



GRAFTON
QUALITY LIFE. NATURALLY.

Town of Grafton Ordinance No. 2017-05

**AN ORDINANCE AMENDING TITLE 9 – LAND USE REGULATION,
CHAPTER 1, ZONING,
SECTION 3, ZONING DISTRICTS, and SECTION 4, CONDITIONAL USES,
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN,
ADDRESSING PERMITTED USES, CONDITIONAL USES, ACCESSORY USES,
DENSITY AND DIMENSIONAL STANDARDS, DESIGN STANDARDS FOR CLUSTER
GROUPS, DESIGN STANDARDS FOR COMMON OPEN SPACE, AND CASH
CONTRIBUTIONS FOR COMMON OPEN SPACE**

WHEREAS, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

WHEREAS, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on May 25th, 2017, and June 1st, 2017; and

WHEREAS, a Public Hearing was held before the Town Board on June 14, 2017, regarding the proposed Amendments to the Town's Code of Ordinances; and

WHEREAS, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

NOW, THEREFORE, the Town Board of the Town of Grafton does hereby ordain as follows:

Section 1:

Section 9.1.3.17 of the Town of Grafton Code of Ordinances is amended as provided below by adding the underlined language, deleting the language struck out, and renumbering the remaining sections:

9.1.3.17 RCDO – Residential Conservation Development Overlay District

The RCDO Residential Conservation Development Overlay District is intended to preserve the rural landscape character, sensitive natural areas, farmland and other desirable areas of open land as determined by the Town, while permitting residential development at appropriate densities in an open space setting which is designed to reduce the perceived intensity of development and provide privacy for dwellings. It is an overlay district to be used in the R-1, R-2 or ~~R-3~~R-Tr Residential Districts by choice of the landowner/developer. Specific objectives of the RCDO District are as follows:

....

(D) Permitted Uses.

(1) Any use as permitted in the underlying base district

~~(2) None. All uses in this district are conditional uses and~~The use of this overlay must be approved in accordance with the procedures established under Section 9.1.3.16(G)9.1.3.17(G) (Site Analysis and Design Process).

(E) Conditional Uses: (See Sec. 9.1.4, TGO)

(F) Accessory Uses.

(1) Any accessory uses as allowed by Code in the underlying base district.~~Attached and detached private garages and storage structures, provided that:~~

~~(a) One detached garage, not exceeding 800 square feet, shall be permitted.~~

~~(b) One detached storage structure, not exceeding 500 square feet, shall be permitted on a lot, in addition to any garage structure, attached or detached.~~

~~(2) Home occupations which are clearly incidental to the principal residential use.~~

(G) Site Analysis and Design Process.

....

(2) To aid the Town of Grafton in determining whether the applicant has accomplished the purpose and objectives and has met the design standards of cluster groups and common open space as described in subsections ~~9.1.3.16(I)9.1.3.17(I)~~ below and ~~9.1.3.16(J)9.1.3.17(J)~~ below, the initial application for any development shall include an inventory and site analysis of the tract. In addition to plat data required by the Land Division, Title 9, Ch. 2, the following site analysis information shall be included in the submittal of preliminary plats. This information shall be inventoried and mapped at a scale no smaller than one inch equals 100 feet in sufficient detail and with brief descriptions, if

necessary, to allow for the proper evaluation of the preliminary plat. The site analysis map or map(s) shall include:

....

(H) Density and Dimensional Standards.

(1) Maximum density and required open space

In order to calculate the maximum number of single family ~~units~~lots for the conservation subdivision, the developer/landowner must first prepare a yield plan. The yield plan shall be a realistic and reasonable depiction of the maximum number of single family ~~units~~lots that could be created within the regulations of the underlying zoning. The Town or Town Staff shall review the yield plan layout as per any conceptual subdivision plan. The Town Engineer shall specify the yield plan drawing requirements. The maximum number of single family units for a conservation subdivision is determined by multiplying the yield by a bonus ratio. The bonus ratio depends on the underlying zoning district as follows:

(a) Underlying zoning district R-1

1. Bonus Ratio = 1.25%
2. Req'd open space = ~~70%~~60%

(b) Underlying zoning district R-2

1. Bonus Ratio = 1.20%
2. Req'd open space = 55%

(c) Underlying zoning district ~~R-3~~R-Tr

1. Bonus Ratio = 1.15%
2. Req'd open space = ~~40%~~50%

(d) Example: The yield plan on a 100-acre parcel with R-2 zoning reveals that 28 lots are possible under conventional zoning.

