



Preserving Yesterday's Heritage for Tomorrow.

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

ORDINANCE # 2014-8

An Ordinance to Amend Chapters 108 Building Construction, 184 Land Division, and 320 Zoning of the Code of Ordinances regarding the adoption and implementation of the Town of Cedarburg Design Guidelines and Standards in the Town of Cedarburg, Ozaukee County, Wisconsin.

WHEREAS, the Town of Cedarburg has planning documents and regulations to insure adequate guidelines and standards of planning and construction in accordance with the Comprehensive Plan, Comprehensive Park Plan, and Five Corners Master Plan as authorized under Wisconsin Statute Section 62.23;

WHEREAS, the Town Plan Commission has considered, reviewed and drafted design guidelines and standards to further such Plans and provide greater detail in the planning and construction for new developments and new structures of commercial, multi-family, senior care, institutional and government facilities, which will, in accordance with existing and future needs, promote the health, safety and general welfare, as well as promote efficiency and economy in the process of development, and conserve the value of lands and buildings so that the Town develops in a manner consistent with its heritage and vision of the future;

WHEREAS, the Plan Commission has reviewed the Town Code regarding relating to design standards, has reviewed this ordinance, and has made a favorable recommendation to the Town Board for its adoption;

WHEREAS, the Town Board held a public hearing regarding the proposed amendments, a notice of which was published twice, once at least ten days prior to the date of the hearing,

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Chapters 108, 184, and 320 of the Town of Cedarburg Code of Ordinances are hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 108-5. G. Building permits and inspection is hereby amended to read:

G. Site plan approval. All applications for building permits for any construction, reconstruction, expansion or conversion, except for one-and two-family residences in residentially zones districts, shall require site plan approval by the Plan Commission and Town Board in accordance with Article XII of the Zoning Code. As a part of said site plan approval requirement, any building permit application for construction, except in an industrial zoned district, of new developments and/or new structures shall comply with the design standards as set forth in §320-10. J. of the Zoning Chapter and conform to the applicable standards of the Town of Cedarburg Design Guidelines and Standards Manual.

§ 108-6. F. is hereby created to read:

F. Town of Cedarburg Design Guidelines and Standards adopted. The standards of the Town of Cedarburg Design Guidelines and Standards in accordance with Articles II and XII of the Zoning Code are adopted by reference and made a part of this chapter.

§ 184-14. A. is hereby amended to read:

A. Nonresidential subdivisions. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the Town may require. A nonresidential subdivision shall also be subject to all the requirements of site plan approval, and the design guidelines and standards, set forth in the Zoning Code. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Town, and shall conform to the proposed land use standards established by the Comprehensive Land Use Plan, Official Map and Zoning Code.

§ 320-10 J. is hereby created to read:

J. Town of Cedarburg Design Guidelines and Standards.

- (1) Required. All persons, firms, entities, or associations needing site plan approval for a new development and/or new structure used for commercial, multi-family, senior care, institutional or government facilities, shall comply with the requirements of the zoning permit application as set forth in § 320-16, the design standards for such new development and/or new structure under this subsection, and the Town of Cedarburg Design Guidelines and Standards manual adopted by the Town Board. To the extent any provision of this subsection, said manual or any other ordinance conflicts, then this subsection shall apply.
- (2) Exceptions. The standards set forth hereunder and of the Town of Cedarburg Design Guidelines and Standards which is drafted in accordance with this Article II of the Zoning Code do not apply to one-family and two-family residences in residentially zones districts, and to other non-residential building and structures which exist as conforming or legally non-conforming uses, buildings and structures in the Town.
- (3) Multi-Family Residential & Senior Care Facilities Standards. Multi-family is defined as multiple separate housing units for residential (i.e. non-commercial) inhabitants contained within one building or several buildings within one complex. A Senior Care facility is

defined as a facility that fulfills the special needs and requirements that are unique to senior citizens.

