

ENROLLED ORDINANCE 175-52

AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE BY RECREATING
SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND
REPEAL AND RECREATE VARIOUS OTHER SECTIONS RELATING
TO PLANNED UNIT DEVELOPMENTS (RZ68)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Town of Lisbon Town Board on July 13, 2020; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the text of the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to recreate Section 33 Planned Unit Development Overlay District and repeal and recreate various other sections relating to Planned Unit Developments, more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference RZ68, is hereby approved.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

AMEND THE TEXT OF THE TOWN OF LISBON ZONING CODE BY RECREATING
SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND
REPEAL AND RECREATE VARIOUS OTHER SECTIONS RELATING TO
PLANNED UNIT DEVELOPMENTS (RZ68)

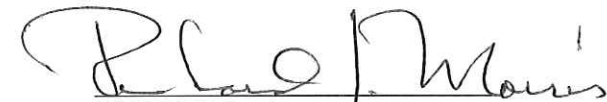
Presented by:
Land Use, Parks, and Environment Committee


William A. Mitchell, Chair


Keith Hammitt


Thomas A. Michalski


Chris Mommaerts


Richard Morris


Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 11/30/2020, 
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 11/30/2020, 
Paul Farrow, County Executive

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENT

DATE: October 15, 2020
FILE NO.: RZ68 (x-ref. 1701E)
APPLICANT: Town of Lisbon Board of Supervisors
W234 N8676 Woodside Road
Lisbon, WI 53089

REQUEST:

Re-creating Section 33, Planned Unit Development Overlay District, of the Town of Lisbon Zoning Ordinance, and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to Planned Unit Developments (PUDs) as an Overlay District.

PUBLIC HEARING DATES:

January 11, 2018 and March 12, 2018; returned to the Town for clarification (not a public hearing) November 14, 2019.

PUBLIC COMMENT: None

TOWN PLAN COMMISSION ACTION:

On November 14, 2019, the Town of Lisbon Plan Commission unanimously recommended approval of Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018), creating Section 33 of the Town of Lisbon's Zoning Ordinance regarding PUDs and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District to the Town Board.

TOWN BOARD ACTION:

On November 25, 2019, the Lisbon Town Board of Supervisors approved Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018), creating Section 33 of the Town of Lisbon's Zoning Ordinance regarding PUDs and repealing/recreating various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District, and recommended the same to Waukesha County.

On July 13, 2020, the Lisbon Town Board of Supervisors rescinded their November 25, 2019, action approving Ordinance 18-19 (2019), an Ordinance re-adopting Ordinance 01-18 (2018) related to Planned Unit Developments as an Overlay District, and recommended the same to Waukesha County.

Subsequently, on July 13, 2020, the Lisbon Town Board of Supervisors approved an Ordinance No. 05-20 (2020, attached) readopting Ordinance 01-18 (2018), which created Section 33 and repealed/recreated various sections of the Town of Lisbon Zoning Ordinance related to PUDs as an Overlay District, and recommended the same to Waukesha County.

STAFF ANALYSIS:

The Town initially started working on this amendment in late 2017, but the Ordinance that was approved by the County in 2018 was subsequently found to need further clarification and so the County staff worked with various Town staff on several sections that required additional revisions. After working through those revisions with the former Town Planner and Town Clerk in 2019, a revised Ordinance was ultimately resubmitted to the County in 2020 by the new Town Planner team and Interim Clerk for another review.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the text of the Town of Lisbon Zoning Code hereby recommends **approval** of **RZ68 (Text Amendment/Town Lisbon Board)** in accordance with the attached “Staff Report and Recommendation”.

PARK AND PLANNING COMMISSION

October 15, 2020

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Absent

William Maslowski

The Town has created an overlay district for PUDs instead of requiring a Conditional Use as existed in the previous version of the Town Zoning Ordinance. The creation of an overlay district serves to greatly streamline the conditional use process and allows the Overlay District to be more adaptable to development projects. The purpose and intent/objectives of the section are very similar to those in the prior PUD Conditional Use section, and the new PUD Overlay District is allowed over any district except the EFD and Q-1 Districts. The overlay can include the C-1 District, but no portion of any building, structure, or (buildable) lot is allowed in the C-1. The uses allowed in the overlay are those allowed in the underlying base zoning district(s), and the floor area, height, setbacks, lot requirements, and density have the ability to be flexed as in the prior conditional use permitting system.

