

Enrolled Ordinance 172-02

AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE RELATING TO
CHAPTER 11, SECTIONS 26, 30, 31, 4(h)31, 32 AND 4(h)36 RELATIVE TO MINI-
WAREHOUSES/SELF SERVICE STORAGE UNITS (ZT-1701C)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on March 2, 2017, and

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

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that Chapter 11, Sections 26, 30, 31, 4(h)31, 32 and 4(h)36 of the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, relative to mini-warehouses/self service storage units, and more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference ZT-1701C, is hereby approved.

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

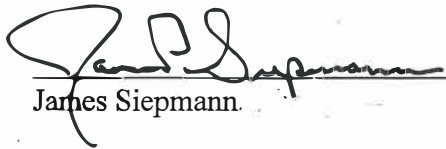
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

COMMISSION ACTION

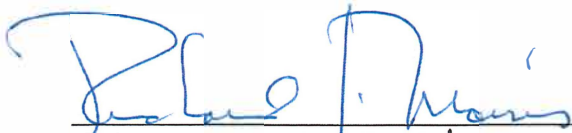
The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Code, hereby recommends **approval** of **(ZT-1701C Town of Lisbon Board – Text Amendment)** in accordance with the attached “Staff Report and Recommendation”.

PARK AND PLANNING COMMISSION

April 20, 2017


James Siepmann

Absent
Robert Peregrine (absent)


Richard Morris **CHAIRPERSON**


Robert Hamilton


William Mitchell


William Maslowski

Absent
Keith Hammitt (Absent)

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

FILE NO.: ZT-1701C

DATE: April 20, 2017

TAX KEY NO.: N/A

PETITIONER: Town Board of Lisbon
Town of Lisbon Town Hall
W234 N8676 Woodside Road
Lisbon, WI 53089

REQUEST:
Amendments to the Town of Lisbon Zoning Ordinance relative to Mini-Warehouses (Self Service Storage). Including, but not limited to, the addition Mini-Warehouses as Conditional Uses (Section 4(h)36) in certain zoning districts instead of allowing them as a permitted use in the B-3 District only.

PUBLIC HEARING DATE: March 2, 2017.

PUBLIC REACTION:
One member of the audience stated she had no problem with the amendments and thanked the Town's Community Assistance Planner for highlighting the changes on the website as it made for easy review. She also noted the Town's Land Division Ordinance referenced in the Zoning Ordinance is not on the website and asked if the Deputy Clerk would add that document to the website. The Town Engineer asked if the Quarrying District could be added to the list of zoning districts the use would be allowed in as a Conditional Use. The Town Fire Marshall's comments were also discussed and the Town Building Inspector indicated there are specific fire requirements and ADA requirements that mini-warehouse structures must comply with.

TOWN PLAN COMMISSION ACTION:
On March 2, 2017, the Town of Lisbon Plan Commission recommended approval of the proposed amendments to the Town of Lisbon Zoning Ordinance relating to mini-warehouse self-service storage structures to the Town Board with the following changes: Add Q-1 to the list of zoning districts the conditional use is allowed in. Summarize the list of Conditional Use requirements at the beginning of the section. Add subsections "Q" and "R". Replace "Town" approval with "Plan Commission" approval in all cases.

TOWN BOARD ACTION:
On March 2, 2017, the Town of Lisbon Board of Supervisors unanimously approved the amendments to the Town of Lisbon Zoning Ordinance relating to mini-warehouse self-service storage structures as recommended by the Town Plan Commission, adopted an Ordinance outlining the same, and provided a recommendation to the Waukesha County Board of Supervisors to approve of the same.

STAFF ANALYSIS:
When the Town prepared their updated Zoning Ordinance in 2010, they included mini-warehouse self-service storage units as a permitted use in the B-3 General Business District only. Over the past several years, the Town has received several requests for the use and is concerned about, and would like to be able to address, oversaturation of the use in the Town before it becomes an issue. Therefore, they are bringing forth the subject

amendments to their Zoning Ordinance to change this permitted use in one zoning district to a conditional use in several zoning districts. If approved, the Town will be able to better regulate the use in their community.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that the amendments to the Town of Lisbon's Mini-Warehouse Self Service Storage Regulations be **approved** in accordance with the Town Board's decision and Ordinance approved on March 2, 2017.

