

A COMPREHENSIVE PLAN FOR THE KENOSHA PLANNING DISTRICT



VOLUME TWO

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Planning Report No. 10

in two volumes

**A COMPREHENSIVE PLAN FOR THE
KENOSHA PLANNING DISTRICT**

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The preparation of this report was financed in part through an urban planning grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

February, 1967

**Inside Region - \$ 5.00
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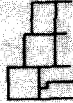
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January 11, 1967

STATEMENT OF THE CHAIRMAN

Under contract to the City of Kenosha and the Towns of Somers and Pleasant Prairie, the Southeastern Wisconsin Regional Planning Commission, through its planning consultant, has completed a comprehensive planning program for the Kenosha Planning District. The ultimate purpose of this planning program was to provide the City and the Towns within the District with a comprehensive community development plan which would contain recommended proposals for land use, transportation, and those community facilities and utilities necessary to meet the needs of the District to the year 1990.

The final planning report consists of two volumes. Volume 1 contains all the studies, analyses, forecasts, and plan proposals completed under the program, as well as specific planning implementation recommendations. This, the second volume, contains all the recommended implementation devices. It should be stressed that, during consideration of adoption of the suggested ordinances, the local units of government should avail themselves of competent professional planning and legal advice in order that the information contained herein may be properly adopted to local as well as areawide needs.

The Commission stands ready to provide such assistance as may be requested of it to assist in plan implementation for the District.

Respectfully submitted,

George C. Berteau
Chairman

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HARLAND BARTHOLOMEW AND ASSOCIATES

PLANNERS ENGINEERS · LANDSCAPE ARCHITECTS

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February, 1967

Dr. Kurt W. Bauer, Executive Director
Southeastern Wisconsin Regional
Planning Commission
916 North East Avenue
Waukesha, Wisconsin

Dear Dr. Bauer:

We are pleased to submit our final report on the Kenosha Planning District program entitled A Comprehensive Plan for the Kenosha Planning District, comprised of two volumes, one containing the studies, analyses, forecasts and planning proposals and the second, the recommended implementation devices.

It was a particular pleasure to participate in this comprehensive planning program, as our firm had prepared the original plan for the Kenosha Community in 1925, which has had many of its major proposals successfully implemented.

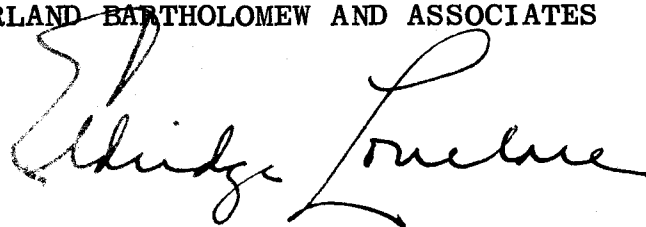
This comprehensive plan presents both a challenge and an opportunity to the citizens and officials of the District to prevent disorder and inefficiency in the urban growth that will occur in the future and to promote a more pleasant environment for the people who are and will dwell within the District in the years ahead.

We wish to gratefully acknowledge the cooperation and assistance rendered by so many citizens and officials of the participating governmental agencies in connection with this work. Their time, review and comments were most appreciated.

Respectfully submitted,

HARLAND BARTHOLOMEW AND ASSOCIATES

By



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PREFACE

This publication is the first comprehensive community planning report prepared by the Southeastern Wisconsin Regional Planning Commission at the specific request of, and for a group of municipalities. The planning studies, plan proposals, and implementation recommendations were prepared by local planning and engineering staffs, Commission staff, and by a professional planning firm, Harland Bartholomew and Associates, under contract to the Commission.

The purpose of this report is threefold: First, it sets forth the findings of the population, economic activity, land use, transportation and natural resource inventories, analyses, and forecasts necessary as a basis for sound plan preparation. Second, it presents in textual and graphical form proposals for the use of land, for the development of an arterial street and highway system and for the development of those community facilities and utilities required to meet the future needs of the people who will live, work, shop, study and seek recreation in the City of Kenosha and Towns of Pleasant Prairie and Somers to the year 1990. Third, it recommends four devices necessary for implementation of these plans; a zoning ordinance, a land division ordinance, an official map ordinance, and a capital improvements program.

This planning report itself consists of two volumes. The inventory findings, forecasts and plan proposals are all contained in Volume One, while the implementation devices are contained in Volume Two of this report.

It should be noted that the plan proposals are not to be regarded as unchangeable, but rather as points of departure against which to evaluate development proposals as they are made within the District. The plans contained herein were formulated by the consultant and the Commission in very close cooperation with city and town officials and citizen representatives, and are thought to represent the best development objectives and course of action available to the community in light of present knowledge and conditions. Supplementation of the plans presented herein will require a continuing planning effort within the District, not only to maintain the plans current but to bring their weight to bear on development decisions. It will also require the continued close cooperation of the city and towns and of public and private development actions.

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Chapter I

INTRODUCTION

The Kenosha Planning District program represents the first comprehensive community planning program to be carried out by the Southeastern Wisconsin Regional Planning Commission for a subregional area delineated on the basis of existing and anticipated intensive urban development. Since this community plan is an extension of the regional planning program, an understanding of the need for, and objectives of, regional planning and the manner in which these needs and objectives are being met in southeastern Wisconsin is necessary for a proper appreciation of the Kenosha Planning District program and its findings and recommendations.

Need for Regional Planning

Regional planning may be defined as comprehensive planning for a geographic area larger than a county but smaller than a state united by economic interests, geography, or common area-wide development problems. The need for such planning has been brought about by certain important social and economic changes which, while national phenomena, have far-reaching impacts on the problems facing local government. These changes include: unprecedented population growth and urbanization; increasing agricultural and industrial productivity, income levels, and leisure time; generation of mass recreational needs and pursuits; increasingly intensive use and consumption of natural resources; development of private water supply and sewage disposal systems; development of far-flung electric power and communications networks; and development of limited access highway systems and mass automotive transportation.

Under the impact of these changes, entire regions, such as southeastern Wisconsin, are becoming mixed rural-urban areas. This, in turn, is creating new and intensified areawide development problems of an unprecedented scale and complexity. Rural as well as urban people must increasingly concern themselves with these problems or face irreparable damage to their land and water resources.

The areawide problems which necessitate a regional planning effort in southeastern Wisconsin all have their source in the unprecedented population growth and urbanization occurring within the Region. These areawide problems include among others: inadequate drainage and mounting flood damages, impairment of water supply and increasing pollution, underdeveloped sewerage and inadequate sewage disposal facilities, rapidly increasing demand for outdoor recreation and for park and open-space reservation, rapidly changing and unplanned land use, and inadequate

transportation facilities. These problems are truly regional in scope since they transcend the boundaries of any one municipality and can only be resolved within the context of a comprehensive regional planning effort and through the cooperation of all levels of government concerned.

The Region

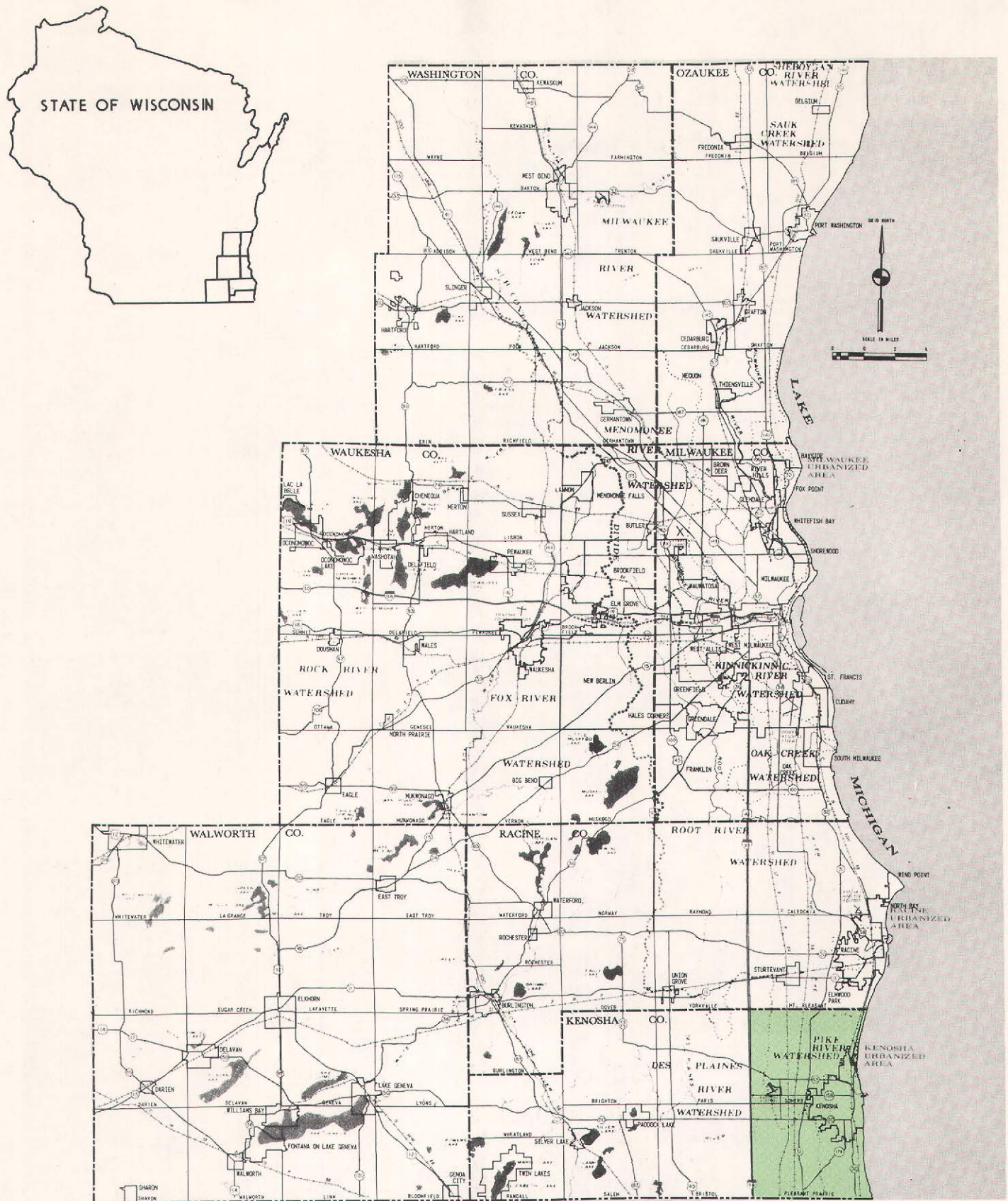
The Southeastern Wisconsin Planning Region, as shown on Map 1, is comprised of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha counties in southeastern Wisconsin. Exclusive of Lake Michigan, these seven counties have a total area of 2,689 square miles and together comprise about five percent of the total area of the State of Wisconsin. About 40 percent of the state's population, however, resides within these seven counties, which contain three of the five and one-half standard metropolitan statistical areas in the state. The Region contains approximately one-half of all the tangible wealth in the State of Wisconsin as measured by equalized valuation and represents the greatest wealth producing area of the state, about 42 percent of the state labor force being employed within the Region. It contributes about twice as much in state taxes as it receives in state aids. The seven-county Region contains 153 local units of government, exclusive of school and other special purpose districts, and encompasses all or parts of 11 major watersheds. The Region has been subject to rapid population growth and urbanization and from 1950 to 1960 accounted for 64 percent of the population increase of the entire state.

Geographically, the Region is located in a relatively good position with regard to continued growth and development. It is bounded on the east by Lake Michigan, which provides an ample supply of fresh water for both domestic and industrial use, as well as being an integral part of a major international transportation network. It is bounded on the south by the rapidly expanding northeastern Illinois metropolitan region and on the west and north by the fertile agricultural lands and desirable recreational areas of the remainder of the State of Wisconsin. Many of the most important industrial areas and heaviest population concentrations in the Midwest are within 250 miles of the Region; and over 31 million people reside within this radius.

The Regional Planning Commission

The Southeastern Wisconsin Regional Planning Commission represents an attempt to provide areawide planning services for one of the large urbanizing regions of the nation. The Commission was created in August, 1960, under the provisions of Section 66.945 of the Wisconsin Statutes, to serve and assist the local, state and federal units of government in planning for the orderly and economic development of southeastern Wisconsin. The role of the Commission is entirely advisory, and participation by local

LOCATION OF THE KENOSHA PLANNING DISTRICT IN THE REGION



The Kenosha Planning District comprises 85.70 square miles of land and water area lying in Kenosha County between Interstate Highway "IH-94" and Lake Michigan.

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units of government in the work of the Commission is on a voluntary, cooperative basis. The Commission itself is composed of 21 citizen members who serve without pay, three from each county within the Region.

The Commission, its committee structure, and its staff organization, together with its relationship to the Kenosha Planning District, are shown in Figure 1a.

Regional planning as conceived by the Commission is not a substitute for, but a supplement to, local planning. Its objective is to aid the local units of government in the solution of areawide development problems which cannot be properly resolved within the framework of a single municipality or a single county. As such, regional planning has three principal functions: area-wide research; preparation of a framework of long-range plans for the physical development of the Region, and the provision of a center for the coordination of the many planning and plan implementation activities carried on by the various levels and agencies of government operating within the Region.

The work of the Commission is, therefore, visualized as a continuing planning process providing outputs of great value to the making of development decisions by public and private agencies and to the preparation of plans and plan implementation programs at the local, state and federal levels of government. The work of the Commission emphasizes close cooperation between the governmental agencies and private enterprise responsible for the development and maintenance of land uses within the Region and for the design, construction, operation and maintenance of their supporting public works facilities. All of the Commission work programs are intended to be carried out within the context of a continuing planning program which provides for the periodic reevaluation of the plans produced, as well as for the extension of planning information and advice necessary to convert the plans into action programs at the local, regional, state, and federal level.

Initial Work Program

The initial work program of the Commission was directed entirely toward basic data collection. It included six basic regional planning studies which were initiated in July, 1961 and completed by July, 1963: a statistical program and data processing study, a base mapping program, an economic base and structure study, a population study, a natural resources inventory, and a public utilities study.

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ORGANIZATIONAL STRUCTURE OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AND STAFF

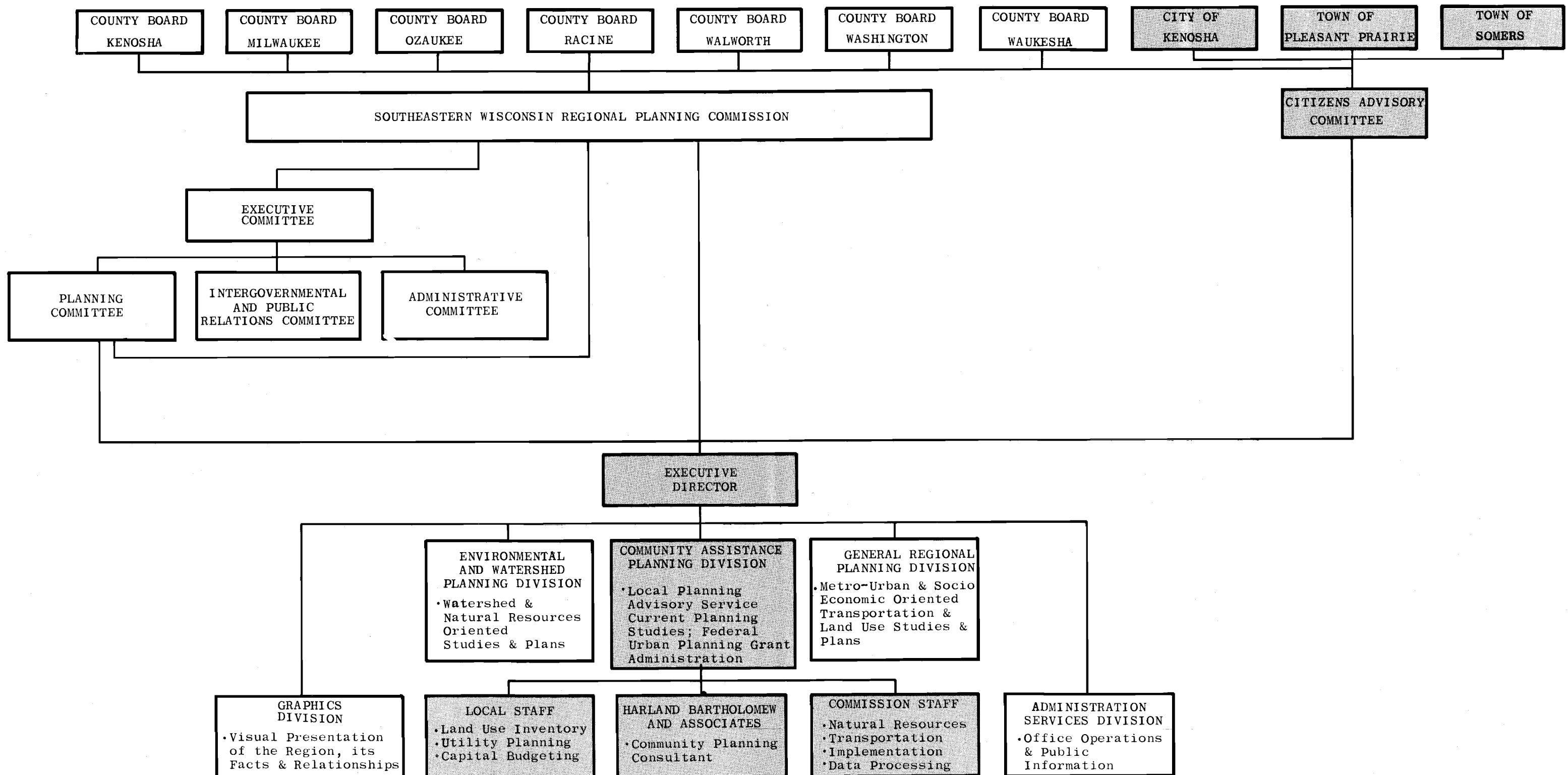


FIGURE 1a

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Also as a part of its initial work program, the Commission adopted a policy of community planning assistance wherein functional guidance and advice on planning problems are extended to local units of government and through which regional planning studies are interpreted locally and regional plans may be integrated with local plans. Four local planning guides have been prepared to date under this community assistance program to provide municipalities throughout the Region with information helpful in the preparation of sound local planning and plan implementation codes and ordinances. These guides will aid in implementing regional as well as local plans and will further assist local public officials in carrying out their day-to-day planning functions. The subjects of these guides are: subdivision control, official mapping, zoning, and organization of local planning agencies. All include model ordinances, and all provide a framework for plan implementation through local land use control measures.

Land Use-Transportation Study

The first major work program of the Commission, which was actually directed toward the preparation of long-range development plans, was a regional land use-transportation study. This program was initiated in January of 1963 and has as its objective the preparation of two of the key elements of a comprehensive plan for the physical development of the Region: a land use plan and a transportation plan. The results of the inventory phase of this study, which has provided many important inputs to the Kenosha Planning District program, have been published under the titles SEWRPC Planning Report No. 7, Volume 1, Inventory Findings, 1963, Volume 2, Forecasts and Alternate Plans, 1990, and Volume 3, Recommended Regional Land Use and Transportation Plans.

Planning Districts

The Commission's planning program envisions the establishment of planning districts for the purpose of carrying the regional plans into the greater depth and detail necessary to provide a sound framework for local planning and for plan implementation. These planning districts consist of two types. The boundaries of the first type are delineated on a basis of topography or topographically related development problems. Examples of such districts include the Root River and Fox River Watersheds. The boundaries of the second type of planning district are delineated in relation to areas of intensive existing or anticipated urban development which have certain common problems such as the Kenosha Planning District.

These planning districts are intended to comprise rational planning units within the Southeastern Wisconsin Region and are not only intended to provide the basis for the preparation of areawide development plans in greater depth and detail but are also intended to provide an important basis for the implementation of the regional plans. This latter function is extremely important since the Commission is an entirely advisory body. It is only through cooperative interagency action that the regional plans will be implemented. The establishment of planning programs for such subareas of the Region as the Kenosha Planning District affords the Regional Planning Commission an excellent opportunity to coordinate overall regional planning programs with more detailed planning programs for subareas of the Region and thereby provide for the implementation of the regional plans through local action.

The Kenosha Planning District Program

This program was initiated upon the request of the City of Kenosha and the Towns of Pleasant Prairie and Somers. Late in 1962, the Commission staff met at the request of and with various local officials for the purpose of formulating a comprehensive planning program and a Federal Urban Planning Grant application for the District. The relationship of the District to the Region is shown on Map 1.

Because of the importance of utilizing the inventories and materials previously prepared by the Commission, the necessity of achieving close coordination and integration between the District planning program and that of the Commission, and because of the necessity to prepare development plans which could be cooperatively adopted and jointly implemented by the city and towns comprising the District, the U. S. Housing and Home Finance Agency determined that the program should be administered by the Commission.

The Commission, therefore, prepared an outline for a comprehensive planning program for the District. A contract was executed between the Commission and the City of Kenosha and the Towns of Somers and Pleasant Prairie on May 18, 1964 governing the proposed work, and the Commission made application to the U. S. Housing and Home Finance Agency on December 24, 1963 for an Urban Planning Grant in partial support of such a program. Under the contract, the Commission agreed to perform the work necessary to provide the District with a comprehensive community development plan and the city and towns agreed to provide one-third of the cost of preparing such a plan, such local contribution to be composed of both cash and services with the federal

government providing the two-thirds balance under the provisions of Section 701 of the Housing Act of 1954, as amended. The Commission then entered into a contract with the planning firm of Harland Bartholomew and Associates to provide comprehensive planning services for the District and to prepare the District plan. The firm had made the first comprehensive development plan for the City of Kenosha in 1925, a plan which had been extremely well received and implemented.

Program Purpose

The purpose of the District planning program is twofold: First, to provide the city and towns within the District with a comprehensive community development plan which would contain recommended proposals for land use, transportation system and those community facilities and utilities necessary to meet the needs of the District to the year 1990; and second, to carry the regional plans into greater depth and detail necessary for sound local planning and plan implementation.

Organization

The basic organizational structure for the study is shown in Figure 1a, consisting of a Citizen's Advisory Committee; local and Commission staffs, and a planning consultant reporting to the Executive Director, who reports to the Commission. The Commission, in turn, serves the local units of government.

Citizen's Advisory Committee

A comprehensive community planning program necessarily requires public participation and for this purpose a Citizen's Advisory Committee for the District was created. This committee is composed of nine members, three appointed by the Mayor of the City of Kenosha and three each by the Chairman of the Towns of Pleasant Prairie and Somers. This committee advised and assisted the consultant and the Commission on the conduct of the planning program and served to keep the local governmental officials, legislative bodies and citizens informed on the content and progress of the program.

This committee performed a most important function in familiarizing local leadership within the District with the study and plans and in generating an understanding of the objectives of the program. This committee has proven to be a very active and valuable advisory body to the Commission staff and to public officials within the District throughout the conduct of the District planning program.

Staff

Local professional and technical staffs made significant contributions to the work program, and, indeed, without the active participation of these staffs the program would not have been possible. The City of Kenosha Planning Department provided a particularly valuable contribution to the work program through the preparation of the existing land use inventory for the entire District, including land use identification, mapping, coding and measurement. The City of Kenosha Public Works and Water Utility Departments provided utility inventories and, through their engineering consultants, proposals for future water distribution systems, sanitary sewerage and sewage treatment facilities.

Many other local officials gave of their valuable time in assisting the consultant in the community facilities inventory and analysis and in the formulation of the capital improvement programs. Special acknowledgment is due the following for their careful review of the work and constructive comments thereon:

George E. Earley, Director, Simmons Library
Alvin Erdman, U.S.D.A. Work Unit Conservationist
John I. Erickson, Director, City Plan Commission
J. T. Gaffney, City Traffic Engineer
Jerome Gumbinger, Chief, City Fire Department
Donald K. Holland, Director, City Department of
Public Works
Harold R. Mauer, Superintendent of Schools
O. Fred Nelson, Manager, City Water Utility
Frank Newman, Clerk, Town of Somers
Roger E. Prange, Clerk, Town of Pleasant Prairie
Joseph R. Sawicki, Director of Finance, City of
Kenosha

By contract, the SEWRPC was responsible for the content and conduct of the District planning program. The administration of the contract and supervision of the planning work was performed by the Commission's Community Assistance Division. As a result of this administration and supervision, full use was made of the various data, materials, plan proposals and model ordinances prepared by the Commission or available from state and federal agencies. This resulted in a more thorough and comprehensive planning program than would otherwise have been possible under the terms of the contract with the consultant and the financing available. For example, the flood inundation lines delineated in the Flood Plain Information Report, prepared by the U. S. Army Corps of Engineers, for the Des Plaines River, were placed on all base maps for the District. Full cooperation and close coordination were also achieved, not only with the consultant and the local units of government, but also with various county and state agencies.

The Commission solicited and received careful review of and specific comments on all preliminary planning reports for the District by various affected state agencies, such as the State Conservation Department, the State Highway Commission, the State Department of Resource Development, and the State Aeronautics Commission. Review and comments were also received from the Lake County Regional Planning Commission, Lake County Transportation Study, U. S. Army Corps of Engineers, U. S. Soil Conservation Service through the State Conservationist, Lake Shore Transit-Kenosha, Inc., Kenosha County Park Commission, Kenosha County Highway Department, Chicago and Northwestern Railway Company and the University of Wisconsin.

The Commission staff was also directly responsible for certain phases of the planning program, such as all keypunching of data onto cards and machine processing the land use inventory data, the assignment of future traffic demand to, and the quantitative test and evaluation of the proposed transportation and major street plan, and the preparation of the natural resources inventory and analyses.

The private planning firm of Harland Bartholomew and Associates was specifically employed for the Kenosha Planning District program. By contract, the consultant was responsible to the Commission for the preparation of a comprehensive community development plan for the District, including base map preparation, economic, population, natural resource and land use studies, forecasts, land use analysis and plan; transportation analyses and plan, community facilities analyses and plan, area-wide capital improvement program, zoning and land division ordinances, and recommendations on organization for areawide planning, plan implementation and administration.

Therefore, this planning report is the joint effort of the consultant, the Commission, local officials and the District's Citizens Advisory Committee.

Method of Presentation

All studies, analyses, forecasts and plan proposals completed under the program were presented in seven preliminary reports as listed below:

- Report Number 1 - Preliminary Natural Resources Report
- Report Number 2 - Preliminary Population Report
- Report Number 3 - Preliminary Economic Report
- Report Number 4 - Land Use Analysis and Land Use Plan
- Report Number 5 - Transportation and Major Street Plan
- Report Number 6 - Community Facilities
- Report Number 7 - Capital Improvements Program and Administration

These preliminary reports were intended to allow careful, critical review by public officials, agency staffs, the Citizens Advisory Committee, and other interested citizen groups and citizens within the District. Thus, this final report includes all corrections, additions and significant comments made by the many reviewing officials and citizens.

These revised studies, analyses, forecasts and plan proposals are documented and presented in Volume One of this report. The recommended implementation devices, such as the zoning, land division ordinances and capital improvement programs as recommended for local adoption are presented in Volume Two of this report, copies of which are available from the Director, City Plan Commission, the Town Clerks of Pleasant Prairie and Somers, and the SEWRPC.

Urban growth and development will occur within the Kenosha Planning District in the years ahead whether or not a plan is adopted and followed. Without a plan, however, this growth may not only be disorderly and inefficient, but may be ugly and may lead to further environmental deterioration.

It is hoped, therefore, that this report will help meet the desires of the people of the District for a safer, more healthful and pleasant environment and result in the development of a more efficient, orderly and economical community.

Chapter II

CAPITAL IMPROVEMENT PROGRAM

The general physical plan for the Kenosha Planning District described in the Comprehensive Plan has been designed to facilitate and guide the systematic and economical provision of public improvements over a long period of time. From this reservoir of community needs, as revealed by the preliminary planning studies, projects of greatest priorities may be selected and included in an improvement program that is geared to the financial ability of the area. An urban area is no different from an industrial or commercial enterprise insofar as its physical plant is concerned. Obsolete parts must be replaced and new needs supplied, otherwise, the "business" will all go to competitors who do keep their physical plant up-to-date.

The preparation of a public works program involves the coordination of expenditures among many agencies and departments of the local governments. Improvements which are instrumental in directing the physical development of the area should not be constructed without financial planning or careful consideration of priorities, any more than their location should be determined without a general plan of the area. The Planning Commissions of the local governments are the logical agencies to evaluate all of the city's needs for public improvements and to develop the program to carry them out.

General Procedures and Methods of Financing Public Improvements

Individual public works projects are most economically developed when they are a part of an overall planned program. Priorities can then be determined with a thorough awareness of all urban needs and projects selected that would do the greatest good for the largest number of persons. Unless all public improvement needs are studied together, considerable waste could result. A logical approach to the problem involves:

1. Developing approximate cost estimates of the needed improvements.
2. Determining priorities and selecting those improvements which should be made in the near future.
3. Analyzing available methods of financing public improvements and drawing conclusions as to the most feasible method.

4. Formulating a five-year program of improvements which can be carried out within legal and financial limitations.

It has become standard municipal practice for a long-range public improvement program to be prepared as an integral part of the overall community plan, and a number of states authorize the planning agency to prepare the public works program for consideration by the governing body. In order to provide flexibility in the program, it should be periodically reviewed. Conditions in any community are never static and the future is never wholly predictable. While the program outlined in this report is designed to look five years into the future, provisions for annual review, revision and extension should be required.

There are a number of methods by which the public improvement program or individual projects may be financed. They are described in the following text.

General Obligation Bonds

The most common method of financing public improvements is through the issuance of general obligation bonds. Such bond issues must be authorized by the governing agency and the amount of outstanding bonded indebtedness is limited by the state statutes to not more than five percent of the equalized value of taxable property in the city and towns for general purposes. In the Joint School District, bonded indebtedness for school purposes is limited to 10 percent of the equalized value of total taxable property in the entire District. An advantage of the general obligation bond is that the improvements may be built and then used during the time they are being paid for. The disadvantage is primarily the interest costs which add materially to the amount paid, particularly when the bond issue is amortized over a period of 20 to 30 years.

Revenue Bonds

A second method of financing public improvements is through the issuance of revenue bonds. These bonds are generally issued for the financing of self-supporting public enterprises such as water, sewage disposal, and off-street parking facilities. Funds for paying the interest and retiring the revenue bonds are derived solely from the income produced by the facility. A higher interest rate is required than is the case with general obligation bonds. These bonds do not come under the limitation on general bonded debt imposed by state statutes.

"Pay-As-You-Go"

Another method of financing public improvements is the "pay-as-you-go" method which consists of levying sufficient taxes to operate and maintain municipal services and also to pay for the public improvements.

There are several difficulties inherent in a "pay-as-you-go" plan, the most obvious of which is the fact that it has been impossible in the past to raise enough money through taxes or other charges to provide for an adequate standard of operation and maintenance, to say nothing of financing a substantial improvement program. In a "pay-as-you-go" program, any major public improvement would require a long period of "saving up" before it could be built. During this time there would be constant temptation and "pressures" to use the funds for other needy purposes. In raising funds for a "pay-as-you-go" program, many methods of taxation may be used. However, all money spent for public purposes comes from the same taxpayers in one form or another.

There is one great and obvious advantage inherent in a "pay-as-you-go" financial plan. When a project is paid for as it is built, it is cheaper than if it were financed by bonds on which interest must be paid for ten, twenty, or more years.

Warrants of Indebtedness

Short-term debt is sometimes handled by the issuance of warrants of indebtedness which are retired when anticipated income comes in. This type of debt is generally issued to cover deficiencies in operating revenue rather than being issued for a public improvement. This is not a desirable way to finance either operation or improvements.

Special Assessments

Special assessments provide another method by which public improvements may be financed, particularly those which will benefit only a certain segment or area of the community. When improvements are financed by the special assessment method, the benefited property pays for all, or almost all of the improvement cost. The cost of paving minor streets and building sanitary sewers is customarily assessed against adjacent property owners.

Government Aid and Contributions

State and Federal governments make substantial expenditures for urban public improvements. The Federal and State Highway Program has resulted in the improvement of a number of major streets in the Kenosha Planning District. The Federal government participates in airport and harbor construction, pays for public housing, and shares in the cost of urban renewal programs. Government aid and contributions are an important part of the financing of local public improvements.

Municipal Finances

In order to develop a program for capital improvements it is necessary to review the past financial operation of the governmental agencies. Trends in revenues, expenditures, property values and bonded debt give some indication of the future fiscal condition of the city and assist in determining how extensive a future public works program can be planned.

Revenues and Expenditures - Kenosha

Total revenues of the City of Kenosha increased by \$1,074,200 between 1961 and 1965, an increase of slightly more than 16 percent (See Table 1). In 1961, the largest source of revenue to the city was taxes which accounted for 75.7 percent of all revenues. By 1965, taxes accounted for 72.7 percent of all revenues, indicating that other sources of revenue had increased. However, in 1961 the general property tax provided 22.7 percent of the total revenue while in 1965, the general property tax accounted for 28.7 percent of all revenues. The amount of revenue received from shared taxes actually declined by \$115,300 between 1961 and 1965, thereby partially, at least, causing the increase in general property tax. Three other sources of revenue also declined between 1961 and 1965 - use of money and property, special assessments and other revenues. The decline in these categories (\$193,100), also contributed to the increase in general property tax revenue.

The largest single expenditure by the city occurs in the personal service category which includes fire and police protection, garbage collection, etc. The expenditures in this category represented 45.3 percent of all expenditures in 1961 and 51.2 percent in 1965. Four of the seven expenditures categories shown in Table 1 increased between 1961 and 1965. The largest increase occurred in the debt service category which is the expenditure used to repay principal

Table 1

REVENUES AND EXPENDITURES

City of Kenosha
Kenosha Planning District

<u>Revenues</u>	<u>1961</u>	<u>1965</u>
General Property Tax	1,493.3	2,200.2
Other Shared Taxes	3,491.7	3,376.4
Licenses and Permits	128.8	135.2
Fines and Forfeits	66.3	88.2
Use of Money and Property	86.0	82.4
Gifts and Grants	397.5	461.2
Charges for Current Services	147.0	205.7
Revenues from Special Assessments	569.6	382.2
Other Revenues	16.4	14.3
General Fund Surplus	200.0	725.0
	<hr/>	<hr/>
Total	6,596.6	7,670.8
<u>Expenditures</u>		
Personal Services	2,795.5	3,719.3
Contractual Services	472.8	617.0
Materials and Supplies	344.8	467.0
Debt Service	918.0	1,554.9
Capital Outlay	376.5	178.8
Contributions	1,212.7	664.0
Reserves - Unclassified	56.0	54.0
	<hr/>	<hr/>
Total	6,176.3	7,255.1

Note: All Figures are Rounded and Represent Thousands of Dollars.

Source: Director of Finance

and interest on outstanding bonds. This expenditure increased by about 70 percent between 1961 and 1965. During the period shown in Table 1, total expenditures increased about 16.5 percent.

The trend of revenues and expenditures for almost all municipal agencies in recent years has been one of continued increase, and in view of the demand for additional services by the various governments it is likely that this trend will continue for some time. At the present rate, revenues and expenditures will approximate \$8,816,800 and \$8,286,100 respectively by 1972, the last year of the proposed capital improvement program.