After a pre-application meeting, the petitioner submits a General Development Plan (GDP) for consideration and public hearing by the Town Plan Commission. If a CDP amendment or zoning change is required, those processes take place at the time of the GDP submittal. The Town Plan Commission approves and makes a recommendation to the Town Board, Waukesha County, and any extraterritorial entities as required, and the decision is subject to the submittal of a Specific Development Plan (SPD) and any other conditions deemed appropriate. The Plan Commission approval date becomes the effective date of the PUD overlay ordinance. If the SPD is not submitted to the Town Plan Commission and approved by the Town Board within 12 months of the effective date, the PUD Overlay District Ordinance becomes null and void.

Other sections of the Town’s Zoning Ordinance that are proposed to be amended in conjunction with the PUD Overlay amendments are: repealing the definitions of PUD and Mixed PUD and creating the definition of a PUD Overlay District; repealing the PUD Conditional Use section; and amending other section number and wording references as required. These minor section number and wording references are the revisions that required further clarification by the Town in their most recent action on this matter.

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends approval of the request. As noted above, the new PUD Overlay District serves to greatly streamline the prior conditional use process and allows the Overlay District to be more flexible and adaptable to development projects. Considering PUDs as an Overlay District instead of a Conditional Use allows the Town Plan Commission as well as the Town Board the ability to review each development project based on specific information and review criteria as outlined in the Overlay District ensuring uniformity of the process. Therefore, the proposed text amendment complies with the town and county’s comprehensive plans and all other aspects of the Town of Lisbon’s Zoning Ordinance.

Respectfully submitted,

Sandra L Scherer

Sandy Scherer
Senior Planner

Attachment: Town Ordinance No. 05-20

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

Ord. 05-20

**ORDINANCE READOPTING ORD. 01-18, CREATING SECTION 33 AND
REPEALING/RECREATING VARIOUS SECTIONS OF THE LISBON ZONING CODE RELATED TO
PLANNED UNIT DEVELOPMENTS AS AN OVERLAY DISTRICT, IN THE TOWN OF LISBON,
WAUKESHA COUNTY, WISCONSIN**

SECTION 1: Section 33 of the Lisbon Zoning Code is hereby created as follows:

SECTION 33 PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

(a) Purpose and Intent

1. Planned Unit Development Overlay District (PUD) regulations are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of amenities, and preservation of the natural resources and open space.
2. The planned development procedure requires a high degree of cooperation between the developer and the Town. The procedure described herein is designed to give the developer general development plan approval before completing all of the detailed design work while providing the Town with assurances that the project will retain the character envisioned at the time of approval.

(b) Identified objectives

When reviewing requests for approval of a Planned Unit Development, the Town shall consider whether the objectives listed below will be served or achieved. Planned Unit Developments should not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved.

1. Accommodation of a variety of housing types.
2. Promotion of integrated land uses allowing for a mixture of residential, commercial, public and industrial uses (Mixed Uses) along corridors and in transitional areas.
3. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.
4. Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.
5. Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.
6. Coordination of architectural styles and building forms to achieve greater compatibility with surrounding land uses.

7. Creation of more efficient provision of public utilities and services, lessened demand on transportation, and the promotion of energy resource conservation.

(c) Relationship to other applicable regulations

1. Permitted and accessory uses. Permitted and accessory uses in the planned development overlay district shall be the same as those permitted in the base zoning district or districts in which the PUD is located.
2. Mixed uses. A mix of different uses within a planned development overlay district may be permitted if the Plan Commission and Town Board determine that the mix of uses is compatible and necessary to achieve the objectives of the PUD.
3. Floor area and height. The PUD may provide for an increase in the maximum gross floor area, floor area ratio, and/or maximum building height allowed in the base zoning district for the purpose of promoting project integration and additional site amenities.
4. Building setbacks. The PUD may provide for a reduction of required setbacks in the base zoning district, provided that a landscaped setback area of the minimum width established for the base zoning district is maintained along the periphery of the PUD.
5. Lot requirements. The Town Board may authorize reductions in the area and width of individual lots within a PUD from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space elsewhere in the Planned Unit Development. Such open space shall not include areas designated as public or private streets. The plan may increase the maximum density beyond that permitted in the base zoning district for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.
6. Street layout. In newly developing areas, streets shall be designed to maximize connectivity in each cardinal direction, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive areas or environmental corridors as defined by Waukesha County or SEWRPC, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.
7. Density Bonus. The zoning district lot sizes and density for residential PUDs may be modified by applying up to a 30% maximum density bonus to the density otherwise permitted in each base zoning district; provided however, that the density bonus calculation and the sewer reduction provisions contained in the Zoning Code cannot both be applied to further increase the density bonus beyond the 30% maximum density bonus allowed for residential PUDs.
8. Base Zoning Districts. PUD Overlay Districts are not permitted over the EFD or Q1 Districts. PUD Overlay Districts may include C1 Conservancy Districts, provided however, that no portion of any building, lot or structure shall be allowed on lands designated in an underlying C1 Conservancy District.
9. Other exceptions. The Town Board may, in its discretion, authorize the waiver or modification of the restrictions applicable to the base zoning district, provided however, that such waiver or modification shall not authorize the uses which are inconsistent or in compatible with the use restrictions contained in the base zoning district or districts.

