

ORDINANCE NO.: 2031

THE COMMON COUNCIL OF THE CITY OF SHAWANO, WISCONSIN, DO ORDAIN
that **Chapter 10, ZONING CODE** the following sections are hereby add and/or amended as follows:

To add:

Article II Establishment of Zoning Districts: Section 10-45 (SR-7) Single Family and Two-Flat Residential-7 Zoning District

To Amend:

Article III Land Use Regulations, Section 10-54: Table of Land Uses;

Article IV Bulk Regulations, Section 10-72: Yard Setback Adjustments (2) Front Yard Setback Adjustments (a);

Article VII Performance Standards, Section 10-106: Exterior Lighting Standards, (5) Exterior Lighting Requirements, (d) Fixtures and Luminaries (5) Max Height;

Article VII Performance Standards, Section 10-108 Fencing Standards (4) Standards (a) Materials 4. and (c) Maximum Height 1;

Article VII Performance Standards, Section 10-111: Noise Standards (4) Nonconforming Noise; Figure 10-111a;

Article VIII Landscaping Requirements: Figures 10-133a and 10-133b;

Article IX Signage: Section 10-144: Permitted Signs by Zoning District, (1)(c);

Addition and amendments per attached.

This Ordinance shall take effect upon passage and publication as provided by law.

Adopted: July 10, 2024

Published: July 19, 2024

Signed: /s/ Bruce Milavitz
Bruce Milavitz, Mayor

Signed: /s/ Lesley Nemetz
Lesley Nemetz, City Clerk

Article II: Establishment of Zoning Districts

Section 10-45: (SR-7) Single Family and Two-Flat Residential–7 Zoning District

- (1) Intent. This district intended to create, preserve, and enhance areas for single family detached and two-flat dwellings at an approximate density of 7 dwelling units per acre.
- (2) Principal Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Single Family
 - (b) Two Flat
 - (c) Selective Cutting
 - (d) Community Garden
 - (e) Outdoor Open Space Institutional
 - (f) Passive Outdoor Recreation
 - (g) Active Outdoor Recreation
 - (h) Essential Services
 - (i) Small Scale Public Services and Utilities
 - (j) Community Living Arrangement (1-8 residents) meeting the requirements of Section 10-57(10)
 - (k) Satellite Dish
 - (l) Personal Antenna and Towers
 - (m) Communication Antenna
- (3) Principal Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Cultivation
 - (b) Clear Cutting
 - (c) Indoor Institutional
 - (d) Bed and Breakfast
 - (e) Large Wind Energy System
 - (f) Large Solar Energy System
- (4) Accessory Uses Permitted by Right. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Home Occupation
 - (b) In-Home Daycare 4-8 Children
 - (c) In-Family Suite
 - (d) Residential Accessory Structure
 - (e) Nonresidential Accessory Structure
 - (f) Recreational Facility
 - (g) Landscape Feature
 - (h) Residential Kennel
 - (i) On-Site Parking
- (5) Accessory Uses Permitted as Conditional Use. Refer to Article III for detailed definitions and requirements for each of the following land uses.
 - (a) Small Wind Energy System
 - (b) Small Solar Energy System
- (6) Temporary Uses. Refer to Article III for detailed definitions and requirements for each of the following land uses. (Exempt from setbacks unless specified in Article III).
 - (a) Temporary Outdoor Assembly
 - (b) Temporary Shelter Structure
 - (c) Temporary Storage Container
 - (d) Temporary On-Site Construction Storage
 - (e) Temporary Contractor's Project Office
 - (f) Temporary On-Site Real Estate Sales Office

- (g) Temporary Relocatable Building
- (h) Temporary Vehicle Sales
- (i) Garage or Estate Sale

(7) Density, Intensity, and Bulk Regulations for the (SR-7) Single Family and Two-Flat Residential – 7 District.