In the time that has passed since the Town's comprehensive rezoning effort in 2010, there have been several requests for this specific use in the Town. Thus, the Town is seeking to have better regulation over this special use in the form of a conditional use if it is going to continue to be a common request. Requiring a conditional use versus a permitted use will allow the Town to conditionally approve the use while implementing the purpose and intent of the Zoning Ordinance which is, in part, to guide the proper location of various land uses and promote orderly development in the Town, provide for adequate light, air, access, safety of public streets and from fire and other dangers, and preserve the general welfare of the community environment. Therefore, these amendments to the Town of Lisbon's Zoning Ordinance are consistent with the purpose and intent of the Zoning Ordinance as well as the Town's Comprehensive Development Plan.

Respectfully submitted,

Sandra L Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance 03-17
Exhibit "A" – Mini-Warehouse Self Service Storage amendments

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AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 11, SECTIONS 4(h)31, 4(h)36, 26, 30, 31, AND 32 OF THE TOWN OF LISBON CODE OF ORDINANCES PERTAINING TO SELF SERVICE STORAGE (MINI-WAREHOUSES).

WHEREAS, Pursuant to Wis. Stat. § 60.10(2)(c), 60.22(3), 60.61, 60.62(1), 61.35, 62.23(7)(d)2, and 66.0103, the Town of Lisbon adopted Chapter 11 of the General Code of Ordinances on January 25, 2010, as the "Town of Lisbon Zoning Ordinance" hereinafter referred to as the "Zoning Ordinance"; and

WHEREAS, From time to time the Town of Lisbon may make amendments to such Ordinance pursuant to Wis. Stat. § 62.23(7)(d)2; and

WHEREAS, The Town of Lisbon has proposed such amendments to Sections 4(h)31, 4(h) 36, 26, 30, 31, and 32 regarding self service storage (mini-warehouses) of the Zoning Ordinance, and the Town of Lisbon Plan Commission and Town Board held a joint public hearing on March 2, 2017 regarding such amendments, following the notice and procedures of Wis. Stat. § 985 and Section 35 and Section 36 of the Zoning Ordinance; and

WHEREAS, The Town Plan Commission has forwarded the proposed amendments to the Town Board of the Town of Lisbon with its recommendation that the amendments be approved; and

WHEREAS, Upon adoption of the Zoning Ordinance in 2010, a copy, in loose leaf and digital formats, was filed and certified by the Town Clerk, and such certified copy remains on file in the office of said Town Clerk, at W234 N8676 Woodside Road, Lisbon, WI, 53089, to be made available to persons desiring to examine the same during regular office hours and at all times while said Zoning Ordinance is in effect; and

WHEREAS, Any and all amendments, supplements, and changes to the Zoning Ordinance, including the amendments proposed herein, when adopted in such form as to indicate the intention of the Town Board to make them a part of the Zoning Ordinance, shall be deemed to be incorporated into such Zoning Ordinance so that reference to the Town of Lisbon Zoning Ordinance shall be understood and intended to include such amendments, supplements or changes. Whenever such amendments, supplements, or changes to the Zoning Ordinance are adopted, they shall thereafter be printed and inserted in the loose-leaf book containing said Zoning Ordinance as amendments, supplements, and changes thereto and also saved in digital format; and

WHEREAS, Sufficient copies of the Zoning Ordinance with its amendments, supplements, and changes thereto shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours, and/or maintained on the Town website, and the enactment and publication of this Ordinance as required by law, coupled with the availability of a copy of the Zoning Ordinance for inspection by the public, shall be deemed, held, and considered to be due and legal publication of all provisions of the Zoning Ordinance for all purposes.

NOW THEREFORE, THE TOWN OF LISBON BOARD OF SUPERVISORS ORDAINS, That pursuant to Wis. Stat. § 62.23(7)(d)2, the text of the Town of Lisbon Zoning Ordinance is hereby amended in accordance with the amendments on file with the Town Clerk, and hereby approves this Ordinance and directs the Town Clerk to file a certified copy of this Ordinance in the office of the Town Clerk.

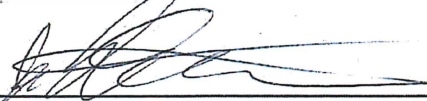
BE IT FURTHER ORDAINED, That all ordinances or parts of ordinances conflicting with or contravening with the provisions of this ordinance are hereby repealed.

BE IT FURTHER ORDAINED, That after acting on the Ordinance, the Town Board shall submit said Ordinance with the minutes of the public hearing(s) directly to the Waukesha County Department of Parks and Land Use for consideration by the County. Proof of publication of the notice of the public hearing(s) held by the Town shall be included with the Ordinance and minutes.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect upon passage and publication as required by law.

ADOPTED this 2nd day of March, 2017.