Revenues and Expenditures - Pleasant Prairie

Total revenues of the Town of Pleasant Prairie increased by \$901,100 between 1961 and 1965, an increase of almost 80 percent (See Table 2). The largest gain was experienced in the general property tax category where an increase of 98.7 percent (\$838,800) occurred. Other shared taxes also increased by about 45 percent in the period shown. Gifts and grants to the town declined by 24 percent in the four-year period, while other general revenue increased by 23 percent, almost offsetting the loss. However, in spite of substantial increases in other forms of revenue, general property taxes accounted for 83.2 percent of all revenue in 1965 while they represented 82.3 percent in 1961.

Most categories of expenditure showed monumental increases in the period from 1961 to 1965. General government increased by 118 percent, expenditures for health and sanitation increased six times over the 1961 level, and miscellaneous expenditures increased by almost four times the amount spent in 1961. Total expenditures increased by almost 84 percent between 1961 and 1965, as the pressures of urbanization made their appearance. Revenues exceeded expenditures in 1965 by \$66,700.

Revenues and Expenditures - Somers

Total revenues increased from \$913,600 in 1961 to \$1,687,900 in 1965, an increase of 84 percent, slightly higher than that of Pleasant Prairie but quite similar (See Table 3). As in the other agencies, the general property tax provided the major share of increased revenues, increasing from \$728,700 in 1961 to \$1,380,500 in 1965, an increase of almost 90 percent. Other shared taxes also increased by 56 percent. Each of the remaining categories also increased substantially. However, general property taxes accounted for 81.8 percent of all revenue in 1965 as compared with 79.7 percent in 1961.

Table 2

REVENUES AND EXPENDITURES

Town of Pleasant Praire
Kenosha Planning District

<u>Revenues</u>	<u>1961*</u>	<u>1965*</u>
General Property Tax	849.6	1,688.4
Other Shared Taxes	168.7	240.5
Licenses and Permits	9.4	10.4
Gifts and Grants	73.2	55.6
Other General Revenue	30.8	37.9
	<hr/>	<hr/>
Total	1,131.7	2,032.8
 <u>Expenditures</u>		
General Government	47.1	102.8
Protection of Person and Property	17.7	18.8
Health and Sanitation	9.6	59.3
Highway Department	100.9	106.1
Miscellaneous	10.2	49.2
Agency Disbursements		
Schools	870.5	1,612.2
Other	15.8	17.7
	<hr/>	<hr/>
Total	1,071.8	1,966.1

Note: All Figures are Rounded and Represent Thousands of Dollars.

*The Fiscal Year is from March 20 to March 19

Source: Town Clerk

Table 3

REVENUES AND EXPENDITURES

Town of Somers
Kenosha Planning District

<u>Revenues</u>	<u>1961*</u>	<u>1965*</u>
General Property Tax	728.7	1,380.5
Other Shared Taxes	115.5	179.5
Licenses and Permits	7.4	8.8
Gifts and Grants	47.9	76.8
Other General Revenue	14.1	42.3
	<hr/>	<hr/>
Total	913.6	1,687.9
<u>Expenditures</u>		
General Government	21.7	35.8
Protection of Persons and Property	4.9	13.0
Health and Sanitation	1.8	3.2
Highways and Bridges	55.0	22.6
Unclassified	151.5	134.9
Agency and Trust Payments	678.0	1,430.1
	<hr/>	<hr/>
Total	912.9	1,639.6

Note: All Figures are Rounded and Represent Thousands of Dollars.

*The Fiscal Year is from March 20 to March 19.

Source: Town Clerk.

Total expenditures in the Town of Somers increased by 80 percent between 1961 and 1965, from \$912,900 to \$1,639,600. The agency and trust payments more than doubled in the period shown while general government expenses increased by 65 percent and the expenditures for protection of persons and property increased from \$4,900 in 1961 to \$13,000 in 1965, a substantial increase. Revenues exceeded expenditures in 1965 by \$48,300.

Tax Rates

During the past six years the city's tax rate has increased from \$39.00 per \$1,000 of equalized valuation to \$47.00 per \$1,000 of equalized valuation, an increase of 20.4 percent (See Table 4). This would seem to reflect the rising cost of municipal services as the city expands. (See Appendix A for a more detailed account of the city's rates.)

The extreme reduction in average tax rate in the Town of Pleasant Prairie between 1961 and 1962 was occasioned by a change in the assessment base from 25 percent to 70 percent of market value. The large increase from 1964 to 1965 was due to "double taxing" because of the formation of the Joint School District, a situation in effect only in 1965. Presumably, the rate should decline with the 1966 assessment.

Although the tax rate in the Town of Somers has fluctuated from a low of \$31.12 in 1960 to a high of \$40.08 in 1963, the overall increase during the period has amounted to about 29 percent or \$8.96 per \$1,000 of equalized valuation.

Potential Bonding Power

As previously indicated, general obligation bonds for general city and town purposes may not be issued in a total amount greater than five percent of the equalized value of all taxable property. At the 1965 rate, the equalized value is about 1.66 times the assessed value in the City of Kenosha, 1.56 times the assessed value in the Town of Pleasant Prairie, and 1.50 times the assessed value in the Town of Somers. The past trend of assessed and equalized valuations from 1956 to 1965 is shown in Table 5. Also included are estimates of future assessed and equalized valuations to the year 1971.

Table 4

TREND IN TAX RATES¹

Kenosha Planning District

<u>Year</u>	<u>City of Kenosha</u>	<u>Town of² Pleasant Prairie</u>	<u>Town of² Somers</u>
1960	\$39.00	\$83.91	\$31.12
1961	39.00	83.91	35.14
1962	41.00	23.09	36.05
1963	42.00	26.97	40.08
1964	44.40	26.97	38.67
1965	47.00	38.68	37.46

Notes:

¹Per \$1,000 Assessed Valuation.

²Average of All School Districts in Towns Prior to Formation of Joint School District.

Source: City and Town Clerks.

Table 5

PAST AND ESTIMATED FUTURE TAXABLE PROPERTY VALUES*

Year	City of Kenosha ¹	
	Assessed Valuation	Equalized Valuation
1956	\$198,704,000	\$279,151,000
1957	207,231,000	293,578,000
1958	212,157,000	309,995,000
1959	220,398,000	315,681,000
1960	233,964,000	344,823,000
1961	251,481,000	376,709,000
1962	259,485,000	401,119,000
1963	263,305,000	417,335,000
1964	281,551,000	452,228,000
1965	289,354,000	478,152,000
1966	305,250,000	506,587,000
(Estimates)		
1967	315,905,000	524,402,000
1968	326,560,000	542,090,000
1969	337,215,000	559,777,000
1970	347,870,000	577,464,000
1971	358,525,000	595,151,000

Year	Town of Pleasant Prairie ²		Town of Somers ³	
	Assessed Valuation	Equalized Valuation	Assessed Valuation	Equalized Valuation
1956	\$ 7,805,000	\$24,813,000	\$21,120,000	\$21,680,130
1957	8,021,000	28,313,000	21,879,000	22,006,000
1958	8,347,000	30,621,000	21,372,000	22,945,000
1959	8,525,000	32,867,000	21,826,000	24,390,000
1960	8,853,000	35,896,000	22,685,000	26,397,000
1961	9,166,000	39,136,000	23,388,000	28,672,000
1962	34,494,000	49,277,000	24,229,000	31,791,000
1963	35,905,000	48,701,000	25,132,000	32,863,000
1964	36,597,000	51,228,000	25,883,000	35,109,000
1965	37,040,000	55,674,000	25,674,000	37,478,000
1966	39,734,000	62,082,000	26,149,000	39,109,000
(Estimates)				
1967	40,356,000	62,955,000	26,652,000	39,978,000
1968	40,978,000	63,926,000	27,155,000	40,702,000
1969	41,600,000	64,896,000	27,658,000	41,487,000
1970	42,222,000	65,866,000	28,161,000	42,241,000
1971	42,844,000	66,837,000	28,664,000	42,996,000

*All Data Rounded to Nearest \$1,000.

¹Assessed Valuation projected at average annual increase for period 1956-1966 (\$10,655,000). Equalized Valuation projected at 1966 ratio to Assessed Valuation (1.66).

²Assessed Valuation projected at average annual increase for period 1956-1961 and 1962-1966 (\$622,000). Equalized Valuation projected at 1966 ratio to Assessed Valuation (1.56).

³Assessed Valuation projected at average annual increase for period 1956-1966 (\$503,000). Equalized Valuation projected at 1966 ratio to Assessed Valuation (1.50).

Source: Actual Data - City and Town Records.
Estimates - Harland Bartholomew and Associates

The future estimates for assessed valuations are based on the average annual increases experienced during the period shown. This amounted to \$10,655,000 for Kenosha, \$622,000 for Pleasant Prairie, and \$503,000 for Somers. The 1971 assessed valuations for Kenosha, Pleasant Prairie, and Somers are estimated at \$358,525,000, \$42,844,000 and \$28,664,000 respectively. The corresponding level of equalized valuation, based on the 1966 ratio to assessed valuation would be \$595,151,000, \$66,837,000, and \$42,996,000 respectively.

At the end of 1966, the city's outstanding bonded indebtedness will be \$30,345,000, of which the school debt will be \$13,400,000, representing 44 percent of the total debt (See Table 6). This debt, of course, is not the city's alone but the responsibility of the entire School District. The largest single element of the city's total outstanding debt of \$16,945,000 is the \$5,854,000 in street improvement bonds yet to be retired. The second largest debt outstanding is the \$4,847,000 in storm sewer bonds.

The estimated bonding capacities of the City of Kenosha and the Joint School District #1 are shown on Table 7, while the estimated bonding capacities of the towns of Pleasant Prairie and Somers are shown on Table 8. While these bonding capacities are based on past trends, they represent conservative estimates as it has been previously stated that the economy of the District is expected to expand at a rate at least equal to that of the past. This would mean that equalized values would be higher than now estimated which would correspondingly increase the debt limit. Based on current estimates, the city's general purpose additional bonding capacity would increase from \$10,480,100 at the end of 1967 to \$20,707,550 at the end of 1971. Additional bonding capacity for the School District would be increased from \$48,949,450 in 1967 to \$59,757,070 by the end of 1971.

Table 8 shows that the estimated additional bonding capacity of the Town of Pleasant Prairie would increase from \$2,905,940 in 1967 to \$ 3,284,560 in 1971. The bonded indebtedness of the town is, at present, only committed to retiring the bonds issued in the sewer utility districts, which gives the town considerable latitude in financing new projects. The revenue for these bonds is obtained from residents of the respective districts only.

At the present time the Town of Somers has no outstanding bonds and therefore is legally capable of issuing bonds in the full amount of their bonding capacity as shown in Table 8, almost \$2,000,000 in 1967.

Table 6

BONDS OUTSTANDING
CITY OF KENOSHA

Kenosha Planning District

<u>Character of Bonds</u>	<u>Bonds Outstanding 12/31/65</u>	<u>Bonds Paid 1966</u>	<u>Bonds Issued 1966</u>	<u>Bonds Outstanding 12/31/66</u>
Schools	\$13,550,000	\$1,020,000	\$ 870,000	\$13,400,000
Vocational School	430,000	30,000	2,150,000	2,550,000
Univ. of Wisc. Kenosha	-	-	500,000	500,000
Street Improvements	5,301,000	647,000	1,200,000	5,854,000
Storm Sewers	3,817,000	270,000	1,300,000	4,847,000
Sanitary Sewers	881,000	261,000	500,000	1,120,000
Harbor-Warehouse	58,000	4,000	-	54,000
Harbor-Sheeting	325,000	10,000	-	315,000
Harbor-Boat Slips	50,000	5,000	-	45,000
Railroad Crossings	325,000	30,000	-	295,000
Street Dept. Garage	124,000	9,000	-	115,000
Incinerator	105,000	20,000	-	85,000
Airport	60,000	20,000	-	40,000
Swimming Pool	70,000	5,000	-	65,000
Pennoyer Park Bldg.	14,000	4,000	-	10,000
Park Dept. Garage	60,000	15,000	-	45,000
Police Building	720,000	40,000	-	680,000
Fire Station	<u>350,000</u>	<u>25,000</u>	<u>-</u>	<u>325,000</u>
Total	\$26,240,000	\$2,415,000	\$6,520,000	\$30,345,000

Source: Director of Finance

Table 7

ESTIMATED BONDING CAPACITY

Kenosha Planning District

<u>Year</u>	<u>City of Kenosha</u>			
	<u>Estimated Equalized Valuation</u>	<u>Estimated Bonding Capacity¹</u>	<u>Bonds³ Outstanding</u>	<u>Additional Bonding Capacity</u>
1967	\$524,402,000	\$26,220,100	\$15,740,000	\$10,480,100
1968	542,090,000	27,104,500	13,905,000	13,199,500
1969	559,777,000	27,988,850	12,205,000	15,783,850
1970	577,464,000	28,873,200	10,570,000	18,303,200
1971	595,151,000	29,757,550	9,050,000	20,707,550

<u>Year</u>	<u>School District</u>			
	<u>Estimated Equalized Valuation</u>	<u>Estimated Bonding Capacity²</u>	<u>Bonds Outstanding³</u>	<u>Additional Bonding Capacity</u>
1967	\$627,335,000	\$62,733,500	\$13,784,050	\$48,949,450
1968	646,718,000	64,671,800	12,952,995	51,718,905
1969	666,160,000	66,616,000	12,109,440	54,506,560
1970	685,571,000	68,557,100	11,382,885	57,174,215
1971	703,984,000	70,398,400	10,641,330	59,757,070

¹ Five Percent of Equalized Valuation in City.

² Ten Percent of Equalized Valuation in School District.

³ As of December 31 of Year Indicated.

Source: Actual Data - Director of Finance
Estimates - Harland Bartholomew and Associates

Table 8

ESTIMATED BONDING CAPACITY

Kenosha Planning District

<u>Year</u>	<u>Town of Pleasant Prairie</u>			
	<u>Estimated Equalized Valuation</u>	<u>Estimated Bonding Capacity¹</u>	<u>Bonds Outstanding²</u>	<u>Additional Bonding Capacity</u>
1967	\$62,955,000	\$3,147,750	\$241,810	\$2,905,940
1968	63,926,000	3,196,300	196,430	2,999,870
1969	64,896,000	3,244,800	150,050	3,094,750
1970	65,866,000	3,293,300	104,670	3,188,630
1971	66,837,000	3,341,850	57,290	3,284,560

<u>Year</u>	<u>Town of Somers</u>			
	<u>Estimated Equalized Valuation</u>	<u>Estimated Bonding Capacity¹</u>	<u>Bonds Outstanding²</u>	<u>Bonding Capacity</u>
1967	\$39,978,000	\$1,998,900	-	\$1,998,900
1968	40,702,000	2,035,100	-	2,035,100
1969	41,487,000	2,074,350	-	2,074,350
1970	42,241,000	2,112,050	-	2,112,050
1971	42,996,000	2,149,800	-	2,149,800

¹ Five Percent of Equalized Valuation in Town.

² As of March 19 of Year Indicated.

Source: Actual Data - Town Clerks
Estimates - Harland Bartholomew and Associates

The current tax levy required to service debt obligations is obviously associated with the bonding capacity of the agency. Table 9 has been prepared to show the tax levy requirements to pay the principal due on outstanding bonds for the City of Kenosha, the School District, and the Town of Pleasant Prairie. Since the Town of Somers has no bonded indebtedness at the present time, no tax levy is required to repay bonds.

For the City of Kenosha the tax levy required to service the debt obligation will increase to a high of \$7.06 per \$1,000 of assessed valuation in 1968 and decrease thereafter to a low of \$5.14 per \$1,000 of assessed valuation in 1971. The tax levy required for the School District debts decreases from \$3.97 per \$1,000 of assessed valuation to a low of \$2.34. In the Town of Pleasant Prairie the rate would be reduced by more than 12 percent during the period shown. All of the above rates assume that no new bonds would be issued.

Practical Bonding Capacity

Although the city and the two towns can legally bond themselves up to an amount equal to five percent of their equalized valuations, such a process would not be sound financial planning. This would leave the agencies without any additional bonding capacity in the event of an emergency. Generally an accepted practice is followed which allows the municipality to issue bonds that would account for no more than 75 percent of the actual legal limit. Above the 75 percent level, bond buyers generally ask for additional premiums in the form of increased interest rates. This limit is usually referred to as the "practical bonding capacity".

Data have been assembled in Table 10 which shows the practical bonding capacity of the various agencies based on projections explained previously.

Kenosha. The data assembled shows that although the legal limit of bonded indebtedness is more than \$26 million in 1967, the practical bonding limit is only \$19,665,075. Coupled with \$15,740,000 in bonds outstanding, this leaves an additional bonding capacity of \$3,925,075. This figure would increase to more than \$13 million by 1971 if no new bonds are issued.

School District. Although Table 10 shows a legal debt limit of almost \$63 million in 1967 and a practical limit of more than \$47 million, there must be a degree of rationality administered in this instance. From a strictly statistical approach, some \$33,266,075 in school bonds could be issued. It is doubtful if such an issue would ever be authorized as the tax levy required to service such an additional debt would not be tolerated by taxpayers. In

Table 9

TAX LEVY REQUIREMENTS
FOR BONDED INDEBTEDNESS

Kenosha Planning District

<u>Year</u>	<u>Estimated Assessed Valuation</u>	<u>Debt Obligation</u>	<u>Tax Levy Required</u>
<u>City of Kenosha</u>			
1967	\$315,905,000	\$1,732,449	\$5.48
1968	326,560,000	2,306,450	7.06
1969	337,215,000	2,092,740	6.20
1970	347,870,000	2,008,377	5.77
1971	358,525,000	1,844,331	5.14
<u>School District</u>			
1967	\$382,913,000	\$1,523,172	\$3.97
1968	394,693,000	1,180,532	2.99
1969	406,473,000	1,165,136	2.86
1970	418,253,000	1,020,275	2.43
1971	430,033,000	1,008,949	2.34
<u>Town of Pleasant Prairie</u>			
1967	\$40,356,000	\$ 57,774	\$1.43
1968	40,978,000	56,261	1.37
1969	41,600,000	55,894	1.34
1970	42,222,000	53,488	1.26
1971	42,844,000	54,049	1.26

Source: Harland Bartholomew and Associates Estimates

RETURN TO
SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION
PLANNING DEPARTMENT

Table 10

PRACTICAL BONDING CAPACITY

Kenosha Planning District

<u>Year</u>	<u>Estimated Bonding Capacity</u>	<u>Practical Bonding Limit*</u>	<u>Bonds Outstanding</u>	<u>Practical Additional Bonding Capacity</u>
<u>City of Kenosha</u>				
1967	\$26,220,100	\$19,665,075	\$15,740,000	\$ 3,925,075
1968	27,104,500	20,328,375	13,905,000	6,423,375
1969	27,988,850	20,990,637	12,205,000	8,786,637
1970	28,873,200	21,654,900	10,570,000	11,084,900
1971	29,757,550	22,318,162	9,050,000	13,268,162
<u>School District</u>				
1967	\$62,733,500	\$47,050,125	\$13,784,050	\$33,266,075
1968	64,671,800	48,503,850	12,952,995	35,550,855
1969	66,616,000	49,962,000	12,109,440	37,852,560
1970	68,557,100	51,417,825	11,382,885	40,034,940
1971	70,398,400	52,798,800	10,641,330	42,157,770
<u>Town of Pleasant Prairie</u>				
1967	\$3,147,750	\$2,360,812	\$ 241,810	\$ 2,119,002
1968	3,196,300	2,397,225	196,430	2,200,795
1969	3,244,800	2,433,600	150,050	2,283,550
1970	3,293,300	2,469,975	104,670	2,365,305
1971	3,341,850	2,506,387	57,290	2,449,090
<u>Town of Somers</u>				
1967	\$1,998,900	\$1,499,175	-	\$ 1,499,175
1968	2,035,100	1,526,325	-	1,526,325
1969	2,074,350	1,555,762	-	1,555,762
1970	2,112,050	1,584,037	-	1,584,037
1971	2,149,800	1,612,350	-	1,612,350

*Equals 75 Percent of Legal Bonding Limit. Above this Level, Financial Stability is Endangered and Normal Interest Rates are affected.

Source: Harland Bartholomew and Associates Estimates

addition, the physical needs of the School District are not such to require an expenditure of this magnitude. Therefore, suffice it to say that the construction program of the School District can easily be kept within legal, practical and "reasonable" limits.

Pleasant Prairie. The situation with regard to the town is similar to that of the School District in that the practical additional bonding capacity is probably far beyond what is necessary to support a reasonable capital improvement program.

Somers. The Town of Somers is in an unusual situation with respect to most agencies, that of having no bonded indebtedness at the present time. This situation is likely to change as the pressure of urbanization becomes more apparent. The University of Wisconsin-Parkside campus will be a contributing factor to this urbanization. Although the town could issue almost \$1.5 million in general obligation bonds, the tax levy required to amortize such an issue would be inordinately high. Therefore, a capital improvement program will, of necessity, have to be designed accordingly.

Proposed Capital Improvement Programs

The comprehensive plan is designed to facilitate and guide the provision of public improvements in the District. The plan provides a broad concept of improvements and a guide to determine the location and extent of these improvements. The following programs were prepared from an inventory of public needs as contained in the plan, together with necessary improvements that are not specifically an integral part of the plan. Many of the improvements proposed in the plan will not be needed for a number of years. Therefore, only projects requiring immediate consideration have been included in the five-year programs. Cost estimates are based upon present conditions and are necessarily approximate, as no detailed design plans have been prepared for any of the proposed improvements.

The program presented in Table 11 represents the Capital Improvement Program adopted by the City Council on December 6, 1966, except for those items described in the following. In order to expedite construction of the library, this facility has been programmed for 1968 instead of 1969, as indicated in the program adopted by the council. So as not to unbalance the financing of the program, the \$3,390,000 storm sewer project, originally proposed for three identical installments, has been rearranged as shown in Table 11.

Table 11

CAPITAL IMPROVEMENT PROGRAM

City of Kenosha and School District
1967-1971

(All figures are shown in thousands of 1966 dollars)

Project	Division Total	Esti- mated Project Cost	1967		1968		1969		1970		1971	
			Project Cost	Recommended Financing	Project Cost	Recommended Financing	Project Cost	Recommended Financing	Project Cost	Recommended Financing	Project Cost	Recommended Financing
MAJOR STREETS												
Petitioned Paving	\$ 6,892	\$ 2,600	\$ 600	\$ 120 G.O. 400 "B"	\$ 500	\$ 100 G.O. 400 "B"	\$ 500	\$ 100 G.O. 400 "B"	\$ 500	\$ 100 G.O. 400 "B"	\$ 500	\$ 100 G.O. 400 "B"
Paving 22nd Ave., 75th St.-87th Pl.		625	625	94 G.O. 218 Wisc. 313 Fed. G.O.								
Widen 22nd Ave., 35th St.-52nd St. Paving 39th Ave., 75th St.-80th St.		550 300	550		300	45 G.O. 105 Wisc. 150 Fed.						
Widen Washington Rd., 22nd Ave.-32nd Ave.		560					560	84 G.O. 196 Wisc. 280 Fed.				
Repair 6th Ave. Bridge Widen 30th Ave., 52nd St.-60th St. Widen 22nd Ave., 19th St.-Birch Rd. Paving Pershing Blvd., 32nd Ave.-39th Ave.		280 147 500 230			280	280 G.O.			147	G.O.	500	G.O.
Street Resurfacing (General) Traffic Signal Improvements and Equipment		750 100	150	Budget	150	Budget	150	Budget	150	Budget	230 150	G.O. Budget
Street Lighting		250	50	Budget "B"	20 50	Budget "B"	20 50	Budget "B"	20 50	Budget "B"	20 50	Budget "B"
PUBLIC BUILDINGS												
Relocate City Hall Relocate Central Fire Station Renovate Incinerator Waste Department Garage Salt Storage Building Street Department Garage Addition Library Airport (Runway) Fire Station North Fire Station Springbrook Rd. Urban Renewal	6,473	400 130 450 65 11 15 1,000 67 250 75 4,000	400 130 130	G.O. G.O.		460 65 11 15 G.O.				67	G.O.	250 G.O.
											4,000	1,000 G.O. 3,000 Fed.
PARKS AND RECREATION												
General Acquisition	1,010	710	50	25 Bud. 25 Fed.	170	25 Bud. 85 Fed. 60 G.O.	50	25 Bud. 25 Fed.	50	25 Bud. 25 Fed.	390	25 Bud. 195 Fed. 170 G.O.
Swimming Pool - Sunnyside Park Simmons Park Fieldhouse		225 75	225	G.O.			75	G.O.				
STORM SEWERS												
Trunk Main 60th St., 39th Ave. - Lake	11,853	4,037	1,037	519 G.O. 518 Fed. 358 G.O. 357 Fed.	1,000	500 G.O. 500 Fed.	1,000	500 G.O. 500 Fed.	1,000	500 G.O. 500 Fed.		
Trunk Main 40th St., and 14th Ave. Main - 30th Ave., 52nd St.-50th St. Main - 45th St., Pike Creek - 22nd Ave. Main - 50th St., 41st Ave.-Pershing		715 37 137 85	715		37	19 G.O. 18 Fed.						
Trunk Main - 65th St. and Sheridan to N.S.R.R. Trunk Main - 73rd St. and Roosevelt Rd. to Lake Main - N.S.R.R., 24th St.-Birch Rd. Main - Pershing and Sheridan - Lake Main - 57th Ave. and 75th St. - 78th St. and 43rd Ave. Main - 32nd Ave., 80th St. - Pershing Retention Basins (4) Pike Creek Storm Sewer Mains Required for Paving Project		1,057 3,390 156 393 470 116 250 310 700			529 130	265 G.O. 264 Fed. 65 G.O. 65 Fed.	528 2,130	264 G.O. 264 Fed. 1,065 G.O. 1,065 Fed.	1,130 156 393 470 116 250 310	565 G.O. 565 Fed. 78 G.O. 78 Fed. 197 G.O. 196 Fed. 235 G.O. 235 Fed. 58 G.O. 58 Fed. 125 G.O. 125 Fed. 155 G.O. 155 Fed.	150 G.O.	
SANITARY SEWERS												
Petitioned Mains Trunk - K.D.R.R., 32nd St.-52nd St. Trunk - 50th St., 26th Ave.-40th Ave. Main - 50th St., 41st Ave.-Pershing Diversion Regulating Outfall Facilities	1,963	1,280 347 190 70 76	290	188 G.O. 122 "B"	250	150 G.O. 100 "B"	250	150 G.O. 100 "B"	250	150 G.O. 100 "B"	250	150 G.O. 100 "B"
WATER UTILITY												
48" Intake Supply Main New Treatment Equipment Pumping Facilities Distribution Mains Transmission Main Plant - NW Tank Northwest Standpipe 4.3 MG Transmission Main - NW Tank - U. of W. Transmission Main - 80th St. and Cooper Rd. Southwest Elevated Tank North Elevated Tank Addition to Buildings Equipment Railroad Siding Meters Hydrants Interceptor Sewer Oil Disposal System Additional Sludge Beds Raw Sewage Pump	3,562	750 50 126 54 750 514 233 105 167 80 100 46 54 20 175 100 153 15 40 30	22	W.U.	47	W.U.	42 12	W.U. W.U.	15 27	W.U. W.U.	15 150	W.U. W.U. 100 Assess. 50 W.U.
			150	100 Assess. 50 W.U.	150	100 Assess. 50 W.U.	150	100 Assess. 50 W.U.	150	100 Assess. 50 W.U.	150	100 Assess. 50 W.U.
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Financing Symbols

G.O. - City General Obligation Bonds
"B" - City Series "B" Bonds
Wisc. - State of Wisconsin
Fed. - Federal Government

Bud. - Budget Item
W.U. - Water Utility Financing
Assess. - Assessments by Water Utility
Sch. G.O. - School District General Obligation Bonds

Note: (1) The cost and financing of the major street paving and widening projects are subject to change by the State Highway Commission and the local units of government.
(2) Other local officials and agencies have made requests for additional items to be included in the above program, such as the Northwest Senior High School (\$5,500,000). Such items have not been included in the program at this time because of the financial limitations of the community and all such items should be reviewed annually.

Source: Harland Bartholomew and Associates

City of Kenosha

The capital improvements are designed to be carried out during the five-year period 1967-1971. The cost of the entire program amounts to an estimated \$40,923,000. The following table shows a list of the various financing methods that are suggested in the program.

City General Obligation Bonds	\$13,743,000
City Series "B" Bonds	2,852,000
State of Wisconsin	519,000
Federal Government	10,006,000
Budget Items	975,000
Water Utility Financing	3,062,000
Assessments by Water Utility	500,000
School District General Obligation Bonds	<u>9,170,000</u>
Total	\$40,823,000

The capital improvement program shown in Table 11 provides a list of the projects to be completed and their estimated cost, a division or section summary cost, and indicates the priority schedule and financing for each project. A summary of financing methods is also shown for each year of the five-year program. The following text is a brief description of the program.

Major Streets. The capital improvement program indicates expenditures of \$6,892,000 during the five-year period, of which \$1,997,000 would be allocated to 1967. Petitioned paving projects account for \$2,600,000 of the total program with \$600,000 already expected for 1967 and an annual program of \$500,000 thereafter. This should provide a sizeable program for the many general paving projects that arise. The financing of these projects will be discussed later. In addition, an expenditure of \$150,000 annually has been proposed for general resurfacing projects.

A. 22nd Avenue. Three projects, whose total cost is \$1,675,000, are assigned to various sections of 22nd Avenue, an extremely important north-south traffic route through the city as explained in the major street plan. Two of these projects would be completed in 1967 and the third in 1971.

B. Washington Road. A \$560,000 widening program is proposed between 22nd Avenue and 32nd Avenue in 1969. This is another extremely important link in the major street system that demands early attention.

C. General. Other important major street improvements involve the paving of 39th Avenue between 75th and 80th Streets, the repair of the Sixth Avenue bridge in the central business district, the widening of 30th Avenue between 52nd and 60th Streets, and the paving of Pershing Boulevard (85th Street) between 32nd and 39th Avenues. Also included in the program is a \$20,000 annual expenditure for the purchase and improvement of traffic signals throughout the city, and a \$50,000 annual expenditure for street lighting. As indicated by the recommended financing, state and federal aids are available and can be used to supplement city funds for some projects.

Public Buildings. The capital improvement program includes the allocation of \$6,473,000 for public buildings. This category also includes a \$4,000,000 expenditure for future urban renewal projects. The city's share of urban renewal projects in this amount would be \$1,000,000, programmed for 1971.

A. City Hall-Fire Station. The most immediate need and one for which plans have already been made, involves the relocation of the City Hall (\$400,000) and the central fire station (\$130,000) programmed for 1967. These two public buildings are to be moved to the present Kenosha Area Technical Institute Building when its facilities are moved to new quarters currently under construction. Two additional branch fire stations serving the north and south sections of the city are also proposed.

B. Library. The construction of a library is scheduled for 1968 with the expenditure of \$1,000,000. While this amount is not expected to be sufficient for total construction of the required facility, federal aids may become available for this type of construction. As yearly reviews are made of the Capital Improvement Program, consideration should be given to increasing this amount to the full \$1.5 million requested by the Library Board. In addition, the structure could be planned for expansion in future years.

C. General. Several smaller public buildings are also included in the proposed program. These include renovation of the incinerator, a waste department garage, a salt storage building, and an addition to a street department garage. This section also programs the extension of the airport runway in 1970.

Parks and Recreation. The capital improvement program shows an expenditure of \$1,010,000 during the five-year program for various park and recreation improvements. Financial assistance from the federal government in the form of grants to assist in acquisition of new park land would total \$355,000. In addition to a basic proposal indicating a \$25,000 budget expense and a matching \$25,000 federal grant annually, the program proposes a \$60,000 bond issue in 1968 and a \$170,000 bond issue in 1971 for park acquisition. These could be matched by federal grants in the same amount, totaling \$230,000 under the provisions of the Open-Space Land Program. The capital improvement program also suggests the construction of a swimming pool in Sunnyside Park in 1967 and a fieldhouse in Simmons Park in 1969.

Storm Sewers. The allocation for storm sewers is the largest single division of the program and amounts to \$11,853,000 for the period 1967-1971. This is occasioned by the critical need of separating the presently combined storm and sanitary sewer system. As might be expected, there are several very expensive items in this section of the program, but they are necessary to adequately separate the system and thereby fully realize the advantages of such a project. Of immediate benefit would be the reduced flow load at the sewage treatment plant. The largest single project in the entire capital improvement program involves a trunk main on 60th Street between 39th Avenue and Lake Michigan expected to cost \$4,037,000. This project is programmed to be constructed over a four-year period (1967-1970) because of cost limitations from a financial standpoint and to facilitate construction. The use of federal aid in this and other separation projects can greatly reduce the city's cost. The city's practical boning capacity is at such a level that if this project were to be programmed for a single year, practically no other projects could be attempted that required general obligation bond financing. Thus, it has been spread over the longer period to facilitate a balanced program of projects in all areas. Another extremely costly item is the trunk main from 73rd and Roosevelt Road to Lake Michigan which has been programmed for a two-year period (1969-1970). These two projects have a total estimated cost of \$7,427,000 representing about 63 percent of the storm sewer program. The program also includes an annual expenditure of \$150,000 for storm sewer work in connection with general paving projects.

Sanitary Sewers. The greatest portion of the \$1,963,000 programmed for sanitary sewer construction during the five-year period is allocated to petitioned mains. The program indicates an expenditure of \$290,000 in 1967 and \$250,000 annually thereafter. Here again, the opportunity to use Series "B" Bonds presents itself. This method of financing will be explained later.

Water Utility. Construction projects totaling an estimated \$3,562,000 are scheduled for the water utility from 1967 through 1971. The single most costly item is the \$750,000 water intake main scheduled for 1970. The next largest project would be constructed in 1967 and would be a transmission main between the treatment plant and the northwest standpipe also programmed for 1967. These two projects would account for \$1,264,000 of expenditures. Another project costing an estimated \$105,000 would be the construction of a transmission main from the new tank to the site of the University of Wisconsin-Parkside campus. Additional major projects scheduled for 1967 include transmission mains along 80th Street and Cooper Road, and an interceptor sewer estimated to cost \$153,000. The financing of all water utility projects is the responsibility of the water utility and is not chargeable against the debt limit of the city general obligation bonds. Some of the cost of these projects would also be shared by the federal government.

Schools. The proposed capital improvement program includes an expenditure of \$9,170,000 for schools during the five-year period 1967-1971. This program, of course, applies to the entire Planning District. The schedule shows the construction of a new junior high school and an elementary school in 1967 at an estimated cost of \$3,445,000. Two additional elementary schools are programmed for 1968 and one elementary school is scheduled for construction in each of the years 1969 through 1970. Two schools are scheduled for 1971. The letter symbols refer to specific schools recommended in Volume I. Additional expenditures requested but not authorized have not been included in this report.

Financing the Program. The capital improvement program presented will require the issuance of general purpose-general obligation bonds in the amount of \$13,743,000. The following schedule indicates the annual amounts of the issues.

<u>Year</u>	<u>Amount of Issue</u>
1967	\$ 2,808,000
1968	3,301,000
1969	2,388,000
1970	2,696,000
1971	2,550,000

A. Bonding Measures. Table 12 shows a comparison of the practical bonding capacity and the effect of the proposed capital improvement program. Inspection reveals that in each year after 1967, the amount of bonds outstanding resulting from the proposed program is more than the estimated practical bonding capacity. Although the program is within the legal limit set by the state statute, it does not allow for any unforeseen emergency short of deleting some item from the program.

