage, utilization, or manufacture of hazardous materials or products which decompose by detonation.
 10. Solid and liquid waste disposal, dumping, medical waste storage or disposal, or similar waste management uses.
 11. Stockyards, slaughterhouses and rendering plants.
 12. Storage and dispensing of fuels and petroleum products.
 13. Truck terminals.
 14. Wholesale buying clubs.
- F. Performance Standards. Uses in the B&LM-1 District shall comply with the Performance Standards set forth in Section 9.13.
- G. Number of Buildings per Lot. Each lot shall contain a maximum of one (1) principal building. There shall be no limit on the number of accessory buildings provided the lot coverage/open space requirement described in Section I are complied with.
- H. Lot Area and Width.
1. Lots shall be a minimum of twenty thousand (20,000) square feet in area.
 2. Lots shall not be less than ninety (90) feet in width.
- I. Lot Coverage and Green Space. To achieve an attractive appearance and to provide green space for stormwater management and sedimentation control, lot coverage by buildings, accessory structures, and surface parking and driveways shall occupy a maximum of seventy-five percent (75%) of the lot area. Landscaped green space not covered by buildings, accessory structures, and surface parking and driveways shall occupy a minimum of twenty-five percent (25%) of the lot area. The green space may include stormwater retention/detention areas.
- J. Setback and Yards.
1. These shall be a minimum street yard(setback)of forty (40)feet from any existing or planned public street right-of-way.
 2. There shall be a minimum interior side yard of not less than twenty (20) feet

on a side.

3. There shall be a minimum rear yard of not less than twenty-five (25) feet.
 4. Accessory uses, accessory buildings or accessory structures shall be located in side or rear yards only, and shall be setback a minimum of ten (10) feet from a side or rear lot line.
 5. Outdoor storage areas shall be located in side or rear yards only, and shall be setback a minimum of ten (10) feet from a side or rear lot line.
 6. Parking lots located in street yards shall be setback a minimum of twenty (20) feet from the street right-of-way. This includes parking lots in corner lot side yards.
 7. Parking lots located in side or rear yards shall be setback a minimum of ten (10) feet from side or rear lot lines.
 8. Setbacks and buffer yards adjacent to residential districts or residential uses. On B&LM-1 lots adjacent to residential districts, all outdoor storage areas, accessory buildings, or accessory uses including parking lots shall provide a greater setback to provide a buffer yard. Any such uses shall be setback a minimum of forty (40) feet from a property line adjacent to or abutting a residential district. The buffer yard area shall be landscaped or fenced, or a combination thereof, to screen such uses in accord with a site plan requiring such screening or fencing.
- K. Building Height. No building or parts of a building shall exceed thirty-five (35) feet in height. Accessory buildings or structures shall not exceed twenty (20) feet in height.
- L. Parking, Driveways, Loading and Storage Areas. Parking facilities, driveways, loading and storage areas shall be paved with either asphaltic concrete or portland cement concrete prior to the occupancy of the building. Peripheral edge landscaping shall be installed around the edges of parking areas visible from public streets or residential areas. See Section 5.00 for additional requirements related to parking, driveway, and loading facilities.
- M. Loading Areas and Docks, Garbage and Trash Areas. Loading areas or docks shall be located in side or rear yards. Outdoor garbage and trash areas shall be enclosed with a fence or wall of solid decorative material compatible with the principal building.
- N. Signs. Signs in the B&LM-1 District shall be erected and maintained in conformity with the requirements in Section 6.00.
- O. Exterior Lighting. Exterior lighting in the B&LM-1 District shall meet the following criteria:
1. Exterior lighting shall be located, oriented, and shielded and of an intensity so as to illuminate only the building or lot without adversely affecting activity on adjacent lots or traffic on street and highways.
 2. Exterior lighting shall be directed away from nearby residential areas.
 3. Exterior lights or signage shall not flash, pulsate, nor impair or hinder vision on public street rights-of-way or adjacent properties.

4. Exterior lighting shall meet the standards promulgated by the Illuminating Engineering Society of North America.
- P. Site Plan and Architectural Approval Required. No building, structure or improvement shall be constructed or placed on any lot, nor shall any building structure or improvement be remodeled or altered until site and architectural plans for such improvements have been approved by the Planning Commission in accord with the requirements of Section 10.00.
- Q. Compliance with Landscaping Requirements & Design Review Criteria. Uses in the B&LM-1 District are required to comply with other additional requirements contained in Section 9.12 & 5.03 I. regarding landscaping requirements, and in Section 10.04 D. regarding site and building design review criteria.

3.17 M-1 MANUFACTURING DISTRICT

The M-1 Manufacturing District is intended to provide for manufacturing or fabrication operations, which, on the basis of physical and operational characteristics, would not be detrimental to the immediate surrounding area or to the Village as a whole by reason of smoke, odor, noise, dust, flash, traffic, physical appearance, or other similar factors; and to establish such regulatory controls as will reasonable insure compatibility with the surrounding area in this respect.

A. Permitted Uses

1. Warehouses
2. All uses involving the manufacture of goods within the confines of a building and in which any smoke, noise, dust, flash, or odor produced in the manufacturing process is confined within the building.
3. All uses involving the fabrication of materials within the confines of a building and in which any smoke, dust, flash, noise, or odor produced in the fabrication process is confined within the building.
4. All uses involving the provision of a service which is either manufacturing or fabrication-related and not permitted in business districts confined within a building, and in which smoke, dust, flash, heat, noise, or odor produced by such service uses is confined within the building.

B. Permitted Accessory Uses

1. Enclosed as well as screened areas for the storage of materials, other than explosive or flammable materials or substances used in the manufacturing or fabrication process.
2. Offices normally auxiliary to the principal use.
3. Garages for the storage of vehicles used in the conjunction with the operation of the industrial use.
4. Auxiliary power generators.
5. Offstreet parking and loading areas.

