

Amended Copy

Village of Prentice

Comprehensive Zoning Code

Adopted September 21, 1992

VILLAGE OF PRENTICE
 COMPREHENSIVE ZONING CODE
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**VILLAGE OF PRENTICE
COMPREHENSIVE ZONING CODE**

THE VILLAGE BOARD OF THE VILLAGE OF PRENTICE DO ORDAIN AS FOLLOWS:

SECTION 1.0: PURPOSE AND INTERPRETATION

1.1 Purpose

The provisions of this Code, shall be held to be the minimum requirements adopted:

- (1) To promote the public health, safety, morals, comfort, convenience, prosperity, and general welfare of the Village and environs.
- (2) To lessen congestion in the public streets.
- (3) To secure safety from fire, explosion, noxious fumes, and other hazards.
- (4) To provide adequate light, air, privacy, and convenience of access to property.
- (5) To prevent the overcrowding of land.
- (6) To avoid undue concentration of population.
- (7) To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- (8) To conserve and enhance the taxable value of land and buildings.
- (9) To encourage the most appropriate use of land throughout the Village and environs.
- (10) To preserve and increase the amenities of the Village and environs.
- (11) To protect residential, commercial, and manufacturing areas alike from harmful encroachments by incompatible uses.
- (12) To regulate and restrict the location and intensity of use of buildings, structures, and land for residential, commercial, manufacturing, and other uses, and to establish building or setback lines for such uses.

- (13) To establish districts of such number, shape, and area as may be deemed best suited to carry out the purpose of this Code.
- (14) To present such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereinafter.
- (15) To define the powers and duties of the administrative officers and bodies, as provided hereinafter.

1.2 Interpretation

In their interpretation and application, the provisions of this Code shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

This Code shall not repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to laws. However, wherever this Code imposes greater restrictions, the provisions of this Code shall govern.

SECTION 2.0: DEFINITIONS

2.1 General Terms

For the purpose of this Code, the terms or words herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular includes the plural.

The word "person" includes an individual, all partnerships, associations, and bodies of politic and corporate.

The word "lot" includes the words "plot" or "parcel."

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

The word "building" includes the word "structure."

The word "shall" is mandatory and not directory.

Any words not herein defined shall be construed as defined in the State and Village Building Codes.

2.2 Specifications:

In this Code, the following terms are defined as follows:

- (1) "Accessory Use of Structure" means a use or detached structure subordinate to the principal use of a structure, land, or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure. If an accessory structure is permanently attached to the principal structure, both structures shall meet the principal structure yard requirements. Accessory structure or use of structure shall include outdoor wood-fired furnaces which shall be subject in all districts, except the Planned Unit Development District (PUD), to the standard district and conditional use permit provisions and procedures set forth in Sections 4.0 and 8.0 for this ordinance. (Amended 6-28-93)
- (2) "Alley" means a street or thoroughfare less than 21 feet wide and affording only secondary access to abutting property.
- (3) "Apartment House" means a "Dwelling, Multi-Family."
- (4) "Basement" means a story partly underground which, if occupied for living purposes, shall be counted as a story for the purposes of height measurement.
- (5) "Boarding House" means a building other than a hotel where meals, or lodging and meals, are furnished for compensation for three (3) or more persons not members of a family.
- (6) "Building" means any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals or property. When a building is divided into separate parts by unpierced walls extending from the ground up, each part shall be deemed a separate building.
- (7) "Building Height" means the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roof.

- (8) "Campground" means a parcel of land used or intended to be used, let or rented for occupancy by campers or occupancy by or of trailers, tents or moveable or temporary dwellings, rooms or sleeping quarters of any kind.
- (9) "Conditional Uses" means uses of a special nature as to make impractical their predetermination as a principal use in a district.
- (10) "Dwelling, One-Family" means a building designed or used exclusively as the living quarters for one family, including modular homes which meet the dimensional requirements.
- (11) "Dwelling, Multi-Family" means a dwelling or group of dwellings on one plot containing separate living units for three (3) or more families, but which may have joint services or facilities for both.
- (12) "Dwelling, Two-Family" means building designed or used exclusively as the living quarters for two families including modular homes which meet the dimensional requirements.
- (13) "Elderly Housing" means a type of multi-family dwelling generally restricted to persons 62 years of age or older.
- (14) "Essential Services" means services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems, and accessories hereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, hydrants, but not including buildings.
- (15) "Family" means one or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.
- (16) "Farming, General" means the production of field or truck crops, or the raising of livestock products for commercial gain.
- (17) "Flood Plain" means the land adjacent to a water course or other body of water subject to overflow therefrom during a regional flood as defined in the Flood Plain Ordinance.
- (18) "Frontage" means all of the property abutting on one side of a street between two (2) intersecting streets or all of the property abutting on one side of a street between an intersecting street and the dead end of a street.

- (19) "Garage, Private" means an accessory building or space for the storage of family owned vehicles.
- (20) "Garage, Public" means any building or premises, other than a private or a storage garage, where motor-driven vehicles are equipped, repaired, serviced, hired, sold or stored.
- (21) "Garage, Storage" means any building or premise used exclusively for the storage of motor-driven vehicles, pursuant to previous arrangements and where no equipment, parts, fuel, grease or oil is sold and vehicles are not equipped, serviced, repaired, hired or sold. No commercial motor vehicle exceeding two (2) tons capacity shall be stored in any storage garage.
- (22) "Home Occupation" means a gainful occupation conducted by members of the family only, within their place of residence; provided that no article is sold or offered for sale on the premises except such as is produced by such occupation, that no stock in trade is kept or sold, that no mechanical equipment is used other than as is permissible for purely domestic purposes.
- (23) "Hospital" includes, unless otherwise specified, sanitarium, sanitorium, preventorium, clinic, resthome, nursing home, convalescent home and any other place for diagnosis, treatment or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment or other care of human ailments.
- (24) "Hotel" means a building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in any individual room or apartment.
- (25) "Lodging House" means a building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than five (5) sleeping rooms with no cooking facilities in any individual room or apartment.
- (26) "Lot" means a parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by this Code.
- (27) "Lot, Corner" means a lot abutting on two (2) or more streets at their intersection, provided that the interior angle of such intersection is less than 135 degrees.
- (28) "Lot, Irregular" means a lot within a subdivision abutting a cul-de-sac or curved street which is approximately equal in area to other lots within the

subdivision; however, having unusually short abutting frontage in comparison to the other lots.

- (29) "Lot, Depth of" means the mean horizontal distance between the front and rear lot lines.
- (30) "Lot, Interior" means a lot other than a corner lot.
- (31) "Lot, Through" means an interior lot having frontage on two (2) nonintersecting streets.
- (32) "Lot, Width of" means the mean width measured at right angles to its depth.
- (33) "Lot Lines" means any line dividing one lot from another.
- (34) "Mobile Home" means any structure originally designed to be capable of transportation by any motor vehicle upon public highway which does not require substantial on-site fabrication; which is intended for occupancy as a year-round residence.
- (35) "Navigable Water" means all natural or other waters which are navigable under the laws of this State.
- (36) "Nonconforming Use" means a building, structure, or use of land existing at the time of enactment of this Code, and which do not conform to the regulations of the district or zone in which it is situated.
- (37) "Professional Office" means the office of a doctor, practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, musician or other recognized professional.
- (38) "Roadside Stand" means a structure not permanently fixed to the ground that is readily removed in its entirety, covered or uncovered and wholly enclosed, and used solely for the sale of farm products produced on the premises. No such roadside stand shall be more than 300 square feet in ground area and there shall be not more than one (1) roadside stand on any one (1) premise.
- (39) "Salvage Yard" means a lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discarded, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition and for the sale of parts thereof.

- (40) "Setback" means the distance between a structure's foundation and the property line. (Created by Ordinance)
- (41) "Sign" means any structure or natural object or part thereof or device attached or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
- (42) "Stable" means a garage which houses one or more draft animals.
- (43) "Story" means that portion of a building including between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, the space between any floor and ceiling next above it. A basement or cellar having one-half (1/2) or more of its height above grade shall be deemed a story for purposes of height regulations.
- (44) "Story, Half" means the space under any roof except a flat roof which, if occupied for residential purposes shall be counted as a full story.
- (45) "Street" means all property dedicated or intended for public or private street purposes or subject to public easements therefore and 21 feet or more in width.
- (46) "Street Line" means a dividing line between a lot, tract or parcel of land and a contiguous street.
- (47) "Structure" means anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.
- (48) "Structural Alterations" means any change in the supporting members of a building or any substantial change in the roof structure or in the exterior walls.
- (49) "Temporary Structure" means a moveable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure.
- (50) "Tourist Camp" means a tract or parcel of land, with or without buildings, or other equipment, on which one (1) or more camp cabins are located, or where temporary accommodations are provided for two (2) or more automobile trailers or house cars, open to the public free or for a fee.

- (51) "Trailer" means a portable vehicle designed and used for temporary living purposes.
- (52) "Use" means the specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming uses.
- (53) "Vision Clearance" means an unoccupied triangular space at the street corner of a corner lot which is bounded by the street lines and a setback line connecting points specified by measurement from the corner on each street line.
- (54) "Yard" means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.
- (55) "Yard, Front" means an open unoccupied space on the same lot with the building between the front line of the building and the front line of the lot and extending the full width of the lot.
- (56) "Yard, Rear" means an open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of the lot.
- (57) "Yard, Side" means an open unoccupied space on the same lot with a building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

SECTION 3: ZONING DISTRICT AND MAPS

3.1 Establishment of District

Uses and structures in all districts, except the Planned Unit Development District (PUD), shall be subject to the requirements of the specific district in which located as well as to the applicable general (standard district) provisions of Section 4.0 where there is inconsistency or conflict between general and specific district requirements, the more restrictive provisions shall govern. (Amended 6-28-93) For the purpose of this Code, the Village of Prentice is hereby divided into the following zoning districts:

- (1) R-1 Single Family Residential District
- (2) R-1&2 One- & Two-Family Residential District
- (3) R-3 Multi-Family Residential District

(4)	C-1	Commercial District
(5)	C-2	Central Business District
(6)	I-1	Light Industrial District
(7)	I-2	Heavy Industrial District
(8)	W-1	Conservancy District
(9)	A-1	Agricultural/Forestry District
(10)	PUD	Planned Unit Development District

3.2 Zoning Map and District Boundaries

- (1) The official zoning district map is an integral part of this Code. The single official copy of this map entitled "Village of Prentice Official Zoning Map," together with a copy of this Code, shall be available for public inspection during office hours. The map shall be certified by the President and attested by the Village Clerk. Any changes in zoning district boundaries shall be recorded on the map. No such change shall be effective until so recorded and until a duly certified and attesting certificate describing the change is filed with the map.
- (2) The district boundaries are either streets or alleys unless otherwise shown, and where the designation on the map indicates that the various districts are approximately bounded by a street or alley line, such street or alley line shall be construed to be the district boundary line.
- (3) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the district boundary line.
- (4) Where the district boundaries are not other wise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the map are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of the district.
- (5) In property not subdivided, the district shown on the map shall be determined by use of the scale shown on such map.

3.3 R-1 Single Family Residential District

Land in this district shall be used only for the uses permitted by this subsection. This district provides for one-family year-round residential development protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions

are suitable for such development and in those areas which can be economically and readily served by utilities and municipal facilities.

(1) Permitted Uses:

- (a) Single family year-round dwellings.
- (b) Private garages and carports.
- (c) Essential services and utilities intended to serve the principal permitted use.
- (d) Signs subject to the provisions of Section 5.0.
- (e) Horticulture and gardening.
- (f) Customary accessory uses provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or a private nuisance.
- (g) Up to two (2) boarders or lodgers not members of the family.

(2) Uses authorized by Conditional Use Permit (See Section 8 for permit requirements):

- (a) A conversion of part of the single family dwelling to accommodate housekeeping facilities for elderly relatives age 62 or over or handicapped family member. This conditional use is for the specific purpose and not intended to provide a means of making a rental unit for the public.
- (b) Public and semi-public uses including but not limited to, the following: public and private schools, churches and public parks and recreation areas, day care centers, fire and police stations, and historic sites.
- (c) The following public and semi-public uses are not permitted: sewage disposal plants, garbage incinerators, warehouses, storage yards, repair shops, maintenance buildings, asylums and penal or correctional institutions.
- (d) Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

(e) Home occupations or professional offices. When established in a residential district, a home or professional office shall be incidental to the residential occupation. Not more than 25 percent of the floor area of only one (1) story of a dwelling unit shall be occupied by such office and only one (1) unlighted nameplate, not exceeding two (2) square feet in area, containing the name and profession of the occupant of the premises shall be exhibited.

(3) Dimensional Requirements:

(a) Maximum Building Height

Principal Buildings35 feet
Accessory Buildings15 feet

(b) Minimum Floor Area Per Family800 sq. ft.

