

**ORDINANCE NO. 3797**

**AN ORDINANCE AMENDING CHAPTER 720, ZONING, ART. II  
DEFINITIONS, ART. VI RESIDENTIAL DISTRICTS – VETERINARY CLINIC  
ART. IX SPECIAL USE PERMITS – PRIVATE LODGE OR CLUB,  
SCHEDULE III – BULK REQUIREMENTS – RESIDENTIAL DISTRICTS OF  
THE CODE OF THE CITY OF FOND DU LAC**

The City Council of the City of Fond du Lac do ordain as follows;  
deleted items are shown with strikethroughs and additions are underlined:

**Section 1.** That Chapter 720, Zoning; Article II, Definitions and Word Use; Section 6, Definitions.; is hereby amended to read as follows:

**CLUB OR LODGE, PRIVATE.**

A nonprofit association or organization formed for either fraternal, educational, philanthropic, or other similar purpose, including professional organizations, unions, and other similar organizations.  
Food and alcohol beverages may be served on its premises, provided they are secondary and incidental to the principal use.

**Section 2.** That Chapter 720, Zoning; Article VI, Residential Districts; Section 38.4, Veterinary clinic., is hereby amended to read as follows:

In addition to the standards for site plan approval described in § 720-12, the following will apply to a commercial property that is adjacent to or within 200 feet of a property zoned for residential use or used for residential purposes. A veterinary clinic may be allowed as a permitted use when such facility does not provide overnight inpatient care and/or boarding, provided:

- A.** The use is completely confined within the interior of the building;
- B.** The owner/operator demonstrates that adequate sound absorption is provided;
- C.** Medical waste and animal waste is appropriately stored within the building and disposed of in accordance with public health laws.

**Section 3.** That Chapter 720, Zoning; Article IX, Special Use Permits; Section 76.6, Club or Lodge, Private, is hereby created to read as follows:

1. Club or Lodge, Private are not allowed within 200 feet of a residential district or residential use.
2. Windows. No more than 25% of any window are may be covered by signage or window coverings. Window coverings should be of material manufactured for such purpose, such as curtains, shades or blinds. The use of scrap lumber, plywood/OSB, or plastic bags, garbage bags, tarps, miscellaneous households items such as bedsheets or other unapproved materials is prohibited. Window coverings will be complementary to the architecture and aesthetics of the building.
3. A trash receptacle and a receptacle for disposal of smoking materials will be placed adjacent to each entry point.

**Section 4.** That Chapter 720, Zoning; Schedule III, Bulk Requirements, Residential Districts, is hereby amended to read as follows:

...

R-1	All permitted uses	<del>10,000</del> 6900	<del>80-60</del>	<del>125</del> 115	<del>30</del> 20	6 5	<del>18</del> 15	20	35	35%
	1-family dwelling lot of records on April 23, 2014	6,000	50	115	25	5	14	20	35	35%

...

**Section 4.** That Chapter 720, Zoning; Schedule IV, Land Uses or Activities, Business and Neighborhood Mixed Use Districts, is hereby amended to read as follows:

...

4. Animal hospital, boarding facility, day care, kennel, crematory (See #48 regarding Veterinary clinic)	SP	SP		§720-70
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...

16. Club or lodge, private	P	SP	P	720-76.6
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**Section 5.** Any person violating the provisions of this Ordinance shall be subject to the penalty as provided therein.

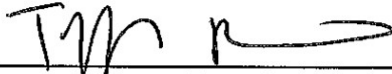
**Section 6.** The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

**Section 7.** All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 8.** This Ordinance shall take effect and be in force upon its passage and publication as provided by law.


