

175th BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref:	To:	Title
175-A-031	09/02/20 09/03/20	EX	APPT: Robert Hamilton to the Park & Planning Commission
175-R-004	09/03/20 09/03/20	EX	RES: Adopt Five-Year Capital Projects Plan
175-O-043	09/03/20 09/03/20	JU FI	ORD: Modify The Waukesha County Sheriff's Department 2020 Budget To Accept The Law Enforcement Drug Trafficking Response Grant From The State Of Wisconsin Department Of Justice And To Authorize Grant Expenditures
175-O-044	09/03/20 09/03/20	JU FI	ORD: Modify The Waukesha County Sheriff's Department 2020 Budget To Accept The BJA FY 20 Coronavirus Emergency Supplemental Funding Program Grant From The Department Of Justice, Office Of Justice Programs, And To Authorize Grant Expenditures
175-O-045	09/03/20 09/03/20	HS FI	ORD: Modify The Department Of Health And Human Services 2020 Budget To Accept The Cares Covid-19 Test Coordination Grant Funding And Appropriate Additional Expenditures
175-O-046	09/03/20 09/03/20	HR FI	ORD: Modify The Waukesha County Clerk's 2020 Budget To Accept The Help America Vote Act Election Security Subgrant And Authorize Grant Expenditures
175-O-047	10/07/20 10/08/20	LU FI	ORD: Amend The 2020 Budget To Accept Additional Community Development Block Grant Coronavirus (CDBG-CV) Funds For The 2020 Program Year And Modify The Budget
175-O-048	10/07/20 10/08/20	HR FI	ORD: Approve 2021 Position Changes Through Creation, Abolishment, Reclassification, Title Change, And Equity Adjustment
175-O-049	10/07/20 10/08/20	FI	ORD: Cancel 2017 Unredeemed Checks Issued By County Treasurer
175-O-050	10/07/20 10/08/20	FI	ORD: Adopt 2021 Waukesha County Budget
175-O-051	11/4/20 11/5/20	LU	Ord: Repeal and Recreate the Town Of Mukwonago Zoning Code And Map (ZT-1852)
175-O-052	11/4/20 11/5/20	LU	Amend The Text Of The Town Of Lisbon Zoning Code By Recreating Section 33 Planned Unit Development Overlay District And Repeal And Recreate Various Other Sections Relating To Planned Unit Developments (RZ68)
175-O-053	11/4/20 11/5/20	LU	Amend The Text Of The Town Of Lisbon Zoning Code By Creating Sections 11.5 Signs And 11.5.1 Sign Table And Repeal And Recreate Various Other Sections Regarding Signs (RZ69)
175-O-054	11/4/20 11/5/20	JU FI	Modify The 2020 District Attorney's Office Budget To Accept Grant And Donation Revenue To Purchase A Courthouse Facility Dog
175-O-055	11/4/20 11/5/20	FI	Modify The 2020 Active Employee Program Budget In The Health And Dental Insurance Fund

1 REPEAL AND RECREATE THE TOWN OF MUKWONAGO
2 ZONING CODE AND MAP
3 (ZT-1852)
4

5 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
6 this Ordinance was approved by the Mukwonago Town Board on September 16, 2020; and
7

8 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
9 Planning Commission, which recommended approval and reported that recommendation to the
10 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
11 as required by Section 60.62, Wis. Stats.
12

13 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
14 that the text of the Town of Mukwonago Zoning Code, adopted by the Town of Mukwonago on
15 February 27, 2007, is hereby amended to repeal and recreate the Town of Mukwonago Zoning
16 Code and Map, more specifically described in the “Staff Report and Recommendation” on file in
17 the office of the Waukesha County Department of Parks and Land Use and made a part of this
18 Ordinance by reference ZT-1852, is hereby approved.
19

20 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
21 this Ordinance with the Town Clerk of Mukwonago.
22

23 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
24 approval and publication.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the text of the Town of Mukwonago Zoning Code hereby recommends **approval** of **ZT-1852 (Town Mukwonago Board)** in accordance with the attached “Staff Report and Recommendation”.

PARK AND PLANNING COMMISSION

October 15, 2020

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Absent

William Maslowski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AND MAP AMENDMENT

FILE NO: ZT-1852
TAX KEY NUMBER: N/A
DATE: October 15, 2020
NAME OF PETITIONER: Town Board of Mukwonago
Town of Mukwonago Hall
W320 S8315 Beulah Road
Mukwonago, WI 53149

NATURE OF REQUEST:
Repeal and recreate the Town of Mukwonago Zoning Code including the Official Zoning Map of the Town of Mukwonago.

PUBLIC HEARING DATE:
September 9, 2020

PUBLIC REACTION:
Several individuals asked questions or made comments regarding topics including accessory buildings, animals and outbuildings.

TOWN PLAN COMMISSION ACTION:
At their meeting of September 9, 2020, the Town of Mukwonago Plan Commission recommended approval of the proposed Town of Mukwonago Zoning Code and Map to the Town Board.

TOWN BOARD ACTION:
At their meeting of September 16, 2020, the Town of Mukwonago Board unanimously approved the proposed Town of Mukwonago Zoning Code and Map.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY (WCCDP) AND THE TOWN OF MUKWONAGO COMPREHENSIVE PLAN:

The proposed ordinance addresses numerous recommendations of the town and county plans. Natural resources are protected by protective zones, protection from groundwater flooding is provided, numerous use types are accommodated in a more efficient manner with the creation of a use matrix and many town procedures are more clearly described and ordained. Unique accommodations for telecommunications facilities, planned development districts and conservation design developments are provided. Mapping has been updated to provide the most current available natural resource datasets.

STAFF ANALYSIS:

The Town of Mukwonago has been working on a complete re-write of their zoning code over the past several years. Progress was delayed by significant changes to state conditional use law. The town has now addressed those statutory changes and advanced the final ordinance and new zoning map for county review and approval, as required by state law.

The town planner shared early drafts with county staff in 2017 when the effort began and again within the past several months as the ordinance neared completion. The town has been responsive to comments offered by staff. The below is a brief summary of some of the changes of note:

- Re-organization of the structure of the code. Many use requirements removed from individual sections of code and replaced by use matrix
- Reduction of number of zoning districts to greatly simplify code
- Modernized definitions
- New uses accommodated (i.e., craft brewery, artisan shop)
- Conditional Use standard conditions introduced
- Conservation design subdivisions provided for as alternative development option with maximum lot sizes
- Detailed landscape plan standards introduced
- Individual Planned Development District dimensional standards identified for each such project
- Reasonable accommodations provisions for those with disabilities
- Reduces minimum home size requirements for the R-1 District, consistent with Regional Housing Plan recommendations relative to providing for affordability

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends **approval** of the Town of Mukwonago's request. The new code brings forward many changes to improve the clarity of town processes, simplifies the district scheme and is responsive to recent law changes and use trends.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachments: Exhibit A - Town Ordinance No. 2020-0-48
Proposed Town of Mukwonago Zoning Code and Map available for viewing at <https://www.waukeshacounty.gov/landandparks/planning-and-zoning/> (click on Zoning Ordinances/Draft County/Town Ordinances).



ORDINANCE 2020-O-48

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 82 OF THE MUNICIPAL CODE

WHEREAS, the Town Board for the Town of Mukwonago adopted a zoning code for the Town of Mukwonago in 1953 and has amended it from time to time since then; and

WHEREAS, that zoning code is codified as Chapter 82 of the Town of Mukwonago Municipal Code, titled "Zoning;" and

WHEREAS, the Town initiated an effort to rewrite Chapter 82 by appointing an advisory committee consisting of five members; and

WHEREAS, the advisory committee prepared an initial draft of the new zoning code and submitted it to the Plan Commission and Town Board; and

WHEREAS, the Plan Commission and Town Board reviewed such draft and made revisions deemed appropriate; and

WHEREAS, the Plan Commission finalized the proposed zoning code at their meeting on June 23, 2020; and

WHEREAS, the Plan Commission and Town Board conducted a joint public hearing on September 9, 2020 to accept public input and take action deemed appropriate; and

WHEREAS, the Plan Commission passed a motion at their meeting on September 9, 2020 recommending the Town Board adopt the zoning code as amended; and

WHEREAS, the Town Board for the Town of Mukwonago, after carefully reviewing the recommendation of the Plan Commission for the Town of Mukwonago and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Town of Mukwonago, will enhance property values in the Town and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Town or for any other reason cause a substantial adverse effect on the property values and general desirability of the Town.

NOW, THEREFORE, the Town Board for the Town of Mukwonago, Waukesha County, does hereby ordain as follows:

SECTION 1. Chapter 82 of the Town of Mukwonago municipal code entitled "Zoning," is hereby repealed and recreated as Chapter 36 to read as indicated in Exhibit A, attached hereto.

SECTION 2. SUBMITTAL TO WAUKESHA COUNTY. The Town of Mukwonago Town Clerk is directed to send three signed copies of this ordinance to the Waukesha County Clerk for approval of the Waukesha County Board of Supervisors.

SECTION 3. SEVERABILITY. Several sections of this ordinance are declared to be severable and if any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance which shall remain. The remainder of the ordinance shall remain in full force and effect and any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon passage and posting or publication as provided by law following approval by the Waukesha County Board of Supervisors.

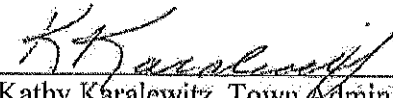
Adopted this 16th day of September 2020

TOWN OF MUKWONAGO



Peter Topczewski, Town Chairman

ATTEST:



Kathy Karalewitz, Town Administrator/Clerk

Published and posted this 22 day of September 2020

1 AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE BY RECREATING
2 SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND REPEAL
3 AND RECREATE VARIOUS OTHER SECTIONS
4 RELATING TO PLANNED UNIT DEVELOPMENTS
5 (RZ68)
6

7 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
8 this Ordinance was approved by the Town of Lisbon Town Board on July 13, 2020; and
9

10 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
11 Planning Commission, which recommended approval and reported that recommendation to the
12 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
13 as required by Section 60.62, Wis. Stats.
14

15 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
16 that the text of the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9,
17 2010, is hereby amended to recreate Section 33 Planned Unit Development Overlay District and
18 repeal and recreate various other sections relating to Planned Unit Developments, more
19 specifically described in the “Staff Report and Recommendation” on file in the office of the
20 Waukesha County Department of Parks and Land Use and made a part of this Ordinance by
21 reference RZ68, is hereby approved.
22

23 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
24 this Ordinance with the Town Clerk of Lisbon.
25

26 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
27 approval and publication.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the text of the Town of Lisbon Zoning Code hereby recommends **approval** of **RZ68 (Text Amendment/Town Lisbon Board)** in accordance with the attached “Staff Report and Recommendation”.

PARK AND PLANNING COMMISSION

October 15, 2020

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Absent

William Maslowski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENT

DATE: October 15, 2020

FILE NO.: RZ68 (x-ref. 1701E)

APPLICANT: Town of Lisbon Board of Supervisors
W234 N8676 Woodside Road
Lisbon, WI 53089

REQUEST:

Re-creating Section 33, Planned Unit Development Overlay District, of the Town of Lisbon Zoning Ordinance, and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to Planned Unit Developments (PUDs) as an Overlay District.

PUBLIC HEARING DATES:

January 11, 2018 and March 12, 2018; returned to the Town for clarification (not a public hearing) November 14, 2019.

PUBLIC COMMENT: None

TOWN PLAN COMMISSION ACTION:

On November 14, 2019, the Town of Lisbon Plan Commission unanimously recommended approval of Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018), creating Section 33 of the Town of Lisbon's Zoning Ordinance regarding PUDs and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District to the Town Board.

TOWN BOARD ACTION:

On November 25, 2019, the Lisbon Town Board of Supervisors approved Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018), creating Section 33 of the Town of Lisbon's Zoning Ordinance regarding PUDs and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District, and recommended the same to Waukesha County.

On July 13, 2020, the Lisbon Town Board of Supervisors rescinded their November 25, 2019, action approving Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018) related to Planned Unit Developments as an Overlay District, and recommended the same to Waukesha County.

Subsequently, on July 13, 2020, the Lisbon Town Board of Supervisors approved an Ordinance No. 05-20 (2020, attached) readopting Ordinance 01-18 (2018), which created Section 33 and repealed/recreated various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District, and recommended the same to Waukesha County.

STAFF ANALYSIS:

The Town initially started working on this amendment in late 2017, but the Ordinance that was approved by the County in 2018 was subsequently found to need further clarification and so the County staff worked with various Town staff on several sections that required additional revisions. After working through those revisions with the former Town Planner and Town Clerk in 2019, a revised Ordinance was ultimately resubmitted to the County in 2020 by the new Town Planner team and Interim Clerk for another review.

The Town has created an overlay district for PUDs instead of requiring a Conditional Use as existed in the previous version of the Town Zoning Ordinance. The creation of an overlay district serves to greatly streamline the conditional use process and allows the Overlay District to be more adaptable to development projects. The purpose and intent/objectives of the section are very similar to those in the prior PUD Conditional Use section, and the new PUD Overlay District is allowed over any district except the EFD and Q-1 Districts. The overlay can include the C-1 District, but no portion of any building, structure, or (buildable) lot is allowed in the C-1. The uses allowed in the overlay are those allowed in the underlying base zoning district(s), and the floor area, height, setbacks, lot requirements, and density have the ability to be flexed as in the prior conditional use permitting system.

