



**Meeting:** Plan Commission

**Meeting Date:** 01/21/13

**Agenda Item:** #10

**Mission Statement**

Delivering quality services in a courteous, cost-effective and efficient manner.

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**PLAN COMMISSION STAFF REPORT**

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**REPORT TO:** Burt R. McIntyre, President, and Plan Commission members

**REPORT FROM:** Dave Wiese, Executive Director of Community Development

**AGENDA ITEM:** **Review current aesthetic requirements for Business, Industrial, and Office Park properties**

**ACTION REQUESTED:** \_\_\_Ordinance    \_\_\_Resolution    \_\_\_Motion      √ Receive/File

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**BACKGROUND**

President McIntyre has requested staff to review with Plan Commission the current aesthetic requirements for Industrial, Business and Office development. Attached are the zoning requirements and covenants that would cover development for those types of properties. At Monday's meeting, staff will review the current zoning map and explain to the Plan Commission the requirements for aesthetics in each district.

**Attachments**

- I** Zoning Map
- II** Industrial Zoning/ Covenants
- III** Business Zoning Regulations
- IV** Office Park (I-6) Zoning regulations and Covenants

- (81) Radio sales and service stores.
- (82) Radio and television stations.
- (83) Real estate offices.
- (84) Recording studios.
- (85) Record, tape, compact disc and sheet music stores.
- (86) Rental service stores.
- (87) Restaurants, excluding businesses primarily engaged in drive-in, drive-through or carry out services.
- (88) Schools, dance, music and business.
- (89) School supply stores.
- (90) Sewing machine sales and service stores.
- (91) Shoe sales and repair shops.
- (92) Sporting goods stores.
- (93) Stationery stores.
- (94) Stock brokers.
- (95) Tailor shops.
- (96) Taverns, cocktail lounges and drinking establishments.
- (97) Taxidermists.
- (98) Telegraph offices.
- (99) Telephone booths.
- (100) Television sales and service stores.
- (101) Theaters, indoor.
- (102) Ticket agencies, amusement.
- (103) Tobacco shops.
- (104) Toy stores.
- (105) Transportation ticket offices.
- (106) Travel agencies.
- (107) Used merchandise stores.
- (108) Variety, miscellaneous and specialty stores.
- (109) Wallpaper shops.

*(Comp. Ords. 2000, § 17.10(3)(a); Ord. No. 2007-17, § 1, 4-23-2007)*

B-1  
zoning

### **Sec. 50-508. - Building architecture and style regulations.**

The building architecture and style regulations in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Except as specifically permitted in subsection (7) of this section, exposed exterior walls shall be surfaced with brick, stone, textured concrete or an equivalent masonry material on all sides. A proportionate amount of decorative nonmasonry material, such as wood, steel, vinyl, etc., shall be permitted on the building exterior for ornamental or accent purposes only.
- (2) Exterior building colors shall be earth tones.
- (3) All buildings shall be similar in character to other buildings in the area.

- (4) All mechanical equipment shall be screened from public view.
- (5) Building walls exceeding 50 feet in length shall be broken or staggered.
- (6) Trash dumpsters and recycling containers. The following regulations shall apply to all exterior trash dumpsters, recycling containers and other refuse storage areas in the business (B-1) zoning district:
  - a. Businesses and uses established on or after February 27, 2009, are as follows:
    1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures constructed of materials matching that of the principal structure on the property.
    2. Doors or gates constructed of decorative metal or vinyl shall be provided at the entrances to enclosures required in subsection (6)a.1. of this section and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.
    3. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.
    4. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.
  - b. Businesses and uses established prior to February 27, 2009 are as follows:
    1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures by February 27, 2014.
    2. Enclosures required in subsection (6)a of this section shall be constructed of wood, metal, vinyl, masonry, or chainlink fencing with privacy slats. The color of such enclosure shall be similar to or shall compliment that of the principal building on the property.
    3. Doors or gates constructed of decorative wood, metal, vinyl, masonry, or chainlink fencing with privacy slats shall be provided at the entrances to enclosures required in subsection (6)b.2 of this section and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.
    4. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.
    5. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.
- (7) Building additions need not comply with the exterior wall surface regulations set forth in subsection (1) of this section as long as the following conditions are met:
  - a. The existing building was constructed prior to the effective date of the ordinance from which this chapter is derived.
  - b. The construction of the existing building was authorized by a valid building permit.
  - c. The total floor area of the building addition does not exceed that of the existing structure.

- d. The exterior wall material used on the building addition is identical to that of the existing structure.

*(Comp. Ords. 2000, § 17.10(8); Ord. No. 03-23, § 1, 9-22-2003; Ord. No. 2005-10, § 1, 3-28-2005; Ord. No. 2005-16, § 1, 7-25-2005; Ord. No. 2009-5, § 1, 2-23-2009)*

### **Sec. 50-509. - Landscaping and green space regulations.**

The landscaping and green space regulations in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) A minimum of one shrub shall be required for every 3,000 square feet of lot area.
- (2) A minimum of one tree shall be required for every 5,000 square feet of lot area. All proposed deciduous trees shall be a minimum of 1¾ inches in diameter and all evergreen trees shall be a minimum of four feet in height at the time of planting. Large maturing shade trees shall account for at least 50 percent of the total trees required.
- (3) Landscape buffers (trees, hedges, plantings, berms or a combination thereof) shall be installed adjacent to and across from all residential areas.

*(Comp. Ords. 2000, § 17.10(9); Ord. No. 03-23, § 2, 9-22-2003)*

### **Sec. 50-510. - Sign regulations.**

The sign regulations set forth in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply:

- (1) Except as specifically allowed in division 4 of article VI of this chapter, exempt signs, and except as specifically allowed in subsection (2) of this section, only monument signs and signs mounted on a building or building appurtenance are permitted in the business (B-1) zoning district.
- (2) Signs which do not comply with the provisions of subsection (1) of this section, and which existed on December 1, 2004, are permitted, provided such signs complied with all applicable ordinances and regulations at the time of initial erection or subsequent alteration, and such signs were covered by valid sign permits, if required. Any such sign may be repaired, structurally modified, altered or replaced as long as such work results in an identical sign or a sign which is more in compliance with the regulations in effect prior to December 1, 2004.
- (3) The total area of all signs on a lot shall not exceed 300 square feet.
- (4) No more than one monument sign shall be permitted on a lot.

*(Comp. Ords. 2000, § 17.10(10); Ord. No. 03-23, § 3, 9-22-2003; Ord. No. 2004-37, § 1, 11-22-2004; Ord. No. 2005-09, § 1, 3-28-2005)*

### **Sec. 50-511. - Parking, drive and loading area regulations.**

The parking, drive and loading area regulations set forth in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Curb and gutter shall be installed around the perimeter or boundary of all parking, drive and loading areas.

- (2) A minimum of ten percent of the surface area of all parking lots shall be landscaped with trees and shrubs.
- (3) The overall height of light fixtures installed to illuminate parking lots and exterior grounds shall not exceed 30 feet or the height of the principal structure, whichever is lesser.
- (4) Projected surface stormwater runoff rates upon project completion shall not exceed Predevelopment rates.
- (5) Sidewalks and pedestrian walkways shall be provided in all developments as an integral part of an overall circulation and transportation network.

*(Comp. Ords. 2000, § 17.10(11); Ord. No. 03-23, § 4, 9-22-2003)*

Howard, Wisconsin, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 50 - ZONING >> ARTICLE IV. - DISTRICTS AND DISTRICT REGULATIONS >> DIVISION 9. - HIGHWAY COMMERCIAL (B-2) ZONING DISTRICT >>

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## DIVISION 9. - HIGHWAY COMMERCIAL (B-2) ZONING DISTRICT

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Sec. 50-527. - Purpose.

Sec. 50-528. - General requirements.

Sec. 50-529. - Uses.

Sec. 50-530. - Lot size and density regulations.

Sec. 50-531. - Setback regulations.

Sec. 50-532. - Building height regulations.

Sec. 50-533. - Floor area ratio regulations.

Secs. 50-534—50-557. - Reserved.