B. Tax Rate. The tax rate required to finance the proposed capital improvement program is shown in Table 13. Also shown is the present tax rate required to service the current debt obligation. The tax rates shown apply only to that portion of the total tax rate required to make payments on principal and interest on outstanding bonds. For the year 1967, the proposed program would require an increase in the tax rate of \$0.80 over what would be required if no new bonds were issued. The following year (1968) an increase of \$1.67 would be required. Although the increases required in 1969 and 1970 would be \$2.22 and \$2.80 over that presently required, it must be remembered that the present rate required is decreasing, thus creating a larger difference than if new bonds were issued. In addition, it is unlikely that any year will pass when no new bonds are issued so the increases shown are actually minimal. While increases in the tax rate are generally viewed with alarm, the projects listed in the capital improvement program are necessary to the progress of the City of Kenosha.

C. General Procedures. The entire process of capital improvement financing is directed to the objective that recurring items should be budgeted and the bonding capacity of the city devoted to capital expenses. Although the city has issued general obligation bonds in the past for items such as fire stations, major street projects, etc., it has also issued general obligation bonds for special assessment projects and recurring items such as general street paving projects. The proposed capital improvement program suggests a departure from these methods of financing.

In the past, it has been the practice of the city to not only issue general obligation bonds for the city's share of special assessment projects, but also for the portion covered by the assessments which are recoverable in that the funds are paid to the city by property owners generally over a ten-year period. This process is certainly workable where a city has sufficient bonding capacity to carry on an effective improvement program and issue the standard general obligation bonds for the

Table 12

COMPARISON OF PRACTICAL BONDING CAPACITY AND
EFFECT OF PROPOSED CAPITAL IMPROVEMENT PROGRAM

City of Kenosha and School District

<u>Year</u>	<u>Estimated Bonding Capacity</u>	<u>Practical Bonding Capacity*</u>	<u>Bonds Outstand- ing Resulting From Proposed Capital Improve- ment Program</u>
1967	\$26,220,100	\$19,665,075	\$18,548,000
1968	27,104,500	20,328,375	21,849,000
1969	27,988,850	20,990,637	24,237,000
1970	28,873,200	21,654,900	26,933,000
1971	29,757,550	22,318,162	29,483,000

*Represents 75 Percent of Legal Bonding Limit.

Source: Harland Bartholomew and Associates.

Table 13

FUTURE DEBT REQUIREMENTS

City of Kenosha

<u>Year</u>	<u>Estimated Assessed Valuation</u>	<u>Current Debt Obligation</u>	<u>Present¹ Tax Rate Required</u>
1967	\$315,905,000	\$1,732,449	\$5.48
1968	326,560,000	2,306,450	7.06
1969	337,215,000	2,092,740	6.20
1970	347,870,000	2,008,377	5.77
1971	358,525,000	1,844,331	5.14

<u>Year</u>	<u>Proposed² Additional Debt Required</u>	<u>Total² Debt Obligation</u>	<u>Future^{1,2} Tax Rate Required</u>
1967	\$ 252,720	\$1,985,169	\$6.28
1968	544,194	2,850,644	8.73
1969	746,896	2,839,636	8.42
1970	972,542	2,980,919	8.57
1971	1,179,656	3,023,987	8.43

Notes:

¹To Service Debt Obligation

²Based on Proposed Capital Improvement Program

Source: Director of Finance.

assessment portion of special assessment projects. The result of this method of financing, however, is that the bonds issued for the assessment portion are charged against the city's outstanding debt, reducing the amount that could be issued for capital items. Wisconsin Statutes allow cities to issue what are termed Series "B" Bonds for the purpose of paying the assessed portion of special assessment projects. These bonds are short-term bonds which are not charged against the city's general debt but are serviced by the money paid by taxpayers for their share of their particular project. This method obviously is better suited to the needs of a rapidly growing community faced with the necessity of financing many capital improvements.

The normally recurring expenses which include general paving projects, sanitary and storm sewer projects, etc., should be included in the annual budget. These projects take place annually and as such should be financed as a budget item rather than encroaching on the bonding capacity of the city. This obviously requires an increase in the tax rate, but the bonding capacity of the city should not be considered limitless. Granted, as the equalized valuation of the city increases, the capacity to issue new bonds increases also. However, the legal limit of a city's bonded indebtedness cannot be exceeded. Therefore, it should be regarded with a great deal of caution. At the same time, it should be noted that bonding for projects is not the most desirable method of financing, however convenient it may be. For example, if the city sells bonds worth \$1,000,000 and agrees to pay this loan back over a 20-year period, it pays \$50,000 annually in principal. The interest payments on this loan during the course of the loan amount to \$380,000 for a four percent loan. This represents 38 percent of the original loan. Thus, bonding is not the least expensive means of financing. This clearly indicates that whenever practical, these recurring projects should be budgeted.

D. Effect on Tax Rate. The proposed five-year program suggests increases in budget items as shown in the table below. The increase in the tax rate over the present level of service required by this program is also shown.

<u>Year</u>	<u>Total New Budget Amounts Required</u>	<u>Tax Rate Required*</u>
1967	\$195,000	\$0.62
1968	195,000	0.60
1969	195,000	0.58
1970	195,000	0.56
1971	195,000	0.54

* Above present level. (Per \$1,000 assessed valuation.)

The decreasing rate is caused by the increasing assessed valuation or tax base. The tax increase required to place the amounts shown in the table are reasonable and should go a long way toward improving the financing methods of the city in its attempt to provide the level of service demanded by its citizens.

(See Appendix B for the description of a suggested method of annual capital improvement program review.)

Capital Improvement Programs for Pleasant Prairie and Somers

The process involved in establishing a capital improvement program for the Towns of Pleasant Prairie and Somers should include an organized series of meetings with administrative officers and elected officials. The town officials should be in a position to view the overall community needs objectively and to make a determination of the relative importance of specific needs in terms of long-range planning objectives. The Planning Commissions have an opportunity to measure the long-term needs of the towns and to establish a priority based on the comprehensive plan. Once the capital improvement program is fully developed, it should be presented so that appropriate action may be taken by the elected public officials.

Some of the recommendations of the comprehensive plan, as well as the area of responsibility of governmental agencies, somewhat limits the area covered by any capital improvement program developed for the towns. For example: (a) The recently submitted Community Facilities Report recommended expansion of the city's water treatment and sewage treatment plants to enable these facilities to serve urbanizing areas of the two towns. This would relieve the towns of concern over financing necessary projects in this realm. (b) The operations of Joint School District #1 encompass the two towns. Although the residents of the towns contribute to the budget and financial obligations of the School District, the responsibility of providing schools, etc., is not directly one associated with town governmental financing. (c) The Kenosha County Highway Department maintains and builds roads designated as a part of the county road system. The town's responsibility

in the realm of highways is then reduced to the maintenance or construction of town roads. The capital improvement program for the two towns is therefore limited generally to streets and public buildings.

Although capital improvement programs are generally thought of as bonding programs, this is not always the case. Generally, both towns have adopted the financial philosophy that they will continue to finance needed capital improvements on a "pay-as-you-go" basis so long as they can reasonably afford to do so. This means that the capital improvement programs for the towns are oriented toward budgeted financing much more so than is the program developed for the city.

Town of Pleasant Prairie

Public Buildings. The town already has a town hall-fire station under construction with completion scheduled for early 1967. This building, located at 100th Street and 39th Avenue, will cost approximately \$172,000 and will be paid for out of surplus funds. No other public buildings are scheduled for construction during the five-year program from 1967-1971. Beyond the term of this initial program however, a need will present itself for the fire station proposed in the Community Facilities Report to be located at 88th Avenue and Wisconsin 50. This station would serve the village area and the industrial area proposed to the northeast of that location.

Streets and Roads. In order to adequately continue a program of maintenance and improvements, the capital improvement an annual expenditure of \$50,000 for this purpose. This would enable the town to continue the magnitude of the program authorized in the current budget year. This represents an increase of 100 percent in this element of town expenses, but the pressures of urbanization and an adequate street and road system will certainly not diminish in the next five years.

Drainage Improvements. The Storm Drainage Plan proposed an extensive system of natural drainage courses in the Town of Pleasant Prairie. The capital improvement program suggests an annual expenditure of \$20,000 to be applied to any normal projects associated with street and road work and these more extensive drainage ways.

Total Program. The proposed capital improvement program recommends a five-year expenditure of \$350,000 . The table below shows the tax levy required to finance the proposed program. The funds for the town hall-fire station are already available and for this reason are not shown.

<u>Year</u>	<u>Estimated Assessed Valuation</u>	<u>Proposed Program</u>	<u>Tax Rate Required</u>
1967	\$40,356,000	\$70,000	\$1.74
1968	40,978,000	70,000	1.71
1969	41,600,000	70,000	1.68
1970	42,222,000	70,000	1.66
1971	42,844,000	70,000	1.63

Town of Somers

Public Buildings. The town of Somers will begin construction of a town hall-fire station in early 1967. The building, to be located on 12th Street just west of the Somers Elementary School, will cost an estimated \$185,000 and will be financed by surplus revenues. As is the case with Pleasant Prairie, this building will house the town offices, meeting hall and fire station. The only other public building to be constructed in the Town of Somers during the five-year capital improvement program is the Hall of Flame Fire Museum which will be financed by public subscription and will not be a town building. Beyond the initial five-year program a need will exist for the construction of a fire station at 30th Avenue and Birch Road.

Streets and Roads. The proposed capital improvement program indicates an expenditure of \$675,000 during the five-year period. Of this amount \$475,000 would be county funds for two extremely important projects. The first is the extension of 12th Street from 30th Avenue east to Wisconsin 32 (Sheridan Road) at an estimated cost of \$175,000. This project should be constructed in 1968. The second project is the realignment of 30th Avenue (Wood Road) between 12th Street and First Street at an estimated cost of \$300,000. This project should be constructed in 1970, or possibly earlier, if required by the design of the University of Wisconsin-Parkside campus. As in Pleasant Prairie, the pressures of urbanization will be evident in Somers also. The capital improvement program proposes an annual expenditure of \$40,000 for the maintenance and improvement of roads and streets in the town. This amount should also include expenses for drainage improvements. This expense is not so great in Somers because of the topography which has a greater tendency toward natural drainage than in Pleasant Prairie.

Total Program. The proposed capital improvement program recommends a five-year expenditure of \$1,360,000, of which \$250,000 would be financed by federal grants and \$475,000 which would be financed by county funds. The table below shows the tax levy required to finance the proposed program. The funds for the town hall-fire station are already available and are not shown.

<u>Year</u>	<u>Estimated Assessed Valuation</u>	<u>Proposed Program</u>	<u>Tax Rate Required</u>
1967	\$26,652,000	\$40,000	\$1.50
1968	27,155,000	40,000	1.47
1969	27,658,000	40,000	1.44
1970	28,161,000	40,000	1.42
1971	28,664,000	40,000	1.39

Town Parks

No allocation of park funds has been made in the capital improvement programs for the towns. Generally, any parks that the towns have developed can probably be adequately maintained with the current staff of maintenance personnel. However, as growth continues to occur, the responsibility for acquisition and maintenance of parks located in the Towns of Pleasant Prairie and Somers should be that of Kenosha County.

Chapter III

ZONING REGULATIONS

The regulation of land use through zoning is one of the most important means of implementing the District Land Use Plan. The type and intensity of land use form the basic pattern of community development. A compatible relationship between these various uses is essential to the development of an attractive and efficient community. Proper planning for community facilities such as highways, sewers, water mains, schools, or parks, cannot be successfully accomplished unless the Land Use Plan is achieved. Control of land use through zoning is essential if a safer, more efficient and attractive community is to be achieved and all of the problems associated with a poor spatial arrangement of land uses avoided.

The zoning ordinance should be properly related to both existing land use and to the amount of land required for the various land uses by anticipated growth and development. Within the District, zoning ordinances should be based upon the comprehensive Land Use Plan presented and described in Volume I of this report. If the zoning ordinance is to properly direct the future growth of the District in accordance with the Comprehensive Plan, the areas contained within the several zoning districts must be carefully related to the amount of land anticipated to be needed for the various different land uses at different stages of District development.

Reasonable control of land use through zoning is essential not only that a desirable community may result, but also in order that the individual citizens who build in the different parts of the City can proceed with a confidence unimpaired by doubts regarding the future community-wide land use pattern.

Mechanics of Zoning

Zoning regulations are intended to establish minimum land use standards. For example, the regulations in one district may require a minimum front yard of 25 feet or a minimum lot area of 6,000 square feet. As these are minimum requirements, buildings may be set back farther on larger lots. Much normal urban development should take place at higher standards than those required by the zoning regulations. All too frequently, zoning is regarded as a negative or restrictive regulatory measure. This is to be expected because zoning does prevent some individuals from using their property in a manner that would injure their neighbors as well as the entire community. Nevertheless, zoning should be thought of as a positive guide to development by which

the sound and logical growth and development of the community can be assured. Zoning involves determining the best location for each type of land use, both in relationship to the land and city scope and to other existing and potential land uses.

Zoning is accomplished by dividing a community into districts. The land use regulations imposed may be different between different kinds of districts, but must be uniform within each given kind of district. There have been many court decisions relating to zoning "districts". While most courts recognize that communities must be granted considerable discretion in determining the size and boundaries of these districts, they insist that the location of such districts must be reasonable. In many instances it is desirable to place both sides of a street in the same zoning district. Consequently, the district boundary should wherever possible follow alleys and rear lot lines rather than centerlines of streets. Generally, street intersections should have at least two and usually four corners in the same zoning classification. The courts have further indicated that one lot cannot constitute a district. Such so-called "spot zoning" of individual parcels of land is inequitable and unsatisfactory and, at times, has been declared to be illegal.

The zoning of a particular area for multiple family dwellings, for business or for industrial use will not in itself bring about construction of apartments, stores or factories, in the respective areas. However, the zoning of a parcel of land for a particular use is the equivalent of a county, city, or town officially informing the property owner that there is a strong possibility that his land some day will be used for that purpose. Consequently, if a man owns a single-family home and this home is placed in a commercial zone, he generally assumes that someday his property can be sold at a profit for a business use.

When more land is zoned for commerce and industry than will be needed within the near future, a widespread, false presumption is created regarding the value of property. This brings about depreciation of the property so zoned and discourages its most appropriate use. Consequently, the area of zoning districts should be closely related to the amount of land reasonably needed for the uses permitted in the districts in the immediate future.

Authority for Zoning

Cities, towns and counties derive their zoning powers from state enabling legislation. Over the years, the courts have interpreted zoning legislation and zoning ordinances and this has affected the import and application of zoning regulations. Chapter 59 of the Wisconsin Statutes authorizes a type of town-county zoning and Section 59.97 of the Wisconsin Statutes states, in part, "For the purpose of promoting the public health, safety and the general welfare the county board of any county may by ordinance effective within the areas within such county outside the limits of incorporated villages and cities establish districts of such number, shape and area, and adopt such regulations for each such district as the county board shall deem best suited to carry out the purposes of this section."

The towns of Somers and Pleasant Prairie have elected to participate in this type of zoning under the Kenosha County Zoning Ordinance.

Chapter 62.33(7) authorizes the Cities to adopt zoning regulations and states in part, "For the purpose of promoting health, safety, morals, or the general welfare of the community, the council may by ordinance regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes provided that there shall be no discrimination against temporary structures." The City of Kenosha, of course, obtains its zoning powers under this provision of the Statutes.

Objectives of Zoning

The first objective of a zoning ordinance should be to direct the growth of the community in accordance with a Comprehensive Plan. The use of urban land is dependent upon the arrangement of such physical facilities as streets, railroads, schools and parks and the zoning regulations should be based upon a plan dealing with all of these facilities. Under the provisions of a good zoning ordinance, urban growth will arrange itself according to a pattern of land use that will fit into the Comprehensive Plan and bring maximum benefits to the entire community. There is a close relationship between the land use arrangement and the provision of needed public facilities such as schools, parks and utilities.

A second objective of a zoning ordinance should be to encourage the most appropriate use of land throughout the community. Zoning must be reasonable. The future permitted

use of property must be properly related to existing development. In drafting a zoning ordinance consideration must be given to each district and its peculiar suitability for particular uses. Of great importance, however, is attainment of regulations and district boundaries that will encourage the most appropriate use of land. The zoning regulations should be related to the interest of all the people in the community rather than upon the value or use of one or two individual pieces of land. Zoning is more than just a set of rules to keep one man from unduly damaging the value of his neighbor's property. It is a directive force to encourage the development of the land for its highest and best uses when viewed from the standpoint of the community as a whole. Zoning is not intended to encourage uses that would bring the highest price in the speculative land market.

A third objective of a zoning ordinance is to conserve and protect property values. In a residential zoning district, a given parcel of land might bring a much higher price if it could be used for certain commercial purposes. However, such use would depreciate rather than conserve the value of the surrounding residential property.

A fourth objective of a zoning ordinance is to provide adequate light and air and to prevent over-crowding of the land. Thus, the yard and area regulations of zoning control the open spaces around buildings, the size of residential lots and the height and bulk of the buildings. A thorough discussion of zoning applicable to the District may be found in SEWRPC Planning Guide No. 3 Zoning Guide.

The absence of zoning regulations, or the lack of enforcement, may result in the intermingling of different types of land uses such as residential, commercial and industrial. This, in turn, depreciates the value of the property in and the amenities of the given area. A mixed land use pattern may be as detrimental to the commercial and industrial uses as to residential uses since such uses are not part of recognized commercial and industrial areas. This creates problems for businesses and industries by limiting their expansion and by subjecting them to complaints from non-business and non-industrial uses in the neighborhood.

Existing Zoning Regulations

At the present time there are two zoning ordinances governing the use of land and buildings in the Kenosha Planning District.

City of Kenosha

A zoning ordinance for the city was originally prepared as a part of the Comprehensive Plan of 1925. Through the years, the ordinance was kept current through modification and periodic review. In 1953, the ordinance was completely revised and modernized. This work was accomplished under the direction of Mr. Floyd A. Carlson, then Director of Planning for the City of Racine, Wisconsin. Since that time, periodic amendments have been made to accommodate certain types of development and to attempt to keep the ordinance up-to-date.

As with many zoning ordinances adopted over fifteen years ago, several deficiencies are in evidence. These include: (1) an inadequate number of districts; (2) no regulation of flood plains or areas covered by soils having limitations for urban development; (3) no special regulations for planned commercial or industrial activities; (4) no provisions for conditional use permits and performance standards and (5) insufficient off-street parking requirements.

With respect to the number of districts, the existing ordinance provides only three residential districts, one each for a single-family, two-family and multiple-family dwelling. Normally, a rapidly growing urban area will require many more types of residential districts to accommodate the variety of types of residential areas. The "A" Residence District, for example requires a lot area of only 6,000 square feet, considerably below the trend of today's single-family lot size and totally inadequate for suburban development without a public sewer system.

Although not critical in a compactly developed urban area, the lack of agricultural and conservancy districts is serious when considering expansion of urban growth into undeveloped areas. These types of regulations prevent urban growth from occurring in areas unsuited for such development and protect and preserve the natural resource base and function as holding districts until the community is ready to provide the public facilities and utilities needed for urban development.

Urban development in the District has been permitted to occur in areas subject to flooding and upon soils having "very severe" and severe limitations for urban development without any type of regulations. This has resulted in water damage, inoperative septic systems, expensive utility extensions, and destruction of the natural resource base.

In rapidly urbanizing areas, provisions need to be made for the new type of commercial and industrial development. These new facilities are now being designed with adequate parking areas in relation to floor space, landscaping, and areas for future expansion. Regulations must be provided for these new developments to insure that their impact on the surrounding areas will not be deleterious.

The existing regulations regarding parking are not consistent with modern requirements. For example, the existing regulations require only 144 square feet of area to be reserved for one off-street parking space. This amounts to a space 18 feet long and eight feet wide. A more reasonable space requirement for modern automobiles is 20 feet long and nine feet wide, or 180 square feet of area. The existing regulations require a minimum of only one off-street parking space for every eight seats in the buildings of churches, high schools, university auditoriums or theatres, or similar places of assembly. A more realistic requirement is one parking space for every five seats provided. A more adequate space must be preserved for the parking of automobiles than has been provided in the past. Another example of inadequate regulations in this respect is where hospitals need provide only one off-street parking space for each four beds. Modern practice indicates a need for one space for each two beds.

The existing city ordinance permits what are termed "transitional uses" in the A, B and C Residence Districts. These uses are allowed where the side of a lot abuts upon a lot in a commercial or industrial district, provided such transitional use does not extend more than 65 feet from the boundary of the less restricted (commercial or industrial) district. In the "A" Residence Districts, the transitional use can only be a public parking area. These transitional uses are listed as permitted uses and therefore require no official action by the Administrator, Plan Commission or Board of Appeals prior to their being developed. The transition use provisions should be replaced by the use of a zoning district which permits the desired principal, accessory or conditional use.

Although the existing ordinance provides for three commercial districts, there are, in essence, only two as the "F" District allows only minor variations to the uses permitted in the "D" and "E" Districts and is applied solely to the central business area of the city. The

uses permitted in the "D" District are those generally associated with service establishments such as a service station, bank, food store, florist, grocery and similar businesses. The "E" District allows practically all other types of retail stores or businesses.

The two industrial districts are similar in most respects to ordinances found throughout the country in that one allows light manufacturing uses and the other allows all other industrial uses. However, the heavy industrial district lists certain uses generally considered abnoxious, the location of which is subject to the approval of the Board of Appeals.

The present ordinance also contains the usual regulations outlining the purpose, definitions, height and area regulations, use, height and area exceptions, duties of the Board of Appeals, certificates of occupancy, interpretation, violation and penalties and enforcement.

Kenosha County

The zoning ordinance currently in force in Kenosha County was originally adopted by the county in November of 1959. Historically, the ordinance was a modification of an ordinance in effect in the Racine area at that time. Although major revisions were made in August of 1961, its contents still do not measure well against modern zoning ordinances although in many respects they are similar to the existing city ordinance. Numerous minor amendments to the ordinance have been made since 1961. The ordinance has only seven districts: two residential, one recreational, an agricultural, two commercial and one industrial district. Inadequacies of the zoning district map will be examined in a later part of this section of this report.

There are many areas where the existing county ordinance fails to adequately regulate the urbanization process. This is, of course, very important since the Planning District is an integral part of the fourth fastest growing region in the United States. The following are a few of the more serious items which need correction and up-dating to modern standards.

The "A" Residence District in the existing County Zoning Ordinance generally allows single-family dwellings, churches, schools, public buildings, clubs and lodges, utility facilities, truck farming and gardening. In addition, the regulations allow professional office but only when incidental to the residential use. The "B" Residence District allows two-family and multiple-family dwellings. As in the case of the city ordinance, these two residential districts fail to provide the diversity required in a growing area.

Generally, a recreational district is an exclusive district in that only recreational uses or similar types of uses are permitted. In the existing county ordinance, the uses permitted also include those allowed in the "A" Residence District. The specific objection here is that permanent residences are allowed instead of limiting this type of use to temporary residences or summer cottages.

The present Agricultural District is similar to the Recreational District in that it also allows uses not generally permitted in this type of district. The strict regulation of urban uses allowed in an agricultural district is essential to the preservation of lands having high agricultural capabilities. The present regulations allow two-family and multiple-family dwellings permitted in the "B" Residence District. These uses are not compatible with the philosophy of modern applications of agricultural zoning where only single-family dwellings, associated with farm operations, are allowed.

Although the ordinance provides two commercial districts and one industrial district, the reverse situation exists because the Commercial District "B" is arranged so as to allow "industries of restrictive character which are not detrimental to the district or to the adjoining areas by reason of appearance, noise, dust, smoke, odor, cinders or fumes, provided the location, building and site plan and plan of operation have been submitted to and approved by the Kenosha County Agency."

At the present time, the County Board may approve a development plan for a housing project of a group of two or more buildings containing eight or more dwelling units under certain circumstances. The regulations should either set definite standards for this type of development or the County Board should have the opportunity to review each such project.

The ordinance also contains descriptions of the interpretation and purposes, definitions of terms used, general provisions, duties of the County Zoning Agency, the Board of Adjustment, Administration and Enforcement, violations and penalties and procedures for amendment.

For the past several months, the County Zoning Committee has been studying and reviewing a suggested zoning ordinance, prepared by the Southeastern Wisconsin Regional Planning Commission in cooperation with the County Zoning Administrator

and Corporation Counsel. The ordinance presented in Appendix C of this report contains all those features presented in the suggested county zoning ordinance.

Comparison of Existing Zoning District Maps and the Land Use Plan

City of Kenosha

Under the existing ordinance, residential uses in the city are divided into three districts - single, two and multiple-family. The multiple-family district is used primarily near the central business district with boundaries that can be described generally as 63rd and 65th street on the south, 22nd Avenue on the west, and 45th Street on the north. The inner boundaries of the multiple-family district are 60th Street, the main tracks of the Chicago and Northwestern Railway, and 50th Street on the north. Essentially, this district forms a band five to seven blocks in width around the central business district. In addition to this area, there are several smaller areas of multiple-family zoning in the outlying fringe areas of the city which accommodate the newer apartment developments.

The Land Use Plan indicates that high-density residential development should in the future be bounded generally by 30th Street, 22nd Avenue, Washington Road, 39th Avenue, 80th Street, Sheridan Road, and 65th Street. This is a much larger area than that zoned for multiple-family purposes at the present time. However, the Plan is predicated on the assumption that the normal conversion process of single-family to multiple-family units will continue in the older sections of the city much the same as it has in the past. In addition, the land use plan would encourage the redevelopment of many of the decaying portions of the city. Many of these areas are in a state of change - that of changing from single to multiple-family areas. Other areas are now primarily single-family in character, but are so located as to warrant change to a higher density in the future.

The existing two-family zoning covers an area much larger in size than the multiple-family zone. In the area east of 22nd Avenue, the boundary of the two-family district extends southward to 69th Street. Between 22nd Avenue and 39th Avenue, the southern boundary extends to 79th and 80th Streets. The western boundary of this district, between 60th Street and 45th Street, generally varies between 45th and 48th Avenues. Most of the areas zoned for two-family use north of 45th Street lie east of 19th Avenue.

A large portion of the areas presently zoned for two-family uses lies within the area proposed for high-density residential development by the Land Use Plan. The remaining sections are in areas proposed for medium-density development. In many instances the existing zoning district map is in conflict not only with the proposed land use pattern but with present land uses and with the basic concepts underlying good zoning itself. Many examples exist of zoning districts that are unrelated either to existing or planned land uses. The single-family zone has generally been applied to all areas of the city not zoned for some other use.

Commercial uses have also been divided into three districts. The most intensive of these has been generally limited to the central business district and the Uptown shopping area. In the central core, the boundary of the commercial zoning is 50th Street on the north, the Chicago and Northwestern mainline tracks on the west, and 60th Street on the south. This area is much larger than that proposed for development as the central business district by the Land Use Plan. The primary area of conflict is along the western border. The western boundary of commercial development should be approximately along Sheridan Road as this is a major traffic artery clearly defining the functions of the shopping area to the east and civic center to the west.

The second most intensive commercial zoning district has been applied primarily as "strip zoning" along most of the major streets in the city. Roosevelt Road, 60th Street, and 52nd Street are examples of such strip zoning. The amount of land so zoned unrealistically exceeds any reasonable demand. Major Street frontage comprises 20 percent of the street mileage, yet commercial uses occupy only 2.2 percent of the developed area. Thus not more than about 10 percent of the major street frontage so zoned may be actually used for commercial purposes. Here again, many instances of zoning unrelated to both existing and planned land use exist. The Land Use Plan proposes that future commercial developments consist of small, well-located centers similar to some of the more recently built shopping centers. This type of arrangement will be more convenient for the shopper and, at the same time, reduce traffic conflicts substantially.

The least intensive commercial zoning district has been limited to the very small outlying neighborhood shopping areas. These areas are primarily limited to a few small

stores or filling stations located at major street intersections and are not necessarily in conflict with existing uses of the Land Use Plan. These areas should not, however, be allowed to spread and form the aforementioned strips of commercial development.

The two industrial zoning districts are located in various areas throughout the community. The largest single complex involves the main plant of American Motors Corporation between 52nd Street and 60th Street east of 30th Avenue. This area also extends south and west along the KD tracks to 67th Street. The District Land Use Plan suggests some enlargement of this area to facilitate expansion and a more definite boundary to avoid conflict of uses. The area used by American Brass Company is zoned for industrial use and is well defined, offering no particular problem or conflict with the Land Use Plan. The harbor area is also zoned for industrial use as shown on the Plan. Some modifications of the industrial areas southwest of St. George's Cemetery is proposed by the plan.

The light industrial zone has been applied in strips along the Chicago and Northwestern tracks between 50th Street and 67th Street, and also along the KD tracks. At the present time, another light industrial district is located between Sheridan Road and the Chicago and Northwestern tracks, and between Simmons Playground and 82nd Street. The Land Use Plan proposed that this area be extended south to 91st Street.

Town of Pleasant Prairie

A large amount of urban growth is expected to take place in Pleasant Prairie. Much of the land that is presently zoned for agricultural purposes will be needed for residential use, thus necessitating a change in zoning. Most of this change will occur in the eastern sections of the town due to the development problems associated with the sub-continental divide which traverses the area. The changes involved would require a change from the present agricultural zoning to a type of residential zoning that would allow medium density residential development. The single most significant change would be from agricultural and residential zoning to a multiple-family residential zoning district in the Carol Beach area. This portion of the town is proposed for high-rise apartment development in conjunction with Park development on the Land Use Plan.

In the commercial zoning category, outlying shopping areas are proposed in the Land Use Plan and would involve a zoning change from agricultural to commercial districts. The sizable strip commercial zone along Sheridan Road between 116th Street and the state line should be reduced.

At the present time, a large vacant tract lying west of Sheridan Road between 93rd and 104th Streets is zoned for industry. This is perhaps one of the greatest conflicts between existing zoning and the proposals of the land use plan. The plan indicates that most of this area should be preserved in its natural state and placed in an environmental corridor. Another large area presently zoned for industry extends south from 60th Street to the KD tracks, and covers an area lying east of the Chicago and Northwestern freight-line tracks and west of the Milwaukee Road tracks. The Land Use Plan shows that this area should be expanded to the west of 88th Avenue and along the KD tracks toward the Village of Pleasant Prairie. The existing zoning district map also shows an industrial zone along the Milwaukee Road tracks north and south of County Trunk T. The Land Use Plan suggests that most of this area should be preserved in its natural state also.

Town of Somers

Much the same situation regarding residential zoning conflicts exist in Somers as in Pleasant Prairie. The changes needed would be mostly from agricultural to residential use. However, more area is zoned for residential use in Somers now and only reclassification would be involved under new regulations. A sizable area along the Pike River presently zoned residential, is proposed for non-urban uses in the Land Use Plan. The area is classified as a "primary environmental corridor" and should be preserved in its natural state.

Existing commercial zoning in the Town of Somers, is for the most part, limited to areas along Sheridan Road. There are extensive areas which have been developed, but there are also sections that are presently undeveloped where the commercial zoning should be removed. Here, too, outlying shopping centers proposed in the Land Use Plan will require zoning changes.

In the northeast section of the town, another conflict exists between existing zoning and the Land Use Plan. A large area presently zoned for industry is proposed in the plan for preservation as an environmental corridor and for development in low-density residential use. The most sizable conflict in terms of area occurs where industrial zoning has been applied on both sides of the Milwaukee Road tracks between 52nd Street and 18th Street. The land use plan indicates that this area should remain agricultural in character, and the industrial zoning should be applied to the area around the airport to the north, west and south.

Proposed Zoning Regulations

As indicated earlier, there are two zoning ordinances governing the use of land in the Kenosha Planning District. The differences between the city's ordinance and the county's ordinance are substantial and it would be extremely difficult, if not impossible, to so administer both ordinances as they exist so as to achieve the land use pattern set forth in the Comprehensive Plan. A single zoning ordinance and district map have been prepared as a guide for the entire District. The suggested District Zoning Ordinance is based upon the Model Zoning Ordinance, Appendix A of the Zoning Guide prepared by the Southeastern Wisconsin Regional Planning Commission. This model ordinance has been adopted to the needs of the city and towns, related to the Comprehensive Plan, and includes the districts and significant regulations found in the existing city zoning ordinance and the suggested county zoning ordinance which is under study. The suggested zoning ordinance has been carefully designed to permit its ready adoption by both the City and the County and with respect to adoption by the latter is suitable for application to the needs of western as well as eastern Kenosha County.

The text of the suggested ordinance is presented in Appendix C of this report. A brief review of the provisions of this document follows a summary of the regulations as presented in Table 14. The suggested ordinance is divided into 13 sections, many of which are similar to corresponding sections of existing ordinances. These include those sections pertaining to the purpose, intent and interpretation, general provisions, conditional use regulations, height and area modifications, non-conforming uses, amendment procedures, and definitions. The regulations pertaining to each district contain the greatest number of changes and these are discussed in a later part of this report. The regulations concerning

Table 14
SUMMARY OF ZONING REGULATIONS
Kenosha Planning District

District No.	District Name	Principal Uses	Conditional Uses	Lot		Building		Minimum Yards		
				Minimum Width In Feet	Minimum Area	Minimum Area In Square Feet	Maximum Height In Feet	Street	Rear	Side
R-1	Estate Residential District	One-Family dwellings with septic systems	Public and semipublic uses.	200	5 acres	2000	50	100	100	50
R-2	Suburban Residential District	One-Family dwellings with septic systems	Public and semipublic uses.	150	1 acre	1600	35	50	50	25
R-3	Single-Family Residential District	One-Family dwellings with public sewer	Public and semipublic uses, Planned Residential Developments.	80	8500 sq.ft.	1200	35	30	30	10
R-4	Single-Family Residential District	One-Family dwellings with public sewer	All R-3 Conditional Uses.	60	6000 sq.ft.	1200	35	25	50	5
R-5	Two-Family Residential District	One and Two-Family dwellings with public sewer	All R-3 Conditional Uses.	50	5000 sq.ft. with 3000 sq.ft. for each family	900	35	25	50	5
R-6	Multi-Family Residential District	Multi-Family dwellings	All R-3 Conditional Uses.	100	10,000 sq.ft. with 1000, 2000, 2500 sq.ft. for each 3,2, or 1, story bldg. respectively.	600	45	25	50	10
B-1	Neighborhood Business District	Neighborhood retail stores, selling only new merchandise	Public and semipublic uses, and highway oriented uses.	-	-	-	35	25	50	-
B-2	Community Business District	Major retail stores, hotels, newspaper offices, night clubs and broadcasting stations.	Public and semipublic uses, highway oriented uses, commercial recreation facilities.	-	-	-	45	10	25	-
B-3	Planned Business District	None	All B-2 principal uses, public and semipublic uses, highway oriented uses, and commercial recreation facilities.	200	2 acres	-	45	80	40	30
B-4	Highway Business District	None	Public and semipublic uses, highway oriented uses, and commercial recreation facilities.	400	4 acres	-	35	100	40	40
B-5	General Business District	All B-2 Principal uses.	Public and semipublic uses, highway oriented uses, and commercial recreation facilities.	-	-	-	100	-	-	-
M-1	Industrial District	Public and semipublic uses; Industrial and Agricultural uses.	Public and semipublic uses, animal hospitals, dumps, disposal areas, incinerators, pea vineries, creameries, condenseries, and commercial service facilities.	-	-	-	100	25	30	20
M-2	Planned Industrial District	None	All M-1 and M-2 Principal uses, public and semipublic uses, outside storage, all other manufacturing, processing, bottling, and storage operations of a potentially noxious, hazardous, or nuisance character.	200	1 acre	-	45	50	50	30
M-3	Heavy Industrial District	All M-1 Principal uses, freight yards, and terminals, breweries and crematories.	All M-1 and M-2 Conditional Uses.	-	-	-	75	10	30	10
M-4	Quarrying District	Existing mineral extraction and concrete manufacturing operations.	Extension or creation of mineral extraction and concrete manufacturing operations, utilities.	-	-	-	45	200 ft. from any right-of-way or property line, 100 ft. for accessory uses.		
A-1	Agricultural District	Farming, grazing, forestry, greenhouses nurseries, stables, paddocks, dairying, hatcheries, and farm dwellings.	Public and semipublic uses, animal hospitals, dumps, disposal areas, pea vineries, creameries and condenseries, commercial raising of dogs, mink, rabbits, fox, goats, and pigs.	200	20 acres	-	50	80	50	50
C-1	Conservancy District	Fishing, hunting, preservation, conservation, forestry, wildlife preserves, hatcheries, and water retention.	Drainage, grazing, orchards, truck farming, utilities, and wildcrop harvesting.	-	-	None permitted-except accessory structures.		-	-	-
P-1	Neighborhood Park District	Public and Private neighborhood recreation facilities.	All structures; Public and semipublic uses.	-	-	-	-	-	-	-
P-2	Community Park District	Public and Private community parks and recreation facilities	All structures; Public and semipublic uses, commercial recreational uses.	-	-	-	-	-	-	-

Source: Harland Bartholomew and Associates.

traffic, parking, loading and access have been upgraded to eliminate the inadequacies mentioned earlier. A completely new section regulating signs is being suggested. An Architectural Board is being suggested to administer control of this important phase of urban growth where it affects residential and certain commercial districts.