	Residential Uses	Nonresidential Uses
Minimum Lot Area	5,000	9,000 square feet
Maximum Density	none	N/A
Maximum Building Coverage of Lot	50 percent	40 percent
Minimum Landscape Surface Ratio	40 percent	40 percent
Minimum Lot Width	50 feet	80 feet
Minimum Lot Width at Right-of-way	30 feet	30 feet
Minimum Front Setback	20 feet	25 feet
Maximum Front Setback	25 feet	n/a
Minimum Street Side Setback	10 feet	25 feet
Minimum Side Setback	5 feet	12 feet
Minimum Rear Setback	20 feet	20 feet
Maximum Principal Building Height	35 feet	35 feet
Minimum Pavement Setback (lot line to pavement; excludes driveway entrances)	5 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way	5 feet from side or rear, or 0 feet for shared driveway; 10 feet from right of way
Minimum Parking Required	See Article III	See Article III
Minimum Garage Door Setback to Alley (if applicable)	3 feet for doors parallel to alley; 8 feet for door perpendicular to alley	3 feet for doors parallel to alley; 8 feet for door perpendicular to alley
Maximum Garage % of Façade	50 percent of the width of the ground floor façade facing the street	n/a
Minimum Attached Garage Setback from Principal Building	2 feet behind the plane of the principal structure	n/a
Accessory Building Side Setback	3 feet	3 feet
Accessory Building Rear Setback	3 feet	3 feet
Maximum Accessory Building Height	Lesser of 20 feet or principal building height	Lesser of 20 feet or principal building height

Article III: Land Use Regulations
 Section 10-54: Table of Land Uses

The Table of Land Uses on the following pages is provided as a convenience for the Zoning Administrator and the general public. Where there are conflicts between the text of this Chapter and the Table of Land Uses, the text shall prevail.

Rural Holding (RH-35)	Single Family Residential – 2 (SR-2)	Single Family Residential – 4 (SR-4)	Single Family Residential – 5 (SR-5)	Single Family and Two-Flat Residential – 6 (SR-6)	Single Family and Two-Flat Residential – 7 (SR-7)	Two Family Residential – 6 (TR-6)	Multi-Family Residential – 10 (MR-10)	Multi-Family Residential – 20 (MR-20)	Mobile Home – Residential – 8 (MH-8)	Neighborhood Mixed Use (NMMU)	Community Mixed Use (CMU)	Urban Mixed Use (UMU)	Downtown Mixed Use (DMU)	Business Park (BP)	Light Industrial (LI)	General Industrial (GI)	Mineral Extraction (ME)	Public Lands (PL)	
Land Uses Permitted:																			
Refer to the detailed definitions and requirements listed for each land use on the following pages.																			
P: By Right																			
C: By Conditional Use Permit																			
Dwelling Unit Type																			
P	P	P	P	P	P	P	P	P	P	P	P								(1) Single family 35 acre lot
	P	P	P	P	P	P	P	P	P	P	P								(1) Single family 14,000 sq. ft. lot
		P	P	P	P	P	P	P	P	P	P								(1) Single family 9,000 sq. ft. lot
			P	P	P	P	P	P	P	P	P								(1) Single family 7,200 sq. ft. lot
				P	P														(1) Single family 6,000 sq. ft. lot
				P	P	P	P		P	P									(2) Two Flat 7,200 sq. ft. lot
				P	P														(2) Two Flat 6,000 sq. ft. lot
						P	P	P				C							(3) Twin House - two 4,500 sq. ft. lots
						P	P	P				C							(4) Duplex 4,500 sq. ft. lot
							P	P		P	C	C	C						(5) Townhouse 3-4 units
							C	P		C	C	C	C						(5) Townhouse 5-10 units
							P	P		P	C	C	C						(6) Multiplex 3-4 units
							C	P		C	C	C	C						(6) Multiplex 5-10 units
							P	P		P	C	C	C						(7) Apartment 3-4 units
							C	P		C	C	C	C						(7) Apartment 5-10 units
								C		C	C	C							(7) Apartment 11-20 units
									P										(8) Mobile Home 7,200 sq. ft. lot
									P										(9) Mobile Home Subdivision 7,200 sq. ft. lot
									C										(10) Mobile Home Park 4,000 sq. ft. per du
										P	P	P	P						(11) Mixed Use Dwelling Unit
Agricultural Land Uses																			
P	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	C	P	(1) Cultivation
C																			(2) Husbandry
C																			(3) On-Site Agricultural Retail
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	(4) Selective Cutting