B-2

### Sec. 50-527. - Purpose.

The highway commercial (B-2) zoning district is designed to accommodate those business and retail uses which provide merchandise and services desired by motorists, directly from or for motor vehicles.

*(Comp. Ords. 2000, § 17.11(1))*

### Sec. 50-528. - General requirements.

The following general requirements shall apply in the highway commercial (B-2) zoning district:

- (1) *Uses.* With the exception of approved accessory buildings and uses, only principal retail, office and institutional uses are allowed.
- (2) *Business.* All business shall be conducted directly with consumers.
- (3) *Goods.* All goods produced on a premises shall be sold at retail on the premises where produced.
- (4) *Enclosed buildings.* Except for permitted off-street parking and loading, and except as specifically allowed as a conditional use in accordance with the regulations specified in division 9 of article II of this chapter, all business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings.
- (5) *Plan review.* No building or any improvement shall be erected, placed, or altered on any building site in the highway commercial (B-2) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for review to the village plan commission. The village plan commission shall approve, conditionally approve or disapprove such plans with respect to conformity with this section and other applicable codes and ordinances of the village and with respect to harmony of external design and land use as it affects property within and adjacent to the highway commercial (B-2) zoning

district. Failure on the part of the village plan commission to act within 60 days of submission shall constitute approval of such plans.

(Comp. Ords. 2000, § 17.11(2); Ord. No. 2007-15, § 2, 3-26-2007)

### **Sec. 50-529. - Uses.**

The following uses are allowed in the highway commercial (B-2) zoning district. All other uses not specifically listed are prohibited:

- (1) *Permitted uses.* The following uses are permitted in the highway commercial (B-2) zoning district:
  - a. All permitted uses allowed in the business (B-1) zoning district as specified in section 50-502
  - b. All conditional uses allowed in the business (B-1) zoning district as specified in section 50-503 except planned developments in section 50-503(17) and outside business, servicing, processing, sales or storage in section 50-529(2)e.
  - c. Commercial publishing and printing establishments.
  - d. Hospitals.
  - e. Motorcycle dealers.
  - f. Motor vehicle dealers.
  - g. Motor vehicle rental and leasing businesses.
  - h. Motor vehicle repair shops and service centers.
  - i. Passenger transportation services.
  - j. Recreational vehicle dealers.
  - k. Repair shops, miscellaneous.
  - l. Roominghouses and boardinghouses.
  - m. Trailer dealers, utility.
- (2) *Conditional uses.* Subject to the regulations specified in division 9 of article II of this chapter, the following uses are permitted in the highway commercial (B-2) zoning district:
  - a. Courier, delivery and messenger services.
  - b. Farm machinery and equipment dealers.
  - c. Manufactured home dealers.
  - d. Miniwarehouses.
  - e. Planned developments.
  - e. Outside business, servicing, processing, sales or storage (any use or activity, other than off-street parking and loading, not conducted within completely enclosed buildings).
  - g. Trade schools.
  - h. Other manufacturing, distribution, assembling, processing, storage, and light industrial uses as determined by the village plan commission and village board to be compatible with or of the same general character as the uses permitted in subsection (1) of this section, permitted uses.

(Comp. Ords. 2000, § 17.11(3))

### **Sec. 50-530. - Lot size and density regulations.**

Lots in the highway commercial B-2 zoning district shall have an area of at least 7,500 square feet per business establishment and a width of at least 100 feet.

*(Comp. Ords. 2000, § 17.11(4))*

#### **Sec. 50-531. - Setback regulations.**

Unless otherwise regulated in this article, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the setback regulations for lots in the highway commercial (B-2) zoning district shall be the same as the setback regulations for lots in the business (B-1) zoning district specified in section 50-503. When a lot in the highway commercial (B-2) zoning district abuts or adjoins a lot in a residential zoning district, however, the setback to the common property line shall conform to the setback regulations for the adjacent residential district, but in no case shall the setback be less than ten feet.

*(Comp. Ords. 2000, § 17.11(5))*

#### **Sec. 50-532. - Building height regulations.**

Except as provided in division 3 of article V of this chapter, buildings and structures in the highway commercial (B-2) zoning district shall not exceed 65 feet in height.

*(Comp. Ords. 2000, § 17.11(6); Ord. No. 2006-04, § 11, 1-23-2006)*

#### **Sec. 50-533. - Floor area ratio regulations.**

The floor area ratio in the highway commercial (B-2) zoning district shall not exceed two.

*(Comp. Ords. 2000, § 17.11(7))*

#### **Secs. 50-534—50-557. - Reserved.**

B-3

**Sec. 50-779. - Building architecture and style regulations.**

The building architecture and style regulations as set forth in this section shall apply in the Neighborhood Commercial (B-3) zoning district. In the event any of these regulations conflicts with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Exterior wall materials shall consist of stone, brick or textured masonry on all sides.
- (2) Exterior building colors shall be earth tones.
- (3) All buildings shall be similar in character to other buildings in the area.
- (4) All mechanical equipment shall be screened from public view.
- (5) Building walls exceeding 50 feet in length shall be broken or staggered.
- (6) The following regulations shall apply to all exterior trash dumpsters, recycling containers and other refuse storage areas in the Neighborhood Commercial (B-3) zoning district:
  - a. Businesses and uses established on or after February 27, 2009.
    1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures constructed of materials matching that of the principal structure on the property.
    2. Doors or gates constructed of decorative metal or vinyl complimenting those materials used to construct the enclosure shall be provided at the entrances to enclosures required in subsection (6)a.1 and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.
    3. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.
    4. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.
  - b. Businesses and uses established prior to February 27, 2009.
    1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures by February 27, 2014.
    2. Enclosures required in subsection (6)b.1 shall be constructed of wood, metal, vinyl, masonry, or chain-link fencing with privacy slats. The color of such enclosure shall be similar to or shall compliment that of the principal building on the property.
    3. Doors or gates constructed of decorative wood, metal, vinyl, masonry, or chainlink fencing with privacy slats complimenting those materials used to construct the enclosure shall be provided at the entrances to enclosures required in subsection (6)b.1 and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.
    - 4.

Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.

5. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.

*(Ord. No. 2010-20, § 1, 8-23-2010)*

### **Sec. 50-780. - Landscaping and green space regulations.**

The landscaping and green space regulations as set forth in this section shall apply in the Neighborhood Commercial (B-3) zoning district. In the event any of these regulations conflicts with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Building facades within public view shall have adjacent landscaping.
- (2) At least 25 percent of the area of each building lot or project site shall be developed as green space.
- (3) A minimum of one shrub shall be required for every 3,000 square feet of lot area.
- (4) A minimum of one tree shall be required for every 5,000 square feet of lot area. All proposed deciduous trees shall be a minimum of one and three-quarter inches in diameter and all evergreen trees shall be a minimum of four feet in height at the time of planting. Large maturing shade trees shall account for at least 50 percent of the total trees required.
- (5) Where practical, stormwater detention areas shall be incorporated into site development plans and may be utilized as required green space.
- (6) Landscape buffers (trees, hedges, plantings, berms or a combination thereof) shall be installed adjacent to and across from all residential areas.
- (7) A bond or letter of credit shall be required to ensure the completion of all required landscaping.
- (8) All landscaping and green space areas required by this section shall be properly maintained.

*(Ord. No. 2010-20, § 1, 8-23-2010)*

### **Sec. 50-781. - Sign regulations.**

The sign regulations set forth in this section shall apply in the Neighborhood Commercial (B-3) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Only wall-mounted and monument signs are permitted except as specifically allowed in division 4 of article VI of this chapter, exempt signs.
- (2) Wall-mounted signs shall not occupy more than ten percent of the area of the wall upon which they are mounted.
- (3) No more than one monument sign shall be permitted per lot or tax parcel.
- (4) Monument signs shall not exceed eight feet in height or 40 square feet in area per side.
- (5) The ratio of the height of a monument sign to its width (height/width) shall be less than one.
- (6)

Monument signs shall be located adjacent to principal structures.

