

**VILLAGE OF NEW GLARUS  
PLAN COMMISSION MEETING AGENDA  
Village Hall Board Room  
319 2<sup>nd</sup> St.  
4/17/2024                      6:00 PM**

**REGULAR MEETING**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes –March 20, 2024
4. Public Hearing & Consideration/Discussion: Ordinance 23-03 To Repeal And Recreate Part II, Chapter 118, Article II, Sections §118-19 - §118-25 [Swiss Architectural Theme] And To Establish An Associated Swiss Design Overlay Zoning District In The Municipal Code Of The Village Of New Glarus, Wisconsin
5. Public Hearing & Consideration/Discussion: Ordinance 23-04 To Amend Chapter 305 In Municipal Code Of The Village Of New Glarus, Wisconsin To Revise And Reorganize Permitted And Conditional Land Uses By Zoning District, Define And Redefine Land Uses And Related Terms And Conditions, And Make Other Related Adjustments
6. Set next meeting date for Wednesday, May 15 at 6:00 PM
7. Adjournment

Roger Truttmann, Chair  
Village Plan Commission

POSTED:

N.G. Village Hall      4/12/24  
N.G. Post Office      4/12/24  
Bank of New Glarus 4/12/24



---

Kelsey A. Jenson, Clerk

PURSUANT TO APPLICABLE LAW, NOTICE IS HEREBY GIVEN THAT A QUORUM OR A MAJORITY OF THE NEW GLARUS VILLAGE BOARD TRUSTEES MAY ATTEND THIS MEETING. INFORMATION PRESENTED AT THIS MEETING MAY HELP FORM THE RATIONALE BEHIND FUTURE ACTIONS THAT MAY BE TAKEN BY THE NEW GLARUS VILLAGE BOARD.

PERSONS REQUIRING ADDITIONAL SERVICES TO PARTICIPATE IN A PUBLIC MEETING MAY CONTACT THE VILLAGE CLERK FOR ASSISTANCE AT 527-2510

**VILLAGE OF NEW GLARUS  
PLAN COMMISSION MEETING MINUTES  
Village Hall Board Room  
319 2<sup>nd</sup> Street  
March 20, 2024 6:00 PM**

REGULAR MEETING CALL TO ORDER: Chair Roger Truttman, called regular meeting to order at 6:00 p.m.

PRESENT: Roger Truttman, Bekah Stauffacher, Chuck Phillipson, Suzi Janowiak, Beth Alderman, Mike Marty, Tara Wilde

ALSO PRESENT: Lauren Freeman (Village Administrator), Jennifer Thayer (School District), Andrew Kerr (School District)

APPROVAL OF AGENDA: Motion by Mike Marty, seconded by Chuck Phillipson. Motioned carried unanimously 7-0.

APPROVAL OF MINUTES FROM 1.24.24: Motion by Bekah Stauffacher, seconded by Tara Wilde. Motioned carried unanimously 7-0.

CONSIDERATION/DISCUSSION: BUILDING DESIGN FOR NEW GLARUS HIGH SCHOOL TRACK & FIELD, 1700 2<sup>ND</sup> STREET:

Motion by Bekah Stauffacher to approve the proposed building design, seconded by Beth Alderman. Motion carried unanimously 7-0.

The next Plan Commission meeting will be Wednesday, April 17 at 6:00 PM.

ADJOURN: The meeting was adjourned at 6:33 p.m.

- Lauren Freeman  
Village Administrator



To: Village of New Glarus Plan Commission  
From: Mark Roffers, Village Planning Consultant  
Date: April 10, 2024  
Re: Swiss Architectural Theme Ordinance Update

---

The Village's unique Swiss Architectural Theme ordinance ([Chapter 118, Article II](#)) has been instrumental in achieving the desired image, which in turn has contributed to the community's tourism-related success. The ordinance was first enacted, I believe, in the 1970s and was last amended in 2005.

The Village's 2016 Comprehensive Plan includes the initiative to "Modernize Zoning Regulations" and among recommended efforts include:

Modernize and clarify standards for new commercial development embracing Swiss Village theme. Switzerland and the Canton of Glarus may be studied for modern-day architecture, as well as vernacular and chalet styles, as inspiration for tweaking New Glarus's standards.

Streamline and delegate development approval processes, where appropriate.

The Comprehensive Plan also includes the initiative to "Modernize Swiss Village Theme and Branding." That initiative has the following component:

Reassess and clearly communicate Village goals for Swiss themed architecture. Swiss-themed zoning standards for commercial buildings have been in place for a few decades, providing property owners with general guidance. A Swiss Village theme has mainly been achieved as a result of individual property-owners' renovations over decades. Still, a 2015 Architectural and Historical Survey of New Glarus states that for many years, "building owners used various interpretations of what they thought was Swiss architectural style in their buildings." Also, some recent projects do not, in some stakeholders' opinions, reflect the intent of the zoning standards. The recommended zoning ordinance update described in the Land Use chapter provides an opportunity to explore and adapt Village architectural standards, working in partnership with local experts and others. Broadly speaking, buildings that are authentically Swiss, and not exclusively historic (or interpretations of historic), may extend appeal to younger generations by helping to modernize and reinforce the Swiss branding concept for New Glarus.

Working with the Design Review Committee and the then-Village Administrator, I put together a first draft of an updated Swiss Architectural Theme ordinance in 2017. It was revisited briefly with a

different Administrator in 2020. More recently, Lauren and I revived the effort, met again with the Design Review Committee in recent months, and refined the draft. On February 27<sup>th</sup>, the Committee recommended approval of the attached amended ordinance and associated zoning map changes.

The proposed update the Swiss Architectural Theme ordinance would not represent a major change in direction from the current ordinance. This proposed update would incorporate the following notable changes and enhancements:

- Establishes up-front the intended purpose and theme as the basis for the rest of the ordinance.
- Rearrange where the ordinance applies, from everywhere in the C-1 and C-2 zoning districts under the current ordinance to a new Swiss Design Overlay District delineated on the attached zoning map exhibit. This boundary is drawn to reflect the downtown and Highway 69 corridors where Swiss design is most prevalent and impactful.
- Clarifies the types of projects that do and do not require Swiss design review, both in terms of land use and building type (i.e., does not apply to single- and two-family buildings even if in Overlay District, provides some allowances for larger and for smaller buildings) and extent of project (i.e., Committee review applies to defined “substantial alteration or remodeling”).
- Provides for delegation to the Zoning Administrator rather than the Committee for repainting, replacing with like materials, restoring historically-accurate details, signage, and lighting.
- Creates clearer expectations and steps for design review, including specifying application submittal materials that are directly related to the design review standards and a required deposit to be refunded once the Village verifies completion of a project in compliance with the Committee’s approval.
- Adjusts substantive design review standards based on Committee experience with the current standards and to building materials and techniques that have changed since original ordinance adoption (e.g., allowance for “wood, or *durable composite products designed to resemble wood*...incorporated on the upper level of the wall”).

For the attached proposed ordinance update to be adopted, a public hearing is now required before the Plan Commission and then the Village Board. Following its hearing, the Commission may make a recommendation to the Board and the Board may then approve, with or without any further changes.

**VILLAGE OF NEW GLARUS**  
**Ordinance 24-03**

**AN ORDINANCE TO REPEAL AND RECREATE PART II, CHAPTER 118,  
ARTICLE II, SECTIONS § 118-19 – § 118-25 [SWISS ARCHITECTURAL  
THEME] AND TO ESTABLISH AN ASSOCIATED SWISS DESIGN OVERLAY  
ZONNG DISTRICT IN THE MUNICIPAL CODE OF THE VILLAGE OF NEW  
GLARUS, WISCONSIN**

THE VILLAGE BOARD of the VILLAGE OF NEW GLARUS, GREEN COUNTY,  
WISCONSIN, does hereby ordain as follows:

**Section 1.** Part II, Chapter 118, Article II of the Municipal Code of the Village of New  
Glarus is hereby repealed and recreated to read as follows:

**ARTICLE II**  
**Swiss Architectural Theme**

§ 118-19. Purpose and Theme

- A. Purpose. This article directs the design of new buildings and the remodeling of existing buildings in specified parts of the Village and for specified types of buildings in § 118-20, in accordance with an “Old World Swiss Village” theme. The provisions of this article are designed to to promote and advance New Glarus' long-standing and renowned theme, and thereby contribute to the cultural character, aesthetic beauty, economic health, and tourism growth of the Village.
- B. Intended theme. Applicable buildings in applicable locations shall follow the design of historic non-residential and larger-scale multiple family building architecture in Switzerland. Old World Swiss Villages have a distinctive look and are immediately recognizable by the predominating low-angle rooflines and other typical architectural details and materials. Building form is rectangular or combinations of rectangles.

§ 118-20. Applicability

- A. Applicable types of buildings and locations. Except as exempted in subsection B, this article is applicable only within the Swiss Design Overlay District established and mapped under § 305-25 of this Code, to the construction of all new principal and accessory buildings, and to the substantial alteration or remodeling of the exteriors of such buildings. “Substantial alteration or remodeling” shall be defined as either:
  - (1) An alteration or remodeling within any 24 month period, the total cost of which equals or exceeds 60% of the assessed value of that building at the time

the alteration or remodeling is proposed, as determined by the Zoning Administrator from information provided by the applicant. Such costs shall include all interior and exterior changes, and shall include but not be limited to electrical, mechanical, plumbing, and structural changes.

- (2) An exterior alteration or remodeling where three or more exterior elements of the building are altered within any 24 month period, including but not limited to doors, windows, wall finish, paint, roofing material, and structural changes. Each door, window, or other item shall count as one element. Visible exterior structural changes, including but not limited to removal or addition of walls, roof framing, and/or additions, shall count as two elements.