Rural Holding (RH-35)	Single Family Residential – 2 (SR-2)	Single Family Residential – 4 (SR-4)	Single Family Residential – 5 (SR-5)	Single Family and Two-Flat Residential – 6 (SR-6)	Single Family and Two-Flat Residential – 7 (SR-7)	Two Family Residential – 6 (TR-6)	Multi-Family Residential – 10 (MR-10)	Multi-Family Residential – 20 (MR-20)	Mobile Home – Residential – 8 (MH-8)	Neighborhood Mixed Use (NMMU)	Community Mixed Use (CMU)	Urban Mixed Use (UMU)	Downtown Mixed Use (DMU)	Business Park (BP)	Light Industrial (LI)	General Industrial (GI)	Mineral Extraction (ME)	Public Lands (PL)	Land Uses Permitted: Refer to the detailed definitions and requirements listed for each land use on the following pages. P: By Right C: By Conditional Use Permit
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(5) Clear Cutting
C																		C	(6) Intensive Agriculture
C															C	C			(7) Agricultural Service
P	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(8) Community Garden
C									C	C	C	C						P	(9) Market Garden
Institutional Land Uses																			
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(1) Indoor Institutional
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(2) Outdoor Open Space Institutional
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(3) Passive Outdoor Recreation
P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C		P	(4) Active Outdoor Recreation
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(5) Essential Services
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(6) Small Scale Public Services and Utilities
C																C	C		(7) Large Scale Public Services and Utilities
P	P	P	P	P	P	P	P	P	P	P	P	P	C						(8) Comm. Living Arrangement 1-8 Res.
						C	P	P		C	C	C	C						(9) Comm. Living Arrangement 9-15 Res.
							C	C		C	C	C	C						(10) Comm. Living Arrangement 16+ Res.
							C	C		C	C	C							(11) Institutional Residential
Commercial Land Uses																			
									P	P	P	P	P	P	P	P			(1) Office
									P	P	P	P	P	P	P	P			(2) Personal or Professional Service
									P	P	P	P				C			(3) Indoor Sales or Service
									C	C	C	C				C			(4) Outdoor Display
C									P	P	P	P	P	P	P	P			(5) Artisan Production Shop
									C	C	C	C	C						(6) Physical Activity Studio
									C	C	C	C							(7) Indoor Commercial Entertainment
									C	C	C	C							(8) Outdoor Commercial Entertainment
									C	C	C	C							(9) In-Vehicle Sales or Service
									C	C	C	C	C						(10) Group Daycare Center
C										C									(11) Commercial Animal Boarding/Daycare
C	C	C	C	C	C	C	C	C	C	C	C	C							(12) Bed and Breakfast

Rural Holding (RH-35)	Single Family Residential – 2 (SR-2)	Single Family Residential – 4 (SR-4)	Single Family Residential – 5 (SR-5)	Single Family and Two-Flat Residential – 6 (SR-6)	Single Family and Two-Flat Residential – 7 (SR-7)	Two Family Residential – 6 (TR-6)	Multi-Family Residential – 10 (MR-10)	Multi-Family Residential – 20 (MR-20)	Mobile Home – Residential – 8 (MH-8)	Neighborhood Mixed Use (NMMU)	Community Mixed Use (CMU)	Urban Mixed Use (UMU)	Downtown Mixed Use (DMU)	Business Park (BP)	Light Industrial (LI)	General Industrial (GI)	Mineral Extraction (ME)	Public Lands (PL)	Land Uses Permitted:
										C	C	C	C						(13) Vacation Rental Home
										C	C	C	C						(14) Commercial Indoor Lodging
						C	C			C	C	C	C						(15) Boarding House
C																			(16) Campground
									P	P	P	C	P	P	P	P			(17) Indoor Maintenance Service
															C	C			(18) Outdoor Maintenance Service
										C	C								(19) Vehicle Sales
										C	C					C			(20) Vehicle Service
										C	C					C			(21) Vehicle Repair
C																C			(22) Lake-Related Recreation
C														C	C		C		(23) Intensive Outdoor Activity
																C			(24) Sexually-Oriented Land Use
Industrial Land Uses																			
													P	P	P	P			(1) Light Industrial
																C	C		(2) Heavy Industrial
C															C	C			(3) Production Greenhouse
C															C	C			(4) Indoor Food Production
Storage Uses																			
C													P	P	P	P			(1) Indoor Storage and Wholesaling
															C	C			(2) Outdoor Storage and Wholesaling
															C	C			(3) Personal Storage Facility
Transportation Land Uses																			
						C		C	C	C	C	C	C						(1) Transit Center
													C	C	C				(2) Distribution Center
														C	C				(3) Freight Terminal
C																			(4) Airport
									C										(5) Heliport
								C	C	C	C	C	C	C	C	C			(6) Off-Site Parking
Telecommunication Land Uses																			
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(1) Satellite Dish