- (7) Signs may only display the name, logo and street address of the business to which they pertain.
- (8) The total area of all signs on a lot shall not exceed 300 square feet except as specifically allowed as a conditional use in accordance with division 9 of article II of this chapter.
- (9) Signs shall not be highly illuminated and shall not constitute a distraction or nuisance to the public.

*(Ord. No. 2010-20, § 1, 8-23-2010)*

### **Sec. 50-782. - Parking, drive and loading area regulations.**

The parking, drive and loading area regulations set forth in this section shall apply in the Neighborhood Commercial (B-3) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Curbs and gutters shall be installed around the perimeter or boundary of all parking, drive and loading areas.
- (2) A minimum of ten percent of the surface area of all parking lots shall be landscaped with trees and shrubs.
- (3) All loading areas shall be screened from public view by a berm, wall, solid fence, plantings or a combination thereof at least eight feet high.
- (4) Loading areas shall not face public streets.
- (5) The overall height of light fixtures installed to illuminate parking lots and exterior grounds shall not exceed 30 feet or the height of the principal structure, whichever is lesser.
- (6) Projected surface stormwater runoff rates upon project completion shall not exceed predevelopment rates.
- (7) Sidewalks and pedestrian walkways shall be provided in all developments as an integral part of an overall circulation and transportation network.

*(Ord. No. 2010-20, § 1, 8-23-2010)*

### **Secs. 50-783—50-802. - Reserved.**

Industrial

Howard, Wisconsin, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 50 - ZONING >> ARTICLE IV. - DISTRICTS AND DISTRICT REGULATIONS >> DIVISION 10. - GENERAL INDUSTRIAL (I-1) ZONING DISTRICT >>

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## DIVISION 10. - GENERAL INDUSTRIAL (I-1) ZONING DISTRICT

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Sec. 50-558. - Purpose.

Sec. 50-559. - General requirements.

Sec. 50-560. - Uses.

Sec. 50-561. - Permitted uses.

Sec. 50-562. - Conditional uses.

Sec. 50-563. - Lot size and density regulations.

Sec. 50-564. - Setback regulations.

Sec. 50-565. - Building height regulations.

Sec. 50-566. - Floor area ratio regulations.

Secs. 50-567—50-593. - Reserved.

### **Sec. 50-558. - Purpose.**

The general industrial (I-1) zoning district is designed to accommodate those heavy industrial activities which, by their character, should be relatively remote from residential, business and commercial development and which are not obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic matter, noxious matter, glare or heat.

*(Comp. Ords. 2000, § 17.12(1))*

### **Sec. 50-559. - General requirements.**

The following general requirements shall apply in the general industrial (I-1) zoning district:

- (1) *Enclosed buildings.* All business, servicing, processing, and manufacturing operations within 300 feet of a residential, business or commercial zoning district shall be conducted within completely enclosed buildings.
- (2) *Storage.* Except for permitted off-street parking and loading, all business, servicing, processing, manufacturing operations and storage within 300 feet of a residential, business or commercial zoning district shall be within completely enclosed buildings or effectively screened by a solid wall or fence (including solid entrance and exit gates) not less than six feet nor more than eight feet in height.
- (3) *Plan review.* No building or any improvement shall be erected, placed, or altered on any building site in the general industrial (I-1) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for review to the village plan commission. The village plan commission shall approve, conditionally approve or disapprove such plans with respect to conformity with this section and other applicable codes and ordinances of the village and with respect to harmony of external design and land use as it affects

property within and adjacent to the general industrial (I-1) zoning district. Failure on the part of the village plan commission to act within 60 days of submission shall constitute approval of such plans.

*(Comp. Ords. 2000, § 17.12(2); Ord. No. 2007-15, § 3, 3-26-2007)*

### **Sec. 50-560. - Uses.**

The uses set forth in sections 50-561 and 50-562 are permitted and conditional uses in the general industrial (I-1) zoning district. All other uses not specifically listed are prohibited.

*(Comp. Ords. 2000, § 17.12(3)(intro.))*

### **Sec. 50-561. - Permitted uses.**

The following are permitted uses in the general industrial (I-1) zoning district:

- (1) Accessory buildings and uses, subject to the regulations specified in division 3 of article V of this chapter.
- (2) Abrasive manufacturing.
- (3) Asphalt products manufacturing.
- (4) Bakeries, excluding retail outlets. See section 50-502(7).
- (5) Bedding manufacturing.
- (6) Boot and shoe manufacturing.
- (7) Bottling companies.
- (8) Brick and masonry products manufacturing.
- (9) Carpet and flooring manufacturing.
- (10) Cartage facilities.
- (11) Chemical manufacturing and processing.
- (12) Cloth products manufacturing.
- (13) Concrete mixing plants.
- (14) Contractors' offices, shops and yards.
- (15) Cosmetic production.
- (16) Dairy products manufacturing, processing and packaging.
- (17) Electronic and scientific instrument manufacturing.
- (18) Electroplating facilities.
- (19) Feed mills, including feed and seed sales outlets.
- (20) Food manufacturing, processing and packaging, excluding meat packing.
- (21) Foundries and forge plants.
- (22) Freight terminals.
- (23) Furniture manufacturing and upholstery.
- (24) Fur processing plants.
- (25) Glass products manufacturing.
- (26) Grain storage and processing.
- (27) Graphite products manufacturing.
- (28) Laboratories, research and testing.
- (29) Laundries, nonretail.

- (30) Leather tanning and processing.
- (31) Lithographing facilities.
- (32) Machinery and appliance manufacturing.
- (33) Machine shops.
- (34) Mail order houses.
- (35) Metal stamping.
- (36) Motor vehicle repair shops and service centers.
- (37) Musical instrument manufacturing.
- (38) Orthopedic and medical appliance manufacturing.
- (39) Paint products manufacturing.
- (40) Paper products manufacturing.
- (41) Parking lots, garages and structures (nonaccessory).
- (42) Petroleum products manufacturing, processing and storage.
- (43) Plastic and plastic products manufacturing.
- (44) Printing and publishing establishments (nonretail).
- (45) Public utility, governmental and service uses.
- (46) Radio and television stations and towers.
- (47) Rope, cord and twine manufacturing.
- (48) Rubber manufacturing and processing.
- (49) Sign manufacturing.
- (50) Sporting goods manufacturing.
- (51) Steel manufacturing.
- (52) Stone products manufacturing.
- (53) Trade schools.
- (54) Trucking facilities.
- (55) Warehousing, storage and distribution facilities.
- (56) Woodworking and wood products manufacturing.
- (57) Wearing apparel manufacturing.

*(Comp. Ords. 2000, § 17.12(3)(a))*

### **Sec. 50-562. - Conditional uses.**

Subject to the regulations specified in division 9 of article II of this chapter, the following uses are conditional uses in the general industrial (I-1) zoning district:

- (1) Airports.
- (2) Insulation manufacturing.
- (3) Junkyard and salvage businesses.
- (4) Meat packing.
- (5) Metal reduction and refinement.
- (6) Planned developments.
- (7) Rendering plants.
- (8) Soap manufacturing.
- (9) Limited nonaccessory retail, office and business uses which are compatible with and operated concurrently in the same building as a permitted use.

*(Comp. Ords. 2000, § 17.12(3)(b))*

**Sec. 50-563. - Lot size and density regulations.**

Lots in the general industrial (I-1) zoning district shall have an area of at least 15,000 square feet per business establishment and a width of at least 100 feet.

*(Comp. Ords. 2000, § 17.12(4))*

**Sec. 50-564. - Setback regulations.**

Unless otherwise regulated in article V of this chapter, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the setback regulations for lots in the general industrial (I-1) zoning district shall be the same as the setback regulations for lots in the business (B-1) zoning district specified in section 50-503. When a lot in the general industrial (I-1) zoning district abuts or adjoins a lot in a residential zoning district, however, the setback to the common property line shall conform to the setback regulations for the adjacent residential district, but in no case shall the setback be less than 25 feet.

*(Comp. Ords. 2000, § 17.12(5))*

**Sec. 50-565. - Building height regulations.**

Except as provided in sections 50-861, 50-930 and 50-985, buildings and structures in the general industrial (I-1) zoning district shall not exceed 65 feet in height.

