



CITY OF CEDARBURG
A MEETING OF THE SITE AND ARCHITECTURAL REVIEW BOARD
TUESDAY, AUGUST 19, 2025 – 8:30 AM

A meeting of the Site and Architectural Review Board, City of Cedarburg, Wisconsin, will be held on Tuesday, August 19, 2025 at 8:30 AM. The meeting will be held online utilizing the Zoom app and in-person at City Hall, W63 N645 Washington Avenue, Cedarburg, WI., on the second floor, Council Chambers. The meeting may be accessed by clicking the following link:

<https://us02web.zoom.us/j/82469996229>

AGENDA

1. CALL TO ORDER

A. Chairman Adam Voltz

2. ROLL CALL

A. Present - Chairman Adam Voltz, Architect Peter Damsgaard, Architect Paul Rushing, Alderperson Kristin Burkart, Plan Commission Co-Chairperson Jack Arnett

Also Present - Mayor Patricia Thome, City Planner Mary Censky, and Administrative Assistant Theresa Hanaman

3. STATEMENT OF PUBLIC NOTICE

4. APPROVAL OF MINUTES

A. July 24, 2025

5. REGULAR BUSINESS; AND ACTION THEREON

A. Applicants/property owners, Jo Ann Hofhine and Eric Hofhine as Trustees for the Duane and Jo Ann Hofhine Rev Trust, request review, discussion and consultative feedback as to their plan to divide a new vacant, buildable lot off from their existing .49-acre homestead property located at N50 W6678 Western Road. This property is zoned Rs-5 Single-Family Residential District.

B. Discussion/presentation regarding the existing regulations within Site and Architectural Review Board (SARB) purview to apply, policies and procedures of the SARB, and the SARB relationship to the Plan Commission and Common Council.

C. Discussion and possible action on certification of Ethics Code.

6. COMMENTS AND ANNOUNCEMENTS BY SITE AND ARCHITECTURAL REVIEW BOARD MEMBERS

7. CHAIRMAN'S ANNOUNCEMENTS

8. ADJOURNMENT

City of Cedarburg is an affirmative action and equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity, national origin, veteran status, or genetic information. City of Cedarburg is committed to providing access, equal opportunity and reasonable accommodation for individuals with disabilities in employment, its services, programs, and activities. To request reasonable accommodation, contact the Clerk's Office, (262) 375-7606, email: cityhall@cityofcedarburg.wi.gov. MEMBERS – PLEASE NOTIFY CITY CLERK'S OFFICE IF UNABLE TO ATTEND THIS MEETING.

**CITY OF CEDARBURG
SITE AND ARCHITECTURAL REVIEW BOARD
July 24, 2025**

A regular meeting of the City of Cedarburg Site and Architectural Review Board was held on Thursday, July 24, 2025, at Cedarburg City Hall, W63 N645 Washington Avenue, upper level, Council Chambers, and online via the Zoom app. Chairman Adam Voltz called the meeting to order at 10:02 a.m.

ROLL CALL: Present - Chairman Architect Adam Voltz, Architect Peter Damsgaard, Architect Paul Rushing, Alderperson Kristin Burkart (via Zoom), Plan Commission Co-Chairperson Jack Arnett

Also Present - Mayor Patricia Thome (via Zoom), City Planner Mary Censky, Administrative Assistant Theresa Hanaman, Jason Daye (Excel Engineering), Andrew Petzold (Concord Development via Zoom), Kate Schley (Coach House Homes), Keith Barnes (KCB Architects)

STATEMENT OF PUBLIC NOTICE

Administrative Assistant Hanaman confirmed that the meeting agenda had been posted and distributed in compliance with the Wisconsin Open Meetings Law.

APPROVAL OF MINUTES -NONE

COMMENTS AND SUGGESTIONS FROM CITIZENS -NONE

REGULAR BUSINESS AND POSSIBLE ACTION THEREON

APPLICANT, BLACK RIVER BELLS, LLC (D/B/A TACO BELL) IN C/O DEAN KOULOURAS, REQUESTS REVIEW AND FAVORABLE RECOMMENDATION TO THE PLAN COMMISSION AS TO THE ARCHITECTURE, SITE PLAN, LANDSCAPING, EXTERIOR LIGHTING, AND RELATED DETAILS ATTENDANT TO THEIR APPLICATION FOR CONDITIONAL USE PERMIT TO DEVELOP A 2,051 SQUARE FOOT TACO BELL QUICK-SERVE RESTAURANT WITH DRIVE-THRU ON THE EXISTING, VACANT, .51-ACRE LOT LOCATED DIRECTLY NORTH OF W62 N202-16 WASHINGTON AVENUE. THE PROPERTY OWNER IS CONCORD 44 LLC IN C/O ANDREW PETZOLD. THIS PROPERTY IS ZONED B-2 COMMUNITY BUSINESS DISTRICT.

Planner Censky reported that the use “Restaurant” is listed as a conditional use in the B-2 District. She presented a detailed analysis of the project’s extent of compliance with zoning requirements, noting some concerns regarding setbacks to canopy overhangs, parking stall sizes, and drive width.

Chairman Voltz expressed concerns about the narrow shared private entry drive, suggesting widening this driveway to 24 feet where it meets Washington Avenue and tapering it back 20 feet further east after the Taco Bell drive entry. This may necessitate relocating the existing sign and landscaping.

Board member Damsgaard addressed the parking layout, with the board reaching a consensus to reduce the parking stall dimensions from 10x18 feet to 9x18 feet. Council Member Burkart noted that this project/plan is probably a good example of why the Common Council left flexibility in the Code for Plan Commission to waive the 10' x 18' standard in certain cases.

Board member Rushing discussed signage and artwork, stating that art without branding is acceptable, while branded elements (i.e., bell, wording like taco...) should be reviewed and considered as signage. He went on to say the building's design and materials look good to him. The trash enclosure gates need to be designed with great attention to durability, and the door hinges made especially sturdy. It was suggested that the dumpster should be built with authentic materials vs thin brick over block. It was noted this will contribute to long-term durability.

Board member Rushing considered options for finishing the visible portions of the back of the tower, with the SARB ultimately deciding to prioritize brick veneer or matte finish black brake-metal that matches the brick color to finish off the tower, instead of completing the tower or using a white or tan roof membrane. Planner Censky questioned concerns about rooftop access, noting that whether it is required for a building without mechanical equipment would be a question for building code compliance. But if there is rooftop access via an outdoor ladder and parapet opening, that should be shown on the plan.

Chairman Voltz suggested adding more windows for enhanced natural light and symmetry, particularly in the vestibule area, near the restrooms, and near the soda machine area. Mr. Petzold explained that some areas with mechanical equipment already utilized spandrel glass and agreed to consider making the transom window slightly taller, if operationally feasible.

A favorable recommendation to the Plan Commission was made by Commissioner Arnett, seconded by Board member Rushing to include dumpster doors must be very sturdy and kept closed, dumpster enclosure must be real brick not thin brick over block, adding more windows for enhanced natural light and symmetry, particularly in the vestibule area near the restrooms, and near the soda machine area and make the transom window slightly taller, if operationally feasible, widening the driveway to 24 feet from Washington Avenue to entrance on the north side of the property and taper back to 20 feet after the Taco Bell driveway, require if there is rooftop access via an outdoor ladder and parapet opening, that should be shown on the plan, sign code compliance for any artwork that contains branding or product references to ensure it meets sign code requirements, consider the timing of construction relative to the Washington Avenue reconstruction project, confirm the exact location, specification and possible screening of the grease interceptor, coordinate with other property owners regarding shared driveway easement as to required widening, finish the back of the tower with a like kind/color brick or matte black brake-metal veneer that matches instead of using a white or tan roof membrane, and provide turning radius exhibits to support access requirements. The SARB does not object to the canopy overhang, limited

yard encroachments, or the parking stall 9' x 18' sizes since this is principally a drive-thru model vs dine-in. The motion carried unanimously.

APPLICANT, KATE SCHLEY D/B/A COACH HOUSE HOMES, REQUESTS CONCEPT REVIEW, DISCUSSION, AND FEEDBACK AS A RECOMMENDATION TO THE PLAN COMMISSION IN RESPECT TO HER SEVEN LOT/HOME SINGLE-FAMILY-DETACHED RESIDENTIAL INFILL DEVELOPMENT PROPOSED FOR THE PROPERTIES LOCATED AT W59 N367 HILBERT AVENUE & W61 N394 WASHINGTON AVENUE. THIS 1.78 ACRE SITE, OWNED BY WENDELL LEE LLC IN C/O PAULA MOTTE, IS ZONED RS-5 SINGLE-FAMILY RESIDENTIAL.

Planner Censky presented the applicant proposal for a seven-lot/home single-family-detached residential Planned Unit Development. The proposal depicts a private cul-de-sac drive entering Hilbert Avenue. The infill development project aims to reconfigure two existing lots into seven lots, including one out lot, resulting in six new homes. The applicant plans to seek approval under a Planned Unit Development (PUD) zoning district, which permits modifications to bulk and spatial requirements. The project proposes a lower density of 3.9 units per acre, compared to the maximum allowed density of 5.2 units per acre, and has some smaller lot sizes than the minimum requirements, with an average lot size of 7,736 square feet. The floor area ratio average in this neighborhood is ~24%, with the proposal showing an average floor area ratio of ~49%. The fire department has not objected to the site plan but has requested the removal of interior green space in the cul-de-sac to ensure emergency vehicle access.

Board member Rushing presented an alternative design concept that he feels better aligns with the historic character of the neighborhood. He proposed a "pocket neighborhood" design, featuring several more and much smaller homes situated closer together around a central green space, and with separate car barns.

Board member Rushing focused on evaluating the fit of the proposed high-quality homes and shared green spaces within the existing neighborhood context. While he appreciated the aesthetic and architectural elements, concerns were raised about the size of the houses being too large for the area, along with the fountain and community building not fitting in. Although the proposal was considered promising, he did not agree that it aligned with the neighborhood's existing character and historical context.

Board members expressed mixed feelings about how much paving comes with cul-de-sacs. Damsgard noted that, as much as excess paving is not a design preference, the neighborhood kids will use it as their gathering and play space and families on the front porches will see that. Chairman Voltz suggested removing Lot 3 altogether to enhance the layout and better integrate community amenities and suggested realigning the entry drive on Hilbert Avenue with an existing driveway across the street. Board member Damsgard questioned the location of the garage on certain lots and the close placement of the home to the sidewalk on certain lots, and suggested adjustments to improve the design.

Alderperson Burkart raised concerns about the size of the homes and setback requirements but expressed a willingness to explore the concept if adjustments were made. The applicant noted the practicality of building larger, high-quality homes to ensure saleability. These homes will be similar to the additions people are putting on their existing homes in the area.

There is a possibility of removing the community building in favor of front porches as community spaces. The applicant mentions that two Cedarburg families have already committed to moving into the neighborhood, with one family requesting a simple house design. The board showed interest in preserving a central tree or some sort of feature in the cul-de-sac center while also deferring to the requirements of the fire department.

Commissioner Arnett made a motion to send a favorable recommendation to the Plan Commission, bearing all the comments above in mind as the applicant proceeds. Seconded by Chairman Voltz. They advised Coach House to refine the concept plans to address several concerns, including fire department access to the cul-de-sac, the size of the homes, the setbacks, and the site layout, and also suggested possible removal of the out lot accessory structures. The motion carried unanimously.

DISCUSSION AND SETTING A DAY AND TIME FOR THE REGULAR MONTHLY MEETINGS OF THIS NEW SITE AND ARCHITECTURAL REVIEW BOARD.

The SARB agreed to schedule regular meetings for the Tuesday of each month that are 13 days prior to the regular Plan Commission meeting for the following month, at 8:30 AM, starting August 19th.

COMMENTS AND ANNOUNCEMENTS BY SARB COMMISSIONERS

Board member Rushing requested a rule change to allow SARB members to physically inspect properties during the application process, and the Planner agreed to look into the city's policies regarding property inspections.

CHAIRMAN'S ANNOUNCEMENTS

NONE

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Chairperson Voltz, to adjourn the meeting at 12:41 pm. The motion carried unanimously.

Theresa Hanaman
Administrative Assistant

PLANNERS REPORT

To: City of Cedarburg Site & Architectural
Review Board

By: Mary Censky
Date Prepared: August 19, 2025

General Information:

Agenda Item: 5.A.