$28 \times 1.20\% = 33.6$ (or 34 conservation lots).

Rounding Procedure

33.1 to 33.4 conservation lots = 33 conservation lots

33.5 to 33.9 conservation lots = 34 conservation lots

~~(2) Maximum density for two-family residential units~~

~~(a) At the discretion of the Town Board, Town Plan Commission, or Town Staff, a two-family residential unit may be placed on a single family lot as long as the total number of single family lots containing a two-family residential unit does not exceed 15% of the total number of single family lots in a development.~~

~~(b) Example: The yield plan on a 100-acre parcel with R-2 zoning reveals that 28 single family lots are possible under conventional zoning.~~

~~1. Step #1: $28 \times 1.20\% = 33.6$ (or 34 single family lots).~~

~~2. Step #2: $34 \times 15\% = 5.1$ (or 5.0 single family lots) that shall contain a two-family residential unit.~~

- (3)(2) Minimum Lot Area.
 - (a) Underlying zoning district R-1 = ~~1-acre~~ 3 acres
 - (b) Underlying zoning district R-2 = ~~1-acre~~ 2 acres
 - (c) Underlying zoning district ~~R-3R-Tr~~ = ~~0.5-acre~~ 1 acre
 - (d) For an existing farmstead on a tract used for conservation development, the minimum lot area shall be 5 acres or a large enough lot to accommodate all structures within the building envelope created by a 100-foot setback from all sides of the lot, whichever is larger.
- (4)(3) Minimum lot width at building setback line = ~~125-feet~~ 150 feet.
 - (a) On the bulb of a cul-de-sac or on horizontal curves having a radius less than 100 feet, lot width may be reduced to a minimum of ~~50-feet~~ 75 feet at the street.
 - (b) When dwelling units are not located on individual lots, such as in a condominium development, a minimum distance of 100 feet shall separate them from one another.
- (5)(4) Minimum front yard = ~~50-feet~~ underlying base district
- (6)(5) Minimum side yard = ~~20-feet aggregate 50-feet~~ underlying base district
- (7)(6) Minimum rear yard = ~~50-feet~~ underlying base district
- (8)(7) ~~Accessory building setback from side and rear lot lines (accessory buildings are not permitted in front yards) = 10 feet.~~ Minimum rear yard for double-loaded lots = 75 feet
- (9)(8) Maximum building coverage = ~~40 percent~~ 12 percent
- (10)(9) Maximum building height, ~~excluding agricultural structures.~~ = follow underlying base district
 - (a) ~~35 feet or 2 stories (principal structure)~~
 - (b) ~~18 feet (accessory structure)~~
- (11)(10) Separation distances for cluster groups (from lot boundaries):
 - (a) From external arterial street proposed rights-of-way = 100 feet.
 - (b) From all other external street proposed rights-of-way = 50 feet.
 - (c) From all tract or existing lot Boundaries = 0 feet.
 - (d) From cropland or pastureland = 100 feet.
 - (e) From buildings or barnyards housing livestock = 100 feet.
 - (f) From other cluster groups = 150 feet unless approved by the Town of Grafton Plan Commission
 - (g) From wetlands, floodplains, or watercourses = 35 feet.
 - (h) From active recreation areas, such as courts or playing fields = 200 feet.
- (12)(11) All separation areas for cluster groups along existing streets shall be landscaped in accordance with subsection ~~9.1.3.16(K)~~ 9.1.3.17(K) below, in order to block views of new residential development, preserve scenic views, and protect rural landscape character.

~~(13) The dimensional standards specified in Subsections 9.1.3.16(H)(11)(a) through 9.1.3.16(H)(11)(h) above may be reduced under the following circumstances:~~

~~(a) The separation distances along existing arterial streets may be reduced to a minimum of 50 feet if the applicant can demonstrate that existing vegetation, topography or a combination of these forms an effective visual screen.~~

~~(b) All other separation distances may be reduced by 50 percent if the applicant can demonstrate that such reduced setbacks improve the plan's compliance with the cluster group design standards in Subsection 9.1.3.16(H) above, the intent of this Chapter, and the objectives of the Town of Grafton Comprehensive Plan.~~

(I) Design Standards for Cluster Groups.