6. Essential services.
7. Sale of products directly related to a service or manufacturing business located on the same premises.

C. Conditional Uses

1. Communication Towers/Stations
2. Freight Service/Terminals
3. Self-Storage facilities (See Sec. 4.02 E.)
4. Athletic Clubs/Associated Facilities
5. Salvage Yards
6. Cellular and Digital Communication Antennas and Towers
7. Animal Day Care & Boarding & Grooming
8. Retail or wholesale sales of products not manufactured on the premises. The retail sales shall be incidental to the principal permitted use, and shall be limited to thirty-three (33) percent of the gross floor area of the principal building and all accessory buildings.
9. Indoor and outdoor recreational facilities and uses such as amusement arcades, archery ranges, billiards, bowling, court games, carting, gymnastics, exercise/health clubs, paint ball, roller skating, all with related food & beverage services.
10. Vehicle & Trailer Rentals
11. Youth social activity clubs

D. Lot Area & Width

1. Lots shall have a minimum area of 20,000 square feet and shall be not less than 90 feet in width.

E. Green Space

1. There shall be a minimum of 25% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height

1. No building or parts of a building shall exceed 35 feet in height.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all public streets shall be required.
2. No use shall be located closer than 20 feet to any lot line, except where property is adjacent to zoned residential districts when it shall be 40 feet to any residentially zoned lot line.

H. Plan Review

To encourage and insure that business development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits for permitted uses in the business districts shall not be issued without review and approval of the Village Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and screening and landscape plans.

3.18 M-2 GENERAL MANUFACTURING DISTRICT

The M-2 Manufacturing District is intended to provide for the same type of manufacturing and fabricating operations and uses as in the M-1 Manufacturing District plus more intensive uses. However, these operations and uses shall be provided in those areas where the relationships to surrounding land use would create fewer problems of compatibility. The M-2 Manufacturing District also permits those activities generally perceived as being of a nuisance nature or considered to be hazardous. Such district should not normally abut directly upon Residential, Commercial, or Institutional Districts.

A. Permitted Principal Uses

1. All uses as permitted in the M-1 District.
2. All manufacturing fabricating, and storage uses not permitted in any other industrial district (except the manufacture or fabrication of explosives, flammable liquids, chemicals, and gaseous or vaporous substances) as long as such permitted uses are carried on within an enclosed structure or within a totally screened yard area.

B. Permitted Accessory Uses

1. Enclosed as well as screened open storage of materials other than explosive or flammable materials or substances used in the manufacturing or fabrication process.
2. Offices normally auxiliary to the principal use.
3. Garages for the storage of vehicles used in conjunction with the operation of the industrial use.
4. Auxiliary power generators.
5. Offstreet parking and loading areas.
6. Essential services.
7. Sale of products directly related to a service or manufacturing business located on the same premises.

C. Conditional Uses

1. Sewage Treatment Plants
2. Incinerators
3. Warehousing of Hazardous Materials
4. Bulk Fuel Storage
5. Self-Storage facilities (See Sec 4.02 E.)
6. Salvage Yards
7. Green Space requirement of twenty-five (25) percent of lot area
8. Cellular and Digital Communication Antennas and Towers
9. Bus Terminal and Related Service Facilities
10. Vehicle Sales, when the primary business is vehicle related.
11. Electrical substations & related facilities
12. Animal Day Care & Boarding & Grooming
13. Retail or wholesale sales of products not manufactured on the premises. The retail sales shall be incidental to the principal permitted use, and shall be limited to thirty-three (33) percent of the gross floor area of the principal building and all accessory buildings.
14. Indoor and outdoor recreational facilities and uses such as amusement arcades, archery ranges, billiards, bowling, court games, carting gymnastics, exercise/health clubs, paint ball, roller skating, all with related food and beverage services.
15. Truck Terminals
16. Vehicle & Trailer Rentals
17. Youth social activity clubs

D. Lot Area & Width

1. Lots shall have a minimum of 40,000 square feet in area and shall be not less than 150 feet in width.

E. Green Space

1. There shall be a minimum of 25% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

F. Building Height

1. No building or parts of a building shall exceed 35 feet in height.

G. Yards

1. A minimum street yard (setback) of 40 feet from the right-of-way of all public streets shall be required.
2. No use shall be located closer than 20 feet to any lot line, except where property is adjacent to zoned residential districts when it shall be 40 feet to

any residentially zoned lot line.

H. Plan Review

To encourage and insure that business development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits for permitted uses in the business districts shall not be issued without review and approval of the Village Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and screening and landscape plans.

3.19 P-1 PARK & RECREATION DISTRICT

The P-1 Park District is intended to provide for areas where the recreational needs, both public and private, of the populace can be met without undue disturbance of natural resources and adjacent uses.

A. Permitted Uses

- | | |
|--|--|
| 1. Amphitheaters | 20. Ice Skating |
| 2. Amusement Parks | 21. Libraries |
| 3. Arenas & Field Houses | 22. Miniature Golf |
| 4. Art Galleries | 23. Museums |
| 5. Aquariums | 24. Outdoor Concert Events
Limited to 4 (four) Per
Calendar Year |
| 6. Auditoriums | 25. Parks: General Recreation |
| 7. Banquet Hall & Event Facilities | 26. Parks: Leisure &
Ornamental |
| 8. Boat Rentals & Boat Access Sites | 27. Picnicking Areas |
| 9. Botanical Gardens & Arboretums | 28. Planetaria |
| 10. Community Events | 29. Playfields or Athletic
Clubs |
| 11. Exhibition Halls | 30. Playgrounds |
| 12. Fairgrounds | 31. Play Lots or Tot Lots |
| 13. Forest Preserve (Wildlife Refuges) | 32. Recreation Centers |
| 14. Forest Preserves (Wilderness Areas) | 33. Restaurants (with &
without a bar) |
| 15. Golf Course w/o County Club Facilities | 34. Skiing & Tobogganing |
| 16. Golf Driving Ranges | 35. Stadiums |
| 17. Group Organized Camps | 36. Swimming - Beaches |
| 18. Gymnasium & Athletic Clubs | 37. Swimming - Pools |
| 19. Historic & Monument Sites | 38. Tennis Courts |
| | 39. Zoos |