(c) Minimum Lot Area

One-Family Dwellings10,000 sq.
ft./unit (e.g. 80' x 125')

(d) Minimum Lot Width

48 feet for lots platted at 48 feet or 50 feet prior to September 21, 1992; 70 feet for all other lots

(e) Front Yard Setback30 feet

(f) Rear Yard Setback

Principal Buildings25 feet
Accessory Buildings 3 feet

(g) Side Yards

Principal Buildings8 feet from
foundation/20 feet
total

Accessory Buildings 3 feet from
foundation

(h) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

(i) Minimum Separation of Structures

There shall be a minimum eight (8) feet of open space separating the principal structure from all accessory structures.

(j) Street Front Window Requirement

All residential structures shall have an appearance on the street frontage compatible with the adjacent residential dwelling units. This will be interpreted to mean there will be at least one (1) window on the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this Section.

3.31 R-2 One- & Two-Family Residential District

(A) Land in this district shall be used only for uses permitted by this subsection. This district provides for one- and two-family year-round residential development protected from traffic hazards and intrusions of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas which can be economically and readily served by utilities and municipal facilities.

(1) Permitted Uses:

- (a) Single family and two-family dwellings.
- (b) Private garages and carports.
- (c) Essential services and utilities intended to serve the principal permitted uses.
- (d) Signs subject to the provisions of Section 5.0.
- (e) Horticulture and gardening.

(f) Customary accessory uses provided such uses are clearly incidental to the principal use and that no such use generates traffic or noise that would create a public or a private nuisance.

(g) Up to two (2) boarders or lodgers not members of the family.

(2) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):

(a) A conversion of part of the single family dwelling to accommodate housekeeping facilities for elderly relatives age 62 or over or handicapped family member. This conditional use is for the specific purpose and not intended to provide a means of making a rental unit for the public.

(b) Public and semi-public uses including but not limited to, the following: public and private schools, churches and public parks and recreational areas, day care centers, community-based residential care facilities, and elderly housing, fire and police stations, and historic sites.

The following public and semi-public uses are not permitted: sewage disposal plants, garbage incinerators, warehouses, storage yards, repair shops, maintenance buildings, asylums and penal or correctional institutions.

(c) Telephone, telegraph and power transmission towers, poles and lines, including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

(d) Home occupations or professional offices. When established in a residential district, a home or professional office shall be incidental to the residential occupation. Not more than 25 percent of the floor area of only one (1) story of a dwelling unit shall be occupied by such office and only one (1) unlighted nameplate, not exceeding two (2) square feet in area, containing the name and profession of the occupant of the premises shall be exhibited.

(3) Dimensional Requirements:

(a) Maximum Building Height

Principal Buildings.....35 feet

Accessory Building.....15 feet

(b) Minimum Lot Area

One-Family Dwellings.....10,000 sq. ft./unit

Two-Family Dwellings..... 5,000 sq. ft./each
additional unit

Elderly Housing.....10,000 sq. ft./unit
for the first unit plus 1,000 sq. ft.
per each additional unit

(c) Minimum Lot Width

48 feet for lots platted at 48 feet or 50 feet prior to September 21,
1992; 60 feet for all other lots

(d) Front Yard Setback30 feet

(e) Rear Yard Setback

Principal Buildings25 feet

Accessory Buildings 3 feet

(f) Side Yards

Principal Buildings..... 8 feet from
foundation/20 feet total

Accessory Buildings..... 3 feet from
foundation

(g) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications &
Standards Code.

(h) Minimum Separation of Structures

There shall be a minimum of eight (8) feet of open space separating
the principal structure from all accessory structures.

(i) Street Front Window Requirement

All residential structures shall have an appearance on the street
frontage compatible with the adjacent residential dwelling units. This
will be interpreted to mean there will be at least one (1) window on

the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this Section.

3.4 R-3 Multi-Family Residential District

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for multi-family year-round residential development in areas which are served by adequate utilities and municipal facilities.

(1) Permitted Uses:

- (a) Duplex or larger multiple residential units - Mobile Home Parks.
- (b) Multi-Family year-round dwellings.

(2) Uses authorized by Conditional Use Permit (See Section 8 for permit requirements):

- (a) See Mobile Home Ordinance Section 6.5 (pp. 40-41 hereof).
- (b) Any use authorized by conditional use permit in the R-2 district.
- (c) Rooming and boarding homes, tourist homes and motels.
- (d) Hospitals. Such buildings shall not be located less than 75 feet from any lot in any residential district not used of the same purpose.
- (e) Philanthropic institutions.
- (f) Private clubs, fraternities and lodges, except those whose chief activity is customarily carried on as a business.

(3) Dimensional Requirements:

(a) Maximum Building Height:

Principal Buildings45 feet
Accessory Buildings15 feet

(b) Minimum Lot Area:

All Uses7,500 sq. ft.
Plus: Elderly Housing (4 Units or More)....1,000 sq. ft./unit
Plus: All other Multi-Family Dwellings:

Category	Number of Units	Lot Area Required/Unit
1	Units 2-4	3,750 sq. ft. each
2	Units 5-12	3,000 sq. ft. for 3 or more bedroom units 2,000 sq. ft. for 2 or more bedroom units 1,000 sq. ft. for 1 bedroom or efficiency units
3	Units 13-Above	2,250 sq. ft. for 3 or more bedroom units 1,500 sq. ft. for 2 or more bedroom units 750 sq. ft. for 1 bedroom or efficiency units

In all cases, the minimum lot area shall be at least 7,500 square feet. There shall be at least 3,750 square feet for each of the first four (4) units on the lot, regardless of the number of bedrooms or elderly housing qualification.

For the purpose of making the above calculations the total number of units of the building shall determine the category of minimum lot size that applies. Example, if the multi-family unit building has ten (10) dwelling units, the minimum lot size will be determined by Category 2 area requirements.

(c) Minimum Lot Width

60 feet for lots platted at 60 feet or less prior to September 21, 1992. 80 feet for all other lots.

(d) Front Yard Setback30 feet

(e) Rear Yard Setback:

Principal Buildings

(1) Two Stories or Less in Height.....25 feet

(2) Greater than Two Stories in Height...3 additional
feet/additional story or half story

Accessory Buildings.....3 feet

(f) Side Yards:

Principal Buildings intended for
One- or Two-Family Residential Use.....R-2 District
Regulation shall apply

Principal Buildings intended for
Multi-Family Residential Use:
Those Two stories or less in height.....10 feet from
foundation/25 feet total
Those Greater than Two Stories in Height...3 additional
feet/each additional story

Accessory Buildings3 feet on each
side

(g) Off-Street Parking Regulations

See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

(h) Minimum Separation of Structures

There shall be a minimum of eight (8) feet of open space separating the principal structure from all accessory structures.

(i) Street Front Window Requirement

✓ All residential structures shall have an appearance on the street front compatible with the adjacent residential dwelling units. This will be interpreted to mean there will be at least one (1) window on the street side of the residential structure to provide light and emergency egress to the structure. A skylight shall not meet the requirements of this Section.

3.5 C-1 Commercial District

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for the orderly and attractive grouping, at appropriate locations, of retail stores, shops, offices and similar commercial establishments. Other uses, similar in character, including the manufacture or treatment of product clearly incidental and customary to conduct of the principal use are allowed also.

In blocks of the commercial district which are already developed, setbacks, minimum lot widths, commercial parking and truck unloading areas for new or renovated buildings may correspond with existing setbacks provided the Planning Commission determines such action will be in keeping with the purposes of this Code.

(1) Permitted Uses:

Facilities such as, but not limited to, the following:

- (a) Retail stores and shops offering convenience goods and services.
- (b) Business and professional offices and studios.
- (c) Financial institutions.
- (d) Public and semi-public buildings and institutions.
- (e) Commercial entertainment facilities.
- (f) Laundromats.
- (g) Restaurants.
- (h) Taverns.
- (i) Medical and dental clinics.
- (j) Auto service stations and maintenance facilities.
- (k) Recreation service oriented facilities.
- (l) Motels and tourist homes.
- (m) Rooming and boarding houses.
- (n) Funeral homes.

(2) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):

- (a) Public and semi-public conditional uses as stated in the R-2 One- & Two-Family District.
- (b) New and used car sales establishments.
- (c) Wholesale establishments.
- (d) Transportation terminals.
- (e) Farm implement sales firms.
- (f) Outdoor theaters.
- (g) Miniature golf, go-karts, and amusement parks.
- (h) Drive-in establishments offering in-car service to customers.
- (i) Rental apartments as a secondary use on a non-ground floor level and providing a minimum residential floor area of 400 square feet.

When authorized by Conditional Use Permit, the dimensional requirements of the R-1 or R-2 district, respectively, shall apply.

(3) Dimensional Requirements:

(a) Maximum Building Height.....45 feet

(b) Minimum Lot Width.....40 feet

(c) Front Yard Setback.....10 feet

(d) Rear Yard Setback:

Building Two Stories or Less in Height.....10

Buildings Greater than Two Stories in Height....3 feet
additional feet/each additional or
half story

(e) Side Yards.....Not required; but a
minimum of 10 feet if provided

(f) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications &
Standards Code.

(g) Truck Loading/Unloading Areas

See Village of Prentice Off-Street Parking Area Specifications &
Standards Code.

(h) Setbacks on State Trunk Highways

All setbacks facing a State Trunk Highway shall be a minimum of 45
feet.

3.55 C-2 Central Business District

This district is intended to provide appropriate regulations to insure the compatibility of the diverse uses typical of the downtown area without inhibiting the potential for maximum development of commercial, cultural, entertainment and other activities which contribute to its role as the heart of the Village.

(1) Permitted Uses:

(a) Retail stores and shops; churches.

- (b) Community and customer service establishments such as, but not limited to, the following:
 - (1) Business, professional, public service, banking and savings & loan offices.
 - (2) Restaurants, taverns, theaters, bowling alleys, night clubs and other indoor commercial entertainment facilities.
 - (3) Laundromats, coin-operated dry cleaning establishments, and laundry or dry cleaning pickup stations.
 - (4) Private clubs and lodges.
 - (5) Automobile service stations.
 - * (6) Service and sales establishments for automobiles, including body repair shops and used car lots, but not including the storage of junked or wrecked automobiles and parts.
- (c) Commercial studios, display galleries and vocational training schools.
- (d) Rental apartments as a secondary use on a non-ground floor level and providing a minimum residential floor area of 400 square feet.
- (e) Printing and publishing houses and related activities.
- (f) Transportation terminals, not including trucking.
- (g) Commercial parking facilities.
- (h) Hotels and motels.
- (i) Appliance and small machinery repair establishments.
- (j) Signs in conformance with provisions of Section 5.0.
- (k) Public utility distribution lines, including, but not limited to, electric, gas, water, television cable, and telephone distribution lines and other related accessories subject to approval by the Village Public Works Department.

- (2) Accessory Buildings or Uses:
 - (a) Garage or storage of vehicles in conjunction with the operation of a business.
 - (b) Any normal accessory structure or use.
- (3) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):
 - (a) Rental apartments on the ground floor level.
 - (b) Lumber and building supplies.
 - (c) General warehousing.
 - (d) Experimental, testing and research laboratories.
 - (e) Transmission lines, antennas and towers including, but not limited to, electric, gas, petroleum and telephone transmission lines, antennas and towers, whether installation is above or below ground, and other related accessories, substations, municipal water towers, pump houses, water and sewage treatment plants.
- (4) Dimensional Requirements:
 - (a) Maximum Building Height:
 - Principal Buildings or Uses.....60 feet
 - Accessory Buildings or Uses.....40 feet
 - (b) Minimum Lot Width.....40 feet
 - (c) Front Yard.....None required
 - (d) Rear Yard SetbackNone required,
however, rear yards when adjacent to or abutting residential districts will maintain a setback of 25 feet
 - (e) Side Yard SetbacksNone required,
however, rear yards when adjacent to or abutting residential districts will maintain setback of 10 feet

- (f) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

- (g) Truck Loading/Unloading Areas

See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

3.6 I-1 Light Industrial District

Land in this district shall be used only for the purposes permitted by this subsection. This district is intended to provide for manufacturing and industrial operations which, on the basis of actual physical and operational characteristics, would not be detrimental to surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance or similar factors relating to public health, welfare and safety. Those industries requiring outdoor storage for raw materials and/or finished products may be required to provide a fence or screen in accordance with the provisions of Section 7.0.

Any use determined to be objectionable by the Planning Commission on the basis of pollution, noise, dust, smoke, vibration, odor, flashing lights or danger of explosion may be permitted only upon the issuance of a Conditional Use Permit setting forth dimensional and site requirements, performance standards, aesthetic controls, and pollution standards for that particular use.