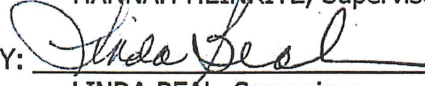
TOWN BOARD, TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman


BY: 
REBECCA PLOTECHER, Supervisor

BY: 
RYAN LIPPERT, Supervisor

BY: 
HANNAH HEIMRITZ, Supervisor

BY: 
LINDA BEAL, Supervisor

ATTEST:

BY: 
Matthew Janecke, Town Administrator/Clerk

**CHAPTER 11
TOWN OF LISBON ZONING ORDINANCE**

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APPENDIX 1 FEE SCHEDULE

FIGURE 1 Types of Subdivision Designs

NOTE: The Zoning Map is not attached to the Zoning Ordinance, but an official copy is on file at the Town Hall and is current as of the date of the most recent revision noted on the Zoning Map.

Drafted by the Waukesha County Department of Parks and Land Use

**Sandy Scherer, Senior Planner
Kim Meinert, Land Information Mapping Technician**

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this ordinance shall each be permitted to construct a building for use directly incidental and necessary to the use of the tower. Two or more users of the tower may each build a separate building or share a single building. Buildings constructed or used by tower co-locators shall be subject to conditions established for the Conditional Use Permit for the tower.

J. Conditional Use Permits issued hereunder shall identify the primary type or types of transmission equipment that is to be placed on the subject communication tower. Any communication tower on which the transmission equipment so identified is no longer placed or used for a continuous period of 12 months shall, upon notification by the Plan Commission, be removed by the property owner issued under this section. If the tower is not removed within 60 days of such notification, the Plan Commission may remove the tower at the expense of the property owner.

K. If required by the Town Attorney, upon approval or revised approval of the use, a Conditional Use Agreement in the form of a deed restriction shall be recorded in the Waukesha County Register of Deeds office and shall include all conditions of approval.

L. A building permit is required for all towers, appurtenances, and cabinets.

M. The intent of these regulations is not to prohibit communication towers that are otherwise allowed by the enactment of federal regulations governing the same.

30. Outdoor Commercial Recreation Facilities/Uses. This category includes facilities and uses listed as conditional uses in Section 4 (h) 10 of this ordinance and, without limitation because of enumeration, other uses open to the public such as amusement parks, water parks, batting cages, paintball ranges, laser tag ranges, orienteering, trampolines, racquet sports, athletic courts, stadiums, indoor/outdoor recreational facilities, etc. These types of uses may be allowed as conditional uses in the B-3, M-1, and M-2 zoning districts, subject to the regulations in Section 4 (h) 10 of this ordinance, and no such conditional use shall include the operation of a commercial facility such as a bar, restaurant, or arcade except as may be specifically authorized in the grant of a conditional use permit pursuant to Section 4 (h) 26.
31. Outdoor storage and display. In the B-4 and BP Districts subject to review and approval of plans as required. In all other districts, **unless otherwise stated**, where outdoor storage and display is a permitted use, the use is subject to review and approval of plans as required, but is not subject to a conditional use.
32. Drive through facilities. In the BP District subject to review and approval of plans as required. In all other districts where drive through facilities are a permitted use, the use is subject to review and approval of plans as required, but is not subject to a conditional use.
33. Truck terminals of any size, warehousing, distribution centers, storage facilities for distributors, and mail-order centers over 50,000 square feet or with more than 5 overhead doors. In the BP District subject to review and approval of plans as required. In all other districts where the uses are permitted uses, the uses are subject to review and approval of plans as required, but are not subject to a conditional use.
34. Factory Outlets and retail sales of products made onsite in the principal industrial operation. In the BP District subject to review and approval of plans as required. In all other districts where the uses are permitted uses, the uses are subject to review and approval of plans as required, but are not subject to a conditional use.