**ADOPTED:**

AUG 28 2024



Tiffany Brault, President  
Fond du Lac City Council

Attest:



Margaret Heftner, City Clerk

City Attorney:

Reviewed 

# ***CITY OF FOND DU LAC - Memorandum***

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Department of Community Development

**Date:** August 15, 2024  
**To:** Plan Commission  
**From:** Dyann Benson, Community Development Director  
**Re:** Public Hearing - Zoning Code Amendment- Definitions, Land Use Schedules and Residential Bulk Requirements

The purpose of the proposed zoning code changes is to clarify the purpose and intent of certain uses within the Business & Commercial Mixed Use District and Residential District. The proposed change to the residential bulk requirements is to begin the process of increasing flexibility and opportunities for residential development in the community.

Additional updates and changes will be made as the Housing Study & Strategic Plan are finalized and the City works to implement the recommendations. It is important to take a thoughtful approach to zoning code changes that impact residential development to ensure that it allows for greater flexibility, but also meets the needs and expectations of future owners as it relates to other residential amenities – garages, accessory structures, their own green space, driveways, etc.

Excerpts of the proposed language are attached to this memo.

## **Recommendation**

Community Development staff is seeking a recommendation from the Plan Commission on the proposed zoning code language updates. The public hearing on the actual amendments to the zoning code is a statutory requirement. The proposed amendments to the zoning code will go to the City Council for review and approval at the August 28, 2024 meeting.

### Existing :720-6 Definitions

#### CLUB OR LODGE, PRIVATE

A nonprofit association of persons who are bona fide members and whose facilities are restricted to members and their guests. Food and alcohol beverages may be served on its premises, provided they are secondary and incidental to the principal use.

### AMENDED: 720-6 Definitions

**Club or Lodge – Private.** A nonprofit association or organization formed for either fraternal, educational, philanthropic, or other similar purpose, including professional organizations, unions, and other similar organizations. Food and alcohol beverages may be served on its premises, provided they are secondary and incidental to the principal use.

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### Article VI Residential Districts

#### § 720-38.4 Veterinary clinic.

[Added 11-28-2018 by Ord. No. 3680]

In addition to the standards for site plan approval described in § 720-12, the following will apply to a commercial property that is adjacent to or within 200 feet of a property zoned for residential use or used for residential purposes. A veterinary clinic may be allowed as a permitted use when such facility does not provide overnight inpatient care and/or boarding, provided:

- A. The use is completely confined within the interior of the building;
  - B. The owner/operator demonstrates that adequate sound absorption is provided;
  - C. Medical waste and animal waste is appropriately stored within the building and disposed of in accordance with public health laws.
- 

### Article IX Special Use Permits

#### 720-76.6 Club or Lodge, Private

1. Club or Lodge, Private are not allowed within 200 feet of a residential district or residential use.
2. Windows. No more than 25% of any window are may be covered by signage or window coverings. Window coverings should be of material manufactured for such purpose, such as curtains, shades or blinds. The use of scrap lumber, plywood/OSB, or plastic bags, garbage bags, tarps, miscellaneous households items such as bedsheets or other unapproved materials is prohibited. Window coverings will be complementary to the architecture and aesthetics of the building.
3. A trash receptacle will be placed adjacent to each entry point.

ZONING

720 Attachment 3

City of Fond du Lac

Schedule III  
Bulk Requirements  
Residential Districts

[Amended 5-14-2014 by Ord. No. 3547]

District	Land Use or Activity	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Yards (See §§ 720-10 and 720-11)				Maximum Building Height (feet)	Maximum Lot Coverage
					Front	Side	Total	Rear		
All	Nonresidential uses	10,000	80	125	30	30	70	40	35	50%
R-1	All permitted uses	<del>10,000-6900</del>	<del>80-60</del>	<del>125-115</del>	<del>30-20</del>	<del>6-5</del>	<del>18-15</del>	20	35	35%
	1-family dwelling lot of record on April 23, 2014	6,000	50	115	25	5	14	20	35	35%
R-2	1-family dwelling	6,000	50	115	25	6	18	20	35	35%
	2-family dwelling	10,000	80	125	25	6	18	20	35	35%
R-3	1- and 2-family dwelling	6,000	50	115	25	5	14	20	35	35%
	Multifamily dwelling	20,000 or 3,000 per dwelling unit, whichever is greater	25 for each dwelling unit; maximum required: 125	115	25	12	30	20	45	40%
R-4	1- and 2-family dwelling	6,000	50	115	25	5	14	20	35	35%
	Multifamily dwelling within 200 feet of R-1 District	25,000 or 4,500 per dwelling unit, whichever is greater	30 for each dwelling unit; maximum required: 150	115	35	30	70	20	35	40%
	Multifamily dwelling	15,000 or 3,000 per dwelling unit, whichever is greater	25 for each dwelling unit; maximum required: 125	115	20	10	25	20	None	50%