(d) Procedural Requirements

1. Pre-petition meeting. Prior submitting a petition for approval of a PUD Overlay District, the applicant shall meet with Town Staff to discuss the scope and nature of the proposed development. The applicant must sign and submit the professional services reimbursement form prior to the pre-petition meeting.
2. Petition – General Development Plan (GDP). Following the pre-petition conference, the applicant shall file a petition with the Town Clerk for approval of a Planned Unit Development Overlay District – General Development Plan. Upon submission of a completed application form, GDP, and any petitions for modification of the Comprehensive Plan and changes in the base zoning district, and upon payment of the required fees, the Zoning Administrator shall forward the application to the Plan Commission for review and consideration.

The GDP shall include the following information:

- a. Total area to be included in the PUD, area of open space, residential density computations, proposed building square footage for commercial or industrial development, proposed number of dwelling units, population analysis, traffic analysis, availability of or requirements for municipal services and any similar data pertinent to a comprehensive evaluation of the proposed development required by the Town.
- b. General summary of the estimated value of structures and site improvement costs, including landscaping and special features.
- c. General outline of the organizational structure of a property owners' or management association proposed to be established to provide any necessary private services.
- d. Proposed departures from the standards of development in the Town zoning regulations, other Town regulations, administrative rules, or universal guidelines.
- e. Expected date of commencement and completion of physical development as set forth in the proposal.
- f. Details describing the benefits the PUD will provide the Town of Lisbon such as natural resources, open space, aesthetics, economic or public benefits or facilities, etc.
- g. Legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties.
- h. Approximate location of public and private roads, sidewalks, paths, trails, driveways, and parking facilities.
- i. Density of the project and the amount of open space and common areas.
- j. Conceptual architectural rendering and design of buildings, if applicable.
- k. General location of institutional, recreational and open space areas and areas reserved or dedicated for public uses, including schools, parks, and drainage ways, and open space features, if applicable.
- l. Conceptual provisions for stormwater management.

3. Changes in Comprehensive Development Plan or Base Zoning District.

If a change to the Town of Lisbon Comprehensive Development Plan (CDP) and/or the Base Zoning District is required in order to approve the PUD Overlay District, then the appropriate petition or petitions shall be filed simultaneously with the filing of the GDP.

4. General Development Plan Hearing and Referral.

a. The petition for a GDP approval, together with any changes required in the Comprehensive Plan and/or Base Zoning District, shall be submitted to the Plan Commission for its review and recommendation to the Town Board. CDP and zoning changes shall include those required by the County and other extraterritorial jurisdictions, as applicable. The GDP shall be in compliance with the applicable CDPs and zoning districts.

b. The Plan Commission shall conduct a public hearing in accordance with provisions of this Chapter, and, following the public hearing, shall report its findings and recommendation to the Town Board. In making its recommendation, the Plan Commission may include such conditions or requirements as the Plan Commission deems appropriate in order to preserve the spirit and intent of this Ordinance.

c. Approval of the PUD Overlay District shall establish the basic right of use for the area in conformity with the GDP as approved, provided however, that the GDP shall be conditioned upon subsequent approval of a Specific Development Plan (SDP). The GDP shall not make permissible any of the uses as proposed until a SDP is submitted and approved by the Town Board. The PUD Overlay District/GDP approval date by the Plan Commission shall become the effective date of the PUD Overlay Ordinance.

If a SDP is not submitted and approved by the Town Board within twelve (12) months of the effective date of the PUD Overlay District Ordinance, the PUD Overlay District Ordinance shall be null and void.