*(Comp. Ords. 2000, § 17.12(6); Ord. No. 2006-04, § 12, 1-23-2006)*

**Sec. 50-566. - Floor area ratio regulations.**

The floor area ratio in the general industrial (I-1) zoning district shall not exceed two.

*(Comp. Ords. 2000, § 17.12(7))*

**Secs. 50-567—50-593. - Reserved.**

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## DIVISION 12. - INDUSTRIAL PARK-LIGHT INDUSTRY (I-3) ZONING DISTRICT

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Sec. 50-623. - Purpose.

Sec. 50-624. - General requirements.

Sec. 50-625. - Uses.

Sec. 50-626. - Lot size and density regulations.

Sec. 50-627. - Setback regulations.

Sec. 50-628. - Building height regulations.

Sec. 50-629. - Floor area ratio regulations.

Secs. 50-630—50-646. - Reserved.

### **Sec. 50-623. - Purpose.**

The industrial park-light industry (I-3) zoning district is one of three zoning districts located within the village industrial park and is designed primarily to accommodate business and light industrial uses.

*(Comp. Ords. 2000, § 17.14(1))*

### **Sec. 50-624. - General requirements.**

The following general requirements shall apply in the industrial park-light industry (I-3) zoning district:

- (1) *Enclosed buildings.* Except for permitted off-street parking and loading, and except as specifically allowed as a conditional use in accordance with the regulations specified in division 9 of article II of this chapter, all business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings.
- (2) *Land use controls.* All development shall comply with the requirements set forth in the village industrial park land use controls.
- (3) *Plan review.* No building or any improvement shall be erected, placed or altered on any building site in the Industrial Park-Light Industry (I-3) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for approval to the plan commission. The plan commission shall approve or disapprove such plans with respect to conformity with the village industrial park land use controls and other applicable codes and ordinances of the village, and with respect to harmony of external design and land use as it affects property within and adjacent to the industrial park.

*(Comp. Ords. 2000, § 17.14(2); Ord. No. 2011-1, § 2, 1-10-2011)*

### **Sec. 50-625. - Uses.**

The following uses are allowed in the industrial park-light industry (I-3) zoning district. All other uses not specifically listed are prohibited:

- (1) *Permitted uses.* The following uses are permitted in the industrial park-light industry (I-3) zoning district:
  - a. All permitted uses allowed in the industrial park-business (I-2) zoning district as specified in section 50-597
  - b. Bakeries.
  - c. Bedding manufacturing.
  - d. Carpet and flooring manufacturing.
  - e. Cloth products manufacturing.
  - f. Contractors' offices, shops and yards.
  - g. Dairy products manufacturing, processing and packaging.
  - h. Electronic and scientific instrument manufacturing.
  - i. Farm machinery and equipment dealers
  - j. Glass products manufacturing.
  - k. Lithographing.
  - l. Machinery and appliance manufacturing (light).
  - m. Manufactured home dealers.
  - n. Musical instrument manufacturing.
  - o. Orthopedic and medical appliance manufacturing.
  - p. Printing and publishing establishments.
  - q. Radio and television towers.
  - r. Sign manufacturing.
  - s. Sporting goods manufacturing.
  - t. Trade schools.
  - u. Warehousing, storage and distribution facilities, excluding miniwarehouses (self-service storage facilities).
- (2) *Conditional uses.* Subject to the regulations specified in division 9 of article II of this chapter, the following are conditional uses in the industrial park-light industry (I-3) zoning district:
  - a. Woodworking and wood products manufacturing.
  - b. Outside business, servicing, processing, manufacturing operations or storage (any use or activity, other than off-street parking and loading, not conducted within completely enclosed buildings).
  - c. Other manufacturing, assembling, processing, storage, business or commercial uses determined by the village plan commission to be of the same general character as the uses permitted in subsection (1) of this section which are not obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic matter, noxious matter, glare or heat.
  - d. Miniwarehouses (self-service storage facilities).

(Comp. Ords. 2000, § 17.14(3); Ord. No. 2005-27, §§ 1, 2, 10-24-2005)

## **Sec. 50-626. - Lot size and density regulations.**

Lots in the industrial park-light industry (I-3) zoning district shall have an area of at least 10,000 square feet per business establishment and a width of at least 100 feet.

*(Comp. Ords. 2000, § 17.14(4))*

**Sec. 50-627. - Setback regulations.**

Unless otherwise regulated in article V of this chapter, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the setback regulations for lots in the industrial park-light industry (I-3) zoning district shall be the same as the setback regulations for lots in the industrial park-business (I-2) zoning district specified in section 50-600.

*(Comp. Ords. 2000, § 17.14(5))*

**Sec. 50-628. - Building height regulations.**

Except as provided in division 3 of article V of this chapter, buildings and structures in the industrial park-light industry (I-3) zoning district shall not exceed 80 feet in height.

*(Comp. Ords. 2000, § 17.14(6); Ord. No. 2006-04, § 14, 1-23-2006)*

**Sec. 50-629. - Floor area ratio regulations.**

The floor area ratio in the industrial park-light industry (I-3) zoning district shall not exceed two.

*(Comp. Ords. 2000, § 17.14(7))*

**Secs. 50-630—50-646. - Reserved.**

Howard, Wisconsin, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 50 - ZONING >> ARTICLE IV. - DISTRICTS AND DISTRICT REGULATIONS >> DIVISION 13. - INDUSTRIAL PARK-HEAVY INDUSTRY (I-4) ZONING DISTRICT >>

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## **DIVISION 13. - INDUSTRIAL PARK-HEAVY INDUSTRY (I-4) ZONING DISTRICT**

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Sec. 50-647. - Purpose.

Sec. 50-648. - General requirements.

Sec. 50-649. - Uses.

Sec. 50-650. - Lot size and density regulations.

Sec. 50-651. - Setback regulations.

Sec. 50-652. - Building height regulations.

Sec. 50-653. - Floor area ratio regulations.

Secs. 50-654—50-679. - Reserved.

### **Sec. 50-647. - Purpose.**

The industrial park-heavy industry (I-4) zoning district is one of three zoning districts located within the village industrial park and is designed primarily to accommodate light and heavy industrial uses.

*(Comp. Ords. 2000, § 17.15(1))*

### **Sec. 50-648. - General requirements.**

The following general requirements shall apply in the industrial park-heavy industry (I-4) zoning district:

- (1) *Enclosed buildings.* Except for permitted off-street parking and loading, and except as specifically allowed as a conditional use in accordance with the regulations specified in division 9 of article II of this chapter, all business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings.
- (2) *Land use controls.* All development shall comply with the requirements set forth in the village industrial park land use controls.
- (3) *Plan review.* No building or any improvement shall be erected, placed or altered on any building site in the Industrial Park-Heavy Industry (I-4) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for approval to the plan commission. The plan commission shall approve or disapprove such plans with respect to conformity with the village industrial park land use controls and other applicable codes and ordinances of the village, and with respect to harmony of external design and land use as it affects property within and adjacent to the industrial park.

