

ORDINANCE 2024-02
AN ORDINANCE CREATING
SECTION 300-37.5 DISTRICT – MULTI-FAMILY-RESIDENTIAL DISTRICT (R-4)
OF THE VILLAGE OF VERNON MUNICIPAL CODE

WHEREAS, the Village of Vernon has discussed creating Section 300-37.5 of the Village Zoning Code regarding Multi-Family Residential District (R-4); and

WHEREAS, the Village Zoning Code currently does not have a multi-family zoning district;
and

WHEREAS, pursuant to Section 300-46(intro) of the Village Zoning Code, the Village Board has initiated this proposal to amend the regulations of the Village Zoning Code to create Section 300-37.5 of the Zoning Code allowing for multi-family zoning; and

WHEREAS, the request to create the Multi-Family Zoning District (R-4) has been reviewed and recommended by the Village’s Planning Consultant, and

WHEREAS, pursuant to Section 300-46(A)(4) of the Village Zoning Code, a duly noticed joint public hearing was held by the Village Plan Commission and Village Board on January 10, 2024;
and

WHEREAS, pursuant to Section 300-46(A)(5)(a) of the Village Zoning Code, the Village Plan Commission, within 75 days of the closing of the public hearing, recommended the Village Board adopt the proposal; and

WHEREAS, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and;

WHEREAS, the Village Board finds that adoption of the ordinance will promote the public health, safety and general welfare of the community, and will be consistent with the Village of Vernon Comprehensive Plan.

NOW, THEREFORE, the Village Board of the Village of Vernon, Waukesha County, Wisconsin, DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 300 of the Village of Vernon Municipal Code entitled “Zoning,” Article V entitled “Districts,” Section 300-37.5 entitled “Multi-Family Residential District (R-4)” is hereby created as follows:

Article V
Districts

§ 300-37.5 Multi-Family Residential District (R-4).

A. Purpose and intent. This district is intended to allow for limited multi-family residential

where compatible with the intensity of surrounding existing and planned development and where appropriate existing or proposed buffers can be achieved where required as determined by the Village Plan Commission and Village Board.

B. Permitted principal uses. See Exhibit A.

C. Permitted accessory uses. See Exhibit A.

D. Conditional uses. See Exhibit A.

E. Building location.

(1) Setback: 50 feet minimum.

(2) Offset: 20 feet minimum.

(3) Building separation (where more than one building per lot or condominium unit): 20 feet minimum.

F. Height regulations.

(4) Principal building.

(a) Non-exposed foundation.

[1] The maximum height of a residential structure shall not exceed 35 feet measured from the average finished grade at the building line to the highest roof line.

(b) Exposed foundation.

[1] The maximum building height measured from the lowest exposed point of the structure to the highest top plate that supports a roof structure cannot exceed 32 feet.

[2] The maximum building height measured from the lowest exposed point of the structure to the highest roof line cannot exceed 46 feet.

(5) Accessory buildings: 18 feet maximum.

G. Area regulations.

(6) Floor area.

(a) Minimum required.

[1] One bedroom unit: 650 square feet.

[2] Two bedroom unit: 850 square feet.

[3] Three bedroom unit: 1,050 square feet.

(b) Maximum total building footprint: 17.5%.

H. Lot size.

(7) Minimum area: 15,000 square feet per dwelling unit exclusive of land within the CO Conservancy and ECO Environmental Corridor Overlay Districts.

(8) Minimum average width: 180 feet.

I. Density. Maximum residential density shall be determined by the Village Comprehensive Plan Land Use Plan Map. Environmentally Sensitive Areas including floodplain, wetland, environmental corridor and isolated natural resource area shall be excluded from the maximum density calculation.

J. Open space: 5,000 square feet minimum of per family.

K. Development Standards. All multi-family development shall be reviewed per the process and conform to the development standards in § 300-21.5 of the Village of Vernon Code of Ordinances.

L. Road Access. All properties shall abut directly upon and take access from an arterial or collector street as defined in § 200-9 of the Village of Vernon Code of Ordinances.

M. Parking. There shall be at least two (2) off-street parking spaces per residential unit, one of which shall be interior.

N. Sanitary Sewage System. The manner in which the units are to be serviced with sewage disposal is subject to the approval of the State Department of Commerce and/or the Waukesha County Environmental Health Division, prior to approval by the Village of Vernon.

SECTION 2: SEVERABILITY. Section 300-37.5 of this ordinance are Hereby created. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon passage and posting by the Village Administrator Clerk as required, pursuant to s. 61.50 Wis. Stat.

Adopted this 10th day of January 2024 by the Village Board of the Village of Vernon, Waukesha County, Wisconsin:

Karen L. Schuh, Village President

Attest to posting on the ____ day of _____ 2024

Bradley Calder, Village Administrator/Clerk