Property Owner/Applicant:	Jo Ann L. Hofhine/ Eric L Hofhine (Trustees) of the Duane & Jo Ann Hofhine Rev Trus
Request:	Review, discussion and consultative feedback.
Current Zoning:	Rs-5 Single-Family Residential District
Current Master Plan Classification:	Medium Density Residential
Surrounding Zoning/Land Use:	<u>North:</u> Rs-5 Single-Family <u>South:</u> Rs-5 Single-Family <u>East:</u> Rs-5 Single-Family <u>West:</u> Rs-5 Single-Family
Lot Size:	~.49 Acres (~21,344 sq. ft.)
Location:	N50 W6678 Western Road

Discussion:

This property has an existing home and detached garage on it. The land area is such that they have space to split a vacant lot off on the west side of the lot, with frontage along Western Road. It appears that this division of land would create a serviceable new lot, compliant with the bulk and spatial standards of the Rs-5 Single-Family Residential District. The lot lines will have to be created in such a way that the lot with the existing home and detached garage will also comply with the Rs-5 standards such as with respect to the setbacks, floor area ratio,... As an item for action in the future, the applicant will have to present a certified survey map to confirm these details.

Recommendation:

Because this is a matter for consultation and feedback only, the Planner has no recommendation at this time.



LAND DEVELOPMENT APPLICATION

PROPERTY LOCATION/ADDRESS: N50 W6678 Western Rd, Cedarburg WI 53012

APPLICANT/BUSINESSNAME: Jo Ann L. Hofhine / Eric L Hofhine (Trustees)

APPLICANT/BUSINESS ADDRESS: Self

STATUS OF APPLICANT: OWNER AGENT BUYER OTHER _____

PHONE: _____ EMAIL: _____

PROPERTY OWNER (IF DIFFERENT): The Duane & Jo Ann Hofhine Rev Trust

PROPERTY OWNER MAILING ADDRESS: N50 W6678 Western Rd, Cedarburg WI 53012

PROPERTY OWNER PHONE: _____ PROPERTY OWNER EMAIL: _____

REQUEST FOR (CHECK ALL THAT APPLY):

- CONCEPT REVIEW
- SITE/ARCHITECTURAL PLAN APPROVAL
- SUBDIVISION PLAT OR CSM REVIEW
- ZONING DISTRICT CHANGE
- CONDITIONAL USE ZONING
- ANNEXATION REQUEST
- VARIANCE/BOARD OF APPEALS
- OTHER _____

DESCRIBE REQUEST: Concept for land devision, West portion of existing lot.

GIS map attached. Concept lot approximately 9100 square feet with approximately 75 feet of frontage on Western Road.

PLEASE SUBMIT: FIVE (5) COPIES OF WRITTEN DESCRIPTION OF PROPOSAL OR REQUEST FOR CITY STAFF REVIEW -PLUS ELECTRONIC FIVE (5) FULL SETS OF SUPPORTING DRAWINGS, SKETCHES OR SURVEY MAPS FOR CITY STAFF REVIEW PLUS ELECTRONIC TEN (10) SETS OF PLANS (11" x 17" MAX) FOR PLAN COMMISSION REVIEW -PLUS ELECTRONIC

ELECTRONIC COPIES MAY BE SENT TO THANAMAN@CITYOCFEDARBURG.WI.GOV

The undersigned certifies that he/she has familiarized themselves with the State and Local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct. This application shall be signed by the property owner(s).

PROPERTY OWNER(S) SIGNATURE: *Jo Ann L. Hofhine* DATE: 7/22/2025

FOR CITY STAFF USE ONLY

TOTAL FEE: \$ 100.00 OK 19/13 (SEE FEE SCHEDULE ON REVERSE PAGE) DATE FEE PAID: July 22, 2025

APPLICATION AND FEE RECEIVED BY: Thresh Hanaman PLAN COMMISSION MEETING DATE: September 2, 2025

ATTACHMENTS (CHECK IF RECEIVED):

- FIVE DESCRIPTIONS
- FIVE FULL-SIZE SETS
- THIRTEEN PLAN SETS

PROPERTY TAX KEY NO/PLAN COMMISSION FILE NO: 13-050-07-13-000

ZONING: RS-5 ALDERMANIC DISTRICT: 3 PREVIOUS MEETING: N/A



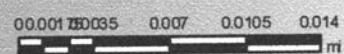
Legend

	Tax Parcel		CSM		US Highway		Town Public Road
	Gap		Cemetery Plat		State Highway		Railroad Centerline
	Overlap		Condominium Plat		County Road		Ramp
	Historical Parcel Lines		Subdivision on Plat		Private Road		
	Assessors Plat		Plat of Survey				

Product of the LAND INFORMATION OFFICE

7/21/2025, 9:44:15 PM

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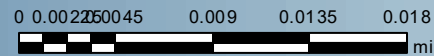


Legend			
	Tax Parcel		CSM
	Gap		Cemetery Plat
	Overlap		Condominium Plat
	Historical Parcel Lines		Subdivision Plat
	Assessors Plat		Plat of Survey
	US Highway		Town/Public Road
	State Highway		Railroad Centerline
	County Road		Ramp
	Private Road		

Product of the LAND INFORMATION OFFICE

7/25/2025, 8:00:04 AM

7/25/2025, 8:00:04 AM



DISCLAIMER: This map is not a substitute for an actual field survey or onsite investigation. The accuracy of this map is limited to the quality of the records from which it was assembled.

Column1	Column2	Column3	Column4	Column5
PROJECT NAME:	Hofhine Land Division Concept			PLANNER REVIEW FORM
PROJECT ADDRESS:	N50 W6678 Western Road			HOFHINE LAND DIVISION/CSM CONCEPT
PROJECT DESCRIPTION:	Land Division			
Land Use Classification:	Medium Density Residential (i.e. lot sizes 8,400 - 12,000 sq. ft.)			
Rs-5 Single Family Residential District				
The use "Single Family Dwellings" is listed as a permitted use in the Rs-5 District				
	Standard	Compliant	Not Compliant	Notes/Comments
Land Use Classification	Medium Density Residential*	X		*Comprehensive Plan Describes Medium Density Residential with Lot Sizes 8,400 to 12,000 sq.ft. in area
Maximum Permitted Density in Rs-5 District	5.2 units per acre	X		Applicant has 49% of 1-acre. 5.2 x 49% = 2.548. Applicant is proposing 2 lots.
Minimum Required Lot Size	8,400 square feet	X		Proposed new vacant lot is ~9,100 sq. ft. Proposed remnant homestead lot is ~12,244 sq. ft.
Minimum Required Lot Width	50 feet, as measured at the building setback line.	X		Both the existing and proposed new lots will have > 50 -foot lot widths (i.e. 83'/134' and 75' respectively)
Maximum Building Height:				
	Principal Building 35 feet		T BD	Existing principal building/residence is 'per existing conditions' tall
	Accessory Building 20 feet.		T BD	Existing accessory building/detached garage is 'per existing conditions' tall
Yard Requirements:				
	Minimum Principal Building Setback 25 feet.		T BD	Existing principal structure setback conditions will not be changing. New lot home construction will be required to comply with current Code standards
	Minimum Principal Building Sideyard 4 feet		T BD	" " "
	Minimum Principal Building Rearyard 25 feet.		T BD	" " "
	Detached Accessory Structures 1)No closer than 10' feet to principal structure; 2) 20' height maximum; 3)No closer than 3' to any lot line/5' to an alley line; 4)Max 720 sq. ft. total all accessory structures; 5) Max 2 total accessory structures.		T BD	Existing accessory building/detached garage is 'per existing conditions' as to height, setbacks, area, and quantity. New lot detached structure(s) will have to comply with current Code.
Building Size Requirements:				
	Minimum Principal Building Floor Area 1,100 square feet		T BD	Existing principal structure conditions will not be changing. New lot home construction will be required to comply with current Code standards
	Minimum 1st-floor area of a 2-story principal building 800 square feet		T BD	" " "
	400 square feet		T BD	" " "
	Minimum tri-level floor area per habitable level		T BD	" " "
Maximum Floor Area Ratio:	36%*		T BD	" " "
Maximum Lot Coverage Ratio:	30%*		T BD	" " "
Site Plan Review				
			T BD	New lot, as an infill lot, will be subject to SARB recommendation/PC approval of site plan prior to issuance of building permit.
Architectural Review				
			T BD	New lot, as an infill lot, will be subject to SARB recommendation/PC approval of architectural plans prior to issuance of building permit.
Signs				
	Signs in Rs-5 District		N /A	
Other Questions/Comments:				
A CSM will have to be prepared, approved through SARB, PC and CC process then recorded to create the new lot. The new lot will be an infill lot.				
^There are electric lines running along the north side of Western Rd with an electric pole located on the southwest corner of the lot where power would come from. Jeff Thierfelder, Utility Engineer, Cedarburg Light & Water Utility, 262-375-7650				
^There is a 10" sanitary sewer in the middle of Western and a 30" storm sewer on the north side of Western that can be tapped for laterals. The driveway access would also be greater than 50' from Madison which would satisfy the code. I have no issues with this proposal.				
Mike Wieser, P.E. Director of Engineering & Public Works, City of Cedarburg, (262) 375-7610				
^There is a 12" Ductile Iron water main in Western Rd that can be tapped for water. Timothy D. Martin, Water Utility Superintendent, Cedarburg Light and Water Utility, Office – 262-375-7650				

HOFHINE CSM CONCEPT REVIEW SARB PLAN REVIEW GUIDE

Sec. 13-1-120 Purpose of site plan and architectural review.

For the purpose of promoting compatible development, stability of property values, fostering the attractiveness and functional utility of the community as a place to live and work, preserving the character and quality of the built environment by maintaining the integrity of those areas which have a discernible character or are of a special historic significance, protecting certain public investments in the area, and raising the level of community expectations for the quality of its environment, this

Sec. 13-1-121 Site plan review principles and standards.

To implement the purposes set forth in section 13-1-120, the city plan commission shall following due consideration of the recommendation(s) of the Site and Architectural Design Review Board (SARB), review the site, existing and proposed structures, neighboring uses, utilization of landscaping and open space, parking areas, driveway locations, loading and unloading (in the case of commercial and industrial uses), highway access, traffic generation and circulation, drainage,

- (a) The proposed use(s) conform(s) to the uses permitted in that zoning district. **YES**
- (b) The dimensional arrangement of buildings and structures conform to the required area, yard, setback, and height restrictions of this chapter. **This is a requirement.**
- (c) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for the specified uses. **---**
- (d) There is a proper relationship between the existing and proposed streets and highways within the vicinity of the project in order to assure the safety and convenience of pedestrian and vehicular traffic. **YES**
- (e) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress, interior/exterior traffic flow, storm water drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws. **TBD**
- (f) Natural features of the landscape are retained where they can enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood. **TBD Existing Landscaping?**
- (g) Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by appropriate screening, fencing, or landscaping, as provided or required in this chapter. **TBD**
- (h) Land, buildings, and structures are readily accessible to emergency vehicles and the handicapped. **---**
- (i) The site plan is consistent with the intent and purpose of this chapter, which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to avoid the overcrowding of population, to lessen congestion on the public roads and streets, to reduce hazards of life and property, and to facilitate existing community development plans. **TBD**
- (j) The site plan is consistent with the public goals, objectives, principles, standards, policies, and urban design criteria set forth in the city's adopted community master plan or components thereof. **TBD**

Sec. 13-1-122 Architectural review principles and standards.

Architectural review and standards are applicable to all new commercial/office/industrial/institutional buildings and all new principal buildings proposed for construction on all new lots created by a subdivision plat, by Certified Survey Map and on all infill lots. Architectural style is not restricted; however, structures must be compatible with the surrounding area. To provide criteria for the implementation of the purposes set forth in section 13-1-120, the following architectural review

(a) Building scale and mass. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered. New buildings and additions to existing buildings shall harmonize and correspond to the existing character of the immediate neighborhood. In approving infill projects, the FAR standard for the zoning district in which the building is located shall not govern the building size, but rather, building size will be established, on a case-

TBD

(b) Building rooflines and roof shapes. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.

TBD

(c) Materials. Material selection for architectural design shall be based upon the prevailing material already used on existing buildings in the area. No building shall be permitted where any exposed facade is constructed or faced with a finished material which is aesthetically incompatible with other building facades in the area and which presents an unattractive appearance to the public and surrounding

TBD

(d) Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing

TBD

(e) Building location. No building shall be permitted to be sited in a manner which would unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

TBD

(f) Historic structures. Any construction, rehabilitation and/or restoration of any landmark or historic building or structure within the Washington Avenue Historic District and proposed for any locally designated historic building shall conform to all the requirements of this chapter and with the terms and conditions outlined by the landmarks commission and included in the city's Building/Historic Code.

TBD

(2) The city plan commission shall, following due consideration of the recommendation(s) of the SARB, review the proposed architectural style/design, materials, and colors, in the context of the surrounding area and the purpose set forth in Section 13-1-120 above, for all new or substantially modified buildings located on commercial/office/industrial/institutional sites. The city plan commission will approve said site plans only after determining that these plans comply with the

**CITY OF CEDARBURG
ORDINANCE NO. 2025-24**

**An Ordinance Repealing and Recreating Article F, Sections 13-1-120 through
13-1-127 Site Plan and Architectural Review**

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1: Sections 13-1-120 through 13-1-127 of the Municipal Code of the City of Cedarburg is hereby repealed and recreated in its entirety as follows:

Sec. 13-1-120 Purpose of site plan and architectural review.