*(Comp. Ords. 2000, § 17.15(2); Ord. No. 2011-1, § 3, 1-10-2011)*

### **Sec. 50-649. - Uses.**

The following uses are allowed in the industrial park-heavy industry (I-4) zoning district. All other uses not specifically listed are prohibited:

- (1) *Permitted uses.* The following uses are permitted in the industrial park-heavy industry (I-4) zoning district:
  - a. All permitted uses allowed in the industrial park-light industry (I-3) zoning district as specified in section 50-625(1).
  - b. Abrasive manufacturing.
  - c. Asphalt products manufacturing.
  - d. Boot and shoe manufacturing.
  - e. Bottling companies.
  - f. Brick and masonry products manufacturing.
  - g. Carpet and flooring manufacturing.
  - h. Cartage facilities.
  - i. Electroplating facilities.
  - j. Fabric manufacturing.
  - k. Food manufacturing, processing and packaging (excluding meat packing).
  - l. Freight terminals.
  - m. Fur processing plants.
  - n. Furniture manufacturing and upholstery.
  - o. Grain storage and processing.
  - p. Graphite products manufacturing.
  - q. Leather tanning and processing.
  - r. Machinery manufacturing.
  - s. Metal stamping.
  - t. Metal products manufacturing.
  - u. Rope, cord and twine manufacturing.
  - v. Rubber manufacturing and processing.
  - w. Steel manufacturing.
  - x. Stone products manufacturing.
  - y. Transportation equipment manufacturing.
  - z. Wearing apparel manufacturing.
  - aa. Woodworking and wood products manufacturing.
- (2) *Conditional uses.* Subject to the regulations specified in division 9 of article II of this chapter, the following are conditional uses in the industrial park-heavy industry (I-4) zoning district:
  - a. Outside business, servicing, processing, manufacturing operations or storage (any use or activity, other than off-street parking and loading, not conducted within completely enclosed buildings).
  - b. Chemical manufacturing and processing.
  - c. Concrete products manufacturing and mixing plants.
  - d. Cosmetic production.
  - e. Feed mills (including feed and seed sales outlets).
  - f. Foundries and forge plants.

- g. Meat packing.
- h. Paint products manufacturing.
- i. Petroleum products manufacturing, processing and storage.
- j. Plastic and plastic products manufacturing.
- k. Railroad facilities.
- l. Other manufacturing, assembling, processing, storage, business or commercial uses determined by the village plan commission to be of the same general character as the uses permitted in subsection (1) of this section which are not obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic matter, noxious matter, glare or heat.
- m. Miniwarehouses (self-service storage facilities).

*(Comp. Ords. 2000, § 17.15(3); Ord. No. 2005-27, § 3, 10-24-2005)*

### **Sec. 50-650. - Lot size and density regulations.**

Lots in the industrial park-heavy industry (I-4) zoning district shall have an area of at least 20,000 square feet per business establishment and a width of at least 100 feet.

*(Comp. Ords. 2000, § 17.15(4))*

### **Sec. 50-651. - Setback regulations.**

Unless otherwise regulated in article V of this chapter, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the setback regulations for lots in the industrial park-heavy industry (I-4) zoning district shall be the same as the setback regulations for lots in the industrial park-business (I-2) zoning district specified in section 50-600.

*(Comp. Ords. 2000, § 17.15(5))*

### **Sec. 50-652. - Building height regulations.**

Except as provided in division 3 of article V of this chapter, buildings and structures in the industrial park-heavy industry (I-4) zoning district shall not exceed 80 feet in height.

*(Comp. Ords. 2000, § 17.15(6); Ord. No. 2006-04, § 15, 1-23-2006)*

### **Sec. 50-653. - Floor area ratio regulations.**

The floor area ratio in the industrial park-heavy industry (I-4) zoning district shall not exceed two.

*(Comp. Ords. 2000, § 17.15(7))*

### **Secs. 50-654—50-679. - Reserved.**

VILLAGE OF HOWARD BROOKFIELD INDUSTRIAL PARK  
LAND USE CONTROLS

1. PLAN APPROVAL

No building, or any improvement shall be erected, placed or altered on any building site in the Industrial Park until the plans for such building or improvement, including site plan, landscape plan, building plan, and specifications have been approved by the Village Board or its designated agent or representative. Said Village Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with these controls all other applicable enactments of the Village, and with respect to harmony of external design and land use as it affects property within and adjacent to the Industrial Park.

Failure of the aforesaid Village Board or its designated agent or representative to act upon such building or improvement plans within sixty (60) days after submission to the Village of Trustees shall constitute an approval of such plans.

2. SETBACKS

- A. No part or portion of any building shall be erected constructed, or extended nearer than thirty (30) feet of the front line of any parcel in said Industrial Park. Employee Parking of automobiles shall be prohibited at all times within thirty (30) feet of the front line of any parcel in said Industrial Park. Parking may be allowed within the thirty (30) foot setback when approved by the Village Board or its designated agent or representative but not closer then ten (10) feet from the curb and gutter line. The thirty (30) foot setback shall be entirely graded and sodded or seeded between side for lines and from the road shoulder to the building face in a manner that will produce an acceptable lawn, excepting only such areas as may be required for driveways, visitor parking, or walks.
- B. All driveways shall be surfaced with hot-mixed asphalt or concrete from the Village street surface to the front building face. All walks shall be of concrete.
- C. All such landscaping, drive, and walks shall be completed within one (1) year after occupancy of building.
- D. No part or portion of any building shall be erected, constructed or extended nearer than ten (10) feet to any interior side lot or easement. Setbacks on the street side of corner lots shall be thirty (30) feet, and the use of such area shall be in accordance with the provisions of paragraph 2 of these controls. The parking or storage of company owned trucks, products or equipment shall be prohibited in this area. No part or portion of any building shall be erected, constructed, or extended nearer than fifteen (15) feet to any rear lot line, or within any easement.

### 3. CONSTRUCTION AND MATERIALS

The front of all buildings, and the side, extending a minimum of twenty (20) feet, or rear of all buildings when facing a street (including side streets on corner lots) shall be faced with decorative masonry or other material approved by the Village Board or its designated agent or representative, and said facing shall extend to a natural dividing point approved by the Village Board or its designated agent or representative.

The front of a building that is set back two hundred (200) feet or more may be partially faced with concrete block, subject to approval of said Village Board or its designated agent or representative. On corner lots, if the side of the building, other than the front, is set back two hundred (200) feet or more from the side lot line, then the facing may be of any material as approved by the Village Board as long as it is consistent with other provisions herein. For the purpose of this control, standard, lightweight or cinder concrete block with conventional staggered joint design are not considered decorative masonry.

All faces of the buildings must be kept in good repair and appearance at all times.

No building shall be so similar to or so at variance with neighboring buildings as to constitute a depreciation to the immediate neighborhood.

### 4. LANDSCAPING

A minimum of twenty-five (25) percent greenspace is required for the overall site. The front yard area of the site be graded, landscaped, and planted with trees, shrubs, ground cover, and appropriate natural landscaping materials, and shall be in place within one (1) year after occupancy of building. Landscaping shall relate to buildings and paved surfaces as to scale, mass, size, shape, and color. At time of planting, vegetation shall be of sufficient size as to noticeably enhance the site (i.e. whips are inappropriate as primary landscaping elements). Existing trees should be preserved whenever possible and may be substituted for part of the required landscaping. Plant material shall be of hardy quality, preferable native of Wisconsin. Weedy or short-lived trees such as Box Elder, Poplar, American Elm, or Willow shall not be acceptable. Property owners shall be responsible for maintenance of vegetation and replacement of any defective plant material.

Landscape Design Plans must be submitted with building plans before receiving a building permit. The plan will be reviewed by the Village Forester. Number of trees required will be 8 trees per acre and 14 shrubs per acre.

Before a Certificate of Occupancy is given all landscaping must be provided. In the event it is not done or completed, the Village must be given an irrevocable Letter of Credit or Certified Check payable to the Village, in an amount equaling one and one-half (1 ½) times the cost of all incomplete landscaping and including a one (1) year guaranty cost as determined reasonable by the Forester. If work is not completed within six (6) months of occupancy, the security will be used by the Village to complete the installation.

Failure to maintain landscaping at any time will provide the Village the right to maintain any landscaping and assess the property owner for any costs occurred.

All grass and weeds must be cut whenever necessary. If grass and weeds are not maintained the

Village of Howard may serve notice and if not complied with in one (1) week, the Village may cut same and add this cost to the lot owners' real estate tax bill.

5. PARKING

All parking lots shall be surfaced with hot-mixed asphalt or concrete. All walks shall be of concrete. One (1) parking stall of not less than one hundred eighty (180) square feet, excluding drives and approaches, shall be provided on each property for every one thousand (1000) square feet of building area or for every two (2) employees, whichever amount constitutes the greater number of stalls. Parking stalls shall be added on each property as required to accommodate all employees. Variances may be granted by the Village Board for warehouse or similar uses upon proof that such parking controls are not realistic. Village streets will not be designed by the Village to provide parking.