After a pre-application meeting, the petitioner submits a General Development Plan (GDP) for consideration and public hearing by the Town Plan Commission. If a CDP amendment or zoning change is required, those processes take place at the time of the GDP submittal. The Town Plan Commission approves and makes a recommendation to the Town Board, Waukesha County, and any extraterritorial entities as required, and the decision is subject to the submittal of a Specific Development Plan (SPD) and any other conditions deemed appropriate. The Plan Commission approval date becomes the effective date of the PUD overlay ordinance. If the SPD is not submitted to the Town Plan Commission and approved by the Town Board within 12 months of the effective date, the PUD Overlay District Ordinance becomes null and void.

Other sections of the Town's Zoning Ordinance that are proposed to be amended in conjunction with the PUD Overlay amendments are: repealing the definitions of PUD and Mixed PUD and creating the definition of a PUD Overlay District; repealing the PUD Conditional Use section; and amending other section number and wording references as required. These minor section number and wording references are the revisions that required further clarification by the Town in their most recent action on this matter.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends approval of the request. As noted above, the new PUD Overlay District serves to greatly streamline the prior conditional use process and allows the Overlay District to be more flexible and adaptable to development projects. Considering PUDs as an Overlay District instead of a Conditional Use allows the Town Plan Commission as well as the Town Board the ability to review each development project based on specific information and review criteria as outlined in the Overlay District ensuring uniformity of the process. Therefore, the proposed text amendment complies with the town and county's comprehensive plans and all other aspects of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Senior Planner

Attachment: Town Ordinance No. 05-20

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 05-20

**ORDINANCE READOPTING ORD. 01-18, CREATING SECTION 33 AND
REPEALING/RECREATING VARIOUS SECTIONS OF THE LISBON ZONING CODE RELATED TO
PLANNED UNIT DEVELOPMENTS AS AN OVERLAY DISTRICT, IN THE TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN**

SECTION 1: Section 33 of the Lisbon Zoning Code is hereby created as follows:

SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

(a) Purpose and Intent

1. Planned Unit Development Overlay District (PUD) regulations are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of amenities, and preservation of the natural resources and open space.
2. The planned development procedure requires a high degree of cooperation between the developer and the Town. The procedure described herein is designed to give the developer general development plan approval before completing all of the detailed design work while providing the Town with assurances that the project will retain the character envisioned at the time of approval.

(b) Identified objectives

When reviewing requests for approval of a Planned Unit Development, the Town shall consider whether the objectives listed below will be served or achieved. Planned Unit Developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.

1. Accommodation of a variety of housing types.
2. Promotion of integrated land uses allowing for a mixture of residential, commercial, public and industrial uses (Mixed Uses) along corridors and in transitional areas.
3. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.
4. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
5. Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.
6. Coordination of architectural styles and building forms to achieve greater compatibility with surrounding land uses.

7. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation.

(c) Relationship to other applicable regulations

1. Permitted and accessory uses. Permitted and accessory uses in the planned development overlay district shall be the same as those permitted in the base zoning district or districts in which the PUD is located.
2. Mixed uses. A mix of different uses within a planned development overlay district may be permitted if the Plan Commission and Town Board determine that the mix of uses is compatible and necessary to achieve the objectives of the PUD.
3. Floor area and height. The PUD may provide for an increase in the maximum gross floor area, floor area ratio, and/or maximum building height allowed in the base zoning district for the purpose of promoting project integration and additional site amenities.
4. Building setbacks. The PUD may provide for a reduction of required setbacks in the base zoning district, provided that a landscaped setback area of the minimum width established for the base zoning district is maintained along the periphery of the PUD.
5. Lot requirements. The Town Board may authorize reductions in the area and width of individual lots within a PUD from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space elsewhere in the Planned Unit Development. Such open space shall not include areas designated as public or private streets. The plan may increase the maximum density beyond that permitted in the base zoning district for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.
6. Street layout. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive areas or environmental corridors as defined by Waukesha County or SEWRPC, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.
7. Density Bonus. The zoning district lot sizes and density for residential PUDs may be modified by applying up to a 30% maximum density bonus to the density otherwise permitted in each base zoning district; provided however, that the density bonus calculation and the sewer reduction provisions contained in the Zoning Code cannot both be applied to further increase the density bonus beyond the 30% maximum density bonus allowed for residential PUDs.
8. Base Zoning Districts. PUD Overlay Districts are not permitted over the EFD or Q1 Districts. PUD Overlay Districts may include C1 Conservancy Districts, provided however, that no portion of any building, lot or structure shall be allowed on lands designated in an underlying C1 Conservancy District.
9. Other exceptions. The Town Board may, in its discretion, authorize the waiver or modification of the restrictions applicable to the base zoning district, provided however, that such waiver or modification shall not authorize the uses which are inconsistent or in compatible with the use restrictions contained in the base zoning district or districts.

(d) Procedural Requirements

1. Pre-petition meeting. Prior submitting a petition for approval of a PUD Overlay District, the applicant shall meet with Town Staff to discuss the scope and nature of the proposed development. The applicant must sign and submit the professional services reimbursement form prior to the pre-petition meeting.
2. Petition – General Development Plan (GDP). Following the pre-petition conference, the applicant shall file a petition with the Town Clerk for approval of a Planned Unit Development Overlay District – General Development Plan. Upon submission of a completed application form, GDP, and any petitions for modification of the Comprehensive Plan and changes in the base zoning district, and upon payment of the required fees, the Zoning Administrator shall forward the application to the Plan Commission for review and consideration.

The GDP shall include the following information:

- a. Total area to be included in the PUD, area of open space, residential density computations, proposed building square footage for commercial or industrial development, proposed number of dwelling units, population analysis, traffic analysis, availability of or requirements for municipal services and any similar data pertinent to a comprehensive evaluation of the proposed development required by the Town.
- b. General summary of the estimated value of structures and site improvement costs, including landscaping and special features.
- c. General outline of the organizational structure of a property owners' or management association proposed to be established to provide any necessary private services.
- d. Proposed departures from the standards of development in the Town zoning regulations, other Town regulations, administrative rules, or universal guidelines.
- e. Expected date of commencement and completion of physical development as set forth in the proposal.
- f. Details describing the benefits the PUD will provide the Town of Lisbon such as natural resources, open space, aesthetics, economic or public benefits or facilities, etc.
- g. Legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties.
- h. Approximate location of public and private roads, sidewalks, paths, trails, driveways, and parking facilities.
- i. Density of the project and the amount of open space and common areas.
- j. Conceptual architectural rendering and design of buildings, if applicable.
- k. General location of institutional, recreational and open space areas and areas reserved or dedicated for public uses, including schools, parks, and drainage ways, and open space features, if applicable.
- l. Conceptual provisions for stormwater management.

3. Changes in Comprehensive Development Plan or Base Zoning District.

If a change to the Town of Lisbon Comprehensive Development Plan (CDP) and/or the Base Zoning District is required in order to approve the PUD Overlay District, then the appropriate petition or petitions shall be filed simultaneously with the filing of the GDP.

4. General Development Plan Hearing and Referral.

a. The petition for a GDP approval, together with any changes required in the Comprehensive Plan and/or Base Zoning District, shall be submitted to the Plan Commission for its review and recommendation to the Town Board. CDP and zoning changes shall include those required by the County and other extraterritorial jurisdictions, as applicable. The GDP shall be in compliance with the applicable CDPs and zoning districts.

b. The Plan Commission shall conduct a public hearing in accordance with provisions of this Chapter, and, following the public hearing, shall report its findings and recommendation to the Town Board. In making its recommendation, the Plan Commission may include such conditions or requirements as the Plan Commission deems appropriate in order to preserve the spirit and intent of this Ordinance.

c. Approval of the PUD Overlay District shall establish the basic right of use for the area in conformity with the GDP as approved, provided however, that the GDP shall be conditioned upon subsequent approval of a Specific Development Plan (SDP). The GDP shall not make permissible any of the uses as proposed until a SDP is submitted and approved by the Town Board. The PUD Overlay District/GDP approval date by the Plan Commission shall become the effective date of the PUD Overlay Ordinance.

If a SDP is not submitted and approved by the Town Board within twelve (12) months of the effective date of the PUD Overlay District Ordinance, the PUD Overlay District Ordinance shall be null and void.

5. Specific Development Plan (SDP). The SDP shall be submitted to the Plan Commission, and upon review, the Plan Commission make such recommendations to the Town Board as the Plan Commission deems appropriate.

The SDP may be submitted for consideration concurrently with the GDP, and shall include the following materials and information:

a. The information required for approval of Site Plans as set forth in Section 3 of this Chapter. The nature and extent of the information required under the Site Plan regulations will vary, depending upon the nature of the proposed PUD. Town Staff shall provide assistance to the applicant in order to ensure that all materials and information that may be required or requested by either the Plan Commission or Town Board when reviewing the SPD are included in the application.

b. Such other materials and information as may be requested by Town Staff, taking into consideration the comments and recommendations of the Plan Commission and Town Board when reviewing the GDP.

c. Plat or Certified Survey Maps.

Simultaneously with the submittal of the SPD, the applicant shall file with the Town, and any other jurisdiction required by Chapter 236 of the Wisconsin State Statutes, any Subdivision Plat and/or Certified Survey Map, the approval of which

shall be required in order to approve the SPD. Such submittal shall be in conformance with the Land Division and Development Ordinances of the Town of Lisbon. Such submittal shall include all of the information required under the provisions of the Land Division and Development Ordinance of the Town of Lisbon.

6. Basis of Approval of Specific Development Plan Petition.

- a. Town Plan Commission Approval. The Town Plan Commission shall, after reviewing the information submitted in support of the request for SPD approval, as well as any Plat and/or Certified Survey Map submitted simultaneously with the plan, recommend to the Town Board that the SPD either be approved, approved conditionally, or rejected.
- b. Town Board Approval. Following referral from the Plan Commission, the Town Board shall either approve, approve conditionally, or reject the SPD. In the event that the Town Board approves the SPD conditionally, the conditions of approval shall be stated with particularity. If the Town Board rejects the SPD, the reason or reasons for the rejection shall be stated in writing and provided to the applicant.
- c. The recommendation of the Town Plan Commission and the decision of the Town Board shall be based upon the following criteria:
 - i. Whether the SPD is consistent with the Purpose and Intent of the Zoning Code, and the purpose and intent of the PUD Overlay District.
 - i. Whether the SPD reflects and incorporates consideration of the physical nature of the site with particular concern for the preservation of natural resources, open spaces, natural terrain as required by Ordinance Including the CDP and to the greatest extent possible when not regulated by Ordinance.
 - i. Whether the general character and intensity of the use produces an attractive environment appropriate to the uses proposed and is compatible with existing developments in the surrounding area, including developments in neighboring and adjacent municipalities, and is generally consistent with the development policies and practices of the Town.

- iv. Whether adequate municipal services, including the availability of schools and the provision of fire and police services, will be available to support the development, whether adequate municipal water and sanitary sewer facilities are available to support the development, or in the alternative whether the development will proceed using private wells and septic systems.
- v. Whether the applicant and/or developer has provided adequate financial guarantees to ensure that all public improvements are completed in a timely manner, and in accordance with all existing regulations and ordinances of the State, County and Town; whether, if appropriate, adequate deed restrictions have been drafted and will be recorded, and a Home Owners Association or similar Association charge with responsibility of maintaining common areas of the proposed Development has been established.
- vi. Whether any Plat or Certified Survey map has been approved by the Town and all other approving authorities.
- vii. Whether the developer has entered into a Development Agreement, approved by the Town Attorney, the purpose of which is to ensure the implementation, completion and continued maintenance of the development as established by the PUD Overlay District Ordinance, the GDP and the SDP.
- viii. Whether the development will include dedication of lands for parks or other municipal purposes, or alternatively, whether the developer will pay fees in lieu of the dedication.
- ix. Whether the development is subject to, or contingent upon, approval of any adjoining municipality as a result of the contractual obligations imposed by Border Agreements, and if so, whether those approvals have been obtained.

SECTION 2: Various Sections of the Lisbon Zoning Code related to Planned Unit Developments are hereby repealed and/or recreated as follows:

SECTION 2 DEFINITIONS

Planned Unit Development (PUD) is a development strategy, process or procedure that requires conditional use approval whereby a parcel of land is developed for a specific use in such a way as to provide specific benefits to the community (for example more efficient provision of public services such as roads and utilities), as well as the developer and future citizens who will reside with the development, and where the normal application of standards and requirements, primarily the lot sizes, are made more flexible, and which shall contain substantial amounts of common open space for aesthetics (rural character), natural resource or sensitive area preservation/protection (steep slopes, wetlands, floodplains, environmental corridors, etc.), or recreational purposes usually by clustering the lots (refer to Figure 1). For the purposes of this ordinance, a conservation subdivision shall be an interchangeable term with planned unit development and clustering. Owners of each lot may also own the building on the lot on the development may be a condominium form of

ownership.