For the purpose of promoting compatible development, stability of property values, fostering the attractiveness and functional utility of the community as a place to live and work, preserving the character and quality of the built environment by maintaining the integrity of those areas which have a discernible character or are of a special historic significance, protecting certain public investments in the area, and raising the level of community expectations for the quality of its environment, this section requiring site plan and architectural review is intended.

Sec. 13-1-121 Site plan review principles and standards.

To implement the purposes set forth in section 13-1-120, the city plan commission shall following due consideration of the recommendation(s) of the Site and Architectural Design Review Board (SARB), review the site, existing and proposed structures, neighboring uses, utilization of landscaping and open space, parking areas, driveway locations, loading and unloading (in the case of commercial and industrial uses), highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation for all new and modified commercial/office/industrial/institutional sites. The city plan commission will approve said site plans only after determining that:

- (a) The proposed use(s) conform(s) to the uses permitted in that zoning district.
- (b) The dimensional arrangement of buildings and structures conform to the required area, yard, setback, and height restrictions of this chapter.
- (c) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for the specified uses.
- (d) There is a proper relationship between the existing and proposed streets and highways within the vicinity of the project in order to assure the safety and convenience of pedestrian and vehicular traffic.
- (e) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress, interior/exterior traffic flow, stormwater drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws.
- (f) Natural features of the landscape are retained where they can enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood.

- (g) Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by appropriate screening, fencing, or landscaping, as provided or required in this chapter.
- (h) Land, buildings, and structures are readily accessible to emergency vehicles and the handicapped.
- (i) The site plan is consistent with the intent and purpose of this chapter, which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to avoid the overcrowding of population, to lessen congestion on the public roads and streets, to reduce hazards of life and property, and to facilitate existing community development plans.
- (j) The site plan is consistent with the public goals, objectives, principles, standards, policies, and urban design criteria set forth in the city's adopted community master plan or components thereof.

Sec. 13-1-122 Architectural review principles, standards and procedures.

Architectural review and standards are applicable to all new commercial/office/industrial/institutional buildings and all new principal buildings proposed for construction on all new lots created by a subdivision plat, by Certified Survey Map and on all infill lots. Architectural style is not restricted; however, structures must be compatible with the surrounding area. To provide criteria for the implementation of the purposes set forth in section 13-1-120, the following architectural review principles, criteria, and procedures are established:

- (a) *Building scale and mass.* The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered. New buildings and additions to existing buildings shall harmonize and correspond to the existing character of the immediate neighborhood. In approving infill projects, the FAR standard for the zoning district in which the building is located shall not govern the building size, but rather, building size will be established, on a case-by-case basis, to reflect the existing character of the neighborhood.
- (b) *Building rooflines and roof shapes.* The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.
- (c) *Materials.* Material selection for architectural design shall be based upon the prevailing material already used on existing buildings in the area. No building shall be permitted where any exposed facade is constructed or faced with a finished material which is aesthetically incompatible with other building facades in the area and which presents an unattractive appearance to the public and surrounding properties.
- (d) *Colors.* Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing neighborhood buildings.
- (e) *Building location.* No building shall be permitted to be sited in a manner which would unnecessarily destroy or substantially damage the beauty of the area, particularly insofar

as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

- (f) **Historic structures.** Any construction, rehabilitation and/or restoration of any landmark or historic building or structure within the Washington Avenue Historic District and proposed for any locally designated historic building shall conform to all the requirements of this chapter and with the terms and conditions outlined by the landmarks commission and included in the city's Building/Historic Code.
- (g) **Infill lot.** An infill lot is a single vacant lot located in a predominately built-up area, which is bounded on two or more sides by existing development. In addition any lot which contains an existing building, which will be removed and replaced with a new building, shall also be considered an infill lot. The infill status of a lot shall continue until building plans have been approved by the SARB, a building permit acquired and the building constructed in accordance with the approved plans and an occupancy permit issued. Once the occupancy permit is issued, the status of the lot shall change to non-infill and any additions or modifications thereafter shall be processed under normal procedures in accordance with article F.
- (h) **Application of standards and review procedures.**
 - (1) Architectural standards for new buildings on lots created by a subdivision plat or by Certified Survey Map shall be submitted to the SARB for review, consideration and recommendation to the Plan Commission as covenants or deed restrictions to be applied to any approval granted by the plan commission and/or council at the time of an approval of the Certified Survey Map or preliminary and final plat. The plan commission and council shall consider the recommendation(s) of the SARB, apply the above principles and criteria, and either approve, approve conditionally or reject the proposed architectural covenants or deed restrictions.
 - (2) The city plan commission shall, following due consideration of the recommendation(s) of the SARB, review the proposed architectural style/design, materials, and colors, in the context of the surrounding area and the purpose set forth in Section 13-1-120 above, for all new or substantially modified buildings located on commercial/office/industrial/institutional sites. The city plan commission will approve said site plans only after determining that these plans comply with the architectural review principles and criteria set forth in Section 13-1-122 (a)-(g) above.
 - (2) On infill lots, architectural plans and data in accord with section 13-1-124 shall be submitted to the SARB. The plan commission, giving due consideration to the recommendations of the SARB, and applying the above principles/criteria, shall either approve, approve conditionally or reject the architectural plans.

Sec. 13-1-123 Compliance for multiple-family residential and non-residential structures.

- (a) **Compliance for multiple-family residential and non-residential structures.** No use or structure [except single-family and two-family non-infill dwellings] shall hereafter be erected, moved, reconstructed, extended, enlarged, altered, or changed until the city SARB has reviewed and

made a recommendation to the plan commission as to said plans for the site and structures. The city plan commission shall not approve any plans unless they find after review and study of the application, and giving due consideration to the recommendation(s) of the SARB, that the use and/or structures, as planned, will not violate the intent and purposes of this chapter, as well as the principles/criteria set forth in sections 13-1-121 and 13-1-122.

Sec. 13-1-124 Applications for site plan review.

Sixteen copies of all building and site plan data shall be submitted to the city planning department not less than 20 days prior to the next regularly scheduled city SARB meeting. The planning department shall transmit all applications and their accompanying plans to the appropriate city departments and staff and city site and architectural review board for their review. The SARB shall review and act upon the plans at their next available, regularly scheduled meeting and make its recommendation to the Plan Commission and/or Common Council. Site plan data to be submitted with all site plan review applications shall include the following:

- (a) Site plans drawn to a recognized engineering or architectural scale with the name of project noted.
- (b) One colored rendering of the site and landscaping plans.
- (c) Owner's and/or developer's name and address noted.
- (d) Architect's and/or engineer's name and address noted.
- (e) Date of plan submittal.
- (f) Scale of drawing, site size (area in square feet or acres), and building area and coverage noted on plan.
- (g) Existing and proposed topography shown at a contour interval of not less than two feet at National Geodetic Vertical Datum, indicating proposed grade on a grading plan and location of improvements.
- (h) The characteristics of soils related to contemplated specific uses.
- (i) All building and yard setback lines indicated.
- (j) Where applicable, both the 100-year recurrence interval floodplain and the floodway indicated.
- (k) All drives, curb cuts, and both ingress and egress locations indicated.
- (l) The proposed location of all signage to be placed on the site.
- (m) The location and type of all outdoor lighting proposed to illuminate the site.
- (n) Total number of parking spaces noted.
- (o) The type, construction materials, size, and location of all structures with all building dimensions shown.
- (p) Indicate height of buildings.
- (q) Existing and proposed street names indicated.

- (r) Indicate existing and proposed public street rights-of-way and/or reservations and widths.
- (s) Indicate and locate all easements on the subject property.
- (t) North arrow shown.
- (u) Locate existing and general location of proposed sanitary sewers, storm sewers, water mains and fire hydrants (existing and proposed) and proposed electrical service easements. In addition, all locations for the proposed connections to such utilities should be indicated on the site plan.
- (v) Locate any proposed stormwater management facilities, including detention/ retention areas.
- (w) Locate existing trees, including the delineations required in the Tree Preservation Ordinance.
- (x) Note location, extent, and type of proposed landscaping and landscape plantings as well as any proposed buffer areas for adjoining properties.
- (y) Note location of pedestrian sidewalks and walkways.
- (z) A graphic outline of any development staging which is planned.
- (aa) If the development abuts an existing or planned arterial street or highway, as identified on the city's master plan or component thereof, all driveway locations of all adjoining property within 200 feet of the subject property shall be indicated on the site plan.
- (bb) Written project summary including operational information, building schedule, and estimate of project value including all site improvement costs.
- (cc) Other data which may be required by either the city staff or city site and architectural review board to review the site plan.

Sec. 13-1-125 Application for architectural review.

Architectural data shall be submitted to the City planning department not less than 20 days prior to a regularly scheduled SARB board meeting. The planning department shall transmit all applications and their accompanying plans to the appropriate city departments and staff and SARB for their review. The SARB shall review and act upon the plans at their next available, regularly scheduled meeting and make its recommendation to the Plan Commission and/or Common Council. Architectural data to be submitted with all architectural review applications shall include the following:

- (a) Architectural plans, elevations, and perspective drawings and sketches illustrating the design and character of all proposed structures. A materials and color perspective rendering of the exterior of the proposed building(s) shall be required for review by the site and architectural design review board. Said elevations and perspective drawings shall indicate the location and placement of all auxiliary building equipment such as heating, ventilating, and/or air conditioning equipment. These drawings are to be drawn to a recognized architectural scale with the name of the project noted.
- (b) Owner's and/or developer's name and address noted.

- (c) Architect's and/or engineer's name and address noted.
- (d) Date of submittal of plans.
- (e) Scale of drawings noted on each drawing.
- (f) The type, size, and location of all structures with all building dimensions shown.
- (g) Indication of the height of building(s).
- (h) Site plan indicating building location drawn to a recognized engineering or architectural scale, with the name of the project noted and north arrow shown.
- (i) Notation on fire protection measures to be installed according to the City of Cedarburg Fire Prevention and Protection Code.
- (j) Samples of exterior materials and their colors.
- (k) Additional information and data which may be required by the Site and Architectural Design Review Board may include the following upon request:
 - (1) Photographs from the site of adjacent neighboring structures.
 - (2) Detailed drawings of decorative elements of the building(s) or structure(s).
 - (3) Sectional building or site drawings.

Sec. 13-1-126 Findings lapse of approval.

The city plan commission shall not approve any application unless it finds by a preponderance of the evidence after viewing the site plan and/or building plans and considering the recommendation of the SARB, that the intent and purpose of this chapter, as well as the principles and requirements set forth in sections 13-1-121, 13-1-122, and 13-1-124, have been complied with. The findings of the city plan commission shall be indicated in the minutes of its meeting and shall be a public record. Plans shall be stamped approved, conditionally approved, or denied and signed and dated by the secretary of the plan commission and retained as a permanent record by the city clerk.

Lapse of site plan approval. If a builder or developer of a project which has been granted site and/or architectural plan approval has not obtained and complied with the provisions of a building permit consistent with said site or architectural plan approval within one year of the date of the initial plan commission approval, the plan approval shall lapse. Upon application, the plan commission may renew its approval of the site and/or architectural plans as initially granted or may require changes as deemed appropriate.

Retroactivity. This ordinance shall be retroactive to all site and/or architectural plan approvals for which as of the date of enactment of this ordinance the developer has not obtained and complied with the provisions of a building permit consistent with the initial approval.

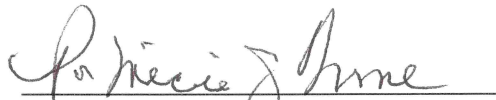
Sec. 13-1-127 Appeals.


Any person or persons aggrieved by any decisions of the council or plan commission related to site plan or architectural review, except as to infill lots, may appeal the decision to the zoning board of appeals. Such appeal shall be filed with the city clerk within 30 days after the date of the decision of the plan commission. Person(s) aggrieved by any decision of the plan commission as to infill lots may appeal the decision to the common council within 30 days after the date of the decision of the plan commission.

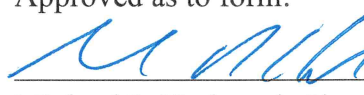
SECTION 2. SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force after its passage and publication as provided by law.

Passed and adopted by the Common Council of the City of Cedarburg this 9th day of June 2025.


Patricia Thome, Mayor

Attest:

Tracie Sette, City Clerk

Approved as to form:

Michael P. Herbrand, City Attorney

SARB PLAN REVIEW GUIDE

Sec. 13-1-120 Purpose of site plan and architectural review.

For the purpose of promoting compatible development, stability of property values, fostering the attractiveness and functional utility of the community as a place to live and work, preserving the character and quality of the built environment by maintaining the integrity of those areas which have a discernible character or are of a special historic significance, protecting certain public investments in the area, and raising the level of community expectations for the quality of its environment, this

Sec. 13-1-121 Site plan review principles and standards.