The following standards shall apply to all cluster groups:

(1) All dwelling units shall be grouped into cluster groups. These groups should contain ~~no more than 10 lots~~ an average of no more than 5 lots per cluster, with the maximum of 8 lots per cluster.

(2) The maximum number of lots in a cluster group may be increased and cluster groups may be assembled into larger groupings, with the approval of the Plan Commission and provided that the applicant can demonstrate that such an alternative plan is more appropriate for the tract concerned and will meet both the general intent and design standards of this Chapter.

(3) A subdivision plat ~~may~~ must contain ~~one or more cluster groups~~ more than one cluster group.

(4) Cluster groups shall be defined by the outer perimeter of contiguous lotted areas or abutting streets and may contain lots, streets, and cluster group open space.

(5) The outer boundaries of each cluster group shall meet the separation distance requirements specified in subsection ~~9.1.3.16(H)(11)~~ 9.1.3.17(H)(10) except by approval of the Plan Commission.

(6) Cluster groups shall be defined and separated by common open space in order to provide direct access to common open space and privacy to individual lot or yard areas. Streets may separate cluster groups if the street right-of-way is designed as a boulevard.

~~(7) Cluster groups containing 8 or more lots must provide internal open space at a minimum rate of 2,000 square feet per dwelling unit. Such open space shall meet the following standards:~~

~~(a) Common open space located within cluster groups shall be counted toward meeting the overall open space requirement.~~

~~(b) The open space shall be configured as a cul-de-sac island, an island within a larger loop or an "eyebrow" (a semi-circular loop), an island in a boulevard street, or a common green area. Common green areas surrounded by lots on up~~

~~to three sides shall be designed as a space for common use by all residents within the cluster group.~~

~~(e) The open space shall have a minimum street frontage of 125 feet.~~

~~(d) Internal open space may contain parking areas for recreational uses, but these shall not be included in the required 2,000 square feet of internal open space per lot area. Internal open space requirement does not apply if the cluster of 8 or more units abuts a single-loaded road, with common open space directly across the road.~~

~~(8)(7)~~ All lots in a cluster group shall take access from interior streets.

~~(9)(8)~~ All lots in a cluster group shall abut common open space to the front or rear. Common open space across a street shall qualify for this requirement.

~~(10)(9)~~ In locating cluster groups, disturbance to woodlands, hedgerows, and individual mature trees shall be minimized. However, when the objective is to preserve prime farmland soils and large areas of contiguous land suitable for agricultural use, dwellings may be located within woodlands; provided, that no more than 20 percent of a single wooded lot is cleared for the construction of a dwelling, driveway, garage, storage building, well, and onsite septic system.

~~(10)~~ The views of the development from surrounding neighborhoods shall be strongly respected by implementing a complimentary layout design and providing proper landscaping buffers.

(J) Design Standards for Common Open Space.

~~This open space~~The Common Open Space shall meet the following standards:

(1) For the purposes of this section, gross land area includes all lands within the tract, except existing street, railway, and utility rights-of-way.

(2) Common open space shall comply with the following design standards:

(a) The location of common open space shall be consistent with the objectives of the Town of Grafton Comprehensive Plan and Town of Grafton Comprehensive Outdoor Recreation Plan.

....

(d) Natural features shall generally be maintained in their natural condition, but may be modified to improve their appearance or restore their overall condition and natural processes, as recommended by professionals in the area being modified and in compliance with an approved land stewardship plan, as described in Subsection 9.1.3.16(M)(2)(a)~~9.1.3.17(M)(2)(a)~~4. Permitted modifications may include:

1. Woodland management.

2. Reforestation.
 3. Meadow management.
 4. Wetlands management.
 5. Stream bank protection.
 6. Buffer area landscaping.
- (e) All wetlands, floodplains, unique wildlife habitat areas, steep slopes over 12 percent, 100 percent of lowland environmental corridors, and at least 80 percent of upland primary environmental corridors shall be contained in common open space.
- (f) Maximize common boundaries with existing or future open space on adjacent tracts, as shown in the Town of Grafton Comprehensive Plan and Town of Grafton Comprehensive Outdoor Recreation Plan.
- (g) In order to preserve scenic views, ridge tops and hilltops should be contained within common open space wherever possible. Trees shall not be removed from ridge tops or hilltops.
- (h) No woodlands shall be removed and at least 80 percent of the area of existing woodlands shall be contained within common open space; 20 percent of the area of existing woodlands may be used for lots and residential development. This limitation may be exceeded under the following conditions:
1. The site is primarily wooded, and development at permitted density would not be possible without encroaching further on woodlands.
 2. Any encroachment on woodlands beyond 20 percent shall be the minimum needed to achieve maximum permitted density, as determined by the Town of Grafton Plan Commission.
- (i) No common open space shall be less than 10,000 square feet in area, with the exception of landscape islands, as described in ~~Subsection 9.1.3.16(I)(7)(b)~~ and not less than 30 feet in its smallest dimension. Open space not meeting this standard shall not be counted toward the total required 60 percent common open space.

....

....

- (4) The following areas shall not be included in the calculation of common open space areas:
- (a) Private lot areas
 - (b) Street and highway rights-of-way, public or private
 - (c) Railway and utility rights-of-way
 - (d) Parking areas
 - (e) Areas not meeting the requirements of Subsection ~~9.1.3.16(G)(2)(i)~~9.1.3.17(G)(2)(i)

(K) Landscaping.

....

(2) Street Trees

- (a) Street trees shall be planted along internal streets within cluster groups.
- (b) Street trees may be planted, but are not required, along internal streets passing through common open space.
- (c) Formal arrangements and spacing are encouraged for street trees.
- (d) Street trees shall be located so as not to interfere with the installation and maintenance of utilities and paths, trails, or sidewalks that may parallel the street.
- (e) The Plan Commission shall approve species of street trees.
- (f) In addition to complying with the regulations of Subsections ~~9.1.3.16(K)(2)(a)~~9.1.3.17(K)(2)(a) through ~~9.1.3.16(K)(2)(e)~~9.1.3.17(K)(2)(c) street tree plantings shall comply with all applicable regulations in the Land Division, Title 9, Ch. 2.

....

~~(L) Cash Contributions for Common Open Space.~~

- ~~(1) The Town Board may require the applicant/developer to remit a cash contribution for common open space where, in the opinion of the Board, upon recommendation of the Plan Commission, there is either (a) not sufficient land suitable for common open space within the proposed subdivision or (b) the proposed dedication of some or all of the proposed common open space would not be compatible with the Town's Comprehensive Plan or Park and Open Space Plan. In addition, the Town Board shall only allow cash contributions if (a) the Plan Commission has recommended that receipt of cash from the applicant/developer would better serve the public interest in lieu of common open space land and (b) the applicant/developer must provide 30 percent of the required common open space per Subsection 9.1.3.16(H)(1) in order to qualify to remit a cash contribution to the Town of Grafton.~~
- ~~(2) Cash contributions paid to the Town of Grafton are calculated using the following process:
 - ~~(a) The amount shall be calculated by multiplying the number of additional acres of common open space needed to meet the requirements for an RCDO times the average cost of an acre of undeveloped land in the Town of Grafton as determined by the Town Board using a procedure that analyzes typical assessed values and market values for new development. The Town Board shall establish such estimates based on market conditions, zoning, and current assessments. (The precise method for making such appraisals shall be determined on an annual basis by the Town Board.)~~~~

- ~~(b) The applicant/developer shall remit the calculated amount to the Town of Grafton as a condition of Final Plat approval.~~
- ~~(c) Cash contributions paid to the Town of Grafton under this subsection (L) shall be placed in a separate non-lapsing account designated for expenditure on conservation easements, purchase of development rights, park land, or conservancy land as recommended by the Plan Commission. At the discretion of the Town Board, the allocation of such funds for the purchase of land or conservation easements and the establishment of the associated stewardship plans for the ongoing maintenance of such lands may be made as a precondition of the preliminary plat, final plat, or developer's agreement.~~
- ~~(d) Cash contributions shall be calculated pursuant to the formula approved annually by the Town Board and set forth in the Town's Fee Schedule. (See Title 1, Chapter 3, TGO.)~~

(M) Ownership and Maintenance of Common Facilities and Open Space.

To ensure adequate planning for ownership, operation, and maintenance of common open space, recreation facilities, storm water management facilities, common parking areas and driveways, private streets, and other common or community facilities (hereinafter referred to as common facilities), the following regulations shall apply:

(1) Ownership.