(a) Building Placement Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1. Buildings shall be placed parallel to the street edges when physically possible, or perpendicular to the street if arranged around a courtyard or other open space.
- 1.2. When located within the Town Center Overlay District, buildings shall be placed close to the right-of-way when possible to help create a sense of pedestrian friendliness and accessibility.
- 1.3. If buildings are substantially setback from the street, decorative fences, walls and/or landscape elements shall be used to hide parking lots and vehicles from view and maintain the privacy of residential units.

(b) Parking and Circulation Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 Parking shall not be located in the front yard in the Five Corners Town Center Overlay District. Street facing garage doors are not allowed in the Five Corners Town Center Overlay District; they are strongly discouraged in other areas of Town.
- 1.2 Detached garages shall be designed and constructed of like materials of the principal structure.
- 1.3 Parking lots shall not be placed at street corners.
- 1.4 Parking lots shall be screened from adjacent streets, public spaces and residential uses by use of landscaping, decorative fences/garden walls and or low berms.
- 1.5 Berms shall not exceed three feet above the centerline of the road, and must be landscaped for at least 75% of their length.
- 1.6 Stormwater detention devices (i.e. ponds and outfalls) shall be landscaped with planting beds and bushes for at least 50% of their circumference.
- 1.7 Pedestrian walks at least four feet in width are required for developments within the Town Center Overlay District. Acceptable materials include concrete, brick, stone (no loose aggregate) or wood (natural or man-made). These walks shall be planned to connect to existing or planned future walks on adjacent properties and the Town pedestrian/bicycle network.

(c) Service and Loading Areas Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 Service and utility areas shall be inside the building or located at the rear of the building and screened from the public view with fencing and/or solid evergreen landscaping.
- 1.2. Dumpsters shall be completely screened from view by brick, stone, or wood fencing (natural or man-mad).

- 1.3. Utility service lines shall be buried and located at the rear or side lot lines. Meters, transformers, AC units, and fuel tanks shall be completely screened from public view with decorative fencing, walls and/or solid evergreen landscaping if at ground level, or completely screened from public view with a decorative enclosure to mimic other materials used on the façade if on the roof of the building.

(d) Landscape Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 A landscape plan shall be submitted with new buildings, additions, or building remodel.
- 1.2 Paved parking areas shall be landscaped with a minimum of 4 trees for every 20 stalls; paved parking areas less than 20 stalls must have at least 4 trees. Trees shall be at least 2 inch caliber and at least 4 feet tall at time of planting. Plantings shall be planted in and around the paved area with emphasis on screening of surface lots from adjacent uses and public streets.
- 1.3 A minimum of 50% of the street facing facades shall contain foundation plantings and at least 1 tree shall be planted per 50 feet of lot street frontage.

(e) Architecture Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 Buildings shall be designed to give the building scale and visual appeal.
- 1.2 Elevations shall contain features that add depth and avoid the appearance of flat residential facades.
- 1.3 New construction shall take into account the scale and character of any historic buildings in the adjacent area.
- 1.4 New buildings and additions shall be designed with simple rectangular volumes; cylindrical, pyramidal, and other elaborate forms as the main building are not allowed.

(f) Entryway Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 The primary building entrance shall be easily identified through the use of architectural details and/or other treatments such as awnings, canopies or porches.
- 1.2 Buildings located at the intersection of roadways shall be designed with angled entrances at the corner.

(g) Signage and Lighting Standards of Multi-Family Residential & Senior Care Facilities:

- 1.1 Signage shall not be internally illuminated box signage. Internally illuminated box signage existing at the time of adoption of these guidelines and standards is considered legal/existing nonconforming, however, if the sign is replaced or a new sign face is desired, an internally illuminated box sign is no longer allowed. The only internally illuminated signage allowed is individual letters/logos.

1.2 The brightness of signage and other lighting must meet Town Code specifications.

(h) Material and Color Standards of Multi-Family Residential & Senior Care Facilities:

1.1 Acceptable materials for all sides of buildings (aside from glass windows) include common size brick, natural stone (i.e. limestone, fieldstone, lannon stone), cement board siding, wood siding, and man-made brick, stone, wood, stucco, or EIFS.