- (1) Permitted Uses are those such as, but not limited to, the following:
 - (a) A one-family dwelling provided that the dwelling is used solely by a watchman or caretaker employed on the premises and by members of his family. Where appropriate, the requirements of Sect. 6.5, Mobile Home Parks shall apply.
 - (b) General warehousing.
 - (c) Wholesale business.
 - (d) Printing and publishing.
 - (e) Manufacture of products from paper, but not the manufacture of paper or pulp.

- (f) Repair, service and assembly of motor-propelled or non-motor-propelled vehicles, including the repair and storage of automotive accessories, except the wrecking of motor-propelled vehicles.
 - (g) Storage and warehousing of fuels and materials and contractors' yards, except the storage of wrecked and dismantled vehicles, junk, explosive or inflammable gases or liquids. (see wellhead protection)
 - (h) Manufacture and bottling of nonalcoholic beverages. Plan
 - (i) Processing, packing and manufacture of feed, except meat and meat products, fish and fish products, sauerkraut and cabbage by-products, or the vining of peas.
 - (j) Manufacture of products from wood or plastic, except the manufacture of paper pulp or plastics.
 - (k) Manufacture of jewelry, sporting goods, home and office appliances and supplies.
 - (l) Manufacture of goods from leather, but not the tanning of hides or manufacture of leather.
 - (m) Knitting mills and the manufacture of products from finished fabrics.
 - (o) Cleaning, dyeing and pressing establishment and laundries, except bag cleaning.
 - (p) Laboratories.
 - (q) Enameling and painting.
 - (r) Blacksmithing, tinsmithing, sheet metal working and plumbing shops.
 - (s) Accessory uses clearly incidental to a permitted use.
- (2) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):
- (a) Other uses found to be compatible with the purpose of the district, subject to approval by the Prentice Planning Commission.

(3) Dimensional Requirements:

(a) Maximum Building Height.....65 feet; 5 stories

(b) Minimum Lot Width.....100 feet

(c) Front Yard Setback.....40 feet

(d) Rear Yard Setback:

Buildings Two Stories or Less in Height..20 feet

Buildings Greater than Two Stories in

Height3 additional

feet/each additional or half story

(e) Side YardsNot required; but
if provided, a minimum of 10 feet

(f) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

(g) Truck Loading/Unloading Area

See Village of Prentice Off-Street Parking area Specifications & Standards Code.

3.7 I-2 Heavy Industrial District

Land in this district shall be used only for the purpose permitted in this subsection. This district is intended to provide for manufacturing and industrial operations which, on the basis of actual physical and operational characteristics, might be detrimental to surrounding areas by reason of smoke, noise, dust, odor, traffic, physical appearance or similar factors relating to public health, welfare and safety. Those industries requiring outdoor storage for raw materials and/or finished products may be required to provide a fence or screen in accordance with provisions of Section 7.0.

Any use determined to be objectionable by the Planning Commission on the basis of pollution, noise, dust, smoke, vibration, odor, flashing lights, or danger of explosion may be permitted only upon the issuance of a Conditional Use Permit setting forth dimensional and site requirements, performance standards, aesthetic controls, and pollution standards for that particular use.

- (1) Permitted uses are those such as, but not limited to, the following:
 - (a) Manufacturing, assembly, fabricating, and processing plants and similar type industrial operations consistent with the purposes of this district.
 - (b) A one-family dwelling provided that the dwelling is used solely by a watchman or caretaker employed on the premises and by members of his family.
 - (c) Accessory uses clearly incidental to a permitted use.
- (2) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):
 - (a) Abattoirs, except for slaughter of poultry.
 - (b) Acid manufacturers.
 - (c) Cement, lime, gypsum or Plaster of Paris manufactures.
 - (d) Distillation of bones.
 - (e) Explosives manufacture or storage.
 - (f) Fat rendering.
 - (g) Fertilizer manufactures.
 - (h) Fur farms subject to regulations of Section 3.8.
 - (i) Lumber, log loading, sawmills, metal fabricating.
 - (j) Glue manufactures.
 - (k) Quarrying, mining and processing of products from these activities, subject to the provisions of Section 6.0.
 - (l) Salvage yards, subject to the provisions of Section 6.0.
 - (m) Smelting of metallic ores.
 - (n) Stockyards.

- (o) Other uses found to be compatible with the purposes of the district, subject to approval by the Prentice Planning Commission.
- (3) Dimensional Requirements:
 - (a) Maximum Building Height.....65 feet; 5 stories
 - (b) Minimum Lot Width100 feet
 - (c) Front Yard Setback.....40 feet
 - (d) Rear Yard Setback:
 - Buildings Two Stories or Less in Height..20 feet
 - Buildings Greater than Two Stories in Height... 3 additional feet/each story or half story
 - (e) Side YardsMinimum of 10 feet from lot line
 - (f) Off-Street Parking
 - See Village of Prentice Off-Street Parking Area Specifications & Standards Code.
 - (g) Truck Loading/Unloading Areas
 - See Village of Prentice Off-Street Parking Area Specifications & Standards Code.

3.8 A-1 Agricultural Forestry District

Land in this district shall be used only for the purpose permitted by this subsection. This district is established to perpetuate and protect forested and agricultural lands from uncontrolled, uneconomical spread of residential, commercial or industrial development since it results in excessive costs to the community for provision of essential public improvements and services.

- (1) Permitted Uses:
 - (a) One-Family and Two-Family residences but only when occupied by owners or persons engaged in farming activities on the premises. Regulation of the R-2, One- and Two-Family Residential District shall apply.
 - (b) Farming, except fur farming, providing that buildings in which farm animals are kept shall be at least 100' from the nearest residential district.
 - (c) Roadside stands for the sale of products grown on the premises, if sufficient off-street parking space for customers is provided.
 - (d) Airports, including terminal facilities and necessary concessions.
 - (e) Cemeteries and mausoleums.
 - (f) Customary accessory uses provided.
 - (g) Signs subject to the provisions of Section 5.0.
 - (h) Wood lots and tree farms.
- (2) Uses authorized by Conditional Use Permit (see Section 8.0 for permit requirements):
 - (a) One-family year-round dwellings.
 - (b) Public and semi-public uses including, but not limited to, the following: bicycling and hiking trails, public parks and recreation areas, golf courses, historic sites. Sewage disposal plants, garbage incinerators and maintenance, repair or storage buildings shall not be permitted.
 - (c) Fur-farming, provided that buildings and premises used for or in connection with the keeping or raising of fur bearing animals shall be subject to the following regulations: All cages, pens, runways and enclosures used for the keeping or raising of fur-bearing animals shall be kept in a clean; sanitary condition so that no offensive odors shall arise therefrom and the breeding of flies and other insect pests may be prevented. All garbage, waste, manure and offal accumulation in connection with the keeping or raising of such animals shall remain upon the premises for a period of no longer than one (1) week. During such period of time such garbage, waste, manure and offal shall

be kept in containers so as to be inaccessible to rats, flies and other insect pests. Such garbage, waste, manure and offal shall, at the end of such period be disposed of in such a manner as will not offend nearby residents and so that such disposal will not be inimical to the health and well being of the other residents of the Village.

All food supplies for feeding of fur-bearing animals shall be kept in covered containers or in a protective building or enclosure so that such food is not accessible to rodents, flies and other insect pests.

(f) Telephone, telegraph, and power transmission towers, poles and lines including transformers, substations, relay and repeater stations, equipment housing and other necessary appurtenant equipment and structures.

(3) Dimension Requirements:

(a) Maximum Building Height45 feet except
for agricultural product storage
structures such as silos & barns

(b) Minimum Lot Area2 acres/family

(c) Minimum Lot Width300 feet

(d) Front Yard Setback.....40 feet

(e) Rear Yard Setback:

Buildings Two Stories or Less in Height.....20

Buildings Greater than Two Stories in Height....5 feet
additional feet/each additional or
half story

(f) Side YardsA minimum of 10 feet

(g) Off-Street Parking

See Village of Prentice Off-Street Parking Area Specifications and Standards Code.

(h) Truck Loading/Unloading Areas

See Village of Prentice Off-Street Parking Area Specifications and Standards Code.

3.9 W-1 Conservancy District

Land in this district shall be used only for the purposes permitted in this subsection. The W-1 District is intended to preserve the natural state of scenic areas, to preserve natural areas and buffer strips, and to discourage intensive development of marginal lands so as to prevent potential hazards to public and private property.

No use shall involve dumping or filling of mineral soil or peat removal or any other use that would disturb the natural fauna, flora, water courses, water regiment, or topography.

(1) Permitted uses:

(a) Management of forestry, wildlife and fish.

(b) Harvesting of wild crops such as marsh hay, ferns, moss, berries, fruit trees, and tree seeds.

(2) Uses authorized by Conditional Use Permit (See Section 8.0 for permit requirements):

(a) Drainage where such activity will not be in conflict with the stated purposes of this district.

(b) Public and private parks.

(c) Dams, plants for the production of electric power and flowage areas.

(d) Grazing where such activities will not be in conflict with the stated purposes of this district.

(e) Orchards and wild crop harvesting.

(f) Bicycle and hiking trails.

(g) Telephone, telegraph and power transmission towers, poles and lines including transformers, substations, relay and repeater stations, equipment housings and other necessary appurtenant equipment and

structures, radio and television stations and transmission towers, fire towers, and microwave radio relay towers.

(h) Signs (subject to Section 5.0 Sign Ordinance).

3.10 PUD: Planned Unit Development District

- (1) The PUD District is intended to provide for large scale residential or residential-recreational development. This district shall have no definite boundaries until such are approved by the Village Board on the recommendation of the Planning Commission in accordance with procedures prescribed for Zoning Amendments by Section 62.23 Wisconsin Statutes. It is recognized that carefully planned large scale developments may deserve certain exceptions from the otherwise fixed requirements of the Zoning District (such as setbacks and minimum lot sizes) where the resulting development would better serve the objectives of this Code, than would a development of the same land without the use of the exceptions. A condition of all Planned Unit Developments would require the preservation of certain open space in perpetuity, or dedication to the Village.
- (2) The area proposed for the Planned Unit Development must be at least five (5) acres in size. Application for establishing a Planned Unit Development District must be in writing to the Village Board, which must include duplicate plans showing the location of all boundaries, roadways, buildings, sewage disposal and water supply facilities, together with information showing how all the applicable provisions of this Code will be complied with, the exceptions requested, and the reasons why the applicant considers the exceptions to be consistent with the spirit of this Code. The plans may provide for a combination of single and multiple family development, as well as related commercial uses. The Village Board may request the applicant to submit other such maps, studies, plans or pertinent information as shall be necessary to its consideration of the application.
- (3) The application shall be submitted to the Village Planning Commission, which shall hold a public hearing thereon and make report to the Village Board as required by law. If an application seeks approval of a Planned Unit Development plat, without first seeking or granting of an overlay, a hearing must be held on such plat as on any regular amendment to the Zoning Code. If, however, a hearing is first held on the overlay for a Planned Unit Development District, a second public hearing need not be held in connection with the approval of a subsequent plat or plats which complies with the overlay district as approved.

- (4) After report from the Planning Commission, Village Board shall hold a public hearing thereon and shall make written findings as to the compliance or noncompliance of the proposed Planned Unit Development overlay district with the provisions of this Code. If the application is granted in whole or in part, the Village Board's approval shall attach such written conditions to the approval as shall be required by or be consistent with this Code. The condition of approval shall, in all cases, establish the specific restrictions applicable with regard to minimum lot sizes, widths, setbacks, preservation of ground cover and open space, etc. In passing upon an application for Planned Unit Development District, the Village Board shall evaluate the effect of the proposed development upon:
- (a) The maintenance of safe and healthful conditions;
 - (b) The prevention and control of water pollution, including sedimentation;
 - (c) Existing topographic and drainage features and vegetative cover on the site;
 - (d) The location of the site with respect to any floodplains;
 - (e) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover;
 - (f) The location of the site with respect to existing and future roads and sidewalks needed to serve the area involved;
 - (g) Whether the development will constitute a reasonable extension of the living areas in the Village and will be compatible with surrounding land uses;
 - (h) The type and adequacy of the sewerage disposal and water supply systems;
 - (i) The anticipated demand for police, fire, ambulance, solid waste disposal, roadway and school facilities and services, and the adequacy of the existing facilities and services to accommodate the anticipated demand.
- (5) If the Planning Commission and the Village Board approve a PUD, the developer shall comply with all conditions attached to such approval, and shall complete the project as specified in his or her application, as modified by the conditions.

3.11 Exclusive Agriculture District

Land in this district shall be used for purposes permitted by this subsection.

- (1) The land and structures in the Exclusive Agriculture District may be used only for agricultural purposes as defined in Section 91.01(1), Wisconsin Statutes, and for those residential and other uses permitted under Section 91.75, Wisconsin Statutes.
- (2) A Conditional Use Permit may be granted only as permitted by Section 91.75, Wisconsin Statutes. A permit granted in this district must follow consideration of the factors set forth in Section 91.79, Wisconsin Statutes.