~~**Planned Unit Development, Mixed** A Planned Unit Development that is a mixture of retail, service uses, industrial uses and/or residential uses. Buildings associated with open space and recreational uses, whether public or private, shall be considered part of the open space use.~~

Planned Unit Development Overlay District (PUD) is a district established to provide a regulatory framework designed to encourage and promote improved environmental and aesthetic design in the Town by allowing for greater design freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of this Chapter and the Town Comprehensive Plan, including dedicated open space and the preservation/protection of natural resources and environmentally sensitive areas. To further these goals, the district allows diversification and variation in the bulk and relationship of uses and structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. The district is further intended to encourage developments consistent with coordinated area site planning.

SECTION 3(d) Use Regulations

2. Accessory Uses and Structures: In any district, accessory structures, buildings and uses customarily incidental to the permitted buildings, uses and structures in that district shall be permitted subject to such requirements as may be hereinafter designated for that district in which they are located and in accordance with Section 3(i)5. No pyramiding as defined herein shall be permitted on any lands fronting on navigable waters, except as may be specifically permitted accessory to a marina or resort, and which may be allowed under the terms of a conditional use permit for a planned unit development. No accessory building, use or structure shall be permitted that by reason of noise, dust, odor, appearance, lighting, traffic generation, smoke, fumes, dirt, vibrations, fire, explosives, pollution, or other objectionable factors creates a nuisance or a substantial adverse effect upon the property value or reasonable enjoyment of the surrounding property. These nuisance determinations shall also include, but not be limited to, incidents of apiary operations where there is bee stinging, bee swarming, or bees otherwise creating a disturbance. Such adverse affects may be required to be corrected or eliminated by such measures as are directed by Sections 3 c 3 and 37 of this ordinance; and Chapter 5, Nuisances, of the Town of Lisbon, Waukesha County, Wisconsin, General Code of Ordinances, also included as Addendum B herein.

SECTION 3(i)3. Open Space

- C. No part of the open space provided for any building shall be included as part of the open space required for another building, except as hereinafter provided for in planned unit developments (refer to ~~Section 4 (h) 21~~ Section 33).

SECTION 3(i)4. Residential Density

Residential Density (either referred to as units per acre or minimum lot size) shall not exceed the density hereinafter specified by the regulations for the zoning district in which the development/building is located except as otherwise regulated in accordance with Section 3 (e) 4 (sewer reductions), Section 4 (Conditional Uses), and Section 4 (h) 20 (Multiple Family Units), and ~~2133~~ 33 (Planned Unit Developments).

SECTION 4(h)21. ~~Planned Unit Development (PUD)~~(Reserved)

(delete all text and subsections of Section 4(h)21)

SECTION 9 UC UPLAND CORRIDOR DISTRICT

(d) Conditional Uses

1. In law units, except in a planned unit development

- ~~2. Single family residential planned unit development only – five acre density~~
- ~~32. Communication Towers~~

SECTION 11 AD-10 AGRICULTURAL DENSITY 10-ACRE DISTRICT

- (e) Conditional Uses
- ~~9. Single family residential planned unit developments only~~

SECTION 12 RD-5 RURAL RESIDENTIAL DENSITY 5-ACRE DISTRICT

- (e) Conditional Uses
- ~~9. Single family residential planned unit developments only~~

SECTION 13 A-10 AGRICULTURAL DISTRICT

- (d) Conditional Uses
- ~~16. Single family residential planned unit developments only~~

SECTION 14 A-5 MINI-FARM DISTRICT

- (d) Conditional Uses
- ~~15. Single family residential planned unit developments only~~

SECTION 15 A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

- (d) Conditional uses
- 1. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels.
- 2. Bed and Breakfast
- 3. Cemeteries and Mausoleums
- 4. Churches, Synagogues, and Other Buildings for Religious Assembly
- 5. Commercial Truck Parking
- 6. In Law Units
- 7. Limited Family Business
- 8. Private Clubs and Resorts
- 9. Public and Semi-Public Buildings and Uses
- ~~10. Single family residential Planned Unit Developments~~
- ~~110. Communication Towers~~
- ~~1211. Antique shops, gift shops, arts and crafts studios~~

SECTION 16 R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT

- (d) Conditional Uses
- 1. Bed and Breakfast
- 2. Cemeteries and Mausoleums
- 3. Churches, Synagogues, and Other Buildings for Religious Assembly
- 4. Commercial Truck Parking
- 5. In Law Units
- 6. Limited Family Business
- 7. Private Clubs and Resorts
- 8. Public and Semi-Public Buildings and Uses
- ~~9. Single family residential Planned Unit Developments~~
- ~~109. Communication Towers~~
- ~~1110. Antique shops, gift shops, arts and crafts studios~~
- ~~1211. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels~~

SECTION 17 R-2 SINGLE FAMILY RESIDENTIAL DISTRICT

- (d) Conditional Uses
- 1. Bed and Breakfast
- 2. Cemeteries and Mausoleums

3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Commercial Truck Parking
5. In Law Units
6. Limited Family Business
7. Private Clubs and Resorts
8. Public and Semi-Public Buildings and Uses
- ~~9. Single-family residential Planned Unit Developments~~
- ~~109. Communication Towers~~
- ~~110. Antique shops, gift shops, arts and crafts studios~~
- ~~121. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels~~

SECTION 18 R-3 TWO FAMILY RESIDENTIAL DISTRICT

(d) Conditional Uses

1. Cemeteries and Mausoleums
2. Churches, Synagogues, and Other Buildings for Religious Assembly
3. Commercial Truck Parking
4. In Law Units
5. Private Clubs and Resorts
6. Public and Semi-Public Buildings and Uses
- ~~7. Single and two-family attached residential Planned Unit Developments~~
- ~~87. Communication Towers~~
- ~~98. Antique shops, gift shops, arts and crafts studios~~

SECTION 19 RM MULTI-FAMILY RESIDENTIAL DISTRICT

(b) Permitted Uses

2. Single-family attached dwellings, either side-by-side or up-and-down, each dwelling unit having its own attached garage a minimum of 440 square feet in size. More than two attached dwelling units are subject to Section 19.(d)76 below.

(d) Conditional Uses

1. Cemeteries and Mausoleums
2. Churches, Synagogues, and Other Buildings for Religious Assembly
3. Private Clubs and Resorts
4. Public and Semi-Public Buildings and Uses
- ~~5. Residential Planned Unit Developments~~
- ~~65. Communication Towers~~
- ~~76. Multi Family Units~~

SECTION 23 P-I PUBLIC AND INSTITUTIONAL DISTRICT

(e) Conditional uses

Conditional uses as provided in Sections 4 (h) 24 and 29. ~~Lands zoned Public and Institutional may be included as public and institutional lands in planned unit developments in accordance with Section 4 (h) 21 of this ordinance.~~

SECTION 24 B-1 RESTRICTED BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
- ~~5. Single Family, Mixed and Commercial Planned Unit Developments~~
- ~~65. Commercial Kennels~~

- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Commercial Truck Parking
- ~~109.~~ In Law Units
- ~~1110.~~ Marinas
- ~~1211.~~ Communication Towers
- ~~1312.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales

SECTION 25 B-2 LOCAL BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial Kennels
- ~~6. Single-family residential Planned Unit Developments only, and mixed or commercial planned unit developments~~
- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Commercial Truck Parking
- ~~109.~~ In Law Units
- ~~1110.~~ Marinas
- ~~1211.~~ Commercial fish or bait ponds or hatcheries
- ~~1312.~~ Communication Towers
- ~~1413.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
- ~~1514.~~ Mobile home parks and trailer camps
- ~~1615.~~ Motels and hotels
- ~~1716.~~ Testing laboratories

SECTION 26 B-3 GENERAL BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial Kennels
- ~~6. Single-family residential Planned Unit Developments only, and mixed or commercial planned unit developments~~
- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Contractor's Yard
- ~~109.~~ Outdoor Commercial Recreation Facilities and Uses
- ~~1110.~~ Marinas
- ~~1211.~~ Commercial fish or bait ponds or hatcheries
- ~~1312.~~ Communication Towers
- ~~1413.~~ Mobile home parks and trailer camps
- ~~1514.~~ Testing laboratories
- ~~1615.~~ Motels and hotels
- ~~1716.~~ Self Service Storage (Mini-Warehouses)

SECTION 31 M-1 LIMITED INDUSTRIAL DISTRICT

(e) Conditional Uses

1. Public and Semi Public Buildings and Uses.
- ~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments.~~
32. Churches, Synagogues, and Other Buildings for Religious Assembly
43. Private clubs and resorts
54. Commercial fish or bait ponds or hatcheries
65. Communication Towers
76. Testing laboratories
87. Cemeteries and Mausoleums
98. Outdoor Commercial Recreation Facilities and Uses.
- ~~109.~~ Commercial Kennel
- ~~1110.~~ Contractors Yards
- ~~1211.~~ Mobile home parks and trailer camps
- ~~1312.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
1413. Self Service Storage (Mini-Warehouses)

SECTION 32 M-2 GENERAL INDUSTRIAL DISTRICT

(e) Conditional Uses

1. Public and Semi Public Buildings and Uses.
- ~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments.~~
32. Churches, Synagogues, and Other Buildings for Religious Assembly
43. Private clubs and resorts
54. Commercial fish or bait ponds or hatcheries
65. Communication Towers
76. Testing laboratories
87. Cemeteries and Mausoleums
98. Outdoor Commercial Recreation Facilities and Uses.
- ~~109.~~ Quarrying.
- ~~1110.~~ Public and Commercial Disposal Operations for Noncombustible Materials.
- ~~1211.~~ Commercial Kennels
- ~~1312.~~ Contractors Yards
- ~~1413.~~ Mobile home parks and trailer camps
- ~~1514.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
1615. Self Service Storage (Mini-Warehouses)


SECTION 3: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 13th day of July, 2020.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

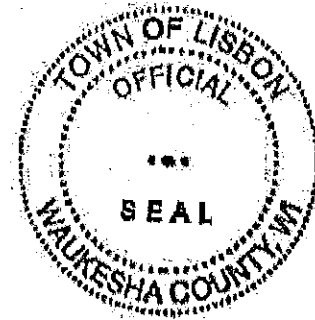
BY: 
JOSEPH OSTERMAN, Chairman

BY: 
TEDIA GAMINO, Supervisor

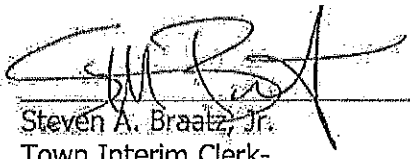
BY: 
MARC MOONEN, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor



ATTEST:

BY: 
Steven A. Braatz, Jr.
Town Interim Clerk-
Treasurer

1 AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE BY CREATING
2 SECTIONS 11.5 SIGNS AND 11.5.1 SIGN TABLE AND REPEAL AND RECREATE
3 VARIOUS OTHER SECTIONS REGARDING SIGNS
4 (RZ69)
5

6 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
7 this Ordinance was approved by the Town of Lisbon Town Board on June 22, 2020; and
8

9 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
10 Planning Commission, which recommended approval and reported that recommendation to the
11 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
12 as required by Section 60.62, Wis. Stats.
13

14 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
15 that the text of the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9,
16 2010, is hereby amended to create Sections 11.5 signs and 11.5.1 sign table and repeal and
17 recreate various other sections regarding signs, more specifically described in the “Staff Report
18 and Recommendation” on file in the office of the Waukesha County Department of Parks and
19 Land Use and made a part of this Ordinance by reference RZ69, is hereby approved.
20

21 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
22 this Ordinance with the Town Clerk of Lisbon.
23

24 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
25 approval and publication.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the text of the Town of Lisbon Zoning Code hereby recommends **approval** of **RZ69 (Text Amendment/Town Lisbon Board)** in accordance with the attached “Staff Report and Recommendation”.

PARK AND PLANNING COMMISSION

October 15, 2020

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Absent

William Maslowski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENT

DATE: October 15, 2020

FILE NO.: RZ69

APPLICANT: Town of Lisbon Board of Supervisors
W234 N8676 Woodside Road
Lisbon, WI 53089

REQUEST:
Create Section 11.5 Signs and Section 11.5.1 Sign table, and repeal and recreate various other sections of the Town of Lisbon Zoning Ordinance regarding signs.

PUBLIC HEARING DATE: June 11, 2020

PUBLIC COMMENT: None.

TOWN PLAN COMMISSION ACTION:

On June 11, 2020, the Town of Lisbon Plan Commission unanimously recommended approval of the text amendment, Ordinance 03-20, creating Section 11.5 Signs and Section 11.5.1 Sign table, and repealing and recreating various other sections of the Town of Lisbon's Zoning Ordinance regarding signs to the Town Board.

TOWN BOARD ACTION:

On June 22, 2020, the Lisbon Town Board of Supervisors unanimously approved Ordinance No. 03-20 (attached) and recommended the same to Waukesha County.

