

VILLAGE OF NEW GLARUS
Ordinance 24-03

**AN ORDINANCE TO REPEAL AND RECREATE PART II, CHAPTER 118,
ARTICLE II, SECTIONS § 118-19 – § 118-25 [SWISS ARCHITECTURAL
THEME] AND TO ESTABLISH AN ASSOCIATED SWISS DESIGN OVERLAY
ZONNG DISTRICT IN THE MUNICIPAL CODE OF THE VILLAGE OF NEW
GLARUS, WISCONSIN**

THE VILLAGE BOARD of the VILLAGE OF NEW GLARUS, GREEN COUNTY,
WISCONSIN, does hereby ordain as follows:

Section 1. Part II, Chapter 118, Article II of the Municipal Code of the Village of New
Glarus is hereby repealed and recreated to read as follows:

ARTICLE II
Swiss Architectural Theme

§ 118-19. Purpose and Theme

- A. Purpose. This article directs the design of new buildings and the remodeling of existing buildings in specified parts of the Village and for specified types of buildings in § 118-20, in accordance with an “Old World Swiss Village” theme. The provisions of this article are designed to to promote and advance New Glarus’ long-standing and renowned theme, and thereby contribute to the cultural character, aesthetic beauty, economic health, and tourism growth of the Village.
- B. Intended theme. Applicable buildings in applicable locations shall follow the design of historic non-residential and larger-scale multiple family building architecture in Switzerland. Old World Swiss Villages have a distinctive look and are immediately recognizable by the predominating low-angle rooflines and other typical architectural details and materials. Building form is rectangular or combinations of rectangles.

§ 118-20. Applicability

- A. Applicable types of buildings and locations. Except as exempted in subsection B, this article is applicable only within the Swiss Design Overlay District established and mapped under § 305-25 of this Code, to the construction of all new principal and accessory buildings, and to the substantial alteration or remodeling of the exteriors of such buildings. “Substantial alteration or remodeling” shall be defined as either:
 - (1) An alteration or remodeling within any 24 month period, the total cost of which equals or exceeds 60% of the assessed value of that building at the time

the alteration or remodeling is proposed, as determined by the Zoning Administrator from information provided by the applicant. Such costs shall include all interior and exterior changes, and shall include but not be limited to electrical, mechanical, plumbing, and structural changes.

- (2) An exterior alteration or remodeling where three or more exterior elements of the building are altered within any 24 month period, including but not limited to doors, windows, wall finish, paint, roofing material, and structural changes. Each door, window, or other item shall count as one element. Visible exterior structural changes, including but not limited to removal or addition of walls, roof framing, and/or additions, shall count as two elements.

B. Exclusions. This article does not apply to:

- (1) Any building outside of the Swiss Design Overlay District.
- (2) Any single family dwelling, two family dwelling, and their accessory structures.
- (3) Any public works building, public utility building, or associated structure.
- (4) Any building that is either currently identified or in the process of being designated an historic building and as such subscribes to all the rules and regulations identified in § 16-12, Historic Preservation Commission, of this Code.

C. Applicability to large and small buildings. Very large warehouse or market-type buildings, as well as small buildings, pose special challenges in meeting the design theme in § 118-19(B) and design details in § 118-22. Such buildings are not exempt, but this article includes allowances applicable to such buildings.

D. Applicability of other regulations. The terms, provisions, and requirements of this article shall be in addition to and not in lieu of applicable requirements in any other ordinance, statute, or regulation governing construction, building, or zoning.

§ 118-21. Design Review Committee

- A. Appointment. The Design Review Committee, hereinafter “Committee,” shall consist of five individuals appointed by the Village President, subject to Village Board confirmation, at the annual organizational meeting. Members shall serve staggered three-year terms of office.
- B. Composition. Individuals serving on this Committee shall have varied backgrounds, with an effort to include representation from architectural design and building trades, local business, and historians.

§ 118-22. Design Review Process

A. Optional pre-application review. Each prospective applicant is may may submit preliminary concepts, descriptions, and/or building elevation sketches prior to submitting a formal application as described below. This optional step provides an opportunity to review the intent of the proposed project and the impact of this article before engaging in detailed architectural design and a complete application. The prospective applicant or Zoning Administrator may elect to engage the Committee in this review, or limit it to a Village staff review.