SECTION 4.0: GENERAL PROVISIONS

4.1 Application of Provisions

- (1)
 - (a) No new use of structure, land or water shall hereafter be commenced and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a Zoning Permit as provided in Section 11.0, except minor structures specifically excepted from zoning permits, and without full compliance with the provisions of this Code and all other applicable local, county, and state regulations. Repair or replacement operations are considered maintenance and shall not require a zoning permit.
 - (b) No one- and two-family dwellings shall be constructed which does not conform to the Wisconsin One- & Two-Family Dwelling Code, which is adopted (including future amendments) by the Village.
- (2) The Village Board shall designate a Building Inspector, to investigate all complaints, give notice of violations, and to enforce the provisions of this Code. The Building Inspector and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection, and are authorized to obtain Special Inspection Warrants.

4.2 Standard District Provisions

- (1) **Setback Requirements on Streets and Roads**

All building setback lines shall meet minimum distance requirements listed in the district regulations except as provided in Sections (a) and (b) below:

- (a) A setback equal to the average setback of existing principal buildings located within 500 feet of a proposed building site and on the same side of the street, shall be permitted where five (5) of these buildings do not conform with the appropriate setback line.
- (b) Minor readily removable structures such as open fences or signs permitted by this Code may be placed within setback lines. Public utility equipment without permanent foundations is also permitted. When deemed necessary by the Planning Commission in connection with development such as highway improvement programs, property owners and public utilities may be required to remove, at their own expense and without right-of-compensation, any such structures erected within setback lines.

(2) Visual Clearance at Intersections

In each quadrant of every street intersection there shall be a designated vision clearance triangle, bounded by the inner street lines and a line connecting them 35 feet from their intersection. Within this triangle, no object shall be allowed above a height of two and one-half (2- 1/2) feet above the streets and below a height of 12 feet above the streets if it obstructs the view across the triangle. Posts or open fences are excluded from this provision. Tree trunks shall be exempt where they are unbranched to a height of ten (10) feet and located a minimum of 30 feet apart.

(3) Access Driveways

- (a) The maximum number and width of access driveways to streets and service roads shall be as follows:

Type of Access	Maximum of Access Driveways	Maximum Width of Access Driveways	Minimum Spacing Between Driveways
Commercial & Industrial Land Uses	2	35'	15'
Other Land Uses	1	24'	75'

The Planning Commission may grant a variance to the number and location upon application of the property owner upon demonstration of a hardship.

- (b) No storage garage shall have an entrance or exit for motor vehicles within 200 feet of an entrance or exit of any public, semi-public or religious institution.
- (4) Excessive Height Permitted:
- (a) Height of the following structures may exceed Code limits for the district in which it is to be located with the approval of the Prentice Planning Commission; cooling towers, penthouses, stacks, lookout towers, silos, windmills, water towers, spires, radio and television aerials, antennas and necessary mechanical appurtenance.
 - (b) Residences in the Residential Districts may be increased in height by not more than ten (10) feet when all yards and other required open spaces are increased by one (1) foot for each foot in which such building exceeds the height limit of the district in which it is located.
 - (c) Churches, schools, hospitals, sanitariums and other public or quasi-public buildings may be erected to a height not exceeding 65 feet nor five (5) stories, provided the front, side and rear yards required in the district in which such building is to be located are each increased at least one (1) foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.
- (5) Lot Size:
- (a) After adoption of this Code, no lot area shall be so reduced that the dimensional and yard requirements required by this Code, cannot be met. Lots existing and of record prior to adoption of this Code, but of substandard size, may be devoted to uses permitted in the district in which located subject to the requirement of Section 9.5, Substandard Lots.
 - (b) If two or more substandard lots with continuous frontage have the same ownership as of the effective date of this Code, the lots involved shall be considered to be an individual parcel for the purpose of this Code.
 - (c) Lots created after adoption of this Code and which are not served by public water and sewer systems shall meet the minimum area requirements of the Price County Code, and appropriate Wisconsin Administrative Code provisions.

- (d) All lots shall abut upon a public street with at least 48 feet of frontage unless a variance has been approved, it is part of an approved planned unit development project, or it meets the definition of an irregular lot as given in Section 2.2, and has at least 20 feet of street frontage.
 - (e) On corner lots less than 65 feet wide and of record at the time of passage of this Code, where double frontage exists, the front yard setback on the side street shall not be less than 50 percent of the required front yard setback of the adjacent lots on the side street; provided further that in no case shall the buildable width of such corner lot be reduced to less than 24 feet.
 - (f) When a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was on record as such at the time of the passage of this Code, the lot may be occupied by one (1) family subject to requirements of Section 9.5.
- (6) Yard Requirements:
- (a) Accessory buildings shall not be nearer than three (3) feet to any lot line.
 - (b) Every part of a required yard shall be open to the sky unobstructed except for accessory buildings in a rear yard, and the ordinary projections of sills, belt courses, cornices and ornamental features projecting not more than twelve (12) inches.
 - (c) Open or enclosed fire escapes and fire towers may project into a required yard not more than five (5) feet and into a required court not more than three and one-half (3-1/2) feet, provided it be so located as not to obstruct light and ventilation.
 - (d) Any side yard, rear yard or court abutting a district boundary line shall have a minimum width and depth in the less restricted district equal to the average of the required minimum widths and depths for such yards and courts in the two (2) districts which abut the district boundary line.
 - (e) Buildings on through lots and extending from street to street may waive the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard provided that the setback requirements on both streets be complied.

(7) Principal and Accessory Uses and Structures:

- (a) Only one principal structure shall be located, erected, or moved onto any lot.
- (b) Any permanent, roofed structure serving as an accessory use, if attached to the principal building, shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building, it shall conform to the setback, and other dimensional requirements of the district within which it is located.
- (c) Accessory buildings shall not occupy more than 25 percent of the combined rear yard and side yard area in the R-1 and R-2 residential districts.
- (d) Outdoor wood-fired furnaces shall be considered noncustomary uses and structures accessory to a principal use or structure. They shall be permitted only on lots which are a minimum of two acres or more in size, regardless of district in which located, and shall be subject to all the provisions and procedures of Section 8.0 (Conditional Use Permit). (Amended 6-28-93)

(8) Drainage, Sanitation and Water Supply:

- (a) No principal building shall be erected, structurally altered, or relocated on land which is not adequately drained at all times by reason of adverse soil conditions, steep slopes, shallow impermeable bedrock, periodic flooding, or where the lowest floor level is less than four (4) feet above the highest groundwater level.
- (b) No principal building intended for human use or occupancy shall be erected, structurally altered, or relocated on a lot unless provision is made for safe and adequate facilities for water supply and disposal of sewage. Private on-site water and sewer systems shall comply with the Price County Sanitary Code and appropriate State Administrative code.

4.3 Supplementary Regulations

(1) Off-Street Parking

See Village of Prentice Off-Street Parking Specifications & Standards Code.

SECTION 5.0: SIGNS

5.1 Permit Required:

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a Zoning Permit, except those signs excepted in Section 5.2, and without being in conformity with the provisions of this Code. The sign shall also meet all the structural requirements of the Building Code.

5.2 Signs Permitted Without Zoning Permit

- (1) The following signs are permitted in the residential, commercial, industrial and agricultural districts:
 - (a) Signs over show windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed two (2) feet in height and ten (10) feet in length.
 - (b) Real estate signs not to exceed eight (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.
 - (c) Name, occupation, and warning signs not to exceed two (2) square feet located on the premises.
 - (d) Bulletin boards for public, charitable or religious institutions not to exceed eight (8) square feet in area located on the premises.
 - (e) Memorial signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.
 - (f) Official signs, such as traffic control, parking restrictions, information, and notices.
 - (g) Temporary signs or banners when authorized by the Zoning Administrator who shall grant such approval on a first-come first-served basis, only to nonprofit or service organizations, for periods not exceeding 30 days, for no more than four (4) over-the-street banners at any one time, and with proper maintenance to be provided by the sponsoring organization.

5.3 Signs Permitted - Zoning Permit Required

- (1) The following signs are permitted in all commercial and industrial subject to the following restrictions, and they shall relate only to the activity conducted on the same premises:
 - (a) Wall signs placed against or painted on or applied to the exterior walls of buildings shall not extend more than six (6) inches outside of a building's wall surface, shall not exceed 500 square feet in area for any one premises, and shall not exceed 20 feet in height above the mean centerline street grade.
 - (b) Projecting signs fastened to, suspended from, or supported by structures shall not exceed 100 square feet in area for any one premises; shall not extend more than six (6) feet into any required yard; shall not extend into any public right-of-way; shall not exceed a height of 20 feet above the mean centerline street grade; and shall not be less than ten (10) feet above the sidewalk nor 15 feet above a driveway or an alley.
 - (c) Ground signs shall not exceed 30 feet above the mean centerline street grade, shall meet all yard requirements for the district which it is located, shall not exceed 200 square feet in area for any one (1) premises.
 - (d) Window signs shall be placed only on the inside of commercial buildings and shall not exceed 25 percent of the glass area of the pane upon which the sign is displayed.
 - (e) Combinations of any of the above signs shall meet all the requirements for individual sign.

5.4 Signs Permitted-as a Conditional Use Permit

- (1) The following signs are permitted in all districts, but only as conditional use. (See Section 8.0 for Conditional Use Permit requirements.)
 - (a) Local information signs. These are the only signs permitted in Prentice which do not relate to the activity conducted on the same premises. They shall indicate the directions to local business, service, or industrial establishments.

5.5 Facing

No sign except those permitted in Section 5.2 shall be permitted to face the residential district within 100 feet of such district boundary.

5.6 Traffic

Signs shall not resemble, imitate, or approximate the shape, size, form, or color or railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices. No sign shall be erected, relocated or maintained so as to present free ingress to or egress from any door, window, or fire escape; and no sign shall be attached to a standpipe or fire escape. No sign shall be placed so as to obstruct or interfere with traffic visibility.

5.7 Existing Signs

Signs lawfully existing at the time of the adoption or amendment of this Code may be continued although the use, size, or location does not conform with the provisions of this Code. However, each shall be deemed a nonconforming use or structure; and the provisions of Section 9.0 shall apply.

5.8 Bonds

Every applicant for a Zoning Permit for a sign wholly or partially within a public right-of-way shall, before the permit is granted execute a surety bond in a sum to be fixed by the Building Inspector, but not to exceed \$25,000; and it shall be of a form and type approved by the Village Attorney indemnifying the municipality against all loss, cost, damages or expenses incurred or sustained by or recovered against the municipality by reason of the erection, construction, or maintenance of such sign. A liability insurance policy issued by an insurance company authorized to do business in the State of Wisconsin and conforming to the requirements of this section may be permitted by the Village Attorney in lieu of bond.

SECTION 6.0: REGULATION OF SPECIAL USES

6.1 General Provisions

Except as added to alter hereafter in this Section, the procedures and requirements of Section 8.0 governing conditional uses shall apply.

6.2 Quarries & Mines

(1) Application Required

Application requesting Prentice Planning Commission approval of a proposed quarrying activity shall be accompanied by:

- (a) A description of all phases of the contemplated operation including types of machinery and equipment which will or might be necessary to carry on the operation. Where the operation is to include sand and gravel washing the estimated daily quantity of water required, its source and its disposition shall be identified.
- (b) A legal description of the proposed site.
- (c) A topographic map (at a minimum contour interval of five (5) feet of the proposed site and the area extending beyond the site to a minimum distance of 300 feet on all sides).
- (d) A restoration plan as hereinafter required.

(2) Consideration of Compatibility

In reviewing a proposal for a quarrying activity, the Prentice Planning Commission shall take into consideration:

- (a) The effect of the proposed operation on drainage and water supply, particularly in connection with sand and gravel washing.
- (b) The possibility of soil erosion as a result of the proposed operation.
- (c) The most suitable land use for the area.

(3) Restoration Plan & Financial Guarantee Required

No grant to carry on a quarrying operation shall be given until the Prentice Planning Commission approves a restoration plan and the owner agrees to restore the quarried area to a condition of practical usefulness and reasonable physical attractiveness as soon as practicable after the quarrying operations have ceased. The owner shall provide sufficient financial guarantee to secure the performance of the restoration agreement. The agreement and financial guarantee shall be in a form approved by the Village Attorney.

(4) Conditions for Approval

The Village Planning Commission may set forth conditions regarding appropriate setback and other dimensional requirements, particularly with reference to avoiding a nuisance effect on surrounding residential uses. Suitable fencing and landscaping may be required.

(5) Duration of Conditional Grant

The initial grant to carry on a quarrying operation shall not be effective for more than five (5) years. Authorization may be extended for three (3) additional years, subject to conditions specified by the Planning Commission.