5. Specific Development Plan (SDP). The SDP shall be submitted to the Plan Commission, and upon review, the Plan Commission make such recommendations to the Town Board as the Plan Commission deems appropriate.

The SDP may be submitted for consideration concurrently with the GDP, and shall include the following materials and information:

a. The information required for approval of Site Plans as set forth in Section 3 of this Chapter. The nature and extent of the information required under the Site Plan regulations will vary, depending upon the nature of the proposed PUD. Town Staff shall provide assistance to the applicant in order to ensure that all materials and information that may be required or requested by either the Plan Commission or Town Board when reviewing the SPD are included in the application.

b. Such other materials and information as may be requested by Town Staff, taking into consideration the comments and recommendations of the Plan Commission and Town Board when reviewing the GDP.

c. Plat or Certified Survey Maps.

Simultaneously with the submittal of the SPD, the applicant shall file with the Town, and any other jurisdiction required by Chapter 236 of the Wisconsin State Statutes, any Subdivision Plat and/or Certified Survey Map, the approval of which

shall be required in order to approve the SPD. Such submittal shall be in conformance with the Land Division and Development Ordinances of the Town of Lisbon. Such submittal shall include all of the information required under the provisions of the Land Division and Development Ordinance of the Town of Lisbon.

6. Basis of Approval of Specific Development Plan Petition.
 - a. Town Plan Commission Approval. The Town Plan Commission shall, after reviewing the information submitted in support of the request for SPD approval, as well as any Plat and/or Certified Survey Map submitted simultaneously with the plan, recommend to the Town Board that the SPD either be approved, approved conditionally, or rejected.
 - b. Town Board Approval. Following referral from the Plan Commission, the Town Board shall either approve, approve conditionally, or reject the SPD. In the event that the Town Board approves the SPD conditionally, the conditions of approval shall be stated with particularity. If the Town Board rejects the SPD, the reason or reasons for the rejection shall be stated in writing and provided to the applicant.
 - c. The recommendation of the Town Plan Commission and the decision of the Town Board shall be based upon the following criteria:
 - i. Whether the SPD is consistent with the Purpose and Intent of the Zoning Code, and the purpose and intent of the PUD Overlay District.
 - i. Whether the SPD reflects and incorporates consideration of the physical nature of the site with particular concern for the preservation of natural resources, open spaces, natural terrain as required by Ordinance Including the CDP and to the greatest extent possible when not regulated by Ordinance.
 - i. Whether the general character and intensity of the use produces an attractive environment appropriate to the uses proposed and is compatible with existing developments in the surrounding area, including developments in neighboring and adjacent municipalities, and is generally consistent with the development policies and practices of the Town.

- iv. Whether adequate municipal services, including the availability of schools and the provision of fire and police services, will be available to support the development, whether adequate municipal water and sanitary sewer facilities are available to support the development, or in the alternative whether the development will proceed using private wells and septic systems.
- v. Whether the applicant and/or developer has provided adequate financial guarantees to ensure that all public improvements are completed in a timely manner, and in accordance with all existing regulations and ordinances of the State, County and Town; whether, if appropriate, adequate deed restrictions have been drafted and will be recorded, and a Home Owners Association or similar Association charge with responsibility of maintaining common areas of the proposed Development has been established.
- vi. Whether any Plat or Certified Survey map has been approved by the Town and all other approving authorities.
- vii. Whether the developer has entered into a Development Agreement, approved by the Town Attorney, the purpose of which is to ensure the implementation, completion and continued maintenance of the development as established by the PUD Overlay District Ordinance, the GDP and the SDP.
- viii. Whether the development will include dedication of lands for parks or other municipal purposes, or alternatively, whether the developer will pay fees in lieu of the dedication.
- ix. Whether the development is subject to, or contingent upon, approval of any adjoining municipality as a result of the contractual obligations imposed by Border Agreements, and if so, whether those approvals have been obtained.

SECTION 2: Various Sections of the Lisbon Zoning Code related to Planned Unit Developments are hereby repealed and/or recreated as follows:

SECTION 2 DEFINITIONS

Planned Unit Development (PUD) is a development strategy, process or procedure that requires conditional use approval whereby a parcel of land is developed for a specific use in such a way as to provide specific benefits to the community (for example more efficient provision of public services such as roads and utilities), as well as the developer and future citizens who will reside with the development, and where the normal application of standards and requirements, primarily the lot sizes, are made more flexible, and which shall contain substantial amounts of common open space for aesthetics (rural character), natural resource or sensitive area preservation/protection (steep slopes, wetlands, floodplains, environmental corridors, etc.), or recreational purposes usually by clustering the lots (refer to Figure 1). For the purposes of this ordinance, a conservation subdivision shall be an interchangeable term with planned unit development and clustering. Owners of each lot may also own the building on the lot, or the development may be a condominium form of

ownership.