....

- (d) Transfer of ownership to a private conservation organization. With approval of the Town of Grafton, an owner may dedicate any portion of the common facilities to a private, nonprofit conservation organization, provided that:
 1. The organization is acceptable to the Town of Grafton and is a bona fide conservation organization;
 2. The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions.
 3. A maintenance plan and program acceptable to the Town of Grafton is established in accordance with Subsection ~~9.1.3.16(M)(2)~~9.1.3.17(M)(2).
- (e) Transfer of easements to a private conservation organization. With approval of the Town of Grafton, an owner may transfer conservation easements on common facilities to a private, nonprofit conservation organization, provided that:

1. The organization is acceptable to the Town of Grafton and is a bona fide conservation organization.
2. The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions.
3. A maintenance agreement acceptable to the Town of Grafton is established between the owner and the organization, in accordance with subsection ~~9.1.3.16(M)(2)~~9.1.3.17(M)(2).

....

(2) Maintenance and operation of common facilities.

(a) A plan and narrative for the use, maintenance, and insurance of all common facilities, including provisions for funding, shall be provided to, and approved by, the Town of Grafton Plan Commission prior to preliminary plan approval. Such plan shall:

1. Define ownership.
2. Establish necessary regular and periodic operation and maintenance responsibilities.
3. Estimate staffing needs, insurance requirements and other associated costs and define the means for funding the same on an on-going basis.
4. Include a Land Stewardship Plan specifically focusing on the long-term management of common open space lands. A draft Land Stewardship Plan shall be submitted at the time of preliminary plan review to the Town of Grafton Open Space Commission for review and recommendations, and a final Land Stewardship Plan at the time of final plan approval. The Land Stewardship Plan shall include a narrative, based on the Site analysis required in Subsection ~~9.1.3.16(H)~~9.1.3.17(G) describing:

....

....

(3) Leasing of common open space lands. Common open space lands may be leased to another person or other entity for use, operation, and maintenance, provided that:

- (a) The residents of the development shall at all times have access to such leased lands, except in the case of a lease for agricultural purposes, in which case the residents, within their agreement, may be restricted from accessing the lands.
- (b) The common open space lands to be leased shall be maintained for the purposes set forth in this Chapter.

- (c) The operation of such leased common open space lands may be for the benefit of the residents of the development only or may be open to the public, if so determined by the residents.
- (d) The lease, and any transfer or assignment thereof, shall be subject to the approval of the Town of Grafton Plan Commission.
- (e) Lease agreements so entered upon shall be recorded in the office of the County Register of Deeds within 30 days of their execution and a copy of the recorded lease shall be filed with the Town of Grafton.
- (f) Conservancy uses are strongly encouraged for the leased lands.

....
 (N) Sanitary and Water-Supply Facilities.

- (1) Sanitary Facilities.
 - (a) Sanitary facilities for conservation development may consist of any system meeting the requirements of the Wisconsin Department of Commerce for private sanitary systems and the Wisconsin Department of Natural Resources for public sanitary systems. Acceptable systems may consist of the following:
 - 1. Private, individual onsite systems serving a single lot, consisting of:
 - a. Conventional systems.
 - b. Mound systems.
 - c. Holding tanks.
 - 2. Public, community systems consisting of:
 - a. Dispersed community systems, serving two or more dwellings, but not the entire development.
 - b. Centralized community systems, serving the entire development.
 - 3. Public, municipal systems, serving all or parts of the entire development.
 - 4. All systems must be approved by Ozaukee County Land and Water Management.

Section 2:

Sections 9.1.3.10(H), 9.1.3.12(H), 9.1.3.18(I), 9.1.3.20(H), 9.1.3.21(S), 9.1.3.22(G)-(H), and 9.1.3.24(F) of the Town of Grafton Code of Ordinances are amended as provided below by correcting cross-references so as to reflect renumbered sections:

9.1.3.10 B-1 Business District

The B-1 Business District is intended to provide for the orderly and attractive grouping at appropriate locations of retail and service establishments serving residents of the Town.

....

(H) Plans and Specifications to be Submitted to Plan Commission.

- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the B-1 Business District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in Section ~~9.1.3.09(G)~~9.1.3.10(G) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

....