C. Submittal of application.

(1) Completeness evaluation. The applicant shall submit an application for design review to the Zoning Administrator. The application shall not be placed on a Committee agenda as an action item unless the application is certified as complete by the Zoning Administrator. The review of an application for completeness shall occur within five working days of application submittal, or else the application shall be considered complete. The Zoning Administrator shall notify the applicant of the date and time of the applicable Committee meeting, if Committee review is required.

(2) Required contents. The applicant shall provide the Zoning Administrator with a complete application, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Except as otherwise allowed below or with the express approval of the Zoning Administrator, each complete application shall include the following information:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A scaled site plan or plot plan of the proposed building, or the existing building plus the proposed addition, with proper relation to property lines, parking and driveway areas, accessory buildings and structures on the lot, and principal buildings on adjacent lots.
- (c) Elevation drawings, drawn to a recognized architectural scale, of proposed building(s), additions, or substantial alteration or remodeling modification of existing building(s) including:
 - [1] All wall and roof mounted mechanical equipment, including details for screening.
 - [2] All exterior lighting and signage. If specific tenants are not yet known, signable areas shall instead be indicated. No indicated sign or signable area shall interfere with any architectural feature, including flowerboxes and flowers. All signage must meet the requirements of Chapter 305, Article VII, Signs, of this Code. All lighting must meet the requirements of Chapter 305, Article XVIII, Exterior Lighting Plans and Standards.

- [3] All finished exterior treatments, including but not limited to roofing and siding materials.
 - [4] Materials and colors for all finishes, paint, or other materials to be used or applied on all exterior walls, trims, windows, and doors.
 - [5] For murals, signs, or other decorative details, a detail sheet or colored rendering of the design.
 - [6] Adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.
- (d) Contemplated date of commencement and completion of such construction.
 - (e) Any other information required by the Zoning Administrator to enable proper evaluation of the application against the requirements of this article.
 - (f) Any required application fee per the fee schedule approved by the Village Board.
 - (g) An agreement to reimburse the Village for any consultant fees required for Village review of the application.

E. Action on application.

- (1) By the Committee. Except as provided in subsection E(2), the Committee shall, between ten and 60 days of submittal of a complete application, approve the application as presented, approve the application with conditions, or reject the application including reasons for rejection, unless this timeframe is extended by written or electronic agreement of the applicant. The Zoning Administrator shall notify the applicant of such action in writing.
- (2) By Zoning Administrator. For the following types of projects only, the Zoning Administrator instead of the Committee shall, within 30 days of submittal of a complete application, approve the application as presented, approve the application with conditions, or reject the application including reasons for rejection, unless this timeframe is extended by written or electronic agreement of the applicant.
 - (a) Repainting an already-painted building a similar color. Proposed use of a color that the Zoning Administrator determines is different from a color originally approved by the Committee shall require approval by the Committee.
 - (b) Replacing original building materials with like materials.
 - (c) Installing or replacing awnings, signage, lighting, or mechanical equipment.
 - (d) Restoring architectural details, features, or materials documented to have originally existed on the building or site.
- (3) Notification. The Zoning Administrator shall notify the applicant of his or her or the Committee's action in writing.

- F. Appeal process. In the event the Committee denies an application, conditions its approval of an application in a manner that the applicant finds objectionable, the applicant may, within 30 days of the written notification of action, file a written appeal with the Zoning Administrator, including the specific decision or conditions being appealed, the rationale for the appeal, and the applicant's proposal for addressing the matter(s) of concern. The Zoning Administrator shall provide the written appeal, the written action being appealed, and all application materials to the Village Clerk, and all minutes, findings, recommendations or other written memoranda pertaining to the application for which the appeal is taken. The Clerk shall place the appeal on the agenda of the next scheduled Village Board meeting. The Village Board may grant or deny the relief requested by the appellant or may modify the decision of the Committee. In the event the appeal is to an action of the Zoning Administrator under subsection E(2), the appeal shall instead be to the Committee. The Clerk shall notify the applicant of the Board's or Committee's action under this subsection F in writing.
- G. Building permit and deposit.
- (1) Upon receipt of written notification of approval per subsections E or F, and satisfaction of all required approval conditions, the applicant may apply for a building permit under Chapter 118, Article 1, unless exempted from a building permit under that article. No work on an approved application may commence until a building permit is issued, unless the project is exempted from a permit. No building permit may be issued until the Zoning Administrator verifies that said permit is for a project that was approved under subsections E or F, including satisfaction of all applicable approval conditions that can be satisfied prior to the commencement of construction.
 - (2) With the building permit application, for projects requiring Committee approval (or Board approval on appeal), the applicant shall provide a deposit to be held by the Village and refunded upon completion of the project authorized by the building permit in accordance with such approval and applicable provisions of this article, or upon applicant request if the authorized work is not completed within 24 months of building permit issuance in which case such approval shall be voided. Such deposit shall be equal to 10% of the construction value of the project, or 5% for projects valued at more than \$100,000, but in no case shall greater than a \$20,000 deposit be required.
- H. Occupancy criteria. New and modified buildings approved under this section shall not be occupied or opened for business or leasing until the approved exterior design features of that building are finished in accordance with the approval and applicable provisions of this article. The Zoning Administrator may provide a deferral on full completion for not more than six months, provided that the reason for deferred completion is due to weather or other circumstances beyond the control of the owner, and may require adequate assurance that the work will be

