



**VILLAGE OF JACKSON
PLAN COMMISSION MEETING AGENDA**

Thursday, November 20, 2025 at 7:00 PM

Jackson Municipal Complex
Village Board Room
N168W19851 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call
2. Approval of Minutes for the Plan Commission Meeting of October 16, 2025
3. Ordinance #25-12 Amending Certain Sections of Chapter 16 - Environment
4. Conditional Use Review - Jackson Preparatory Academy - N168W22224 Main Street - Jasmine Gray
5. Discussion of Summary of Review Authority - Zoning Code Update
6. Review and Discussion of Revised Zoning Code Updates - Articles 6-9 (Rev. 11/07/2025) (Draft)
7. Zoning Code Update - Consolidation of Residential Zoning Districts R-1 through RT-11
8. Citizens/Village Staff to Address the Plan Commission
9. Adjourn

Persons with disabilities requiring special accommodations for attendance at the meeting should contact the Administration Department at the Jackson Municipal Complex at least one (1) business day prior to the meeting.

It is possible that members of the Village Board may attend the above meeting. No action will be taken by any governmental body at this meeting other than the governmental body specifically referred to in this meeting notice. This notice is given so that members of the Village Board may attend the meeting without violating the open meeting law.

VILLAGE OF JACKSON
PLAN COMMISSION MEETING
Thursday, October 16, 2025 at 7:00 PM
Minutes

1. Call to Order and Roll Call

The meeting was called to order at 7:00 PM by Pres. Heckendorf.

Members Present: Pres. Heckendorf, Tr. Emmrich, Tr. Kruepke, Jon Molkentin, Duane Hafemeister, and Matt Van Eperen

Members Excused: Dan Reik

Members Absent: None

Staff Present: Police Chief and Interim Administrator Ryan Vossekuil, Village Attorney Matt Parmentier, Public Works Director Jack Straehler, and Clerk Jackie Schuh

2. Approval of Minutes for the Plan Commission Meeting of September 18, 2025

The motion to approve Minutes for the Plan Commission Meeting of September 18, 2025, was made by Tr. Emmrich and seconded by M. Van Eperen.

Vote: 6 ayes, 0 nays. Motion carried.

3. Conditional Use and Site Plan Review — W204N16700 Jackson Drive — Jackson Elementary School — West Bend School District

Pres. Heckendorf motioned, seconded by M. Van Eperen, to recommend the Village Board approve the conditional use request and proposed site plan for the new Jackson Elementary School located at W204N16700 Jackson Drive, subject to the following conditions:

1. Recording of the updated Certified Survey Map with the Washington County Register of Deeds.
2. The execution of a definitive Development Agreement for the use of the subject property as a school, which development agreement shall include such terms and conditions as determined by the Village Board, including adequate provisions for the inspection, acceptance, and financial security for any improvements to be dedicated to the Village as well as traffic, parking, and pedestrian accommodations as determined by the Village Board.
3. Review and approval of the completed Stormwater Management Plan, including the execution and recording of a post-construction stormwater management plan for the property.
4. The location of the west vehicle lane shall be reconfigured to remove the encroachment from the 25-foot setback area as indicated in the Consulting Engineers comments included in the Staff Memo.
5. Prior to the issuance of any permits, the developer/owner must reimburse the Village for any charge-back fees and other related charges that may be outstanding.

6. The developer/owner is solely responsible for ensuring the proposed project complies with any private restrictions (e.g., covenants) and easements that may apply to the subject property.

Attorney Parmentier explained the need for a developer's agreement to address responsibilities of each party as part of a conditional use permit. A high overview of the Jackson Elementary project was provided by Katie LaCourt of Eppstein Uhen Architects, Nick Tennessen of Kapur, Inc., West Bend School District Superintendent Jennifer Wimmer and West Bend School District Director of Facilities and Technology Tim Harder. Topics discussed by the Board included Police and Public Works access to the building, sidewalk and crosswalk configuration, pathway access to the Jackson Community Center, and specifics to be included in the developer's agreement.

Vote: 5 ayes, 0 nays, 1 abstain. J. Molkentini abstained. Motion carried.

4. Review and Discussion of Revised Zoning Code Updates — Articles 1–4 (Rev. 10/06/25) (Draft)

Tim Schwecke, of Civi Tek Consulting, provided a summary of Articles 1-4 of the Zoning Code Update in-progress, highlighting key differences and changes from existing code.

The motion to place DRAFT Articles 1-4 on file was made by Pres. Heckendorf and seconded by Jon Molkentini.

Vote: 6 ayes, 0 nays. Motion carried.

5. Citizens/Village Staff to Address the Plan Commission

None.

6. Adjourn

The motion to adjourn the meeting was made by Tr. Emmrich and seconded by D. Hafemeister.

Vote: 6 ayes, 0 nays. Motion carried. The meeting adjourned at 7:54PM.

Respectfully Submitted,

Jacqueline Schuh
Village Clerk
Village of Jackson

STAFF MEMO

Village of Jackson
Plan Commission

Meeting Date: October 16, 2025

Agenda Item: Item #3

To: Brian Heckendorf, Village President
Village of Jackson Plan Commission
Jen Heidtke, Village Administrator

From: Collin Johnson, Director of Inspections and Zoning

Subject: Ordinance #25-12 – Amending Certain Sections of Village Ordinance Chapter 16 – Environment

Background and Analysis:

The current floodplain ordinance was updated in January of 2022. A more recent “model ordinance” was released by the WI-DNR on March 10, 2022, requiring minor updates to the current Village ordinance.

The ordinance update also includes references to currently adopted Flood Storage Maps. The update incorporates revisions to the Flood Storage Maps with an effective date of February 20, 2026.

Comprehensive Plan & Zoning Impacts:

There are no impacts to the current Comprehensive Plan. Zoning impacts primarily include germane language updates to Chapter 16 – Environment. Any impacts to the Village Zoning Map will be incorporated under the zoning code update currently in progress.

Site Plan:

None

Additional Staff Comments:

Building Inspection and Zoning

Staff recommends approval of Ordinance #25-12 as presented.

Review Procedures:

The Plan Commission is advisory; and the Village Board makes the final decision.

Notice Requirements:

- Posting on the agenda
- Publication of a Class II Legal Notice is required prior to the Public Hearing

Potential Action:

Motion to recommend the Village Board approve Ordinance #25-12 repealing and recreating or amending certain sections of Chapter 16 - Environment.

Attachments:

1. Staff Memo
2. Chapter 16 – Environment (with DNR edits)
3. Ordinance #25-12 (DRAFT)
4. Flood Storage Maps (Panel #8 and Panel #9)

Chapter 16 ENVIRONMENT¹

DNR note: There are a few other changes needed to update your ordinance to meet state and federal minimum standards. I have added the language in for you in RED text throughout this document. One quick note for you, counties have a Board of Adjustment and Cities/villages have a Board of Appeals, so I have made that correction below.

ARTICLE I. IN GENERAL

Secs. 16-1—16-18. Reserved.

ARTICLE II. FLOOD PREVENTION AND DAMAGE CONTROL

DIVISION 1. GENERALLY

Sec. 16-19. Statutory authorization.

This article is adopted pursuant to the authorization in Wis. Stats. §§ 61.35 and 62.23 for villages and cities; Wis. Stats. §§ 59.69, 59.692, and 59.694 for counties; and the requirements in Wis. Stats. § 87.30.

(Ord. No. 13-06, § 23.1.1; Ord. No. 21-11, § I)

Sec. 16-20. Finding of fact.

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

(Ord. No. 13-06, § 23.1.2; Ord. No. 21-11, § I)

Sec. 16-21. Statement of purpose.

This article is intended to regulate floodplain development to:

- (1) Protect life, health and property;

¹State law reference(s)—Municipal zoning of wetlands in shorelands, Wis. Stats. § 62.231; construction site erosion control and storm water management zoning, Wis. Stats. § 62.234; groundwater protection standards, Wis. Stats. § 160.001 et seq.; environmental regulation generally, Wis. Stats. § 280.01 et seq.; air pollution generally, Wis. Stats. § 285.01 et seq.; requirements for floodplain regulation, Wis. Stats. § 87.30; flood control, Wis. Stats. § 87.01 et seq.; water conservation and animal waste management, Wis. Stats. § 92.01 et seq.; ground water protection standards, Wis. Stats. § 160.001 et seq.; smoke as health hazard, Wis. Stats. § 254.57; environmental health, Wis. Stats. § 251.04 et seq.

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- (2) Minimize expenditures of public funds for flood control projects;
 - (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
 - (4) Minimize business interruptions and other economic disruptions;
 - (5) Minimize damage to public facilities in the floodplain;
 - (6) Minimize the occurrence of future flood blight areas in the floodplain;
 - (7) Discourage the victimization of unwary land and homebuyers;
 - (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
 - (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

(Ord. No. 13-06, § 23.1.3; Ord. No. 21-11, § I)

Sec. 16-22. Title.

This article shall be known as the "Floodplain Zoning Ordinance for the Village of Jackson, Wisconsin."

(Ord. No. 13-06, § 23.1.4; Ord. No. 21-11, § I)

Sec. 16-23. General provisions.

- (a) *Areas to be regulated.* This article regulates all areas that would be covered by the regional flood or base flood as shown on the flood insurance rate map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the flood insurance study (FIS) and are shown as AE, A1-30, and AH zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional flood elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.
- (b) *Official maps and revisions.* Special flood hazard areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, on the flood insurance rate maps (FIRMs) based on flood hazard analyses summarized in the flood insurance study (FIS) listed in subsection (1) below. Additional flood hazard areas subject to regulation under this article are identified on maps based on studies approved by the DNR and listed in subsection (2) below. These maps and revisions are on file in the office of the zoning administrator, Village of Jackson.
 - (1) Official maps: Based on the flood insurance study (FIS):
 - a. Flood insurance rate map (FIRM), panel numbers 55131C0254E, 55131C0258E, 55131C0259E, 55131C0266E, 55131C0267E; dated 02/25/2022;
 - b. Flood insurance study (FIS) volumes 55131CV001C, 55131CV002C, 55131CV003C, 55131CV004C, 55131CV005C, 55131CV006C for Washington County here, dated 02/20/2026.
Approved by: The DNR and FEMA
 - (2) Official maps: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.
 - a. Washington County and incorporated areas flood storage districts, Panel 8 dated 02/20/2026.
 - b. Washington County and incorporated areas flood storage districts, Panel 9 dated 02/20/2026.

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(Supp. No. 8)

Approved by: The DNR and FEMA

- (c) *Establishment of floodplain zoning districts.* The regional floodplain areas are divided into districts as follows:
- (1) The floodway district (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to section 16-146.
 - (2) The floodfringe district (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to section 16-146, within A Zones shown on the FIRM.
 - (3) The general floodplain district (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
 - (4) The flood storage district (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.
- (d) *Locating floodplain boundaries.* Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subsections (1) or (2) below. If a significant difference exists, the map shall be amended according to division 8, Amendments. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to section 16-195(3) and the criteria in (1) and (2) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to division 8, Amendments.
- (1) If flood profiles exist; the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
 - (2) Where flood profiles do not exist for projects, including any boundary of zone A, AO, the location of the boundary shall be determined by the map scale.
- (e) *Removal of lands from floodplain.*
- (1) Compliance with the provisions of this article shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to division 8, Amendments.
 - (2) The delineation of any of the floodplain districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed letter of map revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
 - a. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
 - b. The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F;

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- (3) Removal of lands from the floodplain may also occur by operation of Wis. Stat § 87.30(1)(e). if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.
- (f) *Compliance.*
- (1) No structure or use within areas regulated by this article shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- (2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with section 16-24.
- (3) Floodplain development permits issued on the basis of plans and applications approved by the floodplain administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the floodplain administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with section 16-24.
- (g) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this article and obtain all necessary permits. State agencies are required to comply if Wis. Stats. § 13.48(13) applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the state department of transportation is exempt when Wis. Stats. § 30.2022 applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with federal, state, and local floodplain standards. **If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.**
- (h) *Abrogation and greater restrictions.*
- (1) This article supersedes all the provisions of any municipal zoning ordinance enacted under Wis. Stats. §§ 59.69, 59.692 or 59.694 for counties; Wis. Stats. § 62.23 for cities; Wis. Stats. § 61.35 for villages; or Wis. Stats. § 87.30, which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- (2) This article is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this article imposes greater restrictions, the provisions of this article shall prevail.
- (i) *Interpretation.* In their interpretation and application, the provisions of this article are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by state statutes. If a provision of this article, required by Wis. Admin. Code ch. NR 116, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of the ordinance from which this article is derived or in effect on the date of the most recent text amendment to this article.
- (j) *Warning and disclaimer of liability.* The flood protection standards in this article are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by manmade or natural causes. This article does not imply or guarantee that nonfloodplain areas or permitted floodplain

uses will be free from flooding and flood damages. This article does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this article.

- (k) *Severability.* Should any portion of this article be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected.
- (l) *Annexed areas for cities and villages.* The Washington County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of Wis. Admin. Code ch. NR 116 and 44 CFR 59—72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. Washington County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

(Ord. No. 13-06, § 23.1.5; Ord. No. 21-11, § I)

Sec. 16-24. Enforcement and penalties.

Any violation of the provisions of this article by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00, together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this article is a public nuisance, and the creation may be enjoined, and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to Wis. Stats. § 87.30.

(Ord. No. 13-06, § 23.9.0; Ord. No. 21-11, § I)

Sec. 16-25. Definitions.

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~ Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

A *zones* means those areas shown on the official floodplain zoning map which would be inundated by the regional flood. These areas may be numbered or unnumbered A zones. The A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

AH zone. See *Area of shallow flooding.*

AO zone. See *Area of shallow flooding.*

Accessory structure or use means a facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. ~~An accessory structure shall not be used for human habitation.~~

Alteration means an enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

Basement means any enclosed area of a building having its floor sub-grade on all sides.

Building. See *Structure*.

Bulkhead line means a geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the department pursuant to Wis. Stats. § 30.11 and which allows limited filling between this bulkhead line and the original ordinary high-water mark, except where such filling is prohibited by the floodway provisions of this article.

Campground means any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units, or which is advertised or represented as a camping area.

Camping unit means any portable device, no more than 400 square feet in area, used as a temporary shelter, including, but not limited to, a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

Certificate of compliance means a certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this article.

Channel means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

Crawlways or crawl space means an enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

Deck means an unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

Department means the state department of natural resources.

Development means any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Dryland access means a vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

Encroachment means any fill, structure, equipment, use or development in the floodway.

Federal Emergency Management Agency (FEMA) means the federal agency that administers the National Flood Insurance Program.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

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- (1) The overflow or rise of inland waters;
 - (2) The rapid accumulation or runoff of surface waters from any source;
 - (3) The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
 - (4) The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

Flood frequency means the probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

Flood fringe means that portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water.

Flood hazard boundary map means a map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a flood insurance study and a flood insurance rate map.

Flood insurance rate map (FIRM) means a map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

Flood insurance study means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-zones. Flood insurance rate maps, that accompany the flood insurance study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

Flood profile means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

Flood protection elevation means an elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see *Freeboard*.)

Flood storage means those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodplain means land which has been or may be covered by floodwater during the regional flood. It includes the floodway and the flood fringe and may include other designated floodplain areas for regulatory purposes.

Floodplain island means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain management means policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

Floodproofing means any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

Floodway means the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

Freeboard means a safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

Habitable structure means any structure or portion thereof used or designed for human habitation.

Hearing notice means publication or posting meeting the requirements of Wis. Stats. ch. 985. For appeals, a Class 1 notice, published once at least one week (seven days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (seven days) before the hearing, is required. Local ordinances or bylaws may require additional notice, exceeding these minimums.

High flood damage potential means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is either:

- (1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

Increase in regional flood height means a calculated upward rise in the regional flood elevation greater than 0.00 feet, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Land use means any nonstructural use made of unimproved or improved real estate. (Also see *Development*.)

Lowest adjacent grade means elevation of the lowest ground surface that touches any of the exterior walls of a building.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). ~~An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of 44 CFR 60.3. (this portion of the definition is only needed for COASTAL AREAS, so it can be deleted)~~

Maintenance means the act or process of restoring to original soundness, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment, with equivalent fixtures, systems or structures.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

Mobile/manufactured home park or subdivision means a parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

Mobile/manufactured home park or subdivision, existing, means a parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of the ordinance from which this article is derived. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Mobile/manufactured home park, expansion to existing, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading or the pouring of concrete pads.

Mobile recreational vehicle means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

Model, corrected effective, means a hydraulic engineering model that corrects any errors that occur in the duplicate effective model, adds any additional cross sections to the duplicate effective model, or incorporates more detailed topographic information than that used in the current effective model.

Model, duplicate effective, means a copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

Model, effective, means the hydraulic engineering model that was used to produce the current effective flood insurance study.

Model, existing (pre-project), means a modification of the duplicate effective model or corrected effective model to reflect any manmade modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the corrected effective model or duplicate effective model.

Model, revised (post-project), means a modification of the existing or pre-project conditions model, duplicate effective model or corrected effective model to reflect revised or post-project conditions.

Municipality or municipal means the county, village or village governmental units enacting, administering and enforcing this article.

NAVD or North American Vertical Datum means elevations referenced to mean sea level datum, 1988 adjustment.

New construction, structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures.

NGVD or National Geodetic Vertical Datum means elevations referenced to mean sea level datum, 1929 adjustment.

Nonconforming structure means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this article for the area of the floodplain which it occupies. (For example, an existing residential structure in the flood fringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

Nonconforming use means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this article for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

Obstruction to flow means any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

Official floodplain zoning map means that map, adopted and made part of this article, as described in section 16-23(b), which has been approved by the department and FEMA.

Open space use means those uses having a relatively low flood damage potential and not involving structures.

Ordinary high-water mark means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Person means an individual, or group of individuals, corporation, partnership, association, municipality or state agency.

Private sewage system means a sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. The term "private sewage system" also means an alternative sewage system approved by the department of safety and professional services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

Public utilities means those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water, sanitary sewer and storm sewer.

Reasonably safe from flooding means base floodwaters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Regional flood means a flood determined to be representative of large floods known to have occurred in the state. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

Start of construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

Subdivision has the meaning given in Wis. Stats. § 236.02(12).

Substantial damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term "substantial improvement" does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Unnecessary hardship means where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

Variance means an authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

Violation means the failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Water surface profile means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Watershed means the entire region contributing runoff or surface water to a watercourse or body of water.

Well means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

(Ord. No. 13-06, § 23.10.0; Ord. No. 21-11, § 1)

Secs. 16-26—16-49. Reserved.

DIVISION 2. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

Sec. 16-50. Basic requirements.

- (a) The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment **must be elevated to or above the flood protection elevation** and is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

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- (b) If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:
 - (1) Such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
 - (2) Public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (3) Adequate drainage is provided to reduce exposure to flood hazards.

All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this article and all other requirements in section 16-193(b).

(Ord. No. 13-06, § 23.2.0; Ord. No. 21-11, § I)

Sec. 16-51. Hydraulic and hydrologic analyses.

- (a) No floodplain development shall:
 - (1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - (2) Cause any increase in the regional flood height due to floodplain storage area lost.
- (b) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of division 8 of this article are met.

(Ord. No. 13-06, § 23.2.1; Ord. No. 21-11, § I)

Sec. 16-52. Watercourse alterations.

- (a) No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of section 16-51 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.
- (b) As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to division 8 of this article, the community shall apply for a letter of map revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

(Ord. No. 13-06, § 23.2.2; Ord. No. 21-11, § I)

Sec. 16-53. Wis. Stats. chs. 30 and 31, development.

Development which requires a permit from the department, under Wis. Stats. chs. 30 and 31, such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to division 8 of this division.

(Ord. No. 13-06, § 23.2.3; Ord. No. 21-11, § I)

Sec. 16-54. Public or private campgrounds.

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the department of agriculture, trade and consumer protection;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the floodplain zoning agency or zoning administrator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated, by the officials identified in subsection (4) of this section, to remain in compliance with all applicable regulations, including those of the state department of agriculture, trade and consumer protection and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
 - a. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to ensure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either division 3, 4 or 5 of this article for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including, but not limited to, refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells, shall be properly anchored and placed at or floodproofed to the flood protection elevation.
- (13) Standards for structures in a campground:
 - a. All structures must comply with section 2.4 or meet the applicable requirements in ss. 3.0, 4.0, or 5.1 for the floodplain district in which the structure is located;
 - b. Deck/landing-a portable landing may be allowed for a camping unit for each entry provided

that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with section 2.4(4). Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

- c. Decks/patios that are constructed completely at grade may be allowed but must also comply with applicable shoreland zoning standards.
 - d. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the municipality compliant with section 2.4(4).
 - e. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the municipality compliant with section 2.4(4).
- 2) A land use permit shall be obtained as provided under 7.1(2) before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

(Ord. No. 13-06, § 23.2.4; Ord. No. 21-11, § I)

Secs. 16-55—16-81. Reserved.

DIVISION 3. FLOODWAY DISTRICT (FW)

Sec. 16-82. Applicability.

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to section 16-149.

(Ord. No. 13-06, § 23.3.1; Ord. No. 21-11, § I)

Sec. 16-83. Permitted uses.

The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district, if they are not prohibited by any other ordinance, they meet the standards in section 16-84 and 16-85, and all permits or certificates have been issued according to section 16-193.

- (1) Agricultural uses, such as farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.

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- (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of section 16-84(d).
 - (4) Uses or structures accessory to open space uses or classified as historic structures that comply with sections 16-84 and 16-85.
 - (5) Extraction of sand, gravel or other materials that comply with section 16-84(d).
 - (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Wis. Stats. chs. 30 and 31.
 - (7) Public utilities, streets and bridges that comply with section 16-83(c).
 - (8) Portable latrines that are removed prior to flooding and systems associated with recreational areas and department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.
 - (9) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
 - (10) Wastewater treatment ponds or facilities permitted under § NR 110.15(3)(b), Wis. Adm. Code.
 - (11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

(Ord. No. 13-06, § 23.3.2; Ord. No. 21-11, § I)

Sec. 16-84. Standards for developments in the floodway.

- (a) *Generally.*
 - (1) Any development in the floodway shall comply with division 2 of this article and have a low flood damage potential.
 - (2) Applicants shall provide the following data to determine the effects of the proposal according to sections 16-51 and 16-193(b)(3):
 - a. A cross section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 - b. An analysis calculating the effects of this proposal on regional flood height.
 - c. The analysis must be completed by a registered professional engineer in the state of Wisconsin.
 - (3) Any encroachment in the regulatory floodway is prohibited unless the data submitted for section 16-84(a)(2) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in section 16-23(d)(2).
- (b) *Structures.* Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

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- (1) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
 - (2) Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - a. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
 - b. Have structural components capable of meeting all provisions of Section 16-84(b)(7) and;
 - c. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with section 16-84(b)(7).
 - (3) Must be anchored to resist flotation, collapse, and lateral movement;
 - (4) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - (5) Must not obstruct flow of floodwaters or cause any increase in flood levels during the occurrence of the regional flood.
 - (6) For a structure designed to allow the automatic entry of floodwaters below the regional flood elevation, the applicant shall submit a plan that meets section 16-84(b)(1) through 16-84(b)(5) and meets or exceeds the following standards:
 - a. The lowest floor must be elevated to or above the regional flood elevation;
 - b. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - c. The bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - d. The use must be limited to parking, building access or limited storage.
 - (7) Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
 - a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 - b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in sections 16-83;
 - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
 - e. Placement of utilities to or above the flood protection elevation.
- (c) *Public utilities, streets and bridges.* Public utilities, streets and bridges may be allowed by permit, if:

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- (1) Adequate floodproofing measures are provided to the flood protection elevation; and
 - (2) Construction meets the development standards of section 16-51.
- (d) *Fills or deposition of materials.* Fills or deposition of materials may be allowed by permit, if:
- (1) The requirements of section 16-51 are met;
 - (2) No material is deposited in navigable waters unless a permit is issued by the department pursuant to Wis. Stats. ch. 30, and a permit pursuant to section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 USC 1344 has been issued, if applicable, and all other requirements have been met;
 - (3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
 - (4) The fill is not classified as a solid or hazardous material.

(Ord. No. 13-06, § 23.3.3; Ord. No. 21-11, § I)

Sec. 16-85. Prohibited uses.

All uses not listed as permitted uses in section 16-83 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and department-approved campgrounds that meet the applicable provisions of local ordinances and Wis. Admin. Code ch. SPS 383;
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Wis. Admin. Code chs. NR 811 and 812;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under Wis. Admin. Code § NR 110.15(3)(b); and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

(Ord. No. 13-06, § 23.3.4; Ord. No. 21-11, § I)

Secs. 16-86—16-113. Reserved.

DIVISION 4. FLOOD FRINGE DISTRICT (FF)

Sec. 16-114. Applicability.

This section applies to all flood fringe areas shown on the floodplain zoning maps and those identified pursuant to section 16-149.

(Ord. No. 13-06, § 23.4.1; Ord. No. 21-11, § I)

Sec. 16-115. Permitted uses.

Any structure, land use, or development is allowed in the flood fringe district if the standards in section 16-116 are met, the use is not prohibited by this article, or any other ordinance or regulation and all permits or certificates specified in section 16-193 have been issued.

(Ord. No. 13-06, § 23.4.2; Ord. No. 21-11, § I)

Sec. 16-116. Standards for development in the flood fringe.

Section 16-51 shall apply in addition to the following requirements according to the use requested. Any existing structure in the flood fringe must meet the requirements of division 6 of this article nonconforming uses;

- (1) *Residential uses.* Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of division 6, nonconforming uses;
 - a. All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet section 16-23(e).
 - b. Notwithstanding section 16-116(1)a, a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;
 - c. Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subsection d.
 - d. In developments where existing street or sewer line elevations make compliance with subsection c. impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 1. The municipality has written assurance from police, fire and emergency services that rescue, and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 2. The municipality has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.
- (2) *Accessory structures or uses.* Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

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- (3) *Commercial uses.* Any commercial structure which is erected, altered or moved into the flood fringe shall meet the requirements of subsection (1) of this section. Subject to the requirements of subsection (5) of this section, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
 - (4) *Manufacturing and industrial uses.* Any manufacturing or industrial structure which is erected, altered or moved into the flood fringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in section 16-197. Subject to the requirements of subsection (5) of this section, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
 - (5) *Storage of materials.* Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with section 16-197. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
 - (6) *Public utilities, streets and bridges.* All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and:
 - a. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with section 16-197.
 - b. Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
 - (7) *Sewage systems.* All sewage disposal systems shall be designed to minimize or eliminate infiltration of floodwater into the system, pursuant to section 16-197(c), to the flood protection elevation and meet the provisions of all local ordinances and Wis. Admin. Code ch. SPS 383.
 - (8) *Wells.* All wells shall be designed to minimize or eliminate infiltration of floodwaters into the system, pursuant to section 16-197(c), to the flood protection elevation and shall meet the provisions of Wis. Admin. Code chs. NR 811 and 812.
 - (9) *Solid waste disposal sites.* Disposal of solid or hazardous waste is prohibited in flood fringe areas.
 - (10) *Deposition of materials.* Any deposited material must meet all the provisions of this article.
 - (11) *Manufactured homes.*
 - a. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - b. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 1. Have the lowest floor elevated to the flood protection elevation; and
 2. Be anchored so they do not float, collapse or move laterally during a flood.
 - c. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the flood fringe in subsection (1) of this section.
 - (12) *Mobile recreational vehicles.* All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall; or shall meet the elevation and

anchoring requirements in subsection (11)b. and c. of this section. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

(Ord. No. 13-06, § 23.4.3; Ord. No. 21-11, § I)

Secs. 16-117—16-145. Reserved.