(6) Existing Quarry Operations

- (a) Within 60 days after the effective date of this Code, the owners of all existing quarrying operations shall submit to the Prentice Planning Commission the names of the quarry owners and operators and information regarding its operation.
- (b) Within one (1) year after adoption of this Code, the owners shall submit to the Planning Commission a plan for restoration of the quarrying site in accordance with subsection (3) of this section. The restoration plan shall not impose requirements which are economically or engineeringly unreasonable with respect to conditions resulting from operations prior to enactment of this Code.
- (c) Within three (3) years after the effective date of this Code any such existing operation shall be subject to the provisions of subsections (4), (5), and (6) of this Section.

6.3 Salvage Yards

No salvage yard shall be permitted in the Village of Prentice except in conformance with the standards, rules and regulations of Price County and the Wisconsin Administrative Code, NR 500 series and the requirements herein specified.

- (1) All salvage yards shall have minimum front, side and rear yards of 100 feet each.
- (2) Salvage yards shall be screened so that the salvage materials are not visible from other property in the vicinity, nor from a public right-of-way such as roads, streets, highways and waterways.

6.4 Garbage and Refuse Disposal Site

- (1) No garbage or refuse disposal sites, transfer stations or recycling operations shall be permitted in the Village of Prentice except in conformance with the rules and regulations of Price County and NR 500 Wisconsin Administrative Code.

- (2) All such disposal sites shall have minimum front, side and rear yards of 100 feet each.
- (3) Garbage and refuse disposal sites shall be screened so that the salvage materials are not visible from other property in the vicinity, nor from a public right-of-way such as roads, streets, highways and waterways.

6.5 Mobile Home Parks

Except as otherwise specifically authorized, no mobile home intended for occupancy shall be located within the Village of Prentice except in a mobile home park, the plan of which has been approved by the Planning Commission and appropriate state agencies. Such parks shall meet the following requirements:

- (1) Minimum Size - Two (2) acres
- (2) Maximum Number of Mobile Home Sites - 6/acre
- (3) Minimum Width of Mobile Home Site - 40 feet
- (4) Maximum Height of Mobile Home Trailer - 25 feet
- (5) Minimum Distance between Mobile Home Trailers - 25 feet
- (6) Minimum Distance between Mobile Home Trailer & Service Road - 10 feet
- (7) Each mobile home site shall be connected to a public or common water supply system and a public or common sewage disposal system.
- (8) All drives, parking areas and walkways shall be hard surfaced. There shall be one parking space for each mobile home and additional parking spaces for automotive vehicles within the park totalling not less than one and a quarter (1 1/4) parking spaces for each mobile home site.
- (9) No mobile home sales office or other business or commercial use shall be located on the mobile home park site. However, laundries, washrooms, recreation rooms, maintenance equipment, storage and one office are permitted.
- (10) Minimum side yard setback - 40 feet at all front, side and rear lot lines of all mobile home parks.

- (11) Each mobile home shall be placed on a concrete support pad of a size to accommodate the use. The stand should provide for home and retention of the home on the lot in a stable condition and in satisfactory relationship to its surrounding. The size of a development will be acceptable if it is suitable for the general market to be served by the individual proposal and fits the dimensions of mobile homes anticipated.
- (12) All mobile home parks shall be screened in accordance with Section 7.0 of this Code.
- (13) All mobile homes shall meet the construction standards specified in applicable design codes of the U.S. Dept. of Housing and Urban Development (HUD), the State of Wisconsin, and the Mobile Homes Manufacturing Association.
- (14) Mobile home parks shall be served by municipal sewer and water systems or with Planning Commission approval, comply with the sanitation regulations of the Price County Sanitary Code and the appropriate requirements of the Wisconsin Administrative Code.
- (15) Mobile home parks served by the municipal water system shall include installation of hydrants according to specifications approved by the Village Public Works Director and Fire Chief.

6.6 Trailer Camps and Campgrounds

A trailer, camper or tent must be located in a Federal, State, Town, City, or County camp or in a private campsite, the plan of which has been approved by the Prentice Planning Commission and appropriate state agencies.

- (1) Each trailer site shall be plainly marked or surfaced.
- (2) Maximum number of trailer sites shall be 15 per acre.
- (3) All drives and parking areas other than those at individual trailer sites shall be surfaced, at least gravel surface.
- (4) Central toilet, shower and washing facilities shall be provided in sufficient quantity, as determined by the State Department of Health & Social Services requirements.
- (5) Water supply and sewage disposal shall be provided by Prentice Public Systems or shall comply with regulations of the Price County Sanitary Code and appropriate Wisconsin Administrative Codes.

Ordinance No. 06-2004

**An ordinance governing the
Installation of fences
In the Village of Prentice**

Be it ordained by the president and board of trustees, Village of Prentice, Price County, Wisconsin, as follows:

Section One: No fence shall be constructed, installed or maintained in the Village of Prentice, unless the same meets the following requirements:

1. Definition: A fence is defined as a structure performing as a barrier, at grade, between lots, between a lot and a street or an alley, or between portions of a lot or lots, such structure being independent of any other.
2. No fence shall be constructed, installed or maintained within 5 feet of any public sidewalk or 5 feet from right away or alley where no sidewalk exists, and the said fence shall not exceed the following heights:
3. No fence shall be constructed, or installed in the front yard unless a variance is applied for.

A. Residential:

a. Interior Lots:

1. Front yard: 4 feet maximum height measured from ground level.
2. 2. Rear yard: Six feet maximum height measured from ground level.
3. Side Yard: 6 feet maximum height measured from ground level.

b. Corner lots:

1. Front Yard: four feet maximum height measured from ground level.
2. Street Side Yard: four feet maximum height measured from ground level.
3. Interior side yard: six feet maximum height measured from ground level.
4. Rear yard: six feet maximum height measured from ground level.

B. Business, Commercial and Industrial:

- a. Front yard: Eight feet maximum height measured from ground level.
- b. Rear Yard: Eight feet maximum height measured from ground level.

- c. Side yard: Eight feet maximum height measured from ground level.

C. Sightlines:

- a. On any corner lot, no sight obscuring fence shall rise over 3 feet above established lowest level of the adjacent roadway, within the triangle formed by the two property lines which meet at the street intersection and a line drawn between two points located on said property lines and Twenty feet away from the point of intersection.
- b. On access points to any lot, no fence shall rise more than three feet above established grade level of the driveway for a distance that is 20 feet from the legal street edge.

4. Materials and Installation:

A. Materials – Residential:

1. Cyclone-type or metal mesh:

- a. Minimum 11 gauge
- b. Line post minimum, 1 5/8 inches
- c. Terminal post minimum, 2 1/2 inches.

2. Wood or Extruded Plastic

- a. Post, minimum 3 inch diameter
- b. Decorative panels to be a minimum thickness of 3/4 inch.
- c. Cross pieces to be a minimum of 2X4 inches.

B. Materials – Business, Commercial and Industrial: All materials used shall be commercial-type materials.

C. Installation of Fences: installation of fences shall be in compliance with the following:

- 1. Posts shall be spaced not more than eight feet centerline to centerline.
- 2. On cyclone fences, posts shall not extend higher than three inches over finished height; and on wood fences, posts shall not extend higher than six inches over finished height.
- 3. Cyclone or metal mesh shall be installed so that the unfinished or protective edge of the wire is at the bottom of the fence.
- 4. All fences shall be installed inside property lines.
- 5. Installation of fences will be allowed on utility easement property, but if necessary, will be removed at the owner's expense and the utility company will not be held responsible for any damage.
- 6. No fences will be allowed beyond the front property markers.
- 7. The finish side of all fences shall face the exterior of the property on all sides.

8. All gates shall be installed with a proper catch and locking device.
5. Variations: any variation from the terms of this section will be made only after a written request, giving the reasons for any variation has been submitted to the planning committee and has been approved by a majority of the Board of Trustees. The maximum height of all fences shall be 8 feet.
6. Prohibitions:
 - A. No electric-type fences or any type of electrical devices installed to a fence will be allowed in the corporate limits of the village.
 - B. Any farm-type fences or portable fences shall not be used as permanent fences.
7. Dog Runs: The following requirements shall apply to dog runs:
 - A. Maximum height is six feet.
 - B. Cyclone type fences of 11 gauge wire.
 - C. Length and width shall be under the discretion of the planning committee.
 - D. Dog runs must be installed, with the exception of corner lots , only at the rear of any properties, but no closer than fifteen feet of a neighboring residence.
 - E. If dogs capable of jumping over the top of the fence are kept in a dog run, a top will be installed on such dog run.
 - F. All dog runs must be maintained daily so as not to have an offensive odor.
8. Permit required:
 - A. A permit is required before an fence is built within the village of Prentice
 - B. Application to be made to Planning Committee with application to include:
 - a. A plot plan, indicating placement of the fence in relationship to structures and property lines.
 - b. A materials list signed by the contractor or owner.

- (6) No trailer site shall be less than 50 feet from the front, side or rear lines of the camp.
- (7) Marshland areas shall not be altered.

6.7 Major Recreational Equipment

The parking, storage, or use of major recreational equipment shall not be subject to the provisions of this section, except that no more than one major item of recreational equipment shall be parked or stored on a lot in a residential district except in a garage or carport or behind the nearest portion of a building to a street. Such equipment may be parked anywhere on residential premises for a period not to exceed 24-hours during loading or unloading. No such equipment shall be used for permanent living or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

SECTION 7.0: SCREENING & FENCING

7.1 General Provisions

Screening or fencing required by this Code shall be subject to the following provisions:

- (1) Approval Required: Any use or conditional use listed in this Code requiring screening or fencing shall be permitted only when authorized by the Prentice Planning Commission and subject to its approval of a screening or fencing plan for that particular use.
- (2) Objective: Planting or other suitable screening including fences or free-standing walls shall be required where deemed necessary for screening or enclosure purposes by the Prentice Planning Commission such as around outdoor storage yards and industrial property lines, salvage yards, refuse disposal sites, quarries and mines, mobile home parks, trailer parks, and trailer camps. Such provisions shall be required to the extent needed to provide for:
 - (a) Screening of objectionable views
 - (b) Adequate shade
 - (c) Enclosure of storage materials
 - (d) Public health & safety
 - (e) A suitable setting for the particular use and other facilities

(3) Extent:

- (a) Screen Planting: Adequate to screen objectionable views effectively within a reasonable time; in some cases temporary screening devices may be required until suitable screen planting can be achieved.
- (b) Other Planting: For mobile home parks and trailer camps, other planting should be adequate in size, quantity and character to other improvements, to provide adequate privacy and pleasant outlook for living units, to minimize reflected glare and to afford summer shade.
- (c) Existing Planting: Acceptable as required planting to the extent that is equivalent, suitable and preserved in good condition.
- (d) Fences and Walls: Appropriately designed for the function intended and shall be substantially constructed to withstand conditions of soil, weather and use.
- (e) All screening, fences and walls required by this Code shall be maintained so as not to prove an objectionable view by themselves.

SECTION 8.0: CONDITIONAL USE PERMIT

8.1 General Provisions

- (1) One of the purposes of this Code is to divide the Village of Prentice into districts within which the use of land and buildings, and the bulk and location of buildings in relation to the land are mutually compatible and substantially uniform.
- (2) There are certain uses that may be entirely appropriate and not necessarily incompatible with the basic uses permitted in any district, but not at every or any location therein or without restrictions or conditions being imposed by reason of unique problems the use or its particular location presents from a zoning standpoint, including the impact of those uses upon neighboring land or public facilities, and the public need for the particular use at a particular location. Such uses may be necessary or desirable to be allowed in a particular district provided that due consideration is given to their location, development and operation. Such uses are hereby classified as conditional uses and are subject to the provisions specified herein.

- (3) Approval Required: Any conditional uses listed in this Code shall be permitted only when authorized by the Prentice Planning Commission and subject to its approval. Upon such approval, issuance of a Conditional Use Permit will be granted.
- (4) Basis of Approval: The Prentice Planning Commission shall consider the effect of such grant on the health, general welfare, safety and economic prosperity of the Village and of the immediate area in which such use would be located, including such consideration as the effect on the established character and quality of the area, its physical attractiveness, existing topography, drainage features, erosion potential, vegetative cover, the prevention and control of water pollution, the location with respect to floodplains and floodways, the movement of traffic and the relationship to existing or proposed roads, the demand for related services, the possible hazardous, harmful, noxious, offensive or nuisance effects resulting from noise, dust, smoke or odor and other factors.