Table 14 shows, in summary form, the principal and conditional uses allowed and various other data for each of the sixteen suggested districts. Another new term has been introduced in the suggested zoning ordinance, that of conditional uses. This type of use is one having a special nature and problem so as to make impractical its predetermination as a principal use in a district. Conditional uses are listed in the district regulations but application for such uses must be made to, and approved by the Plan Commission. The Commission also has been given the authority to impose such other conditions as will adequately control these uses and their effect on surrounding properties.

There are a number of new districts suggested as shown in Table 14, such as exclusive agricultural, conservancy and park districts. Three additional residential districts have been suggested; an estate residential district (R-1) with five-acre lots, a suburban residential district (R-2) with one acre lots and a single-family residential district (R-3) with 8,500 square foot lots. The present city single-family and two family residential districts would be retained as the R-4 and R-5 Residential Districts. The present multi-family District of the city's ordinance is also retained as the R-6 Residential District. Table 14 also indicates that a planned business and a planned industrial district would be added. The planned industrial district is essentially the same as the M-1 and M-3 Industrial Districts except that all uses would be regulated as conditional uses. (See Map 2.)

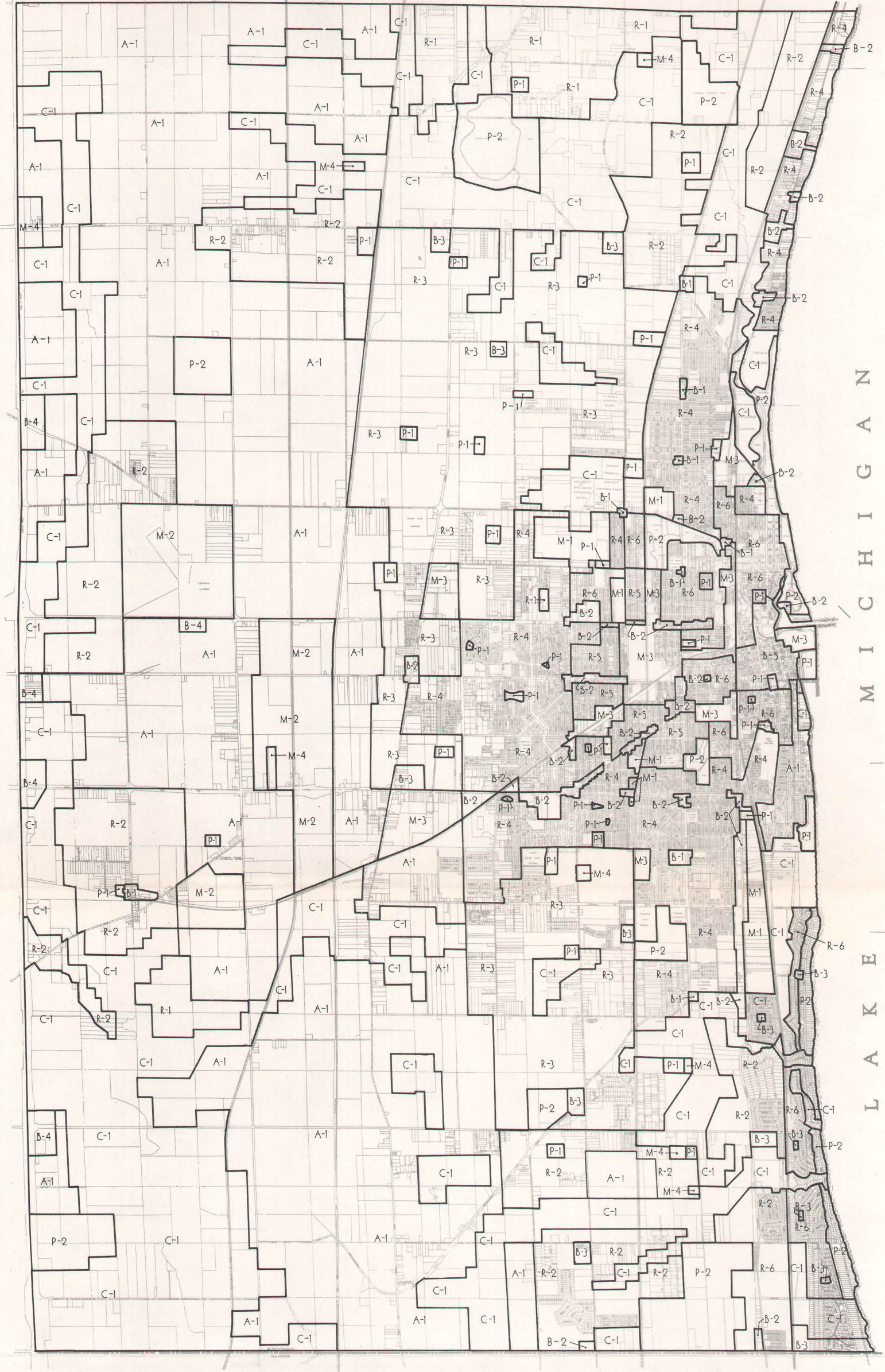
R-1 Estate Residential Districts

This district is designed to accomodate low density residential development without public sewage on five acres or more. Certain agricultural uses accessory to the estate would be permitted.

R-2 Suburban District

This type of district is also designed to accomodate low-density residential development without public sewage on lots of one acre minimums. Persons desiring to develop this type of land prior to receiving the services of public

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PROPOSED ZONING DISTRICT MAP

- | | |
|-------------------------------|------------------------|
| R-1 ESTATE RESIDENTIAL | B-5 GENERAL BUSINESS |
| R-2 SUBURBAN RESIDENTIAL | M-1 INDUSTRIAL |
| R-3 SINGLE FAMILY RESIDENTIAL | M-2 PLANNED INDUSTRIAL |
| R-4 SINGLE FAMILY RESIDENTIAL | M-3 HEAVY INDUSTRIAL |
| R-5 TWO FAMILY RESIDENTIAL | M-4 QUARRYING |
| R-6 MULTI-FAMILY RESIDENTIAL | A-1 AGRICULTURAL |
| B-1 NEIGHBORHOOD BUSINESS | C-1 CONSERVANCY |
| B-2 COMMUNITY BUSINESS | P-1 NEIGHBORHOOD PARK |
| B-3 PLANNED BUSINESS | P-2 COMMUNITY PARK |
| B-4 HIGHWAY BUSINESS | |

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water and sewer would be forced to develop lots of a suburban character, that is a lower density than that of areas within the urbanized area itself.

R-3 and R-4 Residential Districts

The uses permitted in these districts are single family uses on lots having a minimum of 8,500 and 6,000 square feet respectively with public sanitary sewer systems. Planned residential developments as well as certain other uses are permitted as conditional uses.

R-5 Residential District

The R-5 Residential District permits both single and two-family dwellings with public sanitary sewer systems as well as boarding and lodging houses on lots having a minimum of 5,000 square feet of lot area with no less than 3,000 square feet for each dwelling unit.

R-6 Residential District

This district is designed exclusively for multi-family dwellings with public sanitary sewer systems.

B-1 Neighborhood Business District

The principal uses permitted in this district would be generally limited to those types of service commercial uses found in small neighborhood centers with a somewhat limited area of service. Maximum building height allowed would be 35 feet and a street yard of 25 feet and a rear yard 50 feet in depth would be required.

B-2 Community Business District

The regulations of this district are designed primarily to accommodate that type of commercial development usually found along major streets and in a few of the larger commercial areas. Principal uses would include those allowed in the B-1 Business District and the more intensive types of business uses. Conditional uses would include certain highway oriented business. Maximum building heights would be 45 feet.

B-3 Planned Business District

The provisions of this District would be designed to accommodate both the B-1 and B-2 business district uses as conditional uses subject to review and approval of the Plan

Commission. Additional restriction would be placed upon all developments within this district. Minimum development area required would be two acres.

B-4 Highway Business District

This district is specifically designed for those uses oriented to a highway such as restaurants, out-door theaters, and motels which are all regulated as conditional uses.

B-5 General Business District

The B-5 Business District is designed specifically for the central business district in the City of Kenosha and is not to be used in any other area of the district. All principal uses of the B-2 Business District would be permitted as well as certain uses of the M-1 Industrial District which are restricted as to floor area. Maximum building height would be 100 feet.

M-1 Industrial District

This district is designed to permit a wide variety of manufacturing and processing uses that are generally dependent upon raw materials refined elsewhere. The principal uses would include the manufacture, fabrication, packaging and assembly from products such as bone, clay, furs, metals, paper and wood.

M-2 Planned Industrial District

This district would permit all the M-1 and M-3 principal uses as conditional uses reviewed and approved by the Plan Commission. Minimum development area would be 20 acres.

M-3 Heavy Industrial District

This district is intended to accommodate all manufacturing, compounding, processing, packaging and treatment of any product with those of the nuisance variety being regulated as conditional uses.

M-4 Quarrying District

This district only permits mineral extraction operations that are presently in existence as a principal use. All extensions of existing operations or the creation of new operations would be regulated as conditional uses.

A-1 Agricultural District

Principal uses allowed in this district would include farms, forestry, livestock raising, and similar agricultural uses having an area of at least twenty acres, large residential uses would only be permitted as accessory uses to the principal farming operations. This district would serve to preserve prime agricultural land and be a holding zone until the community is ready to provide community services.

C-1 Conservancy District

This district is designed primarily to preserve certain areas in the District in their present character, to conserve soil and water resources and prevent urban development in areas unsuitable for such development. These areas include the wooded areas, wildlife habitat, certain areas subject to flooding, drainageways and wetlands. Principal uses include fishing, hunting, fish hatcheries, sustained yield forestry, water retention and wildlife preserves. Certain other uses that would be permitted as conditional uses include hunting and fishing, lodges, orchards, truck farming and grazing.

P-1 Neighborhood and P-2 Community Park Districts

These districts provide for both private and public park recreation facilities at both the neighborhood and community levels. Community recreation facilities are regulated as conditional uses in the community park district and certain business districts.

General

Two entirely new sections are incorporated into the proposed ordinance. The first regards what are termed performance standards whose purpose is to limit, restrict and prohibit the effects of certain nuisance effects outside the premises or district. These performance standards apply specifically to: the amount of fly ash, dust, fumes, vapors, mists, or gases that may be emitted; fire and explosive hazards; glare and heat within certain measurable limits; liquid or solid wastes and their disposal; noise levels; odors which are offensive, obnoxious, or unhealthful, radioactivity or electrical disturbances, and vibrations.

Another new feature not presently found in existing documents in the Kenosha Planning District is the Architectural Board. The Board is proposed for the purpose of promoting compatible development, aesthetics, stability of property

values, and to prevent impairment or depreciation of existing developments. The compliance regulation of the proposed ordinance reads: "No structure in a Residential or B-1, B-2 or B-3 Business District and no structure abutting a public park, public school, or public building shall hereafter be erected, moved, reconstructed, extended, enlarged, or have its exterior altered or changed without the Architectural Board's approval." The suggested membership would be composed of six persons qualified to serve in such a capacity. Such a Board properly operated could attain a large measure of success toward improving visual sights throughout the urban area especially near public buildings and parks which attract large numbers of people.

The suggested zoning ordinance makes no provision for trailer courts, base and setback lines nor certificates of occupancy now contained in the City's existing zoning ordinance. Trailer courts and mobile homes by not being specifically listed as a principal or conditional use are thereby prohibited in the District. It is suggested that if the City and Towns desire to accommodate mobile homes and trailer courts within their zoning jurisdiction that specific design standards be prepared for incorporation with Section 4.5 of the Suggested Zoning Ordinance and that a special licensing ordinance be adopted pursuant to Section 66.058 of the Wisconsin Statutes so as to protect the community's appearance and tax base.

The purpose of base and setback lines is to provide for the future widening of existing streets and highways. This purpose can be more appropriately and efficiently accomplished by the use of the suggested Official Map Ordinance. The zoning ordinance provides that all street yards are measured from such proposed street or highway lines which could be shown on such "Official Map".

The purpose of a "Certificate of Occupancy" is for the purpose of ensuring that a building is structurally sound; contains necessary plumbing, heating and wiring, and is otherwise fit for human habitation. This purpose can be accomplished better by requiring such certificate through a local building or housing ordinance as the zoning ordinance. is primarily concerned with both the specific uses permitted in a district and not the soundness or habitability of buildings.

Location and Area of Proposed Zoning Districts

Map 1 shows the recommended initial location of the proposed zoning districts throughout the Planning District. The locations of these districts are designed so as to result in the eventual realization of the Land Use Plan. Table 15

Table 15

COMPARISON OF ESTIMATED FUTURE LAND USE REQUIREMENTS
AND AREA OF PROPOSED ZONING DISTRICTS

Kenosha Planning District

<u>Land Use</u>	<u>Estimated Future Land Use Requirements</u>	<u>Area of Proposed Zoning Districts</u>	<u>Zoning Districts</u>
Residential	15,176	14,005	(1,530 R-1 Residence (5,590 R-2 Residence (7,130 R-3 Residence (4,555 R-4 Residence (825 R-5 Residence (1,485 R-6 Residence
Retail & Services	1,086	1,100	(55 B-1 Commerce (490 B-2 Commerce (110 B-3 Commerce (280 B-4 Commerce (165 B-5 Commerce
Wholesale & Storage, Manufacturing Non-Durable, Heavy Industry & Extractive	1,991	3,560	(440 M-1 Industry (2,185 M-2 Industry (880 M-3 Industry (55 M-4 Industry
Agriculture & Vacant	23,530	12,985	A-1 Agriculture
Environmental Corridors, Institutions & Government Services	10,283	12,860	C-1 Conservation
Recreation	2,443	2,285	(420 P-1 Parks (1,865 P-2 Parks
		54,905	

Note: All Data Rounded to Nearest Five (5) Acres.

Source: Harland Bartholomew and Associates.

shows a comparison of the estimated land use requirements and the area of each of the proposed districts.

The R-1 Estate Residential District would be applied to approximately 1,530 acres of land primarily located in the northern section of the district. Since the minimum lot area requirement in this district is five acres, only the most selective buyers should be attracted to the area. The density to be achieved in this district is the lowest of any of the residential districts proposed.

The R-2 Suburban Residential District would be also a low density district. This district would be applied to areas where one acre minimum lot areas would be required. The area encompassed by the R-2 District would be 5,590 acres.

The R-3 Single-Family Residence District would include the largest area of the six residential districts and encompass some 7,130 acres of ground. The largest amount of future residential growth is expected to locate in areas where the R-3 District would be applied. Minimum lot area requirements in this district would be 8,500 square feet.

Application of the R-4 Single-Family Residential District would be limited generally to those areas most recently developed in the district. This proposed district would encompass approximately 4,555 acres and would be located in various locations throughout the district.

The areas proposed for zoning as R-5 Residence encompass about 825 acres. As this district would allow two-family residences and provide for a higher population density, the areas proposed for this zoning classification would be located within that portion of the Planning District that is already urbanized. Specifically, these areas would be located to the northwest, southwest, and south of the American Motors Corporation's main plant. These areas are now developed for single and two-family dwellings with the trend of conversion to two-family dwellings evident.

Areas surrounding the central business district and generally extending outward for about one-quarter mile from its boundaries, have been proposed for zoning in the R-6 Multiple-Family Residential District. This area presently contains the greatest concentration of people in the Planning District. This zoning classification is designed specifically for high density areas that are either in transition from lower densities or that are re-growth or rehabilitation and renewal areas. The total area in this district would amount to 1,485 acres.

Although Table 15 shows an estimated need of 15,176 acres for residential purposes and the area zoned in the "R" Districts totals only 14,005 acres, the difference would be made up in the agricultural and commercial districts which also allow residences.

The commercial districts (B-1 to B-5) have been applied to the various types of commercial areas, planned and in existence throughout the Planning District. The B-1 District would contain about 55 acres and would be reserved for the small neighborhood shopping districts. The B-2 District would be a more generalized commercial district and encompass some 490 acres, generally in the more intensely developed commercial areas. The B-3 District would be a planned commercial area which would require a minimum lot area of two acres. The use of this district would be limited to new areas in the Planning District. The B-4 Business District encompasses approximately 280 acres and would be limited solely to commercial areas along IH-94. The B-5 District is proposed exclusively for the Central Business District in the City of Kenosha and would occupy 165 acres.

The M-1 and M-3 Industrial Districts have generally been applied to existing industrial areas and provide numerous areas for expansion of existing businesses. In most cases, those areas designated for expansion of existing industries have been coordinated with housing conditions so that the expansion process would take place in areas where housing is poor and in need of replacement. The M-2 Zoning District has been proposed for areas where industrial growth is expected as shown in the Land Use Plan (See Volumn I). The largest areas in this district are around the airport and in the area west of the Milwaukee Road tracks. The M-4 Quarrying District has been applied to those quarries in the Planning District which are still in operation. The area proposed to be zoned for industrial purposes totals 3,560 acres. While this represents a considerable surplus over the estimated 1990 requirement, this total includes streets which would reduce the total by about 20 percent or 2,850 acres. Much of the land should not be zoned for industrial purposes immediately, but should be held in reserve for future use as needed. In the interim period, the primarily agricultural use of the land should continue.

Although the A-1 Agricultural District would include only 12,985 acres compared with the estimated future requirement of almost twice that amount, there are large amounts of land proposed for zoning in the C-1 Conservation District.

Land in the Conservation District could also be used for agricultural purposes. The C-1 Conservation District encompasses some 12,860 acres as compared with an estimated future need of 10,283 acres.

Two districts are proposed to protect existing and proposed park areas. The P-1 Neighborhood Park District would be applied to the smaller parks and would total some 420 acres of ground. The P-2 Community Park District would be applied to the larger parks and would encompass 1,865 acres of ground. The area in these two districts would be slightly less than the estimated future requirement; however, some of the small neighborhood parks lie within the Conservation District boundaries and are thus sufficiently protected.

Chapter IV

SUBDIVISION REGULATIONS

Most of the physical growth in the Kenosha Planning District has resulted from and may be expected to continue to result from the subdividing of land into streets, blocks and lots. The manner in which these individual land subdivisions are laid out, the care with which they are designed, and the standards of improvements installed, determine, to a considerable extent, the character, quality and appearance of the urban area. Once new streets and lots have been created, a pattern is established on the land that becomes increasingly more difficult to change or alter as the land develops.

Authority for Subdivision Control

Cities, towns and counties derive their authority to control the subdivision or platting of land from state enabling legislation. Chapter 236 of the Wisconsin Statutes authorizes this control through the administration of certain regulations. Section 236.01 of the Wisconsin Statutes states, "The purpose of this Chapter is to regulate the subdivision of land to promote public health, safety and general welfare; to further the orderly layout and use of land; to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewage and other public requirements; to provide for proper ingress and egress; and to promote proper monumenting of land subdivided and conveyancing by accurate legal description." Section 236.02 defines "subdivision" as "a division of a lot, parcel or tract of land by the owner thereof or his agent for the purpose of sale or of building development, where: (a) the act of division creates five or more parcels or building sites of 1-1/2 acres each or less in area; or (b) five or more parcels or building sites of 1-1/2 acres each or less in area are created by successive divisions within a period of five years."

Subdivision Planning

The review of each new subdivision by local planning agencies affords the opportunity for the community to apply sound planning principles in the development of new areas within the District. The major objective of subdivision regulations is the creation of desirable residential neighborhoods. Not only must each "plat" be well designed in itself, but it also should fit into a good design for the larger neighborhood of which it is a part. The Comprehensive Plan with its proposals for streets, schools, parks, and the general land use pattern establishes the framework for the neighborhood design.

Most of the character and value of a residential neighborhood results from how well the original job of platting was accomplished. How carefully were the streets designed in relation to the land? Were the lots adequate in size for the houses that were placed on them? Did the design save existing trees and preserve existing drainageways, or was the land indiscriminately reformed and the trees destroyed in order to provide for the development that was built? These questions are important because once the subdivision plat is prepared and recorded, the streets opened, and houses built, a permanent pattern is placed on the land, a pattern that can only be changed by the very expensive process of urban renewal. Frequently, the land pattern imposed by the original subdivision design may be found still imposed on the land 50 or 100 years later. Consequently, good subdivision design and good land development are basic to the building of a satisfactory community.

Very seldom will one person or corporation own an entire neighborhood area of a square mile or larger. Thus, the residential neighborhood must result from subdivision of individual properties as this takes place from time to time. Each subdivision plat must be designed to be developed independently, and yet be susceptible to an optimum combination into a good neighborhood over a period of years. This is not easy to do. The local planning agencies have this heavy responsibility. When an individual plat is submitted for approval, appropriate neighborhood planning studies should be undertaken to be sure that the individual plat conforms with some sensible neighborhood scheme. Only by relating each plat to the larger neighborhood may an intelligent judgment be rendered on its merits.

The Neighborhood Unit

It is a widely accepted planning principle that an urban area should be developed as a number of cellular neighborhood units rather than as a formless mass. These "neighborhood units" become the foundation for the planning of the individual subdivision. The neighborhood unit should be bounded by insulating boundaries such as major streets, or occasionally by a river or railroad. Heavy traffic should be routed around the neighborhood unit rather than through it. Shopping facilities serving the neighborhood should be placed at the corners of the unit. In the middle, there should be provided an elementary school and a neighborhood park to serve as the neighborhood center. The unit should be of such size as to contain the population to be served by a public elementary school.

minor streets most of which are curvilinear and properly adjusted to the topography. The plan proposes retention of existing trees and a park strip is proposed along the main stream. This park strip, of course, is less expensive to provide than it would be to place the stream in an enclosed storm sewer. A walkway would be placed down the park strip enabling its use for recreation and as a means of access from some of the homes to the neighborhood park-school site. The street layout has been carefully arranged so that each of the major properties may be subdivided independently and yet be fitted into the overall neighborhood plan which, in turn, has been coordinated with the overall city plan.

One of the individual subdivision plats that might comprise the neighborhood unit is shown in the lower right hand corner of the drawing. The corner lots are wider so that the houses can be set back from both streets. Lot lines are always perpendicular or radial to the street lines and provision is made for an elementary school and neighborhood park and for a neighborhood shopping area. Additional right-of-way is provided for the major streets and the intersections of the minor streets. The major streets are very carefully arranged so that the maximum safety is provided. Where lots front on major streets, they are deeper and there would be special provisions for turn-arounds on such lots so that cars would not be required to back down a driveway into a major street.

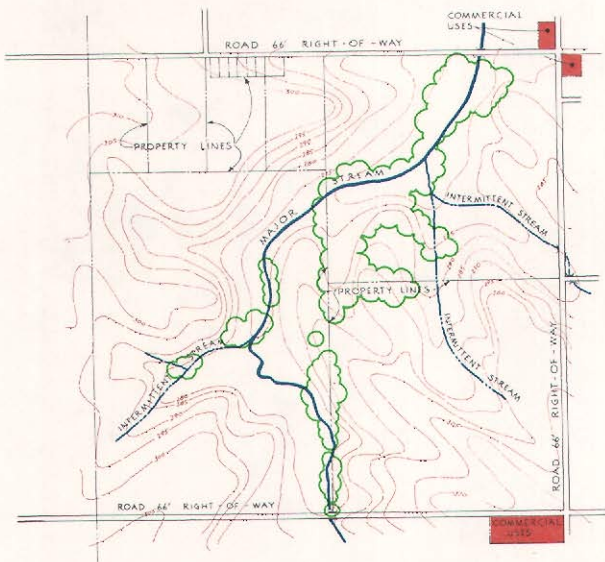
Figure 1 also illustrates another fundamental principle of subdivision design, that of relating the development to the topography. The design should be in harmony with the land, respect natural drainage, preserve existing trees and take advantage of views. Generally, grading should be held to an absolute minimum and then done only to provide usable building sites. Development that works harmoniously with the land is always more pleasant and usually less expensive to the subdivider and builder and to the community.

In recent years, much urban development could be termed "land butchering" instead of "land development". Too frequently, the first step in land subdivision has been to cut all the trees down, bring in the bulldozer, bury the topsoil under a layer of clay, and flatten the land as much as possible. Where such practices are prevalent, it is usually the fault of the local governing body that has jurisdiction over the area and, in turn, the fault of the citizens that have not insisted on more enlightened and improved practices. Fortunately, subdivision design and subdivision practice is

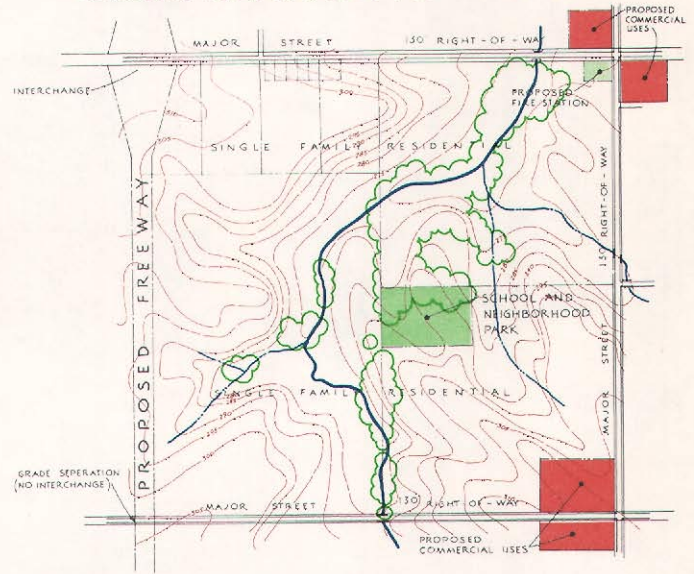
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SUBDIVISION DESIGN PRINCIPLES

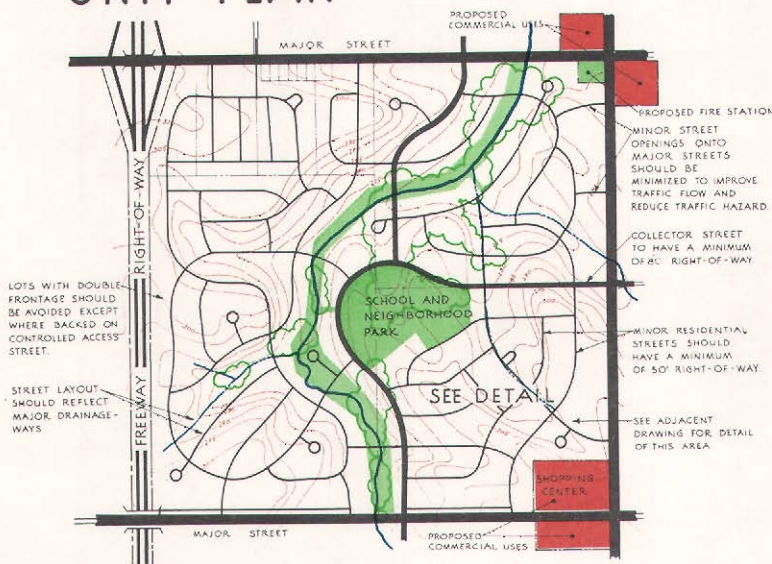
1 EXISTING CONDITIONS



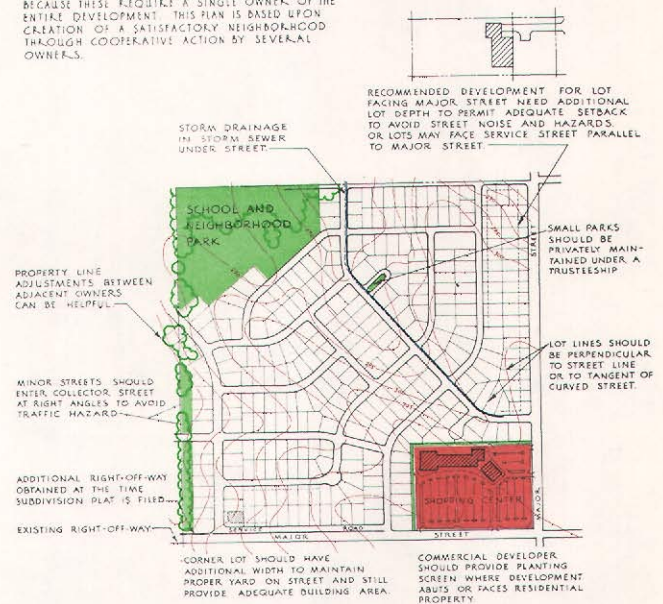
2 PROPOSALS OF THE COMPREHENSIVE PLAN



3 NEIGHBORHOOD UNIT PLAN



NOTE:
THIS DESIGN ILLUSTRATES PLANNING PRINCIPLES APPLYING TO TYPICAL NEW RESIDENTIAL NEIGHBORHOODS. IT DOES NOT ILLUSTRATE PLANNED MIXTURES OF RESIDENTIAL LAND USES. IT HAS NOT BEEN ADJUSTED TO SIGNIFICANT LOCAL CONDITIONS OF RAINFALL, MICROCLIMATE, OR WIND DIRECTION. WHILE IT SHOWS SOME PEDESTRIAN CIRCULATION ROUTES IT DOES NOT CALL FOR A COMPLETE SYSTEM OF SEPARATED PEDESTRIAN ROUTES BECAUSE THESE REQUIRE A SINGLE OWNER OF THE ENTIRE DEVELOPMENT. THIS PLAN IS BASED UPON CREATION OF A SATISFACTORY NEIGHBORHOOD THROUGH COOPERATIVE ACTION BY SEVERAL OWNERS.



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improving throughout the nation and much better design and development is found today than was the case some years ago. Indeed a more sophisticated public is beginning to demand such design, and it is becoming increasingly difficult to market lots in poorly designated subdivisions.

Existing Land Division Ordinance

At the present time there are three separate ordinances regulating subdivision of land within the Kenosha Planning District, one each in the three participating governmental units. These ordinances are quite similar in their provisions, partly due to the restrictions and regulations imposed by the state statutes regarding the subdivision of land. However, there is a difference between the regulations necessary for an urban area and those provisions necessary in a rural area. For example, the construction standards for streets need not be as high in a rural area where population densities and traffic volumes are lower as in an urban area where both are higher.

City of Kenosha

The existing city regulations include the purpose of the ordinance, some general definitions, procedures to be followed, design standards, required improvements, including streets and utilities, provisions for variances, and penalties. The subdivider is not required to pay the full cost or guarantee payment of the full cost of streets and utilities in new subdivisions. Most subdivision ordinances within the Region now require the subdivider to pay the full cost of streets and utilities. This is the most significant inadequacy of the existing regulations. In a rapidly growing area such as Kenosha, existing residents should not have to pay a subsidy to the developers of new additions. For each new subdivision to finance its own improvements is a more equitable method of providing the new streets and utilities. Street widths and utility line sizes over and above what is required to actually serve the subdivision should be paid by the city. The subdivision ordinance should set fees at a rate sufficiently high to adequately compensate the city for the work to be done on new subdivisions such as inspection and review by city staff.

Town of Pleasant Prairie

The subdivision ordinance of the Town of Pleasant Prairie was adopted in February, 1963. Several changes were made in June of 1963. The ordinance contains the same general type of elements as does the city ordinance; however, the design standards regarding layout of the subdivision are not so detailed as

the city's ordinance. The greatest difference between the city and town ordinances is the provision governing street paving and utility installation. The area where this causes the greatest concern is in that portion of the District immediately adjacent to the city limits where subdivisions occur frequently. The subdivisions are generally developed to town standards and then perhaps in a few years, are annexed to the city. The existing ordinance leaves all decisions to the Town Board with no mention made of referral to a Town Plan Commission.

Town of Somers

The subdivision regulations of the Town of Somers were adopted in March of 1964, and comprise a more detailed and up-to-date set of regulations. They follow much the same format as the city ordinance. Most of the standards are related to the County Zoning Ordinance. The same situation regarding street and utility standards exists in Somers as in Pleasant Prairie. The street improvements to be made are specified but the utility improvements are subject to the discretion of the Town Board and determined separately in each instance.

Suggested Land Division Ordinance

A more effective control of land subdivision in the Kenosha Planning District could be obtained through the administration of one ordinance governing this aspect of urbanization. The document presented in Appendix D contains all of the necessary requirements and procedures for the control of the division of land. Basically, the ordinance proposed is very similar to the model Land Division Ordinance, Appendix A, Land Development Guide, prepared by the Southeastern Wisconsin Regional Planning Commission with modifications as deemed necessary. A brief review of the major elements of the proposed ordinance follows.

A clear concise procedure for filing a plat is set forth in the ordinance. A preapplication meeting is established to insure that the subdivider and the local Plan Commission can reach mutual conclusions regarding the relations of the proposed development to the neighborhood and community. Following this meeting a preliminary plat and letter of application would be required for submittal to the planning agency for approval or disapproval. This plat must show the name of the proposed subdivision, legal description, adjacent lands, contours of the land, water elevations of lakes and streams, existing and proposed streets, zoning classifications, lot dimensions, utilities and engineering data regarding layout and utilities. Copies of

The minor street system within the neighborhood should consist of streets that are relatively narrow and indirect. At certain intervals, "collector streets" should be provided which are slightly wider and which may be utilized to carry the neighborhood traffic from the strictly residential streets to the school and to the major street system that bounds the neighborhood.

Figure 1 indicates subdivision design principles as these apply to a typical neighborhood area such as might be formed on the edges of the urbanized area of the District. Pictured in the upper left hand corner of the drawing are the existing conditions in the one square mile area. A creek or stream drains the area, proceeding in a northeasterly direction through the center of the square mile area. There are existing woodlands, mostly located along the stream. Bounding the property on three sides are county trunk highways; however, these are quite narrow insofar as right-of-way is concerned.

The square mile is not under one ownership. There are some 14 owners - three fairly sizable farms, four smaller tracts of 20 acres each, and some of the road frontage has been subdivided into smaller lots. Some commercial uses have been established near the intersections of the county trunk highways.