B. Exclusions. This article does not apply to:

- (1) Any building outside of the Swiss Design Overlay District.
- (2) Any single family dwelling, two family dwelling, and their accessory structures.
- (3) Any public works building, public utility building, or associated structure.
- (4) Any building that is either currently identified or in the process of being designated an historic building and as such subscribes to all the rules and regulations identified in § 16-12, Historic Preservation Commission, of this Code.

C. Applicability to large and small buildings. Very large warehouse or market-type buildings, as well as small buildings, pose special challenges in meeting the design theme in § 118-19(B) and design details in § 118-22. Such buildings are not exempt, but this article includes allowances applicable to such buildings.

D. Applicability of other regulations. The terms, provisions, and requirements of this article shall be in addition to and not in lieu of applicable requirements in any other ordinance, statute, or regulation governing construction, building, or zoning.

#### § 118-21. Design Review Committee

- A. Appointment. The Design Review Committee, hereinafter “Committee,” shall consist of five individuals appointed by the Village President, subject to Village Board confirmation, at the annual organizational meeting. Members shall serve staggered three-year terms of office.
- B. Composition. Individuals serving on this Committee shall have varied backgrounds, with an effort to include representation from architectural design and building trades, local business, and historians.

§ 118-22. Design Review Process

A. Optional pre-application review. Each prospective applicant is may may submit preliminary concepts, descriptions, and/or building elevation sketches prior to submitting a formal application as described below. This optional step provides an opportunity to review the intent of the proposed project and the impact of this article before engaging in detailed architectural design and a complete application. The prospective applicant or Zoning Administrator may elect to engage the Committee in this review, or limit it to a Village staff review.

C. Submittal of application.

(1) Completeness evaluation. The applicant shall submit an application for design review to the Zoning Administrator. The application shall not be placed on a Committee agenda as an action item unless the application is certified as complete by the Zoning Administrator. The review of an application for completeness shall occur within five working days of application submittal, or else the application shall be considered complete. The Zoning Administrator shall notify the applicant of the date and time of the applicable Committee meeting, if Committee review is required.

(2) Required contents. The applicant shall provide the Zoning Administrator with a complete application, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Except as otherwise allowed below or with the express approval of the Zoning Administrator, each complete application shall include the following information:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A scaled site plan or plot plan of the proposed building, or the existing building plus the proposed addition, with proper relation to property lines, parking and driveway areas, accessory buildings and structures on the lot, and principal buildings on adjacent lots.
- (c) Elevation drawings, drawn to a recognized architectural scale, of proposed building(s), additions, or substantial alteration or remodeling modification of existing building(s) including:
  - [1] All wall and roof mounted mechanical equipment, including details for screening.
  - [2] All exterior lighting and signage. If specific tenants are not yet known, signable areas shall instead be indicated. No indicated sign or signable area shall interfere with any architectural feature, including flowerboxes and flowers. All signage must meet the requirements of Chapter 305, Article VII, Signs, of this Code. All lighting must meet the requirements of Chapter 305, Article XVIII, Exterior Lighting Plans and Standards.

- [3] All finished exterior treatments, including but not limited to roofing and siding materials.
  - [4] Materials and colors for all finishes, paint, or other materials to be used or applied on all exterior walls, trims, windows, and doors.
  - [5] For murals, signs, or other decorative details, a detail sheet or colored rendering of the design.
  - [6] Adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.
- (d) Contemplated date of commencement and completion of such construction.
  - (e) Any other information required by the Zoning Administrator to enable proper evaluation of the application against the requirements of this article.
  - (f) Any required application fee per the fee schedule approved by the Village Board.
  - (g) An agreement to reimburse the Village for any consultant fees required for Village review of the application.

E. Action on application.

- (1) By the Committee. Except as provided in subsection E(2), the Committee shall, between ten and 60 days of submittal of a complete application, approve the application as presented, approve the application with conditions, or reject the application including reasons for rejection, unless this timeframe is extended by written or electronic agreement of the applicant. The Zoning Administrator shall notify the applicant of such action in writing.
- (2) By Zoning Administrator. For the following types of projects only, the Zoning Administrator instead of the Committee shall, within 30 days of submittal of a complete application, approve the application as presented, approve the application with conditions, or reject the application including reasons for rejection, unless this timeframe is extended by written or electronic agreement of the applicant.
  - (a) Repainting an already-painted building a similar color. Proposed use of a color that the Zoning Administrator determines is different from a color originally approved by the Committee shall require approval by the Committee.
  - (b) Replacing original building materials with like materials.
  - (c) Installing or replacing awnings, signage, lighting, or mechanical equipment.
  - (d) Restoring architectural details, features, or materials documented to have originally existed on the building or site.
- (3) Notification. The Zoning Administrator shall notify the applicant of his or her or the Committee's action in writing.



- F. Appeal process. In the event the Committee denies an application, conditions its approval of an application in a manner that the applicant finds objectionable, the applicant may, within 30 days of the written notification of action, file a written appeal with the Zoning Administrator, including the specific decision or conditions being appealed, the rationale for the appeal, and the applicant's proposal for addressing the matter(s) of concern. The Zoning Administrator shall provide the written appeal, the written action being appealed, and all application materials to the Village Clerk, and all minutes, findings, recommendations or other written memoranda pertaining to the application for which the appeal is taken. The Clerk shall place the appeal on the agenda of the next scheduled Village Board meeting. The Village Board may grant or deny the relief requested by the appellant or may modify the decision of the Committee. In the event the appeal is to an action of the Zoning Administrator under subsection E(2), the appeal shall instead be to the Committee. The Clerk shall notify the applicant of the Board's or Committee's action under this subsection F in writing.
- G. Building permit and deposit.
- (1) Upon receipt of written notification of approval per subsections E or F, and satisfaction of all required approval conditions, the applicant may apply for a building permit under Chapter 118, Article 1, unless exempted from a building permit under that article. No work on an approved application may commence until a building permit is issued, unless the project is exempted from a permit. No building permit may be issued until the Zoning Administrator verifies that said permit is for a project that was approved under subsections E or F, including satisfaction of all applicable approval conditions that can be satisfied prior to the commencement of construction.
  - (2) With the building permit application, for projects requiring Committee approval (or Board approval on appeal), the applicant shall provide a deposit to be held by the Village and refunded upon completion of the project authorized by the building permit in accordance with such approval and applicable provisions of this article, or upon applicant request if the authorized work is not completed within 24 months of building permit issuance in which case such approval shall be voided. Such deposit shall be equal to 10% of the construction value of the project, or 5% for projects valued at more than \$100,000, but in no case shall greater than a \$20,000 deposit be required.
- H. Occupancy criteria. New and modified buildings approved under this section shall not be occupied or opened for business or leasing until the approved exterior design features of that building are finished in accordance with the approval and applicable provisions of this article. The Zoning Administrator may provide a deferral on full completion for not more than six months, provided that the reason for deferred completion is due to weather or other circumstances beyond the control of the owner, and may require adequate assurance that the work will be

fully completed within the deferral period, which may include continuing to hold all of some of the deposit required under subsection G(2).

- D. Relationship to other zoning approval processes. The project for which an application is filed may also require site plan, conditional use permit, rezoning, sign permit, and/or other zoning and other approvals from the Village. Such actions, and the processes and committees to consider them, are separate from the design review process under this article.

#### § 118-23. Design Review Criteria

- A. Generally. The Committee, in acting on an application for a design review in accordance with § 118-22(C)(1), shall utilize the criteria in this § 118-23. These criteria are intended to guide for prospective builders of representative Swiss design features that have proven effective on applicable buildings in the Village and elsewhere. The criteria are not intended to be exhaustive; the Committee may address design features not included among the criteria set forth below, provided they are consistent with the purpose and intended theme in § 118-19. The Zoning Administrator, in acting on an application or a design review in accordance with § 118-22(C)(2), shall utilize the criteria in this § 118-23 to the extent he or she considers practical and appropriate to the nature of the project and building.

#### B. Design elements.

- (1) Roof design elements. The single most defining shape of Swiss architecture is the pitched roof with expansive overhangs, regardless of building size. The original function was to hold snow and keep falling snow, ice, and melt away from the building. Pitched roofs shall meet the following standards:
- (a) Shall be be integral to building design.
  - (b) Roof overhang length of 3½ to 5½ feet, except where otherwise allowed by the Committee based on building scale or other relevant factors.
  - (c) Roof pitch shall be aesthetically pleasing in relation to the building, as determined by the Committee.
  - (d) Avoid partial pitched roofs where visible from the street to prevent a "false-front" look.
  - (e) Tile, simulated tile, standing seam metal, high-profile asphalt shingles, and heavy shakes are acceptable roofing materials. Standard overlap metal, plain shingles, and profile-less asphalt shingles are not acceptable
  - (f) Acceptable colors are red, brown, green, or gray earth tones. No galvanized metal color shall be used.
  - (g) Rain gutters, downspouts, and heat tapes required for all eaves. No plastic downspouts shall be in contact with heat tape. No drainage permitted onto sidewalks.

- (2) Exposed support beams. Exposed support or lookout beams shall be incorporated, and meet the following standards:
  - (a) Lookout beams shall be scrolled or have decorative a face plate. Scroll-sawed ends or decorative, protective end caps shall be used. Scrolling shall be traditional rococo, baroque, or folk designs.
  - (b) Lookout beams shall not extend beyond the building fascia.
- (3) Exterior wall materials. All exterior walls that are visible from the public street or other spaces frequented by the public, such as adjoining parking lots or active use parks, shall meet the following material standards:
  - (a) Desirable wall material design combines the use of both stucco and wood, or similar synthetic or composite products approved by the Committee.
  - (b) Stucco, or durable synthetic products designed to resemble stucco in the determination of the Committee, shall be finished with batten-covered joints.
  - (c) Battens over six inches in width should have a thickness of 1½ inches or more so as to minimize the chances of cupping and warping.
  - (d) Wood, or durable composite products designed to resemble wood in the determination of the Committee, shall typically be incorporated on the upper level of the wall.
  - (e) Prohibited exterior wall materials or methods include metal siding, half-timbering, and concrete block of any type.
- (4) Entryways. Primary entryway doors shall be constructed of wood, stucco/wood combinations, or durable synthetic materials designed or resemble wood or stucco approved by the Committee. Color of overhead and service doors shall match surrounding wall color. Arched doorways and entryways are recommended.
- (5) Windows. All windows that are visible from the public street or other spaces frequented by the public, such as adjoining parking lots or active use parks, shall meet the following material standards:
  - (a) Glazed (transparent) windows shall be used, rather than artificial or painted windows.
  - (b) Shall be recessed, at least on the main level, to give a sense of mass to the construction.
  - (c) Unadorned windows are prohibited.
  - (d) Muntins, mullions, or grids providing the appearance of a multi-paned window shall be incorporated.
  - (e) Decorative or functional shutters shall be included, except in locations where there is painted, decorative window trim in the determination of the Committee.
  - (f) Flower boxes shall be provided on appropriate windows along the front building wall, and along other building walls that are adjacent to a

public street in the determination of the Committee. Flower boxes shall be attached to sills.