8.2 Procedures

- (1) Application: Application for a Conditional Use Permit shall be made to the Village of Prentice Building Inspector who shall promptly refer the application to the Prentice Planning Commission. In addition to the information required under Section 11.0 for a Zoning Permit, the Prentice Planning Commission may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.
- (2) Fees: The fee for filing of applications for Conditional Use Permits shall be established by the Prentice Village Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.
- (3) Hearing: The Prentice Planning Commission shall schedule a Public Hearing on the application for its first meeting after it is filed as per Section 12.5.
- (4) Determination: The Prentice Planning Commission shall report its decision within 35 days after the filing of the application. Its decision shall include an accurate description of the use permitted, of the property on which it is permitted, and all conditions made applicable thereto.
- (5) Mapping & Recording: When a Conditional Use Permit is granted, an appropriate record shall be made of the land use and building permits, and such grant shall be applicable solely to the structures, use and property so described.

- (6) Termination: Where a permitted conditional use does not continue in conformity with the conditions of the original approval, the Conditional Use Permit shall be terminated by action of the Prentice Planning Commission.

8.3 Violation of Permit Condition Prohibited

No permit holder or successor shall violate any provisions of a Conditional Use Permit.

SECTION 9.0: NONCONFORMING USE PERMIT

9.1 Existing Nonconforming Uses

The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of this Code may be continued although the use does not conform with the provisions of this Code. However:

- (1) Only that portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law as to comply with the provisions of this Code, and;
- (2) Total lifetime structural repairs or alterations shall not exceed 50% of the 1990 equalized assessed value of the structure unless it is permanently changed to conform to the provisions of this Code, and;
- (3) Substitution of new equipment may be permitted by the Board of Appeals if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

9.2 Abolishment or Replacement

- (1) If such nonconforming use is discontinued or terminated for a period of 12 months, any further use of the structure, land, or water shall conform to the provisions of this Code.
- (2) A current file of all nonconforming uses should be maintained by the Building Inspector listing the following: Owner's Name and Address; Use of the Structure, Land or Water; and Assessed Value at the time of its becoming a nonconforming use.

3 Existing Nonconforming Structures

The lawful nonconforming structure existing at the time of the adoption or amendment of this Code may be continued although its size and location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Code; however, it shall not be extended, enlarged, reconstructed, moved or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Code.

Accessory buildings may be added to a lot or parcel devoted to a lawful nonconforming structure, provided that such accessory building meets all other requirements of this Code.

9.4 Changes & Substitutions

If no structural alterations are made, a nonconforming use may be changed to another nonconforming use of the same or a more restricted classification. Once a nonconforming use has been changed to a more restricted nonconforming use or to a conforming use, such use shall not be changed to a less restricted use.

9.5 Substandard Lots

- (1) In both R-1 & R-2 residential districts, only a one-family detached dwelling and its accessory structures may be erected on any legal lot or parcel of record in the County Register of Deeds Office before the effective date of amendment of this Code.
- (2) Such lot or parcel shall be in separate ownership from abutting lands. If abutting lands and the substandard lots are owned by the same owner, the substandard lot shall not be sold or used without full compliance with the provisions of this Code. If in separate ownership, all district requirements shall be complied with insofar as practical but shall not be less than the following:
 - (3) Dimensional Requirements:
 - (a) Maximum Building Height:
Principal Buildings.....35 feet
Accessory Buildings.....15 feet
 - (b) Minimum Lot Area:
One-Family Dwelling.....3,200 sq. ft.

- (c) Minimum Lot Width.....40 feet
- (d) Front Yard Setback.....Minimum 30 feet; the
second front yard on corner lots
shall not be less than 10 feet
- (e) Rear Yard Setback:

Principal Buildings.....25 feet
Accessory Buildings.....3 feet
- (f) Side Yards:

Principal Buildings.....Total both yards,
minimum 16 percent of the
frontage, but not less than 5 feet
from the foundation on each side
Accessory Buildings.....3 feet
- (g) Off-Street Parking

Residential.....1 space/family, and; 1
space/2 boarders

SECTION 10.0: BOARD OF APPEALS

10.1 Establishment

There is hereby established a Board of Zoning Appeals for the Village of Prentice for the purpose of hearing appeals and applications, and granting variances and exceptions to the provision of this Zoning Code in harmony with the purpose and intent of the Zoning Code.

10.2 Membership

- (1) The Board of Zoning Appeals shall consist of five (5) members appointed by the President and confirmed by the Village Board.
- (2) Terms shall be staggered three-year periods.
- (3) A Chairman shall be designated by the President.

- (4) An alternate member may be appointed by the President for a term of three-years and shall act only when a regular member is absent or refuses to vote because of interest.
- (5) One member shall be a Prentice Planning Commissioner and one member shall be a registered architect, registered professional engineer, builder, or real estate appraiser.
- (6) Secretary shall be Clerk/Treasurer.
- (7) Building Inspector shall attend meetings when requested for the purpose of providing technical assistance.
- (8) Official oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten (10) days of receiving notice of their appointment.
- (9) Vacancies shall be filled for the unexpired term in the same manner as appointments for a full-term.
- (10) All members shall serve without compensation other than expenses and shall be removable by the President for cause upon written charges and after public hearing.

10.3 Organization

- (1) The Board of Appeals shall organize and adopt rules of procedure for its own government in accordance with the provision of this Code.
- (2) Meetings shall be held at the call of the Chairman and shall be open to the public.
- (3) Minutes of the proceedings and a record of all actions shall be kept by the secretary, showing the vote of each member upon each question, the reasons for the Board's determination, and its finding of facts. These records shall be immediately filed in the office of the Board and shall be public record.
- (4) The concurring vote of four (4) members of the Board shall be necessary to correct an error; grant a variance; make an interpretation; and permit a utility, temporary, unclassified, or substituted use.
- (5) The Village Attorney shall attend upon the Board and provide such legal advice and services as may be appropriate.

10.4 Powers

The Board of Zoning Appeals shall have the following powers:

- (1) Errors. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an officer, department, board, or bureau of the Village.
- (2) Variances. To hear appeals and grant such variances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit and purposes of this Code shall be observed and the public safety, welfare, and justice secured. Use variances shall not be granted.
- (3) Interpretations. To hear and grant applications for substitutions or more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the Prentice Planning Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.
- (4) Unclassified Uses. To hear and grant applications for unclassified and unspecified uses provided that such uses are similar in character to the principal uses permitted in the district and the Prentice Planning Commission has made a review and recommendation.
- (5) Temporary Uses. To hear and grant applications for temporary uses, in any district provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and the Planning Commission has made a review and recommendation. The permit shall be temporary, revocable, subject to any conditions required by the Board of Zoning Appeals, and shall be issued for a period not to exceed 12 months. Compliance with all other provisions of this Code shall be required.
- (6) Permits. The Board may reverse, affirm wholly or partly, modify the requirements appealed from, and issue or direct the issue of a permit.
- (7) Assistance. The Board may request assistance from other Village officers, departments, commissions, and boards.
- (8) Oaths. The Chairman may administer oaths and compel the attendance of witnesses.

10.5 Appeals & Applications

- (1) Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the Village affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the officer from whom the appeal is taken and with the Board of Appeals a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed was taken from.
- (2) Such appeal shall be filed with the secretary within 30 days after the date of written notice of the decision or order of the officer. Applications may be made by the owner or lessee of the structure, land, or water, to be affected at any time and shall be filed with the secretary. Such appeals and application shall include the following:
 - (a) Name & address of appellant or applicant and all abutting and opposite property owners of record.
 - (b) A plat plan, certified survey, and/or other additional information if requested by the Planning Commission, Village Director of Public Works, Board of Zoning Appeals, Building Inspector or other designated Village officials to process appeals or facilitate decision-making. If requested in writing, the following types of information shall be shown on such plot plan or certified survey: the location, boundaries, dimensions, elevations, uses and size of; the subject site; existing and proposed structures; existing and proposed easements; streets and other public ways; off-street parking, loading & unloading areas and driveways; existing highway access restriction; existing and proposed streets; side and rear yards; and, location and use of lands and structures within 40 feet of the subject site.
 - (c) Fee Receipt from the Village Clerk/Treasurer. The fee for filing zoning appeals shall be established by the Prentice Village Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.
- (3) An appeal shall stay all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Appeals after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings

shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a Court of Record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

10.6 Hearings

The Board of Zoning Appeals shall fix a reasonable time and place for the hearing, give public notice thereof at least ten (10) days prior and shall give due notice to the parties of interest, the Inspector, and the Prentice Planning Commission. At the hearing, the appellant or applicant may appear in person, by agent, or by attorney.

10.7 Findings

No variance to the provisions of this Code shall be granted by the Board unless it finds beyond a reasonable doubt that all of the following facts and conditions exist and are so indicated in the minutes of its proceedings.

- (1) Exceptional Circumstances. There must be exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Code should be changed; and
- (2) Preservation of Property Rights. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity; and
- (3) Absence of Detriment. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Code or the public interest.

10.8 Decision

- (1) The Board of Zoning Appeals shall decide all appeals and applications within 30 days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant, Building Inspector, and Prentice Planning Commission.
- (2) In exercising the above mentioned powers such Board may, in conformity with the provisions of such section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and make such order, requirement, decision or determination as ought to be made,

and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issue of permit.

- (3) The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such Code and/or Ordinance, or to effect any variation in such Code and/or Ordinance. The grounds of every such determination shall be stated.
- (4) Conditions may be placed upon the Zoning Permit ordered or authorized by this Board.
- (5) Variances, substitutions, or use permits granted by the Board shall expire within six (6) months unless substantial work has commenced pursuant to such grant.

10.9 Review by Court of Record

- (1) Any person or persons, jointly or severally aggrieved by any decision of the Board of Appeals, or any taxpayer, or any officer, department, board or bureau of the municipality, may present to a Court of Record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the Office of the Board of Appeals.
- (2) Upon the presentation of such petition, the court may allow a Writ of Certiorari directed to the Board of Appeals in order to review such decision of the Board of Appeals, and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board of Appeals, and on due cause shown, grant a restraining order.
- (3) The Board of Appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from, and shall be verified.

- (4) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence, or appoint a referee to take such evidence as it may direct and to report the same to the court with his findings of proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
- (5) Costs shall not be allowed against the Board unless it shall appear to the court that the Board acted with gross negligence or in bad faith, or with malice, in making the decision appealed from.
- (6) All issues in any proceedings under this section shall have preference over all other civil actions and proceedings.
 - (a) Filing Fee: The Village Board may by ordinance or resolution establish reasonable fees for the filing of a petition for amendment of the Zoning Code or Official Map, or for filing an appeal to the Board of Appeals.
 - (b) Enforcement & Remedies: The Board may provide by ordinance for the enforcement of this Section and of any ordinance or regulation made thereunder. In case of a violation of this Section or of such ordinance or regulation such Board may provide for the punishment by fine and by imprisonment for failure to pay such fine. It is also empowered to provide civil penalties for such violation.

SECTION 11.0: ENFORCEMENT & PENALTIES

11.1 Zoning Permit

- (1) Application clerk for a Zoning Permit shall be made in duplicate to the Building Inspector on forms furnished by the and shall include the following where applicable:
 - (a) Names and addresses of the applicant, owners of the site, architect, professional engineer and contractor.
 - (b) Description of the subject site by lot, block, and recorded subdivision; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

- (c) Proposed Sewage Disposal Plan if municipal sewerage service is not available. This plan shall be approved by the Village Engineer who shall certify, in writing, that satisfactory, adequate, and safe sewage disposal is possible on the site as proposed by the plan in accordance with applicable local, county, and state board of health regulations.
 - (d) Proposed Water Supply Plan if municipal water service is not available. This plan shall be approved by the Village Engineer who shall certify in writing that an adequate and safe supply of water will be provided.
 - (e) A plot plan, certified survey, and/or other additional information if requested by the Building Inspector to process a Zoning Permit. If requested in writing, the following types of information shall be shown on such plot plan or certified survey: the location, boundaries, dimensions, elevations, uses and size of; the subject site; existing and proposed structures; existing and proposed easements; streets and other public ways; off-street parking; loading and unloading areas and driveways; existing highway access restriction; existing and proposed street, side and rear yards; and, the location and use of lands and structures within 40 feet of the subject site.
 - (f) Fee receipt from the Prentice Treasurer. The fee for filing of applications for Zoning Permits shall be established by the Prentice Village Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.
- (2) Zoning Permits shall be granted or denied in writing by the Building Inspector within 30 days. The permit shall expire within six (6) months unless substantial work has commenced. Any permit issued in conflict with the provisions of this Code shall be null and void.
 - (3) Applicants building a one- or two-family dwelling shall also apply on the form prescribed by the Wisconsin Department of Industry, Labor & Human Relations.
 - (4) All residential remodeling, additions or alterations to structures within the Village of Prentice shall meet all minimum requirements included in the Wisconsin One- and Two-Family Dwelling Code.

11.2 Violations

It shall be unlawful to construct or use any structure, land, or water in violation of any of the provisions of this Code. In case of any violation, the Village Attorney or any property owner who would be specifically damaged by such violations may institute appropriate action or proceedings to enjoin a violation of this Code.

11.3 Penalties

Any person, firm or corporation who fails to comply with the provisions of this Code shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$300.00 and costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. A separate offense occurs on each day a violation exists or continues.