6. OUTDOOR STORAGE

No outside storage of any kind shall be permitted unless such stored material is visually screened from all streets with a six (6) foot high suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings. Outdoor storage of fuel oil or other bulk fluids must be underground unless otherwise approved. Storage areas shall be maintained in an orderly and dust free condition.

7. ERECTION OF A STRUCTURE

Purchaser agrees to the following conditions:

A. Purchaser will, within a period of time from the date hereof, to be negotiated at the time of purchase, erect a building, or structure for such purpose or purposes as may be permitted under the terms of these restrictions, the zoning ordinance, and in accordance with the building code. In the event of the purchaser's failure to perform this condition within the time specified, the Village shall, within sixty (60) days after the termination of said period, upon written notice to the purchaser, have the option to repurchase said property for an amount of money equal to the purchase price paid by the purchaser, plus any special assessments.

OR

B. Purchaser has an indefinite period of time from date thereof to erect a building or structure for such purpose or purposes as may be permitted under the applicable zoning ordinances and in accordance with building codes. If the purchaser desires to sell before any building or structure has been erected, the Village shall automatically be assigned an option for sixty (60) days to repurchase said property for an amount of money equal to the purchase price paid by the purchaser, plus any special assessments.

8. RESALE OF PROPERTY

In the event any purchaser of land from the Village of Howard elects to sell any portion thereof, which is not being used in connection with the business or industry of purchaser, or which

purchaser desires to sell separate and distinct from any sale of the business or industry being conducted by purchaser the same first be offered for sale, in writing, to the Village of Howard at the price per acre paid for such land by the purchaser, together with cost of any improvements thereon for by the purchaser and any special assessments paid by purchaser relating to such lands with interest at the rate of 5 % per annum from date of payment of the purchase price of said lands by purchaser, from the date of payment of any cost of improvements on side lands by purchaser and from the date of payment of any special assessments by purchaser relating to such lands, to date of repurchase by the Village.

The Village shall have ninety (90) days from date of receipt of such offer to accept or reject the same, unless an extension of time may of time may be mutually agreed upon and set forth in writing. Acceptance or rejection of such offer shall be indicated by resolution adopted by the Village Board of the Village of Howard.

In the event of acceptance of such offer by the Village, conveyance shall be by warranty deed free and clear of all liens or encumbrances created by act or default of purchaser.

If the Village of Howard fails to act on such offer of sale within ninety (90) days from receipt thereof said aforesaid or rejects said offer, purchaser may then sell said lands to any person, firm or corporation, and the Village shall have no further interest therein, except that any use of said lands by any subsequent purchaser shall be subject to applicable zoning, ordinances, controls and regulations of the Village relating to the use of said premises at the time of such sale.

Paragraph 8 of these controls may be modified by a majority vote of the Village Board of the Village of Howard.

#### 9. INVALIDATION

Invalidation of any one of these covenants or controls contained within this Declaration of Controls, by judgement or court order, shall in no way affect any of the other provisions hereof which shall remain in full force and effect.

#### 10. SIGNS

Permanent signage shall be limited to name, corporate logo, and address only. Only wall mount and ground/monument signs will be permitted. All signs are to be in conventional good taste and to be approved by the Village Board before erection.

#### 11. VARIANCES

All variances from these agreements must be approved in writing by the Village Board.

VILLAGE OF HOWARD INDUSTRIAL PARK  
LAND USE CONTROLS

1. PLAN APPROVAL

No building, or any improvement shall be erected, placed or altered on any building site in the Industrial Park until the plans for such building or improvement, including site plan, landscape plan, building plan, and specifications have been approved by the Village Board or its designated agent or representative. Said Village Board or its designated agent or representative shall approve or disapprove such plans with respect to conformity with these controls all other applicable enactments of the Village, and with respect to harmony of external design and land use as it affects property within and adjacent to the Industrial Park.

Failure of the aforesaid Village Board or its designated agent or representative to act upon such building or improvement plans within 60 days after submission to the Village of Trustees shall constitute an approval of such plans.

2. SETBACKS

- A. No part or portion of any building shall be erected constructed, or extended nearer than thirty-five (35) feet of the front line of any parcel in said Industrial Park. Employee parking of automobiles shall be prohibited at all times within thirty-five (35) feet of the front line of any parcel in said Industrial Park. Parking may be allowed within the thirty-five foot setback when approved by the Village Board or its designated agent or representative but not closer then ten feet from the curb and gutter line. The thirty-five foot setback shall be entirely graded and sodded or seeded between side for lines and from the road shoulder to the building face in a manner that will produce an acceptable lawn , excepting only such areas as may be required for driveways, visitor parking , or walks.
- B. All driveways shall be surfaced with hot-mixed asphalt, concrete or cement concrete from the Village street surface to the front building face. All walks shall be of cement concrete.
- C. All such landscaping, drive, and walks shall be completed within one year after occupancy of building.
- D. No part or portion of any building shall be erected, constructed or extended nearer than (10) feet to any interior side lot or easement. The combined total of sideyards for any interior parcel shall not be less than thirty (30) feet. Sideyards on the street side of corner lots shall be thirty-five (35) feet, and the use of such area shall be in accordance with the provisions of paragraph 2 of these controls. The parking or storage of company

owned trucks, products or equipment shall be prohibited in this area. No part or portion of any building shall be erected, constructed, or extended nearer than seventeen (17) feet to any rear lot line, or within any easement.

### 3. CONSTRUCTION AN MATERIALS

The front of all buildings, and the side, extending a minimum of twenty (20) feet, or rear of all buildings when facing a street (including side streets on corner lots) shall be faced with decorative masonry or other material approved by the Village Board or its designated agent or representative, and said facing shall extend to a natural dividing point approved by the Village Board or its designated agent or representative.

The front of a building that is set back two hundred (200) feet or more may be partially faced with concrete block, subject to approval of said Village Board or its designated agent or representative. On corner lots, if the side of the building, other than the front, is set back two hundred (200) feet or more from the side lot line, then the facing may be of any material as approved by the Village Board and is consistent with other provisions herein. for the purpose of this control, standard, lightweight or cinder concrete block with conventional staggered joint design are not considered decorative masonry.

All faces of the buildings must be kept in good repair and appearance at all times.

No building shall be so similar to or so at variance with its neighboring buildings as to constitute a depreciation to the immediate neighborhood.

### 4. CONSTRUCTION AND MATERIALS

The front yard area of the site shall be graded, landscaped, and planted with trees, shrubs, ground cover, and appropriate natural landscaping materials, and shall be in place within one year after occupancy of building. Landscaping shall relate to buildings and paved surfaces as to scale, massing, size, shape, and color. At time of planting, vegetation shall be of sufficient size as to noticeably enhance the site (i.e. whips are inappropriate as primary landscaping elements). Existing trees should be preserved whenever possible, and may be substituted for part of the required landscaping. Plant material shall be of hardy quality, preferable native of Wisconsin, Weedy or short-lived trees such as Box Elder, Poplar, American Elm, or willow shall not be acceptable. Vendee shall be responsible for maintenance of vegetation and replacement of any defective plant material. All grass and weeds must be cut whenever necessary. If grass and weeds are not maintained the Village of Howard may serve notice and if not complied with in one week, the Village may cut same and add this cost to the lot owners' real estate tax bill.

### 5. PARKING

One parking stall of not less than 180 square feet, excluding drives and approaches, shall be provided on each property for every 1000 square feet of building area or for every two employees, whichever amount constitutes the greater number of stalls. Parking stalls shall be added on each property as required to accommodate all employees. Variances may be granted by the Village Board for warehouse or similar uses upon proof that such parking controls are not realistic. Village streets will not be designed by the Village to provide parking.

#### 6. OUTDOOR STORAGE

No outside storage of any kind shall be permitted unless such stored material is visually screened from all streets with a six foot high suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property, within the building setback lines (25 foot side and rear yard, 40- foot front yard). No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings. Outdoor storage of fuel oil or other bulk fluids must be underground unless otherwise approved by the Industrial Committee. Storage areas shall be maintained in an orderly and dust free condition.