1.2 Building color shall avoid the use of purple, pink and fluorescent colors, except for as accents on awnings and other decorative features.

1.3 When a rear façade faces a street, the rear façade shall be designed as a front façade.

1.4 Acceptable roofing materials include clay tiles, wood shingles, slate, asphalt shingles, and metal. "Green roofs" composed of organic materials are an acceptable option in new construction.

(4) Commercial/Mixed Use Design Standards. These standards apply to new developments and proposed structures on properties with B-1, B-2, B-3, and M-2 zoning. They also apply to all other parcels, regardless of zoning district, that fall within the Town Center Overlay District (TCOD), whether or not they use the TCOD process, to ensure that all developments and redevelopments in this area occur in a consistent fashion. They also apply to Planned Unit Developments anywhere in the Town regardless of zoning.

(a) Building Placement Standards of Commercial/Mixed Use Facilities:

1.1. Buildings shall be oriented towards adjacent public streets, courtyards and other public spaces.

1.2. Buildings shall be placed parallel to the street edges, or perpendicular to the street if arranged around a courtyard or other open space.

1.3. When located within the Town Center Overlay District, buildings shall be placed close to the right-of-way when possible to create a sense of pedestrian friendliness and accessibility.

1.4. If parking is located between the building and the street, see-through decorative fences not taller than four feet, walls not taller than four feet, and/or landscape elements not taller than four feet shall be used to hide parking lots and vehicles from view.

(b) Parking and Vehicle/ Pedestrian Circulation Standards of Commercial/Mixed Use Facilities:

1.1 Parking lots shall not be placed at street corners.

1.2 Parking shall not be located in the front yard in the Town Center Overlay District (TCOD).

- 1.3 In general, parking lots shall be screened from adjacent streets, public spaces and residential uses by decorative fences, walls and/or landscape elements no taller than four feet in height.
- 1.4 Pedestrian walks at least four feet in width are required for developments within the Town Center Overlay District. Acceptable materials include concrete, brick, stone (no loose aggregate) or wood (natural or man-made). These walks shall be planned to connect to existing or planned future walks on adjacent properties and the Town pedestrian/bicycle network.

(c) Service and Loading Area Standards of Commercial/Mixed Use Facilities:

- 1.1 Service, loading and utility areas shall be inside the building or located at the rear of the building and completely screened on all sides from the public view with decorative fences, walls and/or solid evergreen landscaping.
- 1.2 Street facing garage doors are not allowed on new developments.
- 1.3 Dumpsters shall be completely screened on all sides from view by brick, stone, or wood fencing (natural or man-made); the enclosure could be further screened by evergreen plantings.
- 1.4 Utilities shall be buried and located at the rear or side lot lines. Meters, transformers, AC units, and fuel tanks shall be completely screened from public view with decorative fencing, walls and/or solid evergreen landscaping if at ground level, or completely screened from public view with a decorative enclosure to mimic other materials used on the façade if on the roof of the building.

(d) Landscape Standards of Commercial/Mixed Use Facilities:

- 1.1 A landscape plan shall be submitted with new buildings, additions, or building remodel.
- 1.2 Paved parking areas shall be landscaped with a minimum of 4 trees for every 20 stalls; paved parking areas less than 20 stalls must have at least 4 trees. Trees shall be at least 2 inch caliber and four feet in height at time of planting.
- 1.3 Plantings shall be placed in and around the paved area with emphasis on screening of surface lots from adjacent uses and public streets and breaking up large contiguous paved areas.
- 1.4 Detention and retention ponds that are visible from the road or parking lot must be landscaped with planting beds and/or bushes for at least 50% of their circumference.

(e) Architecture Standards of Commercial/Mixed Use Facilities:

- 1.1 Buildings shall be designed to give the building scale and visual appeal. All facades visible from a street, parking or walkway shall contain features that add depth and avoid the appearance of flat facades.
- 1.2 Any flat roofs must be completely shielded from view by architectural facades, and rooftop mechanical equipment shall be screened from view.