Land Uses Permitted:
Refer to the detailed definitions and requirements listed for each land use on the following pages.

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P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(2) Personal Antenna and Towers
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(3) Communication Antenna
C											C			C	C	C	C	C	(4) Communication Tower
Extraction and Disposal Land Uses																			
																	C		(1) Extraction
C																	C		(2) Composting
																	C		(3) Recycling and Waste Disposal
																	C		(4) Salvage or Junkyard
																	C	C	(5) Sand and Mineral Processing
Energy Production Land Uses																			
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(1) Large Wind Energy System
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(2) Large Solar Energy System
Accessory Land Uses																			
P	P	P	P	P	P	P	P	P	P	P	P	P	P						(1) Home Occupation
P	P	P	P	P	P	P	P	P	P	P	P	P							(2) In-Home Daycare 4-8 Children
P	P	P	P	P	P	P	P	P	P	P	P								(3) In-Family Suite
						C	C	C	C	C	C								(4) Accessory Dwelling Unit
P																			(5) Farm Residence
C																			(6) Migrant Employee Housing
P	P	P	P	P	P	P	P	P	P	P	P	P							(7) Residential Accessory Structure
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(8) Nonresidential Accessory Structure
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	(9) Recreational Facility
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	(10) Landscape Feature
P	P	P	P	P	P	P	P	P	P	P	P								(11) Residential Kennel
P																			(12) Residential Stable
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(13) On-Site Parking
P										P	P	P	P	P	P	P			(14) Company Cafeteria
P										P	P	P	P	P	P	P			(15) Incidental Outdoor Display
P										P	P	P	P	P	P	P			(16) Incidental Indoor Sales
P										P	P	P	P	P	P	P			(17) Incidental Light Industrial

Land Uses Permitted:

Refer to the detailed definitions and requirements listed for each land use on the following pages.

P: By Right

C: By Conditional Use Permit

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C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(18) Small Wind Energy System
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(19) Small Solar Energy System
Temporary Land Uses																			
P																			(1) Temporary Farm Product Sales
P									P	P	P	P							(2) Temporary Outdoor Sales
P	P	P	P	P	P	P	P	P	P	P	P	P							(3) Temporary Outdoor Assembly
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(4) Temporary Shelter Structure
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(5) Temporary Storage Container
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(6) Temporary On-Site Construction Storage
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(7) Temporary Contractor's Project Office
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(8) Temp. On-Site Real Estate Sales Office
P	P	P	P	P	P	P	P												(9) Temporary Relocatable Building
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(10) Temporary Vehicle Sales
P	P	P	P	P	P	P													(11) Garage or Estate Sale
C									C	C	C	C							(12) Farmer's Market

Land Uses Permitted:

Refer to the detailed definitions and requirements listed for each land use on the following pages.