~~**Planned Unit Development, Mixed**~~ A Planned Unit Development that is a mixture of retail, service uses, industrial uses and/or residential uses. Buildings associated with open space and recreational uses, whether public or private, shall be considered part of the open space use.

Planned Unit Development Overlay District (PUD) is a district established to provide a regulatory framework designed to encourage and promote improved environmental and aesthetic design in the Town by allowing for greater design freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of this Chapter and the Town Comprehensive Plan, including dedicated open space and the preservation/protection of natural resources and environmentally sensitive areas. To further these goals, the district allows diversification and variation in the bulk and relationship of uses and structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. The district is further intended to encourage developments consistent with coordinated area site planning.

SECTION 3(d) Use Regulations

2. **Accessory Uses and Structures:** In any district, accessory structures, buildings and uses customarily incidental to the permitted buildings, uses and structures in that district shall be permitted subject to such requirements as may be hereinafter designated for that district in which they are located and in accordance with Section 3(i)5. No pyramiding as defined herein shall be permitted on any lands fronting on navigable waters, except as may be specifically permitted accessory to a marina or resort, and which may be allowed under the terms of a conditional use permit for a planned unit development. No accessory building, use or structure shall be permitted that by reason of noise, dust, odor, appearance, lighting, traffic generation, smoke, fumes, dirt, vibrations, fire, explosives, pollution, or other objectionable factors creates a nuisance or a substantial adverse effect upon the property value or reasonable enjoyment of the surrounding property. These nuisance determinations shall also include, but not be limited to, incidents of apiary operations where there is bee stinging, bee swarming, or bees otherwise creating a disturbance. Such adverse affects may be required to be corrected or eliminated by such measures as are directed by Sections 3 c 3 and 37 of this ordinance; and Chapter 5, Nuisances, of the Town of Lisbon, Waukesha County, Wisconsin, General Code of Ordinances, also included as Addendum B herein.

SECTION 3(i)3. Open Space

- C. No part of the open space provided for any building shall be included as part of the open space required for another building, except as hereinafter provided for in planned unit developments (refer to ~~Section 4 (h) 21~~ Section 33).

SECTION 3(i)4. Residential Density

Residential Density (either referred to as units per acre or minimum lot size) shall not exceed the density hereinafter specified by the regulations for the zoning district in which the development/building is located except as otherwise regulated in accordance with Section 3 (e) 4 (sewer reductions), Section 4 (Conditional Uses), and Section 4 (h) 20 (Multiple Family Units), and ~~2133~~ (Planned Unit Developments).

SECTION 4(h)21. ~~Planned Unit Development (PUD) (Reserved)~~

(delete all text and subsections of Section 4(h)21)

SECTION 9 UC UPLAND CORRIDOR DISTRICT

(d) Conditional Uses

1. In law units, except in a planned unit development

~~2. Single family residential planned unit development only five acre density~~
~~32. Communication Towers~~

SECTION 11 AD-10 AGRICULTURAL DENSITY 10-ACRE DISTRICT

- (e) Conditional Uses
~~9. Single family residential planned unit developments only~~

SECTION 12 RD-5 RURAL RESIDENTIAL DENSITY 5-ACRE DISTRICT

- (e) Conditional Uses
~~9. Single family residential planned unit developments only~~

SECTION 13 A-10 AGRICULTURAL DISTRICT

- (d) Conditional Uses
~~16. Single family residential planned unit developments only~~

SECTION 14 A-5 MINI-FARM DISTRICT

- (d) Conditional Uses
~~15. Single family residential planned unit developments only~~

SECTION 15 A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT

- (d) Conditional uses
1. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels.
 2. Bed and Breakfast
 3. Cemeteries and Mausoleums
 4. Churches, Synagogues, and Other Buildings for Religious Assembly
 5. Commercial Truck Parking
 6. In Law Units
 7. Limited Family Business
 8. Private Clubs and Resorts
 9. Public and Semi-Public Buildings and Uses
 - ~~10. Single family residential Planned Unit Developments~~
 - ~~110. Communication Towers~~
 - ~~1211. Antique shops, gift shops, arts and crafts studios~~