- (g) Serving windows shall be provided with at least an eight-foot setback to outdoor, privately owned staging areas. Serving windows shall not open directly onto public sidewalks or other public rights-of-way.
  - (h) Arched window shapes are encouraged.
- (6) Balconies. If present, balconies shall be composed of traditional Swiss design elements, including heavy beam supports, scrolled decorative balusters, and flower boxes attached to railings. Architectural balconies not intended for actual use should have an apparent means of access, such as a door, false door, or large window.
- (7) Trim and accents. Trim shall be the least of the design elements, not the focus of the design. Decorative and/or multiple profile scrollwork may be incorporated. Stone may be used in rectangular linear forms for accents, particularly at wall corners. Prohibited stone and stone-like materials include river rock, concrete block (split face), and irregular stone slabs.
- (8) Colors.
- (a) White or off-white is the predominant stucco color. Pastels are acceptable but only with white or off-white accents on stucco trim. Bold and bright colors are prohibited.
  - (b) All wood trim (including beams, fascia, and siding) shall be stained, usually with transparent wood-tone stain. Opaque stain or painted may be acceptable in rare occasions. Hunter green and other accent colors may be used for shutters and flower boxes.
- (9) Decorative painting, artwork, and murals.
- (a) Decorative designs may be included on exterior walls and/or around openings.
  - (b) Wall corners may be painted to simulate rectangular stone.
  - (c) Three-dimensional painting is encouraged around windows and doors when shutters are not present. Classic as well as rococo designs should be used.
- (2) Mechanical equipment. All mechanical and utility equipment, such as heating and air conditioning equipment, air-handling ducts, and compressors, garbage receptacles and dumpsters, and outside fuel containers shall be screened from public view. False balconies, railings, and parapet walls may be utilized for screening as long as they do not detract from the desired theme in § 118-19(B).
- (3) Small buildings. The Committee may modify the criteria in this § 118-23 for permanent single-story buildings, such as roadside stands, bratwurst stands, and accessory buildings, that are under 160 square feet in floor area. No such

building shall detract from the required theme per § 118-19(B), with overall design being rustic in nature. In particular:

- (a) Roof design and materials shall resemble that of themed larger building(s) on the site, with extensive overhangs front and back and more modest overhangs on the sides.
- (b) May have all-wood outside wall construction. If all wood siding is used, the siding must be tongue-and-groove cedar, pine, or squared log construction. Plywood siding is prohibited. Usually the siding is applied horizontally. Natural wood-tone stains predominate in Switzerland with little or no painting of the trim.
- (c) Most of the ornate features are scrolled trim with window shutter cutouts.

C. Other design reference materials. This subsection includes materials that may also be utilized by the Committee in its decision making, and by the applicant in developing appropriate building designs.

- (1) Context. The applicant and Committee shall also consider the compatibility of the proposed exterior design with the existing Swiss-themed buildings that are visible from the proposed site.
- (2) Published resources. The applicant and Committee may also consult the following and similar publications for examples and design elements to incorporate into buildings. Copies of these publications and similar related reference works are available at the New Glarus Public Library.
  - (a) *Bavarn in Bildeern. Illustrations of Bavaria.* Munchen, L. Muller (1971).
  - (b) *Hauser in den Alpen*, by Viktor Proksch. Pinguin Verlag, Innsbruck und Umschau Verlag, Frankfurt A.M. (1964). (This book is also available in an English/French version.)
  - (c) *Bemalte Fassaden*, by Margarete Baur-Heinbold. Verlag Georg D.W. Callway, Munchen (1975).
  - (d) *Bayern = Bavaria = La Baviere: e. Bildbd*, von Otto Siegner. Munchen-Pullach: Simon (1975).
  - (e) *Wohnen im Alpenland*, by S. Staffa. Verlag, Kitzbuhel.
  - (f) *Berner Bauernhauser*, by Roland Fluckiger-Seiler.
  - (g) *Schweizer Bauernhauser*, by Max Gschwend.
- (3) Photo examples. The Village Clerk-Treasurer shall make color copies of reference photographs available, in digital and/or hard copy form. If in hard copy form, a monetary deposit or fee based on copying cost or replacement value shall be required.

§ 118-24. Enforcement

- A. Permanent holding of deposit. The Village may permanently retain any remaining deposit provided under § 118-22 G.(2) in the event of failure to complete an approved project under this chapter in accordance with Village approval and applicable provisions of this article.
- B. Civil penalty. Violation of any of the terms and provisions of this article is deemed to be a civil infraction. Written notice shall be given by the Village Building Inspector to the violator, which written notice shall set forth the alleged violation and shall allow a reasonable time for the correction of such alleged violation. For purposes of this section, "reasonable time" for any nonstructural violation shall follow Village ordinances which include "reasonable time" for any structural violation or violations including extensive remodeling. If said violation is not corrected within the time limit set forth in said notice, then thereafter each day said violation continues shall be deemed to be a separate infraction. Any infraction under this article shall be punishable by a civil penalty in the amount of not less than \$10 nor more than \$1,000 for each such infraction, and any offending building, structure, walkway or lighting, utility or part thereof shall be removed at the owner's expense (see Chapter 1, General Provisions, § 1-5 of this Code).
- C. Injunction and abatement. The Village, through its authorized agents, may, in addition to any other remedy provided herein, initiate injunction or abatement proceedings or other appropriate action in the Circuit Court or the courts of this state against any person who violates or fails to comply with any provision of this article or against the owner or user of any building, structure, walkway, lighting, utility or part thereof which violates this article to prevent, enjoin, abate or terminate violations of this article.
- D. Attorney fees. In any action brought by the Village to enforce this article or in any action brought by any other person(s) in which the Village is joined as a party challenging this article, in the event the Village is a prevailing party, then the nonprevailing party challenging the provisions of this article or the party against whom this article is enforced in such action shall pay, in addition to the Village's costs, a reasonable attorney fee at trial and in any appeal thereof incurred by the Village.
- E. Remedies cumulative. The remedies provided herein are cumulative and not alternative remedies and are in addition to any other remedy to which the Village may be entitled by law.

**Section 2.** Section 305-13 A. of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

- A. Districts. The Village of New Glarus is hereby divided into ~~nine~~ the following ~~types of zoning~~ districts:
  - (1) R-1 Residence District.

- (2) R-2 Mobile Home Residence District.
- (3) A Agricultural District.
- (4) C-1 Commercial District.
- (5) C-2 Highway Commercial District.
- (6) I Industrial District.
- (7) ~~W-CON~~ Conservancy District.
- (8) H Historic District.[1]  
 [1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).
- (9) S Shoreland-Wetland District.
- (10) PUD Planned Unit Development District.
- (11) SDO Swiss Design Overlay District.

**Section 3.** Section 305-18 F and 305-19 F of the Municipal Code of the Village of New Glarus [applying Swiss architectural theme requirements throughout the C-1 and C-2 zoning districts] are hereby repealed.

**Section 4.** Section 305-25 of the Municipal Code of the Village of New Glarus is hereby created to read as follows:

**§ 305-25 SDO Swiss Design Overlay District.**

- A. Purpose. The SDO district is intended to define geographic areas within which the Village's Swiss design requirements shall apply to specified buildings, all as per Chapter 118, Article II of the Municipal Code, in addition to applicable requirements associated with the underlying zoning district.
- B. SDO district boundaries. The boundaries of the SDO district are as depicted on the Official Zoning Map. All lands within such boundaries are in the SDO district.

**Section 4.** The Official Zoning Map is amended to establish the boundaries of the SDO Swiss Design Overlay District in the manner depicted in Exhibit A.

**Section 5.** 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. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

This Ordinance shall take effect the day after passage and publication as provided by law.