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35. General Sale of Industrial Products not listed as permitted uses in the BP District are subject to review and approval of plans as required. In all other districts where the uses are permitted uses, the uses are subject to review and approval of plans as required, but are not subject to a conditional use.
36. Self Service Storage (Mini-Warehouses): In the B-3, Q-1, M-1, and M-2 Districts. In all cases, in addition to satisfying the general requirements of Conditional Use submittals including, but not limited to, Sections 4(b) and 4(h), the following minimum requirements shall be met in order to grant the Conditional Use:
- A. The following is a summarized list of the required plans that must be submitted to the Town for review and approval by the Town Plan Commission for this use and are further detailed below.
 - i. Landscape and Maintenance Plan
 - ii. Screening, Berming, Wall, and Fencing Plan
 - iii. Exterior Lighting Plan; Photometric Plan
 - iv. State Approved Building Plans; Phasing Plan
 - v. Architectural Plan
 - vi. Parking, Circulation, and Maneuverability Plan
 - vii. Stormwater and Erosion Control Plan; Site Grading/Drainage Plan
 - viii. Signage Plan
 - ix. Waste Disposal and Recycling Plan
 - x. Outdoor Storage Plan
 - B. The use must be located on a collector or arterial street as defined in this Ordinance. In no case shall the use be located on a minor street as defined in this Ordinance. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance may be used by the Town Plan Commission in their review and approval of the overall Site Plan and development of the site in addition to the regulations contained in this Zoning Ordinance.
 - C. The use, upon review and approval, must be served with adequate public services as approved by the appropriate utilities, and the use must be able to be adequately served by Town services such as police, fire, etc.
 - D. The use must comply with the Town Comprehensive Development Plan and other adopted plans and be compatible, harmonious, and of general character and style with other properties in the area.
 - E. Landscaping treatments are required to be implemented in order to address the aesthetics of the site and the relationship of the use to the Town as a whole. A Landscape and Maintenance Plan shall be submitted for review and approval by the Town Plan Commission that treats the building foundation, parking area, and street frontage. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance may be used by the Town Plan Commission in their review and approval of the Landscape and Maintenance Plan in addition to the regulations contained in this Zoning Ordinance.
 - F. A planting screen, berming, walls, and/or fencing, as required and approved, shall be implemented in order to address the aesthetics of the site and the relationship of the use to adjacent properties in the area. A Screening, Berming, Wall, and Fencing Plan shall be submitted for review and approval by the Town Plan Commission.

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- G. Security measures and access control, as required and approved by the Town Plan Commission, shall be implemented in an effort to protect the site and reduce the potential for incident.
- H. An Exterior Lighting Plan shall be submitted for review and approval by the Town Plan Commission. A Photometric Plan may also be required by the Town Plan Commission upon request for review and approval. All lighting shall be directed downward and no lighting shall be directed onto adjacent properties or the roadways. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance may be used by the Town Plan Commission in their review and approval of the Exterior Lighting Plan in addition to the regulations contained in this Zoning Ordinance.
- I. State Approved Building Plans, as required, shall be submitted for review and approval by the Town Plan Commission and the Town Building Inspector. If phasing is proposed, a Phasing Plan shall also be submitted for review and approval by the Town Plan Commission. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance may be used by the Town Plan Commission in their review and approval of the Building Plans in addition to the regulations contained in this Zoning Ordinance and the Building Code.
- J. An Architectural Plan, with elevation renderings, interior floor plans, and illustrating the design and character of the proposed structure, shall be submitted for review and approval by the Town Plan Commission. The Plan Commission may impose architectural standards as deemed appropriate including, but not limited to, building materials, building colors, roof pitch, height, architectural breaks, etc. in addition to the regulations contained in this Zoning Ordinance.
- K. A Parking, Circulation, and Maneuverability Plan shall be submitted to the Town Plan Commission for review and approval. The Plan should include snow removal areas. Addendum A Supplemental Design Standards of the Town of Lisbon's Land Division and Development Ordinance may be used by the Town Plan Commission in their review and approval of the Parking, Circulation, and Maneuverability Plan in addition to the regulations contained in this Zoning Ordinance.
- L. A Stormwater and Erosion Control Plan in compliance with the Waukesha County Stormwater Management and Erosion Control Ordinance shall be submitted to the Town Plan Commission and Town Engineer for review and approval.
- 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.
- N. A Waste Disposal and Recycling Plan shall be submitted to the Town Plan Commission for review and approval. All containers shall be enclosed with lids that remain closed at all times and all containers shall be totally concealed or screened from public view with fencing, walls, and/or landscaping/planting screens approved by the Town Plan Commission.

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- O. The Town Plan Commission may consider Outdoor Storage on a case-by-case basis. If approved by the Town Plan Commission, an Outdoor Storage Plan shall be submitted for review and approval by the Town Plan Commission. In no case shall there be any display or sale of items on the site.
- P. The Conditional Use shall be reviewed on an annual basis or upon complaint, at which time the Town Plan Commission may consider termination of the Conditional Use in accordance with Section 4(g) of this Ordinance.
- Q. There shall be no commercial business activity or office use, either retail or wholesale, operated within any mini-warehouse facility or unit or on the property, other than a facility manager's office, if proposed on site; and there shall be absolutely no human habitation of any units in the form of a living unit. Per the definition in Section 2(b), the units shall be for personal storage purposes only.
- R. Other requirements as deemed necessary by the Town Plan Commission upon review of each specific request.

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SECTION 26 B-3 GENERAL BUSINESS DISTRICT

(a) **Purpose and Intent**

This District is intended to provide for business and trades of a more general nature and serving a larger trade area.