SECTION 16 R-1 SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT

- (d) Conditional Uses
1. Bed and Breakfast
 2. Cemeteries and Mausoleums
 3. Churches, Synagogues, and Other Buildings for Religious Assembly
 4. Commercial Truck Parking
 5. In Law Units
 6. Limited Family Business
 7. Private Clubs and Resorts
 8. Public and Semi-Public Buildings and Uses
 - ~~9. Single family residential Planned Unit Developments~~
 - ~~109. Communication Towers~~
 - ~~1110. Antique shops, gift shops, arts and crafts studios~~
 - ~~1211. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels~~

SECTION 17 R-2 SINGLE FAMILY RESIDENTIAL DISTRICT

- (d) Conditional Uses
1. Bed and Breakfast
 2. Cemeteries and Mausoleums

3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Commercial Truck Parking
5. In Law Units
6. Limited Family Business
7. Private Clubs and Resorts
8. Public and Semi-Public Buildings and Uses
- ~~9. Single-family residential Planned Unit Developments~~
- ~~109. Communication Towers~~
- ~~110. Antique shops, gift shops, arts and crafts studios~~
- ~~1211. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels~~

SECTION 18 R-3 TWO FAMILY RESIDENTIAL DISTRICT

(d) Conditional Uses

1. Cemeteries and Mausoleums
2. Churches, Synagogues, and Other Buildings for Religious Assembly
3. Commercial Truck Parking
4. In Law Units
5. Private Clubs and Resorts
6. Public and Semi-Public Buildings and Uses
- ~~7. Single and two-family attached residential Planned Unit Developments~~
- ~~87. Communication Towers~~
- ~~98. Antique shops, gift shops, arts and crafts studios~~

SECTION 19 RM MULTI-FAMILY RESIDENTIAL DISTRICT

(b) Permitted Uses

2. Single-family attached dwellings, either side-by-side or up-and-down, each dwelling unit having its own attached garage a minimum of 440 square feet in size. More than two attached dwelling units are subject to Section 19.(d)76 below.

(d) Conditional Uses

1. Cemeteries and Mausoleums
2. Churches, Synagogues, and Other Buildings for Religious Assembly
3. Private Clubs and Resorts
4. Public and Semi-Public Buildings and Uses
- ~~5. Residential Planned Unit Developments~~
- ~~65. Communication Towers~~
- ~~76. Multi Family Units~~

SECTION 23 P-I PUBLIC AND INSTITUTIONAL DISTRICT

(e) Conditional uses

Conditional uses as provided in Sections 4 (h) 24 and 29. ~~Lands zoned Public and Institutional may be included as public and institutional lands in planned unit developments in accordance with Section 4 (h) 21 of this ordinance.~~

SECTION 24 B-1 RESTRICTED BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
- ~~5. Single Family, Mixed and Commercial Planned Unit Developments~~
- ~~65. Commercial Kennels~~

- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Commercial Truck Parking
- ~~109.~~ In Law Units
- ~~1110.~~ Marinas
- ~~1211.~~ Communication Towers
- ~~1312.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales

SECTION 25 B-2 LOCAL BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial Kennels
- ~~6. Single-family residential Planned Unit Developments only, and mixed or commercial planned-unit developments~~
- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Commercial Truck Parking
- ~~109.~~ In Law Units
- ~~1110.~~ Marinas
- ~~1211.~~ Commercial fish or bait ponds or hatcheries
- ~~1312.~~ Communication Towers
- ~~1413.~~ Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales
- ~~1514.~~ Mobile home parks and trailer camps
- ~~1615.~~ Motels and hotels
- ~~1716.~~ Testing laboratories

SECTION 26 B-3 GENERAL BUSINESS DISTRICT

(d) Conditional Uses

1. Restaurants, Supper Clubs, Lake Resorts, Taverns, Dance Halls, Pool Halls, Bowling Alleys, and similar uses.
2. Public and Semi Public Buildings and Uses, including commercial day care facilities
3. Churches, Synagogues, and Other Buildings for Religious Assembly
4. Private clubs and resorts
5. Commercial Kennels
- ~~6. Single-family residential Planned Unit Developments only, and mixed or commercial planned-unit developments~~
- ~~76.~~ Bed and Breakfast
- ~~87.~~ Cemeteries and Mausoleums
- ~~98.~~ Contractor's Yard
- ~~109.~~ Outdoor Commercial Recreation Facilities and Uses
- ~~1110.~~ Marinas
- ~~1211.~~ Commercial fish or bait ponds or hatcheries
- ~~1312.~~ Communication Towers
- ~~1413.~~ Mobile home parks and trailer camps
- ~~1514.~~ Testing laboratories
- ~~1615.~~ Motels and hotels
- ~~176.~~ Self Service Storage (Mini-Warehouses)