DIVISION 5. GENERAL FLOODPLAIN DISTRICT (GFP)

Sec. 16-146. Applicability/floodway boundaries.

- (a) *Applicability.* The provisions for the general floodplain district shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the flood insurance rate maps identified in section 16-23(b)(2).
- (b) *Floodway boundaries.* For proposed development in zone A, or in zone AE within which a floodway is not delineated on the flood insurance rate map identified in section 16-23(b)(2), the boundaries of the regulatory floodway shall be determined pursuant to section 16-148. If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of division 3. If the development is located entirely within the floodfringe, the development is subject to the standards of division 4.

(Ord. No. 13-06, § 23.5.1; Ord. No. 21-11, § I)

Sec. 16-147. Permitted uses.

- (a) Pursuant to section 16-149, it shall be determined whether the proposed use is located within the floodway or flood fringe.
- (b) Those uses permitted in the floodway (section 16-83) and flood fringe (section 16-115) districts are allowed within the general floodplain district, according to the standards of section 16-148, provided that all permits or certificates required under section 16-193 have been issued.

(Ord. No. 13-06, § 23.5.2; Ord. No. 21-11, § I)

Sec. 16-148. Standards for development in the general floodplain district.

Division 3 of this article applies to floodway areas, and division 4 of this article applies to flood fringe areas. The rest of this article applies to either district.

- (1) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:
 - a. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
 - b. If the depth is not specified on the FIRM, to or above two feet above the highest adjacent natural grade.
- (2) New construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

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- (3) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.
 - (4) All development in zones AO and zone AH shall meet the requirements of division 4 applicable to flood fringe areas.

(Ord. No. 13-06, § 23.5.3; Ord. No. 21-11, § I)

Sec. 16-149. Determining floodway and flood fringe limits.

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures; and the flood zone as shown on the FIRM.
- (2) Require the applicant to furnish any of the following information deemed necessary by the department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - a. A hydrologic and hydraulic study as specified in section 16-193(b)(3).
 - b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.
 - c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

(Ord. No. 13-06, § 23.5.4; Ord. No. 21-11, § I)

Sec. 16-150 Flood storage district.

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

- (1) *Applicability.* The provisions of this section apply to all areas within the flood storage district (FSD), as shown on the official floodplain zoning maps.
- (2) *Permitted uses.* Any use or development which occurs in a flood storage district must meet the applicable requirements in section 16-116.
- (3) *Standards for development in flood storage districts.*
 - a. Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.
 - b. No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume

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(Supp. No. 8)

of storage, which is lost, (compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.

- c. If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district—on this waterway—is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per division 8, Amendments of this article.
- d. No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

(Ord. No. 21-11, § I)

Secs. 16-151—16-166. Reserved.

DIVISION 6. NONCONFORMING USES

Sec. 16-167. General standards.

(a) *Applicability.*

- (1) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with Wis. Stats. § 87.30 and §§ NR 116.12-14, Wis. Adm. Code and 44 CFR 59-72., these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this article or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.
- (2) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

(b) *Conditions.* The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this article may continue subject to the following conditions:

- (1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this article. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.
- (2) The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

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- (3) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon shall conform to the applicable requirements of this article.
 - (4) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent.
 - (5) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with section 16-116(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50 percent provisions of this subsection;
 - (6) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with section 16-116(1). Maintenance to any nonconforming structure, which does not exceed 50 percent of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
 - (7) If on a per event basis the total value of the work being done under subsections (b)(5) and (6) of this section equals or exceeds 50 percent of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with section 16-116(1).
 - (8) Except as provided in subsection (b)(9) of this section, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current article requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50 percent of the structure's present equalized assessed value.
 - (9) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum Federal Code requirements below are met, and all required permits have been granted prior to the start of construction.
 - a. Residential structures shall:
 1. Have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of section 16-197(b).
 2. Be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.

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3. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 4. In A zones, obtain, review and utilize any flood data available from a federal, state or other source.
 5. In AO zones with no elevations specified, have the lowest floor, including basement, meet the standards in section 16-148(1).
 6. In AO zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
- b. Nonresidential structures shall:
1. Meet the requirements of subsection (b)(9)a of this section.
 2. Either:
 - (i) Have the lowest floor, including basement, elevated to or above the regional flood elevation; or
 - (ii) Together with attendant utility and sanitary facilities, meet the standards in section 16-197(a) or (b).
 3. In AO zones with no elevations specified, have the lowest floor, including basement, meet the standards in section 16-148(1).
- (c) *Alteration, repair and rehabilitation of historic structure.* A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with section 16-84(a), flood-resistant materials are used, and construction practices and floodproofing methods that comply with section 16-197 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of subsection (b)(9)a of this section if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(Ord. No. 13-06, § 23.6.1; Ord. No. 21-11, § I)

Sec. 16-168. Floodway district.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the floodway district, unless such modification or addition:
- (1) Has been granted a permit or variance which meets all article requirements;
 - (2) Meets the requirements of section 16-167;
 - (3) Shall not increase the obstruction to flood flows or regional flood height;
 - (4) Any addition to the existing structure shall be floodproofed, pursuant to section 16-197, by means other than the use of fill, to the flood protection elevation; and
 - (5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of floodwaters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot

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of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;

- b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d. The use must be limited to parking, building access or limited storage.
- (b) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the floodway district. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, section 16-197(c) and Wis. Admin. Code ch. SPS 383.
- (c) No new well or modification to an existing well used to obtain potable water shall be allowed in the floodway district. Any replacement, repair or maintenance of an existing well in the floodway district shall meet the applicable requirements of all municipal ordinances, section 16-197(c) and Wis. Admin. Code chs. NR 811 and 812.

(Ord. No. 13-06, § 23.6.2; Ord. No. 21-11, § I)

Sec. 16-169. Flood fringe district.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of section 16-116, except where subsection (b) of this section is applicable.
- (b) Where compliance with the provisions of subsection (a) of this section would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the board of ~~adjustment~~/appeals, using the procedures established in section 16-195, may grant a variance from those provisions of subsection (a) of this section for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- (1) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - (2) Human lives are not endangered;
 - (3) Public facilities, such as water or sewer, shall not be installed;
 - (4) Flood depths shall not exceed two feet;
 - (5) Flood velocities shall not exceed two feet per second; and
 - (6) The structure shall not be used for storage of materials as described in section 16-116(5).
- (c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, section 16-197(c) and Wis. Admin. Code ch. SPS 383.
- (d) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this article, section 16-197(c) and Wis. Admin. Code chs. NR 811 and 812.

(Ord. No. 13-06, § 23.6.3; Ord. No. 21-11, § I)

Sec. 16-170. Flood storage district.

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in 16-150(c) are met.

(Ord. No. 21-11, § I)

Secs. 16-171—16-191. Reserved.

DIVISION 7. ADMINISTRATION

Sec. 16-192. Officials previously appointed to administer zoning regulations.

Where a zoning administrator, planning agency or a board of ~~adjustment~~/appeals has already been appointed to administer a zoning ordinance adopted under Wis. Stats. §§ 59.69, 59.692 or 62.23(7), these officials shall also administer this article.

(Ord. No. 13-06, § 23.7.0; Ord. No. 21-11, § I)

Sec. 16-193. Zoning administrator.

- (a) *Duties and powers.* The zoning administrator is authorized to administer this article and shall have the following duties and powers:
- (1) Advise applicants of the article provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
 - (2) Issue permits and inspect properties for compliance with provisions of this article and issue certificates of compliance where appropriate.
 - (3) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
 - (4) Keep records of all official actions, such as:
 - a. All permits issued, inspections made, and work approved.
 - b. Documentation of certified lowest floor and regional flood elevations.
 - c. Floodproofing certificates.
 - d. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures, including changes, appeals, variances and amendments.
 - e. All substantial damage assessment reports for floodplain structures.
 - f. List of nonconforming structures and uses.
 - (5) Submit copies of the following items to the department regional office:
 - a. Within ten days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.

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- b. Copies of case-by-case analyses and other required information, including an annual summary of floodplain zoning actions taken.
 - c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- (6) Investigate, prepare reports, and report violations of this article to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the department regional office.
- (7) Submit copies of amendments to the FEMA regional office.
- (b) *Land use permit.* A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:
- (1) *General information.*
 - a. Name and address of the applicant, property owner and contractor;
 - b. Legal description, proposed use, and whether it is new construction or a modification.
 - (2) *Site development plan.* A site plan drawn to scale shall be submitted with the permit application form and shall contain:
 - a. Location, dimensions, area and elevation of the lot;
 - b. Location of the ordinary high-water mark of any abutting navigable waterways;
 - c. Location of any structures with distances measured from the lot lines and street center lines;
 - d. Location of any existing or proposed on-site sewage systems or private water supply systems;
 - e. Location and elevation of existing or future access roads;
 - f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
 - g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study—either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
 - h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of division 3 or 4 of this article are met; and
 - i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to section 16-51. This may include any of the information noted in section 16-84(a).
 - (3) *Hydraulic and hydrologic studies to analyze development.* All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the state. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the department.
 - a. *Zone A floodplains and AE zones within which a floodway is no delineated:*
 - 1. *Hydrology.* The appropriate method shall be based on the standards in Wis. Admin. Code § NR 116.07(3), hydrologic analysis: Determination of regional flood discharge.

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2. *Hydraulic modeling.* The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4), hydraulic analysis: Determination of regional flood elevation, and the following:
- (i) Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - (ii) Channel sections must be surveyed.
 - (iii) Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - (iv) A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope, including a survey of the channel at each location.
 - (v) The most current version of HEC-RAS shall be used.
 - (vi) A survey of bridge and culvert openings and the top of road is required at each structure.
 - (vii) Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - (viii) Standard accepted engineering practices shall be used when assigning parameters for the base model, such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 - (ix) The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
3. *Mapping.* A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
- (i) If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 - (ii) If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. *Zone AE floodplains.*

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1. *Hydrology.* If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Wis. Admin. Code § NR 116.07(3), hydrologic analysis: Determination of regional flood discharge.
 2. *Hydraulic model.* The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4), hydraulic analysis: Determination of regional flood elevation, and the following:
 - (i) Duplicate effective model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the floodway data table in the FIS report to within 0.1 foot.
 - (ii) Corrected effective model. The corrected effective model shall not include any manmade physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for department review.
 - (iii) Existing (pre-project conditions) model. The existing model shall be required to support conclusions about the actual impacts of the project associated with the revised (post-project) model or to establish more up-to-date models on which to base the revised (post-project) model.
 - (iv) Revised (post-project conditions) model. The revised (post-project conditions) model shall incorporate the existing model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
 - (v) All changes to the duplicate effective model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
 - (vi) Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The effective model shall not be truncated.
 3. *Mapping.* Maps and associated engineering data shall be submitted to the department for review which meet the following conditions:
 - (i) Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or flood boundary floodway maps (FBFMs), construction plans, bridge plans.
 - (ii) Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
 - (iii) Annotated FIRM panel showing the revised one percent and 0.2 percent annual chance floodplains and floodway boundaries.
 - (iv) If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, then all supporting documentation or metadata must be included with

the data submission along with the Universal Transverse Mercator (UTM) Projection and state plane coordinate system in accordance with FEMA mapping specifications.

- (v) The revised floodplain boundaries shall tie into the effective floodplain boundaries.
 - (vi) All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 - (vii) Both the current and proposed floodways shall be shown on the map.
 - (viii) The stream centerline, or profile baseline used to measure stream distances in the model, shall be visible on the map.
- (4) *Expiration.* All permits issued under the authority of this article shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.
- (c) *Certificate of compliance.* No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
- (1) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this article;
 - (2) Application for such certificate shall be concurrent with the application for a permit;
 - (3) If all article provisions are met, the certificate of compliance shall be issued within ten days after written notification that the permitted work is completed;
 - (4) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of section 16-197 are met.
 - (5) Where applicable pursuant to section 16-148, the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
 - (6) Where applicable pursuant to section 16-148, the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by section 16-148.
- (d) *Other permits.* Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including, but not limited to, those required by the U.S. Army Corps of Engineers under section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 USC 1344.

(Ord. No. 13-06, § 23.7.1; Ord. No. 21-11, § I)

Sec. 16-194. Plan commission.

- (a) The plan commission shall:
- (1) Oversee the functions of the office of the zoning administrator; and
 - (2) Review and advise the governing body on all proposed amendments to this article, maps and text.
 - (3) Publish adequate notice pursuant to Wis. Stats. ch. 985, specifying the date, time, place and subject of the public hearing.
- (b) The plan commission shall not:
- (1) Grant variances to the terms of the article in place of action by the board of ~~adjustment~~/appeals; or
 - (2) Amend the text or zoning maps in place of official action by the governing body.

(Ord. No. 13-06, § 23.7.2; Ord. No. 21-11, § I)

Sec. 16-195. Board of ~~adjustment~~/appeals.

The board of ~~adjustment~~/appeals, created under Wis. Stats. § 59.694 for counties or Wis. Stats. § 62.23(7)(e) for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this article. The board shall exercise the powers conferred by state statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the board.

- (1) *Powers and duties.* The board of ~~adjustment~~/appeals shall:
- a. *Appeals.* Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this article;
 - b. *Boundary disputes.* Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
 - c. *Variances.* Hear and decide, upon appeal, variances from the ordinance standards.
- (2) *Appeals to the board.*
- a. *Procedure.* Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.
 - b. *Notice and hearing for appeals including variances.*
 1. *Notice.* The board shall:
 - (i) Fix a reasonable time for the hearing;
 - (ii) Publish adequate notice pursuant to state statutes, specifying the date, time, place and subject of the hearing; and
 - (iii) Ensure that notice shall be mailed to the parties in interest and the department regional office at least ten days in advance of the hearing.
 2. *Hearing.* Any party may appear in person or by agent. The board shall:

Created: 2025-05-08 14:57:11 [EST]

(Supp. No. 8)

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- (i) Resolve boundary disputes according to subsection (3) of this section;
 - (ii) Decide variance applications according to subsection (4) of this section; and
 - (iii) Decide appeals of permit denials according to section 16-196.
 - c. *Decision.* The final decision regarding the appeal or variance application shall:
 - 1. Be made within a reasonable time;
 - 2. Be sent to the department regional office within ten days of the decision;
 - 3. Be a written determination signed by the chairman or secretary of the board;
 - 4. State the specific facts which are the basis for the board's decision;
 - 5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
 - 6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the board proceedings.
 - (3) *Boundary disputes.* The following procedure shall be used by the board in hearing disputes concerning floodplain district boundaries:
 - a. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
 - b. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the board; and
 - c. If the boundary is incorrectly mapped, the board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to division 8 of this article.
 - (4) *Variances.*
 - a. The board may, upon appeal, grant a variance from the standards of this article if an applicant convincingly demonstrates that:
 - 1. Literal enforcement of the article will cause unnecessary hardship;
 - 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the article or map must be amended;
 - 3. The variance is not contrary to the public interest; and
 - 4. The variance is consistent with the purpose of this article in section 16-21.
 - b. In addition to the criteria in subsection (4)a of this section, to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
 - 1. The variance shall not cause any increase in the regional flood elevation;
 - 2. The applicant has shown good and sufficient cause for issuance of the variance; and
 - 3. Failure to grant the variance would result in exceptional hardship;

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4. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
- c. A variance shall not:
1. Grant, extend or increase any use prohibited in the zoning district;
 2. Be granted for a hardship based solely on an economic gain or loss;
 3. Be granted for a hardship which is self-created;
 4. Damage the rights or property values of other persons in the area;
 5. Allow actions without the amendments to this article or map(s) required in division 8 of this article; and
 6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- d. When a floodplain variance is granted, the board shall notify the applicant in writing that it may increase risks to life, and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

(Ord. No. 13-06, § 23.7.3; Ord. No. 21-11, § I)

Sec. 16-196. To review appeals of permit denials.

- (a) The zoning agency (section 16-194) or board shall review all data related to the appeal. This may include:
- (1) Permit application data listed in section 16-193(b);
 - (2) Floodway/flood fringe determination data in section 16-149;
 - (3) Data listed in section 16-84(a)(2) where the applicant has not submitted this information to the zoning administrator; and
 - (4) Other data submitted with the application or submitted to the board with the appeal.
- (b) For appeals of all denied permits, the board shall:
- (1) Follow the procedures of section 16-195;
 - (2) Consider zoning agency recommendations; and
 - (3) Either uphold the denial or grant the appeal.
- (c) For appeals concerning increases in regional flood elevation, the board shall:
- (1) Uphold the denial where the board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of division 8 of this article; and
 - (2) Grant the appeal where the board agrees that the data properly demonstrates that the project does not cause an increase, provided no other reasons for denial exist.

(Ord. No. 13-06, § 23.7.4; Ord. No. 21-11, § I)

Sec. 16-197. Floodproofing standards for nonconforming structures or uses.

- (a) No permit or variance shall be issued for a nonresidential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA floodproofing certificate. Floodproofing is not an alternative to the development standards in divisions 2, 3, 4, or 5.
- (b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - (1) Certified by a registered professional engineer or architect; or
 - (2) That meets or exceeds the following standards:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b. The bottom of all openings shall be no higher than one foot above grade; and
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
- (c) Floodproofing measures shall be designed, as appropriate, to:
 - (1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - (2) Protect structures to the flood protection elevation;
 - (3) Anchor structures to foundations to resist flotation and lateral movement;
 - (4) Minimize or eliminate infiltration of floodwaters;
 - (5) Minimize or eliminate discharges into floodwaters; and
 - (6) Placement of essential utilities to or above the flood protection elevation; and
 - (7) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d. The use must be limited to parking, building access or limited storage.

(Ord. No. 13-06, § 23.7.5; Ord. No. 21-11, § I)

Sec. 16-198. Public information.

To provide information regarding the status of real property, marks shall be placed on structures to show the depth of inundation during a regional flood. In addition, all maps, engineering data and regulations shall be available and widely distributed and real estate transfer should show what floodplain district the transferred property is located in.

(Ord. No. 13-06, § 23.7.6; Ord. No. 21-11, § I)

Secs. 16-199—16-219. Reserved.

DIVISION 8. AMENDMENTS

Sec. 16-220. Required for obstructions or increases.

Obstructions or increases may only be permitted if amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with section 16-221.

- (1) In AE zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a conditional letter of map revision from FEMA and amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with section 16-221. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a conditional letter of map revision from FEMA and amendments are made to this article, the official floodplain maps, floodway lines, and water surface profiles, in accordance with section 16-221.

(Ord. No. 13-06, § 23.8.0; Ord. No. 21-11, § I)

Sec. 16-221. Events requiring amendment of article and letter of map change.

The governing body shall change or supplement the floodplain zoning district boundaries and this article in the manner outlined in section 16-222. Actions which require an amendment to this article or submittal of a letter of map change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in section 16-23(b)(2);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by Wis. Admin. Code § NR 116.05, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the flood fringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

(Ord. No. 13-06, § 23.8.1; Ord. No. 21-11, § I)

Sec. 16-222. Procedures.

Article amendments may be made upon petition of any party according to the provisions of Wis. Stats. § 62.23 for cities and villages, or Wis. Stats. § 59.69 for counties. The petitions shall include all data required by sections 16-149 and 16-193(b). The land use permit shall not be issued until a letter of map revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the department regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Wis. Stats. § 62.23 for cities and villages or Wis. Stats. § 59.69 for counties.
- (2) No amendments shall become effective until reviewed and approved by the department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

(Ord. No. 13-06, § 23.8.2; Ord. No. 21-11, § I)

ORDINANCE #25-12

AMENDING CERTAIN SECTIONS OF CHAPTER 16 OF THE VILLAGE CODE OF ORDINANCES REGARDING FLOODPLAIN REGULATIONS

WHEREAS, the Village Board for the Village of Jackson adopted floodplain regulations for the Village of Jackson and has amended such regulations from time to time; and

WHEREAS, the environmental regulations, as amended, are codified as Chapter 16 of the Village of Jackson municipal code, which is titled "Flood Prevention and Damage Control"and

WHEREAS, the Village of Jackson was notified by the Wisconsin Department of Natural Resources that recent updates to the Village’s local floodplain zoning regulations must be adopted no later than February 20, 2026; and

WHEREAS, the Village of Jackson Plan Commission considered the matter at its meeting on November 20, 2025, and recommended approval; and

WHEREAS, a copy of this proposed ordinance was sent to the Wisconsin Department of Natural Resources on or about November 21, 2025, in advance of the public hearing as required; and

WHEREAS, the Village Board conducted a public hearing on December 9, 2025; and

WHEREAS, the Village Board accepted the Plan Commission’s recommended code amendments without revision.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County Wisconsin ORDAINS AS FOLLOWS:

Section 1. Repeal and recreate Section 16.23(b)(1)b. of the Village Code of Jackson as follows:

(b) Flood Insurance Study (FIS) volumes 55131CV001C, 55131CV002C, 55131CV003C, 55131CV004C, 55131CV005C, 55131CV006C for Washington County, dated 02/20/2026.

Approved by: The DNR and FEMA

Section 2. Amending Sections 16.23(b)(2)a. and 16.23(b)(2)b. of the Village Code of Jackson as follows:

- a. Flood Storage Map for Washington County, Panel 8 dated 02/20/2026.
- b. Flood Storage Map for Washington County, Panel 9 dated 02/20/2026.

Approved by: The DNR and FEMA

Section 3. Amending Section 16.23(g), of the Village Code of Jackson as follows:

(g) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this article and obtain all necessary permits. State agencies are required to comply if Wis. Stats. § 13.48(13) applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the state department of transportation is exempt when Wis. Stats. § 30.2022 applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with federal, state, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

Section 4. Amending the first paragraph in Section 16.25, of the Village Code of Jackson as follows:

Unless specifically defined, words and phrases in this article shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

Section 5. Amending the definition of *Accessory Structure or use* under Section 16.25, of the Village Code of Jackson as follows:

Accessory structure or use means a facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.

Section 6. Amending the definition of *Lowest floor* under Section 16.25, of the Village Code of Jackson as follows:

Lowest floor means the lowest floor of the lowest enclosed area (including basement).

Section 7. Amending Section 16.50(a), of the Village Code of Jackson as follows:

- (a) The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment must be elevated to or above the flood protection elevation and is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Section 8. Amending Section 16.54(4), of the Village Code of Jackson as follows:

- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the floodplain zoning agency or zoning administrator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;

Section 9. Add Subsection 16.54(13), to read as follows:

- (13) Standards for structures in a campground:
 - a. All structures must comply with Division 2 or meet the applicable requirements in Division 3-5 for the floodplain district in which the structure is located;
 - b. Deck/landing-a portable landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the

written agreement with the municipality compliant with section 16-54(4). Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

- c. Decks/patios that are constructed completely at grade may be allowed but must also comply with applicable shoreland zoning standards.
- d. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the municipality compliant with section 16-54(4).
- e. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the municipality compliant with section 16-54(4).

14) A land use permit shall be obtained as provided under section 16-193(b) before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

Section 10. Amending the first paragraph in Section 16.169(b), of the Village Code of Jackson as follows:

Where compliance with the provisions of subsection (a) of this section would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the board of appeals, using the procedures established in section 16-195, may grant a variance from those provisions of subsection (a) of this section for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

Section 11. Amending Section 16.192, of the Village Code of Jackson as follows:

Sec. 16-192. Officials previously appointed to administer zoning regulations.

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under Wis. Stats. §§ 59.69, 59.692 or 62.23(7), these officials shall also administer this article.

Section 12. Repeal and recreate Subsection 16-194(b) of the Village Code of Jackson to read as follows:

(b) The plan commission shall not:

- (1) Grant variances to the terms of the article in place of action by the board of appeals; or
- (2) Amend the text or zoning maps in place of official action by the governing body.

Section 13. Repeal and recreate Section 16.195, of the Village Code of Jackson as follows:

Sec. 16-195. Board of appeals.

The board of appeals, created under Wis. Stats. § 59.694 for counties or Wis. Stats. § 62.23(7)(e) for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this article. The board shall exercise the powers conferred by state statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the board.

(1) *Powers and duties.* The board of appeals shall:

Section 14. Effective Date

This ordinance is subject to the review and approval of the Wisconsin Department of Natural Resources and shall be in full force and effect from and after such approval and passage and posting or publication as provided by law, whichever occurs later. All other provisions of Chapter 16 of the Village Code of Ordinances remain in full force and effect.

The Village Clerk and Village Administrator are hereby authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this Ordinance.

Introduced by: _____

Seconded by: _____

Vote: _____aye _____nay

Passed and approved_____

VILLAGE OF JACKSON

By: _____
Brian J. Heckendorf, Village President

Attest:

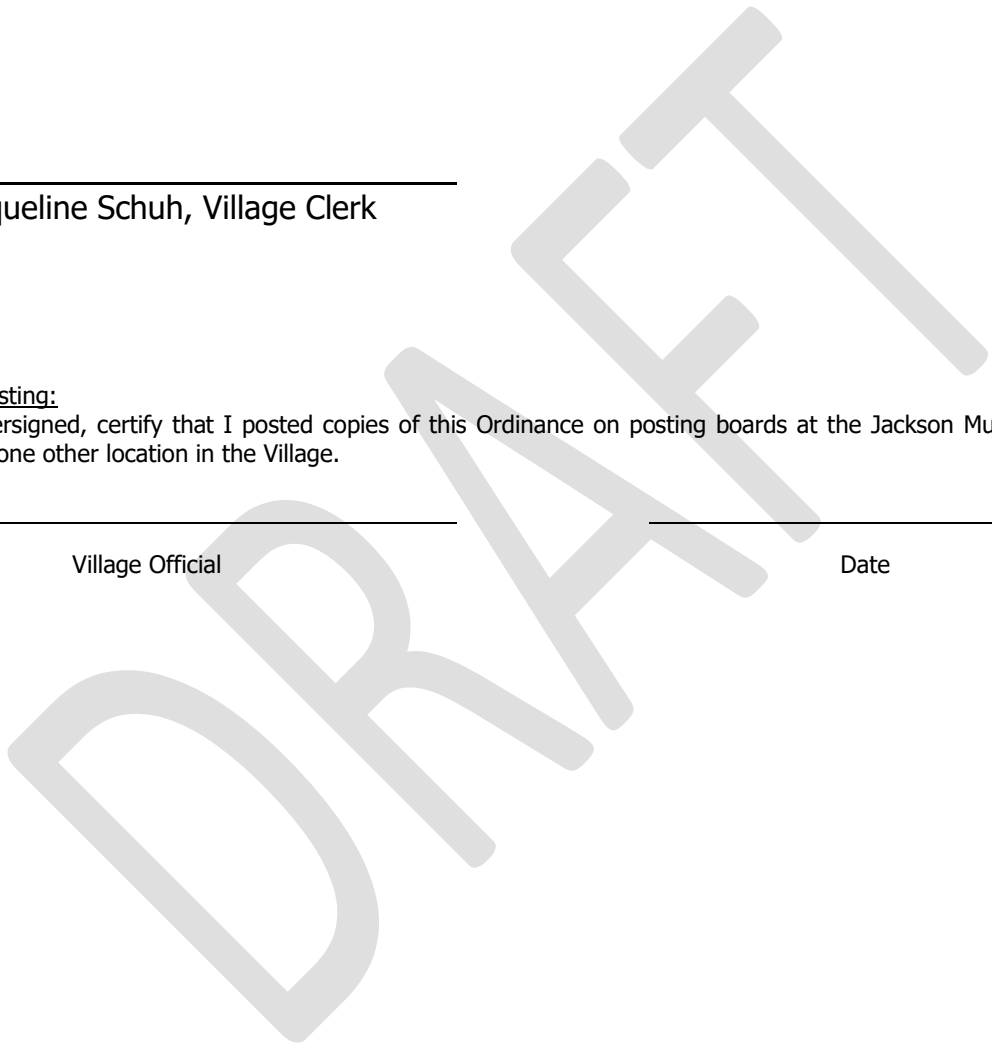
Jacqueline Schuh, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on posting boards at the Jackson Municipal Complex, Post Office and one other location in the Village.