- 1.3 Buildings located at street corners shall define the intersection with distinctive architectural character with features such as towers and recessed entries.
- 1.4 Building scale and height shall be compatible with that of adjacent residential units when such parcels abut.

(f) Entryway Standards of Commercial/Mixed Use Facilities:

- 1.1 The primary building entrance shall be easily identified through the use of architectural details and/or other treatments such as steps, porches, stoops, bays, canopies, awnings, and balconies.

(g) Signage and Lighting Standards of Commercial/Mixed Use Facilities:

- 1.1 Signage shall not be internally illuminated box signage. Internally illuminated box signage existing at the time of adoption of these guidelines and standards is considered legal/existing nonconforming, however, if the sign is replaced or a new sign face is desired, an internally illuminated box sign is no longer allowed. The only internally illuminated signage allowed is individual letters/logos.
- 1.2 The brightness of signage and lighting must meet Town Code specifications.

(h) Material and Color Standards of Commercial/Mixed Use Facilities:

- 1.1 Acceptable materials for all sides of buildings (aside from glass windows) include common size brick, natural stone (i.e. limestone, fieldstone, lannon stone) and wood, cement board siding, and man-made brick, stone, wood, stucco, or EIFS. The use of corrugated metal, reflective glass, aluminum, and narrow guage vinyl is not allowed.
- 1.2 Building color. Building color shall avoid the use of purple, pink and fluorescent colors, except for as accents on awnings and other decorative features.
- 1.3 When a rear façade faces a street, the rear façade shall be designed as a front façade.
- 1.4 Roof materials. Acceptable roofing materials include clay tiles, wood shingles, slate, asphalt shingles, and metal. "Green roofs" composed of organic materials are an acceptable option in new construction.

(i) Outdoor Space and Amenity Standards of Commercial/Mixed Use Facilities:

- 1.1 When on-site green spaces and public/private amenities are incorporated into a site plan, they shall be designed so as to connect to current and possible future amenities on neighboring properties such as seating areas, water features and courtyards with walkways at least four feet wide.
- 1.2 Pedestrian walkways shall be constructed of concrete, brick, stone (no loose aggregate) or wood (natural or man-made).

(5) Institutional & Governmental Facilities Standards. These standards apply to new developments and proposed structures of government and institutional facilities including but not limited to schools, colleges, churches and hospitals, regardless of zoning or location within the Town.

(a) Building Placement Standards of Institutional & Governmental Facilities:

- 1.1. Buildings shall be oriented towards and respond to adjacent public streets, courtyards and other public spaces.
- 1.2. Elements such as decorative fences, walls and/or landscape are required to buffer the use from adjacent uses and the roadway.

(b) Parking & Circulation Standards of Institutional & Governmental Facilities:

- 1.1 Parking lots and driveways shall not be placed at street corners.
- 1.2 Parking lots and driveways shall be bordered by planting beds and/or decorative fences/garden walls for at least 40% of their length to provide screening from adjacent streets, public spaces, and residential uses.
- 1.3 Parking structures are limited to three levels or the height of the highest principal structure and must have a façade constructed of the same materials as the buildings.
- 1.4 Pedestrian walks connecting parking lots to buildings and public spaces shall be incorporated into all site plans and must be of a solid surface (no dirt or gravel etc.).

(c) Service and Loading Area Standards of Institutional & Governmental Facilities:

- 1.1 Service, loading and utility areas shall be inside the building or located at the rear of the building and screened on all sides from the public view with decorative fences, walls and/or solid evergreen landscaping.
- 1.2 Dumpsters shall be completely screened on all sides from view by brick, stone, or wood fencing (natural or man-made); the enclosure could be further screened by evergreen plantings.
- 1.3 Utilities shall be buried and located at the rear or side lot lines. Meters, transformers, AC units, and fuel tanks shall be completely screened from public view with decorative fencing, walls and/or solid evergreen landscaping if at ground level, or completely screened from public view with a decorative enclosure to mimic other materials used on the façade if on the roof of the building.