SECTION 31 M-1 LIMITED INDUSTRIAL DISTRICT

(e) Conditional Uses

1. Public and Semi Public Buildings and Uses.
- ~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments.~~
32. Churches, Synagogues, and Other Buildings for Religious Assembly
43. Private clubs and resorts
54. Commercial fish or bait ponds or hatcheries
65. Communication Towers
76. Testing laboratories
87. Cemeteries and Mausoleums
98. Outdoor Commercial Recreation Facilities and Uses.
- ~~109. Commercial Kennel~~
- ~~1110. Contractors Yards~~
- ~~1211. Mobile home parks and trailer camps~~
- ~~1312. Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales~~
1413. Self Service Storage (Mini-Warehouses)

SECTION 32 M-2 GENERAL INDUSTRIAL DISTRICT

(e) Conditional Uses

1. Public and Semi Public Buildings and Uses.
- ~~2. Single family residential Planned Unit Developments only, and mixed or commercial planned unit developments.~~
32. Churches, Synagogues, and Other Buildings for Religious Assembly
43. Private clubs and resorts
54. Commercial fish or bait ponds or hatcheries
65. Communication Towers
76. Testing laboratories
87. Cemeteries and Mausoleums
98. Outdoor Commercial Recreation Facilities and Uses.
- ~~109. Quarrying.~~
1110. Public and Commercial Disposal Operations for Noncombustible Materials.
- ~~1211. Commercial Kennels~~
- ~~1312. Contractors Yards~~
- ~~1413. Mobile home parks and trailer camps~~
- ~~1514. Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales~~
1615. Self Service Storage (Mini-Warehouses)

SECTION 3: All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 13th day of July, 2020.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

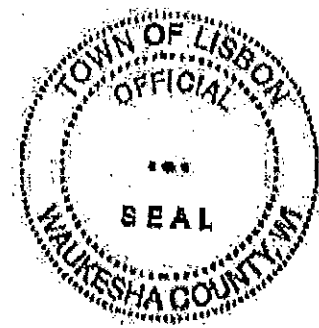
BY: [Signature]
JOSEPH OSTERMAN, Chairman

BY: [Signature]
TEDIA GAMINO, Supervisor

BY: [Signature]
MARC MOONEN, Supervisor

BY: [Signature]
LINDA BEAL, Supervisor

BY: [Signature]
REBECCA PLOTECHER, Supervisor



ATTEST:

BY: [Signature]
Steven A. Braatz, Jr.
Town Interim Clerk-
Treasurer

Ordinance 175-O-052



Ordinance 175-O-052 - Amended the Board of Public Works, Code of Ordinances, Chapter 13.1 Through Code Development, County Parks and Recreation Services, Wastewater, Solid Waste, Public Works and Development. (2020)

VOTE RESULTS: Passed By Majority Vote

AYE: **22**

NAY: **0**

ABSENT: **3**

| | |
|-----------------|--------|
| D1 - Foti | AVE |
| D2 - Zimmermann | AVE |
| D3 - Morris | AVE |
| D4 - Batzko | Second |
| D5 - Dondlinger | AVE |
| D6 - Walz | AVE |
| D7 - LaFontain | ABSENT |
| D8 - Michalski | AVE |
| D9 - Heinrich | AVE |
| D10 - Swan | ABSENT |
| D11 - Howard | AVE |
| D12 - Wolff | AVE |
| D13 - Decker | AVE |

| | |
|-------------------|--------|
| D14 - Mommaerts | AVE |
| D15 - Mitchell | Motion |
| D16 - Crowley | AVE |
| D17 - Paulson | AVE |
| D18 - Nelson | AVE |
| D19 - Cummings | AVE |
| D20 - Schellinger | AVE |
| D21 - Gaughan | AVE |
| D22 - Wysocki | AVE |
| D23 - Hammitt | ABSENT |
| D24 - Whittow | AVE |
| D25 - Johnson | AVE |