B. Permitted Accessory Uses

1. Buildings accessory to permitted recreational uses.
2. Essential services.
3. Offstreet parking areas
4. Retail sales in conjunction with sports and recreation uses

C. Conditional Uses

1. Cellular and Digital Communication Antennas and Towers
2. Racetracks
3. Outdoor concert events exceeding four (4) per calendar year.
4. Outdoor sale and/or consumption of alcoholic beverages, as part of a tavern/restaurant that is licensed under Wisconsin Statutes Chapter 125.

D. Lot Area & Width

1. Lots in the P-1 Park District shall provide sufficient area for the principal structure and its accessory structures, off-street parking and loading areas, and all required yards.

E. Building Height

1. No building or parts of a building shall exceed thirty-five (35) feet in height.

F. Yards

1. No principal building or structure shall be erected, altered, or moved closer than 40 feet to a lotline.
2. Accessory buildings or accessory structures shall be located in side or rear yards and shall be setback a minimum of five (5) feet from a side or rear lot line.

G. Plan Review

To encourage and ensure that recreational development is environmentally compatible with other uses and the medium-density residential nature and character of the Village of Slinger, Zoning Permits for permitted use in the Park and Recreation District shall not be issued without review and approval of the Village Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

3.20 I-1 INSTITUTIONAL DISTRICT

The I-1 Institutional District is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public related ownership and where the use for public purpose is anticipated to be permanent.

A. Permitted Uses

1. Public or private schools, colleges and universities.
2. Churches.
3. Hospitals, sanatoriums, nursing homes, and clinics.
4. Libraries, museums and art galleries.
5. Public administrative offices, and public service buildings, including fire and police stations.
6. Public utility offices.
7. Water storage tanks and towers.
8. Auditoriums, theaters, and similar places of public assembly.

B. Permitted Accessory Uses

1. Residential quarters for caretakers or clergy.
2. Garages for the storage of vehicles and equipment used in conjunction with the operation of a permitted use.
3. Off-street parking and loading areas.
4. Service building and facilities normally accessory to permitted uses.
5. Essential services.
6. Columbarium on property of a religious association.

C. Conditional Uses

1. Airports
2. Sewerage Treatment Plants
3. Incinerators
4. Cemeteries
5. Community Living Arrangements
6. Cellular and Digital Communication Antennas and Towers
7. Group Day Care Facilities Licensed by the State
8. Youth Social Activity Clubs

D. Lot Area & Width

1. Lots shall have a minimum area of 7,200 square feet and shall be not less than 70 feet in width.

E. Green Space

1. There shall be a minimum of 25% of lot area retained as green space, as defined in Section 16.02 of this Ordinance.

E. Building Height

1. No building or parts of a building shall exceed 35 feet in height.

F. Yards

1. Most restrictive adjacent zoning district.

G. Plan Review

To encourage and ensure that institutional development is environmentally compatible with the residential nature and character of the Village of Slinger, Zoning Permits for permitted uses in the Institutional District shall not be issued without review and approval of the Village Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

3.21 C-1 CONSERVANCY DISTRICT

The C-1 Conservancy District is intended to be used to prevent destruction of valuable natural or man-made resources and to protect watercourses, including the shorelands of intermittent waters, and areas that are not adequately drained, where development would result in hazards to health or safety, or would deplete or destroy natural resources or be otherwise incompatible with the public welfare.

A. Permitted Uses

1. Fishing and trapping.
2. Preservation of scenic, historic, and scientific areas.
3. Public fish hatcheries.
4. Public and private green space areas.
5. Recreation trails.
6. Sustained yield forestry.
7. Stream bank and lakeshore protection.
8. Water retention and wildlife preserves.
9. Continuation of farming, provided that no farm structures are erected, altered, or moved into the Conservancy District and further provided that cultivated areas are not extended.

B. Permitted Accessory Uses

1. Structures used in or accessory to a fish hatchery.
2. Non-habitable park and recreation shelters.
3. Structures used to traverse lowlands or watercourses.

C. Conditional Uses

1. Limited Recreational Uses

3.22 F-1 FLOODPLAIN CONSERVANCY

The F-1 Floodplain District is intended to preserve, essentially green space and natural use lands which are unsuitable for intensive development purposes due to poor natural soil conditions and periodic flood inundation and shall include all land and water area lying within the delineated forecast 100-year recurrence interval flood. The proper regulation of these areas will serve to maintain and improve water quality, prevent flood damage, protect wildlife habitat, and prohibit the location of structures on soils which are generally not suitable for such use.

A. Permitted Uses

1. Drainage
2. Movement of floodwater.
3. Navigation.
4. Stream bank protection.
5. Water measurement and control facilities.
6. Any of the following uses are permitted provided that such use shall not involve the erecting or placing of a structure:
 - (a) Grazing.
 - (b) Horticulture.
 - (c) Open Parking and Loading Areas.
 - (d) Open recreational uses, such as parks, sport fields, beaches, bathing, hunting, fishing, rinks, golf courses, and driving ranges.
 - (e) Outdoor plant nurseries.
 - (f) Pasturing.
 - (g) Sod farms.
 - (h) Truck farming.
 - (i) Utilities.
 - (j) Viticulture (grape growing).
 - (k) Wildlife preserves.