STAFF ANALYSIS:

The Town is proposing to relocate/revise the sign ordinance currently in Chapter 13 of the Town's General Code, into the Zoning Ordinance (Chapter 11 of the Town's General Code) as Section 11.5. A Sign table will be inserted as Section 11.5.1. This revised sign ordinance language will serve to condense the current code language into one chapter of the Town's General Code and one section of the Zoning Ordinance allowing for more efficient administration of the sign regulations while preserving the public's right of free speech and expression.

The Sign table attached indicates the zoning districts certain types of signs are permitted in, as well as their size, location, number, height, and additional requirements.

Other sections of the Town's Zoning Ordinance that are proposed to be amended in conjunction with the sign amendments are: repealing the sign definitions (29 definitions of signs) located in the general definition section of the Zoning Ordinance and recreating revised sign definitions (46 definitions of signs) in Section 11.5; repealing Chapter 13 of the Town's General Code; repealing the Sign Code as an Addendum (Chapter 13) to the Zoning Ordinance in the Table of Contents and in the Index of the Zoning Ordinance; and amending other section number and wording references as required relating to signs.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends approval of the request. As noted above, the revised sign ordinance language will serve to condense the current code language into one chapter of the Town's General Code and one section of the Zoning Ordinance allowing for more efficient administration of the sign regulations. Therefore, the proposed text amendment complies with the town and county's comprehensive plans and all other aspects of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Senior Planner

Attachment: Town Ordinance No. 03-20
Sign table

N:\PRKANDLU\Planning and Zoning\Rezoning\Staff Reports\RZ69 T Lisbon Text Amendment Sign Code Ist.doc

STATE OF WISCONSIN TOWN OF LISBON WAUKESHA COUNTY

Ord. 03-20

ORDINANCE ADOPTING SECTION 11.5 AND
ADOPTING ASSOCIATED SIGN TABLE 11.5.1 AND
REPEALING/RECREATING VARIOUS SECTIONS OF THE
LISBON ZONING CODE RELATED TO SIGNS,
IN THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN

SECTION 1: Section 11.5 of the Lisbon Zoning Code is hereby created as follows:

SECTION 11.5 SIGNS

(a) PURPOSE

1. To regulate the size, type, construction standard, maintenance and placement of signs situated within the boundaries of the Town of Lisbon, Wisconsin.
2. To promote the public health, safety, welfare and comfort of the general public and to provide comprehensive and balanced sign regulations that will:
 - A. Preserve the right of free speech and expression
 - B. Reduce distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;
 - C. Discourage excessive visual competition in signage and ensure that signs aid orientation and adequately identify uses and activities to the public; and
 - D. Preserve or enhance the natural beauty and unique physical characteristics of the Town of Lisbon as a community in which to live and work by requiring new and replacement signage which is:
 - i. Harmonious with the building and surrounding neighborhood aesthetics, and other signs in the area;
 - ii. Appropriate to the type of use to which it pertains;
 - iii. Expressive of the Town's identity in a manner which will not diminish property values; and
 - iv. Complementary to the Town's architectural character and unobtrusive commercial developments.

(b) SCOPE OF REGULATIONS

Except as otherwise noted herein, the regulations of this ordinance shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction standard, erection, attachment, support, lighting, anchorage, maintenance, appearance, and aesthetics.

(c) DEFINITIONS

When used in this chapter, the following words and phrases shall have the specific meaning as hereinafter defined and any words or phrases not listed shall have the meaning defined by the zoning code of the Town of Lisbon:

Advertising Vehicles: Any vehicle or trailer on a public right-of-way property or on private properties so as to be seen from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business activity located on the same or nearby property or any other premises.

Animation: A background playback image which exceeds 30 frames per second.

Approved Combustible Materials: Wood, combustible plastics, or other rigid material impervious to water.

Approved Combustible Plastics: Only those combustible plastic materials which when tested in accordance with the Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (Latest Revision), burn no faster than 2.5 inches per minute in sheets of 0.060-inch thickness.

Base Setback Line: The edge of the established ultimate street right-of-way.

Beacon: A stationary or revolving single or multi-colored light which flashes or projects illumination in any manner, which is intended to attract or divert attention.

Canopy: A structural protective cover located over a commercial service area, such as gas pumps or bank tellers.

Copy: Text or symbols used for the purpose of advertising.

Changeable Copy: A sign element, whether electronic or manual, where copy, including electronic letters and/or pictorial display changes.

Display Surface: The surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire advertising message.

External Illumination: Illumination of a sign by an exterior light source.

Facing: The surface of the sign or billboard upon, against, or through which the message of the sign or billboard is displayed, or transferred.

Flag: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution. Does not include banner signs.

Grade: The existing, preconstruction elevation at the base of a freestanding sign, or bottom edge of a building nearest a sign in the case of a wall or projecting sign.

Height: The height of all freestanding signs shall be the distance between the existing preconstruction grade at the base of the sign and perpendicular to the highest point on the sign or supporting structure.

Internal Illumination: Illumination of a sign in which the source of light is contained within the sign itself.

Letters and Decorations: The letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the message or a sign.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law.

Lot Line: A line of record bounding a lot which divides one lot from another lot, or from a public or private street, or any other public space.

Marquee: A permanent, roof-like structure, extending from part of the wall of a building but not individually supported by the ground, which is constructed of durable material such as metal or glass.

Mixed-Use Center: A planned/coordinated grouping of architecturally unified combination of residential and commercial establishments, built on the same site and managed as one operating unit.

Neon or Other Gas Tube Illumination: Illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

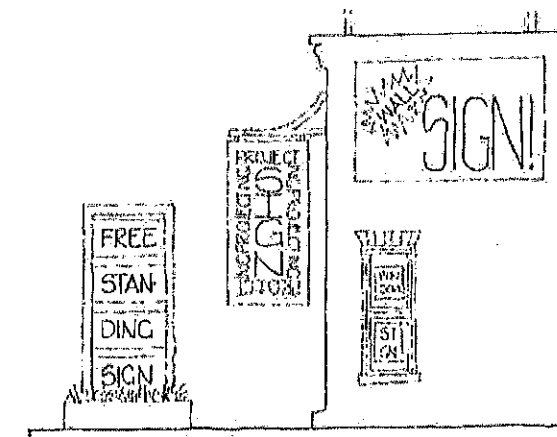
Offset: The regulated minimum horizontal distance a structure must be from a side or rear lot line.

Right-of-Way (street): The area dedicated for public access and use, including the street or alley, parkway and sidewalk areas between property lines.

Setback: The regulated minimum horizontal distance a structure must be from the base setback line.

Shopping Center: A planned/coordinated grouping of architecturally unified commercial establishments, built on the same site and managed as one operating unit, offering for sale goods such as food, drugs, hardware and personal services.

Sign: Any object, device, display, structure, or part thereof which is designed to advertise, announce, direct, identify, or inform by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.



Graphic Courtesy of the
American Planning Association

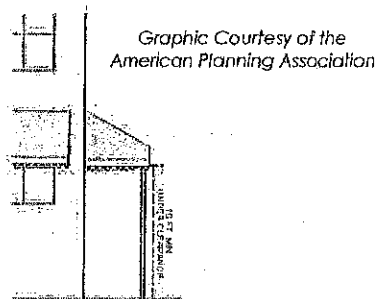
Abandoned sign: A sign which no longer correctly advertises a business or use which is no longer in operation or which is dilapidated or beyond repair, under the provisions of Section 66.0413 of the Wisconsin Statutes, or a sign for which the applicable fees have not been paid or which is hazardous to public safety.

A-Frame Sign: A sign which is portable, self-supporting, and not affixed to the ground. Includes Sandwich, Sidewalk, Menu Board, and Curb signs.

Agricultural Sign: A sign identifying farm operations on parcels of land containing not less than twenty (20) acres.

Air-Activated Sign: A sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion.

Awning Sign: A sign that is attached to, or made of, an awning, or other fabric, plastic or structural protective cover located over a door, entrance, window or outdoor service or recreation area.



Banner Sign: A sign intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentation's applied to paper, plastic, or fabric of any kind. Includes pennant signs.

Blade Sign: See projecting sign.

Bulletin Board: A changeable copy sign or sign incorporating changeable copy not to exceed fifteen (15) square feet in area located on the premises of a charitable, religious, educational, institutional, non-profit, or non-exempt public use.

Canopy Sign: A sign that is attached to a structural protective cover located over a commercial service area, such as gas pumps or bank tellers.

Changeable Copy Sign: A sign which incorporates changeable copy.

Detached Sign: A permanent sign which is located on the premises of the use with which it is associated and not mounted on or affixed to a building.

Double Faced Sign: A sign with copy on two parallel faces that are back to back, facing opposite directions.

Feather Sign: Vertical signs resembling a feather that are supported by a single, curved structural member and base with a banner attached to said single structure.

Flashing Sign: A sign whose illumination is not kept at a constant intensity when in use, and/or which exhibits changes in light, color, direction, animation, wording or text.

Freestanding Sign: A sign that is attached to, or made part of, a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon, or below the ground surface and shall not be attached to any building.

Government Sign: A sign directed to be installed by the Town for notification of events, regulations, safety measures, conduct of Town duties, or other purposes, and any sign erected by the State of Wisconsin or Federal government. Any sign erected by other governmental entities are not considered government signs for the purposes of this ordinance and shall follow the regulations for other sign types defined herein.

Ground Sign: A free-standing sign which is not a pole, pedestal, or monument sign and which is supported by a base of at least 50% of the sign width and is independent from any building.

Interior Sign: Those signs located within the interior of any building and which are not readily visible from the exterior of the building.

Illuminated Sign: A sign which is illuminated by an artificial light source; whether internal or external, a light source whose primary purpose is to display or draw attention to said sign.

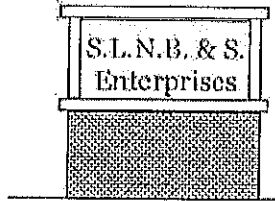
Inflatable Sign: A sign which is kept inflated by mechanical means or filled by a gas and is tethered to a building, structure or the ground. Includes Balloon signs.

Legal Non-Conforming Sign: A sign that did meet code regulations when it was originally installed prior to the adoption of this ordinance.

Marquee Sign: A sign attached to, painted on, or supported by a marquee that has its copy manually changed at regular intervals.

Menu Board Sign: A permanently mounted sign displaying the foods, products, or services for a drive-through or walk-up facility.

Monument Sign: Any free-standing sign which is supported by a base of at least 75% of the sign width and is independent from any building. The structural base of a monument sign is defined as a base constructed of stone, rock, brick, concrete clad in masonry or scored or died, or man-made masonry material.



*Graphic Courtesy of the
American Planning Association*

Moveable Sign: See definition for Portable Sign.

Nonconforming Sign: A sign which existed prior to the effective date of the adoption of this chapter which does not conform to the terms of this chapter.

Off-premises Sign: A sign that is not located on the premises of the associated use.

On-premises Sign: A sign associated with the property use situated on the same lot as the sign.

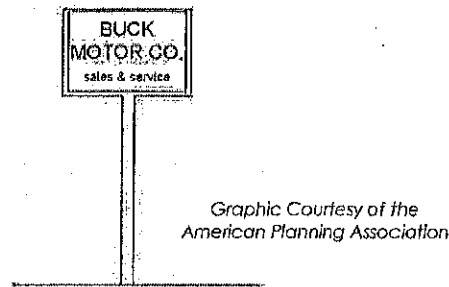
Pedestal Sign: A free-standing sign that is not a pole, ground, or monument sign, and is supported by solid pier(s), pedestal base, square tube(s), or pylons of at least 30% of the sign width and is independent of any building. Pedestal signs shall not be supported by cylindrical pole(s).

Pennant Sign: A banner sign which is triangular in shape.

Plaque Sign: Copy cut into a masonry surface or constructed of bronze or other non-combustible materials and placed on buildings, property, structures, graves, statuary or

the like with historical importance, such as being listed on the National Register of Historic Places, local historical listings, or similar demarcation.

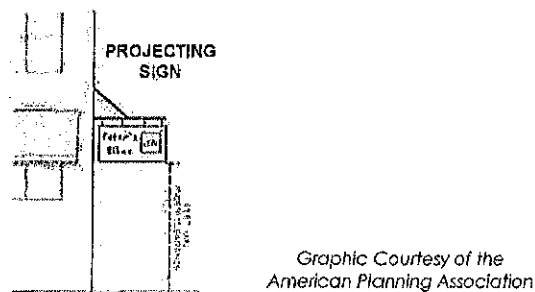
Pole Sign: A free-standing sign affixed to a cylindrical pole(s), square tube(s) support or other fabricated post(s) without any type of secondary support that is embedded in the soil where the supporting structure element(s) width measures less than 30% of the width of the sign face or frame, whichever is larger:



Portable Sign: A sign not permanently affixed to the ground, a building, or other structure, which may be moved from place to place.

Price Sign: A sign which incorporates changeable copy, yet has different display and sign element composition characteristics than a changeable copy sign, as defined in Section 11.5.(m).

Projecting Sign: A sign, that is normally double-faced, which is affixed or attached directly to the exterior wall of a building or structure that extends more than ten (10) inches from the exterior wall of the building or structure. Includes blade signs.



Residential Wall Sign: A wall sign on a building with a legal residential use in a residential or non-residential zoning district.