9.1.3.12 M-1 Light Manufacturing and Warehousing District

This District is intended to provide for light manufacturing and warehousing at appropriate locations within the Town.

....

(H) Plans and Specifications to be Submitted to Plan Commission.

- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the M-1 Light Manufacturing and Warehousing District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in Section ~~9.1.3.11(G)~~9.1.3.12(G) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

....

9.1.3.18 PW Port Washington Road District

The PW Port Washington Road District is intended to provide for orderly and attractive business development and complementary uses of a character and intensity of use, which are compatible with proximate residential development and the rural character of the Town. Allowable uses are to provide for such professional business and service trades which serve the needs of the Town, but have lower traffic volumes and less intense activities than those associated with other business districts.

....

(I) Plans and Specifications to be Submitted to Plan Commission.

- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the PW Port Washington Road District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in Subsection ~~9.1.3.17(H)~~9.1.3.18(H) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

....

9.1.3.20 BP-1 Business Park District

The BP-1 Business Park District is intended to provide for the development of an attractive and aesthetic grouping of offices, corporate headquarters, light industrial uses and support facilities in a campus setting. The appearance of such mixed uses is enhanced by quality building architecture and generously landscaped sites free of outdoor storage and outside display of products. The district is further intended to promote the provision of ample off-street parking and loading areas, open space and landscaped planting and screening in areas adjacent to less intensive uses.

....

(H) Plans and Specifications to be Submitted to Plan Commission.

- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the BP-1 Business Park District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in Section ~~9.1.3.19(G)~~9.1.3.20(G) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

....

9.1.3.21 BP-2 Business Park District

The BP-2 Business Park District is intended to provide for the development of an attractive and aesthetic grouping of offices, corporate headquarters, light industrial uses and support facilities in a campus setting. The appearance of such mixed uses is enhanced by quality building architecture and generously landscaped sites free of outdoor storage and outside display of products. The district is further intended to promote the provision of ample off-street parking and loading areas, open space and landscaped planting and screening in areas adjacent to less intensive uses.

....

(S) Plans and Specifications to be Submitted to Plan Commission.

- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the BP-2 Business Park District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in ~~Section 9.1.3.20(G)-(R)~~ 9.1.3.21(G)-(R) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

....

9.1.3.22 BP-3 Business Park District

The BP-3 Business Park District is intended to provide for the development of an attractive an aesthetic grouping of offices, corporate headquarters, light industrial uses and support facilities in a campus setting of a character and intensity of use, which are compatible with proximate residential development and the rural character of the Town. Allowable uses are to provide for such professional business and service trades which serve the needs of the Town, but have lower traffic volumes and less intense activities than those associated with other business districts. The appearance of such mixed uses is enhanced by quality building architecture and generously landscaped sites free of outdoor storage and outside display of products.

....

(G) Design Standards.

All buildings and lots in this district must adhere to the following standards except lots and buildings developed and improved prior to June 30, 2004. Lots and buildings developed and improved prior to June 30, 2004 must conform to the following standards only at the time the primary use of the lot or building is substantially changed.

....

- (6) At least sixty (60) percent of the acreage for all natural woodland areas on a site shall be preserved. Natural woodland is defined as an area of trees at least one (1) acre in size (measured by the edges of the tree canopies) and where at least fifty (50) percent of the trees have a diameter ten (10) inches or greater. Natural woodland that is cleared beyond the allowable area must be replaced with an area of trees one and one half (1½) times the difference between the allowable and actual clearance, as depicted on a landscape plan submitted by the applicant and approved by the Town. Replacement trees must have at least a two-inch (2") caliper at the time of planting, and shall not be counted towards landscape requirements in subsection ~~9.1.3.21(G)(4)~~ 9.1.3.22(G)(4) above.

....

- (H) Plans and Specifications to be Submitted to Plan Commission.
- (1) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the BP-3 Business Park District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with Subsection ~~9.1.3.21(G)~~9.1.3.22(G) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and storm water management plan.

....

9.1.3.24 O-1 Office District

The O-1 Office District is intended to provide for the orderly and attractive development of office and other similar uses along the STH 60 corridor.

....

(F) Design Standards.

....

- (13) Plans and Specifications to be Submitted to Plan Commission and Board of Supervisors.