PRESENTED: X/X/2024  
ADOPTED: X/X/2024  
PUBLISHED: X/X/2024

---

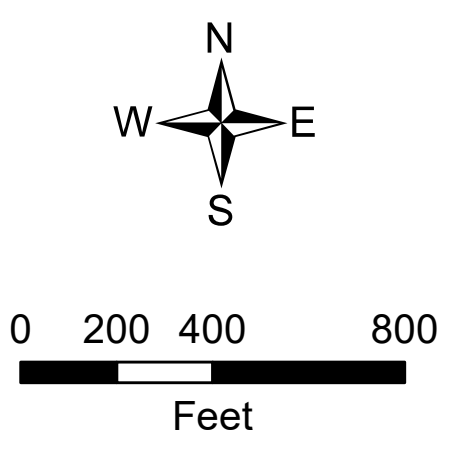
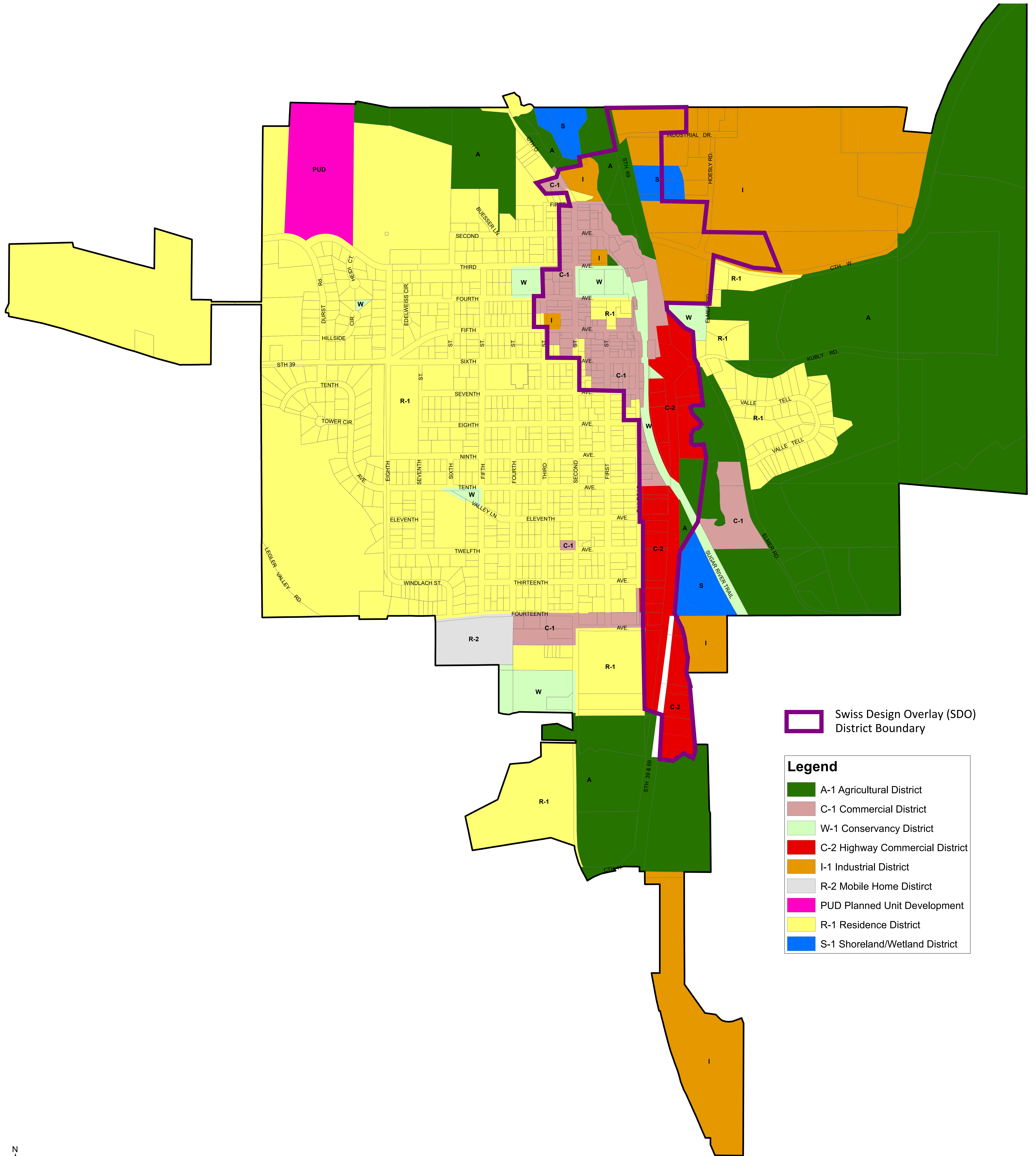
Roger Truttman, Village President

---

Kelsey Jenson, Village Clerk-Treasurer



# Exhibit A - Swiss Design Overlay (SDO) District Boundary





To: Village of New Glarus Plan Commission  
From: Mark Roffers, Village Planning Consultant  
Date: April 10, 2024  
Re: Zoning Ordinance Amendments Focused on Reorganizing Permitted and Conditional Uses

---

At present, the Village’s zoning ordinance lists various land uses as permitted-by-right uses, conditional uses (requiring a conditional use permit), or in some cases prohibited uses in separate listings under each of the Village’s standard zoning districts: R-1 Residence, R-2 Mobile Home Residence, A Agricultural, C-1 Commercial, C-2 Highway Commercial, I Industrial, and W Conservancy. The Commission or others can inspect the existing zoning ordinance from the Village’s [website](#).

Increasingly, we have found a disconnect between what land uses are actually occurring—and what land uses are desired—and what uses are actually listed in the zoning ordinance in the various districts. This disconnect is in part due to the fact that, like many other older zoning ordinances, the Village’s ordinance attempts to enumerate every type of particular land use. The most significant drawback of this approach is that certain land uses are invariably missed—particularly decades after the use lists were drawn up while what people can and want to do with land and businesses continues to change.

A secondary concern with the Village’s current ordinance is that some currently allowable land uses seem inappropriate in some districts (e.g., storage units currently allowed in R-1), while other districts seem too limiting (e.g., the only permitted-by-right use in the C-2 district is “professional offices”).

Finally, like many communities, the Village is interested in promoting more, and more affordable, resident housing. Some current rules like minimum lot sizes may be getting in the way. Occupancy of existing homes for “tourist lodging” also limits the housing supply for full-time residents.

The Village’s 2016 Comprehensive Plan acknowledged these challenges, and advised that the Village would “review allowable uses in different zoning districts, and consider realigning or adding districts to better match land use desires.” The proposed amendatory ordinance would implement this recommendation and remedy these challenges by:

- **Replacing the numerous current use lists in the several zoning districts with a single figure called “Allowable Uses in Zoning Districts.”** This different approach facilitates comparison across the zoning districts and better allows interested parties to answer the following questions: “My property is in the X zoning district; what land uses are possible there?” and “I want to do a Y land use; in what district(s) can I do that?” For example, the figure would allow a land use category called “Indoor Sales”—described more fully below—as a permitted use in the C-1 and C-2 district and as a conditional use in the I district.

- **Replacing the listing of very specific land uses—especially commercial and industrial uses—into broader land use categories.** This will allow the ordinance to encompass more potential uses particularly as we continue to move forward to the future. For example, the current ordinance listings of jewelry, optical materials, book, stationery, bakery, candy, ice cream, coffee, tea, bait, sporting goods, antique, etc., etc., etc. stores would be replaced by the single land use listing called “Indoor Sales.”
- **Including definitions for and examples of each listed land use.** This is designed to make the ordinance clearer and more flexible, and provide a paper trail of sorts back to the existing ordinance. For example, the proposed definition of the “Indoor Sales” land use is: “Land uses that conduct or display sales or rental merchandise or equipment and/or that conduct non-personal or non-professional services, within an enclosed building. Display of products outside of an enclosed building shall be considered an ‘Outdoor Display Incidental to Commercial’ accessory use, where meeting the definition of that term. Includes but is not limited to stores than sell or rent art products, jewelry, optical materials, book, stationery, bakery, candy, ice cream, coffee, tea, bait, sporting goods, antiques, collectibles, gifts, notions, clothing, hosiery, shoes, pharmaceutical products, food products (retail) including meats, fish, delis and general grocers, flowers and plants, hardware, automotive supplies, paint, household appliances, household furniture, plumbing, heating, and electrical supplies, music. Also includes department and general merchandise stores, photographic studios and supply shops, tailors, and laundromats. Does not include any other land use that is separately listed in this chapter, even if such use provides indoor sales.”
- **Establishing or refining performance standards for certain types of land uses that can present challenges without limits.** Such standards would be included within the definitions of such uses. For example, the proposed definition of the “Personal Storage Facility” (mini-warehouse) land use includes the following proposed standards: “Facility shall be limited to indoor storage of household items and similar durable goods. No live animals, perishable items, odor producing materials, flammable or explosive materials, toxic or noxious materials, or hazardous materials shall be stored on site. No storage unit may have any other function aside from storage, including but not limited to any retail, wholesale, workshop, hobby shop, manufacturing, residential, lodging, or service use.”
- **Promoting more resident housing.** Proposed approaches in the amendatory ordinance include reducing minimum residential lot sizes, allowing “Accessory Dwelling Units” (e.g., grandmother suites), facilitating “zero lot line” duplexes and townhouses, and establishing regulations on “Tourist Lodging” houses. These would include performance standards to help blend them into neighborhoods and a proposed 3% cap as a percentage of all housing units.

By zoning district, the most significant proposed changes from current practices are as follows:

- **R-1 Residence:** The Village would continue to allow a fairly permissive range of uses in its standard residential district compared to many other municipalities. Reflecting both common lot sizes in the older parts of the Village and a desire for new subdivisions with affordable lots, in

the proposal minimum lot area would be reduced from 8,712 to 6,600 square feet and minimum lot width from 66 to 60 feet. Further, minimum lot area for each additional housing unit would decrease from 4,350 to 3,300 square feet. So, while apartments would remain a conditional use in the R-1 district, maximum density could approach 13 units per acre. This remains quite low compared to other villages in the area.

- **R-2 Mobile Home Residence:** Only currently permitted land use is “mobile home parks.” Under the proposal, the use list would expand slightly to allow public uses like parks, public utilities, and personal storage facilities. The proposed ordinance includes other minor language and reference changes involving the R-2 district and mobile/manufactured homes.
- **A Agricultural District:** Allowable uses would be expanded to allow public recreation and institutional uses (school athletic complex site is zoned A) plus a mix of uses frequently found in more rural areas (e.g., beds and breakfasts, vehicle repair). The A district is mapped only in the Village at its undeveloped edges; extraterritorial zoning districts and use lists are not being affected by this proposed ordinance amendment.
- **C-1 Commercial:** Would replace the current very long and outdated commercial use lists with broader categories meant to encompass many uses, with most of these being permitted-by-right uses. Still, the proposed ordinance would separate out some potentially challenging uses as conditional uses (e.g., liquor, tobacco, CBD, or other store selling intoxicating beverages or materials). Proposal would also change housing from a permitted use to a conditional use, except for upper story apartments and similar in mixed use buildings.
- **C-2 Commercial:** Would move a number of currently-listed conditional uses to become permitted-by-right uses, including most “Personal or Professional Service” and “Indoor Sales” land uses. Would also enable mixed commercial/residential use buildings, multiple-family buildings, and institutional uses as conditional uses for the first time.
- **I Industrial:** Would discontinue the current practice of allowing most every permitted use in the C-1 district as a permitted use in the I district. This can lead to land use conflicts, more competition for a scarce resource in New Glarus (buildable industrial land), and cause the price of land to be bid beyond the potential for industrial uses. Some commercial use opportunities would remain, typically as conditional uses.
- **W Conservancy:** Currently allows only parks and trails. Would be expanded to also allow, by conditional use permit, institutional and public utility uses. The abbreviation for this district would be changed to the more logical “CON”.