P: By Right

C: By Conditional Use Permit

Article IV: Bulk Regulations

Section 10-72: Yard Setback Adjustments

- (1) Lot size and minimum yard dimensions. No lot, yard, court, parking area, or other space shall be reduced in area or dimension so as to make the area or dimension less than the minimum required by this chapter. If an existing yard is less than the minimum required, it shall not be reduced further, except where exempted by the provisions of this Section.
- (2) Front Yard Setback Adjustment.
 - (a) In the SR-2, SR-4, SR-5, SR-6, SR-7, TR-6, MR-10, MR-20, MH-8, NMU, CMU, and UMU districts, a front yard setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on both sides of the subject lot. The following rules apply in calculating the mean setback (see Figure 10-72):
 1. Only the setbacks on 5 or fewer adjoining lots, are contiguous to each other in either direction of the subject lot, and are on the same side of the street as each other may be used.
 2. Where a lot is vacant, the minimum setback of the zoning district will be applied to the vacant lot and factored into the averaging calculation.
 3. Outliers shall be excluded in calculating the mean setback as determined by the Zoning Administrator.
 4. In residential districts, the depth of the minimum front yard and street side yard on any lot shall be at least 15 feet and the minimum setback for an attached or detached garage facing the front yard, or the street side yard, shall be at least 20.
 - (b) In order to preserve and maintain the character of established neighborhoods that are typified by front yard setbacks substantially in excess of the minimum required front yard setback, blocks with an average street side (front yard) setback more than five feet over the minimum required front yard setback shall be increased to the average of the adjoining same type of principal structures on said block or street.
- (3) Side and Rear Yard Adjustments for Bufferyards. In instances where the required bufferyard width (per Article VIII) exceeds the minimum required setback width, the minimum required bufferyard width shall prevail. Absolutely no intrusions of a building or structure are permitted within the required bufferyard.

Article VII: Performance Standards

Section 10-106: Exterior Lighting Standards

- (1) Purpose. The purpose of this Section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity of a light source in order to promote traffic safety and to prevent the creation of nuisances.
- (2) Applicability. The requirements of this Section apply to all private exterior lighting within the jurisdiction of this Chapter, except for lighting within public rights-of-way and/or lighting located on public property.
- (3) Review and Approval. Through the site plan review process (see Section 10-174), the Plan Commission shall review and approve all development for conformance with this Section.
- (4) Depiction on Required Site Plan. Any and all exterior lighting shall be depicted as to its location, orientation, and configuration on the site plan required for the development of the subject property.
- (5) Exterior Lighting Requirements.
 - (a) In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a clear shield) is visible from a property located within a residential zoning district. The use of shielded luminaries and careful fixture placement is encouraged so as to facilitate compliance with this requirement.
 - (b) Flashing, flickering and/or other lighting which may distract motorists are prohibited.
 - (c) Intensity of Illumination.
 1. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 foot-candles above ambient lighting conditions on a cloudless night.
 2. The maximum average on-site lighting in non-residential zoning districts shall be 2.5 foot-candles.
 3. The maximum average on-site lighting in residential zoning districts shall be 1.0 foot-candles.
 4. The following exceptions shall be permitted:
 - a. The maximum average allowable on-site lighting of outdoor recreation facilities and assembly areas is 4.0 foot-candles.
 - b. The maximum average on-site lighting of auto display lots and gas station pump islands is 25.0 foot-candles; all under-the-canopy fixtures shall be fully recessed.
 5. Reflected glare onto nearby buildings, streets or pedestrian areas is prohibited. To minimize any indirect overflow of light on adjacent properties, the height of any proposed parking lot light standard should be as short as possible and should stair step down to a lower height when close to residential uses.
 - (d) Fixtures and Luminaries.
 1. Outdoor lighting shall be full cut-off fixtures and downward facing and no direct light shall bleed onto adjacent properties. Exempt from this requirement are any fixtures using an incandescent bulb of 100 watts or less, or its equivalent.
 2. Light fixtures shall not be located within required bufferyards.
 3. Total cut-off luminaries with angles of less than 90 degrees shall be required for pole and building security lighting to ensure no fugitive up lighting occurs.
 4. The color and design of fixtures shall be compatible with the building and public lighting in the area, and shall be uniform throughout the entire development site.

5. The maximum fixture height in the SR-2, SR-4, SR-5, SR-6, SR-7, MR-10, MR-20, NMU, DMU, and UMU districts shall be 16 feet. The maximum fixture height in the CMU, BP, GI, LI and ME shall be 25 feet.
 6. All lighting fixtures existing prior to the effective date of this Chapter shall be considered as legal conforming.
- (e) All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity of 0.25 foot-candles.
- (f) Any temporary use using exterior lighting which is not in complete compliance with the requirements of this Section shall secure a temporary use permit (see Section 10-172).