11.4 Inspection

The Prentice Building Inspector and his deputies and authorized agents may enter private lands to inspect work performed under a permit and to investigate violations of this Code. The permit shall contain a statement signed by the applicant, consenting to such entry and inspection.

11.5 Fees

The fee schedule shall be established by separate Ordinance.

"The application fee to be charged to individuals applying to the Village for a change of zoning or a Conditional Use Permit in accordance with the Village of Prentice Zoning Code shall be fifty dollars (\$50.00) per application, such fee to be utilized to cover publication and/or administrative costs."

SECTION 12.0: CHANGES AND AMENDMENTS

12.1 Authority

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Village Board may, by ordinance, change the district boundaries or amend, change or supplement the regulations established by this Code or amendments thereto.

Such change or amendment shall be subject to the review and recommendation of the Prentice Planning Commission. All requests for rezoning must refer to the

Prentice Comprehensive Plan, if any, and indicate, in detail, how the rezoning will contribute to the development of the Village as proposed in the plan and the suitability of soils for the proposed use.

12.2 Initiation

A change or amendment may be initiated by the Village Board, Planning Commission, or by petition of one or more of the owners or lessees of property within the area proposed to be changed.

12.3 Petitions

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Village Clerk/Treasurer, describing the premises to be rezoned or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and have attached the following:

- (1) Plot plan drawn to a scale not smaller than one (1) inch equals 100 feet showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.
- (2) Owner's names and addresses of all property lying within 200 feet of the area proposed to be rezoned.
- (3) Additional information required by the Planning Commission or the Village Board.
- (4) Fee Receipt from the Village Clerk/Treasurer. The fee for filing for applications for amendments shall be established by the Prentice Village Board. A copy of the current fee schedule shall be kept on file in the Office of the Village Clerk/Treasurer.

Petitioners shall use a standard petition form, on file in the Village Clerk/Treasurer's Office.

The Clerk shall promptly forward copies of any petition or other requested change or amendment to the Prentice Planning Commission and the Building Inspector.

12.4 Review & Recommendation

The Prentice Planning Commission shall hold a public hearing upon each proposal after providing the notices as required by Wisconsin Statutes 62.23 (7) (d) (2). The Prentice Planning Commission shall review all proposed changes and amendments within the corporate limits and shall recommend that the petition be granted as requested, modified or denied. The Planning Commission shall forward its recommendation and any report to the Village Board within 60 days of the day the proposed changes or amendments were submitted to the Planning Commission by the Clerk/Treasurer.

12.5 Council Action

Following the Planning Commission Public Hearing and after careful consideration of the Planning Commission recommendations, the Village Board shall vote on passage of the proposed change or amendment. The Planning Commission's recommendation may only be overruled by a favorable vote of three quarters (3/4) of the full Board membership.

12.6 Protest

In the event of a protest against such district change or amendment to the regulations of this Code, duly signed and acknowledged by the owners of 20 percent or more either of the areas of the land included in such proposed change, or by the owners of 20 percent or more of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three quarters (3/4) of the full Board membership.

SECTION 13.0: SEVERABILITY

The provisions of this Code are declared severable, and invalidation of any part of this Code by a Court shall not invalidate the rest of the Code.

SECTION 14.0: ANNEXATION

All territory annexed by the Village of Prentice shall be assigned a zoning district according to its use as provided by Section 66.021 (7) (a), Wisconsin Statutes, until Zoning District Maps can be amended as provided in Section 12.0. Such zoning classification shall be contained in the annexing ordinance.

SECTION 15.0: CONFLICTING PROVISIONS REPEALED

All ordinances or parts of ordinances in conflict with any of the provisions of this Code are hereby repealed. Nothing in this Code shall repeal or alter any provision in the Floodplain Ordinance now in effect in this City; the requirements and regulations of that Ordinance are in addition to those expressed in this Code.

SECTION 16.0: EFFECTIVE DATE

This Code shall take effect upon passage and publication of the Ordinance adopting the same.

ADOPTED this

Signed: /s/

Attest: /s/

Reviewed by: /s/

VILLAGE OF PRENTICE
OFF-STREET PARKING AREA
SPECIFICATIONS & STANDARDS CODE

OFF-STREET PARKING AREA
 SPECIFICATIONS & STANDARDS CODE
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VILLAGE OF PRENTICE
OFF-STREET PARKING AREA
SPECIFICATIONS & STANDARDS CODE

1 INTRODUCTION

Compliance with these standards and specification meets the minimum requirement of the Village of Prentice Zoning Code Section 4.3. Compliance will also fulfill the requirements of Wisconsin Statutes ss. 346.503 with respect to parking spaces for vehicles displaying special registration plates or special identification cards.

The parking area landscaping requirements do not supersede or replace the design requirements of the Village of Prentice Zoning Code Section 4.3. Additional landscaping may be required of applicants under the provisions of Section 4.2.

These standards shall apply and be enforced under the following conditions:

1. The landscape standards shall be applied to parking lots for four (4) or more vehicles.
2. Existing parking lots for four (4) or more vehicles serving a rebuilt or renovated building or building undergoing an addition that will increase the estimated market value of the building and/or the gross floor area of the building by more than 50 percent.
3. Additions to existing parking lots shall be governed by the following:
 - (a) If an existing parking lot is increased in gross area (paved) by 50 percent or more, the entire parking lot shall comply with requirements contained herein.
 - (b) If an existing parking lot is increased in gross area (paved) by less than 50 percent, only that portion of the parking lot that is added shall be required to conform to the requirements herein.
 - (c) Development in stages. Percentage requirements established in (a) and (b) above shall apply to the accumulative sum of all additions undertaken after January 1, 1991.
 - (d) Two or more parking areas interconnected by on-site vehicular circulation are treated as one lot as are unconnected parking areas when separations (unpaved) between them are less than 20 feet in width. Unconnected parking areas with a separation of 20 feet or more shall be considered separate parking lots.

A) CHECKLIST OF MATERIALS TO BE SUBMITTED FOR REVIEW OF PARKING AREAS

The following items must be indicated, located and dimensioned on plans for parking areas for four (4) or more spaces before building permits will be issued. All plans shall be scaled drawings at one (1) inch equals 20 feet or larger. The applicant shall provide three (3) copies of all plan sets.

- (1) Property lines, existing and proposed structures, parking surfaces, and existing and proposed vegetation. Landscape elements and trees should be drawn to the scale to their growth within five (5) years of construction.
- (2) Width of abutting right-of-way, roadways and terraces.
- (3) Location of driveway approaches - existing, proposed and adjoining.
- (4) Proposed driveway radii.
- (5) Type of surface - driveway approach, driveway and parking lot.
- (6) Proposed routing of motor vehicles entering and leaving.
- (7) Proposed treatment of right-of-way area adjacent to or between approaches.
- (8) Rate of slope or grade of approaches and driveways.
- (9) Utility poles, fire hydrants, trees or other structures to be moved.
- (10) Means of separation between parking lot and sidewalk.
- (11) Number, arrangement and size of parking stalls.
- (12) Proposed parking facility lighting including location, pole height, type of luminaire and manufacturer's specifications.
- (13) Indicated elevation of existing site to City datum. Elevations to be spotted at 25 feet intervals or one (1) foot contours.
- (14) Location, elevation and size of available storm sewers. If no storm sewers are available, the owner is to include the elevations of the top curb.
- (15) If the street is unimproved, the plot plan is to indicate the location and elevation of the drainage ditches abutting the site and proposed street centerline elevation.

(16) Proposed method of drainage including the following:

- (a) Proposed finished elevations of parking lot, including direction of drainage and elevations of proposed gutters or swales.
- (b) Elevations, location and size of inlets, catch basin and storm sewers to be constructed in conjunction with this project.

(B) SCHEDULE OF MINIMUM REQUIRED NUMBER OF OFF-STREET PARKING SPACES

Accessory off-street parking spaces shall be provided as set forth in the following standards:

(1) Residential Uses

Number of Required Parking Spaces
Per Lodging Room or Dwelling Unit

Lodging Room	Efficiency Unit	1-Bedroom Unit	2-Bedroom Unit	3 or More Bedroom Unit
1.00	1.00	1.50	2.00	2.00

(2) Commercial Uses

- (a) The following commercial uses shall provide one (1) parking space for each 300 square feet of gross floor area.
 - Banks and Financial Institutions
 - Business and Professional Offices
 - Medical, Dental and Optical Offices
 - Retail Stores and Services Uses (except for retail stores and service uses specifically mentioned elsewhere in this section)
- (b) Automotive sales, service and repair businesses shall provide four (4) parking spaces plus one (1) additional space for each 500 square feet of floor area over the first 1000 square feet.
- (c) Restaurants, cafes, bars, taverns, and night clubs shall provide at least one (1) parking space for each three (3) seats based on capacity design or where there is no design layout, one (1) space for each 35 square feet of gross floor area.

- (d) Motels, hotels, bed and breakfast establishments and other facilities for transient overnight accommodations shall require one (1) space for each lodging room and/or dwelling unit plus one (1) additional space for each eight (8) units.
- (e) Undertaking establishments and funeral parlors shall provide eight (8) parking spaces for each chapel or parlor, plus one (1) parking space for each funeral vehicle stored on the premise.

(3) Community Service, Institutional and Governmental Unit

- (a) Libraries, art galleries and museums shall provide one (1) space for each 800 square feet of gross floor area.
- (b) Schools - Elementary and Junior High Schools shall provide at least one and one-half (1-1/2) parking spaces for each classroom, plus one (1) additional space for each 100 students.
- (c) Schools - High School, Vocational and College shall provide one parking space for each ten (10) students, plus one (1) additional space for each two (2) classrooms.
- (d) Churches, synagogues, or other religious meeting places shall provide one (1) parking space for each five (5) seats in the main sanctuary or meeting area. Where seats are not fixed, each seven (7) square feet of gross area usable for seating in the main meeting area shall be considered equivalent to one (1) seat.
- (e) Places of assembly, recreation, entertainment and amusement including, but not limited to, bowling alleys, swimming pools, skating rinks, gymnasiums, racquetball and tennis clubs, community centers, and dance halls shall provide parking spaces equivalent to 50 percent of the maximum capacity of the facility as determined by the State Building Codes. Adjustments may be granted under the provisions of Section G where the applicant can demonstrate that a lesser number of spaces would meet the needs of the facility.

(4) Industrial Uses

The following industrial and non-retail sales and service uses shall provide a minimum of four (4) spaces or one (1) parking space for each full-time equivalent employee during the peak work shift, plus one (1) space for each vehicle owned by the business and stored at the site and one (1) visitor parking space for each 500 square feet of office space or sales floor area open to the public, whichever is greater.

- Plants, factories, or other facilities for the manufacture, fabrication, assembly or processing of material to be sold.
- Storage and warehousing establishments
- Research and development facilities
- Motor freight terminals
- Wholesale establishments

Note: Section G of these standards and specifications provides that adjustments in the minimum number of spaces may be authorized by the Planning Commission where the applicant can document shared facility arrangements with neighboring uses or where there are documented shared-ride or carpooling programs.

C) SIZE OF PARKING SPACES AND LAYOUT OF PARKING AREA

1. Size of Parking Spaces:

Standard size for parking stalls shall be 9.0 feet by 18.0 feet.

2. Layout for Parking Areas:

The layout and dimension of parking areas shall conform to the Parking Design Standards as shown on Figure 1 on the following pages:

D) SURFACING, DRAINAGE, STRIPING, AND LIGHTING

- (1) Surfacing: All open off-street parking areas for vehicles shall be improved with a hard surface of bituminous or Portland cement concrete pavement, paving brick, or chip-seal. Gravel surfaced parking areas or parking access drives are not acceptable surfaces unless approved by the Planning Commission. All parking area surfaces must be maintained in good condition capable of holding striping.
- (2) Drainage: All parking areas for four (4) or more vehicles shall be graded according to a drainage plan designed and installed in accordance with accepted engineering practice, which may include catch basins, sumps and underground storm sewers. All drainage plans shall be reviewed and approved by the Public Works Director.
- (3) Striping: All parking stalls on parking areas for four (4) or more vehicles shall be clearly striped with white or yellow stripes a minimum of three (3) inches wide. Such striping shall delineate parking stall dimensions consistent with the stall number and size requirements of the Village of Prentice.

- (4) Lighting: Illumination of off-street parking areas shall be established and directed so as not to be cast directly upon public right-of-ways, occupied structures, or neighboring properties or to be illuminated in intensity, color, or character in a manner that is likely to be seriously disturbing to neighboring properties. Lights for illuminating parking and loading areas shall not have an intensity at the property line of more than three (3) foot candles.