The intent of the proposed ordinance amendments is not to change the legal status of any existing land uses. This being said, if any existing land uses that do not meet any new requirement, they would be grandfathered as legal nonconforming uses.

For the attached proposed ordinance amendments to be adopted, public hearings before the Plan Commission and then Village Board are required. Following its hearing, the Commission may make a recommendation to the Board and the Board can then approve, with or without further changes.

**VILLAGE OF NEW GLARUS  
Ordinance 24-04**

**AN ORDINANCE TO AMEND CHAPTER 305 IN THE MUNICIPAL CODE OF THE VILLAGE OF NEW GLARUS, WISCONSIN TO REVISE AND REORGANIZE PERMITTED AND CONDITIONAL LAND USES BY ZONING DISTRICT, DEFINE AND REDEFINE LAND USES AND RELATED TERMS AND CONDITIONS, AND MAKE OTHER RELATED ADJUSTMENTS**

THE VILLAGE BOARD of the VILLAGE OF NEW GLARUS, GREEN COUNTY, WISCONSIN, does hereby ordain as follows:

**Section 1.** The title of § 305-13 of the Municipal Code of the Village of New Glarus is hereby amended to read “Establishment of zoning districts, zoning map, and allowable land uses”, and § 305-13 D. is hereby created to read as follows:

**D.** Permitted, conditional, and prohibited land uses by district.

- (1) Figure 305-3 lists permitted and conditional within each of the zoning districts described in subsection A, except for the “H”, “S”, and “PUD” districts. § 305-106 includes definitions and standards for many of the land uses listed in this figure.
- (2) Except as provided under § 305-9 D, any land use not listed in Figure 305-3 as a permitted or conditional land use in a zoning district shall be prohibited in such district. If such an unlisted land use was previously lawfully established and continued in the zoning district despite its prohibited status, such land use is a nonconforming use pursuant to Article V.

**Figure 305-3: Allowable Uses in Zoning Districts**

P = Permitted Use	C = Conditional Use		Empty Cell = Prohibited Use in District				
Land Use Category (#) Land Use Type	Zoning District						
	R-1 Residence	R-2 Mobile Home Residence	A Agricultural	C-1 Commercial	C-2 Highway Commercial	I Industrial	CON Conservancy
<b>A. Residential Land Uses</b> (as may be defined and regulated in § 305-106 and/or elsewhere in this chapter)							
(1) Single-family dwelling	P	C	P	C			
(2) Two-family dwelling	P			C			
(3) Multiple-family dwelling	C			C	C		
(4) Boarding house	C			C	C		
(5) Mixed use dwelling unit				P	C		
(6) Tourist lodging	P		P	P			

<b>P = Permitted Use</b>	<b>C = Conditional Use</b>		<b>Empty Cell = Prohibited Use in District</b>				
<b>Land Use Category</b> (#) Land Use Type	<b>Zoning District</b>						
	<b>R-1 Residence</b>	<b>R-2 Mobile Home Residence</b>	<b>A Agricultural</b>	<b>C-1 Commercial</b>	<b>C-2 Highway Commercial</b>	<b>I Industrial</b>	<b>CON Conservancy</b>
(7) Mobile home		P					
<b>B. Institutional and Recreational Land Uses</b> (as may be defined and/or regulated in §305-106 or elsewhere in chapter)							
(1) Community living arrangement (1-8 persons)	P			C			
(2) Community living arrangement (9-15 persons)	C			C			
(3) Community living arrangement (16+ persons)	C			C			
(4) Indoor Institutional	C		C	P	C	C	C
(5) Outdoor Institutional			C		C		C
(6) Campground or recreational vehicle park, per §305-38			C				C
(7) Outdoor public recreation	P	P	P	P	P	P	P
(8) Public service or utility	C	C	C	C	P	P	C
<b>C. Commercial Land Uses</b> (as may be defined and regulated in §305-106 and/or elsewhere in this chapter)							
(1) Office	C			P	P	P	
(2) Personal or professional service				P	P	C	
(3) Indoor sales				P	P	C	
(4) Liquor, tobacco, CBD, or other store selling intoxicating beverages or materials, not including any pharmacy				C	C		
(5) Convenient cash, payday loan, installment loan, cash for gold, pawn shop, or similar business				C	C		
(6) Outdoor display				C	C	C	
(7) In-vehicle sales or service				C	C	C	
(8) Dining and indoor commercial entertainment				P	P	C	

<b>P = Permitted Use</b>	<b>C = Conditional Use</b>		<b>Empty Cell = Prohibited Use in District</b>				
<b>Land Use Category</b> (#) Land Use Type	<b>Zoning District</b>						
	<b>R-1 Residence</b>	<b>R-2 Mobile Home Residence</b>	<b>A Agricultural</b>	<b>C-1 Commercial</b>	<b>C-2 Highway Commercial</b>	<b>I Industrial</b>	<b>CON Conservancy</b>
(9) Outdoor commercial entertainment				C	C	C	
(10) Bed and breakfast, per §305-15 E	C		C	C			
(11) Hotel or motel				P	P		
(12) Artisan studio or workshop	C		C	P	P	C	
(13) Day care center	C			P	P	C	
(14) Indoor repair and maintenance			C	C	P	P	
(15) Outdoor and vehicle repair and maintenance			C		C	C	
(16) Adult-oriented establishment, per Chapter 88						C	
(17) Telecommunications facility, per §305-38.2	C	C	C	C	C	P	C
(18) Personal storage facility		C			C	P	
<b>D. Transportation, Industrial, and Agricultural Uses (may be defined and regulated in §305-106 or elsewhere in chapter)</b>							
(1) Off-site parking	C		C	C	C	C	C
(2) Airport or heliport			C			C	
(3) General industry						P	
(4) Motor freight terminal						C	
(5) Clothing cleaning, bleaching, pressing, and/or dyeing establishment				C	C	P	
(6) Microbeverage production facility				C	C	P	
(7) Warehousing, wholesaling, and/or distribution					C	P	
(8) Wind or solar energy conversion system			C			C	C
(9) Waste disposal, composting operation, recycling center			C			C	

P = Permitted Use	C = Conditional Use		Empty Cell = Prohibited Use in District				
Land Use Category (#) Land Use Type	Zoning District						
	R-1 Residence	R-2 Mobile Home Residence	A Agricultural	C-1 Commercial	C-2 Highway Commercial	I Industrial	CON Conservancy
(10) Mineral extraction operation, per §305-38.1; asphalt batch or concrete production plant			C			C	
(11) General farming or winery			P				
(12) Roadside stand or seasonal sales of farm and forestry products			P		P		
(13) Commercial animal services & boarding			P			C	
<b>E. Accessory Uses</b> (as may be defined and regulated in §305-106 and/or elsewhere in this chapter)							
(1) Accessory Residential Structure	P	P	P	P			
(2) Accessory Non-Residential Structure			P	P	P	P	P
(3) Family day care home	P						
(4) Intermediate day care home	C						
(5) Home occupation	P			P		P	
(6) Accessory dwelling unit	P			P			
(7) Outdoor alcohol area				C	C	C	
(8) Outdoor assembly	C	C	C	P	P	P	P
(9) Light industrial activity incidental to commercial use				P	P	P	
(10) Outdoor display incidental to commercial use				C	C		
(11) Outdoor storage of non-farm equipment			C	C	C	P	

**Section 2.** The abbreviation for the “Conservancy” zoning district shall be amended from “W Conservancy” to “CON Conservancy” in § 305-13 A, Figure 305-2, on the zoning map, and any other location in the Municipal Code in which it appears.

**Section 3.** Subsections B of §§ 305-15, 306-16, 305-17, 305-18, 305-19, 305-20, and 305-21 of the Municipal Code of the Village of New Glarus are hereby repealed and recreated to read as follows:



B. Permitted uses. Pursuant to § 305-13 D and Figure 305-3.

**Section 4.** Subsections C of §§ 305-15, 305-17, 305-18, 305-19, and 305-20 of the Municipal Code of the Village of New Glarus are hereby repealed and recreated to read as follows:

B. Conditional uses. Pursuant to § 305-13 D and Figure 305-3.

**Section 5.** § 305-15 D (5) of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

(5) Lot area ~~and width~~~~per dwelling unit~~. Every building hereafter erected or structurally altered for occupancy by one family shall provide a lot area of not less than ~~8,7126,600~~ square feet ~~per dwelling unit~~ and ~~lot width of not~~ less than ~~6660~~ feet ~~in width~~; buildings hereafter erected or structurally altered for occupancy by more than one family shall provide a lot area of not less than ~~4,350~~ ~~3,300~~ square feet per ~~each additional~~ dwelling unit; and no such lot shall be less than ~~6680~~ feet in width. See definition of “Zero Lot Line Structure” in § 305-106 for potential dimensional standard adjustments.

**Section 6.** §§ 305-15 E and F of the Municipal Code of the Village of New Glarus [related to bed and breakfast establishments and home occupations] are hereby repealed.