Village Official

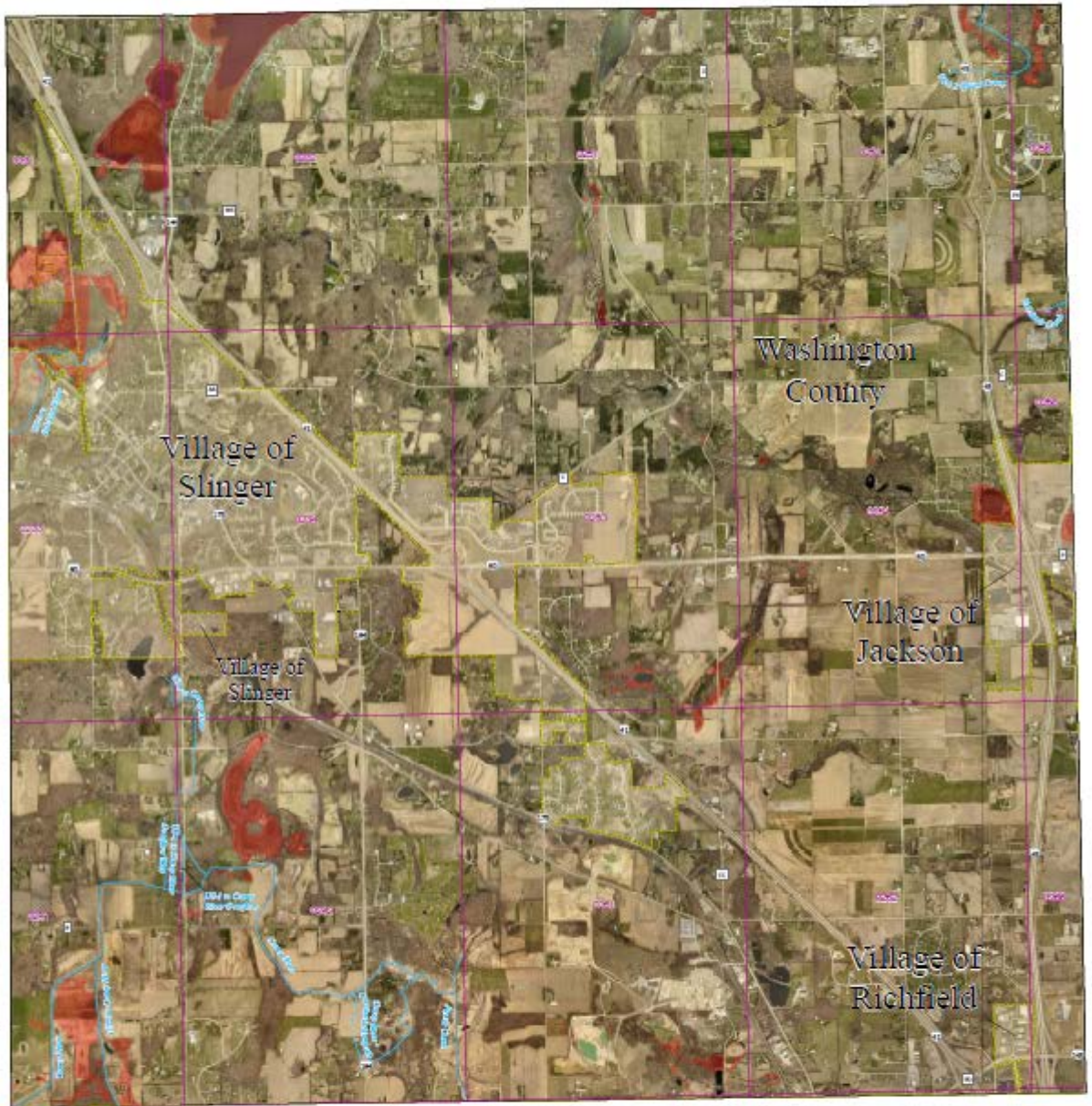
Date



Washington County and incorporated areas Flood Storage Districts

10N 19E
Panel 8

Sources of Study: WDNR
Effective Date: 02/20/2026
Approved by: WDNR



LEGEND

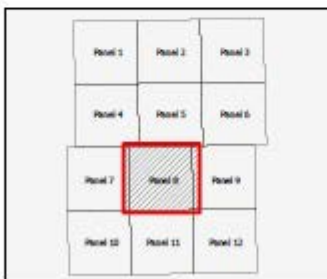
- Flood Storage Districts
- Panels
- Rivers/streams

POLITICAL AREAS

- Political Boundary
- Municipalities

0 1,250 2,500 5,000 Feet


1:18,000



Coordinate System: NAD 1983 HARN UTM Zone 16

Aerial photography was acquired in the Spring of 2022 and was provided in digital format by Washington County.

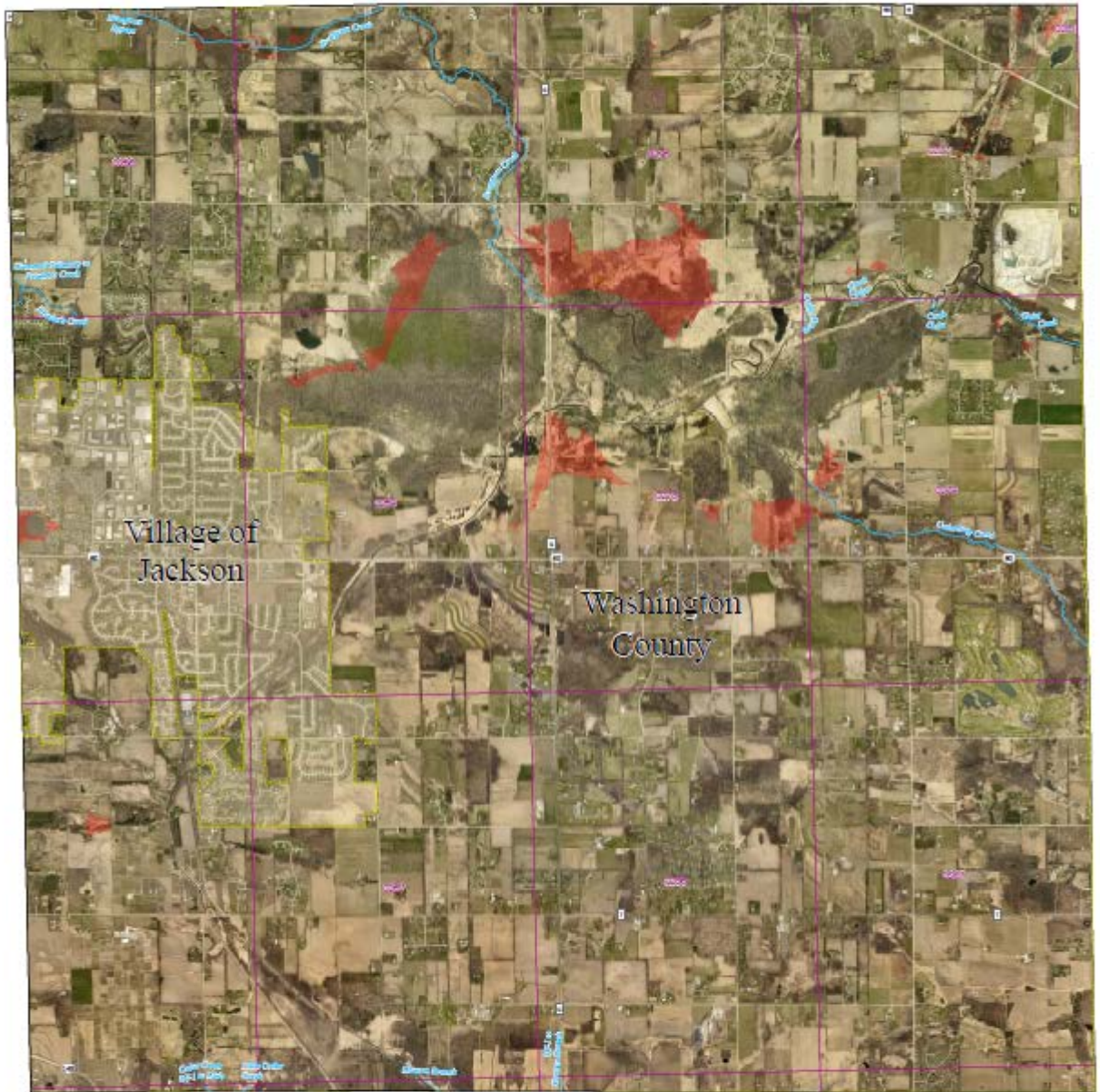
Flood Storage Districts are available for viewing after the Letter of Final Determination (LFD) date at DNR's Surface Water Data Viewer: dnr.wisconsin.gov/topic/SurfaceWater/swdv (or go to dnr.wi.gov and search "SWDV")



Washington County and incorporated areas Flood Storage Districts

Sources of Study: WDNR
Effective Date: 02/20/2026
Approved by: WDNR

10N 20E
Panel 9



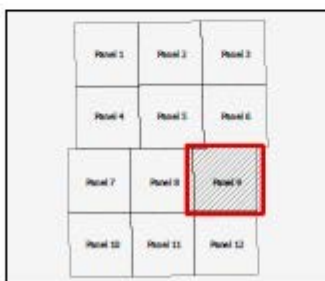
LEGEND

- Flood Storage Districts
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- Political Boundary
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STAFF MEMO

Village of Jackson
Plan Commission

Meeting Date: November 20, 2025

Agenda Item: Item #4

To: Brian Heckendorf, Village President
Village of Jackson Plan Commission
Jen Heidtke, Village Administrator

From: Collin Johnson, Director of Inspections and Zoning

Subject: Conditional Use Review – Jackson Preparatory Academy – N168 W22224 Main Street – Jasmine Gray

Background and Analysis:

The applicant is proposing to open a day care facility within the current West Side Mart complex located at N168 W22224 Main Street located on the northwest corner of Highway 60 and County Trunk P. The proposed tenant space is located in the lower level of the building and was previously home to Kiddie Kampus which operated there from 1995 to 2024 as a childcare center for children aged 6 weeks to 12 years with an enrollment of 65 kids. General hours of operation will be from 6:30 am to 5:00 pm serving children aged 6 weeks to 5-years.

The tenant space is comprised of roughly 5,900 sq. ft. and contains five classrooms, office, mechanical, and toilet rooms as well as a kitchen area. There is also a fenced play area located along the west side of the building that is directly accessible from interior classrooms. There are 22 parking spaces including one ADA van-accessible space available in the adjacent parking lot that serves the lower level. Under Village Ordinance Section 48-177, one parking space for each employee is required. The application does not indicate the total number of employees anticipated.

The main floor of the multi-tenant building contains a variety of uses including a convenience store, insurance office, restaurant, and nail salon. These businesses operate at independent times between 4:00 am and midnight.

Under Wisconsin law, no person may provide care and supervision for four (4) or more children under the age of 7 for less than 24 hours a day unless that person obtains a license to operate a childcare center from the State of WI – Department of Children and Families. A *Licensed Group Child Care Center* may provide care for nine or more children.

Comprehensive Plan & Zoning Impacts:

The property is designated as General Commercial under the current Comprehensive Plan and currently zoned Planned Unit Development (PUD). Future rezoning will likely categorize the property as C-1 Community Business District. There are no anticipated current or future impacts to either the Comprehensive Plan or zoning designation.

Site Plan:

See attached location map and floor plan.

Additional Staff Comments:

Building Inspection and Zoning

Staff recommends approval of the Conditional Use request for Jackson Preparatory Academy as detailed below.

Review Procedures:

The Plan Commission is advisory; and the Village Board makes the final decision.

Notice Requirements:

- Posting on the agenda
- Notification of all contiguous property owners
- Publication of a Class II Legal Notice is required prior to the Public Hearing

Potential Action:

Motion to recommend the Village Board approve the conditional use request for Jackson Preparatory Academy subject to the following requirements:

1. Owner/operator shall maintain a license as a Licensed Group Child Care Center, issued by the State of WI - Department of Children and Families.
2. Upon receipt of a complaint, the conditional use approval may be subject to review, suspension, and/or revocation by the Village of Jackson.

Attachments:

1. Staff Memo
2. PC Application
3. Location Map and Floor Plan

Village of Jackson
PLAN COMMISSION APPLICATION

Application/Permit #: _____

PROPERTY INFORMATION

- COMMERCIAL INDUSTRIAL RESIDENTIAL OTHER _____
- CONDITIONAL USE** **PLANNED UNIT DEVELOPMENT** **CERTIFIED SURVEY MAP**
- New New **CONCEPT PLAN**
- Amendment Amendment **COMP. PLAN AMENDMENT**
- Special Use Special Use **OTHER** _____
- (For existing Cond. Use ONLY)* *(For existing PUD ONLY)*

Property Address: N1108 W2224 Main Street Unit: _____ Jackson, WI
Jackson WI, 53037

Parcel #: _____ Lot Size: _____ sq. ft. Building Area: 8744 sq. ft.

Current Zoning: B-1 B-2 M-1 M-2 I-1 PUD Other _____ Floodplain: YDN

APPLICANT INFORMATION

Name(s): Jackson Preparatory Academy (Childcare Center)

Mailing Address: 3840 WIS Hwy 60 Slinger WI 53086 State WI Zip 53086

Office: (414) 940-0483 Cell: (414) 349-6868 Fax: (262) 395-4202

Email: Jasmineroyal90@gmail.com

BUSINESS INFORMATION *(If New Business)*

Legal Business Name: Jackson Preparatory Academy (Childcare Service)

D/B/A: JPA FEIN #: 39-3596711

Mailing Address: 3840 WIS Hwy 60 Slinger State WI Zip 53086

Office: (414) 940-0483 Cell: (414) 349-6868 Fax: (____) _____

Email: Jasmineroyal90@gmail.com

Website: _____

PROPERTY OWNER INFORMATION

Name(s): Mandeep (Landlord)

Address: ~~N1108~~ N1108 W2224 Main Street State WI Zip 53086

Office: (262) 677-1110 Cell: (262) 359-0070 Fax: (____) _____

Email: _____

ARCHITECT / ENGINEER / CONTRACTOR INFORMATION *(Circle One)*

Firm Name: _____

Primary Contact: _____

Address: _____ State _____ Zip _____

Office: (____) _____ Cell: (____) _____ Fax: (____) _____

Email: _____

Please provide as much detailed information as possible. (Add additional pages if needed.)

Briefly explain what you are requesting to be reviewed and/or approved: I intend to use
The Building For A Childcare Center

The Building is currently zone for Childcare Service

Provide a brief overview of proposed use(s) of entire property and/or lease space: To Continue to
Use it as a Operating Child Care Service
Offering Service to Children from the ages of 1years - 5yrs old

Hours of Operation: Mon-Sat. From 6:30am - 5:00pm

Provide a brief overview of proposed daily on-site operations: Daily onsite operations will
be used for a Childcare Center / Pre-school

Describe any potential environmental impacts from the proposed use including but not limited to exterior storage, noise, smoke, dust, odors, hazardous materials, vibration, horns, speakers, vehicles and equipment operation and exterior generators, HVAC, or other stationary mechanical equipment, etc.: N/A

Describe all businesses, properties and other entities located adjacent to the proposed use: Pizza Restaurant, Nail salon, Gas station,

Describe any proposed, development, on-site improvements, or other construction/remodeling activities: N/A

Describe any proposed grading, and/or stormwater management plan: N/A

Describe any proposed landscape plan/improvements including driveways, sidewalks, vegetative plantings, etc.: Will pay a Professional land scaper to keep up lawn
maintenance

Describe any proposed on-site security measures including site lighting: The build will be equipt
for with Security Camera servalance with 24 hrs of
Access

Describe any existing or proposed Life Safety Systems (Includes fire hydrants, fire suppression & fire alarm systems): We have 4-5 onsite serviced Fire Alarms

Describe the projected traffic circulation and impacts: We have private lot dedicated to the childcare building only

List all setbacks from rights-of-way and property lines and height limitations: N/A

Provide status of State/Federal License(s) or Certificate(s) required for operation, if any: _____

Does this project require other Jurisdictional Approvals from other Governmental or Regulatory entities?
 No Yes If yes, explain: _____

Describe any proposed signage including type, size, and location: replace the business information with current construction and sizes. There will be no construction changes being made.

If construction is proposed, describe proposed exterior building materials (type, color, etc.): N/A

Describe any site-specific features/constraints, etc.: N/A

Outline proposed parking requirements including number of spaces plus those dedicated for handicapped parking: 10-15 parking spots. NO identified handicap parking.

Describe all proposed screening/buffering from adjacent properties (where required by ordinance): N/A

Describe the proposed provisions for refuse and recycling collection/storage and required screening/buffering: N/A

Projected Sewer/Wastewater Usage: _____ gal/year

Projected Water Usage: _____ gal/year

ACKNOWLEDGEMENT & SIGNATURES

I/We hereby certify that I/We have reviewed the above Village of Jackson Plan Commission application and requirements, and hereby certify that the above information, attachments, and exhibits are complete, true and correct. I/We further understand that any missing or incomplete information may result in a delay of the review of this application. The Village reserves the right to request additional information as deemed necessary.

You MUST sign and date this Application!

Applicant Name (Print):

Jasmine Gray

Applicant Signature:

Jasmine Gray

Co-Applicant Name (Print):

CO-Applicant Signature:

Date of Application:

10/25/25

SUBMIT TO:

Village of Jackson – Building Inspection Dept.
W194 N16660 Eagle Drive
Jackson, WI 53037

PAYMENT INFO:

Payment is required at the time of submittal.
Cash, Checks, or Credit Cards are accepted (fees apply)
(Make checks payable to Village of Jackson)

QUESTIONS?

Zoning Director:
Phone:
Email:

For questions concerning **application submittal, zoning, or technical questions.**
(262) 677-9696 x810
collin.johnson@villageofjacksonwi.gov

TERMS OF THIS PERMIT

1. This permit shall become effective upon Village approval and where required, the execution and recording by the owners of the premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. The permit shall be void unless: (a) pursuant to the Building and Zoning Codes of the Village, the approved use is commenced or (b) the building permit is obtained within 12 months of the date of Village Board approval.
3. This approval is subject to amendment and termination in accordance with the provisions of the Zoning Code of the Village of Jackson.
4. Construction and operation of this permit shall be in strict conformity to the approved building, site, and operational plans which were filed in connection with the application for this approval (as attached and/or referenced).
5. Any of the conditions of this permit which would normally be the responsibility of the tenants of the premises, shall be made a part of their lease by the owner.

VILLAGE APPROVAL:

TEMPORARY Expiration Date: _____, 20____

Plan Commission Approval: Meeting Date: _____, 20____

Village Board Approval: Meeting Date: _____, 20____

In-House Approval (O-T-C): Date: _____, 20____

Approved by: Village Administrator

Conditions and Duration of Approval:

Depending on the request, approvals shall generally be continual or temporary in nature. ALL approvals are subject to the Conditions of Approval outlined below. All conditional or special uses/approvals shall, upon complaint, be subject to review, amendment, or revocation by the Village. Where temporary approvals are issued, such approvals shall be subject to the time limitations specified.

Conditions of Approval: _____

APPLICATION DENIED: Date: _____, 20____

Staff Initials: _____

Reason for Denial: _____

FOR OFFICE USE ONLY	
Acct. #: 100-00-45730-000-00	
Date Received:	175.00
Amount: \$	10/28/25
Payment Type:	CH / CC / CASH
Check/Rcpt. #:	304597/296379
Received By:	<i>[Signature]</i>

VILLAGE OF JACKSON

N168W19851 MAIN ST
JACKSON, WI 53037

Receipt Nbr: 304597

Date: 10/28/2025

Cash

RECEIVED FROM JASMINE GRAY

\$125.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	PLANNING / ZONING FEES JACKSON ACADEMY/JASMINE GRAY	125.00

TOTAL RECEIVED		125.00
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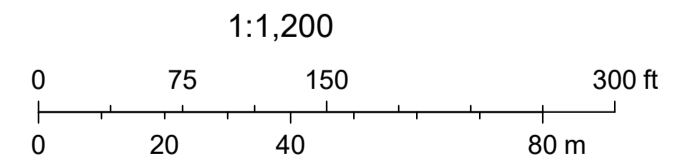
Receipt Memo: PLAN COMM JACKSON PREP ACADMY/CASH

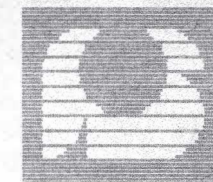
N168 W22224 Main Street



10/30/2025, 11:18:08 AM

- | | | | |
|----------------------------|---------------------------|------------------------|-----------------|
| ● Address Point | Parcel Taxkey & Acreage | ▭ Municipality | ▭ PLSS Section |
| — Road Centerline STH, CTH | — Leader Lines | ▭ Right-of-Way | ▭ PLSS Boundary |
| — State Highway | — Certified Survey Number | ▭ Plat | Ortho2024 |
| — County Highway | — Lot Number | ▭ Certified Survey Map | ■ Red: Red |
| — Ramp | — Meander Line | ▭ Lot | ■ Green: Green |
| ▭ Current Parcel | | ▭ PLSS Quarter | ■ Blue: Blue |





JPStorrs Co
 ARCHITECTURE
 5483A HIGHWAY P
 WEST BEND, WI 53096
 Telephone (414) 338-8595
 Telefax (414) 338-8190



ROBERT BACH CONSTRUCTION INC
 CONSTRUCTION MANAGEMENT
 400 WEST BEND AVENUE
 WEST BEND, WI 53091

Main Street Station

STEVE KEARNS
 W221 N18831 HIGHWAY "P"
 JACKSON, WISCONSIN

Total 9054.25
 - 400
 8654.25
 + 8054.25
 17308.50

REVISIONS
 13 MARCH 1985
 24 MARCH 1985

SHEET CONTENTS
 BASEMENT PLAN

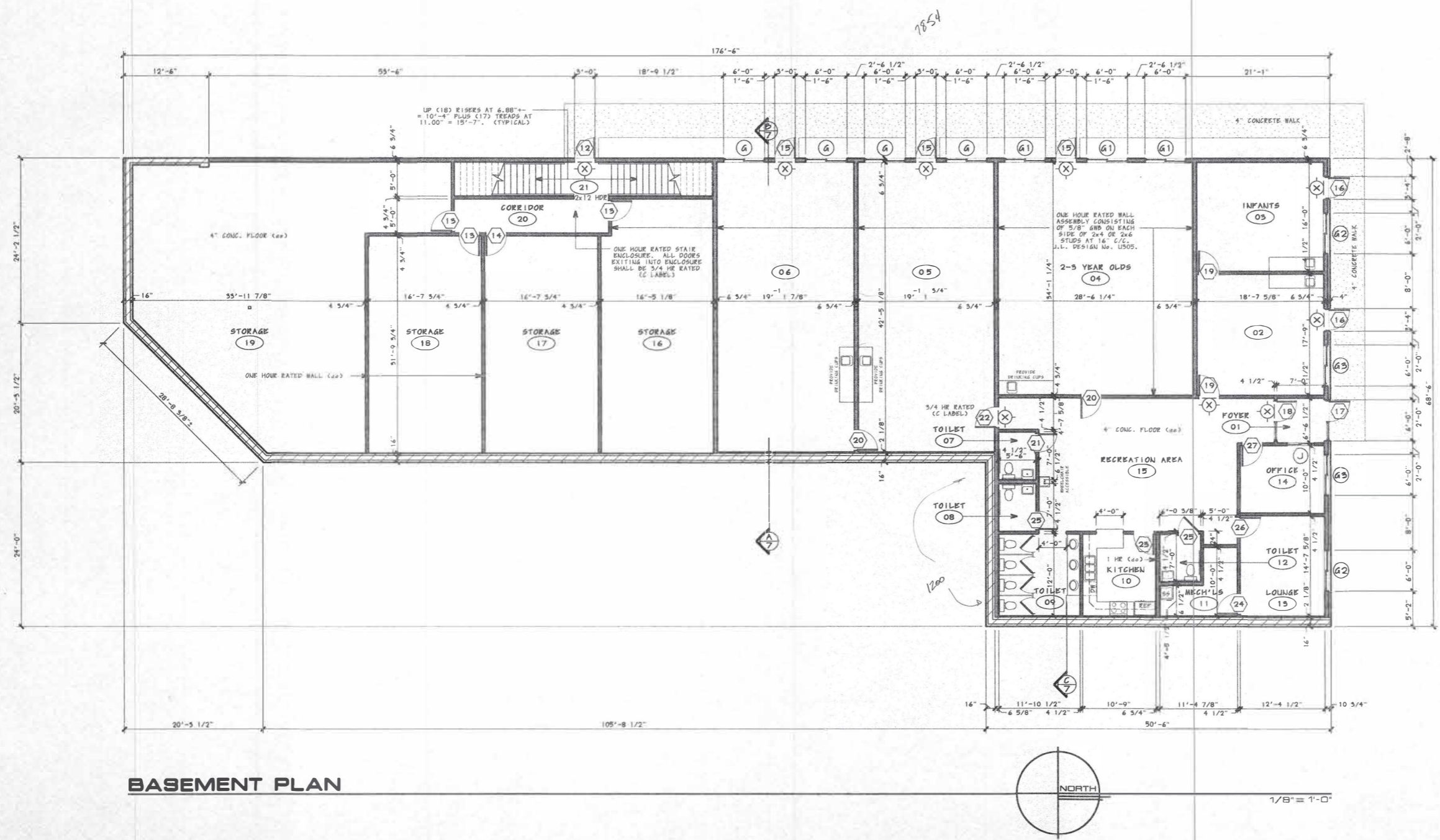
PRINTED

DATE
 08 DECEMBER 1984

PROJECT NUMBER

84098

SHEET NUMBER



BASEMENT PLAN

Date: November 7, 2025

To: Village of Jackson Plan Commission
Jen Heidtke, Village Administrator
Collin Johnson, Director of Inspections & Zoning

From: Tim Schwecke, Civi Tek Consulting
Craig Huebner, Graef

Subject: Zoning Code Update Project – Summary of Review Procedures

When drafted, Article 5 (Specific Procedural Requirements) will include details about each of the review procedures used in the proposed code. The attached summary table provides an at-a-glance overview of the type, frequency, authority, and appeals process for each of the procedures. The columns in this table refer to the following important aspects of procedures:

- Application – This specifies the type of review procedure that a petitioner/applicant would seek a permit for.
- Frequency – This specifies how common a review procedure tends to be. Infrequent is the lowest anticipated frequency, while low, medium, and high are anticipated to be relatively more common. Most of the “infrequent” reviews are subject to special review procedures.
- Recommending Body – Some types of review procedures will involve a recommending body which would review the application before it is sent to the decision-making body. Recommending body decisions are advisory and are considered by the decision-making body for their final decision. This column also specifies whether a public hearing would be involved in the recommending body review.
- Decisionmaker – The decisionmaker is the final authority determining approval/denial of an application. This column also specifies whether or not a public hearing would be involved in the decisionmaker review.
- Appeal – The appeal column specifies what reviewing authority is responsible for examining an application denied by the decisionmaker. Note that some of the appeals reference another review procedure (e.g. a zoning permit appeal is reviewed by the Zoning Board of Appeals via an Administrative Appeal, as specified in application type #20.)

As proposed, there would be some new review processes for the purposes of conforming to State statutes and adhering to best practices. They are as follows:

- Wireless Telecommunications Facility
- Wind Energy System Review
- Community Living Arrangements Review
- Special Exception
- Expansion of Nonconforming Building
- Registration of a Nonconforming Use
- Termination of Approval – Voluntary/Involuntary
- Reasonable Accommodations
- Determination of Navigability
- Determination of Ordinary High-water Mark

Of special note, we'll want to discuss conditional uses. As proposed, the Plan Commission would take on a significantly larger role as the decisionmaker.