The long-range plan anticipates that the growth of the community will require the development of this particular square mile for residential uses, mostly at medium densities with single-family dwellings prevailing throughout most of the neighborhood.

A major problem involved in the example, as in many actual situations, is that to produce a satisfactory neighborhood design it is necessary to coordinate the subdividing activities of the owners of the three larger parcels and of the four smaller twenty-acre tracts as each comes under development at some time in the future. It cannot be expected that the seven owners will get together and agree upon a common plan and then carry it out all at one time. Instead, the city or town, as the case may be, must bring about the coordinated development of the square mile through its power to regulate land subdivision.

As part of the District Plan, the area shown in Figure 1 is to be served by water and sewer, and a neighborhood park and elementary school are proposed to serve the area. The plan also proposes commercial areas to be developed at two of the four corners and a fire station to be located on the northeast corner. The three county trunk highways are all to become major arterial streets. A proposed freeway and an interchange with one of the county trunk highways form one boundary of the neighborhood unit.

To achieve a desirable design and eventual development for this area a local planning department should prepare a neighborhood plan for the entire area. Such a plan is shown in the lower left hand corner of Figure 1. This plan recommends a street layout utilizing collector streets and an arrangement of

this plat are also transmitted to the County Planning Agency, the State Department of Resource Development, State Highway Commission, if the subdivision abuts or adjoins a state trunk highway, or a connecting street and the State Board of Health if the subdivision is not to be served by a public sanitary sewer. Following approval of the preliminary plat the subdivider must submit a final plat and letter of application meeting all of the requirements of Section 5.0.

The suggested ordinance also requires that when any proposed playground, park or school site or other public land, other than streets or drainageways, designated on the comprehensive plan or its component parts, or on the official map of the municipality, is embraced all or partly in a tract of land to be subdivided, these public lands shall be made a part of the plat and shall be dedicated to the public by the subdivider at the rate of one acre for each 15 proposed dwelling units; and these public lands other than streets or drainageways, in excess of the rate established shall be reserved for a period not to exceed two years unless extended by mutual agreement, for acquisition at undeveloped land costs. In the event the subdivider does not elect to provide this dedicated land, then a fee of one hundred dollars for each dwelling unit within the plat allowed by the zoning regulations would be paid. This fee then could be used to acquire the needed land in other areas.

Minimum design standards and requirements are also prescribed in the suggested ordinance. These include minimum specifications concerning street and block dimensions, lot sizes, general street arrangement, easements for utilities and similar elements. Basic physical improvements should be installed at the inception of subdivision development in order to insure sound living conditions and a good quality of building construction in the future. These needed improvements include the grading of streets, street pavements, curbs and gutters, sewer lines, water lines, proper storm drainage facilities and appropriate street tree planting.

The proposed ordinance also contains sections for general administration, modifications, violations and penalties, validity, and provisions for appeals.

Chapter V

OFFICIAL MAPPING

The basic enabling legislation under which local units of government may carry out official mapping in Wisconsin was enacted in 1941, and is set forth in Section 62.23(6) of the Wisconsin Statutes. Other provisions of the Statutes enable towns and counties to carry out official mapping, although the county authority is in modified form.

Section 62.23(6) of the Wisconsin Statutes provides that the common council of any city may establish an Official Map for the precise designation of right-of-way lines and site boundaries of streets, highways, parkways, parks and playgrounds. Such a map has all the force of law and is deemed to be final and conclusive with respect to the location and width of both existing and proposed streets, highways, and parkways, and the location and extent of existing and proposed parks and playgrounds. The Statutes further provide that the Official Map may be extended to include areas beyond the corporate limits lines but within the extraterritorial plat approval jurisdiction of the municipality. It is important to note that in Wisconsin the Official Map Act is a subsection of the basic local planning enabling act, Section 62.23 entitled "City Planning", and as such is made applicable to villages and towns as well as to cities.

It should be clearly understood that the term "Official Map" applies only to that map properly adopted pursuant to Section 62.23(6)(b) of the Wisconsin Statutes. Such a map is intended to be used as a precise planning tool to implement the community's master plan of streets, highways, parkways, parks, and playgrounds. Its basic purpose is to prohibit the construction of buildings or structures and their associated improvements on land that has been designated for current or future public use. The Official Map must be adopted by the governing body of the local unit of government concerned pursuant to Section 62.23(6)(b) of the Wisconsin Statutes, and only after such adoption does it assume its legal force. Good practice would dictate that a certified copy of the resolution adopting the map appear on the face of the map. If this practice is followed, this certificate would perhaps be the most unique identifying feature of an Official Map.

Function

The primary function of the Official Map is to implement the community's plan of streets and highways in a manner similar to that in which the suggested zoning ordinance would implement the District Land Use Plan. The Official Map permits the community to protect the right-of-way of future streets as well as the right-of-way of partially or wholly developed streets which are to be widened by essentially prohibiting construction of new

buildings in such rights-of-way. The possible monetary saving which can accrue to the community from such protection of street rights-of-way are large, but the fact that an Official Map assures the integrity of the community's long-range plan of streets and highways is even more important.

The Official Map allows the municipality to express its intent to reserve land for public purposes without commitment to actual acquisition. Thus, the Official Map functions as a refinement of the comprehensive plan, reflecting certain aspects of it in a precise, accurate and legally binding manner.

A thorough discussion of official mapping and the survey control system necessary for its most effective use may be found in the Official Mapping Guide prepared by the Southeastern Wisconsin Regional Planning Commission.

Suggested Official Map Ordinance

The suggested Official Map set forth in Appendix G of this report contains all the necessary provisions for the full use of local official mapping powers in the District, including the preservation of the rights-of-way and lands shown on the Official Map by the use of building permits.

APPENDICES

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APPENDIX A

DETAILED TAX RATES

City of Kenosha
1960-1965

<u>Year</u>	<u>Total Levy</u>	<u>Municipal</u>	<u>Schools and Recreation</u>	<u>Vocational School</u>
1960	\$39.00	\$6.54	\$20.46	\$1.91
1961	39.00	6.21	20.27	1.74
1962	41.00	6.70	22.68	1.74
1963	42.00	6.20	24.01	1.64
1964	44.40	7.93	25.02	1.65
1965	<u>47.00</u>	<u>8.21</u>	<u>26.10</u>	<u>1.75</u>
Percent Change	+20.40	+25.50	+27.50	-9.10

<u>Year</u>	<u>Public Library</u>	<u>Public Museum</u>	<u>County and State</u>
1960	\$1.21	\$0.21	\$8.67
1961	1.22	0.25	9.31
1962	1.19	0.21	8.48
1963	1.29	0.22	8.64
1964	1.27	0.20	8.33
1965	<u>1.31</u>	<u>0.20</u>	<u>9.43</u>
Percent Change	+8.20	-5.00	+17.60

Source: Director of Finance.

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APPENDIX B

Administrative Procedures

The following is a brief description of the administrative procedures suggested to re-analyze the capital improvement program each year.

Step 1 - The Finance Director should distribute capital improvement program forms to all department heads on January 1, of each year. (A sample of the forms and an accompanying letter of instructions follows.)

Step 2 - The department heads review the current capital improvement program for compatibility with their schedules and any additions, deletions, or changes are made. All forms should be returned to the Finance Director by February 1.

Step 3 - The Finance Director should forward forms to the Director of Planning for review and analysis of compatibility of projects with the comprehensive plan.

Step 4 - Forms are returned to the Finance Director by February 15 for tabulation and analysis.

Step 5 - The Finance Director submits the recommended program, together with proposed methods of financing, to the Finance Committee and City Plan Commission by March 1 for study and recommendations.

Step 6 - Recommendations of the above groups should be submitted to the Common Council by April 1 for approval and adoption.

Step 7 - The Finance Director should send out the final review of the program to all department heads for possible updating prior to budget discussions by September 1.

TO: Department Heads

SUBJECT: CAPITAL IMPROVEMENT PROGRAM

Letter of Instructions

There are submitted herewith forms to be completed by each department covering construction projects requested for the five-year program of capital improvements. These forms should be completed and returned to the Finance Director not later than February 1.

If improvements you recommend are contrary to the comprehensive plan or cover fields not included in the plan, your request for capital funds should be accompanied by a recommendation to the City Plan Commission that the comprehensive plan be amended to include such indicated projects.

Estimates must be submitted on Forms A and B. Four copies of each sheet are to be made. The original and two copies are to be returned to the Finance Director and one copy is to be retained for the department file. Where space provided on the forms is not sufficient for a complete answer, please expand on a separate page.

Show all projects on a map of the city with the following colors designating the proposed year of construction.

1968 Brown	1970 Green	1972 Yellow
1969 Red	1971 Blue	

Description of Forms

Form A. This form is to be used for recording capital improvement projects - all construction projects and their equipment, purchases of land, major alterations and major repairs of existing buildings or grading and development of land. "Date Submitted" is the date forms are returned to the Director of Finance.

Each project described on a Form B should be listed on Form A. Please complete all columns and add any remarks necessary in the final column.

Summary Sheet of Dept.

Division of Date submitted

Status of Plans

0 Plans not needed	4 Work on plans sched.
1 Nothing done except	5 Sketch plans in prep.
this report	6 Sketch plans compltd.
2 Prelim. esti. rec'd	7 Detail plans in prep.
3 Surveys completed	8 Detail plans and specifications

(To be completed by Finance Director)

Page of pages

[illegible]

Give each project a priority number. The major criteria for considering each project in order of relative importance are:

1. Protection of life.
2. Maintenance of public health.
3. Provision of public services, including convenience and comfort.
4. Protection of property.
5. Reduction in operating costs.

Include in your department program only such projects as are, in your opinion, required during the next five years, entering the expenditure in the year in which it should be made.

Project numbers are to be assigned to each project.

The column "Later" should show the amount of money needed for a project after the six-year period shown, providing the project is initiated or approved in prior periods or the project is to be initiated within this period, and the financing will extend beyond December 31, 1972. "Prior" figures should be the sums of money that have already been made available for projects for which additional funds are required.

It is particularly important to complete the column showing the additional annual operating costs wherever a project will involve such items. These will constitute a continuing annual expense which may constitute a serious burden on the city and must be carefully considered. Any anticipated operating income should be entered for similar consideration. If a new project will involve a saving in operating maintenance expenses, this should be indicated also, under "Remarks".

The proposed method of financing will be indicated by the Finance Director.

The status of plans should be expressed in the numerical code.

Form B. This form is to be used for recording the more detailed information regarding costs and the supporting data for each project entered on Form A. Descriptions should be as brief as possible.

Form B

INDIVIDUAL PROJECT ESTIMATES FOR
FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM
1968-1972

City of Kenosha

Project No. _____
Date _____ 196__

1. Department _____ 2. Division of _____

3. Description of project -

a. Name, physical description, location - _____

b. Purpose - _____

c. Shown on map attached? Yes _____ No _____

4. Need for project (use separate sheet if necessary)

a. Why requested - _____

b. In Comprehensive Plan? Yes _____ No _____

5. Relation to other projects, where applicable - _____

Form B (con'd)

6. Estimated Cost -

a. Architects services _____

b. Engineering _____

c. Inspection _____

A. Planning Totals (a, b, c) _____

a. Site is secured _____

b. To be secured _____

B. Land _____

a. Labor _____

b. Non-Labor _____

C. Construction Totals (a, b) _____

a. Equipment _____

b. Furniture _____

D. Miscellaneous Equipment Totals
(a,b) _____

E. Other _____

TOTAL ESTIMATED COST _____

F. Cost prior to January 1, 196_
(included above) _____

ESTIMATED ADDITIONAL COST _____

7. Future burden resulting from project -

a. Annual cost: Maintenance, repair
and operation _____

b. Annual estimated cost of new staff
required _____

c. Future expenditures for additional
equipment not included in project
cost _____

Form B (cont'd)

8. Income from project (Estimated annual, direct and indirect) _____
9. Estimated Construction Period _____
10. Status of plans and specifications -
(Check appropriate status)
- _____ 0 Plans not needed
- _____ 1 Nothing done except this report
- _____ 2 Preliminary estimate received
- _____ 3 Surveys completed
- _____ 4 Work on plans scheduled
- _____ 5 Sketch plans in preparation
- _____ 6 Sketch plans completed
- _____ 7 Detail plans in preparation
- _____ 8 Detail plans and specifications completed
11. Proposed manner of construction -
(Contract or force account) _____
12. Project expenditure by years -
- | | | | |
|------|-------|------|-------|
| 1968 | _____ | 1971 | _____ |
| 1969 | _____ | 1972 | _____ |
| 1970 | _____ | | |

ENDORSEMENT (Questions 13 and 14 to be completed by
Department Heads)

13. Priority rating _____
14. Year recommended for construction _____
- Year land acquired _____

RETURN TO
SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION
PLANNING LIBRARY

Form B (cont'd)

15. Recommended financing -
(To be completed by Finance Director)

General Revenue	GR	_____
Service Charges	SC	_____
Utility Revenues	UR	_____
General Obligation Bonds	GOB	_____
Federal Aid	FA	_____
State Aid	SA	_____
Revenue Bonds	RB	_____
Special Reserves	SR	_____
Working Capital or Revolving Fund	WC	_____
Special Assessment	SP	_____
Reserve Funds	RF	_____

TOTAL		_____

Question 3a should give the project name and street address or approximate proposed location or the fact that the site has not been selected. Include, if possible, the size (length, area, etc.) and character of the structure or nature of the improvement.

Attention is especially directed to the sections pertaining to purpose and need for the project. These data constitute the justifications for the project, and should be as brief as possible, but include such reasons or benefits as particular service to be rendered, the character of the area served, number of people, and value of property served. In other words, show what the project will mean for the citizens of the community.

Question 5 in addition to relation to any other specific project within the same department or a project by another department, should show what specific needed facilities or utilities have yet to be coordinated with this project. Also list other agencies, groups or organizations which are concerned or associated with the project.

Pictures, drawings, etc., of the project or of similar projects should accompany Form B.

Form C. This type of form is to be used to summarize the entire program.

SHOWING METHODS OF FINANCING

[illegible]

Appendix C

PROPOSED ZONING REGULATIONS

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INTRODUCTION

SECTION 1.0

1.1 Authority

These regulations are adopted under the authority granted by Sections _____*, of the Wisconsin Statutes. Therefore, the _____* of _____, Wisconsin, do ordain as follows:

1.2 Purpose

The purpose of this Ordinance is to promote the health, safety, morals, prosperity, aesthetics, and general welfare of this community.

1.3 Intent

The intent of this Ordinance is to regulate and restrict the use of structures, lands, and waters; regulate lot coverage, population distribution and density, and the size and location of all structures so as to: lessen congestion in and promote the safety and efficiency of the streets and highways; secure safety from fire, flooding, panic, and other dangers; provide adequate light, air, sanitation, and drainage; prevent overcrowding; avoid undue population concentration; facilitate the adequate provision of public facilities and utilities; protect property values; further the most appropriate use of land and conservation of natural resources; preserve and promote the beauty of the community; implement the district's comprehensive plan or plan components; provide for the administration and enforcement of this Ordinance; and to provide penalties for its violation.

1.4 Abrogation and Greater Restrictions

It is not intended by this Ordinance to 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

* Blank spaces are to be filled in with the statute number or local unit or agency of government as applicable.

laws. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1.5 Interpretation

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

1.6 Severability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.7 Repeal

The Zoning Ordinance No. _____ adopted by the _____ on _____ is repealed in its entirety and all other ordinances or parts of ordinances of the _____ inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.8 Title

This Ordinance shall be known as, referred to, or cited as the "ZONING ORDINANCE OF _____, WISCONSIN".

1.9 Effective Date

This Ordinance shall be effective after a public hearing, adoption by the _____ and publication or posting as provided by law, (and shall be effective in the various towns upon approval by their respective town boards in the manner provided by law).

GENERAL PROVISIONS

SECTION 2.0

2.1 Jurisdiction

The jurisdiction of this Ordinance shall include all lands and waters within the corporate limits of _____ (within the unincorporated areas of the County of Kenosha in which this Ordinance has been duly adopted by the towns according to law.)

2.2 Compliance

No structure, land, or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without a zoning permit except minor structures and without full compliance with the provisions of this Ordinance and all other applicable local, county, and state regulations.

Architectural Board Approval shall be obtained as provided in Section 10.0.

The Duty of the Zoning Administrator, with the aid of the Police Department (Sheriff's Department), shall be to investigate all complaints, give notice of violations, and to enforce the provisions of this Ordinance. The Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make a zoning inspection.

2.3 Zoning Permit

Applications for a Zoning Permit shall be made in duplicate to the Zoning Administrator on forms furnished by the Administrator and shall include the following where applicable:

Names and Addresses of the applicant, owner of the site, architect, professional engineer, or contractor.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; 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.

Plat of Survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses, and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side, and rear yards; channel, floodway and floodplain boundaries. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site, and the type, slope and boundaries of soils, shown on the detailed operational soil survey maps prepared by the U. S. Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission.

Proposed Sewage Disposal Plan if municipal sewerage service is not available. This plan shall be approved by the _____ 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.

Proposed Water Supply Plan if municipal water service is not available. This plan shall be approved by the _____ Engineer who shall certify in writing that an adequate and safe supply of water will be provided.

Fee Receipt from the _____ Treasurer in the amount of Twenty-five Dollars.

The zoning permit shall be granted or denied in writing by the Administrator within thirty days. The permit shall expire within six months unless

substantial work has commenced. Any permit issued in conflict with the provisions of this Ordinance shall be null and void.

2.4 Site Restrictions

All lots shall abut upon a public street, and each lot shall have a minimum frontage of thirty feet.

All Principal Structures shall be located on a lot; and only one principal structure shall be located, erected, or moved onto a lot.

All Yards shall be permanently used and maintained for the growing of shrubbery, grass and other plant material except when replaced by accessory uses and structures.

No Zoning Permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

Private Sewer and Water. In any district where public sewerage service is not available, the width and area of all lots shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with Section H62.20 of the Wisconsin Administrative Code. In any district where both a public water service or public sewerage service are not available, the lot width and area shall be increased in accordance with Chapter H 65 of the Wisconsin Administrative Code, but for one-family dwellings shall be no less than 150 feet in width and no less than one acre in area.

Lots Abutting More Restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting district. The street yards on the less restrictive district shall be modified for a distance of not more than sixty (60) feet from the district boundary line so as to equal the average of the street yards required in both districts.

Land or Lot Divisions shall be approved by the _____ Plan Commission prior to the issuance of a zoning permit for said division and shall be subject to the _____ Land Division Ordinance applicable to such division.

2.5 Use Restrictions

The following use restrictions and regulations shall apply:

Principal Uses. Only those principal uses specified for a district, their essential services, and the following uses shall be permitted in that district.

Accessory Uses and structures are permitted in any district but not until their principal structure is present or under construction.

Conditional Uses and their accessory uses are special uses requiring approval of the _____ Plan Commission as set forth in Section 4.0 of this Ordinance. Any development within five hundred feet of the existing or proposed rights-of-way of freeways, expressways, interstate and controlled access trafficways and within fifteen hundred feet of their existing or proposed interchange or turning lane rights-of-way shall be deemed to be conditional uses. Such development shall be specifically reviewed and approved by the _____ Plan Commission as provided in Section 4.0.

Unclassified or Unspecified Uses may be permitted by the Board of Zoning Appeals after the _____ Plan Commission has made a review and recommendation and provided that such uses are similar in character to the principal uses permitted in the district.

Temporary Uses, such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Board of Zoning Appeals.

Performance Standards listed in Section 9.0 shall be complied with by all uses in all districts.

2.6 Floodland Restrictions

In addition to the use and site restrictions applicable to a district, the following restrictions and regulations shall apply to flood plains, floodways, and channels:

Within the Flood Plains, dumping, filling, residential uses, and the sheltering and confining of animals are prohibited.

Within the Floodways dumping, filling, residential uses, and the sheltering and confining of animals are prohibited. All structures are prohibited except navigational structures, public water measuring and water control facilities, bridges, and utilities.

Within the Channel. In addition to the above restrictions, all structures in the channel require a permit from the State Department of Resource Development pursuant to Section 30.12(2) of the Wisconsin Statutes; and any bulkheads, wharves, or piers shall comply with bulkhead or pierhead lines established by the _____ pursuant to Sections 30.11 or 30.13, of the Wisconsin Statutes;

All Structures and permanent improvements are conditional uses requiring review, public hearing, and approval by the _____ Plan Commission in accordance with Section 4.0 of this Ordinance. Such structures shall not involve the storage of materials that are buoyant, flammable, explosive, or injurious to human, animal, or plant life. All buildings shall have their lowest floor constructed at an elevation of no less than two feet above the level of the one hundred year recurrence interval flood and where such data is not available, the maximum flood of record.

2.7 Soil Restrictions

Certain soil types lying in the _____, as shown on the operational soil survey maps prepared by the U. S. Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission, have severe or very severe limitations

for on-site soil absorption sewage disposal facilities because of one or more of the following reasons: high or fluctuating water table, flooding, ground water contamination, silting, slow permeability, steep slopes, or proximity to bed-rock. Therefore, the _____ Plan Commission finds the following:

Soils With Very Severe Limitations. No parcel of land containing the following soil types shall be used for on-site soil absorption sewage disposal facilities.

4Z	51	81	233	3251	369	452
7	53	87	233Z	328	371	454
11	54	109	250	332	386	455
29	59Z	203Z	250Z	332Z	386Y	456
37	60	212	251	3361	386Z	
41	63	213	251Z	338	416	
42	76	214	298	340	417	
45	76Z	217	299	346	419	
49	80	218	311	346Z	450	

Soils With Severe Limitations. No land containing the following soil types or containing any soils whose slopes exceed twelve percent shall be used for on-site soil absorption sewage disposal facilities unless their severe limitations are overcome by such corrective measures as the provision of larger absorption areas or the terracing and reduction of steep slopes:

16	70Y	325
21	73Z	335Z
22	119Z	336
24	297	
31	324Z	
40		

The Applicant desiring to use land for on-site soil absorption sewage disposal facilities on soils having very severe limitations shall have an opportunity to present evidence contesting such findings if he so desires. Thereafter the Plan Commission may affirm, modify, or withdraw its findings.

The Applicant desiring to use land for on-site soil absorption sewage disposal facilities on soils having severe limitations shall have additional on-site investigations made, including percolation tests; obtain the certification of a soils scientist or soils engineer that specific areas lying within these soils are suitable for the proposed soil absorption sewage disposal facility; and meet the State Board of Health regulations. In addition, the Plan Commission shall find that the proposed corrective measures have overcome the severe soil limitations.

The Plan Commission may request the Kenosha County Soil and Water Conservation District to provide expert assistance from regional, state, or federal agencies which are assisting such District under a "Memorandum of Understanding."

2.8 Reduction or Joint Use

No lot, yard, parking area, building area, or other space or distance shall be reduced in area or dimension so as not to meet the provisions of this Ordinance. No part of any lot, yard, parking area, or other space required for a structure or use shall be used for any other structure or use.

2.9 Violations and Penalties

It shall be unlawful to construct or use any structures, land, or water in violation of any of the provisions of this Ordinance. In case of any violation, the _____, and any neighboring property owner who would be specifically damaged by such violation, may institute appropriate action or proceeding to enjoin a violation of this Ordinance or cause such structure to be vacated or moved.

Penalties. Any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than (\$10) nor more than (\$200) 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 thirty days. Each day a violation exists or continues shall constitute a separate offense.

ZONING DISTRICTS

SECTION 3.0

3.1 Establishment

For the purpose of this Ordinance, the _____
is hereby divided into the following
(16)* zoning districts:

- R-1 Estate Residential District
- R-2 Suburban Residential District
- R-3 Single-Family Residence District
- R-4 Single-Family Residence District
- R-5 Two-Family Residence District
- R-6 Multi-Family Residence District
- B-1 Neighborhood Business District
- B-2 Community Business District
- B-3 Planned Business District
- B-4 Highway Business District
- B-5 General Business District
- M-1 Industrial District
- M-2 Planned Industrial District
- M-3 Heavy Industrial District
- M-4 Quarrying District
- A-1 Agricultural District
- C-1 Conservancy District
- P-1 Neighborhood Park District
- P-2 Community Park District

Boundaries of These Districts are hereby established as shown on a map entitled "Zoning Map, _____, Wisconsin", dated _____, which accompanies and is a part of this Ordinance. Such boundaries shall be construed to follow: corporate limits; U. S. Public Land Survey lines; soil mapping boundaries, 100-year recurrence interval flood boundaries, lot or property lines; centerlines of streets, highways, alleys, easements, and railroad rights-of-way or such lines extended; unless otherwise noted on the Zoning Map.

* Parenthesis indicates a dimension or item which may be changed as appropriate to the local unit of government.

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.

Annexations subsequent to the effective date of this Ordinance may be placed in the A-1 Agricultural District temporarily. Within one year, a permanent district classification shall be made.

3.2 Zoning Map

A certified copy of the Zoning Map shall be adopted and approved with the text as part of this Ordinance and shall bear upon its face the attestation of the _____ and _____
and shall be available to the public in the office of the _____ Clerk.

Changes thereafter to the districts shall not be effective until entered and attested on this certified copy.

3.3 Residential Districts

R-1 Estate Residential District

<u>Principal Uses</u>		One-family dwellings with on-site sewage soil absorption sewage disposal facilities and all the specified principal uses in the A-1 Agricultural District when accessory to the estate dwelling. Schools
<u>Conditional Uses</u>		See Section 4.4
<u>Lot</u>	Width Area	Minimum (200) feet Minimum (5) acres
<u>Building</u>	Area Height	Minimum (2,000) sq. feet Maximum (50) feet
<u>Yards</u>	Street Rear Side	Minimum (100) feet Minimum (100) feet Minimum (50) feet

R-2 Suburban Residential District

<u>Principal Use</u>		One-family dwellings with on-site soil absorption sewage disposal facilities.
<u>Conditional Uses</u>		See Section 4.4
<u>Lot</u>	Width	Minimum (150) feet
	Area	Minimum (1) acre
<u>Building</u>	Area	Minimum (1,600) sq. ft.
	Height	Maximum (35) feet
<u>Yards</u>	Street	Minimum (50) feet
	Rear	Minimum (50) feet
	Side	Minimum (25) feet

R-3 Single-Family Residential District

<u>Principal Uses</u>		One-family dwellings with public sanitary sewerage.
<u>Conditional Uses</u>		See Sections 4.4 and 4.5
<u>Lot</u>	Width	Minimum (80) feet
	Area	Minimum (8,500) sq. feet
<u>Building</u>	Area	Minimum (1,200) sq. feet
	Height	Maximum (35) feet
<u>Yards</u>	Street	Minimum (30) feet
	Rear	Minimum (30) feet
	Side	Minimum (10) feet

R-4 Single-Family Residential District

<u>Principal Uses</u>		One-Family dwelling with public sanitary sewerage and boarding and lodging houses.
<u>Conditional Uses</u>		See Sections 4.4 and 4.5
<u>Lot</u>	Width	Minimum (60) feet
	Area	Minimum (6,000) sq. feet

<u>Building</u>	Area	Minimum (1,200) feet
	Height	Maximum (35) feet
<u>Yards</u>	Street	Minimum (25) feet
	Rear	Minimum (50) feet
	Side	Minimum (5) feet

R-5 Two-Family Residential District

<u>Principal Uses</u>		One-and-two family dwellings and with public sanitary sewerage, boarding and lodging houses.
<u>Conditional Uses</u>		See Sections 4.4 and 4.5
<u>Lot</u>	Width	Minimum (50) feet
	Area	Minimum (5,000) sq. feet with no less than (3,000) sq. feet for each dwelling unit.
<u>Building</u>	Area	Minimum (900) sq. feet
	Height	Maximum (35) feet
<u>Yards</u>	Street	Minimum (25) feet
	Rear	Minimum (50) feet
	Side	Minimum (5) feet

R-6 Multi-Family Residential District

<u>Principal Uses</u>		Multi-family dwellings with public sanitary sewerage, and boarding and lodging houses.
<u>Conditional Uses</u>		See Sections 4.4 and 4.5
<u>Lot</u>	Width	Minimum (100) feet
	Area	Minimum (10,000) sq. feet with no less than (1,000) sq. feet for each dwelling unit for three stories; (2,000) sq. feet for two stories; and (2,500) sq. feet for one story.

<u>Building</u>	Area	Minimum (600) sq. feet per family
	Height	Maximum (45) feet
<u>Yards</u>	Street	Minimum (25) feet
	Rear	Minimum (50) feet
	Side	Minimum (10) feet for one story; (20) feet for two stories; (30) feet for three stories

3.4 Business Districts

B-1 Neighborhood Business District

Principal Uses The following uses provided that they shall be retail establishments selling and storing only new merchandise conducted wholly within an enclosed building: bakeries, barber shops, bars, beauty shops, business offices, clinics, clothing stores, clubs, cocktail lounges, confectioneries, delicatessens, drug stores, florists, fraternities, fruit stores, gift stores, grocery stores, hardware stores, household occupations, hobby shops, lodges, meat markets, optical stores, packaged beverage stores, professional offices, restaurants, self-service and pickup laundry and dry cleaning establishments, soda fountains, sporting goods, supermarkets, taverns, tobacco stores, and vegetable stores. Existing residences shall comply with all the provisions of the R-5 Residential District.

Conditional Uses See Sections 4.4 and 4.6

Building Height Maximum (35) feet

<u>Yards</u>	Street	Minimum (25) feet
	Rear	Minimum (50) feet
	Side	None or if provided a minimum of (10) feet

B-2 Community Business District

Principal Uses All principal uses permitted in the B-1 Neighborhood Business District and the following: apartment hotels, appliance stores, caterers, churches, clothing

repair shops, crockery stores, department stores, electrical supply, enclosed carpenter shops, film exchanges, financial institutions, food lockers, furniture stores, furniture upholstery shops, heating supply, hotels, laundry and dry-cleaning establishments employing not over seven persons, liquor stores, music stores, newspaper offices and press rooms, newstands, night clubs, office supplies, pawnshops, personal service establishments, pet shops, places of entertainment, photographic supplies, plumbing supplies, printing, private clubs, private schools, publishing, radio broadcasting studios, second-hand stores, sign painting shops, television broadcasting studios, trade and contractor's offices, tire shops, and variety stores provided that there shall not be more than (5) persons engaged in operations such as manufacturing, fabrication, processing packaging, cleaning, catering, or upholstering accessory to the principal or conditional use. Existing residences shall comply with all the provisions of the R-6 Residential District.

<u>Conditional Uses</u>	See Sections 4.4, 4.6, and 4.9
-------------------------	--------------------------------

<u>Building</u>	Height	Maximum (45) feet
-----------------	--------	-------------------

<u>Yards</u>	Street	Minimum (10) feet
	Rear	Minimum (25) feet
	Side	None or if provided a minimum of (10) feet

B-3 Planned Business District

<u>Principal Uses</u>	None
-----------------------	------

<u>Conditional Uses</u>	All principal uses permitted in the B-2 Community Business District. See Sections 4.4, 4.6, and 4.9
-------------------------	---

Development

Frontage	Minimum (200) feet
Area	Minimum (2) acres

<u>Building</u>	Height	Maximum (45) feet
<u>Yards</u>	Street	Minimum (80) feet
	Rear	Minimum (40) feet
	Side	Minimum (30) feet from site boundary.

B-4 Highway Business District

<u>Principal Uses</u>	None	
<u>Conditional Uses</u>	Restaurants, gift stores, places of entertainment, confectioneries, and drug stores. See Sections 4.4, 4.6, and 4.9	
<u>Lot</u>	Frontage Area	Minimum (400) feet Minimum (4) acres
<u>Building</u>	Height	Maximum (35) feet
<u>Yards</u>	Street Rear Side	Minimum (100) feet Minimum (40) feet Minimum (40) feet

B-5 General Business District

<u>Principal Uses</u>	All principal uses permitted in the B-2 Community Business District. All principal uses permitted in the M-1 Industrial District provided that not more than ten percent of the usable floor area of any building is devoted to such use. Existing residence shall comply with all the provisions of the R-5 Residential District.
<u>Conditional Uses</u>	See Sections 4.4, and 4.9
<u>Building Height</u>	Maximum (100) feet

3.5 Industrial Districts

M-1 Industrial District

<u>Principal Uses</u>	Automotive body repairs; automotive upholstery; cleaning, pressing and dyeing establishments; commercial bakeries; commercial greenhouses; distributors;
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farm machinery; food locker plants; laboratories; machine shops; manufacture and bottling of nonalcoholic beverages; painting; printing; publishing; storage and sale of machinery and equipment; tire retreading and recapping; trade and contractors' offices; warehousing; and wholesaling. Manufacture, fabrication, packing, packaging, and assembly of products from bone, clay, cork, feathers, felt, furs, glass, hair, horn, leather, metals, paper, plaster, plastics, textiles, yarn and wood. Manufacture, fabrication, processing, packaging, and packing of confections; cosmetics; electrical appliances; electronic devices; food except cabbage, fish and fish products, meat and meat products, and pea vining; instruments; jewelry; pharmaceuticals; tobacco; and toiletries. Existing residences shall comply with all the provisions of the R-3 Residential District.

<u>Conditional Uses</u>		See Sections 4.4 and 4.7
<u>Building</u>	Height	Maximum (100) feet
<u>Yards</u>	Street	Minimum (25) feet
	Rear	Minimum (30) feet
	Side	Minimum (20) feet

M-2 Planned Industrial District

<u>Principal Uses</u>	None
<u>Conditional Uses</u>	All principal uses permitted in the M-1 and M-2 Industrial District. See Sections 4.4 and 4.7

Development

	Area	Minimum (20) acres
<u>Lot</u>	Width	Minimum (200) feet
	Area	Minimum (1) acre
<u>Building</u>	Height	Maximum (45) feet

<u>Yards</u>	Street	Minimum (50) feet
	Rear	Minimum (50) feet
	Side	Minimum (30) feet

M-3 Heavy Industrial District

Principal Uses All M-1 Industrial District principal uses, freight yards, ship building yards, freight terminals and transshipment depots, inside storage, breweries, and crematories. Existing Residences shall comply with all the provisions of the R-3 Residential District.

Conditional Uses See Sections 4.4 and 4.7

Building Height Maximum (75) feet

<u>Yards</u>	Street	Minimum (10) feet
	Rear	Minimum (30) feet
	Side	Minimum (10) feet

M-4 Quarrying District

Principal Uses Mineral extraction operations and concrete and concrete products manufacturing that are presently in existence.

Conditional Uses Extension of legally existing mineral extraction operations and manufacture of concrete and concrete products or the creation of new such extraction or manufacturing operations; utilities. See Section 4.8

Yards Minimum (200) feet from any right-of-way or property line.
Minimum (100) feet for accessory uses such as offices, parking areas, and stock piles.

Structure Height Maximum (45) feet

3.6 Agricultural District

A-1 Agricultural District

Principal Uses Apiculture, dairying, floriculture, forestry, general farming, grazing, greenhouses, hatcheries, horticulture, livestock raising, nurseries, orchards, paddocks, pasturage, poultry raising, stables, truck farming, and viticulture. Farm dwellings for those resident owners and laborers actually engaged in the principal permitted uses are accessory uses and shall comply with all the provisions of the R-2 Residential District.