**Section 7.** Subsections C of §§ 305-16 and 305-21 of the Municipal Code of the Village of New Glarus are hereby created to read as follows:

C. Conditional uses. Pursuant to § 305-13 D and Figure 305-3.

**Section 8.** Subsections D of §§ 305-18, 305-19, and 305-20 of the Municipal Code of the Village of New Glarus [prohibited uses] are hereby repealed, with subsections E and F in these sections where present relettered as subsections D and E respectively.

**Section 9.** § 305-37 of the Municipal Code of the Village of New Glarus is hereby repealed and recreated to read as follows:

**§ 305-37 Standards for specific conditional uses.**

The following sections within Article IV have requirements for particular conditional uses. Other sections of this Chapter, including but not limited to § 305-06, may have other requirements for other conditional uses.

**Section 10.** The table within § 305-45 of the Municipal Code of the Village of New Glarus is hereby amended to list the following additional uses and minimum parking required, after the current “Rooming and boarding houses” listing:

Use	Minimum Parking Required
Accessory dwelling unit, tourist lodging	1 additional space above the number required for the principal use

**Section 11.** § 305-63 D of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

- D. Use restrictions, residential district. Accessory ~~uses or~~ structures in residential districts shall not involve the conduct of any business, trade, or industry ~~except for home occupations as defined herein~~ and shall not be occupied as a dwelling unit, except as an “Accessory Dwelling Unit” meeting all requirements of this chapter. ~~Accessory buildings shall not be used for residential purposes.~~

**Section 12.** § 305-68 B of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

- B. It is the intent of this article to recognize mobile homes constructed prior to October 1, 1974, as distinct and different from units designated as mobile homes within the definitions of this article and to prohibit units not meeting the requirements for mobile homes as defined herein. Units constructed prior to 1974 are prohibited. ~~Mobile homes meeting the requirements of the One and Two-Family Building Dwelling Code shall not be permitted in an R-2 Mobile Home District except as a conditional use. Permits may be obtained only after approval by the Plan Commission.~~

**Section 13.** The definition of “RESIDENTIAL MOBILE HOME” in § 305-69 of the Municipal Code of the Village of New Glarus is hereby repealed.

**Section 14.** § 305-74 A of the Municipal Code of the Village of New Glarus is hereby amended to read as follows:

- A. Chapter SPS 326, Manufactured Home Communities, COMM 95, Wis. Adm. Code, as now existing or hereafter amended, is hereby made a part of this chapter and incorporated herein by reference as if fully set forth, except that such regulations shall not be deemed to modify any requirement of this chapter or any other applicable law or ordinance of the state or Village.

**Section 15.** Within § 305-306 of the Municipal Code of the Village of New Glarus, the following terms are hereby created or amended to read as follows:

**ACCESSORY DWELLING UNIT**

A residential dwelling unit located on the same lot as a principal single-family dwelling use, either as part of the same building as the single-family dwelling or in a detached building. Commonly referred to as an accessory apartment or granny flat.

An interior physical connection between the accessory dwelling unit and single-family dwelling is not required. Where an “Accessory Dwelling Unit” comprises all or part of a detached building, it shall be attached to a finished permanent foundation such as a poured concrete slab or basement, meet all UDC requirements, not exceed 900 square feet in floor area, not have greater than two bedrooms, and not be sold separately from the single-family residence.

#### **ACCESSORY NONRESIDENTIAL STRUCTURE**

Any detached garage, storage building, mechanical building, utility shed, or other building which serves the principal nonresidential use or building in the same lot, with such a principal nonresidential use including an approved commercial business or industry. Also includes an accessory structure serving a caretaker’s residence or a wind and solar energy system primarily for on-site use. Does not include fences, public utility fixtures and their appurtenances, driveways, gardens, garden accessories, fountains, outdoor wood furnaces, satellite dishes, flagpoles, walkways, at-grade patios, or uses described under the “Accessory Farm and Forestry Structure” land use category. Attached garages, other attached buildings, and decks shall be considered part of the principal building not an accessory nonresidential structure

#### **AGENT**

The person designated by the owner as the person in charge of a “Bed and Breakfast Establishment” or a “Tourist Lodging” use, and whose identity shall be filed in writing with the Zoning Administrator upon issuance of the associated license or permit and updated five days prior to a designated agent taking charge.

#### **ARTISAN STUDIO OR WORKSHOP**

A land use involving a building or portion thereof used for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items, as either a principal use or accessory use, used by no more than five artists or artisans.

#### **BED AND BREAKFAST ESTABLISHMENT**

Any place of lodging that provides four or fewer rooms for rent to tourists or transients for more than 10 nights in a twelve-month period, was originally built and occupied as a single-family residence or prior to use as a place of lodging was converted to use and occupied as a single-family residence, is the owner’s personal residence, is occupied by the owner at and during the time of rental, in which the only meal served to guests (if any) is breakfast, and is subject to the following additional requirements:

- A. Must be licensed by the State, registered or licensed by the Village (upon payment of a fee established by the Village Board), and have a designated agent. Owner shall provide a copy of such State license and a sales tax number to the Zoning Administrator at time of initial receipt, and thereafter as may be requested.

- B. Shall be subject to and comply with Chapter ATCP 73, Wis. Adm. Code, relating to bed and breakfast establishments and § 97, Wis. Stats., related to food, lodging, and recreation.
- C. Shall provide a register and require all guests to register their true names and addresses before assigned quarters. The register shall be kept intact and available for inspection by the Zoning Administrator for a period of not less than one year.
- D. No guest shall be permitted to occupy space in a bed and breakfast establishment for a longer period than 14 consecutive days during any 30 day period.
- E. Each such establishment shall provide off-street parking space per § 305-45 G.
- F. Exterior signage shall be limited to a total of eight square feet and may be lighted in such manner and nature as not to alter the nature of the surrounding neighborhood. Bed and breakfast establishments shall otherwise not be subject to the requirements of this Chapter with respect to signs.
- G. Renting the bed and breakfast establishment or its land or facilities for a special gathering (i.e., wedding reception, parties, etc.) shall be prohibited.
- H. The Village shall have the right of inspection for the purpose of determining compliance with the license or ordinance requirements between 9 a.m. and 5 p.m. or upon reasonable notice outside of those hours.
- I. A bed and breakfast establishment license shall be automatically void upon the sale or transfer of the property ownership or any fractional ownership interest in the property, until the new owner obtains a new or altered license.
- J. Any exception to the requirements herein shall only be allowed upon approval by the Village Board after a recommendation from the Plan Commission, and shall not violate any state requirement.

### **BOARDING HOUSE**

Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to 3 to 12 persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator, and who or not tourists or transients as defined herein.

### **BREW PUB**

A business use or component that is accessory to a restaurant or tavern use, produces less than 10,000 barrels of beer per year, is permitted under § 125.295, Wis. Stats., and where beer is primarily produced for on-site consumption.

### **COMMERCIAL ANIMAL SERVICES AND BOARDING**

A land use that provides for the care, treatment, and/or boarding of 6 or more animals, except for small animal veterinary clinics. Examples include commercial kennels, commercial stables, veterinarian hospitals and clinics serving animals larger

than domestic dogs and/or requiring outdoor kennels, and commercial game and fur farms. Exercise yards, fields, training areas, and trails associated with such land uses are accessory to such land uses and do not require separate consideration.

### **COMMUNITY LIVING ARRANGEMENT**

A land use that includes community living arrangements for adults as defined in § 46.03(22), Wis. Stats.; community living arrangements for children, as defined in § 48.743(1), Wis. Stats.; foster homes, as defined in § 48.02(6), Wis. Stats.; and adult family homes, as defined in § 50.01 (1) (a) or (b), Wis. Stats. Provided not in violation of federal or state housing or anti-discrimination laws, shall be subject to all spacing and capacity requirements in applicable Wisconsin Statutes. Do not include group day care centers, convalescent homes, nursing homes, hospitals, prisons, or jails.

### **DAY CARE CENTER**

A land use in which qualified persons provide child care services for nine or more children. Examples of such land uses include child care centers, preschools, and nursery schools. Such land uses may be operated in conjunction with another principal land use on the same premises, such as a church, primary school, business, civic organization, or multi-family residential complex. Prior to establishment or expansion, each day care center shall be subject to site plan approval under § 305-94 and shall provide for safe drop off and pick up. Distinguished from “Intermediate Day Care Home (nine to 15 children),” because day care centers are principal uses of a property not accessory to a principal residential use.

### **DINING AND INDOOR COMMERCIAL ENTERTAINMENT**

Land uses that provide dining, drinking, and/or entertainment services within an enclosed building, except as provided below. Such land uses include restaurants; refreshment stands; caterers; cafes; coffee shops; taverns; brewpubs; wine bars; theaters; health or fitness centers; commercial gymnasiums; commercial indoor swimming pools; bowling alleys; arcades; roller rinks; indoor shooting, archery, and axe ranges; and pool halls and billiard rooms. Any outdoor alcohol service area associated with such use shall be classified as an accessory “Outdoor Alcohol Area” land use. Does not include any “Sexually-Oriented Use.”

### **DWELLING, MULTIPLE-FAMILY**

A building designed, arranged, used for, and occupied exclusively by three or more families living in the same number of attached dwelling units. The building must be attached to a finished, permanent foundation, such as a poured concrete slab or basement. Units may be attached side-by-side, or with units above the others, or some combination. Also commonly referred to as an apartment building, townhouse, or rowhouse. May be a “Zero Lot Line Structure” as defined and regulated herein.

### **DWELLING, SINGLE-FAMILY**

A dwelling unit designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit or non-residential principal building. Minimum habitable area shall be 720 square feet. The building

must be attached to a finished, permanent foundation, such as a poured concrete slab or basement. This land use category includes a “Manufactured Home” as described in this section, but only if said manufactured home meets the above regulations applicable to all single-family dwellings.