Attachment:

- Summary of Review Authority, dated October 15, 2025

Village of Jackson – Zoning Code Update Project

Summary of Review Authority – Discussion Draft – October 15, 2025

Application	Anticipated Frequency	Recommending Body	Decisionmaker	Appeal
1. Code Amendment (text and map) Potential Change:	Low	Plan Commission without Public Hearing Plan Commission with Public Hearing	Village Board with Public Hearing Village Board without Public Hearing	Circuit Court
2. Planned Development District (one step) Potential Change (two steps): Planned Development District – General Development Plan Planned Development District – Final Development Plan	Low	- Plan Commission with Public Hearing -	Village Board with Public Hearing Village Board without Public Hearing Plan Commission	Circuit Court
3. Conditional Use Potential Change:	Medium	Plan Commission -	Village Board with Public Hearing Plan Commission with Public Hearing	Circuit Court
4. Wireless Telecommunication Facility – Class 1 Collocation and New Tower (New Review Process)	Low	-	Plan Commission without Public Hearing	Circuit Court
5. Wireless Telecommunication Facility – Class 2 Collocation	Low	-	Zoning Administrator	Zoning Board of Appeals (#20 below)
6. Wind Energy System (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
7. Community Living Arrangements Review (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
8. Architectural Review (§ 8-90) Potential Change:	High	Plan Commission -	Village Board Plan Commission	Circuit Court
9. Site Plan (???)	High	-	Plan Commission	Circuit Court
10. Special Exception (New Review Process)	Low	-	Plan Commission without Public Hearing	Circuit Court
11. Expansion of a Nonconforming Building (New Review Process)	Infrequent	-	Plan Commission without Public Hearing	Circuit Court
12. Registration of a Nonconforming Use (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
13. Conversion of a Nonconforming Use (aka Substitution) Potential Change:	Infrequent	Plan Commission -	Board of Appeals with Public Hearing Plan Commission with Public Hearing	Circuit Court
14. Zoning Permit	High	-	Zoning Administrator	Zoning Board of Appeals (#20 below)

Village of Jackson – Zoning Code Update Project

Summary of Review Authority – Discussion Draft – October 15, 2025

Application	Anticipated Frequency	Recommending Body	Decisionmaker	Appeal
15. Occupancy Permit	High	-	Zoning Administrator	Zoning Board of Appeals (#20 below)
16. Moving a Building	Infrequent	-	Zoning Administrator	Zoning Board of Appeals (#20 below)
17. Razing a Building	Infrequent	-	Zoning Administrator	Zoning Board of Appeals (#20 below)
18. Termination of Use – Voluntary (New Review Process)	Low	-	Plan Commission without Public Hearing	Circuit Court
Termination of Use – Involuntary (New Review Process)	Low	Plan Commission with Public Hearing	Village Board with Public Hearing	Circuit Court
19. Code Interpretation	Low	Plan Commission	Board of Appeals with Public Hearing	Circuit Court
			Potential Change: Zoning Administrator	Plan Commission
20. Administrative Appeal	Infrequent	-	Zoning Board of Appeals with Public Hearing	Circuit Court
21. Variance	Low	-	Zoning Board of Appeals with Public Hearing	Circuit Court
22. Reasonable Accommodations (New Review Process)	Infrequent	-	Plan Commission without Public Hearing	Circuit Court
23. Determination of Navigability (New Review Process)	Infrequent	-	Zoning Administrator	Plan Commission first then Circuit Court
24. Determination of Ordinary High-water Mark (New Review Process)	Low	-	Zoning Administrator	Plan Commission first then Circuit Court
25. Special Uses (§48-267)			Zoning Administrator	

Village of Jackson – Zoning Code Update Project

Summary of Review Authority – Working Draft for Staff Review – September 11, 2025

Application	Anticipated Frequency	Recommending Body	Decisionmaker	Appeal
1. Code Amendment (text and map)	Low	Plan Commission without Public Hearing	Village Board with Public Hearing	Circuit Court
2. Planned Development District (one step)	Low	-	Village Board with Public Hearing	Circuit Court
Potential Change (two steps):				
Planned Development District – General Development Plan		Plan Commission without Public Hearing	Village Board with Public Hearing	
Planned Development District – Final Development Plan		-	Plan Commission	
3. Conditional Use	Medium	Plan Commission	Village Board with Public Hearing	Circuit Court
Potential Change:		-	Plan Commission with Public Hearing	
4. Wireless Telecommunication Facility – Class 1 Collocation and New Tower (New Review Process)	Low	-	Plan Commission with Public Hearing	Circuit Court
5. Wireless Telecommunication Facility – Class 2 Collocation	Low	-	Zoning Administrator	Zoning Board of Appeals (#17 below)
6. Wind Energy System (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
7. Community Living Arrangements Review (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
8. Site Plan (???)	High	-	Plan Commission	Circuit Court
9. Architectural Review (§ 8-90)	High	Plan Commission	Village Board	Circuit Court
Potential Change:		-	Plan Commission	
10. Special Exception (New Review Process)	Low	-	Plan Commission without Public Hearing	Circuit Court
11. Expansion of a Nonconforming Building (New Review Process)	Infrequent	-	Plan Commission without Public Hearing	Circuit Court
12. Registration of a Nonconforming Use (New Review Process)	Infrequent	-	Plan Commission with Public Hearing	Circuit Court
13. Conversion of a Nonconforming Use (aka Substitution)	Infrequent	Plan Commission	Board of Appeals with Public Hearing	Circuit Court
Potential Change:		-	Plan Commission with Public Hearing	
14. Zoning Permit	High	-	Zoning Administrator	Zoning Board of Appeals (#17 below)
15. Termination of Use – Voluntary (New Review Process)	Low	-	Plan Commission without Public Hearing	Circuit Court
Termination of Use – Involuntary (New Review Process)	Low	Plan Commission with Public Hearing	Village Board with Public Hearing	Circuit Court
16. Code Interpretation	Low	Plan Commission	Board of Appeals with Public Hearing	Circuit Court
Potential Change:			Zoning Administrator	Plan Commission

Village of Jackson – Zoning Code Update Project

Summary of Review Authority – Working Draft for Staff Review – September 11, 2025

Application	Anticipated Frequency	Recommending Body	Decisionmaker	Appeal
17. Administrative Appeal	Infrequent	-	Zoning Board of Appeals with Public Hearing	Circuit Court
18. Variance	Low	-	Zoning Board of Appeals with Public Hearing	Circuit Court
19. Reasonable Accommodations (New Review Process)	Infrequent	-	Plan Commission without Public Hearing	Circuit Court
20. Determination of Navigability (New Review Process)	Infrequent	-	Zoning Administrator	Plan Commission first then Circuit Court
21. Determination of Ordinary High- water Mark (New Review Process)	Low	-	Zoning Administrator	Plan Commission first then Circuit Court
22. Special Uses (§48-267)			Zoning Administrator	

Date: November 7, 2025

To: Village of Jackson Plan Commission
Jen Heidtke, Village Administrator
Collin Johnson, Director of Inspections & Zoning

From: Tim Schwecke, Civi Tek Consulting
Craig Huebner, Graef

Subject: Zoning Code Update Project – Articles 6-9

The consultant team is continuing to draft various components of the Village's new zoning code. Recognizing that the entire code is subject to change through multiple steps, each part will be labelled as "Discussion Draft" and dated for reference.

Please find attached the initial drafts of Articles 6 through 9 for your review and consideration. Below is a summary of major points.

Table of Contents

- This version includes a few changes in article names.

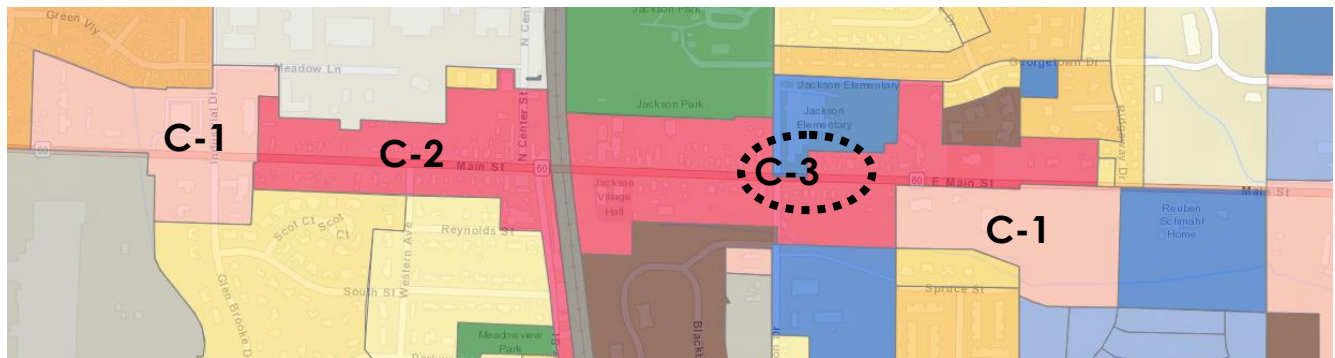
Article 6. Zoning Map

- None

Article 7. Base Zoning and Overlay Districts

- The Village currently has a large number of residential zoning districts. The proposed code consolidates the R-1 and R-2 districts to create the RD-1 district and R-3 and R-4 were consolidated to create the RD-2 district. All of the other existing districts are retained, although their name and abbreviation might be somewhat different.
- The C-2 (Main Street Mixed Use Corridor) zoning district is new.
- The C-3 (Village Center Crossroads) district is new.
- The CON (Conservancy) district is new.
- The RLRD (Railroad) zoning district is new.

Early Draft of the Zoning Map along Main Street



Article 8. Alternative Development Options

- The proposed zoning code is based on standard zoning requirements:
 - The land uses that are allowed in the different zoning districts are predetermined.
 - Dimensional standards (e.g., lot size, setbacks, building heights) are also predetermined.

While this standard approach will accommodate the vast majority of development projects, the proposed code also allows “custom zoning” to account for newer types of development projects.

Article 9. Project-Based Zoning Districts

- This article includes zoning parameters for seven previously approved “PUDs”. In the new code, they will be carried forward as planned development districts (PDDs).
- The Miller Mixed-Use PUD will not be carried forward because the existing land uses can be addressed in the C-2 zoning district.

The Plan Commission is scheduled to review these four articles at the next meeting on November 20, 2025. Bring your comments and questions; we’ll address them all.

Attachments:

- Table of Contents, dated 11-07-2025
- Article 6, dated 11-07-2025
- Article 7, dated 11-07-2025
- Article 8, dated 11-07-2025
- Article 9, dated 11-07-2025

Table of Contents

Article

1. General Provisions

2. Interpretation, Construction, and Definitions

3. Administrative Bodies

Division 1 – Plan Commission

Division 2 – Zoning Board of Appeals

Division 3 – Zoning Administrator

4. General Procedural Requirements

Division 1 – Generally

Division 2 – Notice Requirements

Division 3 – Public Hearings

Division 4 – Site Visits

Division 5 – Neighborhood Meetings

Division 6 – Financial Guarantees

5. Specific Procedural Requirements

Division 1 – Code Amendment

Division 2 – Planned Development District

Division 3 – Conditional Use

Division 4 – Wireless Telecommunication Facility – Class 1 Collocation and New Tower

Division 5 – Wireless Telecommunication Facility – Class 2 Collocation

Division 6 – Wind Energy System Facility

Division 7 – Community Living Arrangements Review

Division 8 – Architectural Review

Division 9 – Site Plan Review

Division 10 – Special Exception

Division 11 – Expansion of a Nonconforming Building

Division 12 – Registration of a Nonconforming Use

Division 13 – Conversion of a Nonconforming Use

Division 14 – Zoning Permit

Division 15 – Occupancy Permit

Division 16 – Moving a Building (TBD)

Division 17 – Razing a Building (TBD)

Division 18 – Termination of Approval

Division 19 – Code Interpretation

Division 20 – Administrative Appeal

Division 21 – Variance

Division 22 – Reasonable Accommodations

Division 23 – Determination of Navigability

Division 24 – Determination of Ordinary High-Water Mark

6. Zoning Map

7. Base Zoning and Overlay Districts

8. Alternative Development Options

Division 1 – General Overview of Options

Division 2 – Conventional Planned Development District

Division 3 – Cottage Housing Project

Division 4 – Adaptive Reuse Project

Division 5 – Traditional Neighborhood Design Project

Division 6 – Cluster Subdivision

Division 7 – Mixed Residential Housing Project

9. Project-Based Zoning Districts

10. Wellhead Protection Overlay District

11. Shoreland-Wetland Overlay District

12. Shoreland Overlay District

13. Environmental Corridor Overlay District

14. Land Uses

15. Performance Standards

16. Dimensional and Related Standards

17. Engineering and Environmental Standards

18. Architectural Standards

19. Site Design Standards

20. Landscaping and Buffers

21. Parking, Loading, and Access

22. Outdoor Lighting

23. Signs

24. Nonconformities

25. Enforcement

Appendix

A. Land Use Table

B. Land Use Details

C. Dimensional Standards

D. Plant Materials

E. General Definitions

F. Mapping Requirements

ARTICLE 6 ZONING MAP

50-1000 Establishment of zoning map

- a. **Purpose.** The zoning map, incorporated herein by reference, shows the location and boundaries of the base zoning districts and overlay zoning districts along with other map features referenced in this code or deemed appropriate by the Zoning Administrator.
- b. **One or more pages.** The zoning map may consist of a single map or a series of numbered maps if needed to depict all the information in a clear manner.
- c. **Title.** The zoning map is titled "Village of Jackson Zoning Map."
- d. **History of amendment.** The zoning map should include a descriptive history of recent map amendments that have been made, indicating the ordinance number and date of action.

50-1001 Certification of current version

Because the zoning map is an integral part of this code and constitutes a public record, the Village Clerk must maintain one paper copy of the zoning map which has been signed by the Village President and attested by the Village Clerk .

50-1002 Availability

The zoning map maintained by the Village Clerk is available for public inspection during normal office hours. The Village Clerk and zoning administrator may post the zoning map on the Village's website and otherwise make and distribute copies in a manner deemed appropriate. The zoning map maintained by the Village Clerk carries the force of law; all other copies or other representations are for informational purposes only.

50-1003 Preparation of a new map

- a. **Amendments.** As amendments are made to the zoning map, the Zoning Administrator is authorized to determine how often to update the zoning map maintained by the Village Clerk. As a rule, amendments to the map maintained by the Village Clerk must be made within 12 months of the ordinance amending the map.
- b. **Replacement.** If the zoning map maintained by the Village Clerk is damaged, lost, or destroyed, the Zoning Administrator must prepare a new zoning map and submit it to the Village President and Village Clerk for certification.
- c. **Errors and omissions.** If the Zoning Administrator determines the zoning map maintained by the Village Clerk contains drafting errors or omissions, the Zoning Administrator is authorized to make changes to the zoning map with notice to the Plan Commission.

50-1004 Amendment

The zoning map may be amended pursuant to the procedure and requirements in Article 5. All amendments made to the zoning map are in effect even if not depicted on the zoning map currently maintained by the Village Clerk .

50-1005 Archive of superseded maps

The Village Clerk must maintain superseded zoning maps as a public record consistent with the Village's record retention policy.

50-1006 through 50-1099 reserved

ARTICLE 7 BASE ZONING AND OVERLAY DISTRICTS

50-1100 Generally

The Village is divided into a number of base zoning districts so that each parcel of land is located in at least one district and potentially more than one district. For each of these districts, appropriate types of land uses are identified along with development standards when applicable.

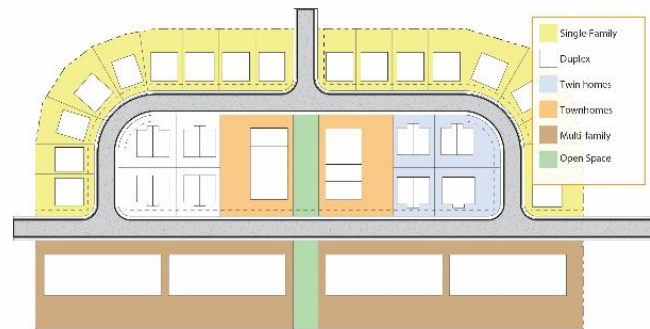
50-1101 Base zoning districts

- a. **Base zoning districts.** Recognizing that different areas of the Village serve unique functions, the Village is divided into a number of zoning districts. Even though some of the districts may share similar characteristics, they possess one or more unique qualities that set them apart from the other districts. Although these districts may not now possess each of the attributes in these descriptions, it is intended that as land uses change over time they more closely reflect the intended uses. Uses are allowed in the various districts consistent with various development standards and development limitations as described in § 50- [redacted] and other sections. Each of the land uses listed in the land use matrix (Appendix A) that are shown as being allowed in a zoning district are determined to be consistent with the purpose statements of such district.
- b. **Establishment.** The following base zoning districts, as depicted on the zoning map, are established as described below:

Residential Districts

- (1) **RD-1 Single-Family Residential** This district is intended to accommodate single-family residential development at densities not to exceed 3.1 dwelling units per net acre.
- (2) **RD-2 Single-Family Residential** This district is intended to accommodate single-family residential development at densities not to exceed 4.1 dwelling units per net acre.
- (3) **RD-3 Single-Family Residential** This district is intended to accommodate single family residential development at densities not to exceed 5.4 dwelling units per net acre.
- (4) **RD-4 Single- and Two-Family Residential** This district is intended to accommodate one and two-family residential development at densities not to exceed 7.2 dwelling units per net acre.
- (5) **RD-5 Multiple-Family Residential** This district is intended to accommodate multi-family residential development.
- (6) **RD-9 Manufactured Home Community** This district is intended to accommodate mobile homes and manufactured homes as part of a unified project, which may also include compatible community and civic uses.
- (7) **RT-10 Single-Family Residential** This district is intended to accommodate single-family residential development. This zoning designation is only used for those properties annexed into the Village under Ordinance No. 20-09 and indicated as exhibits B-1, B-5, B-6 on the attached map to the ordinance from which this section is derived.
- (8) **RT-11 Single-Family Residential** This district is intended to accommodate single-family residential development. This zoning designation is only used for those properties annexed into the Village under Ordinance No. 20-09

An example of a Mixed Residential Housing (MRH) project



and indicated as exhibits B-2 and B-3 on the attached map to the ordinance from which this section is derived.

- (9) **MRH Mixed Residential Housing** This district is intended to accommodate new residential development projects with a complementary mix of different housing types.

Business Districts

- (10) **C-1 Community Business** This district is intended to provide for individual or small groups of retail and customer service establishments. This type of district is generally located away from the traditional central business district and provides such amenities as increased open space and off-street parking and loading facilities, making such retail centers more compatible with the character of adjacent residential districts.
- (11) **C-2 Main Street Mixed Use Corridor^[1]** This district includes areas along Main Street predominantly consisting of single-family dwellings but allows for a complementary mix of residential, multi-family buildings, institutional uses, and small-scale, low-intensity commercial activities, such as professional offices, studios, salons, and similar uses. Buildings are generally residential in scale, with design elements that reflect the surrounding neighborhood, including front yards, landscaping, and pedestrian-friendly entrances. The purpose of this district is to provide a flexible framework for additional commercial opportunities along a heavily trafficked corridor while maintaining a walkable, attractive, and cohesive streetscape.

An example streetscape in the C-2 district

Illustration forthcoming
- (12) **C-3 Village Center Crossroads^[1]** This district includes properties at the intersection of Jackson Street and Main Street and is intended to form a node of commercial and multi-family housing in two and three-story buildings fronting on the street.

Industrial Districts

- (13) **M-1 Limited Manufacturing** This district is intended to allow primarily indoor industrial, storage, office, and other associated business and support uses. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, and other potential nuisances. Outdoor uses are limited to those that are accessory to indoor principal uses. Architectural, site design, landscaping, and other requirements are intended to ensure compatibility with nearby residential, institutional, and conservancy uses.
- (14) **M-2 General Manufacturing** This district is intended to allow industrial, office, storage, and other supporting uses including those land uses that may require more extensive outdoor storage, freight handling, repair, and maintenance activities than allowed in the M-1 district. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, and other potential nuisances that cannot be adequately fully mitigated on-site. Architectural, site design, landscaping, and other requirements are intended to minimize impacts and potential nuisances to other land uses.

Special Purpose Districts

- (15) **CON Conservancy^[1]** This district consists of lands with significant environmental constraints, and which are intended to be kept in an undeveloped condition.
- (16) **I-1 Institutional and Public Service** This district is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.

- (17) **P-1 Park and Recreation** This district is intended to provide for areas where the recreational needs, both public and private, of the populace can be met without undo disturbance of natural resources and adjacent uses.
- (18) **RLRD Railroad**^[1] This district is intended to accommodate railroad lines and spurs.
- (19) **UT Urban Transition**^[1] This district is intended to accommodate extremely low-density single-family residential uses and limited agricultural uses. Properties in this district are generally undeveloped and can be rezoned to other zoning classifications to enable urban-level development. Proposed rezonings for a development project must be consistent with the Village's comprehensive plan and neighborhood plans, if any, and are only allowed when public utilities and other essential community services are available.

Editorial notes:

[1] This district was added as part of the 2025/26 zoning code update project.

50-1102 Overlay zoning districts

- a. **Generally.** Overlay zoning districts, as the name would suggest, are applied on top of base zoning districts and project-specific zoning districts to account for unique conditions or requirements.
- b. **Establishment.** The following overlay zoning districts, as depicted on the zoning map, are established as more fully set forth in the various articles:
- (1) **Wellhead protection overlay district.** This district includes those lands surrounding a public wellhead. Provisions are intended to further control what land uses may occur so that the Village's municipal water supplies are reasonably protected from contamination. Additional details are in Article 10.
 - (2) **Shoreland-wetland overlay district.** This district includes specified wetlands within the shoreland areas. Additional details are in Article 11.
 - (3) **Shoreland overlay district.** This district includes land within the shoreland areas. Additional details are in Article 12.
 - (4) **Environmental corridor overlay district.** This district includes those lands designated as primary environmental corridor, secondary environment corridor, and isolated natural resource areas by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in their mapping in 2020 (year to be verified). Additional details are in Article 13.

50-1103 Defunct districts

- a. The R-1 and R-2 base districts were consolidated to form the RD-1 district as part of the 2025/26 code update.
- b. The R-3 and R-4 base districts were consolidated to form the RD-2 district as part of the 2025/26 code update.

50-1104 Mixed residential housing (MRH) districts

Mixed residential housing (MRH) districts are a hybrid type of zoning in which the allowable land uses are predetermined, while the dimensional standards are tailored to meet the objectives of the specific development project. Dimensional standards for each project are included in Article 9. MRH districts are numbered sequentially (i.e., MRH-01, MRH-02, etc.) as they are established.

50-1105 Planned development districts (PDDs)

Planned development districts are a special type of zoning district in which both the allowable land uses and dimensional standards are tailored to meet the objectives of the specific development project. Dimensional standards and permissible land uses for each project are documented in the general development plan and included in Article 9. PDDs are numbered sequentially (i.e., PDD-01, PDD-02, etc.) as they are established.

50-1106 Relationship between base and overlay zoning districts

If a parcel is located in one or more overlay districts, the regulations that apply to the underlying base zoning district remain in effect, except as modified by the overlay district(s), and if there is any conflict between the overlay districts, the most restrictive controls.

50-1107 Necessity of zoning district designation

It is the intent of this article that no land shall be without a zoning district designation, unless specifically noted on the zoning map. In the event a parcel of land is for any reason deemed to be without a designation, no land development may occur until such time as the Village Board has assigned the parcel, or part thereof, an appropriate zoning classification.

50-1108 Effect of a land transfer on zoning designation

Adjoining property owners can transfer land from one lot to another in certain circumstances pursuant to Ch. 236, Wis. Stats. In those situations where the affected lots are in different zoning districts, a transfer does not alter the location of the zoning district boundary until such time as the zoning map has been amended consistent with Article 5.

50-1109 through 50-1199 reserved

ARTICLE 8 ALTERNATIVE DEVELOPMENT OPTIONS

Divisions

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. General overview of options 2. Conventional planned development district 3. Cottage housing project 4. Adaptive reuse project | <ol style="list-style-type: none"> 5. Traditional neighborhood design project 6. Cluster subdivision 7. Mixed residential housing project |
|---|--|

DIVISION 1 GENERAL OVERVIEW OF OPTIONS

50-1200 Generally

While standard zoning, based on prescribed land uses and dimensional standards, accommodates the vast majority of development projects, the Village offers alternative development options designed to provide greater flexibility in land use and site design. Alternative development options are intended to:

- (1) **Accommodate unique projects.** Allow development that cannot be achieved under existing district regulations due to site conditions, market demands, or community objectives.
- (2) **Encourage innovation.** Promote creative site planning, mixed-use development, and housing diversity that enhance the character of the community.
- (3) **Balance flexibility with accountability.** Provide a framework for negotiating project-based standards while ensuring consistency with the Village’s comprehensive plan and development policies.
- (4) **Ensure public benefit.** Require that alternative developments demonstrate clear benefits such as improved design, preservation of natural resources, or expanded housing options.

50-1201 Review procedures

Most of the alternative projects are reviewed using the procedures for a planned development district described in Article 5. The one exception are mixed residential housing (MRH) districts, which are essentially a rezoning.

Exhibit 8-1. Type of reviews

Alternative development option	Means of review
Conventional planned development	Planned development district
Cottage housing project	Planned development district
Adaptive reuse project	Planned development district
Traditional neighborhood design project	Planned development district
Cluster subdivision	Planned development district
Mixed residential housing project	Zoning map amendment (rezoning)

50-1202 Effect on the underlying base zoning district

Projects approved using one of the alternative development options allowed in this article create a project-based zoning district. That means the under-lying zoning district is replaced with a new, different zoning district. Parameters unique to each of the project-based zoning districts are documented in Article 9.

50-1203 through 50-1229 reserved**DIVISION 2
CONVENTIONAL PLANNED DEVELOPMENT DISTRICT****50-1230 General description**

A conventional planned development is a special type of zoning district that deviates from one or more of the standards of the underlying zoning district. This option, therefore, allows more freedom, imagination, and flexibility in the development of land while meeting the basic purposes of the Village's zoning regulations and overall intent of the comprehensive plan. In exchange for this flexibility, a conventional planned development must be substantially better than what the underlying zoning district would afford as more fully set forth in § 50-1232.

50-1231 Application and review procedure

A conventional planned development is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1232 Specific review criteria

In addition to the general review parameters for a planned development district enumerated in Article 5, The Plan Commission in making its recommendation and the Village Board in making its decision must determine that the proposed development creates more of a public benefit than what the underlying zoning district would create. For example, a greater public benefit can be created by including desirable features or amenities that are not otherwise required, such as additional landscaping/buffering, open space, public or private amenities, or enhanced design elements.

50-1233 Where allowed

A conventional planned development is allowed in any zoning district.

50-1234 Minimum development parcel

At the time of establishment, the conventional planned development must consist of at least 5 acres of contiguous land, except for redevelopment projects which have no minimum requirements.

50-1235 Ownership

At the time of establishment, all land within a conventional planned development must be under single ownership or control.

50-1236 Permitted uses

- a. **Generally.** When the underlying zoning district is a residential or commercial district, a combination of residential, institutional, recreational, and/or commercial uses may be allowed. When the underlying zoning is an industrial district, a combination of institutional, commercial, and industrial uses may be allowed. A planned development district with a mix of residential and industrial uses is prohibited.
- b. **Listing in Appendix A.** All land uses allowed in an approved conventional planned development district are listed in Appendix A.