B. Conditional Uses

The Village Plan Commission may authorize a conditional use permit in accordance with Section 4.00 of this code provided that such conditional uses and structures are found to be in accordance with the purpose and intent of this district and Chapter NR 116 of the Wisconsin Administrative Code. The applicant must show that such use of improvement will not impede drainage, will not cause ponding, will not obstruct the floodway, will not increase flood flow velocities, will not increase the flood stage, and will not retard the movement of floodwater. When permitted, all structures shall be floodproofed and constructed so as not to catch or collect debris nor be damaged by floodwater. Certification of floodproofing of a plan or document

certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval flood level for the particular area.

Such uses shall include:

1. Navigational structures.
2. Bridges and approaches.
3. Marinas.
4. Park and recreational areas not including structures.
5. Filling as authorized by the Wisconsin Department of Natural Resources to permit establishment of approved bulkhead lines.
6. Other green space uses consistent with the purpose and intent of the district and compatible with uses in adjacent districts, not including structures.
7. Municipal Water Supply & Sanitary Sewerage Systems, provided that the system is floodproofed to an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood, and is designed to eliminate or minimize infiltration of floodwater into the system. Certifications of floodproofing shall be made to the Zoning Administrator, and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the 100-year recurrence interval lever for the particular stream reach.

C. Dumping & Filling Prohibited

Lands lying within the Floodplain District shall not be used for dumping or be filled except as authorized to permit establishment of approved bulkhead lines or to accommodate bridge approaches. Normal earth grading activities to permit utilization of the lands for green space, outdoor recreation, yard, parking, and similar uses are permitted.

D. Dangerous Materials Storage Prohibited

Lands lying within the Floodplain District shall not be used for the storage of materials that are buoyant, flammable, explosive, or injurious to human, animal, or plant life.

E. Incompatible Use Prohibited

Lands lying within the Floodplain District shall not be used for any solid waste disposal site or on-site soil absorption sanitary sewerage system site, or the construction of any well which is used to obtain water for ultimate human consumption.

F. Floodplain Ordinance

See Appendix A

3.23 HISTORIC PRESERVATION DISTRICT (RESERVED)

3.24 GROUNDWATER PROTECTION OVERLAY DISTRICT

The Village Board of the Village of Slinger recognizes that the people of the Village of Slinger depend exclusively on groundwater for a safe drinking water supply and that certain land uses in the Village of Slinger environmental setting can seriously degrade water quality.

Therefore, the designated best use of the unconfined groundwater of the Village of Slinger is for public and private water supply and it is the policy of the Village to maintain its groundwater resources as near to the natural condition of purity as reasonably possible for the safeguarding of the public health, safety, and welfare.

The purpose of the Groundwater protection Overlay District is to protect key groundwater recharge areas by imposing appropriate land-use restrictions in these areas. Wisconsin Act 410, 1983, specifically includes groundwater protection among the purposes for which local zoning power may be exercised. The restrictions included herein are in addition to those of the underlying zoning districts or any other provisions of the zoning or other Village ordinance.

A. Designation of Municipal or Private Well Field Groundwater Protection Zones

The boundaries for the groundwater recharge protection zones for the groundwater Protection Overlay District are as shown on the map "Groundwater Protection Districts for the Village of Slinger Well Fields" dated February 24, 1993. (See Fig. A1 for examples of proposed wellhead protection zones for Well Field #5).

Said map is hereby adopted by reference becoming a part of this ordinance as if the map were fully described herein. The groundwater recharge basins for the designated well fields are divided into three zones reflecting the potential for land-use activities to adversely impact the well fields and the subsequent scope of land-use restrictions needed.

B. Zone A - Groundwater Protection Overlay District

1. Zone A is the immediate area around the well field, commonly known as the cone of depression, in which groundwater elevations are lowered by pumping. This area is subject to the highest contaminant threat, and therefore, the land use restrictions are the most severe of the recharge zones.
2. The following uses are permitted:
 - (a) Parks/Playgrounds
 - (b) Archery Ranges
 - (c) Boat Landings

- (d) Other Natural Uses - Wildlife Areas
 - Wild Crops
 - Non-Motor Trails (Bike, Skiing, Nature, Fitness)
 - Hunting/Fishing/Trapping

3. The following uses are permitted upon proper application as provided in this ordinance, only after such use shall have been approved in writing by the Planning Commission. Such approval shall be consistent with the general purpose and intent of this ordinance and shall be based upon evidence as may be presented at such public hearings, tending to show the desirability of specific uses from the standpoint of the public interest because of such factors as (without limitation because of enumeration) groundwater pollution, smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, operation of heavy machinery, heavy vehicular traffic, increased traffic on the streets and other safety and health factors; such uses shall meet the specific conditions attached below and such other conditions as the Plan Commission deems necessary in furthering the purpose of this ordinance.
4. The following use is expressly prohibited in this zone:
 - (a) All uses not permitted or special exception in this section.
5. The following standards apply to all uses in Zone A of the Groundwater Protection Overlay District:
 - (a) On-site sanitary system with any type of discharge - on lots less than 40,000 sq. ft.
 - (b) Underground tanks - prohibited.
 - (c) Natural vegetation not treated with fertilizers and pesticides - A minimum of 85% of lot must be retained in natural vegetation.
 - (d) Lot Size - 40,000 sq. ft. per residential unit. Multiple family units and cluster developments may increase density by 50% if restrictive covenant maintains natural vegetation requirement.
 - (e) Pesticide/fertilizer storage and use (including septage and sludge landspreading) - Prohibited except for normal home use and by special case-by-case review.
 - (f) Animal waste facility or landspreading - prohibited.
 - (g) Stormwater and drain discharge - direct subsurface drainage prohibited. Discharge of hazardous materials prohibited. All surface runoff and drain construction must provide a means for collection or containment in the event of a hazardous materials spill.
 - (h) Salt storage - prohibited.
 - (i) Hazardous/toxic materials storage and use - prohibited except for normal home use.
 - (j) Hazardous/toxic wastes - on-site treatment, transfer, or disposal prohibited.