### **DWELLING, TWO-FAMILY**

A building designed, arranged, used for, and occupied exclusively by two families living in two attached dwelling units, with each unit having a private individual access to the outdoors, no shared internal access, and not meeting the definition of an “Accessory Dwelling Unit.” Minimum habitable area shall be 720 square feet per unit. The building must be attached to a finished, permanent foundation, such as a poured concrete slab or basement. Units may be attached side-by-side or with one unit above the other. Also commonly referred to as a duplex, twin home, or two-flat. May be a “Zero Lot Line Structure” as defined and regulated herein.

### **GENERAL INDUSTRY**

A group of land uses including manufacturing, trade, and contracting facilities that are not separately listed land uses in this chapter. Includes lumberyards; mill work shops; builder’s or contractor’s shops; machine shops; manufacture and bottling of beverages; manufacture, compounding, processing, packaging or treatment of such products as bakery goods and candy (but not retail bakery or confectionary), cosmetics, pharmaceuticals, toiletries, food products, and articles or merchandise from the following previously prepared material: canvas, cellophane, cloth, fiber, glass, leather, paper, plastics, precious or semiprecious metals or stone, rubber, textiles, and wood; manufacture or assembly of electrical appliances, instruments, and devices, phonographs, radio and television sets, electric and neon signs, refrigerators, and stoves. Excludes abattoirs except for slaughter of poultry; acid manufacture; cement, lime, gypsum or plaster of Paris manufacture; distillation of bones; explosives manufacture or storage; fat rendering; fertilizer or artillery manufacture; garbage, rubbish, offal, or dead animal reduction or dumping; fuel production, refining, and reclamation; glue manufacture; junkyards and salvage yards; smelting of tin, copper, zinc or iron ores; stockyards; and similar uses as determined by the Zoning Administrator.

### **HOME OCCUPATION**

An accessory economic activity that provides household income, where the principal use of the lot is the residence of at least one person conducting the economic activity, and the home occupation is clearly secondary and incidental to the principal residential use. Does not include a state licensed “Family Child Care Home” or “Intermediate Day Care Home”, which are listed separately in this section. Each “Home Occupation” use shall be subject to the following additional requirements:

- A. A home occupation shall be undertaken only by members of the household residing on the premises, plus not more than person not residing on the premises.
- B. The home occupation shall be conducted only within the dwelling and/or an attached garage, except by conditional use permit.

- C. The area used to conduct the home occupation shall not exceed 25% of the first floor area of the dwelling, even if the home occupation is not actually conducted or only partially conducted on the dwelling's first floor.
- D. There shall be no exterior alterations to the dwelling that change the character thereof as a dwelling. Signage shall be limited to that allowed of any other dwelling in a residential zoning district per Article VII.
- E. No home occupation shall keep any stock-in-trade or include on-site sales or lease of any commodity, except for those made on the premises; samples; and Tupperware, Shaklee, Amway, Avon, and similar products as determined by the Zoning Administrator.
- F. No activity, materials, goods, or equipment incidental to the home occupation shall be externally visible, except for one licensed car, van, or light duty truck used both for the home occupation and for a resident's personal use.
- G. The home occupation must not create environmental, safety or health hazards such as smoke, odor, glare, noise, dust, vibrations, fire hazards, small electrical interference, electrical emissions, any other nuisance not normally associated with the average residential use in the district, or other fire or safety hazards that are noticeably out of character with those produced by normal residential occupancy.
- H. No on-site production typical of an industrial use or vehicle repair or body work is permitted.
- I. No home occupation, combined with the principal residential use of the property, shall generate more than 15 vehicle trips per day.
- J. Notwithstanding the above requirements, garage sales as a type of home occupation are allowed, provided that not more than two are held on a single premises per year and that each such sale shall not exceed four days in duration.
- K. Any exception to the requirements herein shall only be allowed upon approval by the Village Board after a recommendation from the Plan Commission, and shall not violate any state requirement.

## **INDOOR INSTITUTIONAL**

A group of land uses that includes all indoor public and not for profit recreational facilities (such as gyms, swimming pools, libraries, museums, and community centers); dance, art, martial arts, and other forms of training studios; schools, colleges and universities; churches, private clubs or lodges, funeral homes and mortuaries, tourist information and hospitality centers, convention centers not attached to hotels, auditoriums, hospitals, medical and dental clinics (but not veterinary), facilities that provide services and care to the elderly or handicapped, which may include nursing homes, convalescent homes, assisted living units and apartments not classified as community living arrangements under § 62.23, Wis. Stats., incarceration facilities, philanthropic and eleemosynary institutions, and

similar land uses.

### **INDOOR SALES**

Land uses that conduct or display sales or rental merchandise or equipment and/or that conduct non-personal or non-professional services, within an enclosed building. Display of products outside of an enclosed building shall be considered an “Outdoor Display Incidental to Commercial” accessory use, where meeting the definition of that term. Includes but is not limited to stores that sell or rent art products, jewelry, optical materials, books, stationery, bakery, candy, ice cream, coffee, tea, bait, sporting goods, antiques, collectibles, gifts, notions, clothing, hosiery, shoes, pharmaceutical products, food products (retail) including meats, fish, delis and general grocers, flowers and plants, hardware, automotive supplies, paint, household appliances, household furniture, plumbing, heating, and electrical supplies, music. Also includes department and general merchandise stores, photographic studios and supply shops, tailors, and laundromats. Does not include any other land use that is separately listed in this chapter, even if such use provides indoor sales.

### **INDOOR REPAIR AND MAINTENANCE**

Includes all land uses, except as separately listed, that perform repair and maintenance services for consumer products and contain all operations (except loading) entirely within an enclosed building, including electronics, mechanical, and small engine repair service businesses. All other vehicle repair and maintenance uses shall instead be regulated as “Outdoor and Vehicle Repair and Maintenance” uses.

### **IN-VEHICLE SALES OR SERVICE**

Land uses that perform sales and/or services to persons in vehicles, or to vehicles which may or may not be occupied at the time of such activity. Examples include drive-in, drive-up, and drive-through facilities in conjunction with another principal use (such as a restaurant or bank), fueling stations, car washes (including full- and self-serve), and outdoor drive-in theaters. All fueling pumps and storage tanks shall be located at least 20 feet from any street or highway right-of-way. Excludes “Outdoor and Vehicle Repair” land uses, which are separately listed and regulated.

### **LIGHT INDUSTRIAL ACTIVITY INCIDENTAL TO COMMERCIAL USE**

An accessory land use involving the assembly of products sold on site for a permitted principal use, such as products that may be produced by a carpenter, small metal worker, or other craftsman, where there is no noise, odor, or vibration at any property line or common wall or floor/ceiling. Floor area devoted to light industrial use must not exceed 20 percent of the total floor area of the business, and assembly area must be physically separated from other activity areas that are available for public access.

### **MICROBEVERAGE PRODUCTION FACILITY**

A type of beer, wine, spirits, or coffee production facility, often including a tasting or tap room and on-site purchase of beer and related products, with no more than the following amounts of product per year: microbrewery, 15,000 barrels or equivalent; microdistillery, 10,000 gallons or equivalent; microwinery, 15,000 gallons or equivalent; microroastery, 15,000 pounds or equivalent. In the event such a use



exceeds the associated volume threshold, either at time of commencement or via growth, it shall instead be considered a “General Industrial” land use. Brewpubs are regulated separately as an “Dining and Indoor Commercial Entertainment” use.

#### **MIXED USE DWELLING UNIT**

A dwelling unit located within the same building that has another principal use allowed in the associated zoning district, with such dwelling unit generally located above the ground floor or if on the ground floor no closer than 24 feet from the front or street side of a building.

#### **MOBILE HOME**

A transportable factory-built structure as is defined in § 101.91(10), Wis. Stats., designed for long-term occupancy by one family, and built prior to June 15, 1976, the effective date of the Federal Manufactured Housing Construction and Safety Standards Act.

#### **MOTOR FREIGHT TERMINAL**

Lands and buildings representing (a) either end of one or more truck carrier line(s) principally serving several or many businesses, (b) a farm or forestry commodity trucking operation, which is a type of freight service devoted primarily to movement of locally produced agricultural or forestry products principally serving one or more farms or lumber operations, or (c) short-term indoor storage and possible repackaging and reshipment of the materials and products of a single user. Such uses typically have frequent and heavy trucking operations, large yards, extensive docks, indoor and outdoor storage, large buildings, freight stations, and/or on-site truck maintenance, repair, and/or weighing facilities.

#### **OFF-SITE PARKING**

Any area used for the temporary parking of vehicles that are fully registered, licensed, and operative but not located on the premises where the principal use such parking serves is located. Includes off-site vehicle storage garages and public parking lots. Shall be set back at least 3 feet from any residential lot line, include curbing or fencing to prevent passage from parking to adjacent residential lots, include connection to the public storm sewer system or graded to meet applicable stormwater management requirements and direct drainage away from residential lots, and be covered with concrete or asphalt within 12 months of commencement of usage.

#### **OUTDOOR ALCOHOL AREA**

A typically accessory land use those that involves the commercial service and/or consumption of alcohol outside of the principal building, often associated with an approved restaurant or tavern use including outdoor dining areas that allow the consumption of alcohol.

#### **OUTDOOR AND VEHICLE REPAIR AND MAINTENANCE**

Includes all land uses, except as separately listed in this chapter, that perform maintenance services (including repair) and have all, or any portion (beyond simply loading) of their operations located outside of an enclosed building. Also includes all

businesses that repair or maintain motor vehicles designed for road use and brought in from off-site, not including exclusively indoor small engine repair. Except within the Industrial zoning district, does not include establishments for rebuilding, retreading, recapping, vulcanizing, or manufacturing tires, or establishments for painting vehicles. Regardless of zoning district, no motor vehicle wrecking is permitted, all motor vehicle repair work shall be done within completely enclosed buildings, and outdoor storage of vehicle parts and abandoned, unlicensed, and inoperable vehicles is prohibited, except that each inoperable vehicle being serviced may be kept outdoors for a period not exceeding 30 days.