50-1237 Permissible modifications

To create a unified development that is economically successful to both the developer/owner and the Village, and to require high quality standards for site design, architectural design, landscaping, proper infrastructure, environmental protections, and protection of persons and property, the development standards specifically listed below may be modified.

- (1) **Density.** The density of a residential project can be increased up to 125 percent of the underlying zoning district.
- (2) **Lot requirements.** Minimum lot widths and frontage requirements may be modified.
- (3) **Setbacks.** Building, parking lot, and drive aisle setbacks may be modified. With reduced setbacks, the Village may require larger setbacks on another part of the property and may require additional landscaping or use of berms, for example, to offset a lesser setback.
- (4) **Landscaping.** The placement of landscaping may be modified, provided the overall amount of landscaping is provided to accomplish the intended purposes.
- (5) **On-site parking.** Modifications to on-site parking requirements may occur, especially where various uses on the site have different parking demand times throughout the day or week or when a use has a lower parking demand than required by the parking standards. .
- (6) **Architectural design.** Modifications to the minimum architectural standards of the underlying zoning district may occur to enhance and provide greater quality to a development than the minimum standards allow, or to enhance an architectural theme of a unified development.
- (7) **Architectural embellishments.** In non-residential developments, modifications to building height maximums may occur to provide architectural embellishments, such as a spire or clock tower that is part of an architectural theme.
- (8) **Multiple buildings on a site.** Modifications may occur to allow multiple principal buildings on a site and/or to allow buildings normally considered accessory structures, such as clubhouses, pavilions, gazebos, and the like.

50-1238 Effect of approved planned development district on land division standards

Development in a planned development district is subject to the Village's land division regulations to the extent applicable, except that the Village Board, upon recommendation of the Plan Commission, may waive a development standard in the land division regulations as provided therein.

50-1239 Review of actual development

If the Village Board approves a conventional planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., building plan review, site plan review) and the approved general development plan.

50-1240 Amendment

Once a conventional planned development district is approved, the district may be amended as set forth in Article 5.

50-1241 through 50-1259 reserved

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DIVISION 3 COTTAGE HOUSING PROJECT

50-1260 General description

A cottage housing project is a residential development characterized by single-family housing units that front on a common area and the housing units are comparatively small when compared to typical single-family units. A cottage housing project must reflect a coherent and high-quality design concept. The illustrations below depict an example of a cottage housing project to show some of the major features.

Exhibit 8-2. Sample illustrations of a cottage housing project



Note: These images are illustrative, not prescriptive.

50-1261 Legislative findings

The Village Board makes the following legislative findings:

- (1) Cottage housing is a new type of housing in the Village of Jackson that can fill an unmet housing need.
- (2) Cottage housing can provide opportunities for homeownership that may not otherwise exist.
- (3) Cottage housing responds to demographic trends occurring locally, in the region, and nationally. These include a declining household size and more people living alone and longer.
- (4) It is not possible to define specific areas in the Village where cottage housing should be developed. Rather, cottage housing is a development option that developers can explore.
- (5) Cottage housing will likely have the same, or fewer people than the single-family homes that could be built on the site.
- (6) Given the size restrictions on the housing unit, the bulk of a cottage housing project is similar to the single-family homes that could be built on the site.

- (7) Cottage housing supports the goal of providing additional housing choice.
- (8) Rather than codifying all parameters of cottage development, the standards in this division are intended to provide sufficient guidance without becoming overly prescriptive, with the understanding that the Village and the developer will work together to craft a detailed development plan that meets community needs and works well with the site and the target market.

50-1262 Application and review procedure

A cottage housing project is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1263 Type

A developer may propose a cottage housing project as a traditional subdivision plat or as a condominium project. The chosen form determines how dwelling units, lots, and common areas are owned, maintained, and managed. Both forms are subject to the same design and development standards established for cottage housing projects.

50-1264 Where allowed

A cottage housing project is only allowed in a residential zoning district.

50-1265 General design principles

In the design of a cottage housing project the following design principles must be satisfied:

- (1) A majority of the dwelling units must abut a common area.
- (2) Dwelling units must be oriented in a pattern that is compatible with the development pattern in the surrounding area.
- (3) The project must accommodate emergency vehicles to the satisfaction of the Village of Jackson fire chief.
- (4) The project must include an internal network of pedestrian paths and sidewalks for residents and their guests. Connections to the surrounding neighborhood should be made where appropriate or required.
- (5) Low-impact stormwater techniques should be incorporated into the project to the extent feasible.

Table 8-1. Housing density

Living area of dwelling unit (square feet)	Housing units allowed in place of each single-family home allowed by zoning district
600 to 1,000	1.75
1,001 to 1,200	1.5
1,201 to 1,400	1.25

Note: The total number of housing units allowed is calculated and rounded up to the next whole number if the calculated number is 0.5 or higher and rounded down if it is less than 0.5. For example, if the calculated number of housing units is 5.75, the maximum number of units is 6.

50-1266 Project parameters

- a. **Clusters.** A cottage housing project may consist of one or two clusters.
- b. **Number of units.** A cluster of cottage housing must contain at least 4 dwelling units but no more than 12.
- c. **Separation between clusters.** A cluster of cottage housing must be at least 400 feet from any other existing or approved cottage housing cluster in the Village unless otherwise part of an overall development plan.
- d. **Density.** The base density of dwelling units in a cottage housing project is based on the density and/or minimum lot size of the underlying zoning district and the size of the dwelling units to be constructed as set forth in Table 8-1. The Village Board, upon recommendation of the Plan Commission, may allow a greater density when the project exemplifies exceptional design characteristics and integration with the character of the area.
- e. **Minimum lot size.** Beyond the density restrictions listed in this section, there is no minimum lot size for lots created through the land division process.

50-1267 Open space

- a. **Intent.** Open space is an integral feature of a cottage housing project and is intended to be the focal point throughout the design process.
- b. **Requirements.** A minimum of 450 square feet of open space must be provided for each dwelling unit in the project, but not less than 2,800 square feet regardless of the number of dwelling units. Such open space must be useable for active or passive recreational activities and therefore must not include open stormwater basins, wetlands, steep slopes, or other similar areas.
- c. **Placement.** Open space should be centrally located to the benefit of the units in the project. As a general rule, each dwelling unit must face the open space on one side, but preferably two sides.
- d. **Improvements.** Common open space must be improved for passive and/or active recreational use and may include patios, lawns, gardens, landscaping, outdoor gathering areas, pedestrian paths, common barbeque facilities, and similar features.

50-1268 Building standards

- a. **Floor area.** The floor area of dwelling units is controlled by the density calculations established in § 50-1266. The minimum floor area of a dwelling unit is 600 square feet and the maximum floor area is 1,400 square feet. As a requirement of project approval, the developer must record a deed restriction against each dwelling unit indicating that the size of the dwelling unit may not be increased after initial construction and that any vaulted space within a dwelling unit may not be converted into habitable space.
- b. **Entries and porches.** Each dwelling unit must include a covered porch fronting on the common area. The porch must have a minimum floor area of 80 square feet and not be less than 5 feet in width.
- c. **No-step entry.** To the extent possible, at least one entrance to a dwelling unit should be at grade (i.e., a no-step entry).
- d. **Exterior storage area.** Each dwelling unit must include a storage area, with a floor area of at least 10 square feet that is accessible from the exterior. As an alternative, a dedicated storage area of equivalent size may be provided within an enclosed community building.
- e. **Maximum building height.** The maximum height of buildings is 18 feet if the roof pitch is less than 6:12 and 25 feet if the roof pitch is 6:12 or greater.
- f. **Minimum building separation.** Dwelling units must maintain a minimum separation of 10 feet.

Exhibit 8-3. An example of a no-step entry



50-1269 Architectural standards

- a. **Adoption of standards.** The developer must prepare a set of detailed architectural standards for all buildings within the project, including dwelling units, community buildings, and garages. Such standards must address exterior building materials, roof pitch, window style, articulation, and any other feature required by the Plan Commission. The standards must include a series of renderings depicting the architectural character of the buildings in the project.
- b. **Enforcement of standards.** The developer must establish a mechanism, such as a homeowners association, as approved by the Plan Commission, to ensure all buildings in the cottage housing project comply with the approved architectural standards adopted by the developer.

50-1270 Parking and garages

- a. **Parking requirements.** Parking requirements are based on the size of the housing units in the project as set forth in Table 8-2. Upon petition and with cause, the Plan Commission may establish a lesser standard when deemed appropriate based on the unique character of the proposed project.
- b. **Garages.** Attached garages should front on an alley or on a public street where possible; fronting a public street may be considered if alleys are deemed inappropriate. Each dwelling shall have no more than one detached garage with a maximum floor area of 250 square feet. Garages may be combined into a shared garage structure, consisting of no more than 4 garages and no more than 1,000 square feet. Storage of items which preclude the parking of a vehicle in a garage is prohibited. Carports are not permitted in a cottage housing project.
- c. **Surface parking.** Surface parking must be provided for residents and guests in clusters of not more than 5 adjoining spaces. Clusters must be separated by at least 20 feet. Individual parking spaces may be located behind the principal structure when served by an alley. If the Village allows on-street parking on streets abutting the project, such parking may satisfy surface parking requirements as determined by the Plan Commission.

Table 8-2. Parking requirements

Size of dwelling unit (square feet)	Parking spaces
1,000 or less	1.2
More than 1,000	1.6

Notes: When the calculated number of total required parking spaces results in a fraction, the number is rounded up to the next whole number.

50-1271 Community buildings

- a. **Generally.** A cottage housing project may have one or more community buildings that are for the exclusive use of the residents and their guests. Such buildings must not be habitated in any manner and must be clearly incidental in use or size and related to the dwelling units in the project.
- b. **Maximum area.** The floor area of community buildings is limited to a total of 2,500 square feet.
- c. **Ownership.** Community buildings in a cottage housing project must be commonly owned and maintained by the residents.
- d. **Design.** The roof pitch, architectural themes, exterior materials, and colors of any community building must be consistent with the architectural standards established by the developer.
- e. **Obligation to construct.** If the developer is proposing to construct one or more community buildings as part of the project, the developer must provide assurances to the satisfaction of the village attorney guaranteeing satisfactory completion of such buildings within the timeframe established in the approval.

50-1272 Lot coverage

Impervious surfaces within the project site may not exceed 60 percent. Patios, pedestrian walks, and other similar surfaces that are an integral part of the open space areas are not counted in impervious surface calculations.

50-1273 Screening

If an outdoor parking area or the community building adjoins a residential zoning district or a project-based zoning district that allows residential uses, a buffer meeting the standards for buffer type “A,” described in Article 20, must be established and maintained. Upon petition, the Plan Commission may recommend, and the Village Board may defer the establishment of the buffer to a later date depending on the nature of the surrounding land uses or not require the above-mentioned buffer.

50-1274 Amendment

Once a cottage housing project is approved as a planned development district, the district may be amended as set forth in Article 5.

50-1275 through 50-1289 reserved

DIVISION 4 ADAPTIVE REUSE PROJECT

50-1290 General description

An adaptive reuse project allows the conversion of an existing building in a residential zoning district that has been used for an institutional use (e.g., school, day care, nursing home, library, worship facility) that for practical purposes is no longer usable for the most recent use or any other institutional use allowed in the zoning district where it is located. Such institutional use must have been legally established and operated, and the building must not be dilapidated or in a state of disrepair, or destroyed by fire, flood, wind, or other disaster.

50-1291 Application and review procedure

An adaptive reuse project is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1292 Ownership

At the time of establishment, all land within an adaptive reuse project must be under single ownership or control.

50-1293 Permitted uses

The uses allowed in an adaptive reuse project must be designed and operated in such a way to be compatible with the land uses that are allowed on the surrounding parcels.

50-1294 Review of actual development

If the Village Board approves an adaptive reuse project as a planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., architectural review, site plan review) and the approved general development plan.

50-1295 Amendment

Once an adaptive reuse project is approved as a planned development district, the district may be amended as set forth in Article 5.

50-1296 through 50-1319 reserved

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DIVISION 5 TRADITIONAL NEIGHBORHOOD DESIGN PROJECT

50-1320 General description

A traditional neighborhood design project is a compact, mixed-use neighborhood designed so that residential, commercial, and civic buildings are located in close proximity to one another, promoting walkability and a strong sense of community.

50-1321 Legislative findings

The Village Board makes the following legislative findings:

- (1) The state legislature required cities and villages with a population of at least 12,500 to adopt zoning regulations for traditional neighborhood development that are similar to the model ordinance developed by the University of Wisconsin System.
- (2) The Village of Jackson adopted such regulations in compliance with § 66.1027, Wis. Stats.

50-1322 Where allowed

A traditional neighborhood design project is only allowed in residential zoning districts or any area so designated in the Village's comprehensive plan.

50-1323 Minimum development parcel

At the time of establishment, the traditional neighborhood design project must consist of at least 40 acres of contiguous land. Upon petition, the Plan Commission may, at its discretion, reduce this requirement to 20 acres if the site is defined by a significant physical feature such as a greenbelt, large park space, woodland area, drainage creek, river, or state or federal highway.

50-1324 Application and review procedure

A traditional neighborhood development project is reviewed as a planned development district as set forth in Article 5.

50-1325 Standards

The model ordinance for traditional neighborhood development published by the University of Wisconsin Extension pursuant to § 66.1027 (2), Wis. Stats., will serve as a nonexclusive guide to assist in defining various aspects of this form of urban design along with such other sources of guidance that the Plan Commission and Village Board may choose to consult.

50-1326 through 50-1349 reserved

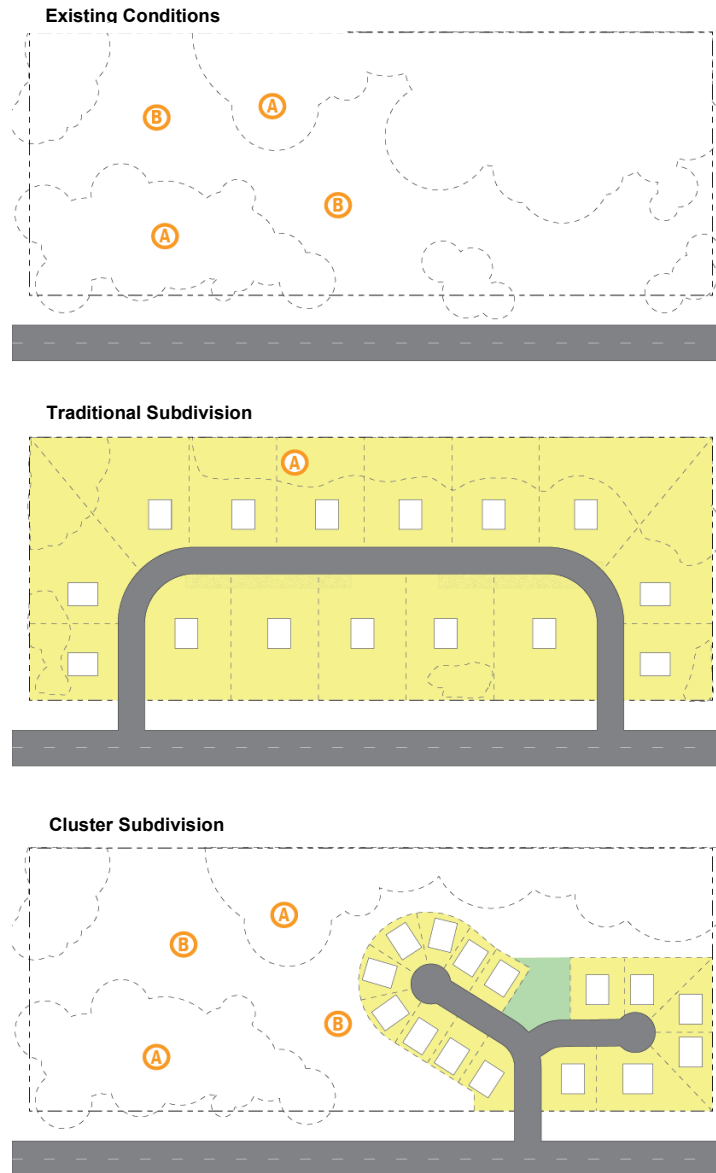
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DIVISION 6 CLUSTER SUBDIVISION

50-1350 General description

The cluster subdivision option gives design flexibility to preserve unique or sensitive natural areas including groundwater recharge areas, floodplains, wetlands, streams, steep slopes, woodlands, prairies, wildlife habitat, and environmental corridors.

Exhibit 8-4. Sample layout of a cluster subdivision



Key:

A – Woodlands

B – Open land - farmland, prairie

Note: These images are illustrative, not prescriptive.

50-1351 Application and review procedure

A cluster subdivision is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1352 Where allowed

Cluster subdivisions are only allowed in residential zoning districts.

50-1353 Minimum development parcel

At the time of establishment, a cluster subdivision must consist of at least 20 acres of contiguous land.

50-1354 Ownership

At the time of establishment, all land within a cluster subdivision must be under single ownership or control.

50-1355 Density

The number of lots in a cluster subdivision is determined based on the steps described below.

Step One. Calculate the net developable area as follows:

- 1. Total site area as determined by site survey: _____ acres
- 2. Subtract total reductions from the worksheet below: (minus) _____ acres
- 3. Equals net developable area: _____ acres

Worksheet for Area Reductions for Environmental Constraints and other Features

100 percent of the area that is needed for public right-of-way for any existing roads (i.e., from lot line to the base setback established by the Washington County highway width map)	_____ acres
100 percent of the area that is needed for stormwater management basins	_____ acres
100 percent of the area that is within the floodplain overlay district and that is or can be defined as floodway	_____ acres
50 percent of the area that is within the floodplain overlay district and that is or can be defined as floodfringe	_____ acres
50 percent of the area that constitutes a wetland to be retained on the subject property	_____ acres
50 percent of the area within any environmentally sensitive area	_____ acres
10 percent of the area where the slopes are from 12 percent to 20 percent	_____ acres
Total	_____ acres
Note: Acres are rounded to tenths of an acre. If an area is in more than one category, the most restrictive category will apply.	

Step Two. Calculate the maximum number of residential lots by dividing the net developable area by the minimum lot size for the zoning district. (Any fractional dividend is rounded down to the next whole number.)

Step Three. The land division is laid out so that each lot (1) complies with all applicable dimensional standards (e.g., minimum lot area, lot width) as set forth in the zoning district regulations and land division regulations, (2) do not contain more than the maximum levels of features in Table 8-3, and (3) has a building envelope of sufficient size and configuration to accommodate principal and accessory uses that are allowed in the zoning district. Overall, lots must be laid out to minimize potential development in any environmentally sensitive areas.

Table 8-3. Maximum area of a lot with environmental constraints

Feature	Percent of lot
Wetlands (These must be in an outlot.)	0
Floodfringe	10
Land where the slopes are more than 20 percent plus floodfringe	40

50-1356 Lot sizes

Lots in a cluster subdivision may not be less than 60 percent of the base zoning requirements.

50-1357 Minimum open space requirements

A minimum of 40 percent of the net land area (e.g., total area less land dedicated for existing streets) must be set aside as protected common open space.

50-1358 Design of open space areas

The design and layout of residential lots and open space areas should satisfy the following to the greatest extent possible:

- (1) Residential lots and open space areas are designed and arranged to minimize the destruction or alteration of natural resource features. In order of priority, open space outlots should include the following natural resources, open space, and agricultural features, in whole or in combination:
 - (a) lakes, ponds, rivers, streams, wetlands, shorelands and floodplains;
 - (b) woodlots and forests;
 - (c) prairies;
 - (d) environmental corridors;
 - (e) steep slopes (greater than 12 percent);
 - (f) other areas comprised of wet, poorly drained, and organic soils; and
 - (g) other drainage and stormwater facilities.
- (2) Open space areas are designed and arranged to:
 - (a) provide a perimeter buffer not less than 50 feet in width between residential lots within the subdivision and adjoining residential property;
 - (b) provide for the continuation of and cross access between existing and future open space areas on adjoining properties; and
 - (c) provide at least one pedestrian-type accessway or easement from each public subdivision street to each open space area within the development that is not less than 30 feet in width; and
 - (d) provide a minimum open space buffer not less than 50 feet around wetlands.
- (3) Residential lots are arranged within the parcels being developed to:
 - (a) minimize potential conflicts with adjoining agricultural uses and operations,
 - (b) minimize the number of abutting residential lots so no more than two lots abut any other lot, and
 - (c) maximize the number of lots that abut and have access to the open space areas provided within the development.
- (4) Individual lots, parcels, and outlots are designed and arranged to minimize the amount of land required for additional public roads while providing for the future extension of public streets to adjoining vacant land.

50-1359 Ownership of open space areas

- a. Lot owners.** Open space areas may be held by all of the lot owners within the development as an undivided fractional interest.
- b. Condominium.** Open space areas may be held as a common element as set forth in a condominium agreement. Such agreement must be approved as to form by the village attorney and shall comply with the requirements of Ch. 703, Wis. Stats. An association of unit owners must be formed to govern the affairs of the condominium and membership must be mandatory.
- c. Fee simple transfer to a public agency.** Open space areas may be transferred to the Village or other public agency acceptable to the Village, provided:
- (1) there is no cost of acquisition, other than costs incidental to the transfer of ownership, such as title insurance;
 - (2) the common facilities are accessible to the residents of the Village, if the Village so chooses;
 - (3) the Village or other public agency agrees to maintain the common facilities; and
 - (4) the residents of the development hold a conservation easement on the common facilities, protecting it from development in perpetuity.
- d. Fee simple transfer to a nonprofit conservation organization.** With the approval of the Village Board, open space areas may be transferred to a nonprofit conservation organization, provided:
- (1) the organization is acceptable to the Village,
 - (2) the conveyance contains appropriate provisions for proper reverter or retransfer in the event the organization becomes unwilling or unable to continue carrying out its responsibilities, and
 - (3) a maintenance agreement acceptable to the Village is established between the owner and the organization, consistent with the stewardship plan described in § 50-1360.
- e. Dedication of conservation easement to a public agency.** The Village or other public agency acceptable to the Village may hold a conservation easement on the open space areas, provided:
- (1) there is no cost of easement acquisition, other than costs incidental to the transfer of ownership, such as title insurance,
 - (2) a satisfactory maintenance agreement must be reached between the owner and the Village, and
 - (3) lands under a Village easement may or may not be accessible to residents of the Village.
- f. Dedication of conservation easement to a nonprofit conservation organization.** With the approval of the Village Board, a nonprofit conservation organization may hold a conservation easement on the open space areas, provided:
- (1) the organization is acceptable to Village,
 - (2) the conveyance contains appropriate provisions for proper reverter or retransfer in the event the organization becomes unwilling or unable to continue carrying out its responsibilities, and
 - (3) a maintenance agreement acceptable to the Village is established between the owner and the organization consistent with the stewardship plan described in § 50-1360.
- g. Ownership retained by the original landowner.** Open space areas may be held by the developer, provided:
- (1) the Village and residents of the development hold a conservation easement protecting it from any further development, and
 - (2) resident access to the land is limited only by agreement of the residents of the development, as indicated by documents signed at the time of purchase of individual dwelling units.
- h. Other.** The developer may propose other methods of ownership of the open space areas, which will be considered by the Village on a case-by-case basis.

50-1360 Open space stewardship plan

The developer must submit an open space stewardship plan to the Plan Commission and obtain approval of the same. The stewardship plan must be prepared by an ecologist or other expert trained in natural resource protection, as approved by the Zoning Administrator. The stewardship plan includes a baseline report of the land and describes how the conserved lands will be restored and maintained.

Natural features must generally be maintained in their natural condition, but may be modified to improve their appearance, or restore their overall condition and natural processes, as recommended by natural resource professionals and in compliance with an approved land stewardship plan. Permitted modifications may include, woodland management, reforestation, meadow management, wetland management, streambank protection, and buffer area landscaping.

50-1361 Compliance with approved stewardship plan

In the event an open space area is not maintained as set forth in the approved stewardship plan, in whole or in part, the Village may serve written notice upon the homeowners association and/or the property owners that describes how the open area has not been properly maintained as required. Such notice must also set forth the nature of corrections required and the time within which the corrections must be made. Upon failure to comply within the specified time, the property owners are in violation of this chapter, in which case the Village has the right to enter the premises and take the needed corrective actions. The costs of corrective actions by the Village will be assessed against the properties that have the right of enjoyment of the common areas and facilities.

50-1362 through 50-1379 reserved

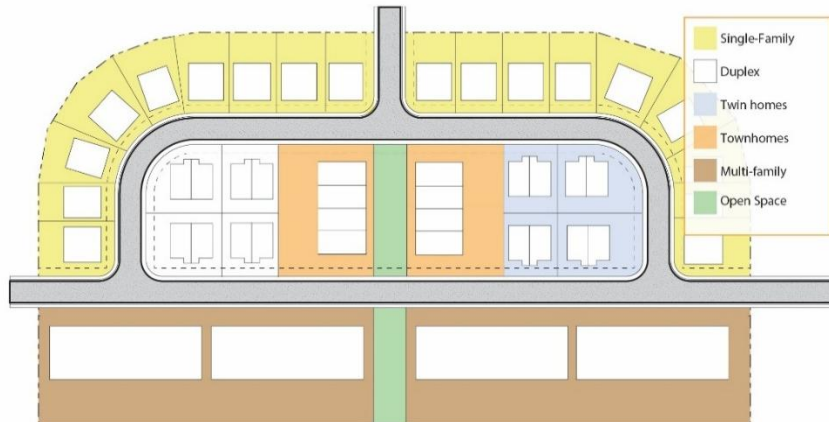
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DIVISION 7 MIXED RESIDENTIAL HOUSING PROJECT

50-1380 General description

A mixed residential housing project includes a variety of housing types arranged in a coordinated and integrated layout. The intent is to provide housing choices, promote efficient use of land and infrastructure, and create a cohesive neighborhood character through unified site design, shared open space, and connected pedestrian and vehicle circulation.

Exhibit 8-5. Sample illustrations of a mixed residential housing project



Note: These images are illustrative, not prescriptive.

50-1381 Application and review procedure

A mixed residential housing project is reviewed as a rezoning request under Article 5, which is a legislative action carried out within the framework of this code, applicable state statutes, federal law, and relevant court decisions. The rezoning petition must include a preliminary subdivision plat or, if the land will not be subdivided, an overall development plan which shows where the different housing types will be located and their associated dimensional standards. The rezoning will only become final when the developer submits a preliminary subdivision plat in conformance with the approval and then a final subdivision plat within a set time frame established by the Village or in the case of land that will not be subdivided, approval of an overall development plan.

50-1382 Specific review criteria

In addition to the general review parameters for a rezoning petition enumerated in Article 5, the Plan Commission in making its recommendation and the Village Board in making its decision must consider the following in the exercise of the Village's legislative discretion:

- (1) Whether the proposed project is consistent with the Village's comprehensive plan.

- (2) Whether the proposed project is properly planned and is properly coordinated with the existing and anticipated land uses on properties in the immediate and surrounding area.
- (3) The extent to which the natural features and open space on the site are preserved.
- (4) Whether the proposed project can comply with the Village's land division regulations.
- (5) Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts.
- (6) Whether the proposed project represents a logical transition to adjoining land uses.
- (7) Whether the proposed project provides a meaningful and appropriate mix of housing types (e.g., single-family, two-family, townhouses, or multifamily).
- (8) Whether the proposed project demonstrates a cohesive and integrated site design, rather than a series of unrelated housing clusters.
- (9) Whether the proposed dimensional standards and layout will create a pleasing and functional neighborhood.
- (10) Whether the proposed project includes safe and connected pedestrian and vehicle circulation, with appropriate access to public streets.
- (11) Whether the proposed project provides usable open space, recreational areas, or community amenities proportionate to the scale of the project.
- (12) Whether the proposed project promotes efficient use of land, utilities, and infrastructure.
- (13) The extent to which the project accounts for lower-density residential or nonresidential uses.
- (14) The extent to which the project supports community goals for housing diversity, affordability, and long-term neighborhood vitality.
- (15) Any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Village Board given the circumstances.