(b) **Permitted uses**

1. Any use as permitted in the B-2 local business district.
2. The following business and trades of a more general nature, normally serving a larger trade area, are permitted provided the location, building, and Site Plan and Plan of Operation are submitted to and approved by the plan commission:
 - A. Wholesalers and distributors.
 - B. Theaters, arcades, video game parlors, and other indoor amusement places.
 - C. Dry cleaning and dyeing establishments.
 - D. New and used automobile sales rooms and lots, sale of snowmobiles, personal watercraft, boats and marina equipment, along with repair and service shops for such equipment, storage yards and garages for said equipment, vehicles and supplies, and commercial truck parking, but in no case shall any of the above include the storage and/or sale of junked or wrecked vehicles, equipment, or parts.
 - E. Printing and publishing houses.
 - F. Dairies and bottling plants.
 - G. Laundries.
 - H. Lockers and cold storage plants.
 - ~~I. Self Service Storage (Mini-Warehouses)~~
 - ~~J.I.~~ Any similar use subject to the approval of the plan commission.
3. Signs as permitted in the B-1 Restricted Business District.
4. Accessory uses
 - A. Dumpsters and other refuse type containers shall be screened from view from streets and adjacent properties.
 - B. Roof mounted equipment shall be located, screened, and/or painted to minimize visibility from street and adjacent sites.
 - C. Outdoor storage and/or outdoor display subject to the approval of a Site Plan and Plan of Operation by the Town Plan Commission, except when accessory to a Self Service Storage (Mini-Warehouse) Conditional Use where it requires the approval of a Conditional Use.

(c) **Prohibited Uses**

1. Limited Family Businesses
2. Adult-Oriented Establishments

(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

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5. Commercial Kennels
6. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments
7. Bed and Breakfast
8. Cemeteries and Mausoleums
9. Contractor's Yard
10. Outdoor Commercial Recreation Facilities and Uses
11. Marinas
12. Commercial fish or bait ponds or hatcheries
13. Communication Towers
14. Mobile home parks and trailer camps
15. Testing laboratories
16. Motels and hotels
17. **Self Service Storage (Mini-Warehouses)**

(e) **Building location**

1. Setback: Fifty (50) feet minimum.
2. Offset
 - A. Buildings used solely for commercial purposes: Ten (10) feet minimum.
 - B. Buildings used in whole or part for residential purposes: Twenty (20) feet minimum.
3. Shore setback: Seventy-five (75) feet minimum.

(f) **Height regulations**

1. Principal building: Forty-five (45) feet maximum if a two story and fully exposed on at least one side of the building. Thirty-five (35) feet maximum if a one story with or without an exposure, or a two story with no exposure.
2. Accessory buildings: Fifteen (15) feet maximum.

(g) **Area regulations**

1. Floor area:
 - A. Minimum required for residential purposes: Nine hundred (900) square feet total. A minimum 440 square foot attached or detached garage is also required.
 - B. Buildings used for both residential and business purposes: Minimum fifteen hundred (1,500) square feet total.
 - C. Maximum F.A.R. permitted: Fifty (50) percent.
2. Lot size:
 - A. Minimum area: One acre with or without sewer.
 - B. Minimum average width: One hundred fifty (150) feet with or without sewer.
3. Open space: Fifteen thousand (15,000) square feet minimum.

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SECTION 30 Q-1 QUARRYING DISTRICT

(a) **Purpose and Intent**

This District is mainly intended to provide for limited A-3 agricultural/residential estate district uses and quarrying and quarry related operations.

(b) **Permitted Uses**

1. Any use as permitted in the A-3 agricultural/residential estate district, except family home day care and new residential dwellings of any type are prohibited. Signs shall be regulated in accordance with Section 30 (b) 7 below.
2. Quarrying, although permitted, shall be authorized as a conditional use under Section 4 (h) 25 of this Ordinance. By placing a property in this zoning category, it has been determined that the subject area is appropriate for such quarrying designation and the issuance of a conditional use permit to authorize the quarrying of the site shall be conditional on compliance with the standards and regulations as set forth in Section 4 (h) 25.
3. The following related operations where accessory to the permitted quarrying operation, subject to the regulations of Section 4 (h) 25:
 - A. The manufacture of concrete building blocks or other similar blocks.
 - B. Production of ready-mixed concrete.
 - C. Production of asphalt.
 - D. Stone cutting and crushing.
 - E. Recycling of asphalt and concrete.
4. Commercial Truck Parking
5. Outdoor display subject to the approval of a Site Plan and Plan of Operation by the Town Plan Commission, **except when accessory to a Self Service Storage (Mini-Warehouse) Conditional Use where it requires the approval of a Conditional Use.**
6. Adult-oriented establishments in accordance with Section 3 (s).
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).