#### 7. ERECTION OF A STRUCTURE

Purchaser agrees to the following conditions:

A. Purchaser will, within a period of time from the date hereof, to be negotiated at the time of purchase, erect a building, or structure for such purpose or purposes as may be permitted under the terms of these restrictions, the zoning ordinance, and in accordance with the building code. In the event of the purchaser's failure to perform this condition within the time specified, the Village shall, within sixty (60) days after the termination of said period, upon written notice to the purchaser, have the option to repurchase said property for an amount of money equal to the purchase price paid by the purchaser, plus any special assessments.

OR

B. Purchaser has an indefinite period of time from date thereof to erect a building or structure for such purpose or purposes as may be permitted under the applicable zoning ordinances and in accordance with building codes. If the purchaser desires to sell before any building or structure has been erected, the Village shall automatically be assigned an option for sixty (60) days to repurchase said property for an amount of money equal to the purchase price paid by the purchaser, plus any special assessments.

## 8. RESALE OF PROPERTY

In the event any purchaser of land from the Village of Howard elects to sell any portion thereof which is not being used in connection with the business or industry of purchaser, or which purchaser desires to sell separate and distinct from any sale of the business or industry being conducted by purchaser the same first be offered for sale, in writing, to the Village of Howard at the price per acre paid for such land by the purchaser, together with cost of any improvements thereon for by the purchaser and any special assessments paid by purchaser relating to such lands with interest at the rate of 5 % per annum from date of payment of the purchase price of said lands by purchaser, from the date of payment of any cost of improvements on side lands by purchaser and from the date of payment of any special assessments by purchaser relating to such lands, to date of re-purchase by the Village.

The Village shall have ninety (90) days from date of receipt of such offer to accept or reject the same, unless an extension of time may of time may be mutually agreed upon and set forth in writing. Acceptance or rejection of such offer shall be indicated by resolution adopted by the Village Board of the Village of Howard.

In the event of acceptance of such offer by the Village, conveyance shall be by warranty deed free and clear of all liens or encumbrances created by act or default of purchaser. If the Village of Howard fails to act on such offer of sale within 90 days from receipt thereof said aforesaid or rejects said offer, purchaser may then sell said lands to any person, firm or corporation, and the Village shall have no further interest therein, except that any use of said lands by any subsequent purchaser shall be subject to applicable zoning, ordinances, controls and regulations of the Village relating to the use of said premises at the time of such sale.

Paragraph 8 of these controls may be modified by a majority vote of the Village Board of the Village of Howard.

## 9. INVALIDATION

Invalidation of any one of these covenants or controls contained within this Declaration of Controls, by judgment or court order, shall in no way affect any of the other provisions hereof which shall remain in full force and effect.

## 10. SIGNS

Advertising signs shall promote only the name or product of the owner or tenant of the parcel on which the advertising media is placed. Advertising signs, lighting, etc. is to be in conventional good taste and is to be approved by the Village Board before erection.

11. All variances from these agreements must be approved in writing by the Committee of the Whole.

LEGAL DESCRIPTION

VILLAGE INDUSTRIAL PARK  
VILLAGE OF HOWARD  
BROWN COUNTY, WISCONSIN

A parcel of land located in part of the Northeast one-quarter of Section 9, part of the Northeast one-quarter and Southeast one-quarter of Section 4, and part of the Northwest one-quarter and Southwest one -quarter of Section 3, all in T24N, R20E, Village of Howard, Brown County, Wisconsin, described as follows:

All of the Village of Howard Industrial Park plat as recorded in Volume 17 of plat page 9, 10,11 of the Brown County Registry and commencing or the northwest corner of Lot 19 of the aforementioned Village of Howard Industrial Park plat; thence N 0° -14' -49" W 1,315.68 feet to the East-West one-quarter line of said Section 4; thence S 87° -33' -41" W along said one - quarter line, 887.48 feet to the easterly right-of-way of C.T., "HS"; thence N 01° -21' 49" W along said right-of-way 2,509.37 feet;; thence N. 43° -00' -34" E along said right-of-way 92.65 feet to the Southerly right-of-way of Lineville Road; thence N 87° -19' -11" E along said right-of-way 3,600.86 feet; thence S.42° -37'-15" E along said right-of-way 338.35 feet to the westerly right-of-way of the Chicago and Northwestern Railroad; thence S 07° -26'-31" W along said right-of-way, 3,749.40 feet to the Northeast corner of Lot 25 of the aforementioned Village of Howard Industrial Park plat; thence S 88° -40'-54" W along the North line of said plat 2,452.21 feet to the point of commencement.

# Business Park

Howard, Wisconsin, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 50 - ZONING >> ARTICLE IV. - DISTRICTS AND DISTRICT REGULATIONS >> DIVISION 15. - INDUSTRIAL PARK-CORPORATE HEADQUARTERS (I-6) ZONING DISTRICT >>

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## DIVISION 15. - INDUSTRIAL PARK-CORPORATE HEADQUARTERS (I-6) ZONING DISTRICT

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Sec. 50-716. - Purpose.

Sec. 50-717. - General requirements.

Sec. 50-718. - Uses.

Sec. 50-719. - Lot size and density regulations.

Sec. 50-720. - Setback regulations.

Sec. 50-721. - Building height regulations.

Sec. 50-722. - Floor area ratio regulations.

Secs. 50-723—50-742. - Reserved.

### Sec. 50-716. - Purpose.

The industrial park-corporate headquarters (I-6) zoning district is designed to accommodate national or regional corporate headquarter facilities and those facilities which would provide service activities, including, but not limited to, warehousing, storage, research and data processing, which are related to and used in conjunction with national or regional headquarter facilities.

*(Comp. Ords. 2000, § 17.17(1))*

### Sec. 50-717. - General requirements.

No building or any improvement shall be erected, placed or altered on any building site in the industrial park-corporate headquarters (I-6) zoning district until the plans for such building or improvement, including the site plan, landscape plan, building plan and specifications, have been submitted for approval to the plan commission. The plan commission shall approve or disapprove such plans with respect to conformity with this division and other applicable codes and ordinances of the village, and with respect to harmony of external design and land use as it affects property within and adjacent to the industrial park-corporate headquarters (I-6) zoning district. Failure on the part of the village board or its designated agent or representative to act upon such submittal within 60 days of submission shall constitute approval of such plans.

*(Comp. Ords. 2000, § 17.17(2); Ord. No. 2011-1, § 4, 1-10-2011)*

### Sec. 50-718. - Uses.

The uses as set forth in this section are allowed in the industrial park-corporate headquarters (I-6) zoning district. All other uses not specifically listed are prohibited.

- (1) *Permitted uses.* The following are permitted uses in the industrial park-corporate headquarters (I-6) zoning district:
  - a.

National or regional corporate headquarter facilities and those facilities which would provide service activities, including, but not limited to, warehousing, storage, research and data processing, which are related to and used in conjunction with national or regional headquarter facilities.

- b. Accessory buildings and uses. Subject to the regulations specified in division 3 of article V of this chapter.
- (2) *Conditional uses.* Subject to the regulations specified in division 9 of article II of this chapter, the following are conditional uses in the industrial park-corporate headquarters (I-6) zoning district:
- a. Other manufacturing, distribution, assembling, processing, storage, medical, professional office, employee service or commercial uses as determined by the village board to be of the same general character as the uses permitted in subsection (1) of this section.
  - b. Planned developments.

*(Comp. Ords. 2000, § 17.17(3))*

### **Sec. 50-719. - Lot size and density regulations.**

Lots in the industrial park-corporate headquarters (I-6) zoning district shall have an area of at least 32,670 square feet (0.75 acre) per business establishment and a width of at least 100 feet.

*(Comp. Ords. 2000, § 17.17(4))*

### **Sec. 50-720. - Setback regulations.**

Unless otherwise regulated in article V of this chapter, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the following minimum setback regulations shall apply to all lots in the industrial park-corporate headquarters (I-6) zoning district:

- (1) Front and corner side yard: 30 feet.
- (2) Interior side yard: 20 feet.
- (3) Rear yard: 35 feet.