fully completed within the deferral period, which may include continuing to hold all of some of the deposit required under subsection G(2).

- D. Relationship to other zoning approval processes. The project for which an application is filed may also require site plan, conditional use permit, rezoning, sign permit, and/or other zoning and other approvals from the Village. Such actions, and the processes and committees to consider them, are separate from the design review process under this article.

§ 118-23. Design Review Criteria

- A. Generally. The Committee, in acting on an application for a design review in accordance with § 118-22(C)(1), shall utilize the criteria in this § 118-23. These criteria are intended to guide for prospective builders of representative Swiss design features that have proven effective on applicable buildings in the Village and elsewhere. The criteria are not intended to be exhaustive; the Committee may address design features not included among the criteria set forth below, provided they are consistent with the purpose and intended theme in § 118-19. The Zoning Administrator, in acting on an application or a design review in accordance with § 118-22(C)(2), shall utilize the criteria in this § 118-23 to the extent he or she considers practical and appropriate to the nature of the project and building.

- B. Design elements.

- (1) Roof design elements. The single most defining shape of Swiss architecture is the pitched roof with expansive overhangs, regardless of building size. The original function was to hold snow and keep falling snow, ice, and melt away from the building. Pitched roofs shall meet the following standards:
 - (a) Shall be be integral to building design.
 - (b) Roof overhang length of 3½ to 5½ feet, except where otherwise allowed by the Committee based on building scale or other relevant factors.
 - (c) Roof pitch shall be aesthetically pleasing in relation to the building, as determined by the Committee.
 - (d) Avoid partial pitched roofs where visible from the street to prevent a "false-front" look.
 - (e) Tile, simulated tile, standing seam metal, high-profile asphalt shingles, and heavy shakes are acceptable roofing materials. Standard overlap metal, plain shingles, and profile-less asphalt shingles are not acceptable
 - (f) Acceptable colors are red, brown, green, or gray earth tones. No galvanized metal color shall be used.
 - (g) Rain gutters, downspouts, and heat tapes required for all eaves. No plastic downspouts shall be in contact with heat tape. No drainage permitted onto sidewalks.

- (2) Exposed support beams. Exposed support or lookout beams shall be incorporated, and meet the following standards:
 - (a) Lookout beams shall be scrolled or have decorative a face plate. Scroll-sawed ends or decorative, protective end caps shall be used. Scrolling shall be traditional rococo, baroque, or folk designs.
 - (b) Lookout beams shall not extend beyond the building fascia.

- (3) Exterior wall materials. All exterior walls that are visible from the public street or other spaces frequented by the public, such as adjoining parking lots or active use parks, shall meet the following material standards:
 - (a) Desirable wall material design combines the use of both stucco and wood, or similar synthetic or composite products approved by the Committee.
 - (b) Stucco, or durable synthetic products designed to resemble stucco in the determination of the Committee, shall be finished with batten-covered joints.
 - (c) Battens over six inches in width should have a thickness of 1½ inches or more so as to minimize the chances of cupping and warping.
 - (d) Wood, or durable composite products designed to resemble wood in the determination of the Committee, shall typically be incorporated on the upper level of the wall.
 - (e) Prohibited exterior wall materials or methods include metal siding, half-timbering, and concrete block of any type.

- (4) Entryways. Primary entryway doors shall be constructed of wood, stucco/wood combinations, or durable synthetic materials designed or resemble wood or stucco approved by the Committee. Color of overhead and service doors shall match surrounding wall color. Arched doorways and entryways are recommended.