**NOTES:**

Lot depth. Minimum lot depth shall be measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth should be measured by drawing several evenly separated lines from the front to rear lot lines, at right angles to the front lot line, and averaging the length of these lines.

Lot width. Minimum lot width shall be measured at the front yard setback line. Corner lots shall be increased in width by 25% over the minimum required width of interior lots.

Lot area. In the R-1 District, 20% of the lots in a subdivision may utilize a minimum lot area of 8,750 square feet (minimum dimensions of 70 x 125). This provision shall not be applicable to lots situated on a cul-de-sac street greater than 500 feet in length.

Lot coverage/parking. Sixty-five percent of all required front yard area shall be maintained in open space and not used for parking and driveways.

# ZONING

## 720 Attachment 4

### City of Fond du Lac

#### Schedule IV Land Uses or Activities

#### Business and Neighborhood Mixed Use Districts

[Amended 5-14-2014 by Ord. No. 3547; 6-25-2014 by Ord. No. 3553; 7-22-2015 by Ord. No. 3586; 4-27-2016 by Ord. No. 3604; 11-28-2018 by Ord. No. 3680; 5-27-2020 by Ord. No. 3708; 3-23-2022 by Ord. No. 3750]

**KEY:**

P = Permitted

SC = Permitted with special conditions (Article VII)

SP = Special use permit required (Article IX)

Land Use or Activity	C-1	C-2	NMU	Reference
1. Adult-oriented establishment		SC		§ 720-48
2. Alternate energy installations		SP	SP	
3. Amplified music/sound, indoor	SC	P	SC	§ 720-49
4. Animal hospital, boarding facility, day care, kennel, crematory (See #48 regarding Veterinary clinic)	SP	SP		§720-70
5. Art gallery, artist or photography studio	P	P	P	
6. Automotive, car wash		SP		§ 720-68
7. Automotive, engine repair: body shop, detail shop, painting, service garage		SP		
8. Automotive, sales: new and used, including vehicles, trucks, motorcycles, all-terrain vehicles		P		
9. Automotive, fuel center		SP		§ 720-67
10. Banks and financial institutions	P	P	P	
11. Billboard, off-premises advertising		SP		§ 720-75, § 720-85
12. Boat sales and repair; recreational vehicles sales and repair		P		
13. Brew pub, including bottling and distribution	SP	SP	SP	
14. Church, chapel, place of worship	P	P	P	
15. Commercial cleaning service, professional janitorial establishment		P		
16. Club or lodge, private	<del>P</del>	<del>SP</del>	<del>P</del>	720-XX
17. Cocktail lounge, tavern, bar, teen club, nightclub, arcade	P	P	P	
18. Community garden		SP	SP	§ 720-19.1
19. Crematory	SP	SP		
20. Day care, adult	SP	SP	SP	
21. Day care, group	SP	SP	SP	
22. Dwelling units	SC	SP	P; SC	§ 720-50, 720-50.1, 720-76.3
23. Fitness center, spa, gymnasium	P	P	P	
24. Funeral home	P	P	P	
25. Greenhouse, retail plant nursery		P		