C. Zone B - Groundwater Protection Overlay District

1. Zone B is the recharge area up-gradient of Zone A to the point where it is

estimated that groundwater and contaminants will take five (5) years to reach the pumping well(s). This is an intermediate zone and land use measures are slightly less restrictive than Zone A because of the longer flow times and greater contaminant dilution and attenuation potential.

2. The following uses are permitted:
 - (a) Residential
 - (b) Parks/Playgrounds
 - (c) Shooting Ranges
 - (d) Boat Landings
 - (c) Campgrounds
 - (d) Natural Uses - Wildlife Areas, Wild Crops, Non-Motor Trails (Bike, Skiing, Nature, Fitness) Hunting/Fishing/Trapping

3. The following uses are permitted upon proper application as provided in this ordinance, particularly items (a) and (b) of Subparagraph 6.6.2(A)(3), only after such use shall have been approved in writing by the Planning Commission, after Public Hearing. Such approval shall be consistent with the general purpose and intent of this ordinance and shall be based upon evidence as may be presented at such Public Hearing, tending to show the desirability of specific uses from the standpoint of the public interest because of such factors as (without limitation because of enumeration) groundwater pollution, smoke, dust, noxious or toxic gases and odors, noise, glare, vibration, operation of heavy machinery, heavy vehicular traffic, increased traffic on the streets and other safety and health factors; such uses shall be required to conform with the plan approved by the Plan Commission and shall meet the specific conditions attached below and such other conditions as the Plan Commission deems necessary in furthering the purpose of this ordinance.
 - (a) All uses not permitted or prohibited in this section.

4. The following uses are expressly prohibited in this zone:
 - (a) Landfills
 - (b) Feedlots
 - (c) Wastewater Treatment Facilities
 - (d) Junkyard
 - (e) Gas Stations/Garages
 - (f) Toxic/Hazardous Waste Facilities
 - (g) Radioactive Waste Facilities
 - (h) Bulk Fertilizer/Pesticide Facilities
 - (i) Asphalt Products Manufacturing
 - (j) Chemical Manufacture/Storage/Sale
 - (k) Dry Cleaning Facilities
 - (l) Electroplating Facilities

- (m) Exterminating Shops
- (n) Paint/Coating Manufacturing
- (o) Printing/Publishing Facilities
- (p) All Uses Requiring Use or Storage of Hazardous or Toxic Materials

5. The following standards apply to all uses in Zone B of the Groundwater Protection Overlay District:

- (a) On-site sanitary system with any type of discharge - for residential use: One system per one (1) acre.
- (b) Underground tanks - tanks less than 500 gallons are prohibited; other tank installations require monitoring wells, overflow prevention, corrosion-resistant construction, monthly reports and inspections, and spill/leak contingency plan.
- (c) Natural vegetation not treated with fertilizers and pesticides - a minimum of 80% of lots with on-site sewage disposal must be retained in natural vegetation. A minimum of 60% of lots with municipal sewer must be retained in natural vegetation. A minimum of 60% of lots with municipal sewer must be retained in natural vegetation.
- (d) Lot size for residential uses - 20,000 sq. ft. per unit with municipal sewer, or one (1) acre with on-site sewage disposal. Multiple family and cluster developments may increase density by 50% if restrictive covenant maintains natural vegetation requirement in sewered areas or increases area of natural vegetation by 10% over minimum requirement in unsewered areas.
- (e) Lot size for other uses - one (1) acre minimum subject to (1) above.
- (f) Pesticide/fertilizer storage and use (including septage and sludge landspreading) - prohibited except for normal home use or where an agricultural best-management practices plan approved by the county Land Conservation Department guides usage.
- (g) Animal waste facility or landspreading - waste facilities must be permitted under the Portage County Animal Waste Management Ordinance. A best-management practices plan approved by the county Land Conservation Department guides usage.
- (h) Stormwater and drain discharge - direct subsurface drainage prohibited. Discharge of hazardous materials prohibited. All surface runoff and drain construction must provide a means for collection or containment in the event of a hazardous materials spill.
- (i) Salt storage - prohibited.
- (j) Hazardous/toxic materials storage and use - prohibited except for normal home use (also see (6) above).
- (k) Hazardous/toxic wastes - on-site treatment, transfer, or disposal prohibited.

3.25 PUD - PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

The PUD - Planned Unit Development Overlay District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, diversified building types, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and green spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Overlay District under this ordinance will allow for flexibility of overall development design with benefits from developer and the community, while at the same time maintaining insofar as possible, the land use density and other standards, or use requirements set forth in the underlying basic zoning district.

A. Permitted Uses

Uses permitted in a Planned Unit Development Overlay District shall conform to uses generally permitted in the underlying basic use district. Individual structures shall comply with the specific building area and height requirements of the underlying basic use district. All green space and parking requirements of the underlying basic use district shall be complied with either individually or by providing the combined green space and parking space required for the entire development in one (1) or more locations within the development.

B. Minimum Area Requirements

1. The Village Plan Commission shall be the authority in establishing the required size of any Planned Unit Development Overlay District. Areas designated as such shall be under single or corporate ownership or control, and shall contain a minimum development area of:

<u>Principal Uses</u>	<u>Minimum Area of PUD</u>
(a) Residential PUD	2 Acres
(b) Business PUD	3 Acres
(c) Industrial PUD	10 Acres
(d) Mixed Compatible Use	5 Acres

C. Procedural Requirements

1. Pre-Petition Conference. Prior to the official submission of the petition for the approval of a Planned Unit Development Overlay District, the owner or his agent making such petition shall meet with the Village staff to discuss the scope and proposed nature of the contemplated development.
2. Petition. Following the pre-petition conference, the owner or his agent may file a petition, including the information contained on the "PUD Petition Form," available at the Village Offices with the Village Clerk for approval of

a Planned Unit Development Overlay District. Such petition shall be accompanied by a review fee, as required by the Village Board pursuant to Section 14.01 of this ordinance.