Conditional Uses See Sections 4.4 and 4.7

<u>Farm</u>	Frontage	Minimum (200) feet
	Area	Minimum (20) acres

<u>Structure</u>	Height	Maximum (50) feet
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<u>Yards</u>	Street	Minimum (80) feet
	Rear	Minimum (50) feet
	Side	Minimum (50) feet

3.7 Conservancy District

C-1 Conservancy District

Principal Uses Drainage; fishing; hunting; preservation of scenic, historic, and scientific areas; fish hatcheries; soil and water conservation; sustained yield forestry; stream bank and lake shore protection; water retention; and wildlife preserves.

Conditional Uses Water measurement and water control facilities; grazing; accessory structures, such as hunting or fishing lodges; man made recreation ponds less than two acres in surface area; orchards; truck farming; utilities; and wildcrop harvesting. The above uses shall not involve the dumping, filling, mineral, soil or peat removal or any other use that would substantially impair or disturb the natural fauna, flora, watercourses, water regimen, or topography.

Structures

None permitted except accessory to the principal or conditional uses.

3.8 Park Districts

P-1 Neighborhood Park District

Principal Uses Public and private neighborhood park and recreation facilities, tot lots, playgrounds, wading ponds, ice skating, sledding.

Conditional Uses All structures; See Section 4.4

P-2 Community Park District

Principal Uses Public and private parks and recreation facilities, arboretums, playgrounds, playfields, fisheries, wading, swimming, beaches, tobogganing, skating, skiing, sustained yield forestry, wildlife habitat or preserves, soil and water conservation practices, water measurement and water control facilities.

Conditional Uses All structures, See Sections 4.4 and 4.9

CONDITIONAL USES

SECTION 4.0

4.1 Permit

The Plan Commission may authorize the Zoning Administrator to issue a conditional use permit for conditional uses after review and a public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this Ordinance and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.

4.2 Application

Applications for conditional use permits shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the following:

Names and Addresses of the applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record.

Description of the Subject Site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies.

Plat of Survey prepared by a registered land surveyor showing all of the information required under Section 2.3 for a zoning permit and, in addition, the following: mean and historic high water lines, on or within (40) feet of the subject premises, and existing and proposed landscaping.

Additional Information as may be required by the _____ Plan Commission, _____ Engineer, Zoning, Building, Plumbing, Housing or Health Inspectors.

Fee Receipt from the _____ Treasurer in
the amount of (\$25).

4.3 Review and Approval

The _____ Plan Commission shall review the site, existing land proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

Any Development within (500) feet of the existing or proposed rights-of-way of freeways, expressways, interstate and controlled access trafficways and within (1,500) feet of their existing or proposed interchange or turning lane rights-of-way shall be specifically reviewed by the highway agency that has jurisdiction over the trafficway. The _____ Plan Commission shall request such review and await the Highway Agency's recommendations for a period not to exceed (60) days before taking final action.

Conditions, such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, location, size and number of signs, greater performance standards, street dedications, certified survey maps, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the _____ Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

Compliance with all other provisions of this Ordinance, such as lot width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required of all conditional uses. Variances shall only be granted as provided in Section 11.0.

4.4 Public and Semi-public Uses

The following public and semi-public uses shall be conditional uses and may be permitted as specified:

Airports, airstrips, and landing fields in the M-1 and M-2 industrial districts, and the A-1 Agricultural District provided the site area is not less than (20) acres.

Governmental and Cultural Uses, such as fire and police stations, community centers, libraries, public emergency shelters, and museums, in all residential and business districts; M-1, M-2, and M-3 industrial, P-2 Park and A-1 Agricultural Districts.

Public Passenger Transportation Terminals, such as heliports, bus and rail depots, except airports, airstrips, and landing fields, in all Business Districts and the M-1 and M-2 industrial districts provided all principal structures and uses are not less than (100) feet from any residential district boundary.

Public, Parochial, and Private Elementary and secondary schools and churches in the R-3, R-4, R-5, and R-6 residential districts and all park districts provided the site area is not less than (5) acres and all principal structures and uses are not less than (50) feet from any lot line.

Colleges; Universities; Hospitals; sanitariums; religious, charitable, penal and correctional institutions; cemeteries and crematories in the A-1 Agricultural and P-2 park districts provided all principal structures and uses are not less than (50) feet from any lot line and the site area is not less than (5) acres.

4.5 Residential Uses

The following residential and quasi-residential uses shall be conditional uses and may be permitted as specified:

Planned Residential Developments, such as cluster developments in the R-3, R-4 and R-5 residential districts and garden apartments, row housing and group housing in the R-6 Residential District. The district regulations may be varied provided that adequate open space shall be provided so that the

average intensity and density of land use shall be no greater than that permitted for the district in which it is located. The proper preservation, care, and maintenance by the original and all subsequent owners of the exterior design; all common structures, facilities, utilities, access and open spaces shall be assured by deed restrictions enforceable by the _____. The following provisions shall be complied with:

<u>Development</u>		Minimum (10) acres
<u>Lot</u>	Area	Minimum of (2/3) of the minimum lot area for the district in which located. Minimum (2,000) sq. feet for row houses.
	Width	Minimum of (2/3) of the minimum lot width for the district in which located. Minimum (20) feet for row houses.
<u>Building</u>	Area	Minimum building area for the district in which located
	Height	Maximum (35) feet
	Rooms	All living rooms shall have windows opening onto a yard
<u>Yards</u>	Street	Minimum (20) feet
	Rear	Minimum (50) feet
	Side	Minimum (20) feet from street rights-of-way, exterior property lines of the development, and other buildings

Clubs, fraternities, lodges, and meeting places of a noncommercial nature in the R-4, R-5, and R-6 residential districts provided all principal structures and uses are not less than (25) feet from any lot line.

Rest Homes, nursing homes, homes for the aged, clinics, and children's nurseries in the R-3, R-4, and R-5 residential districts provided all principal structures and uses are not less than (50) feet from any lot line.

Household Occupations and professional offices in the R-3, R-4, R-5, and R-6 residential districts.

4.6 Highway Oriented Uses

The following commercial uses shall be conditional uses and may be permitted as specified:

Drive-In Theaters in the B-4 Business District provided that a planting screen at least (25) feet wide is created along any side abutting a residential district and no access is permitted less than (1,000) feet on an arterial street.

Drive-In Establishments serving food or beverages for consumption outside the structure in the B-4 Business District.

Motels in the B-3 and B-4 business districts.

Funeral Homes in the B-2, B-3, and B-4 business districts provided all principal structures and uses are not less than (25) feet from any lot line.

Drive-In Banks in the B-2, B-3, and B-4 business districts.

Tourist Homes in the B-2 and B-4 business districts provided such district is located on a state trunk or U. S. numbered highway.

Vehicle Sales, Service, washing and repair stations, garages, taxi stands, and public parking lots, in all business districts provided all gas pumps are not less than (30) feet from any side or rear lot line and (20) feet from any existing or proposed street line.

Public Parking Areas in all business and industrial districts provided such areas are completely screened from when facing or abutting residential or park districts.

Any Development within five hundred feet of the existing or proposed rights-of-way of freeways, expressways, interstate and controlled access trafficways, and within fifteen hundred feet of their existing or proposed interchange or turning lane rights-of-way shall be deemed to be conditional uses; and no structures shall be erected closer than one hundred feet to their rights-of-way.

4.7 Industrial and Agricultural Uses

The following industrial and agricultural uses shall be conditional uses and may be permitted as specified:

Animal Hospitals in the A-1 Agricultural, M-1 and M-2 industrial districts provided the lot area is not less than (3) acres, and all principal structures and uses are not less than (100) feet from any residential district.

Dumps, Disposal Areas, Incinerators, and sewage disposal plants in the A-1 Agricultural and the M-1 and M-3 industrial districts. Municipal earth and sanitary land fill operations may be permitted in any district.

Commercial Raising, propagation, boarding, or butchering of animals, such as dogs, mink, rabbits, foxes, goats, and pigs; the commercial production of eggs; and the hatching, raising, fattening, or butchering of fowl in the A-1 Agricultural District. Pea vineries, creameries, and condenseries in the A-1 Agricultural or M-1 and M-3 industrial districts.

Manufacture and Processing of abrasives, acetyle, acid, alkalies, ammonia, asbestos, asphalt, batteries, bedding, bleach, bone, cabbage, candle, carpeting, celluloid, cement, cereals, charcoal, chemicals, chlorine, coal tar, coffee, coke, cordage, cotton, creosote, dextrine, disinfectant, dye,

excelsior, felt, fish, fuel, furs, gelatin, glucose, gypsum, hair products, ice, ink, insecticide, lamp-black, lime, lime products, linoleum, matches, meat, oilcloth, paint, paper, peas, perfume, pickle, plaster of paris, plastics, poison, polish, potash, pulp, pyroxylin, radium, rope, rubber, sausage, salt, shoddy, shoe and lampblacking, size, starch, stove polish, textiles, and wool. Manufacturing, processing, and storage of building materials, explosives, dry ice, fat, fertilizer, flammables, gasoline, glue, grains, grease, lacquer, lard, plastics, radioactive materials, shellac, soap, turpentine, vinegar, and yeast. Manufacture and bottling of alcoholic beverages. Bag cleaning; bleacheries, boilers; canneries, cold storage warehouses; electric and stream generating plants; electroplating; enameling; furnaces; forges; foundries; furnaces; incinerators; lacquering; lithographing; garbage; offal, rubbish, or animal reduction; oil, coal, and bone distillation; refineries; road test facilities; slaughterhouses; smelting; stockyards; tanneries; and weaving in the M-3 Heavy Industrial District and shall be at least six hundred feet from residential and public and semi-public districts.

Outside Storage and Manufacturing Areas in the M-3 Heavy Industrial District. Wrecking, junk, demolition and scrap yards shall be surrounded by a solid fence or evergreen planting screen completely preventing a view from any other property or public right-of-way and shall be at least six hundred feet from residential, public and semi-public districts.

Commercial Service Facilities, such as restaurants and fueling stations, in the M-1, M-2 and M-3 industrial districts provided all such services are physically and sales-wise oriented toward industrial district users and employees and other users are only incidental customers.

4.8 Mineral Extraction

Mineral extraction operations including washing, crushing, or other processing are conditional uses and may be permitted in the M-4 Quarrying District provided:

The Application for the conditional use permit shall include: an adequate description of the operation; a list of equipment, machinery, and structures to be used; the source, quantity, and disposition of water to be used; a topographic map of the site showing existing contours with minimum vertical contour interval of five feet, trees, proposed and existing access roads, the depth of all existing and proposed excavations; and a restoration plan.

The Restoration Plan provided by the applicant shall contain proposed contours after filling or restoration, depth of the restored topsoil, type of fill, planting or reforestation, restoration commencement and completion dates. The applicant shall furnish the necessary fees to provide for the _____ inspection and administrative costs and the necessary sureties which will enable the _____ to perform the planned restoration of the site in event of default by the applicant. The amount of such sureties shall be based upon cost estimates prepared by the _____ Engineer, and the form and type of such sureties shall be approved by the _____ Attorney.

The Conditional Use Permit shall be in effect for a period not to exceed two years and may be renewed upon application for a period not to exceed two years. Modifications or additional conditions may be imposed upon application for renewal.

The _____ Plan Commission shall particularly consider the effect of the proposed operation upon existing streets, neighboring development, proposed land use, drainage, water supply, soil erosion, natural beauty, character, and land value of the locality and shall also consider the practicality of the proposed restoration of the site.

4.9 Recreational Uses

The following public and private recreational facilities shall be conditional uses and may be permitted as specified: archery ranges, bathhouses, boating, camps, conservatories, driving ranges, firearm ranges, golf courses, gymnasiums, hunting, ice boating, made lakes, marinas, music halls, polo fields, pools,

riding academies, skating rinks, sport fields, stadiums, swimming pools, zoological and botanical gardens and yacht clubs in the P-2 Park District provided that the lot area is not less than (3) acres and all structures are not less than (50) feet from any district boundary.

Neighborhood Recreation Facilities, such as tot lots, sand boxes, swing sets, located in parks less than (1) acre in area may be permitted in the R-3, R-4, R-5 and R-6 residential districts.

Commercial Recreation Facilities, such as arcades, bowling alleys, boxing, clubs, dance halls, driving ranges, gymnasiums, lodges, miniature golf, physical culture, pool and billiard halls, pony riding ring, racetracks, rifle ranges, turkish baths, skating rinks, and theaters are conditional uses and may be permitted in the B-2, B-3, or B-4 business districts.

TRAFFIC, PARKING, AND ACCESS

SECTION 5.0

5.1 Traffic Visibility

No obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half feet and ten feet above the plane through the mean curb-grades within the triangular space formed by any two existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of (15) feet from their intersection.

In the Case of Arterial Streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to (50) feet.

5.2 Loading Requirements

In all districts adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way.

Office Buildings and Hotels shall provide one space for each 5,000 to 50,000 square feet of gross floor area; two spaces for each 50,000 to 200,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area above 200,000 square feet.

Retail, Service, or Wholesale Commercial Use shall provide one space for each 2,000 to 20,000 square feet of gross floor area; two spaces for each 20,000 to 100,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area above 100,000 square feet.

Manufacturing of Industrial Uses shall provide one space for each 5,000 to 25,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area.

5.3 Parking Requirements

In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

Adequate Access to a public street shall be provided for each parking space, and driveways shall be at least (10) feet wide for one- and two-family dwellings and a minimum of (24) feet for all other uses.

Size of each parking space shall be not less than one hundred and eighty square feet exclusive of the space required for ingress and egress.

Location to be on the same lot as the principal use or not over four hundred feet from the principal use. No parking stall or driveway except in residential districts shall be closer than (25) feet to a residential district lot line or a street line opposite a residential district.

Surfacing. All off-street parking areas shall be graded and surfaced so as to be dust free and properly drained. Any parking area for more than five vehicles shall have the aisles and spaces clearly marked.

Curbs or Barriers shall be installed so as to prevent the parked vehicles from extending over any lot lines.

Number of Parking Stalls Required

Dwellings

2 stalls for each bathroom or fraction thereof

Hotels, motels	1 stall for each guest room, plus 1 stall for each 3 employees
Hospitals, clubs, lodges, sororities, dormitories, lodging and boardinghouses	1 stall for each 2 beds plus 1 stall for each 3 employees
Sanitariums, institutions, rest and nursing homes	1 stall for each 5 beds plus 1 stall for each 3 employees
Medical and dental clinics	3 stalls for each doctor
Churches, theaters, auditoriums, community centers, vocational and night schools, and other places of public assembly	1 stall for each 5 seats
Colleges, secondary and elementary schools	1 stall for each 2 employees
Restaurants, bars, places of entertainment, repair shops, retail and service stores	1 stall for each 200 square feet of floor area
Manufacturing and processing plants, laboratories, and warehouses	1 stall for each 2 employees
Financial institutions; business, governmental, and professional offices	1 stall for each 300 square feet of floor area
Funeral homes	1 stall for each 4 seats
Bowling alleys	5 stalls for each alley

Uses Not Listed. In the case of structures or uses not mentioned, the provision for a use which is similar shall apply.

Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use.

Where Fractional Spaces are required, the next nearest whole number shall be used.

Existing Buildings not meeting with off-street parking requirements may be remodeled, repaired, and structurally altered, but any enlargement must provide the required parking spaces; provided, however, that whenever a building or use constructed or established after the effective date of this Ordinance is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change; and provided further that whenever a building or use existing prior to the effective date of this Ordinance is reconstructed or is enlarged to the extent of 20 percent or more in floor area, said building or use in its entirety shall then thereafter comply with the parking requirements set forth herein.

5.4 Driveways

All driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements:

Islands between driveway openings shall be provided with a minimum of twelve (12) feet between all driveways and six (6) feet at all lot lines.

Openings for vehicular ingress and egress shall not exceed twenty-four (24) feet at the street line and thirty (30) feet at the roadway.

Vehicular Entrances and Exits to drive-in theaters, banks, and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages; or public parking lots shall be not less than two hundred (200) feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park, playground, library, public emergency shelter, or other place of public assembly.

5.5 Highway Access

No direct private access shall be permitted to the existing or proposed rights-of-way of: expressways; nor to any controlled access arterial street without permission of the highway agency that has access control jurisdiction.

No direct public or private access shall be permitted to the existing or proposed rights-of-way of the following:

Freeways, Interstate Highways, and their interchanges or turning lanes nor to intersecting or interchanging streets within 1,500 feet of the most remote end of the taper of the turning lanes.

Arterial Streets intersecting another arterial street within 100 feet of the intersection of the right-of-way lines.

Streets intersecting an arterial street within 50 feet of the intersection of the right-of-way lines.

Access barriers, such as curbing, fencing, ditching, landscaping, or other topographic barriers, shall be erected to prevent unauthorized vehicular ingress or egress to the above specified streets or highways.

Temporary Access to the above rights-of-way may be granted by the Legislative Body after review and recommendation by the highway agencies having jurisdiction. Such access permit shall be temporary, revocable, and subject to any conditions required and shall be issued for a period not to exceed twelve months.

SIGNS

SECTION 6.0

6.1 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 6.2 and without being in conformity with the provisions of this Ordinance. The sign shall also meet all the structural requirements of the Building Code.

6.2 Signs Excepted

All signs are prohibited in all Residential, Agricultural, Conservancy, and Park Districts except the following:

Agricultural Signs pertaining to the products of the agricultural premises not to exceed (30) square feet in area for any one farm.

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 (2) feet in height and (10) feet in length.

Real Estate Signs not to exceed (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located.

Name, Occupation, and Warning Signs not to exceed (2) square feet located on the premises.

Bulletin Boards for public, charitable or religious institutions not to exceed (8) square feet in area located on the premises.

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.

Official Signs, such as traffic control, parking restrictions, information, and notices.

Temporary Signs or banners when authorized by the Board of Zoning Appeals.

6.3 Signs Permitted

The following signs are permitted in the B-2, B-3, and B-4 business and all industrial districts subject to the following restrictions:

Wall Signs placed against the exterior walls of buildings shall not extend more than (6) inches outside of a building's wall surface, shall not exceed five hundred (500) square feet in area for any one premises, and shall not exceed twenty (20) feet in height above the mean centerline street grade.

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 (4) feet into any required yard; shall not extend into any public right-of-way; shall not be less than (10) feet from all side lot lines; shall not exceed a height of (20) feet above the mean centerline street grade; and shall not be less than (10) feet above the sidewalk nor (15) feet above a driveway or an alley.

Ground Signs shall not exceed (20) feet in height above the mean centerline street grade, shall meet all yard requirements for the district in which it is located, shall not exceed (100) square feet on one side nor (200) square feet on all sides for any one premises.

Post Signs shall not be closer to the ground than (10) feet, shall meet all the yard requirements for the district in which located; shall not exceed (50) square feet on one side nor (100) square feet on all sides for any one premises.

Roof Signs shall not exceed (10) feet in height above the roof, shall meet all the yard and height requirements for the district in which it is located, and shall not exceed (300) square feet on all sides for any one premises.

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.

Combinations of any of the above signs shall meet all the requirements for the individual sign.

6.4 Facing

No sign except those permitted in Section 6.2 shall be permitted to face a Residential or Park District within (100) feet of such district boundary.

6.5 Traffic

Signs shall not resemble, imitate, or approximate the shape, size, form, or color of 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 prevent 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 signs shall be placed so as to obstruct or interfere with traffic visibility, nor be lighted in such a way as to cause glare or impair driving visibility upon public ways.

6.6 Existing Signs

Signs lawfully existing at the time of the adoption or amendment of this Ordinance may be continued although the use, size, or location does not conform with the provisions of this Ordinance. However, it shall be deemed a nonconforming use or structure; and the provisions of Section 8.0 shall apply.

6.7 Bonds

Every applicant for a zoning permit for a sign shall, before the permit is granted, execute a surety bond in a sum to be fixed by the Zoning Administrator, but not to exceed (\$25,000); and it shall be of a form and type approved by the _____ Attorney, indemnifying the _____ against all loss cost damages or expense incurred or sustained by or recovered against the _____ 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 _____ Attorney in lieu of a bond.

PERFORMANCE STANDARDS

SECTION 7.0

7.1 Compliance

This Ordinance permits specific uses in specific districts; and these performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. No structure, land, or water shall hereafter be used except in compliance with the appropriate district regulations and with the following performance standards.

7.2 Air Pollution

No activity shall emit any fly ash, dust, fumes, vapors, mists, or gases in such quantities as to cause soiling or danger to the health of persons, animals, vegetation, or other forms of property. No activity shall emit any liquid or solid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas nor any color visible smoke equal to or darker than No. 2 on the Ringelmann Chart described in the United States Bureau of Mine's Information Circular 7718; except for not more than four (4) minutes during any six-hour period each stack or chimney, in an H Heavy Industrial District, may emit smoke of Ringelmann No. 3. No activity shall emit more than ten (10) smoke units per hour per stack or chimney except that once during any six-hour period each stack or chimney, in an H Heavy Industrial District, may emit up to twenty (20) smoke units when blowing soot or cleaning fires.

7.3 Fire and Explosive Hazards

All activities involving the manufacturing, utilization, processing, or storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed

buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above-ground storage capacity of materials that produce flammable or explosive vapors shall not exceed the following:

<u>Closed Cup Flash Point</u>	<u>Gallons</u>
Over 187° F.	400,000
105° F. to 187° F.	200,000
Below 105° F.	100,000

7.4 Glare and Heat

No activity shall emit glare or heat that is visible or measurable outside its premises except activities in the H Heavy Industrial District which may emit direct or sky reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

7.5 Liquid or Solid Wastes

No activity shall discharge at any point onto any land or into any water or public sewer any materials of such nature, quantity, noxiousness, toxicity, or temperature which can contaminate, pollute, or harm the quantity or quality of any water supply, can cause the emission of dangerous or offensive elements, can overload the existing municipal utilities, or can injure or damage persons or property.

7.6 Noise

No activity in an H Heavy Industrial District shall produce a sound level outside the district boundary that exceeds the following sound level measured by a sound level meter and associated octave band filter:

<u>Octave Band Frequency</u> <u>(Cycles Per Second)</u>	<u>Sound Level</u> <u>(Decibels)</u>
0 to 75	79
75 to 150	74
150 to 300	66
300 to 600	59
600 to 1200	53
1200 to 2400	47
2400 to 4800	41
above 4800	39

No other activity in any other district shall produce a sound level outside its premises that exceeds the following:

<u>Octave Band Frequency</u> <u>(Cycles Per Second)</u>	<u>Sound Level</u> <u>(Decibels)</u>
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	40
2400 to 4800	34
above 4800	32

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittance, duration, beat frequency, impulse character, periodic character or shrillness.

7.7 Odors

No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside their premises. The guide for determining odor measurement and control shall be Chapter 13, Air Pollution Abatement Manual 1960, prepared by the Manufacturing Chemists' Association, Inc., Washington, D. C.

7.8 Radioactivity and Electrical Disturbances

No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises.

7.9 Vibration

No activity in any district except the H Heavy Industrial District shall emit vibrations which are discernible without instruments outside its premises. No activity in an H Heavy Industrial District shall emit vibrations which exceed the following displacement measured with a three-component measuring system:

<u>Frequency</u> <u>(Cycles Per Second)</u>	<u>Displacement (Inches)</u>	
	<u>Outside</u> <u>the Premises</u>	<u>Outside</u> <u>the District</u>
0 to 10	.0020	.0004
10 to 20	.0010	.0002
20 to 30	.0006	.0001
30 to 40	.0004	.0001
40 to 50	.0003	.0001
50 and over	.0002	.0001

MODIFICATIONS

SECTION 8.0

8.1 Height

The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modification shall be in accord with the following:

Architectural Projections, such as spires, belfries, parapet walls, cupolas, domes, flues, and chimneys, shall not exceed in height their distance from the nearest lot line.

Special Structures, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smoke stacks, are exempt from the height limitations of this Ordinance.

Essential Services, utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this Ordinance.

Communication Structures, such as radio and television transmission and relay towers, aerials, and observation towers, shall not exceed in height (3) times their distance from the nearest lot line.

Agricultural Structures, such as barns, silos, tanks and windmills, shall not exceed in height (2) times their distance from the nearest lot line.

Public or Semipublic Facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of (75) feet, provided all required yards are increased not less than (1) foot for each foot the structure exceeds the district's maximum height requirements.

8.2 Yards

The yard requirements stipulated elsewhere in this Ordinance may be modified as follows:

Uncovered Stairs, landings, terraces, porches, balconies, and fire escapes may project into any yard but not to exceed (5) feet and not closer than (3) feet to any lot line.

Architectural Projections, such as cornices, chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard; but such projection shall not exceed (2) feet.

Buildings having Common Walls such as row-houses are only required to meet the side yard requirements of this Ordinance on the exterior wall sides.

Residential Fences are permitted on the property lines in residential districts but shall not in any case exceed a height of (6) feet; shall not exceed a height of (4) feet in the street yard and shall not be closer than (2) feet to any public right-of-way.

Security Fences are permitted on the property lines in all districts except residential districts but shall not exceed (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

Accessory Uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than (10) feet to the principal structure, shall not exceed (15) feet in height, shall not occupy more than (30) percent of the rear yard area, shall not be closer than (60) feet to the front streetline, and shall not be closer than (3) feet to any other lot line nor (5) feet to an alley line. On corner lots accessory structures shall not be closer than (20) feet from the side street line.

Temporary Parking on driveways is permitted in the street yards of all residential districts.

Off-Street Parking is permitted in all yards of the B-3 and B-4 Business Districts but shall not be closer than (25) feet to any public right-of-way.

Essential Services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.

Landscaping and vegetation are exempt from the yard requirements of this Ordinance.

8.3 Site

In the Business and Industrial Districts, there may be more than one commercial or industrial building on a lot provided that the required yards be maintained around the group of buildings.

There may be two or more related multi-family, hotel, motel, or institutional buildings on a lot; provided that the required yards be maintained around the group of buildings, and buildings that are parallel or that are within 45 degrees of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.

8.4 Additions

Additions in the street yard of existing structures may be permitted but shall not project beyond the average of the existing street yards on the abutting lots or parcels.

8.5 Average Street Yards

The required street yards may be decreased in any residential or business districts to the average of the existing street yards of the abutting structures on each side but in no case less than (15) feet in any residential district and (5) feet in any business district.

8.6 Noise

Sirens, whistles, and bells which are maintained and utilized solely to serve a public purpose are exempt from the sound level standards of this Ordinance.

NONCONFORMING USES, STRUCTURES, AND LOTS

SECTION 9.0

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 Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however.

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 or order or so as to comply with the provisions of this Ordinance.

Casual, Intermittent, temporary, or illegal use of structures, lands or waters shall not establish the existence of a non-conforming use and the existence of a non-conforming use on one part of a premise or parcel of land shall not establish such a use on the remaining portions of such premise or parcels.

Total Lifetime Structural Repairs or alterations shall not exceed fifty (50) percent of the current assessed value of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this Ordinance.

Substitution of New Equipment may be permitted by the Board of Zoning Appeals if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

9.2 Abolishment or Replacement

If such nonconforming use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy, or other calamity to the extent of more than fifty (50) percent of its current assessed value, it shall not be restored except so as to comply with the use provisions of this Ordinance.

A Current File of all nonconforming uses shall be maintained by the Zoning Administrator listing the following: owner's name and address; use of the structure, land, or water; and an assessed value at the time of its becoming a nonconforming use.

9.3 Existing Nonconforming Structures

The lawful nonconforming structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance; 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 Ordinance; however, it may be repaired or remodeled.

9.4 Changes and Substitutions

Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Zoning Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board of Zoning Appeals.

9.5 Substandard Lots

In any residential district, 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 or amendment of this Ordinance.

Such Lot or Parcel shall be in separate ownership from abutting lands. If abutting lands and the substandard lot are owned by the same owner, the substandard lot shall not be sold or used without full compliance with the provisions of this Ordinance. If in separate ownership, all the district requirements shall be complied with insofar as practical but shall not be less than the following:

<u>Lot</u>	Width	Minimum 30 ft.
	Area	Minimum 4,000 sq.ft.
<u>Building</u>	Area	Minimum 1,000 sq.ft.
	Height	Maximum 30 ft.
<u>Yards</u>	Street	Minimum 25 ft.; the side street yard on corner lots shall be not less than 10 ft.
	Rear	Minimum 25 ft.
	Side	Minimum 16 percent of the frontage, but not less than 5 ft.

ARCHITECTURAL BOARD (OPTIONAL)

SECTION 10.0

10.1 Establishment

There is hereby established an Architectural Board for the _____ of _____ for the purpose of promoting compatible development, aesthetics, stability of property values, and to prevent impairment or depreciation of existing developments.

10.2 Compliance

No structure in the residential district, or B-1, B-2 or B-3 Business Districts, and no structure abutting a public park, public school, or public building shall hereafter be erected, moved, reconstructed, extended, enlarged, or have its exterior altered or changed without the Architectural Board's approval.

10.3 Membership

The Architectural Board shall consist of (6) residents of the _____ appointed by the _____ subject to confirmation by the _____. At least one citizen plan commissioner, one real estate broker or appraiser, and one registered architect or registered professional engineer shall be appointed to such Architectural Board.

Terms shall be staggered for three-year periods.

Chairman shall be appointed by the _____.

Secretary shall be selected by the members.

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 appointments.

Vacancies shall be filled for the unexpired term in the same manner as appointments for the full term.

10.4 Organization

The Architectural Board shall organize and adopt rules for its own government in accordance with the provisions of this Section.

Meetings shall be held at the call of the chairman or when requested by the Zoning Administrator and shall be open to the public.

Minutes shall be kept showing all actions taken and shall be a public record. The grounds for every decision shall be stated.

Quorum shall be four (4) members, and all actions shall require the concurring vote of at least four (4) members.

10.5 Powers

The Architectural Board shall have the following power:

Hear and Decide applications for permission to erect, move, reconstruct, extend, alter, or change the exterior of structures coming under its jurisdiction.

Approve, deny, or conditionally approve the application and may request such modifications as they may deem necessary to carry out the purpose of this Section.

Assistance. The Architectural Board may request assistance from other municipal offices, departments, boards, and commissions.

Request applicant to furnish additional information.

10.6 Applications

Applications for approval by the Architectural Board shall be made to the Administrator and shall be accompanied by the Zoning Permit application required under Section 2.3 and, in addition, shall be accompanied by plans showing the exterior elevations of the existing and proposed structure, description of the proposed materials, proposed floor grades, and a list of the names and addresses of the parties in interest.

10.7 Hearings

The Architectural Board shall schedule a reasonable time and place for the hearing and cause notice to be mailed to the applicant, Zoning Administrator, and the parties in interest at least (5) days prior to the hearing. The applicant may appear in person, by agent, or by attorney.

10.8 Findings

The Architectural Board shall not approve any application unless they find beyond a reasonable doubt after viewing the site that the following facts and conditions exist and shall so indicate in the minutes of their proceedings:

The Exterior Design proposed is not unsightly or obnoxious and is not disharmonious or so similar to existing or proposed neighboring developments that substantial depreciation of neighboring property or development will be caused by the applicant's proposal.

The Architectural Board shall decide all applications within (10) days after the application and shall transmit a signed copy of their decision to the applicant and file a copy with the Administrator.

10.9 Appeals

Any person or persons aggrieved by any decisions of the Architectural Board may appeal the decision to the Board of Zoning Appeals. Such appeal shall be filed with the Clerk within (30) days after filing of the decision with the Zoning Administrator.

BOARD OF ZONING APPEALS*

SECTION 11.0

11.1 Establishment

There is hereby established a Board of Zoning Appeals for the _____ of _____ for the purpose of hearing appeals and applications, and granting variances, conditional use permits and exceptions to the provisions of this Ordinance in harmony with the purpose and intent of this Ordinance.

11.2 Membership

The Board of Zoning Appeals shall consist of five members appointed by the _____ and confirmed by the _____.

Terms shall be for staggered three-year periods.

Chairman shall be designated by the _____.

An Alternate Member may be appointed by the _____ for a term of three years and shall act only when a regular member is absent or refuses to vote because of conflict of interest.

One Member shall be a Plan Commissioner and one member shall be a registered architect, registered professional engineer, builder, or real estate appraiser.

Secretary shall be the Clerk.

The Zoning Administrator shall attend all meetings for the purpose of providing technical assistance when requested by the Board of Zoning Appeal.

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten days of receiving notice of their appointment.

* A County Zoning Ordinance would require a Board of Adjustment created in accordance with Section 59.99 of the Wisconsin Statutes.

Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

11.3 Organization

The Board of Zoning Appeals shall organize and adopt rules of procedure for its own government in accordance with the provisions of this Ordinance.

Meetings shall be held at the call of the chairman and shall be open to the public.

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 a public record.

The Concurring Vote of four 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.

11.4 Powers

The Board of Zoning Appeals shall have the following powers:

Errors. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator or Architectural Board.

Variances. To hear and grant appeals for 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 Ordinance shall be observed and the public safety, welfare, and justice secured. Use variances shall not be granted.

Interpretations. To hear and decide application for interpretations of the zoning regulations and the boundaries of the zoning districts after the _____ Plan Commission has made a review and recommendation.

Substitutions. To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses provided no structural alterations are to be made and the _____ Plan Commission has made a review and recommendation. Whenever the Board permits such a substitution, the use may not thereafter be changed without application.

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 _____ Plan Commission made a review recommendation.

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 are compatible with the neighboring uses and the _____ Plan 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 twelve months. Compliance with all other provisions of this Ordinance shall be required.

Permits. The Board may reverse, affirm wholly or partly, modify the requirements appealed from, and may issue or direct the issue of a permit.

Assistance. The Board may request assistance from other officers, departments, commissions, and boards.

Oaths. The chairman may administer oaths and compel the attendance of witnesses.

11.5 Appeals and Applications

Appeals from the decision of the Zoning Administrator or the Architectural Board concerning the literal enforcement of this Ordinance may be made by any person aggrieved or by any officer, department,

board, or bureau of the _____. Such appeals shall be filed with the secretary within thirty days after the date of written notice of the decision or order of the Administrator or Architectural Board. 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:

Name and Address of the appellant or applicant and all abutting and opposite property owners of record and all owners within one hundred feet.

Plat of Survey prepared by a registered land surveyor showing all of the information required under Section 2.3 for a zoning permit.

Fee Receipt from the _____ Treasurer in the amount of Twenty-Five Dollars (\$25).

11.6 Hearings

The Board of Zoning Appeals shall fix a reasonable time and place for the hearing, give public notice thereof at least ten days prior to the hearing by publication as a Class 3 notice under Chapter 985 of the Wisconsin Statutes, and shall give due notice to the parties in interest, and the Administrator. At the hearing the appellant or applicant may appear in person, by agent, or by attorney.

11.7 Findings

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

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 Ordinance should be changed.

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.

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 Ordinance or the public interest.

11.8 Decision

The Board of Zoning Appeals shall decide all appeals and applications within thirty days after the final hearing and shall transmit a signed copy of the Board's decision to the appellant or applicant, Zoning Administrator and the _____ Plan Commission.

Conditions may be placed upon any zoning permit ordered or authorized by this Board.

Variances, Substitutions, or Use Permits granted by the Board shall expire within six months unless substantial work has commenced pursuant to such grant.

11.9 Review by Court of Record

Any person or persons aggrieved by any decision of the Board of Zoning Appeals may present to the court of record a petition duly verified setting forth that such decision is illegal and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the Board of Zoning Appeals.

CHANGES AND AMENDMENTS*

SECTION 12.0

12.1 Authority

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

Such Change or Amendment shall require the review and recommendation of the _____ Plan Commission and the appropriate Joint Extraterritorial Zoning Committee.