(d) Landscape Standards of Institutional & Governmental Facilities:

- 1.1 A landscape plan shall be submitted with new buildings, additions, or building remodel.
- 1.2 Plantings shall be placed in and around the paved area with emphasis on screening of surface lots from adjacent uses and public streets and breaking up large contiguous paved areas.

- 1.3 Adjacent properties shall be screened with dense landscaping such as tree plantings, shrubs, garden walls, hedges, fences and berms. Trees shall be at least three inch caliper and four feet tall at planting, and shrubs at least three feet tall at planting.

(e) Architecture and Entryway Standards of Institutional & Governmental Facilities:

- 1.1 Buildings shall be designed to give the building scale and visual appeal. Facades are encouraged to contain features that add depth and avoid the appearance of flat facades.
- 1.2 Corner buildings (corners of public roads) shall define the intersection with distinctive architectural character.
- 1.3 Mechanical equipment shall be screened from public view.
- 1.4 The primary building entrance shall be easily identified through the use of architectural details and/or other treatments such as steps, porches, stoops, bays, canopies, awnings, and balconies.

(f) Signage and Lighting Standards of Institutional & Governmental Facilities:

- 1.1 Signage shall not be internally illuminated box signage. Internally illuminated box signage existing at the time of adoption of these guidelines and standards is considered legal/existing nonconforming, however, if the sign is replaced or a new sign face is desired, an internally illuminated box sign is no longer allowed and signs must be upgraded to meet current sign code. The only internally illuminated signage allowed is individual letters/logos.
- 1.2 The brightness of signage and lighting must meet Town Code specifications.

(g) Material and Color Standards of Institutional & Governmental Facilities:

- 1.1 Building materials. Acceptable materials for all sides of buildings (aside from glass windows) include common size brick, natural stone (i.e. limestone, fieldstone, lannon stone) and wood, cement board siding, and man-made brick, stone, wood, stucco, or EIFS. The use of reflective glass and aluminum is prohibited unless for decorative use and consisting of less than 20% of the façade area.
- 1.2 The use of corrugated metal and narrow guage vinyl is not allowed.
- 1.3 Building color shall avoid the use of purple, pink and fluorescent colors, except for as accents on awnings and other decorative features.
- 1.4 When a rear façade faces a street, the rear façade shall be designed as a front façade.
- 1.5 Acceptable roofing materials include clay tiles, wood shingles, slate, asphalt shingles, and metal. "Green roofs" composed of organic materials are an acceptable option in new construction.

(h) Outdoor Space and Amenity Standards of Institutional & Governmental Facilities:

- 1.1 The creation of on-site green spaces and public/private amenities is encouraged.
- 1.2 When on-site green space and public/private amenities are incorporated into site plans, they shall be designed so as to connect to current and possible future amenities on neighboring properties such as seating areas, water features and courtyards with walkways at least four feet wide.
- 1.3 Pedestrian walkways shall be constructed of concrete, brick, stone (not loose aggregate) or wood (natural or man-made).

§ 320-19. B-1 Neighborhood Business District. A. is hereby amended to read:

A. Statement of purpose. The B-1 Neighborhood Business District is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood, and the character, appearance, and operation of which are compatible with the character of the surrounding area. If the business is located within the Five Corners Master Plan area, the building construction and materials shall be consistent with the Five Corners Master Plan. Applicable new developments and/or new structures shall comply with the design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-20. B-2 Planned Business District. A. is hereby amended to read:

A. Statement of purpose. The B-2 Planned Business District is intended to provide for the orderly and attractive grouping at appropriate locations of retail stores, shops, offices, and service establishments serving the daily needs of the surrounding local community area. The size and location of such districts shall be based upon community need, adequate customer potential, adequate traffic circulation, and other related facilities, and of potential contribution to the economic welfare of the community. If the business is located within the Five Corners Master Plan area, the building construction and materials shall be consistent with the Five Corners Master Plan. Applicable new developments and/or new structures shall comply with the design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-21. B-3 Business District. A. is hereby amended to read:

A. Statement of purpose. The B-3 Business District is intended to provide for commercial or light manufacturing activities of a general retail and wholesale nature, so long as they are not offensive to the surrounding area by virtue of dust, noise, smoke, traffic, physical appearance or other similar facts, generally within the purview of light manufacturing, as determined by the Plan Commission of the Town of Cedarburg. If the business is located within the Five Corners Master Plan area, the building construction and materials shall be consistent with the Five Corners Master Plan. Applicable new developments and/or new structures shall comply with the design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-23. The M-2 Planned Industrial and Mixed-Use District. A. is hereby amended to read:

A. Statement of purpose. The M-2 Planned Industrial and Mixed-Use District is intended to provide for the continuation of the Town of Cedarburg's traditional single use Planned Industrial District, while including additional single and mixed uses. This possible mixture of uses is intended to implement the Town Comprehensive Plan: 2035, as well as the Five Corners Master Plan, which specifies the creation of a vibrant and pedestrian-friendly "town center," featuring a mixture of uses. Projects will result in orderly and attractive development at appropriate locations, including but not limited to existing commercial activities of general retail and

wholesale, office, and service facilities serving a larger community area, as well as new single or mixed-use activities in and around the Five Corners Master Plan area and Five Corners Business District, as identified in the Comprehensive Plan. Mixed-use developments will contain at least a combination of two of the following general types of development: commercial, single-family homes and or multifamily condominium residential, industrial, institutional and/or public. Any new development, redevelopment or infill taking place in the M-2 district shall be consistent with the Five Corners Master Plan and shall be subject to binding Town design guidelines and landscaping or other requirements as required by the Town Board. Applicable new developments and/or new structures shall comply with the design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-71. Loading Requirements. D. Design standards. is hereby amended to read:

D. Design standards. Each off-street loading space shall have a width of at least 12 feet, a length of at least 45 feet, and a vertical clearance of at least 14 feet. Dimensions for loading spaces in connection with funeral homes shall be reduced to 10 feet in width, 25 feet in length, and eight feet in vertical clearance. Every loading space shall be sufficiently screened in the form of a solid fence or shrubbery to protect neighboring residences. Applicable new developments and/or new structures shall also comply with the loading design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-72. Parking Requirements. B. Design standards. is hereby amended to read:

B. Design standards. The size of each parking space shall be not less than 180 square feet, exclusive of the space required for ingress and egress. Minimum width of aisles providing access to stalls for one-way traffic shall be as follows: 12 feet for thirty-degree parking and 20 feet for ninety-degree parking. Minimum width of aisles providing access to stalls for two-way traffic shall be 28 feet. No parking area of more than two spaces shall be designed as to require any vehicle to back into a public street. Any parking area of more than five spaces shall be sufficiently screened in the form of a solid fence or shrubbery to protect adjacent residential uses. Screening shall be approved by the Town Board with a recommendation from the Plan Commission. Large expanses of unchanneled parking areas shall be avoided by interior landscaping and safety islands. Applicable new developments and/or new structures shall also comply with the parking design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-77 (Signs) Purpose. A. is hereby amended to read:

A. Regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the Town of Cedarburg, Wisconsin. Applicable new developments and/or new structures shall also comply with the sign design standards as set forth in §320-10. J. of this Zoning Chapter.

§ 320-126 Site plan approval. A. is hereby amended to read:

A. Approval required. All applications for zoning permits for any construction, reconstruction, expansion or conversion, except for one- and two-family residences in residential districts, shall require site plan approval by the Plan Commission in accordance with the requirements of this section. Applicable new developments and/or new structures shall also comply with the design standards as set forth in §320-10. J. of this Zoning Chapter.

(The above text modified with a strikethrough shall be deleted).
(The above text modified with an underline shall be added).

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 6th day of August, 2014.



David M. Valentine
Town Chairman



Karen Couillard
Town Clerk