Roadside Stand Sign: A sign associated with a roadside stand.

Roof Sign: A sign or billboard which is located on, or projects above, the lowest point of the eaves or the top of the parapet wall of a building, or which is painted on or fastened to a roof.

Rotating Sign: A sign which rotates around a center point.

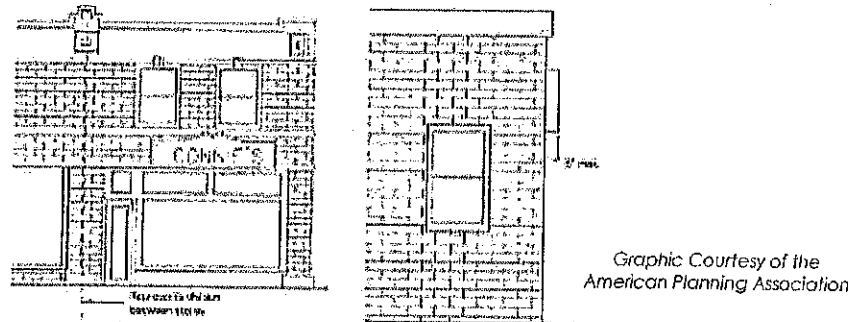
Safety Sign: A sign erected for public or private traffic control, legal notices, railroad crossings, danger, security, and such temporary emergency purposes, as may be erected for the public safety.

Service Door Sign: A sign located at above a door used for service, such as deliveries, to a building with a non-residential use and in a non-residential zoning district.

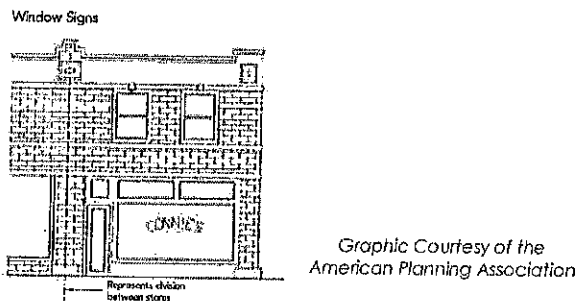
Temporary Sign: A sign intended to be used for a period of no more than thirty (30) days unless otherwise specified herein.

Under Canopy Sign: A sign located under a canopy, such as signs on covered gas pumps or bank tellers.

Wall Sign: A sign or billboard affixed to the exterior wall of a building that extends ten (10) or less inches from the exterior wall of the building, including signs that are painted directly on the wall itself.



Window Sign: A sign attached to, placed upon, or painted on a window or door of a building that is intended for viewing from the exterior of such building.



Yard Sign: An on-premises temporary sign placed on a property in a residential zoning district and associated with a residence, occupied or vacant.

Sign Area: The area of all elements of a sign including the face area, sign frame, and sign structure.

Sign Face Area: Sign face area shall be the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face which is not included in a sign frame. Otherwise, sign face area shall be calculated as the area within the sign frame. For a sign painted on or applied to a building, the sign face area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material, of the building.

Sign Frame: Architectural or structural elements which surround sign copy.

Sign Structure: Any device or material which supports, has supported, or is capable of supporting a sign in a stationary position, including decorative covers.

Street: A public or private right-of-way that is used to carry pedestrian or vehicular traffic.

Trim: The moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

(d) PERMIT APPLICATION

1. Authority

It shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the Town of Lisbon and paying the fees required by this chapter. In addition, all illuminated signs are subject to the provisions of the Electrical and Building Codes, and the permit fees required thereunder.

2. Application for Permit

A complete application for a sign permit shall be submitted to the Town of Lisbon, and shall contain, or have attached thereto, the following information:

- A. Name, address, and telephone number of the applicant.
- B. Name, address, and telephone number of the person, firm, corporation, or association proposing to erect the sign.
- C. Written consent of the owner of the building, structure, or land to which, or upon which, the sign is to be affixed, or erected.
- D. A scale drawing of the proposed sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the methods of construction and attachment.
- E. A scale drawing indicating the location, position and orientation of the proposed sign in relation to nearby buildings, structures, and lot lines, said drawing shall clearly indicate the setback and offset to the sign foundation.

Sign permit applications shall be filed with the Town of Lisbon and the Zoning Administrator shall review the application for its completeness and accuracy, and approve or deny, in writing, the application within thirty (30) days of receipt unless the time is extended by written agreement between the applicant and the Zoning Administrator. A sign permit shall become null and void if work authorized under the permit has not been completed within twelve (12) months of the date of issuance.

3. Issuance of Permits

- A. Upon the filing of an application for a sign permit, the Zoning Administrator shall examine such plans, specifications, and other data needed to determine compliance with the requirements of this ordinance.
- B. After examining the Sign Permit Application, the Zoning Administrator shall take one of the following actions within thirty (30) days:
 - i. Deny the application, stating the reasons therewith, if the proposed sign is not in compliance with the requirements of this ordinance.
 - ii. Deny the application, stating the reasons therewith, if a sign application has been found to be incomplete and

additional information or clarification is needed from the applicant.

- iii. Issue a permit, stating any conditions or stipulations upon which the approval is based.

4. Submittal to Plan Commission in Conjunction with Conditional Use Permit

If the sign permit(s) are being applied for in conjunction with a Conditional Use Permit the applicant may submit the sign permit application to the Zoning Administrator for review and approval or to the Plan Commission for review and approval as part of the Conditional Use Permit review and approval process.

5. Appeal of Denied Permit

Applicants may appeal the decision of a denied permit by the Zoning Administrator in accordance with the Town Code.

(e) FEES

- 1. Application Fees
- 2. An application for a sign permit shall be filed with the Zoning Administrator along with a non-refundable application review fee for each individual sign permit application. In addition to the application review fee, a separate sign permit fee shall be submitted with the application in accordance with the adopted fee schedule for the following sign types. Fees for the following signs shall be set by resolution adopted by the Town Board from time to time;
 - A. Permanent Signs
 - B. Temporary Signs
- 3. Supplemental Fees
If the Town must remove or repair a permitted sign by reason of danger to the public, such as obstruction of traffic, a fee equal to 110% of the Town's incurred cost shall be charged to the sign owner.
- 4. Payment and acceptance of the application review fee does not guarantee that a sign permit will be issued by the Town of Lisbon.

(f) REVOCATION OF PERMITS

The Zoning Administrator is hereby authorized and empowered to revoke any sign permit upon determination that the sign authorized by the permit has been constructed or is being maintained in violation of the permit or the provisions of this chapter.

(g) MEASUREMENT STANDARDS

- 1. Sign Area Measurement:
Sign area shall be measured by both sign face area and by total sign area, as defined in Section 11.5.(c).
- 2. When a sign has two (2) or more faces, the area of all faces shall be included in determining the sign face area, except where two faces are placed back to back and are at no point more than two (2) feet from each other. In such case, the sign area shall be taken as the area of the largest face of a two (2) face sign.
- 3. Sign Height Measurement:

- A. Ground Signs:
Sign height shall be measured perpendicular from the preconstruction grade at the base of the sign to the highest point of the sign face, framework, or support structure, whichever is taller.
- B. Monument Signs:
Sign height shall be measured perpendicular from the preconstruction grade at the base of the sign to the highest point of the sign face, framework, or support structure, whichever is taller.
- C. Pedestal Signs:
Sign height shall be measured perpendicular from the preconstruction grade at the base of the sign to the highest point of the sign face, framework, or support structure, whichever is taller.

(h) ILLUMINATION STANDARDS

- 1. In addition to complying with the provisions of this ordinance, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the Town Electrical Code. No person may erect a sign with exposed electrical cords and wires.
- 2. The use of unshielded lighting, including exposed incandescent light bulbs hung or strung on poles, wires or any other type of support intended to illuminate a sign or other advertising device is expressly prohibited.
- 3. No sign located in a non-residential district, except permitted changeable copy signs, shall be illuminated, either internally or externally, between the hours of 11 p.m. and sunrise if the premises on which it is located is open for business during that time and if the premises abuts a residential district. Signs located in residential districts shall not be illuminated between the hours of 9 p.m. and sunrise.
- 4. All sign lighting shall be so designed, located, shielded or hooded so as to prevent the casting of glare or direct light upon adjacent roadways, surrounding properties, or into the sky.
- 5. No temporary signs shall be illuminated.

(i) LANDSCAPING STANDARDS

- 1. In the case of monument or pedestal signs, a landscape area shall extend a minimum of five (5) feet from the base of the sign in all directions.
- 2. The landscaped area shall be 70% covered in decorative vegetation, 50% of which shall be evergreen. The landscaped area shall be bordered by an acceptable surround.
- 3. Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e. floodlight), landscape plantings shall be installed in such a manner as to entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective yearlong screening.

(j) LOCATION STANDARDS

- 1. No sign or sign supporting structure shall be setback/offset less than 10 feet from an abutting lot line, right-of-way line or driveway edge.

2. Placement of all signs shall be subject to the vision setback regulations as put forth in the Town of Lisbon Zoning Code.
3. No sign in a non-residential zoning district shall be located closer than 50 feet to an abutting residential zoning district.
4. If a ground, monument, or pedestal sign is to be located within an entrance island area, the entrance island shall be a minimum of 10 feet wide and a minimum of 25 feet in length. The sign shall not be located any closer than 3 feet to the side island right-of-way lines nor closer to the connector street than the vision corner easement.

(k) PROHIBITED SIGNS

The following types of signs are prohibited in the Town of Lisbon:

1. Roof signs.
2. Signs placed on, or affixed to, vehicles and/or trailers which are not legally parked or operational on public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. This does not apply to signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
3. Signs that are attached or otherwise affixed to rocks, trees or other living vegetation.
4. Signs that imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.
5. Flashing or rotating signs (do not remain stationary for a minimum of 3 seconds). Signs containing moving parts and signs containing reflective elements that sparkle or twinkle in the sunlight.
6. Off-premises signs, except as specifically allowed for in this ordinance.
7. Any sign advertising or identifying a business or use which is either defunct, or no longer located on the premises, shall be removed within thirty (30) days of receiving written notice from the Town of Lisbon.
8. Portable and wheeled signs which are not permitted as exempt or temporary in accordance with this ordinance.
9. Signs or other advertising painted directly on walls, unless specifically approved.
10. Signs that obstruct free and clear vision of vehicular traffic or that, by reason of the position, shape, or color, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device or which otherwise creates a public safety hazard.
11. Signs whose content violates State or Federal laws or regulations, including but not limited to, the obscenity provisions of Chapter 944 of the Wisconsin Statutes.
12. Window signs, or combination of window signs, which exceed 30% of the window area.
13. Air-activated or inflatable signs.

(l) EXEMPTIONS

The following signs shall be exempted from the permit processes outlined in this ordinance, except subject to the following regulations:

1. One wall sign, not to exceed six (6) square feet in sign area on the principal structure of where a legal home occupation is operating, for which a permit has been granted and is currently valid, in any residential zoning district . Such signs shall not be illuminated.
2. Bulletin boards not to exceed fifteen (15) square feet in sign area for public, charitable or religious organizations when the same are located on the premises of said institution. Such signs shall be subject to the location, lighting and landscaping standards set forth in this ordinance, and shall not exceed seven (7) feet in height.
3. Plaque signs cut into a masonry surface or constructed of bronze or other non-combustible materials and placed on buildings, property, structures, graves, statuary or the like with historical importance, such as being listed on the National Register of Historic Places, local historical listings, or similar demarcation. Plaque signs shall be limited to four (4) square feet in sign area.
4. Flush signs carved into or affixed flat to a building in such a way that they are not directly illuminated, are not made of a reflecting material, do not contrast sharply in color with the building, and do not exceed two (2) inches in thickness.
5. Residential wall signs, such as address lettering, not to exceed two (2) square feet in sign area and mounted flush against a dwelling.
6. Safety signs such as traffic signs, legal notices, railroad crossing signs, danger, security, directional, and such temporary emergency or non-advertising signs, as may be erected for the public safety.
7. Awning signs painted, applied, or integral to awnings. Such signs shall not exceed an aggregate gross surface area of four (4) square feet per display with individual letters not exceeding six (6) inches in height.
8. Marquee signs which are affixed to a building with a theatre, cinema, or other performing arts use.
9. Under canopy signs, located under a canopy, as defined in the ordinance, and no greater than four (4) square feet in size.
10. Signs physically associated with permitted outdoor storage of goods for sale in commercial districts, such as firewood, gas cylinders, and water bottles.
11. Flags of the United States, State of Wisconsin, or other sign depicting government organization or entity which do not pose a safety hazard.
12. Government sign that is erected by the Town of Lisbon, Waukesha County, State of Wisconsin Agency, or Federal Agency. Government signs that are not Town, County, State, or Federal , shall be required to adhere to the regulations of this ordinance.
13. Interior signs located within the interior of any building and which are not readily visible from the exterior of the building.
14. Menu board signs in non-residential districts. Four (4) menu board signs shall be allowed for any business with drive-up or drive-through service and which are 100% screened by evergreen vegetation or a combination of 50% brick wall and 50% evergreen vegetation so as not to be visible from any public road right-of-way and not to exceed 36 square feet in total sign area each.
15. Yard signs that are temporarily located in residential districts, provided they are not attached to utility poles, meter posts, trees, or other public utility in or along any street right-of-way within the Town, and are not attached to