To implement the purposes set forth in section 13-1-120, the city plan commission shall following due consideration of the recommendation(s) of the Site and Architectural Design Review Board (SARB), review the site, existing and proposed structures, neighboring uses, utilization of landscaping and open space, parking areas, driveway locations, loading and unloading (in the case of commercial and industrial uses), highway access, traffic generation and circulation, drainage,

- (a) The proposed use(s) conform(s) to the uses permitted in that zoning district.
- (b) The dimensional arrangement of buildings and structures conform to the required area, yard, setback, and height restrictions of this chapter.
- (c) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for the specified uses.
- (d) There is a proper relationship between the existing and proposed streets and highways within the vicinity of the project in order to assure the safety and convenience of pedestrian and vehicular traffic.
- (e) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects upon owners and occupants of adjacent and surrounding properties by providing for adequate design of ingress/egress, interior/exterior traffic flow, storm water drainage, erosion, grading, lighting, and parking, as specified by this chapter or any other codes or laws.
- (f) Natural features of the landscape are retained where they can enhance the development on the site, or where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes or where they assist in preserving the general safety, health, welfare, and appearance of the neighborhood.
- (g) Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by appropriate screening, fencing, or landscaping, as provided or required in this chapter.
- (h) Land, buildings, and structures are readily accessible to emergency vehicles and the handicapped.
- (i) The site plan is consistent with the intent and purpose of this chapter, which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to avoid the overcrowding of population, to lessen congestion on the public roads and streets, to reduce hazards of life and property, and to facilitate existing community development plans.
- (j) The site plan is consistent with the public goals, objectives, principles, standards, policies, and urban design criteria set forth in the city's adopted community master plan or components thereof.

Sec. 13-1-122 Architectural review principles and standards.

Architectural review and standards are applicable to all new commercial/office/industrial/institutional buildings and all new principal buildings proposed for construction on all new lots created by a subdivision plat, by Certified Survey Map and on all infill lots. Architectural style is not restricted; however, structures must be compatible with the surrounding area. To provide criteria for the implementation of the purposes set forth in section 13-1-120, the following architectural review

(a) Building scale and mass. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered. New buildings and additions to existing buildings shall harmonize and correspond to the existing character of the immediate neighborhood. In approving infill projects, the FAR standard for the zoning district in which the building is located shall not govern the building size, but rather, building size will be established, on a case-

(b) Building rooflines and roof shapes. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.

(c) Materials. Material selection for architectural design shall be based upon the prevailing material already used on existing buildings in the area. No building shall be permitted where any exposed facade is constructed or faced with a finished material which is aesthetically incompatible with other building facades in the area and which presents an unattractive appearance to the public and surrounding

(d) Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing

(e) Building location. No building shall be permitted to be sited in a manner which would-unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

(f) Historic structures. Any construction, rehabilitation and/or restoration of any landmark or historic building or structure within the Washington Avenue Historic District and proposed for any locally designated historic building shall conform to all the requirements of this chapter and with the terms and conditions outlined by the landmarks commission and included in the city's Building/Historic Code.

(2) The city plan commission shall, following due consideration of the recommendation(s) of the SARB, review the proposed architectural style/design, materials, and colors, in the context of the surrounding area and the purpose set forth in Section 13-1-120 above, for all new or substantially modified buildings located on commercial/office/industrial/institutional sites. The city plan commission will approve said site plans only after determining that these plans comply with the

Chapter 16. Zoning

Article XVI. Single-Family and Two-Family Residential Design Guidelines

[Amended by Ord. No. 1685]

§ 16-98. General provisions.

- A. These guidelines (hereinafter "guidelines") are intended to help maintain the high quality of Whitefish Bay's neighborhoods by providing guidance for the design of new houses, additions and/or remodels in existing neighborhoods. These guidelines are intended to focus on the characteristics of neighborhood compatibility and to provide individual homeowners flexibility to build, expand or remodel to meet their own needs and objectives.
- B. All new house construction, additions and remodel projects must conform to the development standards of the zoning districts in which they are located. The single-family and two-family design guidelines presented below are intended to go beyond the basic requirements of the Zoning Ordinance and, in greater detail, address issues specifically related to neighborhood character and compatibility. These guidelines apply in all neighborhoods but will perhaps be particularly important in neighborhoods with established historic or architectural merit and for individual buildings with historic or architectural merit.
- C. Applicability. The guidelines apply to all new single-family and two-family structures on individual lots, including new subdivisions located within or adjacent to existing neighborhoods, and all additions and remodels requiring a building permit.
- D. Application. These guidelines are provided for the use of homeowners, builders, contractors, architects, designers, Village staff and Village decisionmakers.
- (1) Homeowners, builders, architects and other designers are encouraged to consult the guidelines prior to designing new houses, additions or remodels for ideas and advice.
 - (2) The guidelines can be used as an informational resource by homeowners, builders and/or designers.
 - (3) The guidelines will be used by Village staff and decision makers as the criteria for making permit decisions.
 - (4) Neighborhood residents should consult the guidelines to understand the neighborhood compatibility concepts which will apply to new construction.
- E. Definitions. The following definitions shall apply under these guidelines:

DESIGN AREA

The design area of a property shall be as outlined in Subsections (1) through (3) below, and/or subject to such refinements as might be made by the Building Inspector to deal with unique circumstances such as curved streets, culs-de-sac, subdivision or zoning district boundaries, and the like. All homes in the design area must be homes located within the Village boundaries. The design area should include a minimum of eight homes.

[Amended 1-21-2019 by Ord. No. 1845]

- (1) For parcels abutting Lake Michigan, the design area shall consist of six residential parcels on both sides of the subject parcel. Homes only abutting Lake Michigan shall be considered in the design area.
 - (2) For interior lots, the design area shall consist of all abutting residential parcels and all interior residential parcels on both sides of the street within the block of the subject parcel. In no case should residential parcels abutting Lake Michigan be considered in the design area.
 - (3) For corner lots, the design area shall consist of all abutting residential parcels, all corner residential parcels within 300 feet of the subject parcel, and any residential parcel located directly across the street. In no case should residential parcels abutting Lake Michigan be considered in the design area.
- F. These single-family and two-family residential design guidelines are organized in four sections:
- (1) Neighborhood patterns. The first section identifies those common building characteristics which are most apt to define a neighborhood's appeal and identity. Not all pattern themes will be present in every neighborhood.
 - (2) Elements of building design. This section addresses design integrity within the individual building.
 - (3) Relationships to adjacent properties. This section deals with the interfaces between new construction and adjacent existing single-family houses.
 - (4) References to treatise. Reference to McAlister: A Field Guide to American Houses (Knopf 1984) (hereinafter "McAlister") is provided as a resource for homeowners and builders who wish to understand the architectural origins of houses and the representative elements of their style. All references to architectural style or elements in these design guidelines are to be interpreted and understood by reference to that book.

§ 16-99. Neighborhood patterns.

[Amended by Ord. No. 1705]

Because the major objective of these guidelines is to ensure that new homes, additions and remodels are appropriately compatible with the design area, compliance with the guidelines in this article is essential for the preservation of the neighborhood character, and consistency with them will be an important component of those projects which qualify for approval. While compatibility with neighboring structures is required, a proposed project should not be so similar in design, materials, style or exterior appearance to structures in the design area that excessive monotony is created. In the event of any conflict between these design guidelines and Article XIII, Historic Preservation, of this chapter, Article XIII, Historic Preservation, shall control.

- A. Setbacks (see Figure 1).
- (1) At a minimum, setbacks must conform to the standards of the applicable zoning district.
 - (2) In addition, front setbacks should be compatible with existing front setbacks in the design area or on adjacent properties, whichever is less.
 - (3) Side setbacks should generally be compatible with the side setbacks of adjacent properties if there is a design area pattern of larger side setbacks than is required by the zoning district.

- (4) Rear termination of the dwelling should generally be compatible with the rear termination of the dwelling of the properties in the design area, unless the Architectural Review Commission finds that the scale, massing, architectural design, and detail of the proposed structure are such as to mitigate to a substantial degree any negative impacts on light, air, views and privacy of properties in the Design area. The rear termination of each dwelling is depicted in red in the following image:
[Amended 8-29-2022 by Ord. No. 1895]



B. Height.

- (1) The height of new houses and additions should be limited to 25 feet in most design areas. Few design areas in Whitefish Bay have houses that are taller than 30 feet and even fewer have a significant pattern of such houses.
- (2) Heights of up to 35 feet, however, may be considered for sites where the architectural style of the house is a traditional one that is characteristically tall (for example, Victorian, Gothic, etc.) and where any two of the following conditions are found:
 - (a) The new house or addition is consistent with a design area of houses which are more than 25 feet tall.
 - (b) The new house or addition is not out of scale relative to the homes in the design area with primary consideration given to the adjacent homes and the available remedial approaches as noted in § 16-101.
 - (c) The new construction is an addition which adds a minor amount of mass above 25 feet to a house which is already more than 25 feet tall, primarily for consistency with the architectural style, ceiling height or roof characteristics of the existing house.
 - (d) The house has side setbacks of 25 feet and a minimum rear setback of 50 feet.
- (3) For purposes of this Subsection **B**, height shall be calculated as described in the definition of "building height" in § 16-3 of this chapter.
[Added 8-29-2022 by Ord. No. 1895]

C. Entries and porches.

- (1) In design areas where there is a dominant pattern of front porches for existing houses:
 - (a) New houses should have front porches consistent with the style of the house.
 - (b) Existing porches should be retained with remodels.
- (2) Main entries should be prominent and oriented to the street unless another pattern is well established in the design area.

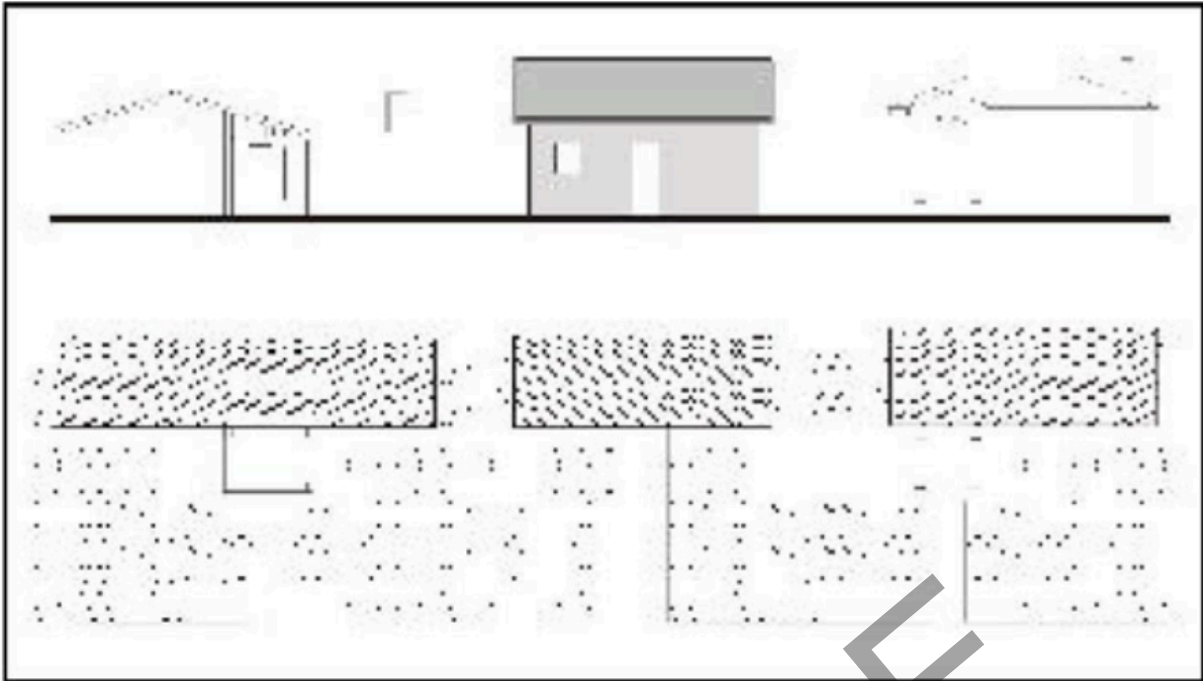
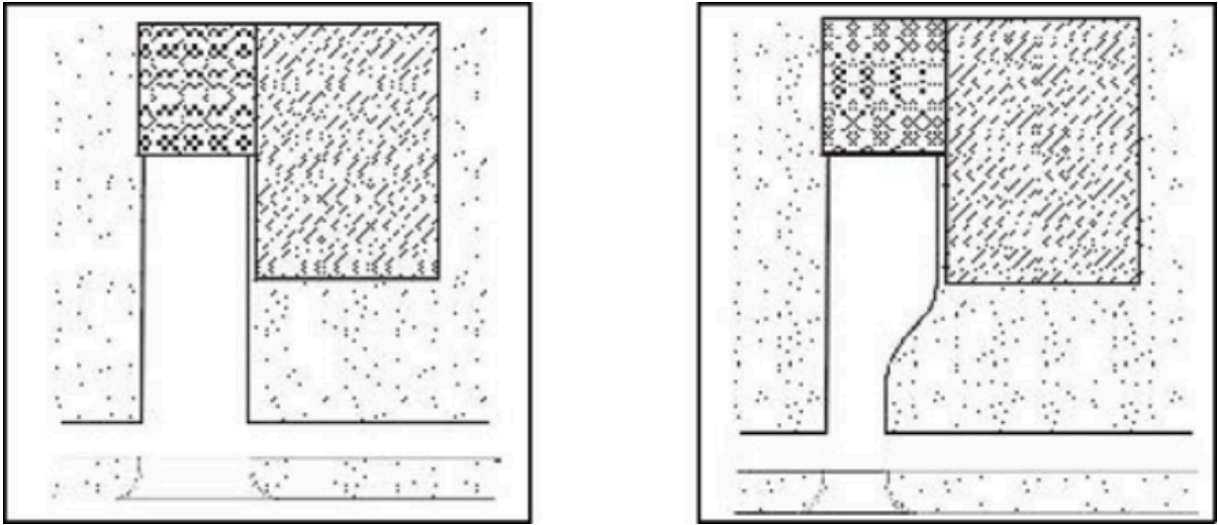


Figure 2. The house without any entry feature lacks the architectural interest and sense of welcome of the other houses.