Land Use or Activity	C-1	C-2	NMU	Reference
26. Government service, including municipal utility facilities	P	P	P	
27. Health service and medical offices, clinics, hospital	P	P	P	
28. Hotel	P; SC	P; SC	P; SC	§ 720-38.3
29. Indoor amusement and recreation facility, cinema, theater, performing arts	P	P	P	
30. Library	P	P	P	
31. Meeting and exhibition hall	P	P	SP	
32. Mobile service facility	SP	SP		§ 720-18, § 720-72
33. Offices: government, business or professional	P	P	P	
34. Outdoor amusement and recreation facility	SP	SP		§ 720-69
35. Payday lenders	SP	SP	SP	§ 720-76.1
36. Personal services, i.e., barbershop, salon (hair/nails/tanning), massage, pet grooming, tattoo/piercing establishment	P	P	P	
37. Planned development	SP	SP	SP	§ 720-66
38. Printing and publishing shop, copy and duplicating	P	P	P	
39. Private parking garage or parking lot not accessory to another use	SP	SP	SP	
40. Professional or business offices	P	P	P	
41. Radio and television studio	P	P	P	
42. Rental service facility, rental trucks/trailers		SP		
43. Restaurant	P	P	P	
44. Retail businesses and services	P	P	P	
45. Shelter facility	SP	SP		§ 720-74
46. Shopping center, multi-tenant commercial center, home improvement center, building supply		P		
47. Utility transmission line and substation	SP	SC		§ 720-71
48. Veterinary clinic	P; SC	P; SC	P; SC	§ 720-38.4
49. Mini warehouse < 100 units		SP		

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 p.m. on August 19, 2024, in Meeting Room A of the City-County Government Center, 160 South Macy Street, for the purpose of receiving public comment on proposed changes to Chapter 720, Zoning, of the Code of Ordinances of the City of Fond du Lac. The purpose of the zoning code amendment is to update various regulations of the ordinance. The proposed zoning code amendment affects:

Section 720-06, Definitions

Section 720-63, Special Use Permits

Section 720-95, Board of Appeals

Section 720 -38.4, Veterinary Clinics

Schedule III, Bulk Requirements, Residential Districts

Schedule IV, Land Use or Activities Business and Neighborhood Mixed Use Districts

The meeting agenda for the Plan Commission can be accessed on the Calendar tab on the home page of the City's website; [www.fdl.wi.gov](http://www.fdl.wi.gov).

All persons having an interest in the area are invited to participate in the hearing and express their opinions. Written communications will also be considered. For further information you are invited to contact the Community Development Department at (920) 322-3440. Published in accordance with Section 62.23, Wisconsin Statutes.

Dated this 29th day of July, 2024

MARGARET HEFTER  
City Clerk

Published: August 4, 2024 and August 7, 2024

**PLAN COMMISSION MINUTES**

160 S Macy Street Fond du Lac, Wisconsin  
Meeting Room A  
Monday, August 19, 2024  
5:30 P.M.

**OPENING CEREMONIES**

Attendance

Present

Alicia Hans  
Craig Much  
Anne Pierce  
Derek TerBeest  
Sarah Van Buren  
Brett Zimmermann

Absent

Bradley Leonhard

Declaration Quorum Present

Chairperson Hans declared a quorum present at 5:30 p.m.

\*\*\*\*\*Other Business\*\*\*\*\*

**PUBLIC HEARING**

**Zoning Code Amendments - Definitions, Land Use Schedules and Residential Bulk Requirements**

Effect: Amend Chapter 720, Zoning, of the Code of Ordinances of the City of Fond du Lac to update various regulations of the ordinance.

Initiator: Community Development Director

The Board discussed modifying 720-76.6(3) to "A trash receptacle and a receptacle for disposal of smoking materials will be placed adjacent to each entry point for disposal of smoking materials."

A Motion was made by TerBeest to recommend to the City Council approval to amend Chapter 720, Zoning, of the Code of Ordinances of the City of Fond du Lac to update various regulations of the ordinance and seconded by Van Buren, and the motion was **Passed**.

ROLL CALL VOTE:           Aye - Hans, Much, Pierce, TerBeest, Van  
                          Buren, Zimmermann  
                          Nay - None

Carried.

\*\*\*\*\*Other Business\*\*\*\*\*