- (5) Windows. All windows that are visible from the public street or other spaces frequented by the public, such as adjoining parking lots or active use parks, shall meet the following material standards:
 - (a) Glazed (transparent) windows shall be used, rather than artificial or painted windows.
 - (b) Shall be recessed, at least on the main level, to give a sense of mass to the construction.
 - (c) Unadorned windows are prohibited.
 - (d) Muntins, mullions, or grids providing the appearance of a multi-paned window shall be incorporated.
 - (e) Decorative or functional shutters shall be included, except in locations where there is painted, decorative window trim in the determination of the Committee.
 - (f) Flower boxes shall be provided on appropriate windows along the front building wall, and along other building walls that are adjacent to a

public street in the determination of the Committee. Flower boxes shall be attached to sills.

- (g) Serving windows shall be provided with at least an eight-foot setback to outdoor, privately owned staging areas. Serving windows shall not open directly onto public sidewalks or other public rights-of-way.
 - (h) Arched window shapes are encouraged.
- (6) Balconies. If present, balconies shall be composed of traditional Swiss design elements, including heavy beam supports, scrolled decorative balusters, and flower boxes attached to railings. Architectural balconies not intended for actual use should have an apparent means of access, such as a door, false door, or large window.
- (7) Trim and accents. Trim shall be the least of the design elements, not the focus of the design. Decorative and/or multiple profile scrollwork may be incorporated. Stone may be used in rectangular linear forms for accents, particularly at wall corners. Prohibited stone and stone-like materials include river rock, concrete block (split face), and irregular stone slabs.
- (8) Colors.
- (a) White or off-white is the predominant stucco color. Pastels are acceptable but only with white or off-white accents on stucco trim. Bold and bright colors are prohibited.
 - (b) All wood trim (including beams, fascia, and siding) shall be stained, usually with transparent wood-tone stain. Opaque stain or painted may be acceptable in rare occasions. Hunter green and other accent colors may be used for shutters and flower boxes.
- (9) Decorative painting, artwork, and murals.
- (a) Decorative designs may be included on exterior walls and/or around openings.
 - (b) Wall corners may be painted to simulate rectangular stone.
 - (c) Three-dimensional painting is encouraged around windows and doors when shutters are not present. Classic as well as rococo designs should be used.
- (2) Mechanical equipment. All mechanical and utility equipment, such as heating and air conditioning equipment, air-handling ducts, and compressors, garbage receptacles and dumpsters, and outside fuel containers shall be screened from public view. False balconies, railings, and parapet walls may be utilized for screening as long as they do not detract from the desired theme in § 118-19(B).
- (3) Small buildings. The Committee may modify the criteria in this § 118-23 for permanent single-story buildings, such as roadside stands, bratwurst stands, and accessory buildings, that are under 160 square feet in floor area. No such

building shall detract from the required theme per § 118-19(B), with overall design being rustic in nature. In particular:

- (a) Roof design and materials shall resemble that of themed larger building(s) on the site, with extensive overhangs front and back and more modest overhangs on the sides.
- (b) May have all-wood outside wall construction. If all wood siding is used, the siding must be tongue-and-groove cedar, pine, or squared log construction. Plywood siding is prohibited. Usually the siding is applied horizontally. Natural wood-tone stains predominate in Switzerland with little or no painting of the trim.
- (c) Most of the ornate features are scrolled trim with window shutter cutouts.

C. Other design reference materials. This subsection includes materials that may also be utilized by the Committee in its decision making, and by the applicant in developing appropriate building designs.

- (1) Context. The applicant and Committee shall also consider the compatibility of the proposed exterior design with the existing Swiss-themed buildings that are visible from the proposed site.
- (2) Published resources. The applicant and Committee may also consult the following and similar publications for examples and design elements to incorporate into buildings. Copies of these publications and similar related reference works are available at the New Glarus Public Library.
 - (a) *Bavarn in Bildeern. Illustrations of Bavaria.* Munchen, L. Muller (1971).
 - (b) *Hauser in den Alpen*, by Viktor Proksch. Pinguin Verlag, Innsbruck und Umschau Verlag, Frankfurt A.M. (1964). (This book is also available in an English/French version.)
 - (c) *Bemalte Fassaden*, by Margarete Baur-Heinbold. Verlag Georg D.W. Callway, Munchen (1975).
 - (d) *Bayern = Bavaria = La Baviere: e. Bildbd*, von Otto Siegner. Munchen-Pullach: Simon (1975).
 - (e) *Wohnen im Alpenland*, by S. Staffa. Verlag, Kitzbuhel.
 - (f) *Berner Bauernhauser*, by Roland Fluckiger-Seiler.
 - (g) *Schweizer Bauernhauser*, by Max Gschwend.
- (3) Photo examples. The Village Clerk-Treasurer shall make color copies of reference photographs available, in digital and/or hard copy form. If in hard copy form, a monetary deposit or fee based on copying cost or replacement value shall be required.