(c) **Prohibited uses**

1. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels
2. Bed and Breakfast
3. Limited Family Business
4. Cemeteries and Mausoleums
5. Planned unit developments

(d) **Conditional Uses**

1. Public and semi public buildings and uses
2. Contractors yards
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Public and Commercial Disposal Operations for Noncombustible Materials
5. Private clubs and resorts

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6. Commercial fish or bait ponds or hatcheries
7. Communication towers
8. Testing laboratories
9. Quarrying
10. Self Service Storage (Mini-Warehouses)

(e) **Building location**

1. Setback:
 - A. Quarrying operations: As required by Section 4 (h) 25.
 - B. Other permitted uses: Fifty (50) feet minimum.
2. Offset:
 - A. Quarrying operations: As required by Section 4 (h) 25.
 - B. Other permitted uses: Twenty (20) feet minimum.
3. Shore Setback:
 - A. Quarrying operations: As required by Section 4 (h) 25.
 - B. Other permitted uses: Seventy five (75) feet minimum.

(f) **Height regulations**

1. Principal building: Forty-five (45) feet maximum if a two story and fully exposed on at least one side of the building. Thirty-five (35) feet maximum if a one story with or without an exposure, or a two story with no exposure.
2. Accessory buildings:
 - A. Quarrying operations: Sixty (60) feet maximum.
 - B. Other permitted uses: Fifteen (15) feet maximum.

(g) **Area regulations**

1. Floor area:
 - A. Minimum required for residence purposes:
 - i. First floor: Nine hundred (900) square feet.
 - ii. Total one (1) family: One thousand (1,000) square feet.
 - iii. Total two (2) families: One thousand eight hundred (1,800) square feet.
 - B. Maximum F.A.R. permitted:
 - i. Quarrying operations: As required by Section 4 (h) 25.
 - ii. Other permitted uses: Ten (10) percent.
2. Lot size:
 - A. Minimum area:
 - i. Other permitted uses: Three (3) acres.
 - ii. Quarrying operations: As required by Section 4 (h) 25.
 - B. Minimum average width:
 - i. Other permitted uses: Two hundred (200) feet.

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- ii. Quarrying operations: As required by Section 4 (h) 25.
3. Open space:
- A. Quarrying operations: As required by Section 4 (h) 25.
 - B. Other permitted uses: One (1) acre minimum per unit.

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SECTION 31 M-1 LIMITED INDUSTRIAL DISTRICT

(a) **Purpose and Intent**

This District is intended to provide for trades or industries of a restrictive character.

(b) **Permitted Uses**

1. Any use as permitted in a B-3 general business or A-3 agricultural/residential estate district, except that residential use shall be permitted only in conjunction with or accessory to an otherwise permitted business use, and two family uses, multi family uses, and family home day care facilities are prohibited. Signs shall be regulated in accordance with subsection 4 below. There shall be no limit on the number of bee colonies or bee hives in the M-1 district in accordance with the A-3 district apiculture requirements.
2. Trades or industries of a restrictive character which are not detrimental to the district or to the adjoining residential areas by reason of appearance, lighting, noise, vibrations, dust, smoke, fumes, odor, pollution, fire, or explosion provided the location, building plan, and a Site Plan and Plan of Operation have been submitted to and approved by the plan commission, but not including any use enumerated under Section 32 (b) 3 or any of the following prohibited uses:
 - A. Public and Commercial Disposal Operations for Noncombustible Materials.
 - B. Drop forges, foundries, refineries, tanneries, or any similar use, the normal operation of which causes objectionable noise, odor, dust, or smoke.
3. Outdoor storage and/or outdoor display subject to the approval of a Site Plan and Plan of Operation by the Town Plan Commission, **except when accessory to a Self Service Storage (Mini-Warehouse) Conditional Use where it requires the approval of a Conditional Use.**
4. Signs as permitted in the B-1 Restricted Business District.
5. Lumber and building supply yards.
6. Transportation terminals.
7. Animal Hospitals and Vet Clinics.
8. Car, truck, and trailer sales lots - new and used.

(c) **Accessory uses**

1. Dumpsters and other refuse type containers shall be secured from view from streets and adjacent properties.
2. Roof mounted equipment shall be located, screened and/or painted to minimize visibility from street and adjacent sites

(d) **Prohibited uses**

1. Bed and Breakfast
2. Limited Family Businesses
3. Adult-Oriented Establishments

(e) **Conditional Uses**

1. Public and Semi Public Buildings and Uses.
2. Single family residential Planned Unit Developments only, and mixed or commercial

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planned unit developments.