D. Garages and parking areas (see Figures 9 through 15).

- (1) Garages should be consistent with those in the design area and should not be the dominant feature of the facade of a house.
 - (a) In design areas with an established pattern of detached garages located in the rear yard, new garages should also be located at the rear of the house. Garages on such blocks may be attached if they are located behind the house, or face the side yard with no garage walls included in the front facade of the house. Only for properties with insufficient room due to setbacks the requirements of this section may be waived by special exception, provided mitigating design elements are employed.
 - (b) In design areas with an established pattern of attached garages, unless the predominant pattern in the design area for any of the following requirements is to the contrary:
 - [1] The front line of any garage should be set back from the majority of the front line of the structure a distance sufficient to reduce the relative overall scale of the garage as compared to the house front facade and insure that the front house facade is the dominant feature when observed from the street.
 - [2] Attached garages located at the front or side facades of the house should be no wider than 1/2 the width of the total structure facade which includes the garage doors.
[Amended 8-14-2017 by Ord. No. 1832]
 - [3] In addition, in design areas where the predominant pattern is attached two-or-more-car garages, new or expanded attached garages for three cars should be either turned sideways to the street, configured as two tandem spaces and one single space, or split or offset as two distinct garages, a two-car garage and a one-car garage.
 - [4] Attached garages on corner lots should be located to avoid driveway paving at or near the corner unless the paving forms an entry court of superior design.
 - [5] No single vehicle entry door of an attached garage which faces the front yard shall in width exceed 30% of the width of the total combined residence and garage structure.
- (2) The least amount of paved surface necessary on a lot for driveways and parking is encouraged. Curb cuts, driveways and parking surfaces should be no more than the width of two cars, except as follows:
 - (a) Paved areas may be flared to allow access to three-car garages.
 - (b) Curb cuts or paved surface connection of up to three car widths per lot are permitted along alleys.



Figures 3 and 4. Avoid unnecessary driveway paving. Driveway pavement minimized.

§ 16-100. Scale, massing and elements of house design.

[Amended by Ord. No. 1705]

This article addresses the scale, massing and design integrity of the individual building. While scale, massing and design integrity are important to the appearance of individual buildings, their importance in the context of these guidelines is equally related to the building's impact and "fit" in its neighborhood or on its block. The guidelines in this article will be applied most rigorously in design areas with distinct architectural character.

A. Scale and massing (see Figures 5 through 7).

- (1) The scale and massing of new houses and additions, including proportions, roof lines, and slopes, should be consistent with the general scale and shapes of adjacent houses. Where necessary, the appearance of excessive scale may be minimized by employing one or more of the following techniques:
 - (a) Limiting the building profile (see Figure 5) of the new house or expanded house to an area generally consistent with the profiles of homes in the design area with primary consideration to the adjacent homes and the available remedial approaches as noted in § 16-101.
 - (b) Setting the second story back from the front and sides of the first story a distance sufficient to reduce the apparent overall scale of the building.
 - (c) Significantly limiting the size of the second story relative to the first story, including any addition to the first story.
 - (d) Significantly increasing the front and/or side setbacks for the entire structure.
 - (e) Sloping the new roof back from adjacent houses.
- (2) The scale and mass of any portion of a new house or addition facing a public street should be compatible with those of adjacent houses and/or with the predominant scale in the design area.
- (3) Scale and massing compatibility should include the elevation of floor plates (including certification by the owner of such proposed elevations relative to adjacent streets). For example, in design areas with houses set high on their foundations, new houses and additions should be set similarly high. In addition, compatibility of scale and massing should be maintained by:
 - (a) Avoiding flat roofs in design areas with a predominant pattern of peaked roofs unless the building profile area of the flat-roofed structure is no larger than the profile areas of the adjacent houses.
 - (b) If large blank surfaces are proposed, they should serve some compelling design purpose, and the design should incorporate mitigating features to enrich the appearance of the structure and provide a sense of scale at ground level that is inviting to the observer.



Figure 5. Middle building profile area is significantly larger than adjacent building profiles.

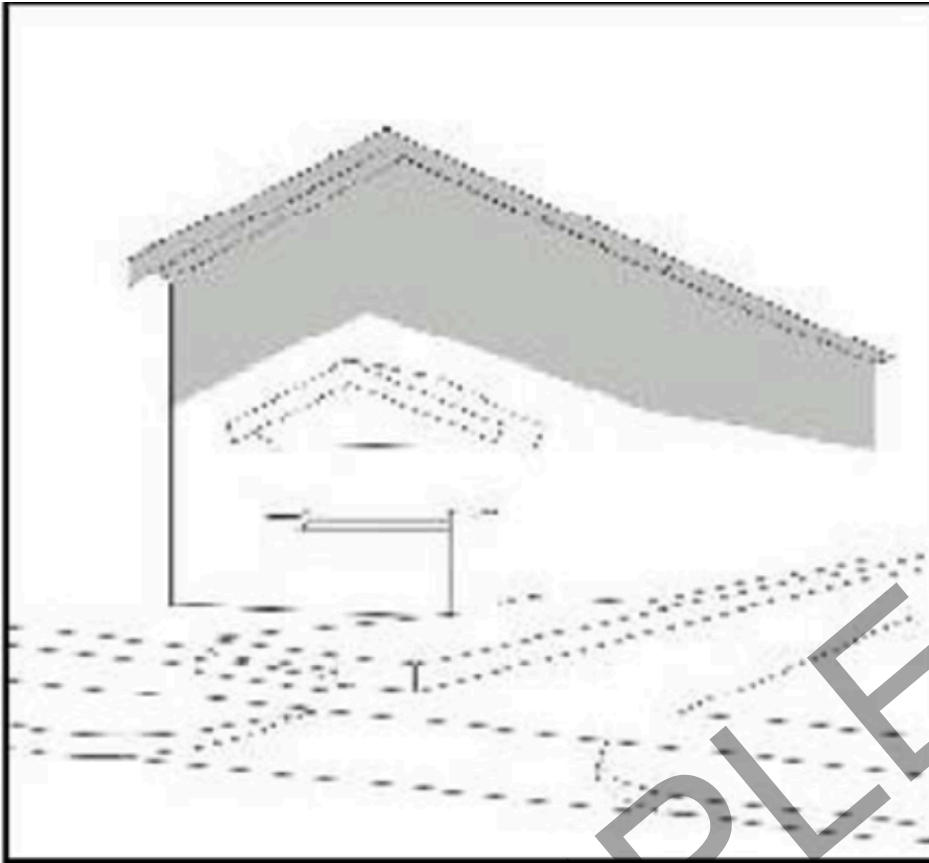


Figure 6. Large block second story overwhelms the original house and streetscape.

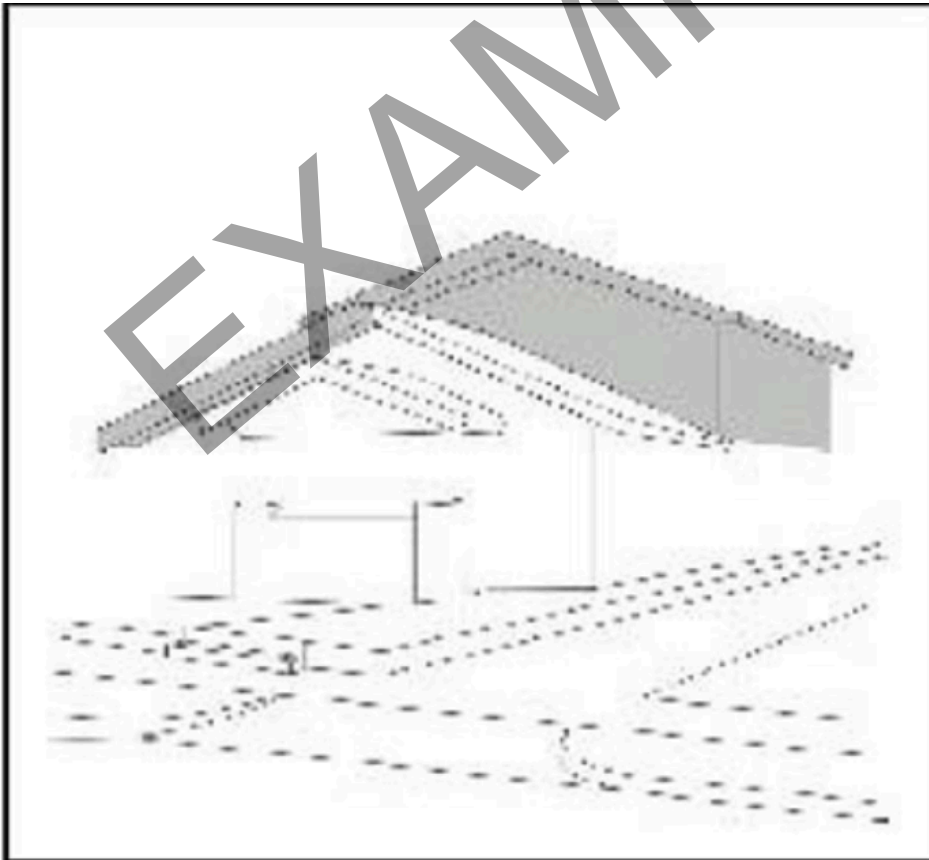


Figure 7. Smaller setback second story in scale with and preserves streetscape lines of the original house.

B. Architectural style.

- (1) Architectural styles of new houses and substantial remodels should be compatible with the architectural styles found in the design areas and for remodels consistent with the existing house (unless the existing architectural style is to be changed). Compatibility can be achieved with the use of any

architectural style, provided it employs building scale, massing, and roof lines, materials and building orientations that are commonly found in the design area.

- (2) For additions and remodels, the architectural design of the building elements listed below should be generally consistent with that of the existing dwelling, unless an objective of a remodel is to change the existing style to another one or to upgrade one or more of the building elements, for example, to replace wood window frames with aluminum ones. (For definition and interpretation with regard to architectural styles and elements, reference is made to McAlister, which is incorporated into these design guidelines by reference.) For new houses or houses with substantial remodels constituting a change in architectural style, individual building elements should be employed for architectural consistency. In general, the following building elements should be stylistically consistent for each building:
- (a) Overall style. The overall style of each house should be consistent on all sides of the building as well as among all portions of the roof. Particular care should be taken that building elevations and roof elements visible from streets and other public or quasi-public spaces are stylistically consistent. Consistency should be determined by evaluating each of the building components below. For example, details such as divided-lite windows, scale and proportion of windows, matching trim, matching siding exposure, matching siding corners, maintaining masonry lintels, and maintaining roof pitch and style should all be replicated on additions and remodels.
[Amended 8-29-2022 by Ord. No. 1895]
- (b) Siding materials. Natural building materials are encouraged. Synthetic siding/trim materials will be considered based on quality and appearance. Siding materials should be appropriate to the style and style era of the house. For example, materials developed after the establishment of a particular architectural style are not appropriate on buildings of that style unless the new material is a high quality and deliberate reproduction of the original material. The same siding material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.
- (c) Roof materials.
- [1] Acceptable sloped roofing materials include:
- [a] Cedar shake.
 - [b] Slate.
 - [c] Fiberglass.
 - [d] Shingles, concrete.
 - [e] Shingles, tile.
 - [f] Dimensional asphalt shingles.
 - [g] Copper.
 - [h] Standing seam metal, provided a physical sample of the material is provided to the Architectural Review Commission for review and approval.
[Added 8-29-2022 by Ord. No. 1895]
 - [i] Materials appearing to be derived from natural settings, as approved by the Architectural Review Commission in its discretion. For such materials, a physical sample of the proposed material is required to be provided to the Architectural Review Commission for review and approval.
[Added 8-29-2022 by Ord. No. 1895]
- [2] Roof materials should be appropriate to the style of the house and (except for flat roofs or flat roof portions) should be the same product for the entire roof system. New materials designed for fire resistance are appropriate as long as they replicate the traditional material (e.g., composition or concrete products designed to look like wood shingles or shakes, non-copper metals designed to look like copper, synthetic products designed to look like slate or tile).
- (d) Roof lines and roof slopes. Roof lines and slopes should be generally the same over all parts of a single building. Exceptions are roof styles or architectural styles that traditionally involve varying slopes such as gambrel roofs, or, architectural styles that sometimes mix flat and sloped roofs, such as the Mediterranean style. In addition, gable and hip roof elements are often used in combinations and very small gable or shed roof elements used over dormers or to highlight or shield a prominent window or windows are generally appropriate.