### **OUTDOOR COMMERCIAL ENTERTAINMENT**

Land that provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash, and late operating hours. Examples include outdoor commercial swimming pools, driving ranges, miniature golf facilities, amusement parks, drive-in theaters, go-cart tracks, racetracks, and shooting ranges.

### **OUTDOOR DISPLAY**

Land uses, except as otherwise listed separately in this chapter, that conduct sales or display sales or rental merchandise or equipment outside of an enclosed building. Examples include outdoor car and truck sales, outdoor vehicle rental, manufactured home sales, monument sales, sales of recreational vehicles, campers, boats, and trailers, motorcycle sales, motorized bicycle sales, go-kart sales, snowmobile sales, aircraft sales, motorboat sales, and outdoor sales yards associated with a retail use that exceed limits associated with an “Outdoor Display Incidental to Indoor Sales Use.” Does not include the sale any more than one motor vehicle, recreational vehicle, boat, or trailer than is not owned or titled under the name of the property or business owner.

### **OUTDOOR DISPLAY INCIDENTAL TO INDOOR SALES USE**

Any “Outdoor Display” land use, as defined above, that does not exceed 20 percent of the total sales area of the principal building on the site, or 20 percent of the floor area of the principal use(s) with which it is associated, whichever is less.

### **OUTDOOR STORAGE OF NON-FARM EQUIPMENT**

Generally an accessory land use that includes the storage of non-farm items or equipment not fully enclosed within a building, excluding active loading and parking. Examples include contractors’ outdoor storage yards, equipment yards, lumber yards, coal yards, outdoor salt storage, landscaping materials yards, construction materials yards, and shipping materials yards. Inoperable items, equipment, or vehicles are not considered an outdoor storage land use, but instead may be classified as a junkyard or salvage yard. Unless otherwise approved by the Plan Commission, outdoor storage shall not be permitted in the minimum required front yard and each outdoor storage area shall be completely enclosed by any permitted combination of buildings, structures, walls, and/or fencing. Such walls or fencing shall be designed to completely screen all stored materials from view from parcels not zoned Industrial at an elevation of 5 feet above grade.

## **PERSONAL OR PROFESSIONAL SERVICES**

An indoor land use whose primary function is the provision of one or more professional or personal services directly to an individual on a walk-in or on-appointment basis. Examples include banks, insurance or financial services, brokerages, realty offices, barber shops, beauty shops, radio broadcast studios, and small animal veterinary clinics. Veterinary clinics catering to animals larger than domestic dogs and/or requiring outdoor kennels shall be regulated as a “Commercial Animal Service and Boarding” land use. Does not include personal or professional service uses that are accessory to a principal residential use of a property, which are instead regulated as home occupations if meeting applicable requirements of this chapter. Also does not include convenient cash, payday loan, installment loan, cash for gold, pawn shop, or similar businesses, which are separately listed and regulated.

## **PERSONAL STORAGE FACILITY**

Includes indoor storage of items entirely within partitioned buildings with individual access to each partitioned area. Such storage areas may be available on either a condominium or rental basis. Also known as “mini-warehouses.” Facility shall be limited to indoor storage of household items and similar durable goods. No live animals, perishable items, odor producing materials, flammable or explosive materials, toxic or noxious materials, or hazardous materials shall be stored on site. No storage unit may have any other function aside from storage, including but not limited to any retail, wholesale, workshop, hobby shop, manufacturing, residential, lodging, or service use.

## **PUBLIC SERVICE OR UTILITY**

Includes all municipal, county, state and federal facilities (except those listed separately in this chapter); protective service facilities such as police and fire departments and rescue operations; public and/or private utility substations; municipal water towers, reservoirs, and well sites; utility and public service related distribution facilities; cemeteries; and similar land uses. Does not include facilities that generate power primarily for off-site distribution and use, except where conducted as an accessory use to another permitted public service or utility use.

## **SEASONAL SALES OF FARM AND FORESTRY PRODUCTS**

Includes outdoor display and sales of farm and forestry products on a seasonal basis (less than 180 days in a calendar year). Examples include, but are not limited to, fruit and vegetable stands, maple syrup sales, pumpkin stands or patches, Christmas tree lots, firewood sales, wreath sales, honey sales, and flower sales, but not including sales of non-farm or general forestry products like lumber. Display/sales areas shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances, and if in an agricultural zoning district used solely for the display or sale of farm or forestry products produced on the premises upon which such roadside stand is located. May include a temporary structure of not more than 300 square feet of ground area, not permanently affixed to the ground, and readily removable in its entirety. There shall not be more than one such use on any one premises.

## **TOURIST LODGING**

A use of a dwelling where sleeping accommodations are offered for pay to tourists or transients for fewer than 30 consecutive days per tourist or transient, and subject to the following requirements:

- A.** Must be licensed by the State, licensed by the Village (upon payment of a fee established by the Village Board), and have a designated agent. Owner or agent shall provide a copy of such State license and a sales tax number to the Zoning Administrator at time of initial receipt, and thereafter as may be requested.
- B.** Not greater than 3% of all dwellings in the Village may be a “Tourist Lodging” use at any one time, as determined by State or Village licenses or another reliable source held or approved by the Village.
- C.** The permitted number of occupants of any “Tourist Lodging” use may not exceed twice the number of lawful bedrooms as verified by the Building Inspector, and no daytime gatherings with more than four additional persons are permitted in association with the “Tourist Lodging” use. Renting or use of the dwelling for a special gathering (i.e., wedding reception, parties, etc.) shall be prohibited.
- D.** No shed, tent, vehicle (including any camper or other recreational vehicle), or garage shall be used for living or sleeping purposes, except for any portion of a garage legally established as an “Accessory Dwelling Unit” under this Chapter.
- E.** No vehicle parking shall be permitted beyond a hard surfaced area that was designed and intended for vehicle parking.
- F.** The appearance of the dwelling shall not be altered or operated in a manner that would cause the premises to differ in appearance from a typical dwelling.
- G.** The availability of the “Tourist Lodging” use shall not be advertised by on-site signage, except that, at all times the dwelling is used for “Tourist Lodging” a sign no larger than 2 square feet shall be placed outside near the primary entrance door with a 24-hour contact number in case of a complaint or emergency, and the registration issued by the Village shall be conspicuously displayed indoors.
- H.** § 224-9 of the Code shall apply with respect to noise.
- I.** The Village shall have the right of inspection for the purpose of determining compliance with the license or ordinance requirements between 9 a.m. and 5 p.m. or upon reasonable notice outside of those hours.
- J.** A “Tourist Lodging” license shall be automatically void upon the sale or transfer of the property ownership or any fractional ownership interest in the property, until the new owner obtains a new or altered license.
- K.** Any exception to the requirements herein shall only be allowed upon approval by the Village Board after a recommendation from the Plan Commission, and shall not violate any state requirement.

Commercial lodgings consisting of a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas, shall instead be regulated as “Hotel or Motel” use. Lodgings consisting of a room in a residence operated by the primary resident shall instead be regulated as a “Bed and Breakfast”. Also does not include any “Boarding House,” which is described and regulated separately.

#### **TOURIST OR TRANSIENT**

A person who travels to a location away from his or her permanent address for a short period of time for vacation, pleasure, recreation, culture, business, or temporary employment.

#### **WAREHOUSING, WHOLESALING, AND/OR DISTRIBUTION**

Land uses primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Includes conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities, but does not include any “Motor Freight Terminal” or “Personal Storage Facility” use.

#### **WIND OR SOLAR ENERGY CONVERSION SYSTEM**

An apparatus or system for converting the energy available in the wind or sun to electrical energy for the primary purpose of resale or off-site use, where subject to local regulation under Wisconsin law. Requirements of Article VIII may also apply.

#### **ZERO LOT LINE STRUCTURE**

A building that is built over a lot line, where walls separating occupancy units follow lot lines, such as a zero-lot-line duplex or townhouse or series of zero lot line commercial occupancies in a single commercial building, and which shall meet the following requirements:

- A.** Any division of land associated with the construction or development of a zero lot line structure shall comply with applicable land division regulations.
- B.** The building shall meet the front, side, and rear setbacks required for the applicable zoning district in which it is located, except that the yard with the shared wall shall have no minimum principal building setback.
- C.** The minimum width of each lot associated with a zero lot line structure shall be the normal minimum lot width in the zoning district divided by the number of separate occupancy units in the structure.
- D.** The building permit applicant shall provide a signed agreement or covenant specifying maintenance standards for the common wall, exterior surfaces of the building to maintain a neat and harmonious appearance over time, and any other common features; restrictions against construction of detached single-family residences on any of the affected lots in the event either or all sides of the zero lot

line structure is destroyed; and a provision that it may not be terminated, amended, or otherwise altered without the approval of the Village Board. Each such agreement or covenant shall be subject to Village Attorney approval, and then recorded by the developer against all affected properties and continually maintained by the property owners.

**Section 16.** Within § 305-306 of the Municipal Code of the Village of New Glarus, the following terms and their definitions are hereby repealed: AUTOMOBILE LAUNDRY; GROUP LODGING HOUSE; HOME PROFESSIONAL OFFICE; HOTEL, APARTMENT; LODGING HOUSE; LODGING ROOM; OFFICE FOR A PROFESSIONAL PERSON; PLANNED RESIDENTIAL DEVELOPMENT; RESERVOIR PARKING SPACE; ROADSIDE STAND; ROW HOUSE; SINGLE-FAMILY DWELLING.

**Section 17.** 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. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

This Ordinance shall take effect the day after passage and publication as provided by law.

PRESENTED: \_\_\_/\_\_\_/2024  
ADOPTED: \_\_\_/\_\_\_/2024  
PUBLISHED: \_\_\_/\_\_\_/2024

\_\_\_\_\_  
Roger Truttmann, Village President

\_\_\_\_\_  
Kelsey Jenson, Village Clerk-Treasurer