3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial fish or bait ponds or hatcheries
6. Communication Towers
7. Testing laboratories
8. Cemeteries and Mausoleums
9. Outdoor Commercial Recreation Facilities and Uses.
10. Commercial Kennel
11. Contractors Yards
12. Mobile home parks and trailer camps
13. Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
14. **Self Service Storage (Mini-Warehouses)**

(f) **Building location**

1. Setback: Fifty (50) feet minimum.
2. Offset: Ten (10) feet minimum.
 - A. **Exception**: where a lot abuts on a zoning district boundary line of a more restrictive zoning district permitting residential use, the following regulations shall apply:
 - i. Buildings or uses permitted in the more restrictive zoning district shall comply with the offset requirements of the more restrictive zoning district.
 - ii. Buildings or uses not permitted in the more restrictive zoning district shall provide a fifty (50) feet minimum offset and shall be screened from the more restrictive zoning district by a planting screen at least six (6) feet high and fifteen (15) feet in width.
3. Shore Setback: Seventy five (75) feet minimum.

(g) **Height regulations**

1. Principal building: Fifty (50) feet maximum.
2. Accessory building: Fifty (50) feet maximum.

(h) **Area regulations**

1. Floor area:
 - A. Minimum required for residence purposes: Nine hundred (900) square feet total.
 - B. Maximum F.A.R. permitted: Seventy (70) percent.
2. Lot size:
 - A. Minimum area: One (1) acre with or without sewer.
 - B. Minimum average width: One hundred fifty (150) feet with or without sewer.
3. Open space: No requirement.

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SECTION 32 M-2 GENERAL INDUSTRIAL DISTRICT

(a) **Purpose and Intent**

This District is intended to provide for trades or industries of a general character.

(b) **Permitted Uses**

1. Any use as permitted in the M-1 Limited Industrial District.
2. Quarrying, subject to a conditional use and the regulations of Section 4 (h) 25.
3. Any other commercial or industrial use not otherwise prohibited by law, provided their location, building plan, and a Site Plan and Plan of Operation have been submitted to and approved by the plan commission, except the following uses are prohibited:
 - A. Cement, lime, gypsum, or plaster of paris manufacture.
 - B. Acid manufacture.
 - C. Manufacture of explosives, but not including the making of small arms ammunition.
 - D. Storage of explosives, except as incidental to a permitted use.
 - E. Fertilizer manufacture.
 - F. Offal or dead animal reduction.
 - G. Glue manufacture, fat rendering, or distillation of bones.
 - H. Stockyards, or commercial slaughter of animals.
4. Outdoor storage and/or outdoor display subject to the approval of a Site Plan and Plan of Operation by the Town Plan Commission, **except when accessory to a Self Service Storage (Mini-Warehouse) Conditional Use where it requires the approval of a Conditional Use.**
5. Signs as permitted in the B-1 Restricted Business District.
6. Animal Hospitals and Vet Clinics

(c) **Accessory uses**

1. Dumpsters and other refuse type containers shall be secured from view from streets and adjacent properties.
2. Roof mounted equipment shall be located, screened, and/or painted to minimize visibility from street and adjacent sites.

(d) **Prohibited uses**

1. Bed and Breakfast
2. Limited Family Businesses
3. Adult-Oriented Establishments

(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.
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial fish or bait ponds or hatcheries
6. Communication Towers
7. Testing laboratories
8. Cemeteries and Mausoleums

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9. Outdoor Commercial Recreation Facilities and Uses.
10. Quarrying.
11. Public and Commercial Disposal Operations for Noncombustible Materials.
12. Commercial Kennels
13. Contractors Yards
14. Mobile home parks and trailer camps
15. Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
16. **Self Service Storage (Mini-Warehouses)**

(f) **Building location**

1. Setback:
Fifty (50) feet minimum, except that where the opposite frontage is in a residential or agricultural zoning district, then a one hundred (100) foot minimum setback shall be required.
2. Offset:
Ten (10) feet minimum, except that where a lot abuts on a zoning district boundary line of a more restrictive zoning district permitting residential use, the following regulations shall apply:
 - A. Buildings or uses permitted in the more restrictive zoning district shall comply with the offset requirements of the more restrictive zoning district.
 - B. Buildings or uses not permitted in the more restrictive zoning district shall provide a one hundred (100) foot minimum offset from a restricted or local business zoning district, and a two hundred (200) foot minimum offset from a residential or agricultural zoning district, and shall be screened from the more restrictive zoning district by a planting screen at least six (6) feet high and fifteen (15) feet in width.
3. Shore Setback: Seventy five (75) feet minimum.