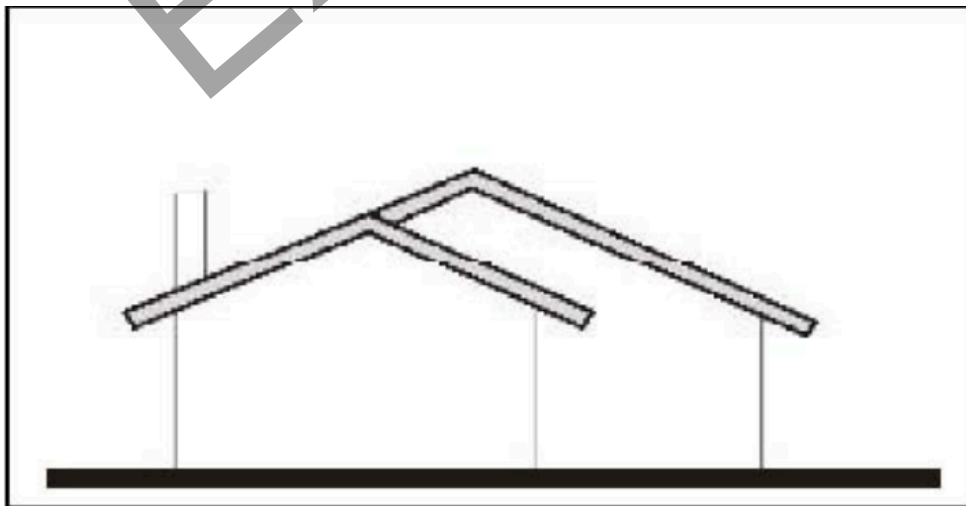


Figure 8. Roof elements should generally have the same slope.

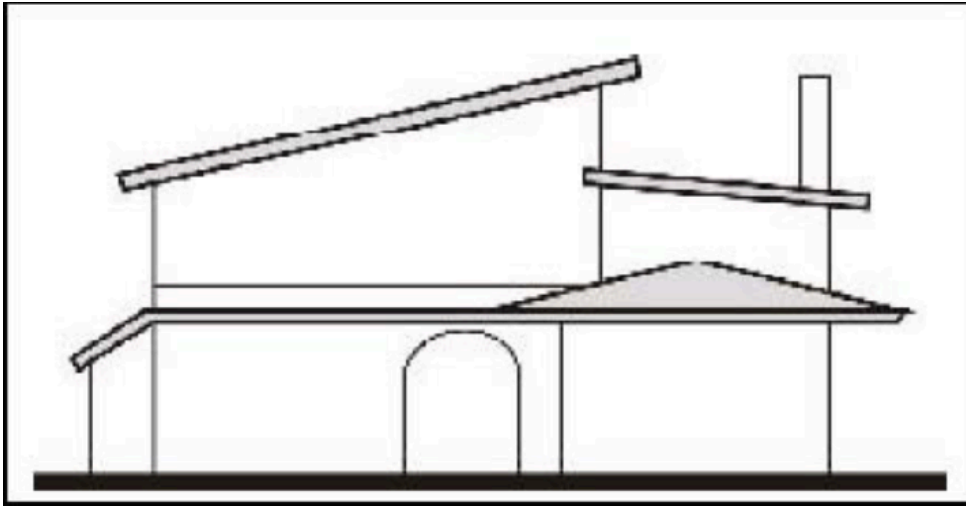


Figure 9. Roof elements with varied slopes result in a building that looks confused and unattractive.

- (e) Window styles and frame materials. Window styles (double hung, casement, sliding, fixed, etc.) and frame materials (aluminum, wood, steel, etc.) are particularly important expressions of architectural style and should be compatible among all elevations of a building. Window styles may vary depending on the specific use or size of the window for some architectural styles. Window frame materials should not vary on a single building, except in some limited cases where the frame material is being upgraded. See McAlister for examples of appropriate window styles and frame materials. Windows in garden rooms, greenhouses, and solariums may vary from the existing house in style and materials, provided the style and size of windows on such structure are not significantly incompatible with the existing house.
- (f) Window sizes and proportions. Window sizes and proportions are also important expressions of architectural style and should be consistent with the architectural style of the house. For example, Victorian windows are typically tall and slender, Ranch-style windows are most often wider than they are high, International Style windows are often square, etc. While windows' sizes on a single house most often vary by the purpose of the room, several styles, e.g., Craftsman Bungalow and American Revival styles, typically include largely uniform window heights all around the building. Several styles also traditionally employ the same window repeated in groups of two, three or four as a fundamental expression of the style.
- (g) Decorative features.
 - [1] Decorative features such as corbels, bargeboards, porch or balcony rails and columns, other columns and capitals, windowsills, carvings and any other decorative elements should be consistent, as appropriate, over the entire building. Some elements such as corbels, bargeboards and decorative window trim should be consistent on all parts of the house, while others such as porch and balcony rails may apply only to those individual structures, typically those located at or near the front of the house. For purposes of decorative features, consistency means the same materials, dimensions and design elements. Decorative consistency is perhaps most critical for additions to houses with architectural styles which include decorative features as important elements of the style. Simple decoration added to a house previously without decorative features is not precluded.
 - [2] It is important that exterior details, such as shutters, corner boards, quoins, cupolas, wing walls, cornices and cornice returns, gable vents, fanlights, trim boards, lintels, sills, etc., be designed into the facade together with the other design features. These elements, where repeated, should be consistently applied throughout the project.
- (h) Chimneys. Masonry chimneys (or chimneys faced with real or artificial stone, brick or stucco which is satisfactory to the Architectural Review Commission) will generally be required, even if the fireplaces themselves are not masonry. Consideration to frame chimneys will be given based on the context of the project. Frame chimneys not covered with real or artificial stone, brick, or stucco must be consistent with the architectural style of the structure and any existing structure and, to the maximum extent practicable, should not be visible from the street.
- (i) Garages and sheds. Garages and sheds should be of an architectural style and detail to be consistent with the residence on the property.

§ 16-101. Relationships to adjacent properties.

(See Figures 25 through 28.) This section contains additional guidelines in the form of recommendations intended as suggestions for application in the single- and two-family design review process to minimize the impact of new houses or additions on neighboring houses. Taking care to avoid noise, light, shade, privacy and aesthetic impacts on neighboring properties will always be appreciated and will often make the difference between support for and opposition to the new house or addition. While not mandatory design features, the guidelines presented in this section are highly desirable for incorporation into all new residential construction.

A. Guidelines.

- (1) Balconies and decks. New balconies or decks located more than one foot above grade on new or existing houses should be built in accordance with these architectural guidelines and preferably no closer than 20 feet to adjacent rear property lines.
- (2) Exterior lighting.
 - (a) Lighting should not be installed in such a manner or at such total capacity as to shine directly onto adjacent residential properties.
 - (b) To the extent practicable, the view of light sources should be shielded from adjacent residences.

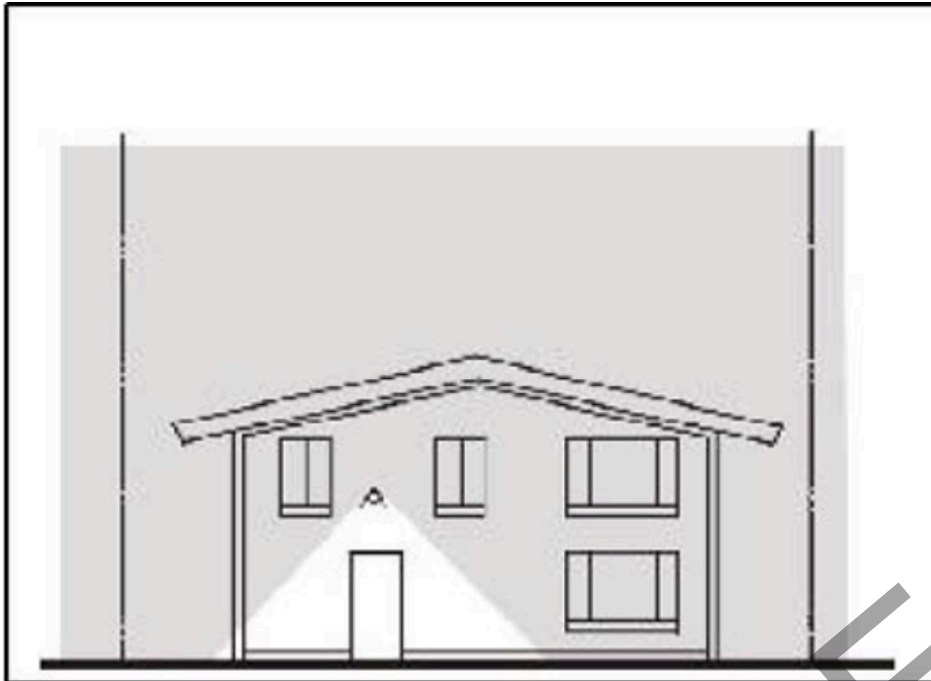


Figure 10. Light should be directed downward and light sources shielded from off-site view.

- (3) Site plan. Siting of the project should not impair the lot's natural beauty or that of the neighborhood. It should respect the shape and physical attributes of the lot and of the neighborhood, including drainage matters, mature trees, sun penetration and views as much as possible. These aspects should be taken into consideration with respect to the project's effects on neighboring properties. The site plan should attempt to address drainage, to eliminate or minimize the loss of mature trees and vegetation and to minimize or reduce alteration of natural topography.
 - (4) Air-conditioning equipment. Air-conditioning equipment can create noise that is irritating to neighbors. The location of such equipment should be designated to minimize noise impacts to adjacent properties.
- B. Remedial approaches. If appropriate, the Architectural Review Commission may require remedial approaches to mitigate impacts on adjacent properties, including, but not limited to, the following:
- (1) Setting second-story balconies and decks back from property lines a distance greater than intended by the basic guideline above can help avoid direct views into adjacent residential windows, patios and rear yards.
 - (2) New windows can be placed to avoid direct views into existing neighboring windows.
 - (3) Views into neighboring buildings and yards can be further minimized by adding structural screens, such as trellises or wing walls, to interrupt those views.
 - (4) Encouraging smaller building masses at the sides and rear of adjacent single-family rear yards in order to help preserve privacy and sunlight access for the neighboring property.
 - (5) Avoiding large second-story windows overlooking adjacent rear yards can limit views into those rear yards.
 - (6) (Reserved)^[1]
^[1] *Editor's Note: Former Subsection B(6), regarding incorporating grading modifications and other techniques, was repealed 8-29-2022 by Ord. No. 1895.*
 - (7) Avoiding destruction of mature trees and vegetation.