(E) HANDICAPPED PARKING REQUIREMENTS

(1) Number of Spaces

The owner or lessee of any public building or place of employment required to provide more than 25 spaces shall reserve parking spaces for use by motor vehicles used by physically disabled persons as follows:

- (a) At least one (1) space for a facility offering 26 to 49 spaces;
- (b) At least two (2) percent of all spaces for a facility offering 50 to 1,000 spaces;
- (c) At least an additional one (1) percent of each 1,000 spaces over the first 1,000.

The owner or lessee of a parking facility which is ancillary to a residential building and restricted wholly or in part to use by tenants of the building shall, at the request of a physically disabled tenant, reserve a parking space in the facility for use by a motor vehicle used by the physically disabled tenant.

(2) Stall Size and Location

Handicapped stalls shall be at least 12 feet wide and located as close as possible to an entrance which allows a physically disabled person to enter and leave the principal building or use area.

(3) Handicapped Parking Signs

All required handicapped parking spaces shall be posted with signs as follows:

- (a) Handicapped parking signs shall consist of a white rectangle with longer dimension vertical, having green message, a green arrow, if required under this section, and a blue and white international symbol for the barrier-free environments. The sign may be reflective or non-reflective.
- (b) The sign shall include the words "reserve parking" and the words "vehicles with VET or DIS plates or state disabled card" or other words with similar meaning.
- (c) The size of the sign shall be not less than 12 inches by 18 inches.

- (d) A right arrow, left arrow or words "this stall" or similar wording shall be included near the bottom of the sign.
- (e) Each sign shall be erected on an adequate support. The vertical distance from the parking lot surface to the bottom of a sign shall be not less than four (4) feet. A single sign with the message "this space" or similar wording shall be used to designate a single reserved space. At least two (2) signs are required for multiple reserved spaces. When two (2) signs are used they shall be located at the outermost limits of the spaces reserved and, by arrow, designate the location of the reserved spaces. A sign shall be located at the end of an angled or right-angled space and shall be set to face a motorist entering the space.
- (f) Signs which are in place prior to the effective date of these standards and specifications may remain in place and have the same effect as the signs described herein for five (5) years after the effective date provided that they include the international symbol for barrier-free environments and the wording required under 3(a) either as part of the original sign or on a supplementary plaque or plaques.

NOTE: The standards and specifications pertaining to Handicapped Parking Requirements meet the provisions of Wisconsin Statutes ss. 346.503 with respect to parking spaces for vehicles displaying special registration plates or special identification cards.

MINIMUM LANDSCAPING STANDARDS

All open off-street parking areas for four (4) or more vehicles will required landscaping. The standards herein are designated to provide flexibility in meeting the landscape requirement. Applicants can establish a landscape design which most effectively achieves the desired aesthetic results, and is consistent with the need of providing readily accessible and visible parking.

(1) Landscaping Objectives

The objectives of the landscape standards are to recognize both the functional importance of parking areas and the public benefits associated with well-designed landscaped areas which: enhance the visual environment, promote public safety, moderate the microclimate and reduce nuisances, such as noise and glare.

(2) Minimum Canopy Tree and Parking Space Requirements

All off-street vehicular parking areas with more than six (6) vehicles shall provide and maintain one (1) canopy-type tree for each 12 parking spaces, or fraction thereof, over the initial six (6) spaces. Canopy trees shall be located in tree islands, or within ten (10) feet of the periphery of the parking area surface. The preservation of desirable existing trees is encouraged. Existing mature trees which are a minimum of 2" - 2 1/2" caliper and are within the distance requirements may be applied toward the canopy standard. All newly planted canopy trees must also have a minimum of 2" - 2 1/2" caliper.

Parking spaces must be broken by a tree island at the rate of one (1) tree island for each linear row of 12 parking spaces, for single row configurations, or for each 24 parking spaces in double row configurations.

SCHEDULE FOR CANOPY TREES STANDARDS

Number of Stalls	Trees Required
1 to 6	0 Trees
7 to 18	1 Tree
19 to 30	2 Trees
31 to 42	3 Trees
43 to 54	4 Trees
55 to 66	5 Trees
67 to 78	6 Trees
79 to 90	7 Trees
91 to 102	8 Trees
103 to 114	9 Trees
Over 114.....	Nine trees plus one tree for each twelve spaces or fraction thereof

(3) Screening Standards for Parking Areas Near Residential Zoned Parcels

In the following situations there shall be a screening barrier for the purpose of obstructing light beams and muffling noise:

- (a) Where an off-street parking area for four (4) or more vehicles abuts within 25 feet of an adjoining lot line in an "R-Residential" Zoning District (R-1, R-2, R-3).
- (b) Where an off-street parking for four (4) or more vehicles is located in a manner where nearby residentially zoned properties would be affected by headlight glare (i.e., directly across a public right-of-way).

The effective height of the barrier shall be a minimum of three and one-half (3 1/2) feet above the surface of the parking area. Such a barrier may consist of wood or masonry fencing, walls, berming, or the use of plant material. Where plant materials are used for screening, they shall be suitable size and density to accomplish the screening objective within three (3) years from the time of planting.

(4) Minimum Landscape Element Standards

In addition to the requirements for canopy trees and residential screening, all parking areas shall be required to accumulate a minimum of points. The number of points required is based on the number of parking spaces. Parking areas for four (4) or more vehicles are required to accumulate 15 points for each space.

To qualify for points, the landscape elements must be located in a manner which primarily meet the objectives of landscaping parking areas. The criteria used to determine which landscape elements qualify are: (a) perimeters adjacent to public rights-of-way; (b) interior areas and immediate perimeters to the parking area; and (c) perimeter of lots adjacent to other property. Landscaping which primarily serves the aesthetic enhancement of the building, and related open areas will qualify for 50 percent of the accumulation of points. Points are tabulated in the following manner:

POINT SCHEDULE FOR LANDSCAPE ELEMENTS

<u>Landscape Element</u>	<u>Minimum Planted Size</u>	<u>Points</u>
Canopy Trees	2-2 1/2" or 1 1/2-2" for Multi-Stem Trees	50
Canopy Trees	1 1/2-2" or 8-10 ft.	30
Evergreen Trees	4 ft.	30
Low Ornamental Trees	5 ft. and BB Stock	20
Tall Shrubs	2 1/2 - 4 ft.	9
Medium Shrubs	18 - 36"	6
Low Shrubs	15 - 24"	3
Walls, decorative fences, earth berms, ground covers and shrubs with a mature height of less than 2 ft.		No Fixed Points

- NOTE:
- (A) Trees used to meet the canopy standard and landscape materials used to meet the screening of abutting and residentially zoned property may not be applied toward the minimum landscape element standards.
 - (B) To qualify for the points indicated, trees and shrubs shall be of good nursery stock and not less than the minimum required planting size.
 - (C) The following publication will be used to determine which plants are "low-ornamental trees" and "tall/medium/low shrubs": A Guide to Selecting Landscape Plants for Wisconsin. E.R. Hasselkus, UW-Extension Publication A2865.

- (D) The planting plan list shall include the size of the material to be planted. All landscape plants shall be delineated on the landscape plan and include the crown width the plant will achieve five (5) years after plan implementation.
- (E) The applicant may request points for decorative fence, earth berms, ground covers, existing vegetation and shrubs of the mature height of not less than two (2) feet. It must be demonstrated by the applicant that these landscape elements will contribute to the overall landscape objectives. The number of points credited will be negotiated with the Zoning Administrator and subject to review by the Planning Commission.

(5) Minimum Dimensions for Tree Islands and Planted Areas

All tree islands and landscaped areas with trees shall be a minimum of four (4) feet as measured from the inside of any curb or frame.

All landscape areas without trees, but planted with shrubs , shall have a minimum width of three (3) feet measured from inside the curb or frame.

(6) Unsuitable Species

Several shrubs and trees, which are not native to Wisconsin, have an established history of spreading to nearby parks and conservancy areas. These non-native plants tend to become overly abundant and ultimately eliminate many desirable native species. The control and eradication of these unsuitable plants create a costly management problem. The following species of plant material are unsuitable for use as landscape plants:

- Honeysuckle
 - Lonicera x-bella
 - Lonicera marraawi
 - Lonicera tartarica
- Buckthorn (common)
 - Rhamnus cathartica
 - Rhamnus frangula (tall hedge)
- Norway Maple
 - Acer negcindo

(G) ADJUSTMENTS TO PARKING REQUIREMENTS

(1) Adjustments in the Minimum of Spaces

May be authorized by the Planning Commission where the applicant can document shared facilities arrangements with neighboring uses or where there are documented shared-ride or

car-pooling programs. The documentation for the joint use or shared parking facilities must be in the form of an easement or contract between property owners specifying the number of shared parking spaces and the terms and conditions of the joint usage of parking areas and access.

(2) Stall Sized for Smaller Vehicles

The Planning Commission may authorize stalls sized for smaller vehicles (eight (8) feet by 16 feet) where the number of stalls being provided exceeds the minimum number required and where all of the minimum required stalls are full sized (nine (9) feet by 18 feet).

(3) Planning Commission Authority for Adjustments

The Planning Commission may authorize adjustments to the requirements where literal compliance with the specifications and standards would make the parking lot landscaping ineffective or unnecessary. Topographic constraints, existing vegetation, traffic safety, or compliance with fire or other public safety requirements may necessitate adjustments. The applicant should be prepared to respond to the following criteria in requesting adjustment:

- (a) The specific conditions which are unique to the applicant's land and do not exist on other land.
- (b) The manner in which the strict application of the standards would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners.
- (c) Reasons than an adjustment to the standard would preserve, not harm, the public safety and welfare and will not alter the essential character of the area.

(1) LANDSCAPE STANDARD FOR INDUSTRIAL AREAS

(1) Introduction

The adopted Village of Prentice Landscape for Parking Areas are intended to achieve desired aesthetic and environmental results from both within the interior and along the perimeter of parking areas. This is accomplished, in part, by applying the canopy tree, tree island and a minimum point schedule of 15 points for each parking space. The application of requirements provides a pleasing landscape transition between structures and the necessary parking facility. In addition, the landscape standards provide acceptable levels of community appearance for parking areas which are viewed from adjacent streets, public recreation areas and residentially-zoned lands. The intent, however, is to provide landscape parking areas which are planned and designed to blend with the overall desired community appearance. The standard requirements do not attempt to fully screen or hide parking areas.

(2) Variance for Industrial Parking

Applicants proposing industrial parking lots other than for designated visitor parking may propose a landscape option of effectively screening parking lots from off-site view. This variance would not require compliance of the canopy tree, tree island and minimum point schedule requirements. However, the proposed parking lot must conform to the landscape standard of full screening of the parking lot from public R.O.W.'s, public recreation sites and residentially-zoned lands.

(3) Minimum Industrial Screening Standard

The proposed plan must satisfy the following conditions:

- (1) Effectively screen the parking area from views from public R.O.W.'s, public recreation sites and residentially-zoned lands.
- (2) Comply with the landscape requirements included under standard application (p. 1), checklist (p. 2, Section A), minimum dimensions (p. 12, Section F-5) and species limitations (p. 12, Section F-6).
- (3) Where plant materials are used for barrier screening, they must be of suitable size and density to accomplish the screening objective in the leaf-on season and within five (5) growing seasons.
- (4) The effective height of the screen shall be not less than four (4) feet.
- (5) Designated visitor parking areas and major entry drives are not included in this variance.
- (6) The screening area plan shall be subject to design review to determine the functional conditions of the screen and the aesthetic appearance of the proposal. Designs should strive for some level of diversity in utilizing landscape elements. This may include some combination of trees and shrubs, fence and landscape berms. The design review still includes an equal expectation of functional screening and a design which provides a visually-pleasing character to the parking perimeter.
- (7) Plans for parking areas shall include a description of snow removal methods and indicate snow storage areas. This shall be done in sufficient detail to demonstrate required plant screening will not be killed or harmed.

Applicants may find it useful to submit a preliminary proposal to determine the specific areas requiring screening. The specific proposal will provide the detail of contractual plans.

APPENDIX #1

PARKING AREA APPLICATION WORKSHEET

PORTION TO BE COMPLETED BY APPLICANT:

Date of Application: _____
Project Location/Address: _____
Owner/Applicant: _____
Address: _____
Phone: _____

1. The land use or development to be served by the proposed parking area _____
2. Number of projected employees and/or students _____
3. Square feet of floor area _____
4. Capacity of the facility (if applicable) _____
5. Capacity of the dwelling units (if applicable) _____
Efficiencies _____ 1 Bedroom _____
More than 2 Bedrooms _____ 2 Bedroom _____

PORTION TO BE COMPLETE BY ZONING ADMINISTRATOR:

6. Minimum number of spaces required: _____
7. Minimum number of spaces for handicapped: _____
8. Minimum number of canopy trees under the canopy tree requirement: _____
9. Minimum number of points under the landscape element point system requirement: _____
10. Linear feet of screening from nearby residentially zoned property: _____
Location of Screening: _____