(g) **Height regulations**

1. Principal building: Fifty (50) feet maximum.
2. Accessory buildings: Fifty (50) feet maximum.

(h) **Area regulations**

1. Floor area:
 - A. Minimum required for residential purposes: Nine hundred (900) square feet total.
 - B. Maximum F.A.R. permitted: Seventy (70) Percent.
2. Lot size:
 - A. Minimum area: One (1) acre with or without sewer.
 - B. Minimum average width: One hundred fifty (150) feet with or without sewer.
3. Open space: No requirement.

**CHAPTER 11
TOWN OF LISBON ZONING ORDINANCE**

(g) **Adoption**

Passed and adopted by the Town Board of Supervisors of the Town of Lisbon, Waukesha County, Wisconsin, this 23rd day of March, 2010 (refer to ordinance attached).

(h) **Official Revisor and Editor**

The Town Clerk, or his or her designee, shall be the official revisor and editor of this Ordinance and is authorized to revise this Ordinance in accordance with any enrolled ordinance. The Town Clerk is hereby authorized to correct any typographic or punctuation errors, make changes to the numbering sequence, lettering, organization, or formatting or capitalization of words of an enrolled ordinance or these Ordinance sections, as needed, to create a consecutive sequence and orderly format of the Ordinance, and change cross references that affected by amendments to the Ordinance. The Town Clerk is further authorized to change statutory references when said references are affected by subsequent legislation.

Editor's Notes:

July 14, 1958 Town of Lisbon Zoning Ordinance and Subdivision Control Ordinance

List of subsequent amendments to the Zoning Ordinance (enrolled town ordinance number) and their effective date:

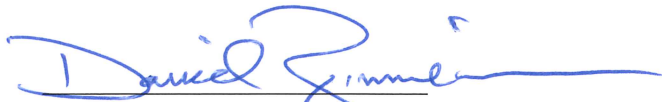
<u>Enrolled Town Ordinance Number</u>	<u>Effective Date/Date Ordinance signed</u>
02-10	March 23, 2010
Editor's revisions	August 17, 2011
07-12	_____, 2012
03-15	December 14, 2015
03-17	March 2, 2017

Unless otherwise stated in the text, the Wisconsin State Statute references are current as of 2003-2004.

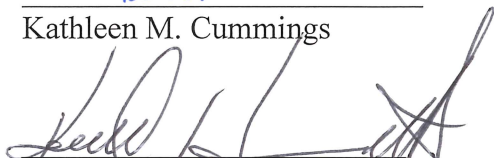
The Zoning Map is not attached to the Zoning Ordinance, but an official copy is on file at the Town Hall and is current as of the date of the most recent revision noted on the Zoning Map.


AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE RELATING TO
CHAPTER 11, SECTIONS 26, 30, 31, 4(h)31, 32 AND 4(h)36 RELATIVE TO
MINI-WAREHOUSES/SELF SERVICE STORAGE UNITS (ZT-1701C)

Presented by:
Land Use, Parks, and Environment Committee

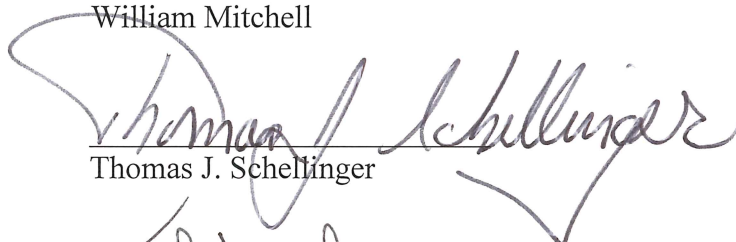

David D. Zimmermann, Chair

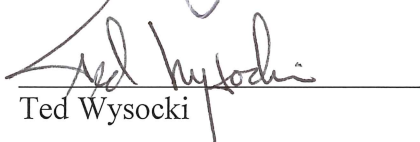
ABSENT
Kathleen M. Cummings


Keith Hammitt



Robert L. Kolb

ABSENT
William Mitchell


Thomas J. Schellinger


Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: _____, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 5/30/17 , 
Paul Farrow, County Executive

D1 - Kolb	AYE	D14 - Wood	AYE
D2 - Zimmermann	(M) AYE	D15 - Mitchell	Absent
D3 - Morris	AYE	D16 - Crowley	AYE
D4 - Batzko	(2) AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Zaborowski	AYE
D9 - Heinrich	AYE	D22 - Wysocki	AYE
D10 - Swan	AYE	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Whittow	AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

172-0-002

Passed (24 Y - 0 N - 1 Absent)

Majority Vote