Section 10-108: Fencing Standards

- (1) Purpose: The purpose of this Section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls and decorative posts in order to prevent the creation of nuisances and to promote the general welfare of the public.
- (2) Applicability: The requirements of this Section apply to all fencing, landscape walls and decorative posts equal to, or exceeding, 36 inches in height, for all land uses and activities.
- (3) Review and Approval: Fences over 20 feet in length shall be reviewed and approved by the Zoning Administrator and shall require a building permit, unless he or she determines that site plan review by the Plan Commission (per Section 10-174) is necessary or the proposed fence requires a conditional use permit.
- (4) Standards:
 - (a) Materials:
 1. Residential fences shall be constructed using residential-style fencing including, but not limited to, naturally resistant or treated wood, brick, natural stone, masonry, wrought iron, vinyl, galvanized and/or coated chain link (minimum thickness of 9 gauge and a required top rail support). Chain link fence slats are subject to provisions of this section regarding open and solid fences.
 2. Nonresidential fences shall use the materials listed in Subsection 1., above. Corrugated metal or other solid metal fences may only be used in the LI, GI, and ME zoning districts.
 3. Except of a security fence, any fence within any residential or mixed use within the required or provided front yard, whichever is less restrictive, shall be a maximum of 50 percent opaque such as a wood or metal picket or wood rail fence as defined by the spaces between pickets as equal to or greater than the width of the pickets. See Figure 10-108a.
 4. Wire mesh and chain link fencing is not permitted within the required or provided front yard, whichever is less restrictive, in the RH-35, SR-2, SR-4, SR-5, SR-6, SR-7, TR-6, MR-10, MR-20, and MH-8 zoning districts, except when used in conjunction with parks, schools, and airports.
 5. Barb wire or razor wire fencing is only permitted on the top of security fencing when located at least 6½ feet above the ground.
 6. Temporary fencing, including the use of wood or plastic snow fences for the purposes of limiting snow drifting between November 1 and April 1, protection of excavation and construction sites, and the protection of plants during grading and construction is permitted. Permits are not required for temporary fencing.

- (b) Location:
1. On all properties, no fence or decorative post shall be located closer than 3 feet of the right-of-way line in the provided front yard, provided street side yard property line, or when abutting an alley.
 2. Fences shall be located within any property line abutting a side or rear yard.
 3. All fences must meet the visibility standards in Section 10-103.
 4. Fences may be located within easements per the provisions of the easement.
 5. Replacement of fences existing as of the effective date of this Chapter in their current location shall be permitted.
- (c) Maximum Height: The maximum height of any fence panel, landscape wall, or decorative post shall be the following:
1. In the SR-2, SR-4, SR-5, SR-6, SR-7, TR-6, MH-8, MR-10, MR-20, and NMU zoning districts:
 - a. Four feet when located within the required front or provided yard, whichever is closer to the street.
 - b. Six feet within the side, rear, or street side yard, but not in the required front yard or beyond the front façade of the house, whichever is closer to the street.
 2. In the CMU, UMU, DMU, BP, LI, GI, ME, and PD zoning districts:
 - a. Eight feet when located behind the front façade of the building or required yard, whichever is closer to the street.
 - b. Four feet when located in the required front yard or between the front façade of the building, whichever is closer to the street.
 - c. Eight feet for security fences in any yard.
 3. Height shall be measured from the ground immediately under the fence to the top of the fence face.
 4. Height exceptions:
 - a. Decorative posts at a minimum spacing of 24 inches may extend 8 inches above the maximum height. This exception is not allowed for front yard fences.
 - b. To accommodate slopes and/or lawn maintenance, up to 4 inches of ground clearance shall be allowed which will not contribute to the measurement of maximum fence height. This exception is not allowed for front yard fences.
 - c. Berms with slopes less than or equal to a minimum of 3 feet of horizontal to a maximum of every 1 foot of vertical (i.e. 3:1) shall not contribute to the measurement of maximum fence height.
- (5) On Fence Lighting: On fence lighting is permitted and shall conform to all requirements of Section 10-106 as well as the State electrical and building codes.
- (6) Orientation: Any and all fences, landscape walls, or decorative posts shall be erected so as to locate visible supports and other structural components toward the subject property.
- (7) Maintenance: Any and all fences, landscape walls, or decorative posts shall be maintained in a structurally sound and attractive manner.
- (8) Swimming Pools: Fencing for swimming pools shall be provided per the Model Swimming Pool Enclosure Code established by the National Spa and Pool Institute (NSPI), which is available from the City Public Works Department.