§ 118-24. Enforcement

- A. Permanent holding of deposit. The Village may permanently retain any remaining deposit provided under § 118-22 G.(2) in the event of failure to complete an approved project under this chapter in accordance with Village approval and applicable provisions of this article.
- B. Civil penalty. Violation of any of the terms and provisions of this article is deemed to be a civil infraction. Written notice shall be given by the Village Building Inspector to the violator, which written notice shall set forth the alleged violation and shall allow a reasonable time for the correction of such alleged violation. For purposes of this section, "reasonable time" for any nonstructural violation shall follow Village ordinances which include "reasonable time" for any structural violation or violations including extensive remodeling. If said violation is not corrected within the time limit set forth in said notice, then thereafter each day said violation continues shall be deemed to be a separate infraction. Any infraction under this article shall be punishable by a civil penalty in the amount of not less than \$10 nor more than \$1,000 for each such infraction, and any offending building, structure, walkway or lighting, utility or part thereof shall be removed at the owner's expense (see Chapter 1, General Provisions, § 1-5 of this Code).
- C. Injunction and abatement. The Village, through its authorized agents, may, in addition to any other remedy provided herein, initiate injunction or abatement proceedings or other appropriate action in the Circuit Court or the courts of this state against any person who violates or fails to comply with any provision of this article or against the owner or user of any building, structure, walkway, lighting, utility or part thereof which violates this article to prevent, enjoin, abate or terminate violations of this article.
- D. Attorney fees. In any action brought by the Village to enforce this article or in any action brought by any other person(s) in which the Village is joined as a party challenging this article, in the event the Village is a prevailing party, then the nonprevailing party challenging the provisions of this article or the party against whom this article is enforced in such action shall pay, in addition to the Village's costs, a reasonable attorney fee at trial and in any appeal thereof incurred by the Village.
- E. Remedies cumulative. The remedies provided herein are cumulative and not alternative remedies and are in addition to any other remedy to which the Village may be entitled by law.

Section 2. Section 305-13 A. of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

- A. Districts. The Village of New Glarus is hereby divided into ~~nine~~ the following ~~types of zoning~~ districts:
 - (1) R-1 Residence District.

- (2) R-2 Mobile Home Residence District.
- (3) A Agricultural District.
- (4) C-1 Commercial District.
- (5) C-2 Highway Commercial District.
- (6) I Industrial District.
- (7) ~~W-CON~~ Conservancy District.
- (8) H Historic District.[1]

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (9) S Shoreland-Wetland District.
- (10) PUD Planned Unit Development District.
- (11) SDO Swiss Design Overlay District.

Section 3. Section 305-18 F and 305-19 F of the Municipal Code of the Village of New Glarus [applying Swiss architectural theme requirements throughout the C-1 and C-2 zoning districts] are hereby repealed.

Section 4. Section 305-25 of the Municipal Code of the Village of New Glarus is hereby created to read as follows:

§ 305-25 SDO Swiss Design Overlay District.

- A. Purpose. The SDO district is intended to define geographic areas within which the Village's Swiss design requirements shall apply to specified buildings, all as per Chapter 118, Article II of the Municipal Code, in addition to applicable requirements associated with the underlying zoning district.
- B. SDO district boundaries. The boundaries of the SDO district are as depicted on the Official Zoning Map. All lands within such boundaries are in the SDO district.

Section 4. The Official Zoning Map is amended to establish the boundaries of the SDO Swiss Design Overlay District in the manner depicted in Exhibit A.

Section 5. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

This Ordinance shall take effect the day after passage and publication as provided by law.