3. Referral to Plan Commission. The petition for a Planned Unit Development Overlay District shall be referred to the Village Plan Commission for its review and recommendation, including any additional conditions or restrictions which it may deem necessary or appropriate.
4. Public Hearing. The Village Plan Commission shall hold a Public Hearing pursuant to the requirements of Section 12.00 and 13.00 of this ordinance. Notice for such hearing shall include reference to the development plans filed in conjunction with the requested Planned Unit Development Overlay District. As soon as is practical following the hearing, the Plan Commission shall report its findings and recommendations to the Village Board. Said recommendations shall be included in the form of a "PUD Development Agreement" to be entered into between the Village Board and the Developer.

D. Basis for Approval of the Petition

The Village Plan Commission in making its recommendation, and the Village Board in making its determination, shall consider:

1. That the petitioners for the proposed Planned Development Overlay District have indicated that they intend to begin the physical development of the PUD within nine (9) months following the approval of the petition and that the development will be carried out according to a reasonable construction schedule satisfactory to the Village.
2. That the proposed Planned Unit Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this ordinance; is in conformity with the adopted Master Plan or any adopted component thereof; and that the development would not be contrary to the general welfare and economic prosperity of the community.

The Village Plan Commission in making its recommendations, and the Village Board in making its determination shall further find that:

- (a) The proposed site shall be provided with adequate drainage facilities for surface and storm waters.
- (b) The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.
- (c) No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.

- (d) The streets and driveways on the site of the proposed development shall be adequate to serve residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the Village.
- (e) Centralized water and sewer facilities shall be provided.
- (f) The entire tract or parcel of land to be included in a Planned Unit Development Overlay District shall be held under single ownership, or if there is more than one (1) owner, the petition for such Planned Unit Development Overlay District shall be considered as one (1) tract, lot, or parcel; and the legal description must define said PUD as a single parcel, lot, or tract and be so recorded with the Register of Deeds for Washington County.

That in the case of a proposed *Residential* Planned Unit Development Overlay District:

- (a) Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.
- (b) The total net residential density within the Planned Unit Development Overlay District will be consistent with, and not exceed the average intensity and density of development permitted in the underlying basic use district. Conservancy and Floodplain Conservancy Districts shall not comprise more than thirty (30) percent of the underlying zoning district green space requirement.
- (c) Provision has been made for the installation of adequate public facilities, and the continuing maintenance and operation of such facilities.
- (d) Adequate, continuing fire and police protection is available.
- (f) The population composition of the development will not have an adverse affect upon the community's capacity to provide needed school, or other municipal service facilities.
- (g) Adequate guarantee is provided for permanent preservation of green space areas as shown on the approved Site Plan, either by private reservation and maintenance, or by dedication to the public.

That in the case of a proposed *Business* Planned Unit Development Overlay District:

- (a) The proposed development will be adequately served by offstreet parking and truck service facilities.
- (b) The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities such as fire and police protection, street maintenance, and maintenance of public areas.

- (c) The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets, and the development will not create an adverse effect upon the general traffic pattern of the surrounding neighborhood.
- (d) The architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with, and not adversely affecting the property values of the surrounding neighborhood.

That in the case of a proposed *Industrial* Planned Unit Development District:

- (a) The operational character, physical plant arrangement, and architectural design of buildings will be compatible with the latest in performance standards and industrial development design and will not result in adverse effect upon the property values of the surrounding neighborhood.
- (b) The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas.
- (c) The proposed development will include adequate provisions for offstreet parking and truck service areas and will be adequately served by rail and/or arterial highway facilities.
- (d) The proposed development is properly related to the total transportation system of the community and will not result in an adverse effect on the safety and efficiency of the public streets.
- (e) No residential structures shall be permitted in an Industrial PUD.

That in the case of a *Mixed Use* Planned Unit Development Overlay District:

- (a) The proposed mixture of uses produces a unified composite which is compatible within the underlying district and which, as a total development entity is compatible with the surrounding neighborhood.
- (b) The various types of uses conform the general requirements as hereinbefore set forth, applicable to projects of such use and character.
- (c) The proposed development shall be adequately provided with, and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas.

E. Determination

The Village Board, after due consideration, may, upon the recommendation of the Planning Commission, deny the petition, approve the petition as submitted, or approve the petition subject to additional conditions and restrictions. The approval of a Planned Unit Development Overlay District shall be based upon and include as conditions thereto the building, site and operational plans for the development as approved by the Village Board.

F. Changes & Additions

1. Preliminary Determination. All proposed changes, revisions, and additions to any aspect of an approved Planned Unit Development project shall be submitted to the Zoning Administrator for review. The Zoning Administrator, in collaboration with the Village Engineer, Village Planner, and Village Administrator, shall review the proposed change to determine if it would be considered a minor change or a major change. In making their determination, Village staff shall consider if the proposed change would substantially affect the intended design of the project or would adversely affect nearby properties or nearby uses.
2. Minor Changes. If the change is determined to be minor, Village staff shall collaboratively review the request and may deny or approve the change without approval by the Planning Commission. The Planning Commission shall be fully informed of the proposed change at a meeting subsequent to the decision by staff to deny or approve any minor change.
3. Major Change. If the requested change is determined by Village Staff to be a major change because of its affect on the intended design of the project or on neighboring uses, a public hearing shall be held by the Planning Commission to review the request. The Commission's recommendation shall be forwarded to the Village Board for final action.

G. Subsequent Land Division

The division of any land or lands within a Planned Unit Development Overlay District for the purpose of change or conveyance of ownership shall be accomplished pursuant to the land division regulations of the Village and when such division is contemplated, a Preliminary Plat of the lands to be divided shall accompany the petition for PUD approval.