Section 10-111: Noise Standards

- (1) Purpose. The purpose of this Section is to regulate the creation of noise which adversely affects adjoining properties in order to prevent the creation of nuisances and to promote the health, safety, and general welfare of the public.
- (2) Applicability. The requirements of this Section apply to all uses and activities which create detectable noise, except that these standards shall not apply to noise created during the construction of the principal use on the subject property, or by incidental traffic, parking, loading, maintenance, or agricultural operations.
- (3) Requirements. All noise shall be muffled so as not be objectionable due to intermittence, frequency, or shrillness. In no event shall the sound-pressure level of noise continuously radiated from a facility exceed the values given in Figure 10-111a as measured by a Type 2 sound meter that is in compliance with ANSI standard S1.4-1983. The measurement shall be conducted at the lot line of the subject property where said lot abuts property within any residential or mixed use zoning district, or the Business Park (BP) district.
- (4) Nonconforming Noise. Noise that was in effect as of the effective date of this Chapter shall be considered legal nonconforming. The burden of proof to demonstrate that said noises were in effect prior to the effective date of this Chapter is the responsibility of the noise producer.

Figure 10-111a: Maximum Permitted Noise Level at Lot Line for Continuous Noise

Zoning District	Increase in Noise Level Over Ambient Level
RH-35, SR-2, SR-4, SR-5, SR-6, SR-7, TR-6, MR-10, MR-20, MH-8	Plus 3 dBA
NMU, CMU, UMU, DMU, BP	Plus 5 dBA
LI, GI, ME	Plus 8 dBA

Article VIII: Landscaping Requirements

Figure 10-133a: Landscaping Requirements for Regular Development

	Landscaping Component			
	Building Foundation	Paved Areas	Street Frontages	Yard Areas
Type of Landscaping	Tall trees not allowed	A minimum of 30% of points devoted to tall trees and 40% to shrubs	Shrubs not allowed; a minimum of 50% of points devoted to tall trees and 30% to medium trees	Any type allowed
Placement of Landscaping	Within 10 feet of building foundation	Within paved area or within 10 feet of paved area	Within 10 feet of the public right of way	Any location
Calculation of Landscaping Points	Points per 100 linear feet of building foundation	Greater of: points per 20 parking stalls or 10,000 square feet of paved area	Points per 100 feet of street frontage	Points per 1,000 square feet of gross floor area
	Rural Holding (RH-35)*	20	20	20
	Single Family Residential (SR-2)*	40	40	40
	Single Family Residential (SR-4)*	40	40	40
	Single Family Residential (SR-5)*	40	40	40
	Single Family and Two-Flat Residential (SR-6)*	40	40	40
	Single Family and Two-Flat Residential (SR-7)*	40	40	40
Zoning Districts:	Two Family Residential (TR-6)*	45	45	45
	Multi-Family Residential (MR-10)*	60	60	60
	Multi-Family Residential (MR-20)*	75	75	75
	Mobile Home Residential (MH-8)*	40	40	40
	Neighborhood Mixed Use (NMU)	40	40	40
	Community Mixed Use (CMU)	40	40	40
	Urban Mixed Use (UMU)	40	40	40
	Downtown Mixed Use (DMU)	0	0	0
	Business Park (BP)	25	40	25
	Light Industrial (LI)	20	20	20
General Industrial (GI)	20	20	20	
Mineral Extraction (ME)	20	20	20	

*Note: Single family, two family, and all agricultural land uses are exempt from landscaping requirements.