*(Comp. Ords. 2000, § 17.17(5))*

### **Sec. 50-721. - Building height regulations.**

Except as provided in sections 50-861, 50-930 and 50-985, buildings and structures in the industrial park-corporate headquarters (I-6) zoning district shall not exceed the following heights:

- (1) Permitted uses: 80 feet.
- (2) Conditional uses: 40 feet.

*(Comp. Ords. 2000, § 17.17(6); Ord. No. 2006-04, §§ 17, 18, 1-23-2006)*

### **Sec. 50-722. - Floor area ratio regulations.**

The floor area ratio in the industrial park-corporate headquarters (I-6) zoning district shall not exceed two.

*(Comp. Ords. 2000, § 17.17(7))*

Business  
PARK

## DESIGN GUIDELINES

### GENERAL

All proposed plans must be approved by the Village Board prior to the issuance of a building permit. This includes, but is not limited to, building elevations, floor plan, drainage plan, site plan, lighting plan, sign plan, landscaping plan, etc.

1. THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.
2. EACH LOT OWNER SHALL GRADE THE PROPERTY ABUTTING A STREET TO CONFORM TO THE ADOPTED SIDEWALK GRADE ELEVATION AND MAINTAIN SAID ELEVATION FOR FUTRURE SIDEWALKS.
3. NO POLES, PEDESTALS, OR BURIED CABLE ARE TO BE PLACED SA AS TO DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE, A DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 WISCONSIN STATUTES.
4. LOTS 12 & 13 AND OUTLOTS 1 & 2 CONTAIN ENVIRONMENTALLY SENSITIVE AREAS (ESA'S) AS DEFINED IN THE BROWN COUNTY SEWAGE PLAN. DEVELOPMENT AND LAND DISTURBING ACTIVITIES ARE RESTRICTED WITHIN THE ESA'S, UNLESS AMENDMENTS ARE APPROVED BY THE BROWN COUNTY PLANNING COMMISSION THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

### BUILDING DESIGN

1. MINIMUM INITIAL BUILDING SIZE SHALL BE 3000 SQUARE FEET.
2. EXTERIOR WALL MATERIAL SHALL BE LIMITED TO BRICK, STONE, TEXTURED CONCRETE OR REWOOD OR CEDAR SIDING. CONCRETE MASONRY IS NOT PERMITTED. REDWOOD OR CEDAR SIDING IS LIMITED TO NO MORE THAN 25 PERCENT OF THE EXTERIOR WALL AREA.
3. ROOF MATERIAL IS LIMITED TO CEDAR SHINGLES OR SHAKES: SLATE, CONCRETE OR CLAY SHINGLES, HEAVY TEXTURED ASPHALT TYPE OR ARCHITECTURAL METAL.
4. CONSTRUCTION MUST START WITHIN 12 MONTHS AND BE SUBSTANIALY COMPLETED WITHIN 18 MONTHS OF LAND CLOSING DATE.

### PARKING

1. PARKING LOTS AND DRIVES PAVED WITH ASPHALT OR CONCRETE AND HAVING CONCRETE CURBS AROUND THE PERIMETER.
2. A SIDEWALK SECTION AND CONCRETE APRON MUST BE PROVIDED FOR EACH DRIVEWAY.
3. PARKING LOTS AND ROOFTOPS MUST BE DRAINED INTERNALLY AND PIPED TO THE VILLAGE STORM WATER SYSTEM. THE VILLAGE OF HOWARD ENGINEER MUST APPROVE A DRAINAGE PLAN.
4. PARKING LOTS OVER 20,000 SQUARE FEET MUST PROVIDE LANDSCAPED AISLES EVERY 12 STALLS.

## **LANDSCAPING AND SCREENING**

1. GROUNDS SHALL BE MAINTAINED REGULARLY.
2. USE LOCALLY OCCURRING SHRUBS, TREES AND OTHER PLANTINGS.
3. PROVIDE MINIMUM OF 30 PERCENT GREEN SPACE ON PRIVATE PROPERTY.
4. THE NUMBER OF TREES SHALL BE AT LEAST ONE PER 4000 SQUARE FEET OF LOT AREA. THIS DOES NOT INCLUDE STREET TREES BUT MAY INCLUDE EXISTING TREES ON SITE.
5. THE NUMBER OF SHRUBS SHALL BE AT LEAST ONE PER 1500 SQUARE FEET OF LOT AREA.
6. FENCES ARE NOT ALLOWED EXCEPT FOR THE SCREENING OF OUTSIDE WASTE CONTAINERS.
7. OUTSIDE STORAGE OF WASTE CONTAINERS WILL BE PERMITTED IF SCREENED WITH SOLID FENCES OR HEDGES. FENCES SHALL BE INTEGRATED WITH THE BUILDING APPEARANCE.
8. NO OTHER OUTSIDE STORAGE WILL BE ALLOWED. THIS INCLUDES MATERIALS, SUPPLIES, AND EQUIPMENT.
9. LOADING AREAS SHALL BE LOCATED AND SCREENED SO AS TO MINIMIZE THE VISIBILITY FROM ANY STREET.
10. A LANDSCAPE BUFFER OF 30 FEET MINIMUM SHALL BE PROVIDED FOR IN ALL FRONT YARDS. PARKING OR DRIVES WILL NOT BE ALLOWED.

## **LIGHTING**

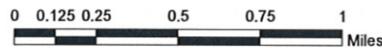
1. ALL LIGHTING SHALL BE CONSISTENT WITH THE AMS BUSINESS PARK. THIS INCLUDES PARKING LOT, WALKWAY, BOLLARD, RECESSED, AND BUILDING MOUNTED LIGHTS.
2. ALL FIXTURES MUST BE SHIELDED TO ELIMINATE GLARE. DIRECT RAYS OF LIGHT SHOULD NOT BE VISIBLE TO THE EYE.
3. ALL LIGHT SHOULD REMAIN ON SITE. LIGHT TRESPASS IS NOT ALLOWED. A PHOTOMETRIC PLAN MUST BE PROVIDED.

## **SIGNS**

1. ALLOWABLE SIGN AREA PER LOT IS 200 SQUARE FEET. LOTS WITH FRONTAGE ON S.T.H. "29" WILL BE ALLOWED AN ADDITIONAL 100 SQUARE FEET.
2. PERMANENT SIGNAGE SHALL BE LIMITED TO NAME, CORPORATE LOGO, AND ADDRESS ONLY.
3. ONLY WALL MOUNT AND MONUMENT SIGNS WILL BE PERMITTED.
4. MONUMENT SIGNS MUST HAVE THE HORIZONTAL DISTANCE (WIDTH) GREATER THAN THE VERTICAL DISTANCE (HEIGHT).
5. WALL MOUNTED SIGNS MUST BE PERMANENTLY FIXED (not painted) ON THE BUILDING.

# VILLAGE of HOWARD 2012

Brown County, Wisconsin  
Outagamie County, Wisconsin



Prepared by  
Village of Howard  
Public Works Department  
1330 Cornish Road  
Green Bay, Wisconsin 54303-8522  
File Date: December 28, 2011

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records information and data used for reference purposes only.

ALBERT STREET	3.0	ALLEN STREET	3.0	ALPINE STREET	3.0	ALPINE STREET	3.0	ALPINE STREET	3.0	ALPINE STREET	3.0
ALPINE STREET	3.0										
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Zoning updates current through December 31, 2011.

**Parks and Conservation Areas**  
 BROWN COUNTY  
 STATE OF WISCONSIN - DNR  
 VILLAGE OF HOWARD

**ZONING**

- A-1 Exclusive Agricultural
- B-1 Business
- B-2 Hwy. Commercial
- B-3 Neighborhood Business
- I-1 Gen. Industrial
- I-3 Ind. Park - Light
- I-4 Ind. Park - Heavy
- I-5 Existing Industrial
- I-6 Ind. Park Corp. HQ
- R-1 Single Family
- R-2 Single Family Duplex by Subdiv.
- R-3 Duplex
- R-4 Multi-Family
- R-5 Rural Estate
- Planned Development

Vacated Roads  
 Dedicated Roads  
 Roundabouts