- (a) To encourage a business environment that is compatible with the residential character of the Town, building permits for permitted uses, permitted accessory uses and conditional uses in the Office District shall not be issued without review and approval of the Town of Grafton Plan Commission in accordance with the design standards set forth in Section ~~9.1.3.09(G)~~9.1.3.24(F) of this Chapter. Said review and approval shall be concerned with general layout, building plans, lighting, ingress and egress, parking, loading and unloading, landscaping, open space utilization, and stormwater management plan.

Section 3:

Section 9.1.4.06 of the Town of Grafton Code of Ordinances is amended as provided below by adding the underlined language, deleting the language struck out, and renumbering the remaining sections:

9.1.4.06 RCDO – Residential Conservation Development Overlay District

Agricultural uses requiring the installation of new buildings or other structures in the common open space of the RCDO – Residential Conservation Development Overlay District, provided that the building coverage of such new buildings in total shall not exceed 10,000 square feet.

(A) Conditional Uses.

- (1) ~~Single family residential uses as follows:~~

- ~~(a)~~ ~~Clustered single family detached dwellings.~~
- ~~(b)~~ ~~Single family farmstead dwellings with or without associated agricultural structures, such as barns, silos, storage sheds, cribs, coops and stables.~~
- ~~(2)~~ ~~Two family residential units.~~
- ~~(3)~~(1) Agricultural activities including:
 - ~~(a)~~ (a) Single-family farmstead dwellings with or without associated agricultural structures, such as barns, silos, storage sheds, cribs, coops and stables.
 - ~~(a)~~(b) The cultivation, harvesting, and sale of crops and related farm products.
 - ~~(b)~~(c) The raising and sale of livestock or fowl, with associated pasture and barnyards.
 - ~~(e)~~(d) Orchards, nurseries, greenhouses, and related horticultural uses.
 - ~~(d)~~(e) Growing and selling of Christmas trees.
 - ~~(e)~~(f) Agricultural structures, such as barns, silos, storage sheds, cribs, coops, and stables.
- ~~(4)~~(2) Open space uses, primarily passive in nature, including wildlife sanctuary, forest preserve, nature center, trails, picnic areas and similar uses.
- ~~(5)~~(3) Conservation of natural features in their existing state.
- ~~(6)~~(4) Easements for access, drainage, sewer and water lines, or other public purposes.
- ~~(7)~~(5) Storm water management facilities for the proposed development, including detention and retention basins.
- ~~(8)~~(6) Uses in common open space in conservation developments:
 - (a) Archery ranges, arenas, bathhouses, conservatories, exhibition halls, field houses, and swimming pools.
 - (b) Water-supply and sanitary facilities for individual lots, groups of lots, or the entire development.
 - (c) Utility and street rights-of-way, except that their land areas shall not count toward the minimum open space requirement.
 - (d) Parking areas where necessary to serve active recreation facilities.
 - (e) Conditional uses as listed in Sec. 9-1.49.1.4.07, TGO meeting all requirements of that section and provided that the proposed use shall not adversely impact the rural character of the district and shall be consistent with the overall objectives of this district.
- ~~(9)~~(7) The following uses and activities are prohibited in common open space areas in conservation development:
 - (a) The use of non-recreational motor vehicles except on public streets and parking areas. Maintenance, law enforcement, emergency and farm vehicles are permitted, as needed.

- (b) Cutting of healthy trees, regrading, topsoil removal, altering, diverting or modifying watercourses or bodies, except in compliance with an approved land stewardship plan, as described in subsection ~~9.1.3.16(M)(2)(a)~~9.1.3.17(M)(2)(a)4.
- (c) Intensive animal feedlot operations.

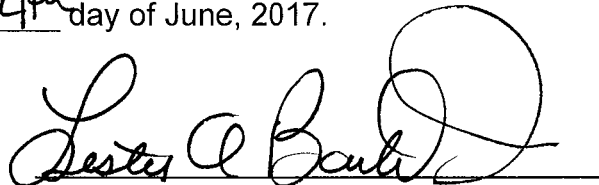
Section 4:

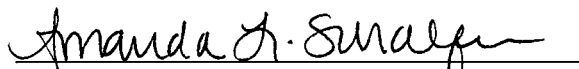
Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

Section 5:

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 14th day of June, 2017.


Lester A. Bartel, Jr., Town Chairman


Amanda L. Schaefer, Town Clerk

Publication Date: June 22, 2017

~~Posting Date: _____, 2017~~