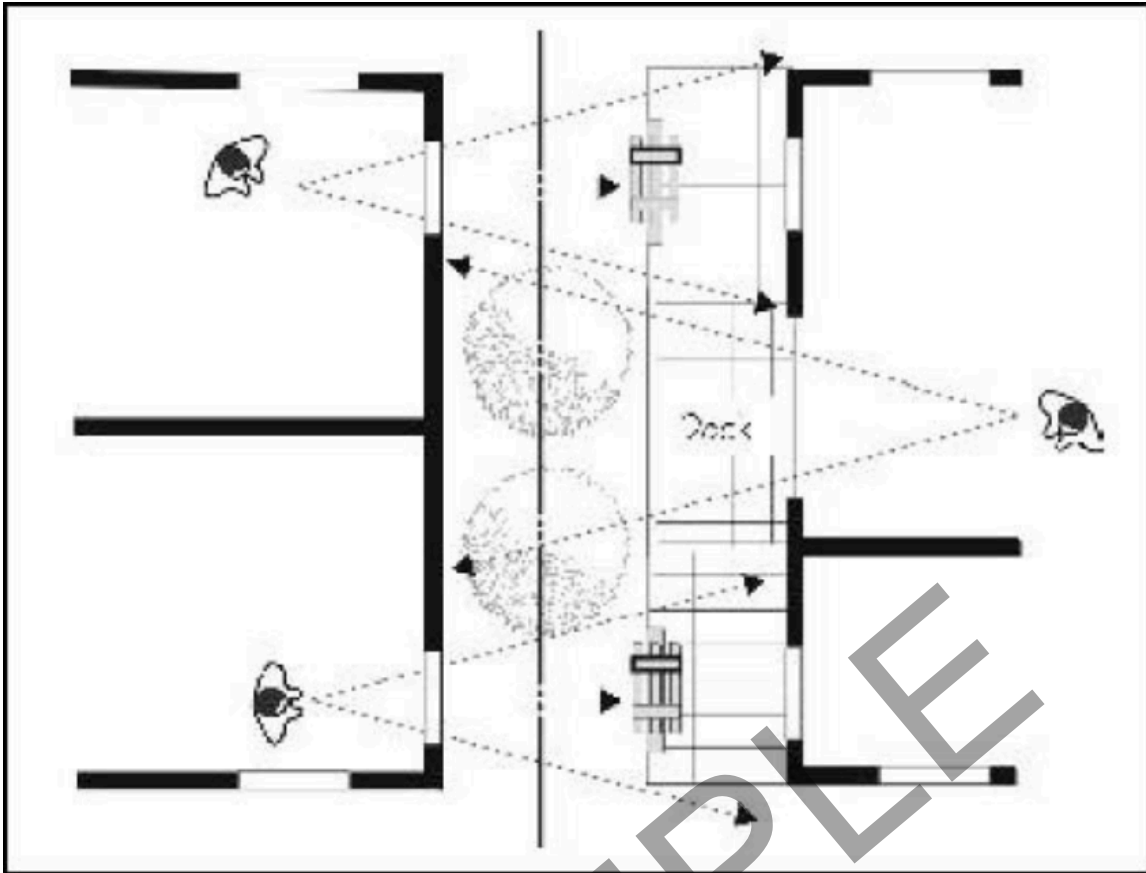


Figure 11. Offsetting window locations will help prevent views into adjacent houses.

Section 19.06.01: In General

ARTICLE VI: ARCHITECTURAL DESIGN STANDARDS**Section 19.06.01: In General**

- A. Purpose. The purpose of this Section is to regulate the design and materials used for the exterior of buildings and structures within the Village so as to maintain and enhance the attractiveness and values of property in the community. This Article is further intended to support the creation of a pedestrian-oriented urban environment that emphasizes architectural and urban design principles of human scale and visual interest. Additionally, this Article is intended to ensure the development of structures that maintain a long-lasting appearance; withstand the effects of time and exposure to the elements; resist damage in areas with high vehicular and pedestrian traffic and in areas where larger equipment that could cause damage is commonly used; that maintain a consistent character of development based on land use and zoning district particular to each development; and that contribute to the long-term economic and social vitality of the Village of Grafton.
- B. Applicability. Refer to Section 19.06.02 for the applicability of building design standards to single and two family buildings.
1. New Construction. The requirements of this Section shall apply to all structures and buildings within the Village constructed after the effective date of this Section.
 2. Additions.
 - a. All additions shall match or be substantially similar to the design and materials of the existing building.
 - b. Additions to buildings constructed after the effective date of this Section shall comply with the standards of this Section.
 - c. Buildings Constructed Prior to the Effective Date of this Section.
 - i. If additions to an existing building(s) constructed prior to the effective date of this Section are less than or equal to 50 percent of the existing floor area of the building (measured cumulatively from adoption of this Section), the standards contained herein shall not apply but shall be regulated per Subsection 19.06.01 (B)(2)(a) above.
 - ii. If additions to an existing building(s) constructed prior to the effective date of this Section are greater than 50 percent of the existing floor area of the building (measured cumulatively from adoption of this Article), the standards contained herein shall apply.
 3. Alterations. For buildings constructed prior to the effective date of this Section, alterations that do not impact the floor area of the building shall comply with the standards of this Section, or shall match or be substantially similar to the existing building design and materials. Ordinary repairs and maintenance are not considered alterations.
 4. Exceptions and Appeals.

Section 19.06.02: Single and Two Family Uses

- a. Exceptions. Exceptions to the building design standards set forth in this Section may be granted by the Community Development Director, or designee, to permit substitute building materials or construction of comparable quality or design when it can be demonstrated that the provisions of this Section are infeasible and that the granting of such exception is in keeping with the purpose of this Section. Decisions rendered by the Community Development Director, or designee, may be appealed to the Plan Commission.
 - b. Appeals. Any person affected by a decision of the Community Development Director, or designee, may petition for a hearing before the Plan Commission.
 - c. Variances. The Plan Commission is authorized to grant variances from the strict application of the building design standards within this Section when it is found that the intent of the standards in this Section have been incorrectly interpreted, do not apply, or their enforcement causes unnecessary hardship.
 - i. The procedure for the granting of variances by the Plan Commission shall be the same as that required for variances, with the exception that the Plan Commission shall serve the role of the Zoning Board of Appeals.
5. Beyond the rules in this Section, additional building design standards may apply to:
- a. Group or Large Developments.
 - b. Conditional Use Permits.
 - c. Planned Unit Developments.
- C. Review and Approval. The Architectural Review Board shall be responsible for and have authority to hear, review, and act upon all proposed exterior architectural plans for all proposed development.
- D. Exterior Building Materials. The 4 classes of building materials referenced in this Section have the following meanings:
- 1. Class I materials include brick, brick veneer, stone, stone veneer, and glass (curtain/storefront).
 - 2. Class II materials include siding made of wood and wood composite, split face or decorative block, EIFS (accent), and stucco.
 - 3. Class III materials include architectural/ decorative metal panels, EIFS (primary), residential aluminum siding, and siding made of vinyl or fiber cement.
 - 4. Class IV materials include smooth face or non-decorative block; plain concrete panels (tilt-up or precast); asphaltic, fiberglass, metal, or poly-roofing siding; non-decorative metal panels; corrugated metal; and plywood, chipboard, or other non-decorative wood.

Section 19.06.02: Single and Two Family Uses

- A. Purpose. The purpose of this Section is to maintain the basic architectural quality of residences within the community, to minimize architectural and building construction practices that may detract from the character and appearance of the neighborhood as a whole, and to ensure compatible design between existing and new homes.

Section 19.06.02: Single and Two Family Uses

These standards apply to all single and two family structures within the Village of Grafton, with the exception of Mobile Homes.

B. Design Separation.

1. No two single-family dwellings or two-family dwellings of similar front elevation or facade shall be repeated on any abutting lots or within five (5) lots on either side of the street on which the dwellings front, including lots which are directly across the street from one another.
2. The same home model, as determined by the Architectural Review Board, for a single-family dwelling shall not be repeated on any abutting lots or within five (5) lots on either side of the street on which the dwellings front, including lots which are directly across the street from one another. Flipping and/or rotating home models shall not constitute a different model.
3. Front elevations or facades shall be deemed to be similar when there is no substantial difference in roof lines; and no substantial change in windows of either size, location or type; and either no change in the color of materials used (rather than a change in shade), or no substantial change in the kind of materials except where such buildings are part of a unified development and similar building designs are approved by a unanimous vote of the Architectural Review Board.
4. The following differences in the roof lines of single-family dwellings or two family dwellings as seen from the front of the dwelling shall be deemed sufficient to render buildings containing such changes and built on adjacent lots to be dissimilar:
 - a. Changing gable roofs to hip roofs.
 - b. Providing an intersecting gable roof on the main gable roof, if the height of the intersecting roof is at least fifty (50) percent of the height of the main roof.
 - c. Providing an intersecting hip roof on the main hip roof, if the height of the intersecting hip roof is at least fifty (50) percent of the height of the main roof.
 - d. Subject to review by the Building Inspector, a shed roof when used as a front porch roof for a minimum of fifty (50) percent of the entire width of the house, excluding area of the garage.
 - e. Subject to review by the Building Inspector, a substantial difference in roof line shall be deemed to exist if the front soffit is increased significantly and is combined with columns at least six (6) inches in width or other architectural features of a similar magnitude which reach the roof line of the highest story.
 - f. Rotating gable roofs ninety (90) degrees on the building.
 - g. On a tri-level residence or other building type that has three (3) independent major roof areas, the changing of two (2) out of three (3) roof lines shall be acceptable as a substantial change. Acknowledging certain design elements may prevent the changing of all three (3) roof lines, it is desired that the roofs with the greatest impact in the streetscape be changed.
5. Windows.

Section 19.06.02: Single and Two Family Uses

- a. The following differences in the size, location or type of windows shall be deemed sufficient to render buildings containing such changes and built on adjacent lots to be dissimilar:
 - b. Changing from single windows to a multiple window arrangement (ganged units).
 - c. Changing from multiple window arrangement to single windows.
 - d. Changing the type of windows (e.g., a casement to double hung).
 - e. Providing a bay or bow window in the area of the predominant window.
 - f. The following change shall not be deemed sufficient to constitute a substantial change in windows: The addition or subtraction of muntin bars (dividing lights).
 - g. Where, because of its size, location or design, one window is the predominant window on the front elevation or face, if the size, location or type of that window is changed to render the dwelling dissimilar, then no other window need be changed.
6. Construction Material or Color. The following differences in construction material between adjacent single family dwellings or two-family dwellings as seen from the front of the dwellings shall be deemed sufficient to render buildings containing such changes and built on adjacent lots to be dissimilar.
 - a. Four (4) inch exposure horizontal siding.
 - b. Eight (8) inch exposure horizontal siding.
 - c. Brick facing.
 - d. Stone facing.
 - e. Stucco/stucco to board and trim.
 - f. When materials are changed, the change must occur throughout the front facade or elevation for a minimum of one (1) story in height.
 - g. Color change shall be made by significant changes in adjacent colors. The change must be one of color rather than merely of the shade.
- C. Exterior Materials.
 1. New single family and two family dwelling units shall be clad in Class I, Class II, or Class III materials.
 2. Class IV materials are prohibited.
- D. When stone and brick materials are used on single family houses, two family houses, and new or replacement free-standing garages, the stone or brick materials must (1) include a return of a minimum of two feet on façade sections of more than four feet in length; and (2) include a return to an inside corner on façade sections of four or fewer feet in length.
- E. There shall be a minimum of 3½ inch wide trim around all windows and doors on all facades, except where window shutters are used.
- F. Standing seam metal roofs in residential districts shall meet the following conditions along with any additional conditions as deemed appropriate by the Community Development Director or designee. No standing seam metal roofs will be permitted

Section 19.06.03: Multi-Family Uses.

on contributing structures in historic districts, unless such structures historically had comparable standing seam metal roofs.

1. The standing seam metal roofing material shall have a low-reflectance finish so as to minimize the amount of light reflected into the sky and windows of adjacent properties. The maximum permitted Light Reflectance Value (LRV) is 35% for metal roofs. Standing seam roofing shall be painted. Galvanized roofs shall not be permitted.
2. Any paint applied to the metal roof panels must be applied to such panels at the factory using materials and a baking or other process that prevents the paint from cracking or chipping through normal wear and tear of a residential roof. Field applied painting of standing seam metal roofs is prohibited. The roof shall not have exposed unfinished metal edges. Standing seam roofs shall be complimentary to the house color and limited in color to greys, browns, dark green or a pale green simulating a copper patina color. Any ice and snow block or shield must match the color of the roof on which it is installed or be complimentary to the color of the roof.
3. The standing seam metal roofing shall have a minimum thickness of 24-gauge so as to minimize the potential for wind and hail damage.
4. Seam profiles in standing seam roofs for residential properties shall be no greater than 1" for roofs with pitches higher than 4:12, no greater than 1.5" for roofs with pitches between 2:12 and 4:12, and no greater than 3" for pitches less than 2:12.
5. Standing seam metal roofing shall be installed per approved manufacturer's details and instructions.
6. Standing seam metal roofing shall include at least the minimum underlayment required per the manufacturer's specifications or a minimum of 7/16" OSS underlayment if no minimum is specified by the manufacturer.
7. Exposed fasteners or standing seam roof designs that employ exposed metal fasteners are prohibited. Ice and snow blocks or shields must also employ concealed fasteners.
8. Standing seam metal roofing shall meet all applicable building codes.
9. Standing seam metal roofs installed on existing residential construction shall not be constructed over existing roofing materials. Tear offs shall be complete to the roof sheathing.
10. Tin roofs and corrugated metal roofs are prohibited.
11. Standing seam metal roofing shall be maintained in a rust-free state for the duration of the roof's lifespan.

Section 19.06.03: Multi-Family Uses.