12.2 Initiation

A change or amendment may be initiated by the _____ Plan Commission, or by a 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 _____ Clerk, describe 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:

Plot Plan drawn to a scale of 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.

Owners' Names and Addresses of all properties lying within (200) feet of the area proposed to be rezoned.

* A county zoning Ordinance would include a changes and amendments section authorized by Section 59.97(3) of the Wisconsin Statutes.

Additional Information required by the _____
Plan Commission, Joint Extraterritorial Zoning
Committee, or _____.

Fee Receipt from the _____ Treasurer in
the amount of (\$25).

12.4 Recommendations

The _____ Plan 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 recommendation shall be made at a meeting subsequent to the meeting at which the petition is first submitted and shall be made in writing to the _____.

The Appropriate Joint Extraterritorial Zoning Committee and the _____ Plan Commission shall review all proposed changes and amendments within the extraterritorial zoning jurisdiction, but only the members of the appropriate Joint Committee shall vote on matters relating to their zoning jurisdiction.

12.5 Hearings

The _____ shall hold a public hearing upon each recommendation after publishing a Class 2 notice under Chapter 985 of the Wisconsin Statutes, listing the time, place, and the changes or amendments proposed. The _____ Board shall also give at least ten days' prior written notice to the clerk of any municipality within one thousand feet of any land to be affected by the proposed change or amendment.

Prior to the _____ Hearing, the appropriate Joint Extraterritorial Zoning Committee shall hold a public hearing upon each proposed change or amendment within their zoning jurisdiction, giving prior notice by publication by a Class 2 notice under Chapter 985 of the Wisconsin Statutes during the preceeding thirty days listing the time, place, and the changes or amendments proposed. The Joint Committee shall mail notice to the clerk of the affected town.

12.6 Village Board's Action

Following such hearing and after careful consideration of the _____ Plan Commission's and appropriate Joint Extraterritorial Zoning Committee's recommendations, the _____ shall vote on the passage of the proposed change or amendment.

The _____ Plan Commission's Recommendations may only be overruled by three-fourths of the full _____ Board's membership.

A Favorable Vote of a majority of the six members of the appropriate Joint Extraterritorial Zoning Committee is required before the _____ may adopt any changes or amendments affecting their extraterritorial zoning jurisdiction.

12.7 Protest

In the event of a protest against such district change or amendment to the regulations of this Ordinance, duly signed and acknowledged by the owners of twenty percent or more either of the areas of the land included in such proposed change, or by the owners of twenty percent or more of the land immediately adjacent extending one hundred feet therefrom, or by the owners of twenty percent or more of the land directly opposite thereto extending one hundred feet from the street frontage of such opposite land, such changes or amendments shall not become effective except by the favorable vote of three-fourths of the full _____ membership.

DEFINITIONS

SECTION 13.0

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

Accessory Use or Structure

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. Residential accessory uses shall not involve the conduct of any business, trade or industry. Accessory uses include incidental repairs; storage; parking facilities; gardening; servant's, owner's itinerant agricultural laborer's and watchman's quarters not for rent; private swimming pools; and private emergency shelters.

Alley

A special public right-of-way affording only secondary access to abutting properties.

Arterial Street

A public street or highway used or intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways, and parkways.

Basement

That portion of any structure located partly below the average adjoining lot grade.

Boarding and Lodging Houses

A building other than a hotel or restaurant where meals or lodging are regularly furnished by pre-arrangement for compensation for (3) or more persons not members of a family, but not exceeding (12) persons and not open to transient customers.

Building

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, vehicles or materials.

Building Area

The total living area bounded by the exterior walls of a building at the floor levels, but not including basement, utility rooms, garages, porches, breezeways, and unfinished attics.

Building Height

The vertical distance measured from the mean elevation of the finished lot grade along the street yard face of the structure to the highest point of flat roofs; to the mean height level between the eaves and ridges of gable, gambrel, hip, and pitch roofs; or to the deck line of mansard roofs.

Channel

That portion of a watercourse normally occupied by the stream under average annual flow conditions.

Clinic

An establishment where patients are examined and treated but not boarded or lodged by a group of physicians or dentists.

Clothing Repair Shops

Shops where clothing is repaired, such as shoe repair shops, seamstress, tailor shops, shoe shine shops, clothes pressing shops, but none employing over five persons.

Clothing Stores

Retail stores where clothing is sold, such as department stores, dry goods and shoe stores, dress , hosiery, and millinery shops.

Conditional Uses

Uses of a special nature as to make impractical their predetermination as a principal use in a district.

Corner Lot

A lot abutting two or more streets at their intersection provided that the corner of such intersection shall have an angle of 135 degrees or less, measured on the lot side.

Dwelling

A detached building designed or used exclusively as a residence or sleeping place, but does not include boarding or lodging houses, motels, hotels, tents, cabins, or mobile homes.

Efficiency

A dwelling unit consisting of one principal room with no separate sleeping rooms and occupied by not more than two persons.

Emergency Shelter

Public or private enclosures designed to protect people from aerial, radiological, biological, or chemical warfare; fires, floods, windstorms, riots, and invasions.

Essential Services

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 thereto, 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, and hydrants, but not including buildings.

Expressway

A divided arterial street or highway with full or partial control of access and with or without grade separation intersections.

Family

Any number of persons related by blood, adoption, or marriage, or not to exceed five persons not so related, excluding servants, living together in one dwelling as a single housekeeping entity.

Floodway

That area including the channel of a watercourse required to effectively carry and discharge floodwaters and delineated as the area covered by the ten-year recurrence interval flood.

Floodplain

That relatively flat area or lowland area excluding the floodway that is inundated by the one-hundred year recurrence interval flood and, where such data is not available, the maximum flood of record.

Freeway

An expressway with full control of access and with fully grade separated intersections.

Frontage

The smallest dimension of a lot abutting a public street measured along the street line.

Gift Stores

Retail stores where items such as art, antiques, jewelry, books, and notions are sold.

Hardware Stores

Retail stores where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

Household Occupation

Any occupation for gain or support conducted entirely within buildings by resident occupants which is customarily incidental to the principal use of the premises, does not exceed twenty-five percent of the area of any floor, uses only household equipment, and no stock in trade is kept or sold except that made on the premises. A household occupation includes uses such as baby sitting, millinery, dressmaking, canning, laundering, and crafts, but does not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.

Interchange

A grade separated intersection with one or more turning lanes for travel between intersection legs.

Joint Extraterritorial Zoning Committee

Any zoning committee established in accordance with Section 62.23(7a) of the Wisconsin Statutes (Chapter 241, Laws of 1963).

Junk Yards

An open area used for the collection, storage, dismantling, salvaging, scrapping, or destruction of generally worn out, broken, inoperative, obsolete, old, bent, dented, damaged, discarded, unwanted materials or equipment, having relatively a fraction of its original value. Junk yards include demolition, wrecking and salvaging yards.

Living Rooms

All rooms within a dwelling except closets, foyers, storage areas, utility rooms, and bathrooms.

Loading Area

A completely off-street space or berth on the same lot for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley.

Lot

A parcel of land having frontage on a public street, occupied or intended to be occupied by a principal structure or use and sufficient in size to meet the lot width, lot frontage, lot area, yard, parking area, and other open space provisions of this Ordinance.

Lot Lines and Area

The peripheral boundaries of a parcel of land including street right-of-way lines and the total area lying within such boundaries.

Lot Width

The width of a parcel of land measured at the rear of the specified street yard,

Machine Shops

Shops where lathes, presses, grinders, shapers, and other wood and metal working machines are used, such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating and electrical repair and overhaul shops.

Minor Structures

Any small, movable accessory erection or construction such as birdhouses; tool houses; pethouses; play equipment; arbors; walls and fences under (4) feet in height; and name, occupation and warning signs less than (2) square feet in area.

Motel

A series of attached, semiattached, or detached sleeping units for the accommodation of transient guests.

Nonconforming Uses or Structures

Any structure, land or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading, or distance

requirements shall be considered a nonconforming structure and not a nonconforming use.

Parking Lot

A structure or premises containing ten or more parking spaces open to the public for rent or a fee.

Parking Space

A graded and surfaced area of not less than one-hundred and eighty square feet in area either enclosed or open for the parking of a motor vehicle, having adequate ingress and egress to a public street or alley.

Parties in Interest

Includes all abutting property owners, all property owners within one hundred feet, and all property owners of opposite frontages.

Professional Home Offices

Residences of doctors of medicine, practitioners, dentists, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, musicians, or other recognized professions used to conduct their professions where the office does not exceed one-half the area of only one floor of the residence and only one nonresident person is employed.

Rear Yard

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

Side Yard

A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal street.

Signs

Any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trade marks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity or product being sold or produced on the premises and which is visible from any public street or highway.

Smoke Unit

The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes.

Street Yard

A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.

Street

A public right-of-way not less than fifty feet wide providing primary access to abutting properties.

Structure

Any erection or construction, such as buildings, towers, masts, poles, booms, signs, decorations, carports, machinery, and equipment.

Structural Alterations

Any change in the supporting members of a structure, such as foundations, bearing walls, columns, beams, or girders.

Turning Lanes

An existing or proposed connecting roadway between two arterial streets or between an arterial street and any other street. Turning lanes include grade separated interchange ramps.

Utilities

Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, and storage yards.

Wrecking Yards

An open area for the purpose of storing, dismantling, salvaging, scrapping or destroying.

Yard

An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.

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APPENDIX D

Recommended

Ordinance Regulating

The Division of Land

In the City of Kenosha

And the Towns of Somers

And Pleasant Prairie

This Ordinance is intended as a recommendation to the City and Towns in the District and competent legal, planning and engineering assistance must be used in adjusting and adopting this Ordinance to the individual municipality.

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SECTION 1.0

GENERAL

1.1 Authority

This Ordinance is adopted under the authority granted by Section 236.45 of the Wisconsin Statutes. Therefore, the _____ of _____*, Wisconsin do ordain as follows:

1.2 Purpose

The purpose of this Ordinance is to regulate and control the division of land within the plat approval jurisdiction of the _____ in order to promote the public health, safety, morals, prosperity, aesthetics and general welfare of the community.

1.3 Intent

It is the general intent of this Ordinance to regulate the division of land so as to lessen congestion in the streets and highways; to further the orderly layout and appropriate use of land; to secure safety from flooding, fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; to prevent scattered development beyond the service areas of community facilities and utilities; to conserve the existing and potential value of land and improvements; to provide the best possible environment for human habitation; to facilitate the further division of larger tracts into smaller parcels of land; to ensure adequate legal description and proper survey monumentation of subdivided land; to provide for the administration and enforcement of this Ordinance; to provide penalties for its violation and in general to impose those community development standards as set forth in the comprehensive plan, zoning ordinance, building code, official map and county and regional plans adopted by the _____.

1.4 Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted

or issued pursuant to laws. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

1.5 Interpretation

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

1.6 Severability

If any section, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.7 Repeal

All other ordinances or parts of ordinances of the _____ inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

1.8 Title

This Ordinance shall be known as, referred to, or cited as the "LAND DIVISION ORDINANCE, _____, WISCONSIN."

1.9 Effective Date

This Ordinance shall be effective after a public hearing, adoption by the _____ and publication or posting as provided by law.

SECTION 2.0

GENERAL PROVISIONS

2.1 Jurisdiction

Jurisdiction of this Ordinance shall include all lands within the _____ plat approval jurisdiction as provided by law. The provisions of this Ordinance as it applies to divisions of tracts of land into less than five parcels shall not apply to:

Transfers of Interests in land by will or pursuant to court order.

Leases for a term not to exceed ten years, mortgages or easements.

Sale or Exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this Ordinance, the zoning ordinance, or other applicable laws or ordinances.

2.2 Compliance

No person, firm or corporation shall divide any land located within the jurisdictional limits of this Ordinance which results in a subdivision, minor subdivision, or a replat as defined herein; no such subdivision, minor subdivision or replat shall be entitled to record and no street shall be laid out or improvements made to land without compliance with all requirements of this Ordinance and:

Provisions of Chapter 236, Wisconsin Statutes.

Rules of the Wisconsin State Board of Health regulating lot size and lot elevation if the land to be subdivided is not served by a public sewer and provisions for such service have not been made.

Rules of the State Department of Resource Development, setting water quality standards, preventing and abating pollution, and regulating septic systems.

Rules of the State Highway Commission relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the subdivider abuts on a state trunk highway or connecting street.

Duly Approved Comprehensive Plan, or comprehensive plan component including the zoning ordinance, official map and all other applicable ordinances, of the _____.

Applicable Local and County Ordinances.

2.3 Dedication and Reservation of Lands

Whenever a tract of land to be divided embraces all or any part of an arterial street, parkway, drainageway or other public way which has been designated in the comprehensive plan, comprehensive plan component, or on the official map of the _____, said public way shall be made a part of the plat or map and dedicated or reserved by the subdivider in the locations and dimensions indicated on said plan or map and as set forth in Section 7.0 of this Ordinance.

Whenever a Proposed Playground, Park, School Site or other public land, other than streets or drainageways, designated in the comprehensive plan, comprehensive plan component, or on the official map of the _____, is embraced, all or in part, in a tract of land to be divided, these proposed public lands shall be made a part of the plat or map and shall be dedicated to the public by the subdivider at the rate of (1)* acre for each (15) proposed dwelling units; and said proposed public lands, other than streets or drainageways, in excess of the rate established herein shall be reserved for a period not to exceed two years unless extended by mutual agreement for purchase by the public agency having jurisdiction; or all said proposed public lands, other than streets or drainageways, shall be reserved by the subdivider for a period not to exceed two years unless extended by mutual agreement for acquisition by the municipality at undeveloped land costs; and a public site fee shall be levied against the subdivider at the time of application for final plat approval at the rate and according to the procedures established in Section 10.6 of this Ordinance.

2.4 Improvements

Before final approval of any plat or map the subdivider shall install improvements as herein-after provided. If such improvements are not installed as required at the time that the final plat or certified survey map is submitted for approval, the subdivider shall before the recording

* Parenthesis indicate a number which may be adjusted by the City or Towns to best suit their needs.

of the plat or map enter into a contract with the _____ agreeing to install the required improvements and shall file with said contract a bond meeting the approval of the _____ Attorney or a certified check in an amount equal to the estimated cost of the improvements, said estimate to be made by the Engineer, as a guarantee that such improvements will be completed by the subdivider not later than two years from the date of recording of the plat or map.

Contractors and Subcontractors who are to be engaged in the construction of street and utility improvements on dedicated street rights-of-way shall be subject to the approval of the _____ Engineer.

Governmental Units to which these bond and contract provisions apply may file, in lieu of said contract and bond, a letter from officers authorized to act on their behalf agreeing to comply with the provisions of this Ordinance.

Survey Monuments. Before final approval of any plat or map, the subdivider shall install survey monuments placed in accordance with the requirements of Section 236.15 of the Wisconsin Statutes and as may be required by the _____ Engineer.

2.5 Modifications

Where, in the judgement of the _____ Plan Commission, it would be inappropriate to apply literally the provisions of Section 7.0 and 8.0 of this Ordinance because of the proposed subdivision being located outside of the corporate limits, or because exceptional or undue hardship would result, the _____ Plan Commission may waive or modify any requirement to the extent deemed just and proper

Such Relief Shall Be Granted without detriment to the public good, without impairing the intent and purpose of this Ordinance or the desirable general development of the community in accordance with the comprehensive plan or comprehensive plan component of the _____. A three-fourths (3/4) vote of the entire membership of the _____ Plan Commission shall be required to grant any modification of this Ordinance, and the reasons shall be entered in the minutes of the Commission.

_____ may waive the placing of monuments, required under Section 236.15(b), (c) and (d), for a reasonable time on condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required.

2.6 Land Suitability

Certain soil types lying in the _____ as shown on the operational soil survey map prepared by the USDA Soil Conservation Service, in cooperation with the Southeastern Wisconsin Regional Planning Commission, have severe or very severe limitations for residential development because of a high or fluctuating water table, flooding, ground water contamination, slow permeability, and/or steep slopes.

Lands Lying within, or at less than two (2) feet above the level of the 100-year recurrence interval flood or the greatest flood of record if such recurrence interval is not amiable shall not be divided for residential, commercial or industrial uses.

Soils with Very Severe Limitations listed below which include swamps, marshes, organic materials, or soils subject to flooding or overflow, shall not be used for any type of residential development:

4z	217	450	456
7	218	452	
11	416	454	
54	417	455	

The soil types listed below which have either a fluctuating or high water table and/or a ponding, overflow, runoff, or overwash hazard, shall not be used for residential development with soil absorption sewage disposal facilities:

29	60z	212	298	340
37	63	213	299	346
41	76	214	311	346z
42	76z	233	3251	369
45	80	233z	328	371
49	81	250	332	386
51	87	250z	332z	386y
53	109	251	3361	386z
59z	203z	251z	338	419

Soils with Severe Limitations listed below which have a slow permeability rate for on-site soil absorption sewage disposal facilities shall not be used for residential development with soil absorption sewage disposal facilities unless the limitation is overcome by corrective measures such as the provision of larger absorption areas:

16	24	70y	297	335z
21	31	73z	324z	336
22	40	119z	325	

Those soil types whose slopes exceed twelve percent shall not be used for residential development with soil absorption sewage disposal facilities unless their severe limitations are overcome by the terracing and/or reduction of steep slopes or other corrective measures.

A Subdivider desiring to divide land for residential purposes on soils that have very severe limitations shall have an opportunity to present evidence contesting such classification and analyses if he so desires. Thereafter the

Plan Commission may affirm, modify, or change such classification or analyses.

A Subdivider desiring to divide land for residential purposes with on-site soil absorption sewage disposal facilities on soils that have severe limitations shall: have additional on-site investigations made, including percolation tests; obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed soil absorption sewage disposal facility; and meet the State Board of Health regulations. In addition, the Engineer and Plan Commission shall find that the proposed corrective measures have overcome the severe soil limitations.

The Plan Commission may request the Kenosha County Soil and Water Conservation District to provide expert assistance from regional, state, or federal agencies which are assisting such District under a "Memorandum of Understanding."

2.7 Violations

It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Ordinance or the Wisconsin Statutes; and no person, firm or corporation shall be

issued a building permit by the _____, authorizing the building on, or improvement of, any subdivision, minor subdivision or replat within the jurisdiction of this Ordinance not of record as of the effective date of this Ordinance until the provisions and requirements of this Ordinance have been fully met. No public utility service may be provided in an unapproved subdivision. The _____ may institute appropriate action or proceedings to enjoin violations of this Ordinance or the applicable Wisconsin Statutes.

2.8 Penalties

Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than One Hundred Dollars nor more than One Thousand Dollars and the 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 six months. Each day a violation exists or continues shall constitute a separate offense.

Recordation improperly made has penalties provided in Section 236.30 of the Wisconsin Statutes.

Conveyance of lots in unrecorded plats has penalties provided for in Section 236.31 of the Wisconsin Statutes.

Monuments disturbed or not placed have penalties as provided for in Section 236.32 of the Wisconsin Statutes.

Assessor's Plat made under Section 70.27 of the Wisconsin Statutes may be ordered by the _____ at the expense of the subdivider when a subdivision is created by successive divisions.

2.9 Appeals

Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Sections 236.13 (5) and 62.23 (7)(e) 10 to 15 of the Wisconsin Statutes within thirty days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the

plat be approved if it finds that the action of the approving or objecting agency is arbitrary, unreasonable or discriminatory.

RETURN TO
SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION
PLANNING LIBRARY

SECTION 3.0

PROCEDURE

3.1 Pre-Application

Prior to the filing of an application for the approval of a preliminary plat or map, the subdivider shall consult with the Plan Commission and/or its staff in order that both the subdivider and planning agency may reach mutual conclusions regarding the relations of the proposed development to the neighborhood and community.

3.2 Preliminary Plat Review

Before submitting a Final Plat for approval, the subdivider shall prepare a Preliminary Plat and a letter of application. The Preliminary Plat shall be prepared in accordance with this Ordinance, and the subdivider shall file (15) copies of the Plat and the application with the Clerk at least twenty-five days prior to the meeting of the _____ Plan Commission at which action is desired.

The _____ Clerk shall, within two days after filing, transmit four copies to the County Planning Agency; two copies to the Director of the Planning Function in the State Department of Resource Development; additional copies to the Director of the Planning Function for retransmission of two copies each to the State Highway Commission if the subdivision abuts or adjoins a state trunk highway or a connecting street and the State Board of Health if the subdivision is not served by a public sewer and provision for such service has not been made; keep two copies and send the remaining copies to the _____ Plan Commission. The Kenosha County Planning Agency, the State Department of Resource Development, the State Highway Commission and the State Board of Health shall be hereinafter referred to as objecting agencies.

The _____ Plan Commission hereby designated as approving authority for all preliminary plats, shall transmit a copy of the Preliminary Plat to all affected municipal boards, commissions or departments, and all affected local utility companies for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Plan Commission within fifteen days from the date the Plat is filed. The

Preliminary Plat shall then be reviewed by the Plan Commission for conformance with this Ordinance and all ordinances, rules, regulations, comprehensive plans and comprehensive plan components which affect it.

3.3 Preliminary Plat Approval

The Review Agencies shall, within twenty days of the date of receiving their copies of the Preliminary Plat, notify the _____ Plan Commission of any changes they deem essential. If a Review Agency fails to act within twenty days, it shall be deemed to have no objection to the Plat.

The _____ Plan Commission, within forty days of the date of filing of Preliminary Plat with the _____ Clerk, shall approve, approve conditionally, or reject such Plat. One copy of the Plat shall thereupon be returned to the subdivider with the date and action endorsed thereon; and if approved conditionally or rejected, a letter setting forth the conditions of approval or the reasons for rejection shall accompany the Plat. One copy each of the Plat and letter shall be placed in the Clerk's permanent file.

Failure of the _____ Plan Commission to act within forty days shall constitute an approval, except that this period may be extended by agreement with the subdivider.

Approval or Conditional Approval of a Preliminary Plat shall not constitute automatic approval of the Final Plat, except that if the Final Plat is submitted within six months of preliminary plat approval and conforms substantially to the preliminary plat layout as indicated in Section 236.11(1)(b) of the Wisconsin Statutes, the Final Plat shall be entitled to approval with respect to such layout. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout as a guide to the preparation of the Final Plat.

3.4 Final Plat Review

The subdivider shall prepare a Final Plat and a letter of application in accordance with this Ordinance and shall file (20) copies of the Plat and the application with the Clerk at least twenty-five days prior to the meeting of the _____ Plan Commission at which action is desired.

The _____ Clerk shall, within two days after filing, transmit four copies to the County Planning Agency; two copies to the Director of the Planning Function in the State Department of Resource Development; additional copies to the Director of the Planning Function for retransmission of two copies each to the State Highway Commission if the subdivision abuts or adjoins a state trunk highway or a connecting street and the State Board of Health if the subdivision is not served by a public sewer and provision for such service has not been made; and the original Final Plat and the remaining copies to the _____ Plan Commission.

The _____ Plan Commission shall examine the Final Plat as to its conformance with the approved Preliminary Plat; any conditions of approval of the Preliminary Plat, this Ordinance and all ordinances, rules, regulations, comprehensive plans and comprehensive plan components which may affect it and shall recommend approval, conditional approval or rejection of the Plat to the _____.

Partial Platting. The Final Plat may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at that time.

3.5 Final Plat Approval

The objecting agencies shall, within twenty days of the date of receiving their copies of the Final Plat, notify the subdivider and all other approving and objecting agencies of any objections. If there are no objections, they shall so certify on the face of the copy of the Plat and shall return that copy to the _____ Plan Commission. If an objecting agency fails to act within twenty days, it shall be deemed to have no objection to the Plat.

Submission. If the Final Plat is not submitted within six months of the last required approval of the Preliminary Plat, the _____ may refuse to approve the Final Plat.

The Plan Commission shall, within thirty days of the date of filing of the Final Plat with the Clerk, recommend approval, conditional approval or rejection of the Plat and shall transmit the Final Plat and application along with its recommendations to the Legislative Body.

The _____ Board shall, within sixty days of the date of filing the original Final Plat with the _____ Clerk, approve or reject such Plat unless the time is extended by agreement with the subdivider. If the Plat is rejected, the reasons shall be stated in the minutes of the meeting and a written statement of the reasons forwarded to the subdivider. The Board may not inscribe its approval on the Final Plat unless the _____ Clerk certifies on the face of the Plat that the copies were forwarded to objecting agencies as required herein, the date thereof, and that no objections have been filed within twenty days or, if filed, have been met.

Failure of the _____ to act within sixty days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

Recordation. After the Final Plat has been approved and required improvements either installed or sureties insuring their installation is provided, the _____ Clerk shall cause the certificate inscribed upon the Plat attesting to such approval to be duly executed and the _____ Clerk shall record the Plat with the county register of deeds. The register of deeds cannot record the Plat unless it is offered within thirty days from the date of the last approval.

Copies. The subdivider shall file ten copies of the Final Plat as recorded with the _____ Clerk for distribution to the Engineer, Building Inspector, Water Utility, Assessor, and other affected departments for their files.

3.6 Replat

When it is proposed to replat a recorded subdivision, or part thereof, so as to change the boundaries of a recorded subdivision, or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Sections 236.40 through 236.44 of the Wisconsin Statutes. The subdivider, or person wishing to replat, shall then proceed as specified in Sections 3.1 through 3.5.

The _____ Clerk shall schedule a public hearing before the _____ Plan Commission when a Preliminary Plat of a replat of lands is filed, and shall cause notices of the proposed

Replat and public hearing to be mailed to the owners of all properties within the limits of the exterior boundaries of the proposed Replat and to the owners of all properties within 200 feet of the exterior boundaries of the proposed Replat.

3.7 Minor Subdivision

When it is proposed to divide land into two parcels or building sites, any one of which is less than four acres in size, or when it is proposed to divide a block, lot or outlot into not more than four parcels or building sites within a recorded subdivision plat without changing the boundaries of said block, lot or outlot, the subdivider may divide by use of a Certified Survey Map. The subdivider shall prepare the Certified Survey Map in accordance with this Ordinance and shall file fifteen copies of the Map and the letter of application with the _____ Clerk at least fifteen days prior to the meeting of the Plan Commission at which action is desired.

The _____ Clerk shall, within two days after filing, transmit the copies of the Map and letter of application to the Plan Commission.

The _____ Plan Commission shall transmit a copy of the Map to all affected boards, commissions or departments for their review and recommendations concerning matters within their jurisdiction. Their recommendations shall be transmitted to the Plan Commission within fifteen days from the date the Map is filed. The Map shall be reviewed by the Plan Commission for conformance with this Ordinance and all ordinances, rules, regulations, comprehensive plans, and comprehensive plan components which affect it. The Plan Commission shall, within thirty days from the date of filing of the Map, recommend approval, conditional approval or rejection of the Map, and shall transmit the Map along with its recommendations to the _____.

The _____ shall approve, approve conditionally, or reject such Map within sixty days from the date of filing of the Map unless the time is extended by agreement with the subdivider. If the Map is rejected, the reason shall be stated in the minutes of the _____.

meeting and a written statement forwarded to the _____ shall cause the _____ Clerk to so certify on the face of the original Map and return the Map to the subdivider.

Recordation. The subdivider shall record the Map with the county register of deeds within thirty days of its approval by the _____.

Copies. The subdivider shall file (10) copies of the Certified Survey Map with the _____ Clerk for distribution to the Engineer, Building Inspector, Water Utility, Assessor and other affected departments for their files.

SECTION 4.0

PRELIMINARY PLAT

4.1 General

A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and the plat prepared on tracing cloth or paper of good quality at a scale of not more than 100 feet to the inch and shall show correctly on its face the following information:

Title under which the proposed subdivision is to be recorded.

Location of proposed subdivision by: government lot, quarter section, township, range, county and state.

Date, Scale and North Point

Names and Addresses of the owner, subdivider and land surveyor preparing the plat.

Entire Area contiguous to the proposed plat owned or controlled by the subdivider shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development.

4.2 Plat Data

All preliminary plats shall show the following:

Exact Length and Bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in U.S. Public Land Survey and the total acreage encompassed thereby.

Contours at vertical intervals of not more than two feet where the slope of the ground surface is less than ten percent, and of not more than five feet where the slope of the ground surface is ten percent or more. Elevations shall be marked on such contours based on _____ datum.

Water Elevations of adjoining lakes and streams at the date of the survey and approximate high and low water elevations, all referred to _____ datum.

Overflow Area Boundaries for the 100-year recurrence interval flood or greatest flood of record.

Location, Right-of-Way Width and Names of all existing streets, alleys or other public ways, easements, railroad and utility rights-of-way and all section and quarter-section lines within the exterior boundaries of the plat or immediately adjacent thereto.

Location and Names of Any Adjacent Subdivisions, parks and cemeteries, and owners of record of abutting unplatted lands.

Type, Width and Elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, all to _____ datum.

Location, Size and Invert Elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size, and invert elevations.

Locations of All Existing Property Boundary Lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto. All trees with a caliper of four inches or more shall be located.

Location, Width and Names of all proposed streets and public rights-of-way such as alleys and easements.

Approximate Dimensions of All Lots together with proposed lot and block numbers.

Location and Approximate Dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainageways, or other public use or which are to be used for group housing, shopping centers, church sites, or other non-public uses not requiring lotting.

Approximate Radii of All Curves.

Existing Zoning on and adjacent to the proposed subdivision.

Corporate Limits Lines, and town, county, and state lines.

Soil Type, Slope and Boundaries as shown on the operational soil survey prepared by the U.S. Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission.

Any Proposed Lake and Stream Access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

Any Proposed Lake and Stream improvement or relocation.

Any Additional Information required by the _____ Engineer or Plan Commission.

4.3 Street Plans and Profiles

The Engineer may require that the subdivider provide street plans and profiles showing existing ground surface, proposed and established street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision when requested. All elevations shall be based upon _____ datum, and plans and profiles shall meet the approval of the _____ Engineer.

4.4 Testing

The _____ Engineer may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to ground water table. Where the subdivision will not be served by public sanitary sewer service, the provisions of Chapter H65 of the Wisconsin Administration Code shall be complied with; and the appropriate data submitted with the preliminary plat.

4.5 Covenants

Submission of a draft of protective covenants whereby the subdivider intends to regulate land use and building development or maintain open space or other facilities in the proposed subdivision may be required by the _____ Plan Commission.

4.6 Affidavit

The surveyor preparing the preliminary plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this Ordinance.

SECTION 5.0

FINAL PLAT

5.1 General

A Final Plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply with Section 236.20 of the Wisconsin Statutes.

5.2 Additional Information

The Plat shall show correctly on its face, in addition to the information required by Section 236.20 of the Wisconsin Statutes, the following:

Exact Length and Bearing of the center line of all streets including the curve data required for street lines.

Exact Street Width along the line of any obliquely intersecting street.

Length of Chords subtending the arc on a curved street line across any intersecting street.

Railroad Rights-of-Way within and abutting the plat.

Setbacks or Building Lines required by the _____ Plan Commission.

All Lands Reserved for future public acquisition or reserved for the common use of property owners within the Plat.

Special Restrictions required by the _____ Plan Commission relating to access control along public ways or to the provision of planting strips.

Reference to deed restrictions when these are filed as a separate document.

5.3 Deed Restrictions

The _____ Plan Commission may require that deed restrictions be filed with the Final Plat.

5.4 Survey Accuracy

The _____ Engineer shall examine all Final Plats, make checks for the accuracy and closure of survey and for proper kind and location of monuments and legibility and completeness of the drawing, and the _____ shall have the results of the Engineer's examination at hand before approving the Final Plat.

Maximum Error of Closure before adjustment of the survey of the exterior boundaries of the subdivision shall not exceed, in horizontal distance or position, the ratio of one part in ten thousand, nor in azimuth, four seconds of arc per interior angle. When a satisfactory closure of the field measurements has been obtained, the survey of the exterior boundary shall be adjusted to form a closed geometric figure.

All Street, Block and Lot Dimensions shall be computed as closed geometric figures based upon the control provided by the closed exterior boundary survey. If field checks disclose an error for any interior line of the Plat greater than the ratio of one part in five thousand, or an error in measured angle greater than one minute of arc for any angle where the shorter side forming the angle is three hundred feet or longer, necessary corrections shall be made. Where the shorter side of a measured angle is less than three hundred feet in length, the error shall not exceed the value of one minute multiplied by the quotient of three hundred (300) divided by the length of the shorter side; however, such error shall not in any case exceed five (5) minutes of arc.

5.5 Surveying and Monumenting

All final plats shall meet all the surveying and monumenting requirements of Section 236.15 of the Wisconsin Statutes.

5.6 State Plane Coordinate System

Where the Plat is located within a quarter section the corners of which have been relocated, monumented and coordinated, the Plat shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The tie required by Section 236.20(3)(b) of the Wisconsin Statutes shall be expressed in terms of distance and grid bearing. The exact distance and grid bearing of such tie shall be determined by a closed field survey meeting the error of closure herein specified for the survey of the exterior boundaries of the subdivision. The material and Wisconsin state plane coordinates of the monument marking the relocation section or quarter corner to which the Plat is tied shall be indicated on the Plat. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the _____ control survey.

5.7 Certificates

All Final Plats shall provide all the certificates required by Section 236.21 of the Wisconsin Statutes; and, in addition, the surveyor shall certify that he has fully complied with all the provisions of this ordinance.

SECTION 6.0

CERTIFIED SURVEY MAP

6.1 General

A Certified Survey Map prepared by a registered land surveyor shall be required for all minor subdivisions. It shall comply in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The minor subdivision shall meet all the improvement requirements set forth in Section 8.0 of this Ordinance.

6.2 Additional Information

The Map shall show correctly on its face, in addition to the information required by Section 236.34 of the Wisconsin Statutes, the following:

All Existing Buildings, watercourses, drainage ditches and other features pertinent to proper division.

Setback or Building Lines required by the _____ Plan Commission.

All Lands Reserved for future public acquisition.

Date of the Map.

Graphic Scale.

Name and Address of the owner, subdivider and surveyor.

Soil Type, Slope and Boundaries as shown on the operational soil surveys maps prepared by the U.S. Soil Conservation Service for the Southeastern Wisconsin Regional Planning Commission.

Location of the minor subdivision by government lot, recorded subdivision, quarter-section, section, township, range, county and state.

Names of adjoining streets, highways, parks, cemeteries, and subdivisions.

Location and Width of abutting streets and highways, including rights-of-way and roadways.

Any Additional Information required by the _____ Engineer and _____ Plan Commission.

6.3 State Plane Coordinate System

Where the Map is located within a quarter section the corners of which have been relocated, monumented and coordinated by the _____ the Map shall be tied directly to one of the section or quarter corners so relocated, monumented and coordinated. The exact grid bearing and distance of such tie shall be determined by field measurements, and the material and Wisconsin State plane coordinate of the monument marking the relocated section or quarter corner to which the Map is tied shall be indicated on the Map. All distances and bearings shall be referenced to the Wisconsin Coordinate System, South Zone, and adjusted to the _____'s control survey.

6.4 Certificates

The surveyor shall certify on the face of the Map that he has fully complied with all the provisions of this Ordinance. The _____, after a recommendation by the reviewing agencies, shall certify its approval on the face of the Map.

Dedication of streets and other public areas shall require the owner's certificate and the mortgagee's certificate as required by Section 236.21(2)(a) of the Wisconsin Statutes.

6.5 Recordation

The Certified Survey Map shall be recorded with the county register of deeds only after the certificates of the _____ and the surveyor are placed on the face of the Map.