H. Recordation of Permit

Following approval by the Village Board, said Planned Unit Development Agreement shall be recorded as a covenant running with the land. Cost of recording shall be borne by the petitioner.

3.26 CONSERVATION SUBDIVISION OVERLAY (CSO) DISTRICT

- A. Purpose. The Conservation Subdivision Overlay (CSO) District is established for the following purposes:
1. To provide an Overlay District that may be used in conjunction with an underlying Residential Zoning District to promote development of Conservation Subdivisions.
 2. To preserve environmentally sensitive lands through permanent preservation of open space and natural resources with housing concentrated on portions of the site that have lower quality natural features.
 3. To provide open space areas that are commonly owned for passive and/or active recreational use by residents of the development, and where specifically established, for use by the general public.
 4. To minimize disturbance to environmentally sensitive areas, protect biological diversity, and maintain environmental corridors in their natural state to the extent practical.
 5. To preserve scenic views by minimizing views of new development from existing roads.
 6. To provide buffering between residential development and non-residential uses.
- B. Definition of Conservation Subdivision. A Conservation Subdivision is a housing development characterized by extensive open space where existing natural features of the land are maintained in their natural state to the extent practical. Residential dwellings in such subdivisions are located on portions of the site with lower quality natural features and should be adjacent to or overlook open space.
- C. Platting Methods and Applicability of Other Regulations. Conservation Subdivisions may be created by platting methods including Certified Survey Maps (CSM's) subdivision plats, or condominium plats. All of the Village's Land Development regulations applying to each of the platting methods shall be applicable to a Conservation Subdivision, except as may be permitted in this Section.
- D. Uses. In a Conservation Subdivision, the underlying Zoning District shall determine allowable uses.
- E. Density and Lot Size Standards. The maximum density of a Conservation Subdivision shall be determined by applying the minimum lot area in the underlying Zoning District to the entire parcel proposed for development. The minimum lot area in a Conservation Subdivision may be less than that required in the underlying District, but shall not be less than 10,000 square feet with sanitary sewer service, or not less than 30,000 square feet without sanitary service.

- F. Setback and Yards. The minimum setback and yard requirements in the underlying Zoning District may be modified in a Conservation Subdivision to provide flexibility in the siting of homes relative to the attributes of the individual lots or sites in the development. These requirements shall be established on an individual development basis and shall be determined prior to final plat approval. The minimum setback and yard requirements shall be shown on the final plat or CSM.
- G. Minimum Living Area and Maximum Building Height. Shall be as established in the underlying Zoning District.
- H. Common Open Space. A Conservation Subdivision shall provide Common Open Space as follows:
1. A minimum of 40% of the subject parcel shall be common open space which shall be platted as one or more Outlots. Wetlands, floodplains, floodways, ponds or natural water bodies may constitute a maximum of 60% of the minimum common open space area.
 2. Prior to any final approval action on a Conservation Subdivision, the Village Park Board shall review the proposed Common Open Space to determine if any public parklands or any other public land dedication is necessary in conjunction with the Conservation Subdivision.
 3. The ownership, maintenance, and stewardship of Common Open Space shall be accomplished by a Homeowners Association and/or Condominium Association in accord with Chapter 703 of Wisconsin Statutes. The subdivision applicant shall provide a description of the Bylaws of the proposed Association, and all documents governing the ownership, maintenance, and use restriction for common facilities. The Association shall be established by the owner of the subdivision developer prior to the sale of any lots or dwelling units in the development. All documents to establish such Association shall be approved by the Village Attorney prior to their use by the developer.
 4. No such Owner's Association shall be allowed to default and result in the Common Open Space being owned and maintained by the public.
 5. Each unit owner in a Conservation Subdivision shall have an undividable fractional ownership interest in the Common Open Space outlot(s).
 6. A deed restriction shall be established to prevent subdividing any Common Open Space which is part of a Conservation Subdivision.
 7. A Landscaping Plan and a Maintenance Plan for Common Open Space areas shall be approved by the Planning Commission prior to final plat approval.
 8. Any amendments to the Common Open Space documents after their initial approval shall be reviewed and approved by the Village Attorney prior to such amendments taking effect.
 9. The following uses are permitted in Common Open Space areas:
 - a. Conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow).

- b. Silviculture, in keeping with established standards for selective harvesting and sustained-yield forestry.
 - c. Neighborhood open space uses such as common areas, picnic areas, community gardens, trails, and similar low-impact passive recreational uses specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the Planning Commission.
 - d. Active non-commercial recreation areas, such as playing fields, playgrounds, courts, and bikeways, provided such areas do not encroach on environmentally sensitive areas. Playing fields, playgrounds, and courts shall not be located within 50 feet of abutting properties. Parking facilities for the same shall also be permitted.
 - e. Golf courses may comprise the open space land. Their parking areas and any associated structures shall not be included within the minimum open space requirement; their parking and access ways may be paved and lighted.
 - f. Water supply, water sources for the fire protection, sewage disposal system, and stormwater detention areas designed, landscaped, and available for use as an integral part of the open space.
 - g. Easements for drainage, access, or other public purposes.
 - h. Underground utility rights-of-way and street rights-of-way may traverse Common Open Space areas but shall not count toward the minimum required open space land.
 - i. Agricultural uses limited to the growing of crops outdoors including nurseries, sod farms, orchards, forestry, commercial vegetables, and crops for livestock consumption, but not including dairying or the raising and feeding of livestock and poultry.
 - j. Public use of Common Open Space may be allowed if agreed to by the Developer and the Village.
- I. **Required Improvements and Design Standards.** Required improvements and design standards related to Conservation Subdivisions may be modified to create a lower impact on the natural environment and provide a greater degree of environmental protection. Infrastructure requirements and modifications shall be reviewed on an individual development basis to determine the appropriate infrastructure based on each site's unique attributes.
- J. **Financial Guarantees and Impact Fees.** Financial guarantees, including those required as part of a Conventional Subdivision Development Agreement, and impact fees, shall be applied to a Conservation Subdivision.