- any building, wall fence, or other property of another person without having first obtained the prior written consent of the owner of such property. The maximum time limit for all yard signs is three (3) consecutive days, and nine (9) cumulative days in a one-year period. Such signs shall not exceed ten (10) square feet in area.
16. Service Door signs in non-residential districts. One (1) sign per service door shall be allowed and shall not exceed five (5) square feet in area. Sign shall be located at or below eight (8) feet from adjacent ground elevation. Said exempt signs shall not be visible from abutting right-of-way lines or residential property lines.
 17. Window signs, or combination of window signs, including glass doors, which do not exceed 30% of the window area.
 18. One additional temporary freestanding Sign, not exceeding six (6) square feet in sign area per side, provided that no such signs shall exceed four (4) feet in height or be erected or placed within a public right-of-way. Such temporary signs are limited to no more than three (3) consecutive days, and forty eight cumulative days in a one-year period.
 19. Temporary freestanding or wall signs on properties or buildings for sale, lease, or rent:
 - A. Number: There shall not be more than one (1) temporary sign for each lot being advertised for sale, lease, or rent, except where a lot abuts two (2) or more streets, in which case one (1) such sign may be allowed for each abutting street frontage.
 - B. Residential Areas: In residential areas, such signs shall not exceed twelve (12) square feet in sign area.
 - C. Non-Residential Areas: In non-residential and multi-family (four-plex and greater) residential areas, such signs shall not exceed twenty five (25) square feet in sign area.
 - D. Location: Such signs shall be located only upon the premises for sale, lease, or rent, and shall be setback a minimum of ten feet (10') from an abutting property line, road right-of-way, or driveway.
 - E. Height: Such signs shall not project higher than seven feet (7'), as measured from preconstruction grade at the base of the sign and shall not project higher than the highest permanent freestanding sign on the property.
 - F. Special Conditions: Such signs shall be removed within seven (7) days of the sale, lease, or rental of the premises upon which the sign is located.
 20. Temporary freestanding signs on properties which are under construction, with a valid permit:
 - A. There shall not be more than one (1) temporary sign for each project or development, except that where a project or development abuts two (2) or more streets, one (1) sign may be allowed for each abutting street frontage.
 - B. Residential Areas: In residential areas, such signs shall not exceed twenty-five (25) square feet in sign area. Nonresidential Areas: In nonresidential areas, such signs shall not exceed fifty (50) square feet in sign area.

- C. Locations: Such signs shall be located only upon the premises upon which construction is about to occur or is occurring. Such signs shall be setback/offset a minimum of ten (10) feet from an abutting property line, road right-of-way, or driveway
- D. Height: Such signs shall not project higher than seven (7) feet, as measured from pre-construction grade at the base of the sign.
- E. Special Conditions: Such signs shall be permitted only as accessory to an approved building permit. Such signs may be erected and maintained for a period not to exceed thirty (30) days prior to the commencement of construction, and shall be removed within thirty (30) days of the termination of construction as determined by the Town of Lisbon.

- 21. Political campaign signs equal to or less than eleven (11) square feet in size shall be allowed in all zoning districts in compliance with Wisconsin State Statute 12.04 and which are not prohibited by Section 11.5(k) of this Chapter.

(m) PERMANENT SIGNS BY PERMIT

Permanent signs which are not exempt require permit approval. Permanent signs shall adhere to the following regulations:

- 1. See Table 11.5.1 for permanent sign regulations by district and by type.
- 2. Changeable Copy and Price Signs
 - A. Allowed ground, bulletin board, pedestal, or monument signs may incorporate a changeable copy sign, subject to the following:
 - i. Messages must be static for a minimum of eight (8) seconds.
 - ii. No flashing, blinking or, change of intensity of the light.
 - iii. All frames and/or messages changes should be instant but never longer than one (1) second.
 - iv. There shall be no more than one (1) scrolling message per sign.
 - B. Allowed ground and pedestal signs may incorporate a price sign, subject to the following:
 - i. Messages must be static for a minimum of one (1) hour.
 - ii. No flashing, blinking or, change of intensity of the light.
 - C. The sign face area of an incorporated changeable copy sign other than prices shall not exceed 28 square feet per sign face, or exceed 25% of total sign face area for pedestal or monument signs, whichever is less. Bulletin boards and grounds signs, as defined in this chapter, may incorporate all of the allowable sign face area.
 - D. The sign face area of an incorporated price sign shall not exceed 52 square feet per sign face, or exceed 40% of total sign face area for all signs, whichever is less, and shall be composed of multiple price changeable sign elements, but not including sign structural elements, none of which shall be greater than 2 sq ft. in area.
 - E. Any sign incorporating a changeable copy or price sign shall be located at least one hundred fifty feet (150') from another sign

containing changeable copy, except for bulletin boards, as defined in this chapter.

- F. Any sign incorporating a changeable copy sign shall not exceed an additional 0.5 foot candles of the ambient light level. Said brightness shall be measured at the nearest point to the travelling public or designated pedestrian route. Any sign containing a changeable copy sign shall be equipped with photo cell or computer driven software to control light level during operating period.
 - G. Scrolling message signs shall not be located within four hundred (400) feet of a residential zoned property
 - H. Scrolling message signs shall not face the long axis of the sign at residential zoned property.
 - I. Any sign incorporating a changeable copy sign or price sign is to be considered a single sign.
 - J. No changeable copy or price sign shall be allowed which is not incorporated into another sign, except for bulletin board and ground signs, as noted above.
3. Allowable deviations from sign standards

The Zoning Administrator may allow for a 20% change in any standard for any sign, or allow for additional signs, provided additional landscaping area of equal size to the additional sign(s) face area(s) to be added is installed on the business site. The landscaped area shall be 70% covered in decorative vegetation, 50% of which shall be evergreen. The landscaped area shall be bordered by an acceptable surround and shall be used to enhance the view of the property from any public right-of-way, at the Zoning Administrator's discretion. The landscaped area shall be in addition to and shall be maintained in the same manner as all other landscaping on the site and shall conform to any permit-specific and other Town regulations. Should additional landscape area not be feasible, a 3 foot high brick wall with coping shall be installed in the parking landscaping or perimeter buffer with a linear feet equal to the additional sign face area(s). Where site landscaping or screen walls are not possible, a 10% change in standards and one additional wall sign may be allowed at the Zoning Administrator's discretion and requirements.

(n) TEMPORARY SIGNS BY PERMIT

The following portable signs are allowed if granted a temporary permit and subject to the restrictions of this section;

- I. A-frame
 - A. One (1) A-frame sign per business or use shall be allowed by permit in the following districts;
 - i. B-1, B-2, B-3, B-4
 - ii. P-1
 - iii. PR
 - B. The sign shall not exceed 2.5 feet in width or four (4) feet in height.

- C. The sign shall not be permanently attached to the sidewalk and shall not be chained or attached to street trees, street furniture, or other structures or fixtures.
- D. The sign shall be displayed only during hours in which the business it advertises is open, and shall be located within ten (10) feet of the main building entrance.
- E. The sign shall be placed to allow at least three (3) feet of sidewalk width for pedestrian movement.
- F. A-frame sign permits expire in 12 months or when the associated business is no longer active. A-frame sign permits may be re-applied for at the end of each 12 month period.

2. Banner

- A. One (1) banner sign shall be allowed by permit in the following districts;
- B. The signs shall not be in place for a period of more than three (3) weeks.
- C. Each business or organization shall be limited to four (4) temporary banner sign permits for a Banner sign in any 12-month period.
- D. Signs shall be located on the premises of the related use.
- E. The sign shall not be chained or attached to street trees, street furniture, street fixtures or other permanent structures, other than the associated building.
- F. Banners shall not exceed 32 square feet in sign area.

3. Feather Signs

- A. One (1) feather sign shall be allowed by permit in the following districts:
 - iv. B-1, B-2, B-3, B-4
 - v. P-1
 - vi. PR
- B. The signs shall not be in place for a period of more than two (2) weeks,
- C. Each business or organization shall be limited to three (3) temporary sign permits for a feather sign in any 12 month period.
- D. Signs shall be located on the premises of the related use.
- E. The sign shall be connected to its own self-supporting structure which is not permanently affixed to the ground.
- F. Feather signs shall not exceed 12 square feet in sign area.

4. Roadside stand signs

- A. Signs associated with roadside stands as allowed in A-10, A-5, and A-3 zoning districts.
- B. Not to exceed twenty (20) square feet in area, may be erected and said sign shall be at least ten (20) feet from the edge of the road pavement.
- C. Roadside stand sign permits expire when the associated roadside stand is no longer active.

(o) EXISTING SIGNS

1. Existing Signs

- A. Existing signs which become nonconforming upon adoption of this ordinance shall not be reconstructed, remodeled, relocated or altered in any way unless such action will make the sign conforming in all respects with this ordinance (note: normal maintenance is permitted).
- B. A nonconforming sign or sign structure which is damaged may be restored only after the owner has shown that the damage did not exceed fifty (50) percent of the appraised value of the sign. If such sign or sign structure is destroyed, or damaged to an extent exceeding fifty (50) percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to the sign code. If restoration of a damaged sign is not completed within three (3) months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all specifications of this ordinance.

(p) DESIGN, CONSTRUCTION AND ERECTION STANDARDS

1. Structure Design

- A. Wind pressure. All signs shall be designed, constructed, erected and maintained to safely withstand wind pressure as specified by Wisconsin State Statute and applicable administrative code.
- B. The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry.
- C. Wall signs attached to the exterior of a building shall be anchored or attached in such a manner as to ensure its stability and safety.

2. Aesthetic Design

The sign's design shall fulfill the purpose cited in Section 11.5(a).

(q) MAINTENANCE AND REMOVAL OF SIGNS

The Town may cause any sign or other advertising structure that is, in their opinion, an immediate peril to persons or property, to be removed summarily and without notice. The owner of a sign shall keep it in good repair which includes restoring, repainting or replacement of a worn or damaged legally existing sign to its original condition; and shall maintain the premises on which the sign is erected in a clean, sanitary and inoffensive condition, free and clear of obnoxious substances, rubbish, weeds and grass.

1. Appearance Requirements

- A. The owner of a sign as defined and regulated by this ordinance shall be required to properly maintain the appearance of all parts and supports of their sign as directed by the Town.
- B. In the event that a sign owner does not provide proper sign maintenance within ten (10) days of receiving written notice to do so from the Town, the sign may be removed as provided in Section 11.5(q)2. of this ordinance.

2. Removal of Certain Signs And Billboards

- A. Any sign or billboard now or hereafter existing which no longer advertises a bonafide business or product, or which is dilapidated, in disrepair, unsafe, insecure, or has been constructed, erected or maintained in violation of the provisions of this ordinance, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which said sign may be found. If, within ten (10) days of receiving written notification from the Town, the sign owner fails to comply with such notice, the Town may remove such sign. Any expense incurred thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within thirty (30) days from the date of billing, then the costs and expenses incurred for such removal may be assessed against the real estate upon which said sign is located and collected as other taxes are collected on said real estate.
- B. Any sign that is constructed without a valid permit shall be removed promptly, unless a proper permit is obtained within five (5) days of receiving written notice of the illegal sign. In the event that the owner of such sign is not issued a permit, or fails to remove said sign in a prompt manner, the Town may remove such sign. Any expense incurred thereto shall be paid by the owner of the building or land to which said sign is attached. In the event such cost and expenses are not paid within ten (10) days from the date of billing, then the costs and expenses incurred for such removal may be assessed against the real estate upon which said sign is located, and collected as other taxes are collected on said real estate.
- C. In the event that the owner of an illegal sign cannot be ascertained by the Town, then notice as indicated in Section 13.15(c)(3) shall be given to the owner of the real estate upon which the sign is located. In the event that the owner of the real estate is not issued a proper permit, or does not remove the sign within ten (10) days of receiving written notice to do so, the Town of Lisbon may remove said sign. Any expense incurred thereto shall be paid by the owner of the building or land to which said sign is attached. In the event such cost and expenses are not paid within thirty (30) days from the date of billing, then the costs and expenses incurred for such removal may be assessed against the real estate upon which such sign is located, and collected as other taxes are collected on said real estate.
- D. The cost of removing or relocating signs located in the road right-of-way at a time when the road is proposed to be, or is being, widened, shall be removed or relocated at sign owner's expense.

(r) PENALTY & ENFORCEMENT

Any person, firm, company or corporation that knowingly violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture of not less than ten (\$10)

dollars nor more than two hundred (\$200) dollars for each offense, together with the costs of the action. Default of the payment may result in imprisonment. Each day that a violation exists shall constitute a separate violation, and shall be punishable as such.