50-1383 Where allowed

A mixed residential housing project is only allowed where it is compatible with the Village's comprehensive plan and is compatible with abutting properties.

50-1384 Minimum development parcel

At the time it is established, a mixed residential housing project must contain at least 10 acres of contiguous land.

50-1385 Ownership

A mixed residential housing project must be under single ownership or control at the time it is established.

50-1386 Determining permissible number of dwelling units

The number of dwelling units in a mixed residential housing project is determined based on the steps described below.

Step One. Calculate the net developable area as follows:

- 1. Total site area as determined by site survey: _____ acres
- 2. Subtract total reductions from the worksheet below: (minus) _____ acres
- 3. Equals net developable area: _____ acres

Worksheet for Area Reductions for Environmental Constraints and other Features

100 percent of the area that is needed for public right-of-way for any existing roads (i.e., from lot line to the base setback established by the Washington County highway width map)	_____ acres
100 percent of the area that is needed for stormwater management basins	_____ acres
100 percent of the area that is within the floodplain overlay district and that is or can be defined as floodway	_____ acres
80 percent of the area that is within the floodplain overlay district and that is or can be defined as floodfringe	_____ acres
80 percent of the area that constitutes a wetland to be retained on the subject property	_____ acres
50 percent of the area within any environmentally sensitive area	_____ acres
10 percent of the area where the slopes are from 12 percent to 20 percent	_____ acres
Total	_____ acres

Note: Acres are rounded to tenths of an acre. If an area is in more than one category, the most restrictive category will apply.

Step Two. Calculate the maximum number of dwelling units by multiplying the net developable area by the maximum density factor established in this division. (Any fractional result is rounded down to the next whole number.)

Step Three. The project is laid out so that each lot (1) complies with the proposed dimensional standards (e.g., minimum lot area, lot width) as set forth in the zoning district regulations and land division regulations, (2) do not contain more than the maximum levels of features in Table 8-4, and (3) has a building envelope of sufficient size and configuration to accommodate principal and accessory uses that are allowed in the zoning district.

Table 8-4. Maximum area of a lot with environmental constraints

Feature	Percent of lot
Wetlands (These must be in an outlot.)	0
Floodfringe	10
Land where the slopes are more than 20 percent plus floodfringe	40

Table 8-5. Project density

Number of housing types	Maximum dwelling units per net developable acre
2	20
3	25
4	30

50-1387 Maximum density

The maximum density allowed in a mixed residential housing project is controlled by the number of housing types incorporated into the project (Table 8-5). While the developer may incorporate any number of housing types, the density bonus is only allowed when each housing type accounts for 15 percent or more of the total number of permissible units.

50-1388 Permitted uses

Land uses that are allowed in a mixed residential housing project are listed in Appendix A and B.

50-1389 Dimensional standards

Because a mixed residential housing project may include a variety of housing types at different densities, the developer must establish proposed dimensional standards on a lot-by-lot basis. Once approved, the standards are incorporated in Article 9.

50-1390 Transition with adjoining development

If a multifamily building in a mixed residential housing project adjoins an existing single-family dwelling district, the developer must demonstrate how the project has been designed to create an appropriate transition in building height. Acceptable design solutions may include increased rear-yard setbacks or step-back height controls.

Any step-back control must, at a minimum, comply with the following standard:

- Any portion of the building within 50 feet of the shared lot line may not exceed 35 feet in height.
- From 50 feet to 100 feet of the shared lot line, the maximum building height may increase at a rate of one additional foot for every two feet of additional setback.

50-1391 Review of actual development

If the Village Board approves a mixed residential housing project, development is reviewed consistent with the requirements of this chapter as may apply (e.g., architectural review, site plan review).

50-1392 Amendment

Once a mixed residential housing project is approved, the mix of housing types and dimensional standards may be amended through the text amendment process as set forth in Article 5. An amendment may not exceed the maximum number of dwelling units established for the project unless additional land is added to the project to accommodate the additional dwellings units without an increase in overall density.

50-1393 through 50-1499 reserved

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ARTICLE 9 PROJECT-BASED ZONING DISTRICTS

50-1500 Generally

- a. **Purpose and applicability.** Planned development districts (PDDs) and mixed residential housing (MRH) districts are governed by development standards tailored to the needs of each project within prescribed requirements. Standards for each of the approved districts are documented in this article.
- b. **Other development standards.** Development standards not directly addressed in this section, such as fencing and signage, are subject to applicable Village of Jackson code provisions as applicable.

50-1501 PDD-01 Sysco Planned Development District

- a. **Generally.** The Sysco Planned Development District (PDD-01), as depicted on the zoning map, was established to accommodate the unique needs of a large-scale warehouse and distribution center. Development in this district is subject to the provisions in this section and other sections of this code as applicable.
- b. **Number of parcels.** This district consists of a single parcel.
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-1.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-1. Dimensional standards for PDD-02

Lot area, minimum	10,000 square feet
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	30 feet
Side-yard setback, minimum	12 feet
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	40 feet
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	None/per building code

50-1502 PDD-02 KARM Planned Development District

- a. **Generally.** The KARM Planned Development District (PDD-02), as depicted on the zoning map, was established in 2022 to accommodate the unique needs of a mixed-use commercial development.
- b. **Number of parcels.** This district consists of two adjoining parcels, which must be held in common ownership and treated as a single parcel for all zoning and regulatory purposes.
- c. **Uses allowed by right. Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-2.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-2. Dimensional standards for PDD-02

Lot area, minimum	5 acres
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	50 feet
Side-yard setback, minimum	20 feet
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	35 feet
Building coverage, maximum	60 percent
Impervious surface ratio, maximum	80 percent
Floor area, minimum	None/per building code

50-1503 PDD-03 The Oaks of Jackson Planned Development District

- a. **Generally.** The Oaks of Jackson Planned Development District (PDD-03), consisting of four subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The four subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into various residential lots as follows:
 - Subdistrict A: 40 lots and 2 outlots
 - Subdistrict B: 13 parcels
 - Subdistrict C: 1 lot and 1 outlot
 - Subdistrict D: 2 parcels with a maximum of 40 dwelling units
- c. **Submitted plans adopted by reference.** PDD-04 is created in accordance with the submitted plans and information that accompanied the application submitted December 28, 2022, which is attached to [the ordinance from which this section is derived] as exhibit A. The documents referred to above are hereby made a part of this section.
- d. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- e. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-3.
- f. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-3. Dimensional standards for PDD-03

	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Lot area, minimum	6,000 square feet	4,000 square feet	37,000 square feet	2,500 square feet per dwelling unit
Lot width at front yard setback, minimum	60 feet*; 70 feet for corner lots	40 feet	350 feet	100 feet
Lot depth, minimum	100 feet	100 feet	NA	100 feet
Front-yard setback, minimum	20 feet*	15 feet	25 feet	15 feet
Side-yard setback, minimum	7 feet	7 feet for house; 2 feet for accessory building	7 feet	7 feet
Corner lot side yard setback, minimum	15 feet from the street side right-of-way	15 feet from the street side right-of-way	15 feet from the street side right-of-way	15 feet
Garage rear yard exclusion zone (interior lots)	N/A	Face of garage may not be placed between 8 and 18 feet from private drive right-of-way to avoid creation of partial parking spaces between the garage and the private drive	N/A	N/A
Rear-yard setback, minimum	15 feet**	15 feet**	15 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet	3 feet	5 feet
Building height, maximum	35 feet	35 feet	35 feet for principal buildings; 15 feet for accessory buildings	40 feet
Impervious surface ratio, maximum	60 percent	80 percent	70 percent	80 percent
Floor area, minimum	None/per building code	None/per building code	700 square feet for a one bedroom; 1,000 square feet for a two-bedroom	None/per building code

*For lots 25, 26, 38, 39, and 40, minimum front yard setbacks shall be increased to 30 feet when needed to meet minimum lot width at the front-yard setback.

** For lots containing the landscape easement, rear yard setbacks will be measured from boundary of the landscape easement, as opposed to the rear property line.

50-1504 PDD-04 Morning Meadows Planned Development District

- a. **Generally.** The Morning Meadows Planned Development District (PDD-04), consisting of two subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The two subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into various residential lots as follows:
 - Subdistrict A: ■ parcels
 - Subdistrict B: ■ parcels
- c. **Submitted plans adopted by reference.** PDD-04 is created in accordance with the submitted plans and information that accompanied the application for phase I and phase II development, submitted July 3, 2020, attached to [the ordinance from which this section is derived] as Exhibit A, and the submitted plans and information that accompanied the application for phase III development, submitted March 23, 2023, attached to [the ordinance from which this section is derived] as Exhibit B. The documents referred to above are hereby made a part of this section.
- d. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- e. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-4.

- f. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-4. Dimensional standards for PDD-04

	Subdistrict A	Subdistrict B
Lot area, minimum	8,000 square feet	4,500 square feet
Lot width at front yard setback, minimum	70 feet	45 feet
Lot depth, minimum	None	None
Front-yard setback, minimum	25 feet	20 feet
Side-yard setback, minimum	8 feet	7 feet
Rear-yard setback, minimum	25 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet
Building height, maximum	35 feet for principal buildings; 15 feet for accessory buildings	35 feet for principal buildings; 15 feet for accessory buildings
Impervious surface ratio, maximum	None	None
Floor area, minimum	800 square feet for one bedroom; 900 square feet for two bedrooms; 1,000 square feet for 3 or more bedrooms	800 square feet for one bedroom; 900 square feet for two bedrooms; 1,000 square feet for 3 or more bedrooms

Note: Subdistrict A consists of those areas referenced as Phase 1 and 2. Subdistrict B consists of those areas referenced as Phase 3.

50-1505 PDD-05 Rytec Corporation Planned Development District

- a. **Generally.** The Rytec Corporation Planned Development District (PDD-05), as depicted on the zoning map, was established to accommodate the unique needs of a building addition that exceeds the maximum building height defined within the zoning code.
- b. **Number of parcels.** This district consists of a single parcel.
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-5.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-5. Dimensional standards for PDD-05

Lot area, minimum	10,000 square feet
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	30 feet
Side-yard setback, minimum	12 feet
Corner lot side yard setback, minimum	N/A
Garage rear yard exclusion zone (interior lots)	N/A
Rear-yard setback, minimum	25 feet
Building height, maximum	50 feet
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	None/per building code

50-1506 PDD-06 Laurel Springs Villas Planned Development District

- a. **Generally.** The Laurel Springs Villas Planned Development District (PDD-06), as depicted on the zoning map, was established in 2023 to accommodate the unique needs of a medium-density residential development.
- b. The Oaks of Jackson Planned Development District (PDD-03), consisting of four subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The four subdistricts are depicted on the zoning map
- c. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into residential lots.
- d. **Submitted plans adopted by reference.** PDD-06 Residential District is created accordance with the submitted plans and information that accompanied the application for development, submitted September 3, 2019, attached to [the ordinance from which this section is derived] as exhibit A. The documents referred to above are hereby made a part of this section.
- e. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- f. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-6.
- g. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-6. Dimensional standards for PDD-06

Lot area, minimum	8,000 square feet
Lot width at front yard setback, minimum	45 feet
Lot depth, minimum	None
Front-yard setback, minimum	25 feet
Side-yard setback, minimum	10 feet
Corner lot side yard setback, minimum	N/A
Garage rear yard exclusion zone (interior lots)	N/A
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	35 feet for principal buildings
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	800 square feet for one bedroom; 900 square feet for two bedrooms

50-1507 PDD-07 Cobblestone Meadows Planned Development District

- a. **Generally.** The Cobblestone Meadows Planned Development District (PDD-07), consisting of two subdistricts, was established to accommodate the unique needs of a residential development. The two subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into a total of 22 residential lots as follows:
 - Subdistrict A: 16 lots
 - Subdistrict B: 6 lots
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-7.

- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-7. Dimensional standards for PDD-07

	Subdistrict A	Subdistrict B
Lot area, minimum	10,000 square feet	10,000 square feet
Lot width at front yard setback, minimum	60 feet	60 feet
Lot depth, minimum	None	None
Front-yard setback, minimum	25 feet	25 feet
Side-yard setback, minimum	8 feet	8 feet
Corner lot side yard setback, minimum	N/A	N/A
Garage rear yard exclusion zone (interior lots)	N/A	N/A
Rear-yard setback, minimum	25 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet
Building height, maximum	35 feet for principal buildings; 15 feet for accessory buildings	35 feet for principal buildings; 15 feet for accessory buildings
Building coverage, maximum	None	None
Impervious surface ratio, maximum	None	None
Floor area, minimum	1,400 square feet for a one story; 1,800 square feet for a two-story with at least 900 square feet on first floor	1,400 square feet for a one story; 1,800 square feet for a two-story with at least 900 square feet on first floor

50-1508 through 50-1699 reserved

Date: November 7, 2025

To: Village of Jackson Plan Commission
Jen Heidtke, Village Administrator
Collin Johnson, Director of Inspections & Zoning

From: Tim Schwecke, Civi Tek Consulting
Craig Huebner, Graef

Subject: Zoning Code Update Project – Articles 6-9

The consultant team is continuing to draft various components of the Village's new zoning code. Recognizing that the entire code is subject to change through multiple steps, each part will be labelled as "Discussion Draft" and dated for reference.

Please find attached the initial drafts of Articles 6 through 9 for your review and consideration. Below is a summary of major points.

Table of Contents

- This version includes a few changes in article names.

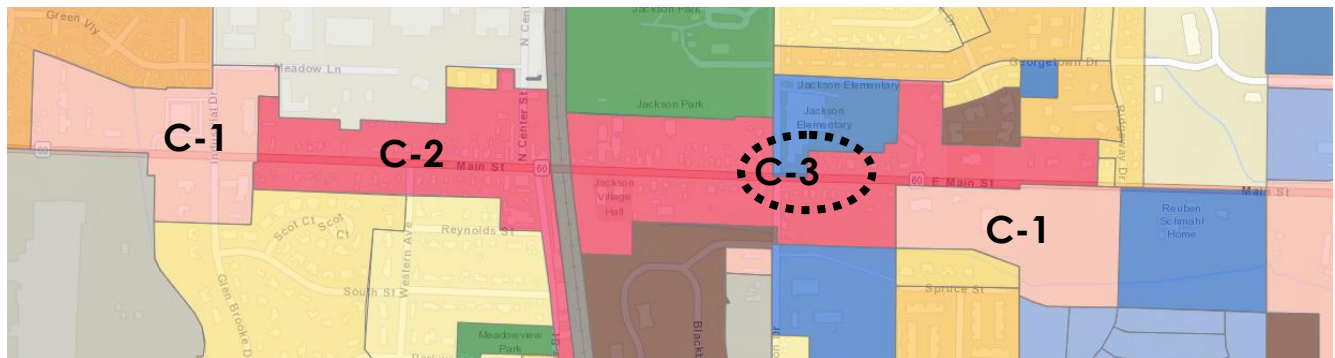
Article 6. Zoning Map

- None

Article 7. Base Zoning and Overlay Districts

- The Village currently has a large number of residential zoning districts. The proposed code consolidates the R-1 and R-2 districts to create the RD-1 district and R-3 and R-4 were consolidated to create the RD-2 district. All of the other existing districts are retained, although their name and abbreviation might be somewhat different.
- The C-2 (Main Street Mixed Use Corridor) zoning district is new.
- The C-3 (Village Center Crossroads) district is new.
- The CON (Conservancy) district is new.
- The RLRD (Railroad) zoning district is new.

Early Draft of the Zoning Map along Main Street



Article 8. Alternative Development Options

- The proposed zoning code is based on standard zoning requirements:
 - The land uses that are allowed in the different zoning districts are predetermined.
 - Dimensional standards (e.g., lot size, setbacks, building heights) are also predetermined.

While this standard approach will accommodate the vast majority of development projects, the proposed code also allows “custom zoning” to account for newer types of development projects.

Article 9. Project-Based Zoning Districts

- This article includes zoning parameters for seven previously approved “PUDs”. In the new code, they will be carried forward as planned development districts (PDDs).
- The Miller Mixed-Use PUD will not be carried forward because the existing land uses can be addressed in the C-2 zoning district.

The Plan Commission is scheduled to review these four articles at the next meeting on November 20, 2025. Bring your comments and questions; we’ll address them all.

Attachments:

- Table of Contents, dated 11-07-2025
- Article 6, dated 11-07-2025
- Article 7, dated 11-07-2025
- Article 8, dated 11-07-2025
- Article 9, dated 11-07-2025

Table of Contents

Article

1. General Provisions

2. Interpretation, Construction, and Definitions

3. Administrative Bodies

Division 1 – Plan Commission

Division 2 – Zoning Board of Appeals

Division 3 – Zoning Administrator

4. General Procedural Requirements

Division 1 – Generally

Division 2 – Notice Requirements

Division 3 – Public Hearings

Division 4 – Site Visits

Division 5 – Neighborhood Meetings

Division 6 – Financial Guarantees

5. Specific Procedural Requirements

Division 1 – Code Amendment

Division 2 – Planned Development District

Division 3 – Conditional Use

Division 4 – Wireless Telecommunication Facility – Class 1 Collocation and New Tower

Division 5 – Wireless Telecommunication Facility – Class 2 Collocation

Division 6 – Wind Energy System Facility

Division 7 – Community Living Arrangements Review

Division 8 – Architectural Review

Division 9 – Site Plan Review

Division 10 – Special Exception

Division 11 – Expansion of a Nonconforming Building

Division 12 – Registration of a Nonconforming Use

Division 13 – Conversion of a Nonconforming Use

Division 14 – Zoning Permit

Division 15 – Occupancy Permit

Division 16 – Moving a Building (TBD)

Division 17 – Razing a Building (TBD)

Division 18 – Termination of Approval

Division 19 – Code Interpretation

Division 20 – Administrative Appeal

Division 21 – Variance

Division 22 – Reasonable Accommodations

Division 23 – Determination of Navigability

Division 24 – Determination of Ordinary High-Water Mark

6. Zoning Map

7. Base Zoning and Overlay Districts

8. Alternative Development Options

Division 1 – General Overview of Options

Division 2 – Conventional Planned Development District

Division 3 – Cottage Housing Project

Division 4 – Adaptive Reuse Project

Division 5 – Traditional Neighborhood Design Project

Division 6 – Cluster Subdivision

Division 7 – Mixed Residential Housing Project

9. Project-Based Zoning Districts

10. Wellhead Protection Overlay District

11. Shoreland-Wetland Overlay District

12. Shoreland Overlay District

13. Environmental Corridor Overlay District

14. Land Uses

15. Performance Standards

16. Dimensional and Related Standards

17. Engineering and Environmental Standards

18. Architectural Standards

19. Site Design Standards

20. Landscaping and Buffers

21. Parking, Loading, and Access

22. Outdoor Lighting

23. Signs

24. Nonconformities

25. Enforcement

Appendix

A. Land Use Table

B. Land Use Details

C. Dimensional Standards

D. Plant Materials

E. General Definitions

F. Mapping Requirements

ARTICLE 6 ZONING MAP

50-1000 Establishment of zoning map

- a. **Purpose.** The zoning map, incorporated herein by reference, shows the location and boundaries of the base zoning districts and overlay zoning districts along with other map features referenced in this code or deemed appropriate by the Zoning Administrator.
- b. **One or more pages.** The zoning map may consist of a single map or a series of numbered maps if needed to depict all the information in a clear manner.
- c. **Title.** The zoning map is titled "Village of Jackson Zoning Map."
- d. **History of amendment.** The zoning map should include a descriptive history of recent map amendments that have been made, indicating the ordinance number and date of action.

50-1001 Certification of current version

Because the zoning map is an integral part of this code and constitutes a public record, the Village Clerk must maintain one paper copy of the zoning map which has been signed by the Village President and attested by the Village Clerk .

50-1002 Availability

The zoning map maintained by the Village Clerk is available for public inspection during normal office hours. The Village Clerk and zoning administrator may post the zoning map on the Village's website and otherwise make and distribute copies in a manner deemed appropriate. The zoning map maintained by the Village Clerk carries the force of law; all other copies or other representations are for informational purposes only.

50-1003 Preparation of a new map

- a. **Amendments.** As amendments are made to the zoning map, the Zoning Administrator is authorized to determine how often to update the zoning map maintained by the Village Clerk. As a rule, amendments to the map maintained by the Village Clerk must be made within 12 months of the ordinance amending the map.
- b. **Replacement.** If the zoning map maintained by the Village Clerk is damaged, lost, or destroyed, the Zoning Administrator must prepare a new zoning map and submit it to the Village President and Village Clerk for certification.
- c. **Errors and omissions.** If the Zoning Administrator determines the zoning map maintained by the Village Clerk contains drafting errors or omissions, the Zoning Administrator is authorized to make changes to the zoning map with notice to the Plan Commission.

50-1004 Amendment

The zoning map may be amended pursuant to the procedure and requirements in Article 5. All amendments made to the zoning map are in effect even if not depicted on the zoning map currently maintained by the Village Clerk .

50-1005 Archive of superseded maps

The Village Clerk must maintain superseded zoning maps as a public record consistent with the Village's record retention policy.

50-1006 through 50-1099 reserved

ARTICLE 7 BASE ZONING AND OVERLAY DISTRICTS

50-1100 Generally

The Village is divided into a number of base zoning districts so that each parcel of land is located in at least one district and potentially more than one district. For each of these districts, appropriate types of land uses are identified along with development standards when applicable.

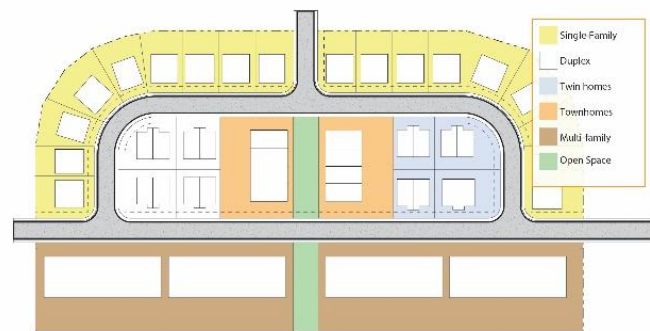
50-1101 Base zoning districts

- a. **Base zoning districts.** Recognizing that different areas of the Village serve unique functions, the Village is divided into a number of zoning districts. Even though some of the districts may share similar characteristics, they possess one or more unique qualities that set them apart from the other districts. Although these districts may not now possess each of the attributes in these descriptions, it is intended that as land uses change over time they more closely reflect the intended uses. Uses are allowed in the various districts consistent with various development standards and development limitations as described in § 50- [redacted] and other sections. Each of the land uses listed in the land use matrix (Appendix A) that are shown as being allowed in a zoning district are determined to be consistent with the purpose statements of such district.
- b. **Establishment.** The following base zoning districts, as depicted on the zoning map, are established as described below:

Residential Districts

- (1) **RD-1 Single-Family Residential** This district is intended to accommodate single-family residential development at densities not to exceed 3.1 dwelling units per net acre.
- (2) **RD-2 Single-Family Residential** This district is intended to accommodate single-family residential development at densities not to exceed 4.1 dwelling units per net acre.
- (3) **RD-3 Single-Family Residential** This district is intended to accommodate single family residential development at densities not to exceed 5.4 dwelling units per net acre.
- (4) **RD-4 Single- and Two-Family Residential** This district is intended to accommodate one and two-family residential development at densities not to exceed 7.2 dwelling units per net acre.
- (5) **RD-5 Multiple-Family Residential** This district is intended to accommodate multi-family residential development.
- (6) **RD-9 Manufactured Home Community** This district is intended to accommodate mobile homes and manufactured homes as part of a unified project, which may also include compatible community and civic uses.
- (7) **RT-10 Single-Family Residential** This district is intended to accommodate single-family residential development. This zoning designation is only used for those properties annexed into the Village under Ordinance No. 20-09 and indicated as exhibits B-1, B-5, B-6 on the attached map to the ordinance from which this section is derived.
- (8) **RT-11 Single-Family Residential** This district is intended to accommodate single-family residential development. This zoning designation is only used for those properties annexed into the Village under Ordinance No. 20-09

An example of a Mixed Residential Housing (MRH) project



and indicated as exhibits B-2 and B-3 on the attached map to the ordinance from which this section is derived.

- (9) **MRH Mixed Residential Housing** This district is intended to accommodate new residential development projects with a complementary mix of different housing types.

Business Districts

- (10) **C-1 Community Business** This district is intended to provide for individual or small groups of retail and customer service establishments. This type of district is generally located away from the traditional central business district and provides such amenities as increased open space and off-street parking and loading facilities, making such retail centers more compatible with the character of adjacent residential districts.

- (11) **C-2 Main Street Mixed Use Corridor^[1]** This district includes areas along Main Street predominantly consisting of single-family dwellings but allows for a complementary mix of residential, multi-family buildings, institutional uses, and small-scale, low-intensity commercial activities, such as professional offices, studios, salons, and similar uses. Buildings are generally residential in scale, with design elements that reflect the surrounding neighborhood, including front yards, landscaping, and pedestrian-friendly entrances. The purpose of this district is to provide a flexible framework for additional commercial opportunities along a heavily trafficked corridor while maintaining a walkable, attractive, and cohesive streetscape.

An example streetscape in the C-2 district

Illustration forthcoming

- (12) **C-3 Village Center Crossroads^[1]** This district includes properties at the intersection of Jackson Street and Main Street and is intended to form a node of commercial and multi-family housing in two and three-story buildings fronting on the street.

Industrial Districts

- (13) **M-1 Limited Manufacturing** This district is intended to allow primarily indoor industrial, storage, office, and other associated business and support uses. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, and other potential nuisances. Outdoor uses are limited to those that are accessory to indoor principal uses. Architectural, site design, landscaping, and other requirements are intended to ensure compatibility with nearby residential, institutional, and conservancy uses.
- (14) **M-2 General Manufacturing** This district is intended to allow industrial, office, storage, and other supporting uses including those land uses that may require more extensive outdoor storage, freight handling, repair, and maintenance activities than allowed in the M-1 district. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, and other potential nuisances that cannot be adequately fully mitigated on-site. Architectural, site design, landscaping, and other requirements are intended to minimize impacts and potential nuisances to other land uses.

Special Purpose Districts

- (15) **CON Conservancy^[1]** This district consists of lands with significant environmental constraints, and which are intended to be kept in an undeveloped condition.
- (16) **I-1 Institutional and Public Service** This district is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.

- (17) **P-1 Park and Recreation** This district is intended to provide for areas where the recreational needs, both public and private, of the populace can be met without undo disturbance of natural resources and adjacent uses.
- (18) **RLRD Railroad**^[1] This district is intended to accommodate railroad lines and spurs.
- (19) **UT Urban Transition**^[1] This district is intended to accommodate extremely low-density single-family residential uses and limited agricultural uses. Properties in this district are generally undeveloped and can be rezoned to other zoning classifications to enable urban-level development. Proposed rezonings for a development project must be consistent with the Village's comprehensive plan and neighborhood plans, if any, and are only allowed when public utilities and other essential community services are available.

Editorial notes:

[1] This district was added as part of the 2025/26 zoning code update project.