3.27 SHORELAND ZONING OVERLAY DISTRICT

A. Purpose and Statutory Authorization. Uncontrolled use of shorelands and pollution of the navigable waters of the municipality would adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The Legislature of Wisconsin has delegated responsibility to all municipalities to:

1. Promote the public health, safety, convenience and general welfare;
2. Limit certain land use activities detrimental to shorelands, and
3. Preserve shore cover and natural beauty by controlling the location of structures in shoreland areas and restricting the removal of natural shoreland vegetation.

This ordinance is adopted pursuant to the authorization in Wisconsin Stat. Sec. 61.35 and 61.353 and Year 2013 Wisconsin Act 80.

B. General Provisions.

1. Compliance & Uses. The use of shorelands within the shoreland area of the municipality shall be in full compliance with the terms of this ordinance and other applicable local, state, or federal regulations. All permitted development shall require the issuance of a zoning permit unless otherwise expressly excluded by a provision of this ordinance.

Permitted uses, accessory uses, and conditional uses shall be in accord with underlying zoning district regulations except as may be regulated or restricted in this Section.

2. Municipalities & State Agencies Regulated. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if Wis. Stat. Sec 13.48 (13) applies.

3. Abrogation & Greater Restrictions. This ordinance supersedes all the provisions of any other applicable municipal ordinance except that where another municipal ordinance is more restrictive than this ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

4. Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the municipality and shall not be deemed a limitation or repeal of any other powers granted by the Wisconsin Statutes or Wisconsin Constitution.

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

6. Applicability of Shoreland district Regulations. The Shoreland Zoning District regulations apply only to the following shorelands:

a. A shoreland that was annexed by the Village of Slinger after May 7, 1982, and that prior to annexation was subject to a county shoreland zoning ordinance under Wis. Stat. Sec 59.692; and

b. A shoreland that before incorporation by the Village of Slinger was part of a town that was subject to a county shoreland zoning ordinance under Wis. Stat. Sec. 59.692 if the date of the incorporation was after April 30, 1994.

C. District Boundaries. The Shoreland District areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the Village of Slinger that are:

1. Within 1,000 feet of the ordinary high water mark of navigable lakes, ponds or flowages. Lakes, ponds or flowages shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources Surface Water Data viewer available on the DNR website, or are shown on United States Geological Survey quadrangle maps or other zoning maps.

2. Within 300 feet of the ordinary high water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams shall be presumed to be navigable if they are designated as continuous waterways or intermittent waterways on United States Geological Survey quadrangle maps. Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps or other existing county floodplain zoning maps shall be used to delineate floodplain areas.

3. Determinations of navigability and ordinary high water mark location shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate district office of the Wisconsin Department of Natural Resources for a final determination of navigability or ordinary high water mark.

4. Pursuant to Wis. Stat. Sec. 61.353(7) or 62.233, the Shoreland Zoning District does not include lands adjacent to an artificially constructed drainage ditch, pond, or retention basin if the drainage ditch, or retention basin is not hydrologically connect to a natural navigable water body.

D. Effect of Existing land Division, Sanitary, Zoning & other Regulations. The lands within the Shoreland Zoning District are subject to all applicable provisions of the Village of Slinger Municipal Code. Where the provisions of this ordinance are more restrictive than other regulations in the Municipal code, the provisions of this ordinance shall apply.

E. Setbacks from the OHWM.

1. Principal Building Setbacks.

a. All principal building shall be set back at least 50 feet from the ordinary high water mark.

b. Adjustment of Shore Yards. A setback less than that required by subsection E.1. a. may be allowed if all of the following apply:

1. 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; and

2. 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. Accessory Building Setbacks.

Buildings accessory to permitted and conditional uses may be located within a shoreyard but:

a. Shall not be closer than 25 feet to the ordinary high water mark.

b. Shall not be used for human habitation or animal shelter.

c. Shall not be placed in the vegetative buffer zone required in Section F.

F. Vegetative Buffer Zone. Pursuant to Wis. Stat. Sec 61.353(3), a landowner shall maintain a vegetative buffer zone as follows:

1. A person who owns shoreland property that contains vegetation shall maintain that vegetation in a vegetative buffer zone along the entire shoreline of the property and extending 35 feet inland from the ordinary high water mark of the navigable water, except as provided in Section F. 2.

2. If the vegetation in a 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 vegetative buffer zone, the owner shall establish a vegetative buffer zone with new vegetation.

3. A person who is required to maintain or establish a vegetative buffer zone under viewing or access corridor that is no greater than 30 feet wide for every 100 feet of shoreline frontage and extends no more than 35 feet inland from the ordinary high water mark. On parcels with less than 100 feet of shoreline frontage, the width of the vegetative buffer zone shall be a minimum of 30% of the shoreline frontage.

G. Definitions. In this ordinance:

1. “Ordinary High Water Mark” (OHWM) is the boundary along the bank or shoreline up to which the water, by its presence, flow or wave action, leaves a distinct mark on the bank or shoreline. The OHWM may be indicated by erosion, destruction of or change in vegetation or other easily recognizable characteristics. The OHWM may be delineated on subdivision plats, certified survey maps or other survey documents.
2. “Principal Building” means the main building or structure on a single lot or parcel of land and includes any attached garage or attached porch.
3. “Shorelands” has the meaning given in Wis. Stat. Sec. 59.692 (1)(b).
4. “Shoreland setback area” has the meaning given in Wis. Stat. Sec 59.692(1)(bn).