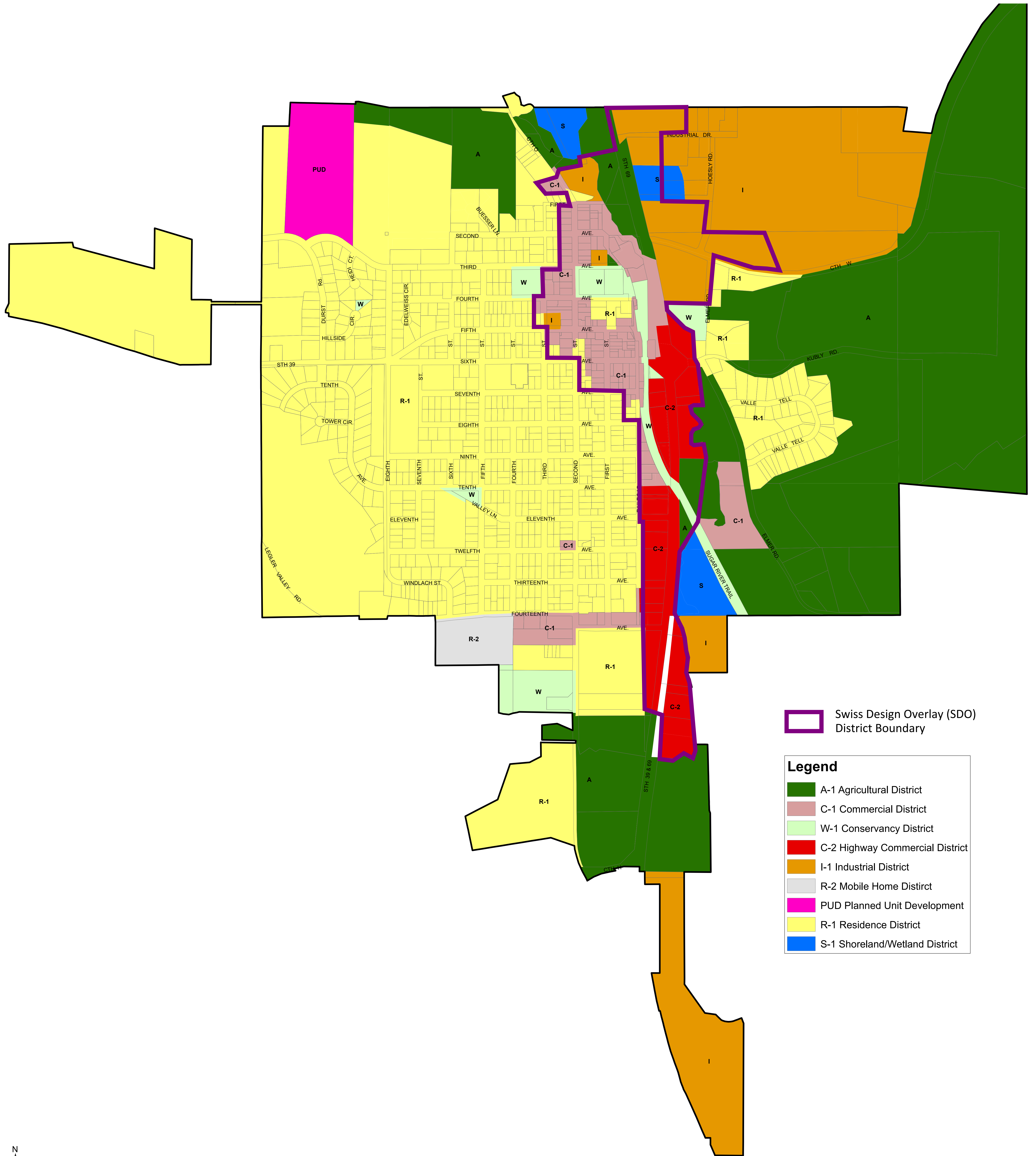
PRESENTED: 5/7/2024
ADOPTED: 5/7/2024
PUBLISHED: 5/16/2024

Roger Truttmann, Village President

Kelsey Jenson, Village Clerk-Treasurer










| EXHIBIT A: AMENDMENT TO OFFICIAL ZONING MAP FOR SDO DISTRICT

Exhibit A - Swiss Design Overlay (SDO) District Boundary



 Swiss Design Overlay (SDO) District Boundary

Legend

-  A-1 Agricultural District
-  C-1 Commercial District
-  W-1 Conservancy District
-  C-2 Highway Commercial District
-  I-1 Industrial District
-  R-2 Mobile Home District
-  PUD Planned Unit Development
-  R-1 Residence District
-  S-1 Shoreland/Wetland District