50-1102 Overlay zoning districts

- a. **Generally.** Overlay zoning districts, as the name would suggest, are applied on top of base zoning districts and project-specific zoning districts to account for unique conditions or requirements.
- b. **Establishment.** The following overlay zoning districts, as depicted on the zoning map, are established as more fully set forth in the various articles:
- (1) **Wellhead protection overlay district.** This district includes those lands surrounding a public wellhead. Provisions are intended to further control what land uses may occur so that the Village's municipal water supplies are reasonably protected from contamination. Additional details are in Article 10.
 - (2) **Shoreland-wetland overlay district.** This district includes specified wetlands within the shoreland areas. Additional details are in Article 11.
 - (3) **Shoreland overlay district.** This district includes land within the shoreland areas. Additional details are in Article 12.
 - (4) **Environmental corridor overlay district.** This district includes those lands designated as primary environmental corridor, secondary environment corridor, and isolated natural resource areas by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in their mapping in 2020 (year to be verified). Additional details are in Article 13.

50-1103 Defunct districts

- a. The R-1 and R-2 base districts were consolidated to form the RD-1 district as part of the 2025/26 code update.
- b. The R-3 and R-4 base districts were consolidated to form the RD-2 district as part of the 2025/26 code update.

50-1104 Mixed residential housing (MRH) districts

Mixed residential housing (MRH) districts are a hybrid type of zoning in which the allowable land uses are predetermined, while the dimensional standards are tailored to meet the objectives of the specific development project. Dimensional standards for each project are included in Article 9. MRH districts are numbered sequentially (i.e., MRH-01, MRH-02, etc.) as they are established.

50-1105 Planned development districts (PDDs)

Planned development districts are a special type of zoning district in which both the allowable land uses and dimensional standards are tailored to meet the objectives of the specific development project. Dimensional standards and permissible land uses for each project are documented in the general development plan and included in Article 9. PDDs are numbered sequentially (i.e., PDD-01, PDD-02, etc.) as they are established.

50-1106 Relationship between base and overlay zoning districts

If a parcel is located in one or more overlay districts, the regulations that apply to the underlying base zoning district remain in effect, except as modified by the overlay district(s), and if there is any conflict between the overlay districts, the most restrictive controls.

50-1107 Necessity of zoning district designation

It is the intent of this article that no land shall be without a zoning district designation, unless specifically noted on the zoning map. In the event a parcel of land is for any reason deemed to be without a designation, no land development may occur until such time as the Village Board has assigned the parcel, or part thereof, an appropriate zoning classification.

50-1108 Effect of a land transfer on zoning designation

Adjoining property owners can transfer land from one lot to another in certain circumstances pursuant to Ch. 236, Wis. Stats. In those situations where the affected lots are in different zoning districts, a transfer does not alter the location of the zoning district boundary until such time as the zoning map has been amended consistent with Article 5.

50-1109 through 50-1199 reserved

ARTICLE 8 ALTERNATIVE DEVELOPMENT OPTIONS

Divisions

- | | |
|--|--|
| 1. General overview of options | 5. Traditional neighborhood design project |
| 2. Conventional planned development district | 6. Cluster subdivision |
| 3. Cottage housing project | 7. Mixed residential housing project |
| 4. Adaptive reuse project | |

DIVISION 1 GENERAL OVERVIEW OF OPTIONS

50-1200 Generally

While standard zoning, based on prescribed land uses and dimensional standards, accommodates the vast majority of development projects, the Village offers alternative development options designed to provide greater flexibility in land use and site design. Alternative development options are intended to:

- (1) **Accommodate unique projects.** Allow development that cannot be achieved under existing district regulations due to site conditions, market demands, or community objectives.
- (2) **Encourage innovation.** Promote creative site planning, mixed-use development, and housing diversity that enhance the character of the community.
- (3) **Balance flexibility with accountability.** Provide a framework for negotiating project-based standards while ensuring consistency with the Village’s comprehensive plan and development policies.
- (4) **Ensure public benefit.** Require that alternative developments demonstrate clear benefits such as improved design, preservation of natural resources, or expanded housing options.

50-1201 Review procedures

Most of the alternative projects are reviewed using the procedures for a planned development district described in Article 5. The one exception are mixed residential housing (MRH) districts, which are essentially a rezoning.

Exhibit 8-1. Type of reviews

Alternative development option	Means of review
Conventional planned development	Planned development district
Cottage housing project	Planned development district
Adaptive reuse project	Planned development district
Traditional neighborhood design project	Planned development district
Cluster subdivision	Planned development district
Mixed residential housing project	Zoning map amendment (rezoning)

50-1202 Effect on the underlying base zoning district

Projects approved using one of the alternative development options allowed in this article create a project-based zoning district. That means the under-lying zoning district is replaced with a new, different zoning district. Parameters unique to each of the project-based zoning districts are documented in Article 9.

50-1203 through 50-1229 reserved**DIVISION 2
CONVENTIONAL PLANNED DEVELOPMENT DISTRICT****50-1230 General description**

A conventional planned development is a special type of zoning district that deviates from one or more of the standards of the underlying zoning district. This option, therefore, allows more freedom, imagination, and flexibility in the development of land while meeting the basic purposes of the Village's zoning regulations and overall intent of the comprehensive plan. In exchange for this flexibility, a conventional planned development must be substantially better than what the underlying zoning district would afford as more fully set forth in § 50-1232.

50-1231 Application and review procedure

A conventional planned development is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1232 Specific review criteria

In addition to the general review parameters for a planned development district enumerated in Article 5, The Plan Commission in making its recommendation and the Village Board in making its decision must determine that the proposed development creates more of a public benefit than what the underlying zoning district would create. For example, a greater public benefit can be created by including desirable features or amenities that are not otherwise required, such as additional landscaping/buffering, open space, public or private amenities, or enhanced design elements.

50-1233 Where allowed

A conventional planned development is allowed in any zoning district.

50-1234 Minimum development parcel

At the time of establishment, the conventional planned development must consist of at least 5 acres of contiguous land, except for redevelopment projects which have no minimum requirements.

50-1235 Ownership

At the time of establishment, all land within a conventional planned development must be under single ownership or control.

50-1236 Permitted uses

- a. **Generally.** When the underlying zoning district is a residential or commercial district, a combination of residential, institutional, recreational, and/or commercial uses may be allowed. When the underlying zoning is an industrial district, a combination of institutional, commercial, and industrial uses may be allowed. A planned development district with a mix of residential and industrial uses is prohibited.
- b. **Listing in Appendix A.** All land uses allowed in an approved conventional planned development district are listed in Appendix A.

50-1237 Permissible modifications

To create a unified development that is economically successful to both the developer/owner and the Village, and to require high quality standards for site design, architectural design, landscaping, proper infrastructure, environmental protections, and protection of persons and property, the development standards specifically listed below may be modified.

- (1) **Density.** The density of a residential project can be increased up to 125 percent of the underlying zoning district.
- (2) **Lot requirements.** Minimum lot widths and frontage requirements may be modified.
- (3) **Setbacks.** Building, parking lot, and drive aisle setbacks may be modified. With reduced setbacks, the Village may require larger setbacks on another part of the property and may require additional landscaping or use of berms, for example, to offset a lesser setback.
- (4) **Landscaping.** The placement of landscaping may be modified, provided the overall amount of landscaping is provided to accomplish the intended purposes.
- (5) **On-site parking.** Modifications to on-site parking requirements may occur, especially where various uses on the site have different parking demand times throughout the day or week or when a use has a lower parking demand than required by the parking standards. .
- (6) **Architectural design.** Modifications to the minimum architectural standards of the underlying zoning district may occur to enhance and provide greater quality to a development than the minimum standards allow, or to enhance an architectural theme of a unified development.
- (7) **Architectural embellishments.** In non-residential developments, modifications to building height maximums may occur to provide architectural embellishments, such as a spire or clock tower that is part of an architectural theme.
- (8) **Multiple buildings on a site.** Modifications may occur to allow multiple principal buildings on a site and/or to allow buildings normally considered accessory structures, such as clubhouses, pavilions, gazebos, and the like.

50-1238 Effect of approved planned development district on land division standards

Development in a planned development district is subject to the Village's land division regulations to the extent applicable, except that the Village Board, upon recommendation of the Plan Commission, may waive a development standard in the land division regulations as provided therein.

50-1239 Review of actual development

If the Village Board approves a conventional planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., building plan review, site plan review) and the approved general development plan.

50-1240 Amendment

Once a conventional planned development district is approved, the district may be amended as set forth in Article 5.

50-1241 through 50-1259 reserved

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DIVISION 3 COTTAGE HOUSING PROJECT

50-1260 General description

A cottage housing project is a residential development characterized by single-family housing units that front on a common area and the housing units are comparatively small when compared to typical single-family units. A cottage housing project must reflect a coherent and high-quality design concept. The illustrations below depict an example of a cottage housing project to show some of the major features.

Exhibit 8-2. Sample illustrations of a cottage housing project



Note: These images are illustrative, not prescriptive.

50-1261 Legislative findings

The Village Board makes the following legislative findings:

- (1) Cottage housing is a new type of housing in the Village of Jackson that can fill an unmet housing need.
- (2) Cottage housing can provide opportunities for homeownership that may not otherwise exist.
- (3) Cottage housing responds to demographic trends occurring locally, in the region, and nationally. These include a declining household size and more people living alone and longer.
- (4) It is not possible to define specific areas in the Village where cottage housing should be developed. Rather, cottage housing is a development option that developers can explore.
- (5) Cottage housing will likely have the same, or fewer people than the single-family homes that could be built on the site.
- (6) Given the size restrictions on the housing unit, the bulk of a cottage housing project is similar to the single-family homes that could be built on the site.

- (7) Cottage housing supports the goal of providing additional housing choice.
- (8) Rather than codifying all parameters of cottage development, the standards in this division are intended to provide sufficient guidance without becoming overly prescriptive, with the understanding that the Village and the developer will work together to craft a detailed development plan that meets community needs and works well with the site and the target market.

50-1262 Application and review procedure

A cottage housing project is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1263 Type

A developer may propose a cottage housing project as a traditional subdivision plat or as a condominium project. The chosen form determines how dwelling units, lots, and common areas are owned, maintained, and managed. Both forms are subject to the same design and development standards established for cottage housing projects.

50-1264 Where allowed

A cottage housing project is only allowed in a residential zoning district.

50-1265 General design principles

In the design of a cottage housing project the following design principles must be satisfied:

- (1) A majority of the dwelling units must abut a common area.
- (2) Dwelling units must be oriented in a pattern that is compatible with the development pattern in the surrounding area.
- (3) The project must accommodate emergency vehicles to the satisfaction of the Village of Jackson fire chief.
- (4) The project must include an internal network of pedestrian paths and sidewalks for residents and their guests. Connections to the surrounding neighborhood should be made where appropriate or required.
- (5) Low-impact stormwater techniques should be incorporated into the project to the extent feasible.

Table 8-1. Housing density

Living area of dwelling unit (square feet)	Housing units allowed in place of each single-family home allowed by zoning district
600 to 1,000	1.75
1,001 to 1,200	1.5
1,201 to 1,400	1.25

Note: The total number of housing units allowed is calculated and rounded up to the next whole number if the calculated number is 0.5 or higher and rounded down if it is less than 0.5. For example, if the calculated number of housing units is 5.75, the maximum number of units is 6.

50-1266 Project parameters

- a. **Clusters.** A cottage housing project may consist of one or two clusters.
- b. **Number of units.** A cluster of cottage housing must contain at least 4 dwelling units but no more than 12.
- c. **Separation between clusters.** A cluster of cottage housing must be at least 400 feet from any other existing or approved cottage housing cluster in the Village unless otherwise part of an overall development plan.
- d. **Density.** The base density of dwelling units in a cottage housing project is based on the density and/or minimum lot size of the underlying zoning district and the size of the dwelling units to be constructed as set forth in Table 8-1. The Village Board, upon recommendation of the Plan Commission, may allow a greater density when the project exemplifies exceptional design characteristics and integration with the character of the area.
- e. **Minimum lot size.** Beyond the density restrictions listed in this section, there is no minimum lot size for lots created through the land division process.

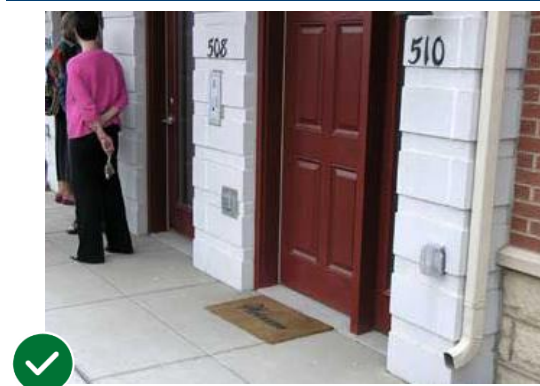
50-1267 Open space

- a. **Intent.** Open space is an integral feature of a cottage housing project and is intended to be the focal point throughout the design process.
- b. **Requirements.** A minimum of 450 square feet of open space must be provided for each dwelling unit in the project, but not less than 2,800 square feet regardless of the number of dwelling units. Such open space must be useable for active or passive recreational activities and therefore must not include open stormwater basins, wetlands, steep slopes, or other similar areas.
- c. **Placement.** Open space should be centrally located to the benefit of the units in the project. As a general rule, each dwelling unit must face the open space on one side, but preferably two sides.
- d. **Improvements.** Common open space must be improved for passive and/or active recreational use and may include patios, lawns, gardens, landscaping, outdoor gathering areas, pedestrian paths, common barbeque facilities, and similar features.

50-1268 Building standards

- a. **Floor area.** The floor area of dwelling units is controlled by the density calculations established in § 50-1266. The minimum floor area of a dwelling unit is 600 square feet and the maximum floor area is 1,400 square feet. As a requirement of project approval, the developer must record a deed restriction against each dwelling unit indicating that the size of the dwelling unit may not be increased after initial construction and that any vaulted space within a dwelling unit may not be converted into habitable space.
- b. **Entries and porches.** Each dwelling unit must include a covered porch fronting on the common area. The porch must have a minimum floor area of 80 square feet and not be less than 5 feet in width.
- c. **No-step entry.** To the extent possible, at least one entrance to a dwelling unit should be at grade (i.e., a no-step entry).
- d. **Exterior storage area.** Each dwelling unit must include a storage area, with a floor area of at least 10 square feet that is accessible from the exterior. As an alternative, a dedicated storage area of equivalent size may be provided within an enclosed community building.
- e. **Maximum building height.** The maximum height of buildings is 18 feet if the roof pitch is less than 6:12 and 25 feet if the roof pitch is 6:12 or greater.
- f. **Minimum building separation.** Dwelling units must maintain a minimum separation of 10 feet.

Exhibit 8-3. An example of a no-step entry



50-1269 Architectural standards

- a. **Adoption of standards.** The developer must prepare a set of detailed architectural standards for all buildings within the project, including dwelling units, community buildings, and garages. Such standards must address exterior building materials, roof pitch, window style, articulation, and any other feature required by the Plan Commission. The standards must include a series of renderings depicting the architectural character of the buildings in the project.
- b. **Enforcement of standards.** The developer must establish a mechanism, such as a homeowners association, as approved by the Plan Commission, to ensure all buildings in the cottage housing project comply with the approved architectural standards adopted by the developer.

50-1270 Parking and garages

- a. **Parking requirements.** Parking requirements are based on the size of the housing units in the project as set forth in Table 8-2. Upon petition and with cause, the Plan Commission may establish a lesser standard when deemed appropriate based on the unique character of the proposed project.
- b. **Garages.** Attached garages should front on an alley or on a public street where possible; fronting a public street may be considered if alleys are deemed inappropriate. Each dwelling shall have no more than one detached garage with a maximum floor area of 250 square feet. Garages may be combined into a shared garage structure, consisting of no more than 4 garages and no more than 1,000 square feet. Storage of items which preclude the parking of a vehicle in a garage is prohibited. Carports are not permitted in a cottage housing project.
- c. **Surface parking.** Surface parking must be provided for residents and guests in clusters of not more than 5 adjoining spaces. Clusters must be separated by at least 20 feet. Individual parking spaces may be located behind the principal structure when served by an alley. If the Village allows on-street parking on streets abutting the project, such parking may satisfy surface parking requirements as determined by the Plan Commission.

Table 8-2. Parking requirements

Size of dwelling unit (square feet)	Parking spaces
1,000 or less	1.2
More than 1,000	1.6

Notes: When the calculated number of total required parking spaces results in a fraction, the number is rounded up to the next whole number.

50-1271 Community buildings

- a. **Generally.** A cottage housing project may have one or more community buildings that are for the exclusive use of the residents and their guests. Such buildings must not be habitated in any manner and must be clearly incidental in use or size and related to the dwelling units in the project.
- b. **Maximum area.** The floor area of community buildings is limited to a total of 2,500 square feet.
- c. **Ownership.** Community buildings in a cottage housing project must be commonly owned and maintained by the residents.
- d. **Design.** The roof pitch, architectural themes, exterior materials, and colors of any community building must be consistent with the architectural standards established by the developer.
- e. **Obligation to construct.** If the developer is proposing to construct one or more community buildings as part of the project, the developer must provide assurances to the satisfaction of the village attorney guaranteeing satisfactory completion of such buildings within the timeframe established in the approval.

50-1272 Lot coverage

Impervious surfaces within the project site may not exceed 60 percent. Patios, pedestrian walks, and other similar surfaces that are an integral part of the open space areas are not counted in impervious surface calculations.

50-1273 Screening

If an outdoor parking area or the community building adjoins a residential zoning district or a project-based zoning district that allows residential uses, a buffer meeting the standards for buffer type “A,” described in Article 20, must be established and maintained. Upon petition, the Plan Commission may recommend, and the Village Board may defer the establishment of the buffer to a later date depending on the nature of the surrounding land uses or not require the above-mentioned buffer.

50-1274 Amendment

Once a cottage housing project is approved as a planned development district, the district may be amended as set forth in Article 5.

50-1275 through 50-1289 reserved

DIVISION 4 ADAPTIVE REUSE PROJECT

50-1290 General description

An adaptive reuse project allows the conversion of an existing building in a residential zoning district that has been used for an institutional use (e.g., school, day care, nursing home, library, worship facility) that for practical purposes is no longer usable for the most recent use or any other institutional use allowed in the zoning district where it is located. Such institutional use must have been legally established and operated, and the building must not be dilapidated or in a state of disrepair, or destroyed by fire, flood, wind, or other disaster.

50-1291 Application and review procedure

An adaptive reuse project is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1292 Ownership

At the time of establishment, all land within an adaptive reuse project must be under single ownership or control.

50-1293 Permitted uses

The uses allowed in an adaptive reuse project must be designed and operated in such a way to be compatible with the land uses that are allowed on the surrounding parcels.

50-1294 Review of actual development

If the Village Board approves an adaptive reuse project as a planned development district, proposed development in the district is reviewed consistent with the requirements of this chapter as may apply (e.g., architectural review, site plan review) and the approved general development plan.

50-1295 Amendment

Once an adaptive reuse project is approved as a planned development district, the district may be amended as set forth in Article 5.

50-1296 through 50-1319 reserved

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DIVISION 5 TRADITIONAL NEIGHBORHOOD DESIGN PROJECT

50-1320 General description

A traditional neighborhood design project is a compact, mixed-use neighborhood designed so that residential, commercial, and civic buildings are located in close proximity to one another, promoting walkability and a strong sense of community.

50-1321 Legislative findings

The Village Board makes the following legislative findings:

- (1) The state legislature required cities and villages with a population of at least 12,500 to adopt zoning regulations for traditional neighborhood development that are similar to the model ordinance developed by the University of Wisconsin System.
- (2) The Village of Jackson adopted such regulations in compliance with § 66.1027, Wis. Stats.

50-1322 Where allowed

A traditional neighborhood design project is only allowed in residential zoning districts or any area so designated in the Village's comprehensive plan.

50-1323 Minimum development parcel

At the time of establishment, the traditional neighborhood design project must consist of at least 40 acres of contiguous land. Upon petition, the Plan Commission may, at its discretion, reduce this requirement to 20 acres if the site is defined by a significant physical feature such as a greenbelt, large park space, woodland area, drainage creek, river, or state or federal highway.

50-1324 Application and review procedure

A traditional neighborhood development project is reviewed as a planned development district as set forth in Article 5.

50-1325 Standards

The model ordinance for traditional neighborhood development published by the University of Wisconsin Extension pursuant to § 66.1027 (2), Wis. Stats., will serve as a nonexclusive guide to assist in defining various aspects of this form of urban design along with such other sources of guidance that the Plan Commission and Village Board may choose to consult.

50-1326 through 50-1349 reserved

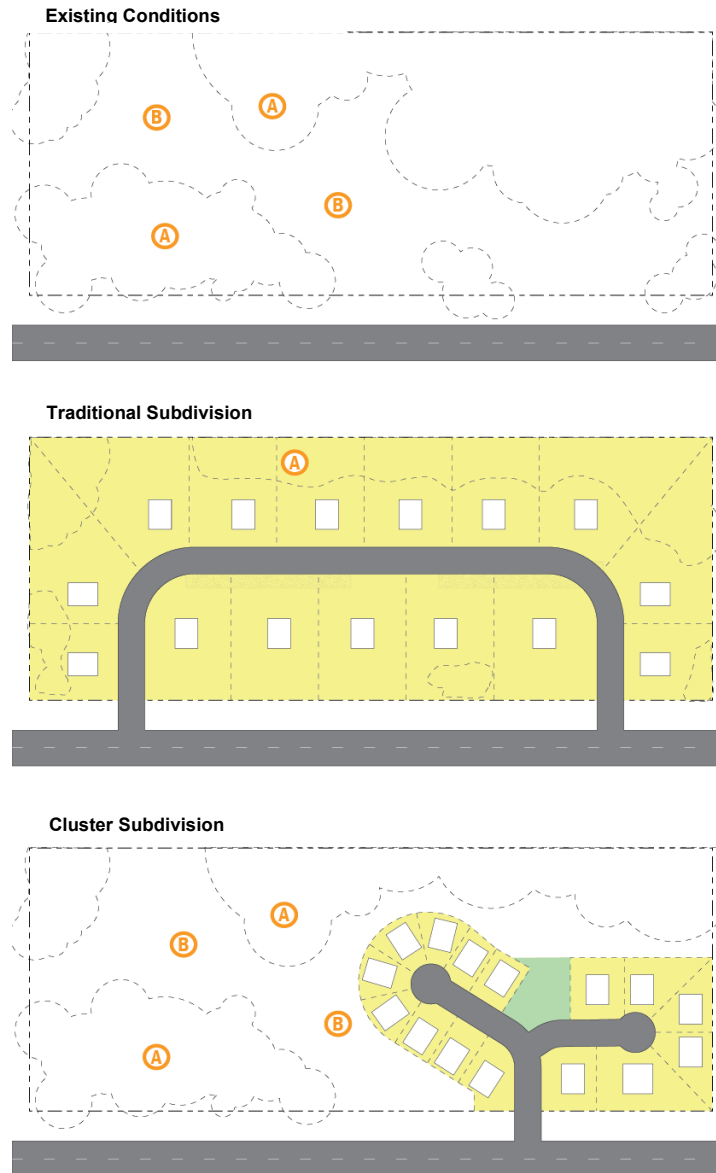
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DIVISION 6 CLUSTER SUBDIVISION

50-1350 General description

The cluster subdivision option gives design flexibility to preserve unique or sensitive natural areas including groundwater recharge areas, floodplains, wetlands, streams, steep slopes, woodlands, prairies, wildlife habitat, and environmental corridors.

Exhibit 8-4. Sample layout of a cluster subdivision



Key:

A – Woodlands

B – Open land - farmland, prairie

Note: These images are illustrative, not prescriptive.

50-1351 Application and review procedure

A cluster subdivision is reviewed as a planned development district as set forth in Article 5, except as may be specifically modified in this division.

50-1352 Where allowed

Cluster subdivisions are only allowed in residential zoning districts.

50-1353 Minimum development parcel

At the time of establishment, a cluster subdivision must consist of at least 20 acres of contiguous land.

50-1354 Ownership

At the time of establishment, all land within a cluster subdivision must be under single ownership or control.

50-1355 Density

The number of lots in a cluster subdivision is determined based on the steps described below.

Step One. Calculate the net developable area as follows:

- 1. Total site area as determined by site survey: _____ acres
- 2. Subtract total reductions from the worksheet below: (minus) _____ acres
- 3. Equals net developable area: _____ acres

Worksheet for Area Reductions for Environmental Constraints and other Features

100 percent of the area that is needed for public right-of-way for any existing roads (i.e., from lot line to the base setback established by the Washington County highway width map)	_____ acres
100 percent of the area that is needed for stormwater management basins	_____ acres
100 percent of the area that is within the floodplain overlay district and that is or can be defined as floodway	_____ acres
50 percent of the area that is within the floodplain overlay district and that is or can be defined as floodfringe	_____ acres
50 percent of the area that constitutes a wetland to be retained on the subject property	_____ acres
50 percent of the area within any environmentally sensitive area	_____ acres
10 percent of the area where the slopes are from 12 percent to 20 percent	_____ acres
Total	_____ acres

Note: Acres are rounded to tenths of an acre. If an area is in more than one category, the most restrictive category will apply.

Step Two. Calculate the maximum number of residential lots by dividing the net developable area by the minimum lot size for the zoning district. (Any fractional dividend is rounded down to the next whole number.)

Step Three. The land division is laid out so that each lot (1) complies with all applicable dimensional standards (e.g., minimum lot area, lot width) as set forth in the zoning district regulations and land division regulations, (2) do not contain more than the maximum levels of features in Table 8-3, and (3) has a building envelope of sufficient size and configuration to accommodate principal and accessory uses that are allowed in the zoning district. Overall, lots must be laid out to minimize potential development in any environmentally sensitive areas.

Table 8-3. Maximum area of a lot with environmental constraints

Feature	Percent of lot
Wetlands (These must be in an outlot.)	0
Floodfringe	10
Land where the slopes are more than 20 percent plus floodfringe	40

50-1356 Lot sizes

Lots in a cluster subdivision may not be less than 60 percent of the base zoning requirements.

50-1357 Minimum open space requirements

A minimum of 40 percent of the net land area (e.g., total area less land dedicated for existing streets) must be set aside as protected common open space.

50-1358 Design of open space areas

The design and layout of residential lots and open space areas should satisfy the following to the greatest extent possible:

- (1) Residential lots and open space areas are designed and arranged to minimize the destruction or alteration of natural resource features. In order of priority, open space outlots should include the following natural resources, open space, and agricultural features, in whole or in combination:
 - (a) lakes, ponds, rivers, streams, wetlands, shorelands and floodplains;
 - (b) woodlots and forests;
 - (c) prairies;
 - (d) environmental corridors;
 - (e) steep slopes (greater than 12 percent);
 - (f) other areas comprised of wet, poorly drained, and organic soils; and
 - (g) other drainage and stormwater facilities.
- (2) Open space areas are designed and arranged to:
 - (a) provide a perimeter buffer not less than 50 feet in width between residential lots within the subdivision and adjoining residential property;
 - (b) provide for the continuation of and cross access between existing and future open space areas on adjoining properties; and
 - (c) provide at least one pedestrian-type accessway or easement from each public subdivision street to each open space area within the development that is not less than 30 feet in width; and
 - (d) provide a minimum open space buffer not less than 50 feet around wetlands.
- (3) Residential lots are arranged within the parcels being developed to:
 - (a) minimize potential conflicts with adjoining agricultural uses and operations,
 - (b) minimize the number of abutting residential lots so no more than two lots abut any other lot, and
 - (c) maximize the number of lots that abut and have access to the open space areas provided within the development.
- (4) Individual lots, parcels, and outlots are designed and arranged to minimize the amount of land required for additional public roads while providing for the future extension of public streets to adjoining vacant land.