SECTION 2: Various Sections of the Lisbon Zoning Code related to signs are hereby repealed and/or recreated as follows:

Table of Contents

Sec. 3m. Signs ~~(Reserved)~~

Sec. 5 ~~(Reserved) Signs~~

ADDENDUM A ~~Sign Ordinance, Chapter 13, General Code of Ordinances (Reserved)~~

SECTION 2 DEFINITIONS

~~**Sign** Any structure or device that draws attention to, conveys or displays visual advertising, messages, directions, invitations, announcements, or information in the form of lettering, logos, colors, lights, pictures, symbols, illuminated neon tubes, or other media, and the supporting structure either on the lot or on any other premises. Any object, device, display, structure, or part thereof which is designed to advertise, announce, direct, identify, or inform by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.~~

~~**Sign, Abandoned** A sign that no longer advertises a bonafide business, product, owner, lesser, or activity, or a sign for which the required fees have not been paid, or a sign that has not been maintained and is determined to be hazardous.~~

~~**Sign, Awning** A sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning.~~

~~**Sign, Banner** A sign intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, fabric or other similar material.~~

~~**Sign, Billboard (also Off-Premise Sign)** A sign that identifies, advertises or communicates a message related to a property, person, activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.~~

~~**Sign, Bulletin Board** A sign located on the premises of a charitable, religious, educational, institutional, or public body for the purposes of announcing events held on the premises. For the purpose of this ordinance, the Town of Lisbon's official bulletin boards may be located off-site.~~

~~**Sign, Canopy** A sign that is attached to, or made of, an awning, canopy, or other fabric, plastic, or structural protective cover located over a door, entrance, window, or outdoor service or recreation area.~~

~~**Sign, Changeable Message (also Electronic Message Board)** A sign such as a manual, electronic or electric controlled sign, message center, or reader board, where the copy or message can be electronically programmed and modified.~~

~~**Sign, Construction** A sign identifying individuals, companies, or agencies involved in the~~

~~design, construction, wrecking, financing, or development of a building/lot, and/or identifying the future use of a building/lot.~~

~~**Sign-Directional** A sign that directs the public to an establishment or organization off of the main traveled way, and/or a sign used solely to indicate driveway ingress and egress, and both of which contain no advertising material. A directional sign may be on-premise or off-premise.~~

~~**Sign-Directory** A sign that indicates the names of the occupants/tenants located on the premises.~~

~~**Sign-Double-Sided/Faced** A sign with copy on two parallel faces that are back-to-back and facing in opposite directions.~~

~~**Sign-Flashing** A sign whose illumination flashes on and off in a blinking manner with varying light intensity, color, direction, animation, wording, text, or that shows motion, the illusion of motion, or revolves creating the illusion of turning on and off. Illuminated signs that indicate the date, time and/or temperature are not considered flashing signs for the purpose of this ordinance if the remainder of the sign is kept at a constant intensity.~~

~~**Sign-Free Standing** A sign self-supported by one or more upright poles, columns, or braces placed in, upon or below the ground surface and not attached to any building or structure.~~

~~**Sign-Ground** A sign erected on the ground or on one or more freestanding supports or uprights on or attached to the ground and not attached to any building.~~

~~**Sign-Illuminated** A sign illuminated in any manner by an artificial light source, whether internal or external, whose primary purpose is to display or draw attention to said sign. For the purpose of this ordinance, illuminated signs include neon or other gas-tube signs.~~

~~**Sign-Marquee/Arcade** A sign attached to, painted on, or supported by a marquee that has its copy manually changed to reflect changes on the premises.~~

~~**Sign-Off-Premise (see Billboard Sign)**~~

~~**Sign-On-Premise** A sign that identifies, advertises or communicates a message related to a property, person, activity conducted, a service rendered, or a commodity sold at the same location where the sign is located.~~

~~**Sign-Portable** A sign not permanently affixed to the ground, a building, or other structure, and which may be moved from place to place.~~

~~**Sign-Projecting** A sign, other than a wall sign as defined in this ordinance, that is attached to and projects from an exterior wall or face of a building or structure, and is normally double-faced.~~

~~**Sign-Real Estate** A sign that is used to offer for sale, lease, or rent, the premises upon which such sign is placed.~~

~~**Sign-Roof** A sign which is located on, against, or projects directly above a roof or roof eave, or on top or above the parapet or on a functional architectural appendage above the roof or roof eave, or which is painted on or fastened to a roof.~~

~~**Sign-Subdivision-Entrance** A sign identifying the name of the subdivision at one or more of the entrances to the subdivision.~~

~~**Sign-Temporary** An informational sign, display, banner or other advertising device constructed of cloth, canvas, fabric, wood, or other temporary material, with or without a structural frame, and intended to be used only for a limited period of time as determined by the Town. For the purpose of this ordinance this includes decorative holiday displays, public demonstrations, and the like.~~

~~**Sign-Wall-Exterior** A sign painted directly on, or attached to, the exterior wall of a building, and parallel to the face of the building and supported throughout its length by the building.~~

~~**Sign-Wall-Interior** A sign or display attached to the interior wall of a building the purpose of which is to be readable from the exterior of building.~~

~~**Sign-Warning** A sign that is devoid of advertising material, whose sole purpose is to warn the public of the existence of, or potential for, danger.~~

~~**Sign-Window** A sign attached to, or painted, stenciled, or placed on, a window or door of a building that is intended for viewing from the exterior of the building.~~

Section 3.(b)5.E.

~~A rendering of all signs visible from the exterior, along with the location, dimensions, overall height, illumination, and colors of the signs, which shall comply with this ordinance and Chapter 13, Signs, of the Town of Lisbon General Code of Ordinances (refer to Addendum A) Location of signs, which shall be in accordance with Chapter 11 Section 5 Signs.~~

Section 4(h)5.D.

~~One (1) on-premise sign may be allowed provided that such sign is compatible with the residential use of the site and its surrounding areas and is not more than fifteen (15) square feet in size with letter sizes not less than five (5) inches in height and shall be in compliance with the regulations for a ground sign in the A-3/A-5/A-10/AD-10/ RD-5/EPD district standards in Chapter 11 Section 5 Signs.~~

Section 4(h)36.M

~~A Signage Plan shall be submitted to the Town Plan Commission for review and approval. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance, and the Town of Lisbon's Sign Ordinance, may be used by the Town Plan Commission in their review and approval of the Signage Plan in addition to the regulations contained in this Zoning Ordinance. Signage shall be in compliance with Chapter 11 Section 5 Signs.~~

Section 8(b)6.

~~Signs not to exceed forty (40) feet in area displaying the name of the farm or farm organization. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A). Signs shall be in accordance with Chapter 11 Section 5 Signs.~~

Section 10(c)2.

Signs displaying the name of the site or facility provided they are no greater than fifty (50) square feet in area. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A). Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 11.(c)4.

- A. Sign not to exceed twelve (12) square feet in area, displaying the name of the farm or farm organization. Signs shall be in accordance with Chapter 11 Section 5 Sign.
- B. Signs, including subdivision signs, shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A).

Section 11.(c)6.

- C. One temporary sign, not to exceed twenty (20) square feet in area, may be erected and said sign shall be at least ten (20) feet from the edge of the road pavement.

Section 12.(c)4.

- A. Sign not to exceed twelve (12) square feet in area, displaying the name of the farm or farm organization. Signs shall be in accordance with Chapter 11 Section 5 Sign.
- B. Signs, including subdivision signs, shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A).

Section 12.(c)6.

- C. One temporary sign, not to exceed twenty (20) square feet in area, may be erected and said sign shall be at least ten (20) feet from the edge of the road pavement.

Section 13(b)4.

Signs not to exceed forty (40) feet in area displaying the name of the farm or farm organization. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A). Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 13.(b)11.

- C. One temporary sign, not to exceed twenty (20) square feet in area, may be erected and said sign shall be at least ten (20) feet from the edge of the road pavement.

Section 14(b)4.

Signs not to exceed forty (40) feet in area displaying the name of the farm or farm organization. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A). Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 14.(b)9.

- C. One temporary sign, not to exceed twenty (20) square feet in area, may be erected and said sign shall be at least ten (20) feet from the edge of the road pavement.

Section 15(b)7.

A sign pertaining to the lease or sale of any building or land provided such sign does not exceed twenty (20) square feet in area. A sign not exceeding six (6) square feet in area may be maintained by the owner or occupant of any land or building for the purpose of displaying the name of the owner or occupant, or for the purpose of warning against trespasses. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A). Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 19(b)3.B.

A sign pertaining to the lease or sale of any building or land provided such sign does not exceed twenty (20) square feet in area. A sign not exceeding six (6) square feet in area may be maintained by the owner or occupant of any land or building for the purpose of displaying the name of the owner or occupant, or for the purpose of warning against trespasses. All signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A) Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 23.(c)2.

Signs displaying the name of the institution or facility provided they are no greater than fifty (50) square feet in area, and in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A) Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 24(b)3.

A. Non-illuminated signs and non-flashing but illuminated business signs. However, no sign shall include illuminating devices or be constructed of illuminated material or be specifically illuminated except by properly shielded cove or back lighting of a non-intermittent type on an opaque background, such source of light not to be more than two (2) feet from the vertical face to be illuminated.

B. No freestanding sign shall exceed a total height of twenty-five (25) feet, as measured from the ground, and shall not exceed 50 square feet in area. No ground sign shall exceed a total height of 10 feet, as measured from the existing grade, and said sign shall not exceed 50 square feet in area.

C. Only one (1) free-standing sign shall be permitted for each lot or parcel. However, the owner of a corner lot or parcel may, subject to plan commission review and approval, erect one freestanding sign for each abutting street.

D. All signs are subject to a Site Plan and Plan of Operation being submitted to, and approved by, the plan commission as to design, location, area, size, number, purpose and any other relevant factors affecting use of the property or any adjoining properties.

E. No sign attached to a building shall be higher than four (4) feet above the top of the roof line or in any case exceed thirty-five (35) feet in height.

F. All signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A), unless otherwise regulated in this subsection Signs shall be in accordance with Chapter 11 Section 5 Signs.

Section 30.(b)7.

Signs, either illuminated or non-illuminated, may be erected subject to Plan Commission approval as to design, location, area, size, number, purpose, and any other relevant factors affecting use of the property or any adjoining properties, and in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A) Signs shall be in accordance with Chapter 11 Section 5 Signs.

Repeal Addendum A and replace with "(Reserved)" in Table of Contents as well as at Addendum section.

SECTION 3: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

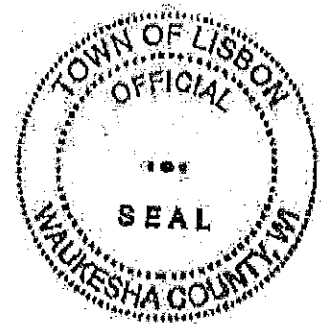
SECTION 4: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 22nd day of June, 2020.

TOWN BOARD,
TOWN OF LISBON
WAUKESHA COUNTY,
WISCONSIN

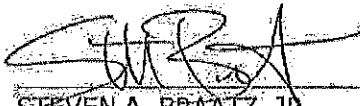
BY:



JOSEPH OSTERMAN, Chairman

ATTEST:

BY:



STEVEN A. BRAATZ, JR.

Interim Town Clerk-
Treasurer

Permanent Signs by Zoning District	Development Type	Allowable Sign Area (Sq. Ft.)	Allowable Sign Face Area (Sq. Ft.)	Minimum Setback (Feet)	Maximum Height (Feet)	Maximum Number	Additional Requirements
A-3/A-5/A-10/AD-10/RD-5/EFD							
Wall		+15% of Sign Face	6	n/a	n/a	1	
Ground		15/40	15/40	10	7	1 (on properties >= 20 acres)	40 sq. ft. allowable sign area for farm operations in A-10, A-5, and EFD districts, 15 sq. ft. in other districts or for other than farm operations
R-1/R-2/R-3/RD-5							
Monument	Residential subdivisions	32 - 50	32 - 50	10	7	2 per entrance	
RM							
Wall	MF Development w/4+ Unit Bldgs.	+15% of Sign Face	10	n/a	n/a	1	
Ground	Single Parcel w/4+ Unit Bldg.	+75% of Sign Face	32 +1' per additional 2' of setback, up to 50	10	7	1	
	MF Development w/4+ Unit Bldgs.	+75% of Sign Face	32 +1' per additional 2' of setback, up to 50	10	7	1 (or 1 monument sign)	
Monument	MF Development w/4+ Unit Bldgs.	32 - 50	32 - 50	10	7	1 (or 1 monument sign)	
B-2/B-3/B-4/M-1/Q-1							
Wall	Single-Tenant Properties	+15% of Sign Face	50 (or 85% of façade frontage, whichever is greater)		A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.	1	A wall sign may be located on the outermost wall of the principal building, but shall not project more than ten (10) inches from the wall to which the sign is to be affixed.
	Multi-Tenant (Shopping Center/Business Park) Properties	+15% of Sign Face	50 (or 85% of façade frontage, whichever is greater)		A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.	1 per tenant plus 1 per building side facing traffic	A wall sign may be located on the outermost wall of the principal building, but shall not project more than ten (10) inches from the wall to which the sign is to be affixed. The wall sign shall not be located any closer than 4 feet to the tenant's wall line. This 4 feet clear zone shall apply to each end of the wall sign. Therefore multi-tenant facades will have eight (8) feet of clear zone between tenant wall signs.
Projecting	Single-Tenant Properties	15	15		The minimum clearance to grade shall be eight (8) feet as measured from the lowest part of the sign. The maximum height shall not exceed fifteen (15) feet above the grade immediately below the projecting sign.	1	