SECTION 7.0

DESIGN STANDARDS

7.1 Street Arrangement

In any new subdivision the street layout shall conform to the arrangement, width and location indicated on the official map, comprehensive plan or component neighborhood development plan of the _____. In areas for which such plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street.

Arterial Streets, as hereafter defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation, and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.

Collector Streets, as hereafter defined, shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the arterial street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the arterial streets into which they feed.

Minor Streets, as hereafter defined, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.

Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.

Arterial Street and Highway Protection. Whenever the proposed subdivision contains or is adjacent to an arterial street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen planting contained in a non-access reservation along the rear property line, or by the use of frontage streets.

Navigable Stream and Lake Shores shall have sixty feet of public access connected to existing public roads platted to the low water mark at intervals of not more than one-half mile as required by Section 236.16(3) of the Wisconsin Statutes, except where greater intervals and wider access is agreed to by the State Conservation Commission and the State Planning Director.

Elevations of streets passing through flood areas shall be at least two feet above the one hundred-year recurrence interval flood local and shall be designed to have minimum adverse effect upon flood flows or velocities.

Reserve Strips shall not be provided on any plat to control access to streets or alleys, except where control of such strips is placed with the _____ under conditions approved by the _____ Plan Commission.

Alleys shall be provided in commercial and industrial districts for off-street loading and service access unless otherwise required by the _____ Plan Commission, but shall not be approved in residential districts. Dead-end alleys shall not be approved, and alleys shall not connect to an arterial street.

Street Names shall not duplicate or be similar to existing street names, and existing street names shall be projected wherever possible.

7.2 Limited Access Highway and Railroad Right-Of-Way Treatment

Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:

When Lots Within the Proposed Subdivision back upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting strip at least thirty feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees and shrubs, the building of structures hereon prohibited."

Commercial and Industrial Districts shall have provided, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than one-hundred and fifty feet.

Streets Parallel to a Limited Access Highway or railroad right-of-way, when intersecting an arterial or collector street which crosses said railroad or highway, shall be located at a minimum distance of two-hundred and fifty feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

Minor Streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.

7.3 Street Design Standards

The minimum right-of-way and roadway width of all proposed streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component, official map, or neighborhood development study; or if no width is specified therein, the minimum widths shall be as follows:

URBAN SECTION

<u>Type of Street</u>	<u>R.O.W. Width to be reserved</u>
Arterial streets	130 feet
Collector streets	80 feet
Minor streets, 1000 feet or more in length	60 feet
Minor streets, less than 1000 feet in length, cul-de-sac and frontage streets	50 feet
Alleys	25 feet
Pedestrian ways	10 feet

<u>R.O.W. Width to be dedicated</u>	<u>Pavement Width (Face of curb to face of curb)</u>
80 feet	Dual 36 feet (24 feet median)
80 feet	48 feet
60 feet	36 feet
50 feet	32 feet
25 feet	20 feet
10 feet	5 feet

The suggested R.O.W. and pavement widths indicated above are for urban sections; if permanent rural sections are to be used, the following widths are suggested:

RURAL SECTION

<u>Type of Street</u>	<u>R.O.W. Width to be reserved</u>
Arterial streets	130 feet
Collector streets	80 feet
Minor streets	66 feet

<u>R.O.W. Width to be dedicated</u>	<u>Pavement Width</u>
80 feet	Dual 24 feet, 10 feet outside shoulders -4 feet inside, shoulders -20 feet median
80 feet	24 feet, 10 feet outside shoulders
66 feet	22 feet, 8 feet outside shoulders

The minimum requirements expressed in this table generally exceed the minimum town road design standards set forth in Section 86.26 of the Wisconsin Statutes.

Both urban and rural street sections are for standard arterial streets only. Cross sections for freeways, expressways, and parkways should be based upon detailed engineering studies.

Cul-De-Sac Streets designed to have one end permanently closed shall not exceed one thousand feet in length. All cul-de-sac streets designed to have one end permanently closed shall terminate in a circular turn-around having a minimum right-of-way radius of sixty feet and a minimum outside curb radius of forty feet.

Street Grades. Unless necessitated by exceptional topography subject to the approval of the _____ the maximum centerline grade of any public way shall not exceed the following:

Arterial streets: six percent.

Collector streets: eight percent.

Minor streets, alleys and frontage streets: ten percent.

Pedestrian ways: twelve percent unless steps to acceptable design are provided.

The grade of any street shall in no case exceed twelve percent or be less than one-half of one percent.

Street grades shall be established wherever practicable so as to avoid excessive grading, the promiscuous removal of ground cover and tree growth, and the general leveling of the terrain. All changes in street grades shall be connected by vertical curves of a minimum length equivalent in feet to fifteen times the algebraic difference in the rates of grade for arterial streets, and one-half this minimum for all other streets.

Radii of Curvature. When a continuous street centerline deflects at any one point by more than ten degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than the following:

Arterial streets and highways: 500 feet.

Collector streets: 300 feet.

Minor streets: 100 feet.

A tangent at least one hundred feet in length shall be provided between reverse curves on arterial and collector streets.

Half-Streets. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. The platting of half-streets should be avoided where possible.

7.4 Street Intersections

Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

Number of Streets Converging at one intersection shall be reduced to a minimum, preferably not more than two.

Number of Intersections along arterial streets and highways shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than twelve hundred (1200) feet.

Property Lines at Street Intersections shall be rounded with a minimum radius of fifteen feet or of a greater radius when required by the Plan Commission, or shall be cut off by a straight line through the points of tangency of an arc having a radius of fifteen feet.

Minor Streets shall not necessarily continue across arterial or collector streets; but if the centerlines of such minor streets approach the major streets from opposite sides within three hundred feet of each other, measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous; and a jog is avoided.

7.5 Blocks

The widths, lengths, and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography.

Length. Blocks in residential areas shall not as a general rule be less than six-hundred feet nor more than fifteen hundred feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

Pedestrian Ways of not less than ten feet in width may be required near the center and entirely across any block over nine hundred feet in length where deemed essential by the

Plan Commission to provide adequate pedestrian circulation or access to schools, parks, shopping centers, churches or transportation facilities.

Width. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

7.6 Lots

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

Side Lot Lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.

Double Frontage and Reverse Frontage Lots, shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.

Access, Every lot shall front or abut for a distance of at least thirty feet on a public street.

Area and Dimensions of lots shall conform to the requirements of the zoning ordinance, and in areas not served by public sewer shall, in addition, conform to the requirements of the State Board of Health. Whenever a tract is divided into large parcels, such parcels shall be arranged and dimensioned as to allow resubdivision of any such parcels into lots that meet the provisions of this Ordinance.

Depth. Lots shall have a minimum average depth of one-hundred feet. Excessive depth in relation to width shall be avoided and a proportion of two to one shall be considered a desirable ratio under normal conditions. Depth of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.

Width of Lots shall conform to the requirements of the zoning ordinance, and in no case shall a lot be less than sixty feet in width at the building setback line.

Corner Lots shall have an extra width of ten feet to permit adequate building setbacks from side streets.

Lands Lying Between the Meander Line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots of public dedications in any plat abutting a lake or stream. All lands under option to the subdivider or to which he holds any interest that abut the proposed subdivision and a lake or stream shall also be included.

7.7 Building Setback Lines

Where not controlled by zoning regulations, building setback lines, appropriate to the location and type of development contemplated, shall be established as may be required by the _____ Plan Commission and shall be based on requirements set forth in this section.

All Residential Lots shall have a setback from street lot lines of not less than twenty-five feet.

7.8 Easements

The _____ Plan Commission may require utility easements of widths deemed adequate for the intended purpose on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for electric power and communication poles, wires, conduits; storm and sanitary sewers; and gas, water and other utility lines.

Drainage Easements. Where a subdivision is traversed by a watercourse, drainageway channel or stream, an adequate drainageway or easement shall be provided as may be required by the _____ Plan Commission. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the _____ Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the _____ Engineer.

Utility Easements. All utility lines for electric power and telephone service shall be placed on mid-block easements along rear lot lines whenever carried on overhead poles.

7.9 Public Sites and Open Spaces

In the design of the plat, due consideration shall be given to the reservation of suitable sites of adequate area for future schools, parks, playgrounds, drainageways and other public purposes. If designated on the comprehensive plan, comprehensive plan component, official map, or component neighborhood development plan, such areas shall be made a part of the plat as stipulated in Section 2.3 of this Ordinance. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic and historic sites, stands of fine trees, marshes, lakes and ponds, watercourses, watersheds and ravines.

SECTION 8.0

REQUIRED IMPROVEMENTS

8.1 Survey Monuments

The subdivider shall install survey monuments placed in accordance with the requirements of Chapter 236.15 of the Wisconsin Statutes and as may be required by the _____ Engineer.

8.2 Grading

After the installation of temporary block corner monuments by the subdivider and establishment of street grades by the _____, the subdivider shall grade the full width of the right-of-way of all streets proposed to be dedicated in accordance with plans and standard specifications approved by the _____ Engineer. The subdivider shall grade the roadbeds in the street rights-of-way to subgrade.

8.3 Surfacing

After the installation of all utility and storm water drainage improvements, the subdivider shall surface all roadways in streets proposed to be dedicated to the widths prescribed by these regulations and the comprehensive plan or comprehensive plan components of the _____. Said surfacing shall be done in accordance with plans and standard specifications approved by the _____ Engineer. The cost of surfacing in excess of thirty-six feet in width that is not required to serve the needs of the subdivision shall be borne by the _____.

8.4 Curb and Gutter

After the installation of all utility and storm water drainage improvements, the subdivider shall construct concrete curbs and gutters in accordance with plans and standard specifications approved by the _____ Engineer. This requirement may be waived where a permanent rural section has been approved by the _____. Wherever possible, provision shall be made at the time of construction for driveway access curb cuts. The cost of installation of all inside curbs and gutters for dual roadway pavements shall be borne by the _____.

8.5 Sidewalks

The subdivider shall construct a concrete sidewalk on one side of all frontage streets and both sides of all other streets within the subdivision. The _____ Plan Commission may permit the construction of a concrete sidewalk on only one side

of minor streets that serve lots having an average width of one-hundred feet or more fronting on said street and may waive the construction of sidewalks on collector and minor streets that serve lots having an average width of (150) feet or more fronting on said street. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the _____ Engineer.

Wider than Standard Sidewalks may be required by the _____ Engineer in the vicinity of schools, commercial areas and other places of public assemblage; and the _____ Plan Commission may require the construction of sidewalks in locations other than required under the preceding provisions of this Ordinance if such walks are necessary, in their opinion, for safe and adequate pedestrian circulation.

8.7 Public Sanitary Sewerage and Private Sewage Disposal Systems.

The subdivider shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. If public sewer facilities are not available, the subdivider shall make provision for adequate private sewage disposal systems as specified by the _____ and Wisconsin State and County Boards of Health. The _____ Plan Commission may require the installation of sewer laterals to the street lot line. If, at the time of final platting, sanitary sewer facilities are not available to the plat, but will become available within a period of five years from the date of plat recording, the subdivider shall install or cause to be installed sanitary sewers and sewer laterals to the street lot line in accordance with this section and shall cap all laterals as may be specified by the _____ Engineer. The size, type, and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the _____ Engineer.

Subdivider Shall Assume the Cost of installing all sanitary sewers eight inches in diameter or less in size. If greater than eight inch diameter sewers are required to handle the contemplated sewage flows, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served by such larger sewer and the excess cost either borne by the _____ or assessed against the total tributary drainage area.

8.8 Storm Water Drainage Facilities

The subdivider shall construct storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channels, as may be required. All such facilities are to be of adequate size and grade to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria and the sizes and grades to be determined by the _____ Engineer. Storm drainage facilities shall be so designed as to present no hazard to life or property; and the size, type, and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and standard specifications approved by the _____ Engineer.

If Greater Than 24-Inch Diameter Sewers are required to handle the contemplated flows; the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed plat is to the total drainage area to be served by such larger sewer, and the excess cost either borne by the _____ or assessed against the total tributary drainage area.

8.9 Public Water Supply Facilities

The subdivider shall construct water mains in such a manner as to make adequate public water service available to each lot within the subdivision, as specified by the _____ and Wisconsin State and County Boards of Health. Water laterals shall be installed to the street lot line. The size, type, and installation of all public water mains proposed to be constructed shall be in accordance with plans and standard specifications approved by the Engineer.

The Subdivider Shall Assume the Cost of installing all water mains six inches in diameter or less in size. If greater than six inch diameter water mains are required, the excess cost of such mains over and above the cost of a six inch main shall be borne by the _____.

8.10 Other Utilities

The subdivider shall cause gas, electrical power and telephone facilities to be installed in such a manner as to make adequate service available to each lot in the subdivision. No such electrical or telephone service shall be located on overhead poles.

Plans Indicating the Proposed Location of all gas, electrical power and telephone distribution and transmission conduits required to service the plat shall be approved by the Engineer.

8.11 Street Lamps

The subdivider shall install street lamps along all streets of a design compatible with the neighborhood and type of development proposed. Such lamps shall be placed at each street intersection and at such interior block spacing as may be required by the _____ Engineer.

8.12 Street Signs

The subdivider shall install at the intersection of all streets proposed to be dedicated a street sign of a design specified by the _____ Engineer.

8.13 Street Trees

In unwooded areas the subdivider shall plant one tree of a species and variety approved by the Engineer and of a caliper of two inches or more for each fifty feet of street frontage, said trees to be planted between the sidewalk and the curb or in the street yard in accordance with specifications of the _____ Engineer.

SECTION 9.0

Construction

9.1 Commencement

No construction or installation of improvements shall commence in a proposed subdivision until the Preliminary Plat has been approved and the _____ Engineer has given written authorization.

9.2 Building Permits

No building or zoning permits shall be issued for erection of a structure on any lot not of record until all the requirements of this Ordinance have been met.

9.3 Plans

The following plans and accompanying construction specifications may be required by the _____ Engineer before authorization of construction or installation of improvements:

Street Plans and Profiles showing existing and proposed grades, elevations and cross sections of required improvements.

Sanitary Sewer plans and profiles showing the locations, grades, sizes, elevations and materials of required facilities.

Storm Sewer plans and profiles showing the locations, grades, sizes, cross sections, elevations and materials of required facilities.

Water Main plans and profiles showing the locations, sizes, elevations and materials of required facilities.

Street Lamp Plan showing the location, type of standard, and type and intensity of illumination of any required street lamps.

Planting Plans showing the locations, age and species of any required street trees.

Additional special plans or information as required.

9.4 Inspection

The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the _____ Engineer to provide for adequate inspection. The _____ Engineer shall inspect and approve all completed work prior to approval of the Final Plat or release of the sureties.

SECTION 10.0

Fees

10.1 General

The subdivider shall pay the _____ all fees as hereinafter required and at the times specified.

10.2 Preliminary Plat Review Fee

The subdivider shall pay a fee amounting to (\$15.00) plus (\$1.00) for each lot or parcel within the preliminary plat to the _____ Treasurer at the time of first application for approval of any preliminary plats to assist in defraying the cost of review.

Reapplication Fee amounting to (\$5.00) shall be paid to the Treasurer at the time of reapplication for approval of any preliminary plat which has previously been reviewed.

10.3 Improvement Review Fee

The subdivider shall pay a fee equal to (1) percent of the cost of the required public improvements as estimated by the _____ Engineer at the time of the submission of improvement plans and specifications to partially cover the cost of checking and reviewing such plans and specifications.

Fee May Be Recomputed, upon demand of the subdivider or _____ Engineer, after completion of improvement construction in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the subdivider. Evidence of cost shall be in such detail and form as required by the _____ Engineer.

10.4 Inspection Fee

The subdivider shall pay a fee equal to the actual cost for such inspection as the _____ Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances.

10.5 Final Plat Review Fee

The subdivider shall pay a fee amounting to (\$7.50) plus (\$.50) for each lot or parcel within the final plat to the _____ Treasurer at the time of first application for approval of said plat to assist in defraying the cost of review.

Reapplication Fee amounting to (\$5.00) shall be paid to the _____ Treasurer at the time of a reapplication for approval of any final plat which has previously been reviewed.

10.6 Public Site Fee

If the subdivider has elected not to dedicate public lands within his plat as provided in Section 2.3, a fee for the acquisition of public sites to serve the future inhabitants of the proposed subdivision shall be paid to the Treasurer at the time of first application for approval of a final plat of said subdivision in the amount of (100) dollars for each dwelling unit within the plat allowed by the Zoning Ordinance.

Public Site Fees shall be placed in a separate Service District Fund by the _____ Treasurer to be used only for the acquisition of park and school sites in accordance with the comprehensive plan and official map.

10.7 Engineering Fee

The subdivider shall pay a fee equal to the actual cost for all engineering work incurred by the municipality in connection with the plat.

Engineering Work shall include the preparation of construction plans and standard specifications. The _____ Engineer may permit the subdivider to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specifications.

Inspection, Checking and Reviewing Work has fees provided for in Sections 10.3 and 10.4

10.8 Administrative Fee

The subdivider shall pay a fee equal to the cost of any legal, administrative or fiscal work which may be undertaken by the _____ in connection with the plat.

Legal Work shall include the drafting of contracts between the _____ and the subdivider and the review and approval of sureties.

SECTION 11.0

Definitions

For the purposes of this Ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

Alley

A special public way affording only secondary access to abutting properties.

Arterial Street

A street used, or intended to be used, primarily for fast or heavy through traffic. Arterial street shall include freeways and expressways as well as standard arterial streets, highways and parkways.

Building Line

A line parallel to a lot line and at a distance from the lot line to comply with the Zoning Ordinance's yard requirements.

Collector Street

A street used, or intended to be used, to carry traffic from minor streets to the major system of arterial streets including the principal entrance streets to residential developments.

Community

A town, municipality, or a group of adjacent towns and/or municipalities having common social, economic or physical interests.

Comprehensive Plan

The extensively developed plan, also called a master plan, adopted by the Plan Commission and certified to the local legislative body pursuant to Section 62.23 of the Wisconsin Statutes, including proposals for future land use, transportation, urban redevelopment and public facilities. Devices for the implementation of these plans, such as zoning, official map, land division, and building line ordinances and capital improvement programs shall also be considered a part of the comprehensive plan. Comprehensive Plan shall be deemed to include any county or regional plans or maps adopted by the _____.

County Planning Agency

Any agency created by a county board and authorized by statute to plan land use such as a rural planning committee, a park commission, a zoning committee or a planning commission.

Cul-de-sac-Street

Minor street closed at one end with a turn-around provided for passenger vehicles.

Extraterritorial Plat Approval Jurisdiction

The unincorporated area within one and one-half (1-1/2) miles of a fourth class city or a village and within three (3) miles of all other cities.

Frontage Street

A minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development.

Limited Access Highway

Any highway to which direct ingress and egress is prohibited or restricted.

Minor Street

A street used, or intended to be used, primarily for access to abutting properties.

Minor Subdivision

The division of land by the owner or subdivider resulting in the creation of two parcels or building sites, any one of which is four acres in size or less, or the division of a block, lot or outlot within a recorded subdivision plat into not more than four parcels or building sites without changing the exterior boundaries of said block, lot or outlot.

Municipality

An incorporated village or city.

Public Way

Any public road, street, highway, walkway, drainageway, or part thereof.

Replat

The changing of the boundaries of a recorded subdivision plat or part thereof.

Subdivider

Any person, firm or corporation, or any agent thereof, dividing or proposing to divide land resulting in a subdivision, minor subdivision or replat.

Subdivision

The division of a lot, parcel or tract of land by the owners thereof, or their agents, for the purpose of transfer of ownership or building development where the act of division creates three or more parcels or building sites of four acres each or less in area; or where the act of division creates three or more parcels or building sites of four acres each or less in area by successive division within a period of five years.

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APPENDIX E

SUGGESTED RESOLUTION OF (THE CITY OR TOWN PLAN COMMISSIONS)
ADOPTING THE COMPREHENSIVE PLAN FOR
THE KENOSHA PLANNING DISTRICT

WHEREAS, the _____ Plan Commission of the _____ has the function and duty of making and adopting a master plan for the physical development of the area and including any related areas outside its boundaries.

WHEREAS, the _____ of _____ contracted with the Southeastern Wisconsin Regional Planning Commission to prepare a comprehensive plan for the Kenosha Planning District and such Commission through a consultant, local staff and its own staff:

1. Collected, compiled, processed and analyzed various types of demographic, economic, public utility, community facility, financial capability, natural resource, land use, and transportation data and other materials pertaining to the District.
2. Prepared objectives, principles and standards for land use and transportation development.
3. Forecast District growth and change.
4. Developed a comprehensive plan for the physical development of the District.
5. Prepared suggested Plan Commission zoning, Official Map and land division ordinances and a capital improvement program for the implementation of such plans.

WHEREAS, the aforementioned inventories, analyses, objectives, principles, standards, forecasts, comprehensive plan and implementation devices are set forth in a published report entitled SEWRPC Planning Report No.10, A Comprehensive Plan for the Kenosha Planning District, which is comprised of two volumes.

WHEREAS, the _____ Plan Commission has supported, participated in, and generally concurred in the District planning program undertaken by the Southeastern Wisconsin Regional Planning Commission under contract to the City of Kenosha and the Towns of Pleasant Prairie and Somers and considers the

comprehensive plan prepared by the Commission and its consultant will be a valuable guide to not only the development of the District but of the _____ of _____ and the adoption of such plan by the _____ Plan Commission and certification to the _____ of _____ will assure a common understanding by the several governmental agencies, departments, boards and commissions affected and enable their staffs to program the necessary implementation work.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 62.23(2) of the Wisconsin Statutes, the _____ Plan Commission by an affirmative vote of all its members on _____ day of _____, 1967, hereby adopts the Comprehensive Plan for the Kenosha Planning District as set forth in SEWRPC Planning Report No. 10 as a guide for and aid to the development of the District and the _____ of _____.

BE IT FURTHER RESOLVED that the _____ Plan Commission hereby authorizes its Secretary to certify such adoption to the governing body and hereby directs such Secretary to transmit a copy of this resolution and such certification to such governing body.

_____, Chairman

_____ Plan Commission

ATTESTATION

_____, Secretary

_____ Plan Commission

CERTIFICATE

I, _____, Secretary, _____ Plan Commission, hereby certify that the above is a true and correct copy of a resolution adopted by the _____ Plan Commission by an affirmative vote of a majority of all its members on the _____ day of _____, 1967.

_____, Secretary

_____ Plan Commission

APPENDIX F

SUGGESTED ORDINANCE CREATING A CITY
OR TOWN PLAN COMMISSION

SECTION 1. Establishment

The _____ of the _____ of _____, Wisconsin, do ordain as follows: There is hereby established a _____ Plan Commission for the _____ of _____, Wisconsin, in accordance with Section 62.23 of the Wisconsin Statutes.

2. Membership

The _____ Plan Commission shall consist of at least seven members, but not more than ten members, who shall serve without compensation. One member shall be the (Mayor or Town Chairman). One member shall be an (Alderman or Town Supervisor) elected for a term of two years by a two-thirds vote of the _____ the first week in May of every other year. One member shall be the _____ Engineer. One member shall be a School Board member appointed for a term of two years by the School Board the first week in May of every other year. One member shall be a Park Board member appointed for a two year term by the Park Board the first week in May of every other year. The other members shall be citizen members of recognized experience and qualifications appointed by the (Mayor or Town Chairman) subject to confirmation by the (Common Council or Town Board).

Presiding Officer shall be the (Mayor or Town Chairman).

Secretary shall be appointed by the (Mayor or Town Chairman).

Official Oaths shall be taken by all members in accordance with Section 19.01 of the Wisconsin Statutes within ten days of receiving notice of their appointments.

SECTION 2. Terms for the Citizen Members shall commence
(Cont'd) in the first week of May, and each term shall be
 staggered and each term shall be for a three-year
 period.

3. Organization

The _____ Plan Commission shall organize and
adopt rules for its own government in accordance
with the provisions of this Ordinance.

Meetings shall be held monthly and at the
call of the (Mayor or Town Chairman) or a major-
ity of the full Commission and shall be open to
the public except for executive or closed sessions
authorized under Section 14.90 of the Wisconsin
Statutes.

Standing and Special Committees may be ap-
pointed by the Chairman.

Quorum shall be four members, but all actions
shall require approval of a majority of the full
Commission except a motion to adjourn.

A Written Record shall be kept showing all
actions taken, resolutions, findings, determina-
tions, transactions, and recommendations made; and
a copy shall be filed with the _____ Clerk as a
public record.

4. Powers

The _____ Plan Commission shall have such powers
as may be necessary to enable it to perform its
functions and duties and promote municipal plan-
ning. Such powers shall include the following:

To Employ Experts and a Staff and to pay for
their services, supplies, equipment, and such other
expenses as may be necessary and proper, not to ex-
ceed the appropriations and regulations made by the
(Common Council or Town Board).

To Make Reports and Recommendations relating
to the plan and development of the municipality to
public officials, agencies, utilities, and other
organizations and citizens.

SECTION 4. To Recommend Public Improvement Programs and
(Cont'd) financing thereof to the (Common Council or Town
Board).

To Request Available Information from any
public official to be furnished within a reason-
able time.

To Enter Upon any Land. The Commission, its
members and employees, may enter upon any land in
the performance of its functions, make examina-
tions and surveys, and place and maintain necessary
monuments and marks thereon.

5. Duties

The _____ Plan Commission shall have the fol-
lowing functions and duties:

To Make and Adopt a Master Plan for the phys-
ical development of the municipality including any
areas outside of its boundaries in accordance with
Sections 62.23(2) and (3) of the Wisconsin Statutes.

To Make and Recommend an Official Map to the
(Common Council or Town Board) in accordance with
Section 62.23(6) of the Wisconsin Statutes.

To Prepare and Recommend a Zoning District
Plan and regulations to the (Common Council or
Town Board) in accordance with Section 62.23(7) of
the Wisconsin Statutes.

To Prepare and Recommend Land Division Regula-
tions to the (Common Council or Town Board) in ac-
cordance with Section 236.45 of the Wisconsin
Statutes.

To Make Any Changes to the Master Plan they
deem necessary or desirable and to recommend any
changes or amendments to the (Common Council or
Town Board) that they deem necessary or desirable
concerning the Official Map, Zoning, Land Division,
Housing and Fire Prevention Ordinances.

To Consider and Report or Recommend on all
matters referred to them.

SECTION 6. Referrals

The (Common Council or Town Board or other public body or officer of the _____ having final authority thereon shall refer to the _____ Plan Commission, for its consideration and report before final action is taken, the following matters:

Location and Architectural Design of any public building.

Location of Any Statue or other memorial.

Location, Acceptance, Extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley or other public way, park, playground, airport, parking area or other memorial or public grounds.

Location, Extension, Abandonment, or authorization for any public utility whether publicly or privately owned.

Location, Character and Extent, or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief or congestion, or vacation camps for children.

Proposed Fire Prevention Regulations.

All Annexations, incorporations, or consolidations affecting the _____ including annexation ordinances temporarily zoning annexed areas pursuant to Section 66.021(7)(a) of the Wisconsin Statutes.

All Divisions of Lands within the City's platting jurisdiction.

All Proposed or Requested Changes and Amendments to the _____ Master Plan, Official Map, Zoning, Land Division, Housing and Fire Prevention Ordinances.

7. Additional Powers and Duties

The _____ Plan Commission shall have all additional powers and duties granted or assigned by the (Common Council or Town Board). All the powers and

SECTION 7. duties granted or assigned by the Wisconsin
(Cont'd) Statutes to City Plan Commissions and any amend-
ments thereto are hereby granted or assigned to
the Commission and such Statutes are hereby
adopted by reference.

8. Severability and Conflict

If any section or part of this Ordinance is ad-
judged unconstitutional or invalid by a court of
competent jurisdiction, the remainder of this
Ordinance shall not be affected thereby. All
other ordinances or parts of ordinances of the
City inconsistent with this Ordinance, to the
extent of the inconsistency only, are hereby
repealed.

9. Effective Date

This Ordinance shall be effective after adoption
and publication by the (Common Council or Town
Board) of the _____ of _____.

Adopted _____ day of _____, 1967

Published _____ day of _____, 1967

Effective _____ day of _____, 1967

(Mayor or Town Chairman)

Countersigned:

(_____ Clerk)

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APPENDIX G

RECOMMENDED OFFICIAL MAP ORDINANCE FOR THE
CITY OF KENOSHA, AND TOWNS OF PLEASANT PRAIRIE AND SOMERS

SECTION 1. Introduction

WHEREAS, the _____ of the _____
of _____*, after recommendation
by the _____ Plan Commission has heretofore adopted
on _____, 19____, an Arterial Street and High-
way Plan as a part of the Master Plan of the City and

WHEREAS, the _____ Plan Commission has recommended
to the _____ that an Official Map
be established for the _____ of _____,
and

WHEREAS, a public hearing was held before the _____
of the _____ of _____, on
the _____ day of _____, 19____, on the
question of the adoption of an Official Map, and

WHEREAS, the _____ of the _____ of
_____ has determined that it is nec-
essary for the proper physical development of the _____
to establish an Official Map for the _____ of _____
_____,

NOW, THEREFORE, the _____ of the _____ of
_____, Kenosha County, Wisconsin, do ordain
as follows:

2. Intent

It is the intent of the _____ to estab-
lish an Official Map for the purpose of serving and
promoting the public health, safety, convenience, econ-
omy, orderliness and general welfare of the community;
to further the orderly layout and use of land; to sta-
bilize the location of real property boundary lines; to
insure proper legal descriptions and proper monumenting of
land; to facilitate adequate provision for transporta-
tion, parks, playgrounds, and storm water drainage;
and to facilitate the further subdivision of larger
tracts into smaller parcels of land.

* Blank spaces indicate where the words "City", "Town", "Mayor or
Town Chairman", "Common Council or Town Board", "City of Kenosha",
"Town of Somers" or "Town of Pleasant Prairie" should be inserted
as appropriate.

SECTION 3. Authority

This Ordinance is enacted under the authority granted by Section 62.23(6) of the Wisconsin Statutes.

4. Official Map

The Official Map shall show the location and extent of all platted and existing streets, highways, parkways, parks and playgrounds within the corporate limits of the _____ of _____ as heretofore laid out, adopted and established by law. There is hereby established, as the Official Map of the _____ of _____, the Map which accompanies and is made a part of this Ordinance bearing the date of _____, 19____. This map is hereby designated as the "Official Map of the _____ of _____," and all notations, references and other information shown thereon shall be as much a part of this Ordinance as though the matters and information thereon were fully described herein.

5. Changes and Additions

The _____ may change or add to the Official Map so as to establish the exterior lines of; widen; narrow; extend; or close any platted, existing, proposed or planned streets, highways, parkways, parks or playgrounds.

The _____ shall refer any change or addition to the Official Map to the _____ Plan Commission for review and report thereon prior to adoption. The _____ Plan Commission shall report their recommendation to the _____ within sixty (60) days.

A Public Hearing of parties in interest and citizens before the _____ shall be required before any changes or additions to the Official Map are effective. At least twenty days' notice of said hearing shall be required by publication.

SECTION 5. Changes and Additions made by duly approved
(Cont'd) subdivision plats shall not require the public
hearing if the changes or additions do not affect
any land outside the area being platted.

6. Building Permits

For the purpose of preserving the integrity of the Official Map, a building permit shall be required for any structure or part thereof that shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered. No permit shall hereafter be issued for any building in the bed of any existing or proposed street, highway, or parkway shown on the Official Map. No permit for the erection of any building shall be issued unless a street, highway, or parkway giving access to such proposed structure has been duly placed on this Map.

The Building Inspector may require each applicant for a building permit to submit a plan, prepared and certified by a registered land surveyor, showing accurately the location of any proposed building with reference to any street, highway, or parkway shown on the Official Map.

7. Municipal Improvements

No public sewer or other municipal street utility or improvement shall be constructed in any street, highway or parkway within the corporate limits of the _____ of _____ until such street, highway, or parkway is duly placed on the Official Map.

8. Appeals

The _____ Board of Zoning Appeals shall have the power to review any administrative decision of the _____ Building Inspector to deny a permit for the erection of a structure under this Ordinance and to grant relief from the requirements of this Ordinance under the provisions of Sections 62.23(6)(d), (f), and (g) of the Wisconsin Statutes.

SECTION 9. Certified Copy of Map

There shall be a certified copy of the Official Map described in Section 4. The certified copy shall be kept in the Office of the _____ Clerk, and shall be available for inspection by any interested person during regular office hours. The certified copy shall bear on its face a certification that it is a true copy of the Official Map described in and accompanying this Ordinance and shall show the date of adoption of this Ordinance and shall be signed by the _____ and countersigned by the _____ Clerk. Thereafter no change or addition to such Official Map shall become effective until it shall have been indicated by the appropriate convention on the aforesaid certified copy of the Official Map and a certificate placed thereon or attached thereto bearing the number and date of adoption of the amending ordinance. The certificate shall be signed by the _____ and countersigned by the _____ Clerk.

10. Map To Be Filed With Register of Deeds

The _____ Clerk shall be responsible immediately upon adoption of the Official Map or any amendment thereto for recording a true copy of the amended Official Map with the Register of Deeds of the County of Kenosha, Wisconsin.

11. Enforcement

It shall be the duty of the _____ Building Inspector and the Chief of Police to enforce the provisions of this Ordinance.

12. Penalties

Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not more than Two Hundred Dollars (\$200.00) and not less than Fifty Dollars (\$50.00) and cost 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 thirty (30) days.

SECTION 12.
(Cont'd)

No Damages shall be allowed for the taking by any governmental agency, for street, highway and parkway purposes, any building erected in violation of this Ordinance.

13. Severability and Conflict

If any section or part of this Ordinance is adjudged unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the _____ inconsistent with this Ordinance to the extent of the inconsistency only are hereby repealed.

14. Effective Date

This Ordinance shall be effective after adoption by the _____ and publication or posting as provided by law.

Adopted _____

Published _____

Effective _____

Countersigned:

COMMISSION STAFF

Kurt W. Bauer, P. E. Executive Director
Harlan E. Clinkenbeard Chief Land Use Planner
And Assistant Director
Dallas R. Behnke Chief Planning Illustrator
James E. Bradley Data Processing Manager
William E. Creger, P. E. Chief Transportation
Planner
William J. Kockelman Chief Community Assistance
Planner
Eugene E. Molitor. Chief of Research and
Public Information
Kenneth J. Schlager. Chief Systems Engineer
Sheldon W. Sullivan. Administrative Officer
Lawrence E. Wright, P. E Chief Natural Resources
Planner

CITY OF KENOSHA PLAN COMMISSION

Eugene R. Hammond, Chairman
Lawrence W. Boyd, Vice-Chairman (City Engineer)
Clyde Fredrickson, Secretary (Chief Bldg. Inspector)

Hiene T. Borden	Earle G. Scoville
Alfred S. DeSimone	John S. Tondryk
Eugene Dorff	Miss Florence Trainor
George R. Fitchett	Robert J. Wells
Peter P. Nedweski	
John I. Erickson, Director of Planning	

TOWN OF PLEASANT PRAIRIE
PLAN COMMISSION

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Warren Borchardt
Edward A. Halter
Burton A. Hostnick
Paul Jaeger
Vincent A. Piche
James S. Sorenson

TOWN OF SOMERS
PLAN COMMISSION

Richard J. Lindl, Chairman
William J. Barr
Howard E. Blackmon
Nicholas J. Lichter
William P. Rider

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