50-1359 Ownership of open space areas

- a. Lot owners.** Open space areas may be held by all of the lot owners within the development as an undivided fractional interest.
- b. Condominium.** Open space areas may be held as a common element as set forth in a condominium agreement. Such agreement must be approved as to form by the village attorney and shall comply with the requirements of Ch. 703, Wis. Stats. An association of unit owners must be formed to govern the affairs of the condominium and membership must be mandatory.
- c. Fee simple transfer to a public agency.** Open space areas may be transferred to the Village or other public agency acceptable to the Village, provided:
 - (1) there is no cost of acquisition, other than costs incidental to the transfer of ownership, such as title insurance;
 - (2) the common facilities are accessible to the residents of the Village, if the Village so chooses;
 - (3) the Village or other public agency agrees to maintain the common facilities; and
 - (4) the residents of the development hold a conservation easement on the common facilities, protecting it from development in perpetuity.
- d. Fee simple transfer to a nonprofit conservation organization.** With the approval of the Village Board, open space areas may be transferred to a nonprofit conservation organization, provided:
 - (1) the organization is acceptable to the Village,
 - (2) the conveyance contains appropriate provisions for proper reverter or retransfer in the event the organization becomes unwilling or unable to continue carrying out its responsibilities, and
 - (3) a maintenance agreement acceptable to the Village is established between the owner and the organization, consistent with the stewardship plan described in § 50-1360.
- e. Dedication of conservation easement to a public agency.** The Village or other public agency acceptable to the Village may hold a conservation easement on the open space areas, provided:
 - (1) there is no cost of easement acquisition, other than costs incidental to the transfer of ownership, such as title insurance,
 - (2) a satisfactory maintenance agreement must be reached between the owner and the Village, and
 - (3) lands under a Village easement may or may not be accessible to residents of the Village.
- f. Dedication of conservation easement to a nonprofit conservation organization.** With the approval of the Village Board, a nonprofit conservation organization may hold a conservation easement on the open space areas, provided:
 - (1) the organization is acceptable to Village,
 - (2) the conveyance contains appropriate provisions for proper reverter or retransfer in the event the organization becomes unwilling or unable to continue carrying out its responsibilities, and
 - (3) a maintenance agreement acceptable to the Village is established between the owner and the organization consistent with the stewardship plan described in § 50-1360.
- g. Ownership retained by the original landowner.** Open space areas may be held by the developer, provided:
 - (1) the Village and residents of the development hold a conservation easement protecting it from any further development, and
 - (2) resident access to the land is limited only by agreement of the residents of the development, as indicated by documents signed at the time of purchase of individual dwelling units.
- h. Other.** The developer may propose other methods of ownership of the open space areas, which will be considered by the Village on a case-by-case basis.

50-1360 Open space stewardship plan

The developer must submit an open space stewardship plan to the Plan Commission and obtain approval of the same. The stewardship plan must be prepared by an ecologist or other expert trained in natural resource protection, as approved by the Zoning Administrator. The stewardship plan includes a baseline report of the land and describes how the conserved lands will be restored and maintained.

Natural features must generally be maintained in their natural condition, but may be modified to improve their appearance, or restore their overall condition and natural processes, as recommended by natural resource professionals and in compliance with an approved land stewardship plan. Permitted modifications may include, woodland management, reforestation, meadow management, wetland management, streambank protection, and buffer area landscaping.

50-1361 Compliance with approved stewardship plan

In the event an open space area is not maintained as set forth in the approved stewardship plan, in whole or in part, the Village may serve written notice upon the homeowners association and/or the property owners that describes how the open area has not been properly maintained as required. Such notice must also set forth the nature of corrections required and the time within which the corrections must be made. Upon failure to comply within the specified time, the property owners are in violation of this chapter, in which case the Village has the right to enter the premises and take the needed corrective actions. The costs of corrective actions by the Village will be assessed against the properties that have the right of enjoyment of the common areas and facilities.

50-1362 through 50-1379 reserved

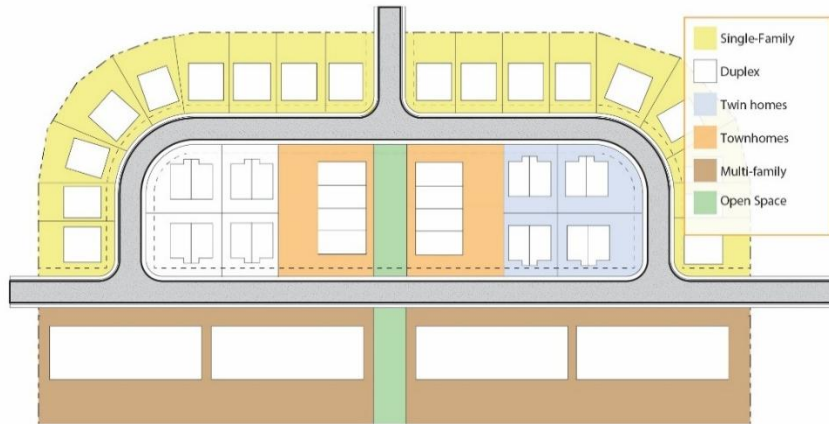
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DIVISION 7 MIXED RESIDENTIAL HOUSING PROJECT

50-1380 General description

A mixed residential housing project includes a variety of housing types arranged in a coordinated and integrated layout. The intent is to provide housing choices, promote efficient use of land and infrastructure, and create a cohesive neighborhood character through unified site design, shared open space, and connected pedestrian and vehicle circulation.

Exhibit 8-5. Sample illustrations of a mixed residential housing project



Note: These images are illustrative, not prescriptive.

50-1381 Application and review procedure

A mixed residential housing project is reviewed as a rezoning request under Article 5, which is a legislative action carried out within the framework of this code, applicable state statutes, federal law, and relevant court decisions. The rezoning petition must include a preliminary subdivision plat or, if the land will not be subdivided, an overall development plan which shows where the different housing types will be located and their associated dimensional standards. The rezoning will only become final when the developer submits a preliminary subdivision plat in conformance with the approval and then a final subdivision plat within a set time frame established by the Village or in the case of land that will not be subdivided, approval of an overall development plan.

50-1382 Specific review criteria

In addition to the general review parameters for a rezoning petition enumerated in Article 5, the Plan Commission in making its recommendation and the Village Board in making its decision must consider the following in the exercise of the Village's legislative discretion:

- (1) Whether the proposed project is consistent with the Village's comprehensive plan.

- (2) Whether the proposed project is properly planned and is properly coordinated with the existing and anticipated land uses on properties in the immediate and surrounding area.
- (3) The extent to which the natural features and open space on the site are preserved.
- (4) Whether the proposed project can comply with the Village's land division regulations.
- (5) Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts.
- (6) Whether the proposed project represents a logical transition to adjoining land uses.
- (7) Whether the proposed project provides a meaningful and appropriate mix of housing types (e.g., single-family, two-family, townhouses, or multifamily).
- (8) Whether the proposed project demonstrates a cohesive and integrated site design, rather than a series of unrelated housing clusters.
- (9) Whether the proposed dimensional standards and layout will create a pleasing and functional neighborhood.
- (10) Whether the proposed project includes safe and connected pedestrian and vehicle circulation, with appropriate access to public streets.
- (11) Whether the proposed project provides usable open space, recreational areas, or community amenities proportionate to the scale of the project.
- (12) Whether the proposed project promotes efficient use of land, utilities, and infrastructure.
- (13) The extent to which the project accounts for lower-density residential or nonresidential uses.
- (14) The extent to which the project supports community goals for housing diversity, affordability, and long-term neighborhood vitality.
- (15) Any other factor not specifically or generally listed, but deemed appropriate by the Plan Commission or Village Board given the circumstances.

50-1383 Where allowed

A mixed residential housing project is only allowed where it is compatible with the Village's comprehensive plan and is compatible with abutting properties.

50-1384 Minimum development parcel

At the time it is established, a mixed residential housing project must contain at least 10 acres of contiguous land.

50-1385 Ownership

A mixed residential housing project must be under single ownership or control at the time it is established.

50-1386 Determining permissible number of dwelling units

The number of dwelling units in a mixed residential housing project is determined based on the steps described below.

Step One. Calculate the net developable area as follows:

- 1. Total site area as determined by site survey: _____ acres
- 2. Subtract total reductions from the worksheet below: (minus) _____ acres
- 3. Equals net developable area: _____ acres

Worksheet for Area Reductions for Environmental Constraints and other Features

100 percent of the area that is needed for public right-of-way for any existing roads (i.e., from lot line to the base setback established by the Washington County highway width map)	_____ acres
100 percent of the area that is needed for stormwater management basins	_____ acres
100 percent of the area that is within the floodplain overlay district and that is or can be defined as floodway	_____ acres
80 percent of the area that is within the floodplain overlay district and that is or can be defined as floodfringe	_____ acres
80 percent of the area that constitutes a wetland to be retained on the subject property	_____ acres
50 percent of the area within any environmentally sensitive area	_____ acres
10 percent of the area where the slopes are from 12 percent to 20 percent	_____ acres
Total	_____ acres

Note: Acres are rounded to tenths of an acre. If an area is in more than one category, the most restrictive category will apply.

Step Two. Calculate the maximum number of dwelling units by multiplying the net developable area by the maximum density factor established in this division. (Any fractional result is rounded down to the next whole number.)

Step Three. The project is laid out so that each lot (1) complies with the proposed dimensional standards (e.g., minimum lot area, lot width) as set forth in the zoning district regulations and land division regulations, (2) do not contain more than the maximum levels of features in Table 8-4, and (3) has a building envelope of sufficient size and configuration to accommodate principal and accessory uses that are allowed in the zoning district.

Table 8-4. Maximum area of a lot with environmental constraints

Feature	Percent of lot
Wetlands (These must be in an outlot.)	0
Floodfringe	10
Land where the slopes are more than 20 percent plus floodfringe	40

Table 8-5. Project density

Number of housing types	Maximum dwelling units per net developable acre
2	20
3	25
4	30

50-1387 Maximum density

The maximum density allowed in a mixed residential housing project is controlled by the number of housing types incorporated into the project (Table 8-5). While the developer may incorporate any number of housing types, the density bonus is only allowed when each housing type accounts for 15 percent or more of the total number of permissible units.

50-1388 Permitted uses

Land uses that are allowed in a mixed residential housing project are listed in Appendix A and B.

50-1389 Dimensional standards

Because a mixed residential housing project may include a variety of housing types at different densities, the developer must establish proposed dimensional standards on a lot-by-lot basis. Once approved, the standards are incorporated in Article 9.

50-1390 Transition with adjoining development

If a multifamily building in a mixed residential housing project adjoins an existing single-family dwelling district, the developer must demonstrate how the project has been designed to create an appropriate transition in building height. Acceptable design solutions may include increased rear-yard setbacks or step-back height controls.

Any step-back control must, at a minimum, comply with the following standard:

- Any portion of the building within 50 feet of the shared lot line may not exceed 35 feet in height.
- From 50 feet to 100 feet of the shared lot line, the maximum building height may increase at a rate of one additional foot for every two feet of additional setback.

50-1391 Review of actual development

If the Village Board approves a mixed residential housing project, development is reviewed consistent with the requirements of this chapter as may apply (e.g., architectural review, site plan review).

50-1392 Amendment

Once a mixed residential housing project is approved, the mix of housing types and dimensional standards may be amended through the text amendment process as set forth in Article 5. An amendment may not exceed the maximum number of dwelling units established for the project unless additional land is added to the project to accommodate the additional dwellings units without an increase in overall density.

50-1393 through 50-1499 reserved

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ARTICLE 9 PROJECT-BASED ZONING DISTRICTS

50-1500 Generally

- a. **Purpose and applicability.** Planned development districts (PDDs) and mixed residential housing (MRH) districts are governed by development standards tailored to the needs of each project within prescribed requirements. Standards for each of the approved districts are documented in this article.
- b. **Other development standards.** Development standards not directly addressed in this section, such as fencing and signage, are subject to applicable Village of Jackson code provisions as applicable.

50-1501 PDD-01 Sysco Planned Development District

- a. **Generally.** The Sysco Planned Development District (PDD-01), as depicted on the zoning map, was established to accommodate the unique needs of a large-scale warehouse and distribution center. Development in this district is subject to the provisions in this section and other sections of this code as applicable.
- b. **Number of parcels.** This district consists of a single parcel.
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-1.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-1. Dimensional standards for PDD-02

Lot area, minimum	10,000 square feet
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	30 feet
Side-yard setback, minimum	12 feet
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	40 feet
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	None/per building code

50-1502 PDD-02 KARM Planned Development District

- a. **Generally.** The KARM Planned Development District (PDD-02), as depicted on the zoning map, was established in 2022 to accommodate the unique needs of a mixed-use commercial development.
- b. **Number of parcels.** This district consists of two adjoining parcels, which must be held in common ownership and treated as a single parcel for all zoning and regulatory purposes.
- c. **Uses allowed by right. Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-2.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-2. Dimensional standards for PDD-02

Lot area, minimum	5 acres
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	50 feet
Side-yard setback, minimum	20 feet
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	35 feet
Building coverage, maximum	60 percent
Impervious surface ratio, maximum	80 percent
Floor area, minimum	None/per building code

50-1503 PDD-03 The Oaks of Jackson Planned Development District

- a. **Generally.** The Oaks of Jackson Planned Development District (PDD-03), consisting of four subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The four subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into various residential lots as follows:
 - Subdistrict A: 40 lots and 2 outlots
 - Subdistrict B: 13 parcels
 - Subdistrict C: 1 lot and 1 outlot
 - Subdistrict D: 2 parcels with a maximum of 40 dwelling units
- c. **Submitted plans adopted by reference.** PDD-04 is created in accordance with the submitted plans and information that accompanied the application submitted December 28, 2022, which is attached to [the ordinance from which this section is derived] as exhibit A. The documents referred to above are hereby made a part of this section.
- d. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix **A**.
- e. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-3.
- f. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-3. Dimensional standards for PDD-03

	Subdistrict A	Subdistrict B	Subdistrict C	Subdistrict D
Lot area, minimum	6,000 square feet	4,000 square feet	37,000 square feet	2,500 square feet per dwelling unit
Lot width at front yard setback, minimum	60 feet*; 70 feet for corner lots	40 feet	350 feet	100 feet
Lot depth, minimum	100 feet	100 feet	NA	100 feet
Front-yard setback, minimum	20 feet*	15 feet	25 feet	15 feet
Side-yard setback, minimum	7 feet	7 feet for house; 2 feet for accessory building	7 feet	7 feet
Corner lot side yard setback, minimum	15 feet from the street side right-of-way	15 feet from the street side right-of-way	15 feet from the street side right-of-way	15 feet
Garage rear yard exclusion zone (interior lots)	N/A	Face of garage may not be placed between 8 and 18 feet from private drive right-of-way to avoid creation of partial parking spaces between the garage and the private drive	N/A	N/A
Rear-yard setback, minimum	15 feet**	15 feet**	15 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet	3 feet	5 feet
Building height, maximum	35 feet	35 feet	35 feet for principal buildings; 15 feet for accessory buildings	40 feet
Impervious surface ratio, maximum	60 percent	80 percent	70 percent	80 percent
Floor area, minimum	None/per building code	None/per building code	700 square feet for a one bedroom; 1,000 square feet for a two-bedroom	None/per building code

*For lots 25, 26, 38, 39, and 40, minimum front yard setbacks shall be increased to 30 feet when needed to meet minimum lot width at the front-yard setback.

** For lots containing the landscape easement, rear yard setbacks will be measured from boundary of the landscape easement, as opposed to the rear property line.

50-1504 PDD-04 Morning Meadows Planned Development District

- a. **Generally.** The Morning Meadows Planned Development District (PDD-04), consisting of two subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The two subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into various residential lots as follows:
 - Subdistrict A: ■ parcels
 - Subdistrict B: ■ parcels
- c. **Submitted plans adopted by reference.** PDD-04 is created in accordance with the submitted plans and information that accompanied the application for phase I and phase II development, submitted July 3, 2020, attached to [the ordinance from which this section is derived] as Exhibit A, and the submitted plans and information that accompanied the application for phase III development, submitted March 23, 2023, attached to [the ordinance from which this section is derived] as Exhibit B. The documents referred to above are hereby made a part of this section.
- d. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- e. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-4.

- f. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-4. Dimensional standards for PDD-04

	Subdistrict A	Subdistrict B
Lot area, minimum	8,000 square feet	4,500 square feet
Lot width at front yard setback, minimum	70 feet	45 feet
Lot depth, minimum	None	None
Front-yard setback, minimum	25 feet	20 feet
Side-yard setback, minimum	8 feet	7 feet
Rear-yard setback, minimum	25 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet
Building height, maximum	35 feet for principal buildings; 15 feet for accessory buildings	35 feet for principal buildings; 15 feet for accessory buildings
Impervious surface ratio, maximum	None	None
Floor area, minimum	800 square feet for one bedroom; 900 square feet for two bedrooms; 1,000 square feet for 3 or more bedrooms	800 square feet for one bedroom; 900 square feet for two bedrooms; 1,000 square feet for 3 or more bedrooms

Note: Subdistrict A consists of those areas referenced as Phase 1 and 2. Subdistrict B consists of those areas referenced as Phase 3.

50-1505 PDD-05 Rytec Corporation Planned Development District

- a. **Generally.** The Rytec Corporation Planned Development District (PDD-05), as depicted on the zoning map, was established to accommodate the unique needs of a building addition that exceeds the maximum building height defined within the zoning code.
- b. **Number of parcels.** This district consists of a single parcel.
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-5.
- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-5. Dimensional standards for PDD-05

Lot area, minimum	10,000 square feet
Lot width at front yard setback, minimum	60 feet
Lot depth, minimum	None
Front-yard setback, minimum	30 feet
Side-yard setback, minimum	12 feet
Corner lot side yard setback, minimum	N/A
Garage rear yard exclusion zone (interior lots)	N/A
Rear-yard setback, minimum	25 feet
Building height, maximum	50 feet
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	None/per building code

50-1506 PDD-06 Laurel Springs Villas Planned Development District

- a. **Generally.** The Laurel Springs Villas Planned Development District (PDD-06), as depicted on the zoning map, was established in 2023 to accommodate the unique needs of a medium-density residential development.
- b. The Oaks of Jackson Planned Development District (PDD-03), consisting of four subdistricts, was established in 2023 to accommodate the unique needs of a mixed density residential development. The four subdistricts are depicted on the zoning map
- c. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into residential lots.
- d. **Submitted plans adopted by reference.** PDD-06 Residential District is created accordance with the submitted plans and information that accompanied the application for development, submitted September 3, 2019, attached to [the ordinance from which this section is derived] as exhibit A. The documents referred to above are hereby made a part of this section.
- e. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- f. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-6.
- g. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-6. Dimensional standards for PDD-06

Lot area, minimum	8,000 square feet
Lot width at front yard setback, minimum	45 feet
Lot depth, minimum	None
Front-yard setback, minimum	25 feet
Side-yard setback, minimum	10 feet
Corner lot side yard setback, minimum	N/A
Garage rear yard exclusion zone (interior lots)	N/A
Rear-yard setback, minimum	25 feet
Paved surface setback, minimum	3 feet
Building height, maximum	35 feet for principal buildings
Building coverage, maximum	None
Impervious surface ratio, maximum	None
Floor area, minimum	800 square feet for one bedroom; 900 square feet for two bedrooms

50-1507 PDD-07 Cobblestone Meadows Planned Development District

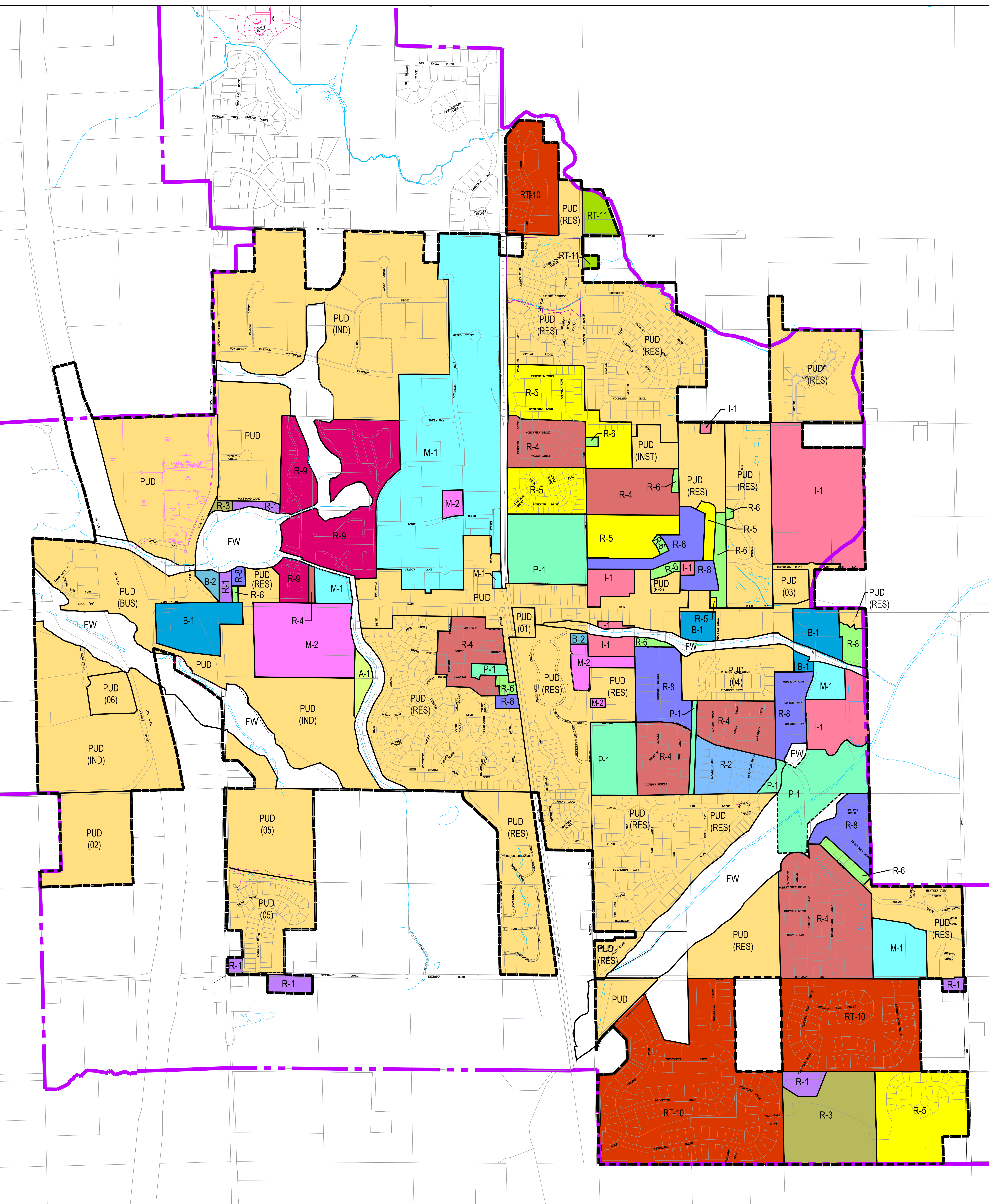
- a. **Generally.** The Cobblestone Meadows Planned Development District (PDD-07), consisting of two subdistricts, was established to accommodate the unique needs of a residential development. The two subdistricts are depicted on the zoning map.
- b. **Number of parcels.** At the time of establishment, this district consisted of a single parcel which has been subdivided into a total of 22 residential lots as follows:
 - Subdistrict A: 16 lots
 - Subdistrict B: 6 lots
- c. **Permitted uses.** Land uses allowed in this district are enumerated in Appendix A.
- d. **Dimensional standards.** Development must comply with the dimensional standards in Table 9-7.

- e. **Division of land restricted.** The subject property may not be subdivided by any means. Further, the configuration of the subject property may not be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

Table 9-7. Dimensional standards for PDD-07

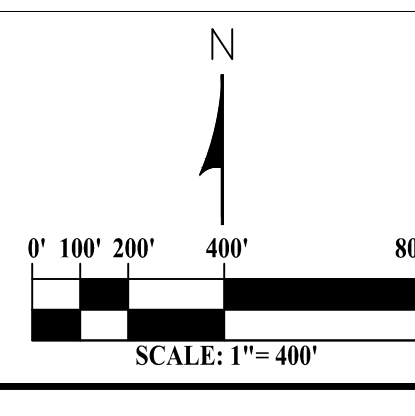
	Subdistrict A	Subdistrict B
Lot area, minimum	10,000 square feet	10,000 square feet
Lot width at front yard setback, minimum	60 feet	60 feet
Lot depth, minimum	None	None
Front-yard setback, minimum	25 feet	25 feet
Side-yard setback, minimum	8 feet	8 feet
Corner lot side yard setback, minimum	N/A	N/A
Garage rear yard exclusion zone (interior lots)	N/A	N/A
Rear-yard setback, minimum	25 feet	15 feet
Paved surface setback, minimum	3 feet	3 feet
Building height, maximum	35 feet for principal buildings; 15 feet for accessory buildings	35 feet for principal buildings; 15 feet for accessory buildings
Building coverage, maximum	None	None
Impervious surface ratio, maximum	None	None
Floor area, minimum	1,400 square feet for a one story; 1,800 square feet for a two-story with at least 900 square feet on first floor	1,400 square feet for a one story; 1,800 square feet for a two-story with at least 900 square feet on first floor

50-1508 through 50-1699 reserved



A-1 Agricultural District	R-5 Single-family Residential District	RT-11 Single-family Residential District	P-1 Park & Recreation District	Existing Corporate Boundary
R-1 Single-family Residential District	R-6 Two-family Residential District	B-1 Community Business District	I-1 Institutional & Public Service District	Sanitary Sewer Service Area
R-2 Single-family Residential District	R-8 Multiple-family Residential District	M-1 Limited Manufacturing District	FW Floodway District	
R-3 Single-family Residential District	R-9 Mobile Home Park Residential District	M-2 General Manufacturing District	PUD Planned Unit Development	
R-4 Single-family Residential District	RT-10 Single-family Residential District			

VILLAGE OF JACKSON ZONING



Proposed Zoning Districts

Discussion Draft 10-15-2025

- R-1 and R-2 combined to form RD-1 (minimum lot area is 14,000 sf)
- R-3 and R-4 combined to form RD-2 (minimum lot area is 10,000 sf)
- R-5 now RD-3
- R-6 now RD-4
- R-8 now RD-5
- A-1 now UT (no mapped parcels)
- C-2 is new and replaces generic commercial PUD along Main Street
- C-3 Village Center District (not in legend) ??
- MRH is a new district (no mapped parcels)
- RLRD is a new district
- CON is a new district

Residential

- RD-1 Single-Family Residential
- RD-2 Single-Family Residential
- RD-3 Single-Family Residential
- RD-4 Single-Family and Two-Family Residential
- RD-5 Multiple-Family Residential
- RD-9 Manufactured Home Neighborhood
- RT-10 Single-Family Residential
- RT-11 Single-Family Residential
- MRH Mixed Residential Housing
- RD-33 Temp class for residential

Planned Development District

- PDD-01 Sysco
- PDD-02 KARM
- PDD-03A The Oaks of Jackson (Subdistrict I)
- PDD-03B The Oaks of Jackson (Subdistrict II)
- PDD-03C The Oaks of Jackson (Subdistrict III)
- PDD-03D The Oaks of Jackson (Subdistrict IV)
- PDD-04A Morning Meadows (Phase I and II)
- PDD-04B Morning Meadows (Phase III)
- PDD-05 Rytec Corporation
- PDD-06 Laurel Springs Villas
- PDD-07 Cobblestone Meadows

Business

- C-1 Community Business
- C-2 Main Street Mixed Use

Industrial

- M-1 Limited Manufacturing
- M-2 General Manufacturing

Special Purpose

- CON Conservancy
- I-1 Institutional and Public Service
- P-1 Park and Recreation
- RLRD Railroad
- UT Urban Transition