Table 11.5.1

Permanent Signs by Zoning District	Development Type	Allowable Sign Area (Sq. Ft.)	Allowable Sign Face Area (Sq. Ft.)	Minimum Setback (Feet)	Maximum Height (Feet)	Maximum Number	Additional Requirements
	Multi-Tenant (Shopping Center/Business Park) Properties	15	15		The minimum clearance to grade shall be eight (8) feet as measured from the lowest part of the sign. The maximum height shall not exceed fifteen (15) feet above the grade immediately below the projecting sign.	1 per tenant	
Ground	Single-Tenant Properties	+75% of Sign Face	32 + 1' per additional 2' of setback, up to 50	10	7	1	
	Multi-Tenant (Shopping Center/Business Park) Properties	+75% of Sign Face	50 + 1' per additional 2' of setback, up to 100	10	7	1 (or 1 monument sign) per entrance	
Pedestal	Single-Tenant Properties	+85% of Sign Face	32 + 1' per additional 2' of setback, up to 50	10	30	1	
	Multi-Tenant (Shopping Center/Business Park) Properties	+85% of Sign Face	50 + 1' per additional 2' of setback, up to 100	10	30	1	
Monument	Single-Tenant Properties	60	60	10	7	1 (or 1 ground sign)	
	Multi-Tenant (Shopping Center/Business Park) Properties	60	60	10	7	1 (or 1 ground sign) per entrance	
P-I/PR							
Wall	Single-Tenant Properties	+15% of Sign Face	50 (or 85% of façade frontage, whichever is greater)		A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.	1	A wall sign may be located on the outermost wall of the principal building, but shall not project more than ten (10) inches from the wall to which the sign is to be affixed.
	Multi-Tenant (Institutional/Recreational Complex) Properties	+15% of Sign Face	50 (or 85% of façade frontage, whichever is greater)		A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.	1 per tenant plus 1 per building side facing traffic	A wall sign may be located on the outermost wall of the principal building, but shall not project more than ten (10) inches from the wall to which the sign is to be affixed. The wall sign shall not be located any closer than 4 feet to the tenant's wall line. This 4 feet clear zone shall apply to each end of the wall sign. Therefore multi-tenant facades will have eight (8) feet of clear zone between tenant wall signs.
Projecting	Single-Tenant Properties	15	15		The minimum clearance to grade shall be eight (8) feet as measured from the lowest part of the sign. The maximum height shall not exceed fifteen (15) feet above the grade immediately below the projecting sign.	1	

Table 11.5.1

Permanent Signs by Zoning District	Development Type	Allowable Sign Area (Sq. Ft.)	Allowable Sign Face Area (Sq. Ft.)	Minimum Setback (Feet)	Maximum Height (Feet)	Maximum Number	Additional Requirements
	Multi-Tenant (Institutional/Recreational Complex) Properties	15	15		The minimum clearance to grade shall be eight (8) feet as measured from the lowest part of the sign. The maximum height shall not exceed fifteen (15) feet above the grade immediately below the projecting sign.	1 per tenant	
Ground	Single-Tenant Properties	+75% of Sign Face	32 + 1' per additional 2' of setback, up to 50	10	10	1	
	Multi-Tenant (Institutional/Recreational Complex) Properties	+75% of Sign Face	50 + 1' per additional 2' of setback, up to 100	10	10	1 (or 1 monument sign) per entrance	
Monument	Single-Tenant Properties	60	60	10	7	1 (or 1 ground sign)	
	Multi-Tenant (Institutional/Recreational Complex) Properties	60	60	10	7	1 (or 1 ground sign) per entrance	

The Zoning Administrator may allow for a 20% change in any standard for any sign, or allow for additional signs, provided additional landscaping area of equal size to the additional sign(s) face area(s) to be added is installed on the business site. The landscaped area shall be 70% covered in decorative vegetation, 50% of which shall be evergreen. The landscaped area shall be bordered by an acceptable surround and shall be used to enhance the view of the property from any public right-of-way, at the Zoning Administrator's discretion. The landscaped area shall be in addition to and shall be maintained in the same manner as all other landscaping on the site and shall conform to any permit-specific and other Town regulations. Should additional landscape area not be feasible, a 3 foot high brick wall with coping shall be installed in the parking landscaping or perimeter buffer with a linear feet equal to the additional sign face area(s). Where site landscaping or screen walls are not possible, a 10% change in standards and one additional wall sign may be allowed at the Zoning Administrator's discretion and requirements.

Table 11.5.1

1 MODIFY THE 2020 DISTRICT ATTORNEY’S OFFICE BUDGET TO ACCEPT GRANT
2 AND DONATION REVENUE TO PURCHASE A COURTHOUSE FACILITY DOG
3

4 WHEREAS, the District Attorney’s Office Victim Assistance Program has developed a program
5 and policies for a facility dog to provide emotional support and comfort to crime victims; and
6

7 WHEREAS, courthouse facility dogs have been proven to help crime victims, particularly
8 children, navigate the stress of participating in the criminal justice system; and
9

10 WHEREAS, The Association of Prosecuting Attorneys (APA), a national association dedicated
11 to supporting and enhancing prosecutors in their efforts to create safer communities, supports the
12 use of facility dogs as a model practice for providing quiet companionship to vulnerable
13 individuals during the investigation and prosecution of crimes and other stressful legal
14 proceedings, and such dogs are operating in at least 38 states and other countries; and
15

16 WHEREAS, Journey Together Service Dog, Inc., an International Association of Assistance Dog
17 Partners accredited service dog training organization has committed to providing a fully trained
18 and graduated, 2 ½ year old labrador that will have passed its public access test and earned its
19 Canine Good Citizen and Canine Good Citizen Advanced (Community Canine) designations
20 from an American Kennel Club certified evaluator, and will provide a minimum of 24 hours of
21 training to Victim Assistance staff; and
22

23 WHEREAS, Journey Together Service Dog, Inc., will charge \$7,000 for the purchase of the dog
24 and accompanying training; and
25

26 WHEREAS, there will be additional costs for food, equipment, care, and supplies; and
27

28 WHEREAS, a Children’s Justice Act grant from the Wisconsin Department of Justice in the
29 amount of \$4,000 has been awarded to Waukesha District Attorney’s Office for food, equipment,
30 care and supplies for the dog; and
31

32 WHEREAS, the Waukesha Police Chief’s Association has committed a \$1,000 donation toward
33 the purchase of the facility dog; and
34

35 WHEREAS, the Wisconsin Department of Justice has approved the District Attorney’s request
36 to re-prioritize \$6,000 of existing Victim Assistance awarded VOCA grant funding for 2020-
37 2021 toward the purchase and care of the dog; and
38

39 WHEREAS, the dog purchase of \$7,000 will be classified as a fixed asset because the cost
40 exceeds \$5,000 with a multi-year useful life; and
41

42 WHEREAS, the District Attorney’s Office will need to transfer \$6,000 of existing VOCA-
43 funded budget authority from operating expenses to fixed assets to help pay for the facility dog,
44 with the additional \$1,000 of fixed assets funded with the donation revenue; and
45

46 WHEREAS, the remaining \$4,000 of grant funding will be budgeted for operating expenses to
47 care for the dog.
48

49 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
50 that the Waukesha County District Attorney's Office be authorized to accept the Children's
51 Justice Act grant and accept the Waukesha Police Chief's Association donation.

52
53 BE IT FURTHER ORDAINED that the Waukesha County District Attorney's Office budget be
54 modified by increasing general government revenues by \$4,000, other revenues by \$1,000,
55 operating expenses by \$4,000, and fixed assets by \$1,000 for the purpose of purchasing and
56 caring for a courthouse facility dog.

57
58 BE IT FURTHER ORDAINED THAT the Waukesha County District Attorney's Office 2020
59 budget be modified by transferring \$6,000 of operating expenditure authority to fixed assets for
60 the purpose of purchasing a courthouse facility dog.

61
62 BE IF FURTHER ORDAINED THAT a two-year pilot program for the courthouse facility dog
63 be established with renewal dependent upon the ability to raise non-levy funding for ongoing dog
64 expenses and adherence to county policies.

FISCAL NOTE

ACCEPT GRANT AND DONATION REVENUE AND MODIFY THE 2020 DISTRICT ATTORNEY’S OFFICE BUDGET TO PURCHASE A COURTHOUSE FACILITY DOG

This ordinance authorizes the District Attorney’s Office to accept a \$4,000 Children’s Justice Act grant from the Wisconsin Department of Justice and a \$1,000 donation from the Waukesha Police Chief’s Association. This ordinance uses this additional \$5,000 of grant and donation revenue to increase the District Attorney’s Office operating expense budget by \$4,000 and fixed asset budget by \$1,000.

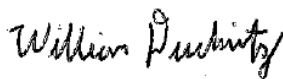
The purpose of this funding is to supplement \$6,000 of existing, base budget VOCA grant-funded expenditure authority that is being re-prioritized to purchase and care for a courthouse facility dog. The \$6,000 of VOCA funding is currently budgeted for operating expenses and is estimated to be available because of lower training and travel spending, partly due to the COVID-19 pandemic. However, the courthouse facility dog purchase will be classified as a fixed asset (over \$5,000 and a useful life exceeding one year), and this ordinance authorizes the transfer of \$6,000 of VOCA grant-funded operating expenditure authority to fixed assets to help cover most of the cost the dog purchase (the remainder coming from newly appropriated expenditure authority, funded with donation revenue—see table and footnote below).

<u>Item</u>	<u>Exp/Rev Category</u>	<u>Amount</u>
Revenue		
VOCA Grant (already in base budget)*	General Government	\$ 6,000
Children's Justice Act Grant	General Government	\$ 4,000
Waukesha Police Chief's Association*	Other Revenue	\$ 1,000
Total Revenues		\$ 11,000
Expenditures		
Purchase of Courthouse Facility Dog*	Fixed Assets	\$ 7,000
Food, Equipment, Care and Supplies	Operating Expenses	\$ 4,000
Total Expenditures		\$ 11,000

* The \$7,000 fixed asset budget includes \$6,000 transferred from estimated unspent operating expense appropriations and \$1,000 of new expenditure authority funded with a donation from the Waukesha Police Chief’s Association.

The total budget of \$11,000 is expected to be more than what’s needed to purchase and care for the courthouse facility dog through the remainder of the year. The department plans to request a carryover of any unspent funds into 2021 to help cover the cost of caring for the dog. After initial start-up costs, department management estimates that ongoing costs (e.g., food, supplies, medical care) could range from \$1,000 to \$2,200. The department does not intend or anticipate that this program will have any effect on tax levy, as there has already been interest from several other organizations to support this effort through donations, and ongoing costs may also be budgeted in the department’s annual VOCA grant budget. The initial purchase and care of the dog is covered with grant and donation revenue.

This ordinance also establishes a two-year pilot program for the courthouse facility dog, whereby renewal after two years will be dependent upon the ability to raise non-levy funds for the ongoing maintenance of the dog and adherence to county policies.



William P. Duckwitz
Budget Manager
11/2/2020
JE# 2020-00010594

MODIFY THE 2020 ACTIVE EMPLOYEE PROGRAM BUDGET IN THE HEALTH AND
DENTAL INSURANCE FUND

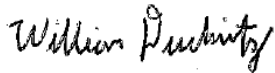
1
2 WHEREAS, Waukesha County established the Health and Dental Insurance Fund in the 2009
3 budget as an internal service fund to account for all claims and costs filed against and paid by the
4 county's self-funded insurance programs and the premiums and other revenues that fund these
5 claims expenses; and
6
7 WHEREAS, this fund includes an active employee health insurance program, which is funded
8 mostly through a premium share between employees and the county; and
9
10 WHEREAS, to guard against higher-cost individual health claims, the county purchases stop loss
11 insurance, which reimburses the county for individual claims expenses above \$425,000; and
12
13 WHEREAS, during 2020 the active employee health insurance program is estimated to be about
14 \$1.6 million over budget largely for higher-cost claims; and
15
16 WHEREAS, these claims can be funded with above-budget stop loss insurance reimbursements.
17
18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
19 that the 2020 Health and Dental Insurance Fund budget be modified by increasing operating
20 expenses \$1,600,000 and other revenues by \$1,600,000.

FISCAL NOTE

MODIFY THE 2020 ACTIVE EMPLOYEE PROGRAM BUDGET IN THE HEALTH AND
DENTAL INSURANCE FUND

This ordinance increases operating expense appropriations in the Health and Dental Insurance Fund Budget by \$1,600,000 to fund projected above-budget health claims expenses in the active employee health program. Projected above-budget claims expenses are largely due to higher-cost individual claims, for which the county receives a reimbursement from its stop loss insurance carrier for expenses above \$425,000. Within the active employee health program, the County has collected approximately \$2,150,000 in reimbursements to date. This ordinance increases the other revenue budget by \$1,600,000 for stop loss reimbursement revenues to cover this additional expenditure authority.

This ordinance is funded with projected above budget stop loss reimbursement revenues and does not result in any direct impact on tax levy.



William P. Duckwitz
Budget Manager
SMK
JE# 2020-00010618