Figure 10-133b: Required Bufferyard Opacity Values

Apply the required opacity value from this Figure to Figure 10-133c and select the most appropriate bufferyard option. Note that certain land uses, conditional uses, and planned development projects may have more stringent bufferyard requirements.		Adjacent Property's Zoning District:																	
		RH-35	SR-2	SR-4	SR-5	SR-6	SR-7	TR-6	MR-10	MR-20	MH-8	NMU	CMU	UMU	DMU	BP	LI	GI	ME
Subject Property's Zoning District:	Rural Holding (RH-35)																		
	Single Family Residential (SR-2)	*																	
	Single Family Residential (SR-4)	*	0																
	Single Family Residential (SR-5)	*	0	0															
	Single Family and Two-Family Residential (SR-6)	*	0	0	0														
	Single Family and Two-Family Residential (SR-7)	*	0	0	0	0													
	Two Family Residential (TR-6)	*	.1	.1	.1	.1	.1												
	Multi-family Residential-10 (MR-10)	*	.2	.2	.2	.2	.2	.1											
	Multi-family Residential-20 (MR-20)	*	.3	.3	.3	.3	.3	.2	.1										
	Mobile Home Residential (MH-8)	*	.3	.3	.3	.3	.3	.2	.1	.1									
	Neighborhood Mixed Use (NMU)	*	.4	.4	.4	.4	.4	.4	.3	.2	.2								
	Community Mixed Use (CMU)	*	.4	.4	.4	.4	.4	.4	.3	.2	.2	.2							
	Urban Mixed Use (UMU)	*	.4	.4	.4	.4	.4	.4	.3	.2	.2	.1	.1						
	Downtown Mixed Use (DMU)	*	.4	.4	.4	.4	.4	.4	.3	.2	.2	.1	.1	.1					
	Business Park (BP)	*	.6	.6	.6	.6	.6	.5	.4	.4	.4	.3	.3	.2	.1				
	Light Industrial (LI)	*	.6	.6	.6	.6	.6	.5	.4	.4	.4	.3	.3	.2	.1	.1			
	General Industrial (GI)	*	.6	.6	.6	.6	.6	.5	.4	.4	.4	.4	.4	.4	.4	.3	.2		
	Mineral Extraction (ME)	*	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	.8	.8	.8	.8	.8	.8	.8

Commented [JM1]: I made a correction in this row

*Note: Refer to Future Land Use Map of the City's Comprehensive Plan for the most likely future zoning district.

Article IX: Signage

Section 10-144: Permitted Signs by Zoning District

- (1) The purpose and configuration of signs shall be allowed on private property in the City in accordance with Figure 10-144a. If the letter “Y” appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter “P” appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter “N” appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.
 - (a) Although permitted under Subsection (1) of this section, a sign designated by an “Y” or “P” in Figure 10-144a shall be allowed only if:
 - 1. The sum of the area of all building and freestanding signs on the zoning lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located and with any additional limitations in other applicable sections of this Chapter.
 - 2. The size, location, and number of signs on the lot conform with the requirements of Table A and Table B, which establish permitted sign dimensions and characteristics by sign type, and with any additional limitations in other applicable sections of this Chapter.
 - (b) Signage for all uses in the Planned Development zoning districts shall be permitted per the base zoning district or as modified in the approved Specific Implementation Plan’s signage plan in Section 10-177(d)(1)(g).
 - (c) Key to Figure 10-144a and Figure 10-144b. On the tables in this Chapter which are organized by zoning district, the headings have the following meanings:

Abbreviation	Uses and Zoning Districts
SFDs	Residential, single-family detached districts, including SR-2, SR-4, SR-5, SR-6, and SR-7
MFDs	Residential, duplex and multifamily districts, including TR-6, MR-10, MR-20, and MF-8
INS	All institutional uses in all districts
RH & NMU	Rural and neighborhood districts, including RH-35, NMU and PL
CMU & UMU	Community and urban mixed use districts, including CMU, UMU, and PD
DMU	Downtown mixed use, including DMU
INDs	Industrial and business districts, including BP, LI, GI, and ME