- A. Purpose. The purpose of this Section is to maintain the architectural quality of multi-family uses within the community, to minimize architectural and building construction practices that may detract from the character and appearance of the neighborhood as a whole, and to ensure compatible design between existing and new

Section 19.06.03: Multi-Family Uses.

development. These standards apply to all multi-family buildings and structures constructed after the effective date of this Section. These standards also apply to Apartments with Limited Commercial land uses.

- B. **Building Scale and Mass.** The size and mass of buildings and structures in relation to open spaces, window and door openings, porches, balconies, etc. shall be visually compatible with the buildings, public ways, and places to which they are visually related. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- C. **Building Facade and Appurtenance Continuity.** Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.
- D. **Building Height, Rooflines, and Roof Shapes.** The height of the proposed buildings and structures shall be visually compatible with adjacent buildings and do not exceed the zoning district height requirements for both principal and accessory structures. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.
- E. **Building Design Proportions.** The following shall be used as guidelines for evaluating building design proportions:
 - 1. **Proportion of Front Facade.** The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
 - 2. **Proportion of Openings.** The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.
 - 3. **Rhythm of Solids to Voids in Front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.
 - 4. **Rhythm of Spacing and Buildings on Streets.** The relationship of building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.
 - 5. **Rhythm of Entrance, Porch, and Other Projections.** The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.
- F. **Directional Expression and Emphasis of Building Elevations.** A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.

Section 19.06.03: Multi-Family Uses.

G. Materials.

1. Multi-family buildings shall be predominately clad in Class I and Class II materials. Class III materials may be used as accents and trim not to exceed 50 percent of the total building façade. Class IV materials are prohibited.
2. Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Architectural Review Board, or designee.

H. Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing area or neighborhood buildings.

I. Wall or Roof-Mounted Lighting.

1. Full cutoff light fixtures are required. No portion of the light element may be visible on or off the site.
2. Colored accent lighting shall only be permitted in the SMU South Commercial Mixed Use District.
3. The design, color, height, location, and light quality of all on-building light fixtures shall be consistent throughout the entire site, unless the building is divided into individual components; in such case, all on-building light fixtures shall be consistent within each individual component.
4. All entrances shall be lit after sunset. The minimum illumination at each entrance shall be 1.0 foot-candles.

J. Design Repetition. A building design may not be repeated within four lots of an existing building. This shall apply to all buildings, whether or not they are constructed by the same builder except where such buildings are part of a unified development and similar building designs are approved by a unanimous vote of the Architectural Review Board.

K. Story Distinctions. The first story of the building should be distinguished from the second story by means of a horizontal lintel, second floor overhang or setback, or similar detail.

L. Elevations of Buildings Facing the Public Streets on a Corner Lot. Buildings on corner lots shall continue the major front elevation design elements around the corner elevation.

M. Building Elevations Clad with a Singular Exterior Surface Material. Building elevations clad with a singular exterior surface material shall provide some additional architectural design element(s) to break up the plane of the wall. This may be done by the addition of window(s), gable end wall treatments, siding design and accent panels, or other architectural design treatments consistent with the principal building design.

N. Foundations Below Overhanging Bays. Buildings shall be designed with foundations below all bays that overhang the building foundation. The Architectural Review Board will allow the construction of bay windows, projections of floors above the first floor, if they are a minimum of twelve (12) inches above grade.

Section 19.06.03: Multi-Family Uses.

O. Mechanical and Exterior Building Systems.

1. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.
2. Air intakes and exhaust vents shall be enclosed in a chase constructed of materials similar to those materials used on the building elevations; metal housings designed by the vent manufacturer to enclose the chimney vents are acceptable.
3. Building-mounted Equipment.
 - a. Window-mounted air conditioning units shall not be permitted in any window that faces a public street.
 - i. When no alternative is available, units shall be masked (painted, encased, etc.) in order to blend into the building's exterior finish and shall be flush-mounted so as not to project beyond the main plane of the façade more than necessary.
 - b. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised with screening that is:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - ii. Incorporated as part of the building wall and/or flush-mounted so as not to project beyond the main plane of the façade.
 - iii. Consistent with the color of the structure to which the equipment is attached.
4. Roof-mounted Equipment. Roof-mounted equipment shall be screened, preferably by parapet walls. Other acceptable screen types shall be:
 - a. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - b. Consistent with the color of the structure to which the equipment is attached.
 - c. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.

P. Patios, Decks, and Balconies.

1. Ground-level patios and decks facing the street shall be bordered with landscape treatments. Covered porches are exempt from this requirement.
2. Exterior stairs leading to a deck or balcony are not permitted on the front or street side of a building. On corner lots, exterior stairs shall be permitted on the interior side façade.
3. Exterior corridors shall be covered by the building roof, shall be located within the footprint of the building foundation, and shall not be visible from the street.
4. Upper-story decks and balconies shall be cantilevered, supported by vertical columns, or supported from above.

Section 19.06.03: Multi-Family Uses.

- Q. Garages and Loading Docks. Garages and loading docks shall be designed as integral elements to the building and site, and shall not be the dominant visual element from public rights-of-way. All loading docks shall be completely screened from view from public rights-of-way.
- R. Standing seam metal roofs in residential districts shall meet the following conditions along with any additional conditions as deemed appropriate by the Community Development Director or designee. No standing seam metal roofs will be permitted on contributing structures in historic districts, unless such structures historically had comparable standing seam metal roofs.
1. The standing seam metal roofing material shall have a low-reflectance finish so as to minimize the amount of light reflected into the sky and windows of adjacent properties. The maximum permitted Light Reflectance Value (LRV) is 35% for metal roofs. Standing seam roofing shall be painted. Galvanized roofs shall not be permitted.
 2. Any paint applied to the metal roof panels must be applied to such panels at the factory using materials and a baking or other process that prevents the paint from cracking or chipping through normal wear and tear of a residential roof. Field applied painting of standing seam metal roofs is prohibited. The roof shall not have exposed unfinished metal edges. Standing seam roofs shall be complimentary to the house color and limited in color to greys, browns, dark green or a pale green simulating a copper patina color. Any ice and snow block or shield must match the color of the roof on which it is installed or be complimentary to the color of the roof.
 3. The standing seam metal roofing shall have a minimum thickness of 24 gauge so as to minimize the potential for wind and hail damage.
 4. Seam profiles in standing seam roofs for residential properties shall be no greater than 1" for roofs with pitches higher than 4:12, no greater than 1.5" for roofs with pitches between 2:12 and 4:12, and no greater than 3" for pitches less than 2:12.
 5. Standing seam metal roofing shall be installed per approved manufacturer's details and instructions.
 6. Standing seam metal roofing shall include at least the minimum underlayment required per the manufacturer's specifications or a minimum of 7/ 16" OSS underlayment if no minimum is specified by the manufacturer.
 7. Exposed fasteners or standing seam roof designs that employ exposed metal fasteners are prohibited. Ice and snow blocks or shields must also employ concealed fasteners.
 8. Standing seam metal roofing shall meet all applicable building codes.
 9. Standing seam metal roofs installed on existing residential construction shall not be constructed over existing roofing materials. Tear offs shall be complete to the roof sheathing.
 10. Tin roofs and corrugated metal roofs are prohibited.

Section 19.06.04: Commercial Uses and Mixed Uses

11. Standing seam metal roofing shall be maintained in a rust-free state for the duration of the roof's lifespan.
- S. Design Standards in Comprehensive Plan. The Architectural Review Board shall refer to the Village's Comprehensive Plan or components thereof for building design recommendations for specific neighborhoods, districts, or building types. No building or remodeling of a building which is located in the area subject to the Grafton Downtown Master Plan, as adopted by the Village of Grafton Plan Commission on February 23, 1999, shall be permitted unless said building or proposed remodeling complies with the design guidelines included within that master plan. This provision shall also apply to the location, installation, relocation, reconstruction, extension, enlargement, conversion, or structural alteration of exterior signage in the area subject to said Master Plan.
- T. Design Standards for Retail and Commercial Service Buildings Over 20,000 Gross Square Feet in Area. All commercial service buildings over twenty thousand (20,000) gross square feet in area shall meet the additional design requirements set forth in Section 19.04.11.

Section 19.06.04: Commercial Uses and Mixed Uses

- A. Applicability. These standards apply to all commercial and structures constructed after the effective date of this Section. These standards also apply to Mixed Use Building and Live/Work Unit land uses.
- A. Building Scale and Mass. The size and mass of buildings and structures in relation to open spaces, window and door openings, porches, balconies, etc. shall be visually compatible with the buildings, public ways, and places to which they are visually related. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- B. Building Facade and Appurtenance Continuity. Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.
- C. Building Height, Rooflines, and Roof Shapes. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings and do not exceed the zoning district height requirements for both principal and accessory structures. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.
- D. Building Design Proportions. The following shall be used as guidelines for evaluating building design proportions:

Section 19.06.04: Commercial Uses and Mixed Uses

1. Proportion of Front Facade. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
 2. Proportion of Openings. The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.
 3. Rhythm of Solids to Voids in Front Facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.
 4. Rhythm of Spacing and Buildings on Streets. The relationship of building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.
 5. Rhythm of Entrance, Porch, and Other Projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.
- E. Directional Expression and Emphasis of Building Elevations. A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.
- F. Materials.
1. Commercial buildings shall be predominately clad in Class I materials. Class II and Class III materials may be used as accents and trim not to exceed 50 percent of the total building façade. Rear building elevations not facing a public street or public parking lot shall be exempt from this requirement. Class IV materials are prohibited.
 2. Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Architectural Review Board, or designee.
- G. Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing area or neighborhood buildings.
- H. Wall or Roof-Mounted Lighting.
1. Full cutoff light fixtures are required. No portion of the light element may be visible on or off the site.
 2. Colored accent lighting shall only be permitted in the SMU South Commercial Mixed Use District.
 3. The design, color, height, location, and light quality of all on-building light fixtures shall be consistent throughout the entire site, unless the building is divided into individual components; in such case, all on-building light fixtures shall be consistent within each individual component.

Section 19.06.04: Commercial Uses and Mixed Uses

4. All entrances shall be lit after sunset. The minimum illumination at each entrance shall be 1.0 foot-candles.
- I. Design Repetition. A building design may not be repeated within four lots of an existing building. This shall apply to all buildings, whether or not they are constructed by the same builder except where such buildings are part of a unified development and similar building designs are approved by a unanimous vote of the Architectural Review Board.
- J. Story Distinctions. The first story of the building should be distinguished from the second story by means of a horizontal lintel, second floor overhang or setback, or similar detail.
- K. Elevations of Buildings Facing the Public Streets on a Corner Lot. Buildings on corner lots shall continue the major front elevation design elements around the corner elevation.
- L. Building Elevations Clad with a Singular Exterior Surface Material. Building elevations clad with a singular exterior surface material shall provide some additional architectural design element(s) to break up the plane of the wall. This may be done by the addition of window(s), gable end wall treatments, siding design and accent panels, or other architectural design treatments consistent with the principal building design.
- M. Foundations Below Overhanging Bays. Buildings shall be designed with foundations below all bays that overhang the building foundation. The Architectural Review Board will allow the construction of bay windows, projections of floors above the first floor, if they are a minimum of twelve (12) inches above grade.
- N. Mechanical and Exterior Building Systems.
 1. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.
 2. Air intakes and exhaust vents shall be enclosed in a chase constructed of materials similar to those materials used on the building elevations; metal housings designed by the vent manufacturer to enclose the chimney vents are acceptable.
 3. Building-mounted Equipment.
 - a. Window-mounted air conditioning units shall not be permitted in any window that faces a public street.
 - i. When no alternative is available, units shall be masked (painted, encased, etc.) in order to blend into the building's exterior finish and shall be flush-mounted so as not to project beyond the main plane of the façade.
 - b. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised with screening that is:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.

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- ii. Incorporated as part of the building wall and/ or flush- mounted so as not to project beyond the main plane of the facade.
 - iii. Consistent with the color of the structure to which the equipment is attached.
4. Roof-mounted Equipment. Roof-mounted equipment shall be screened, preferably by parapet walls.
- a. Screening shall be architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - b. Equipment shall be consistent with the color of the structure to which the equipment is attached.
 - c. Screening shall be designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.
- O. Garages and Loading Docks. Garages and loading docks shall be designed as integral elements to the building and site, and shall not be the dominant visual element from public rights-of-way. All loading docks shall be completely screened from view from public rights-of-way.
- P. Design Standards in Comprehensive Plan. The Architectural Review Board shall refer to the Village's Comprehensive Plan or components thereof for building design recommendations for specific neighborhoods, districts, or building types. No building or remodeling of a building which is located in the area subject to the Grafton Downtown Master Plan, as adopted by the Village of Grafton Plan Commission on February 23, 1999, shall be permitted unless said building or proposed remodeling complies with the design guidelines included within that master plan. This provision shall also apply to the location, installation, relocation, reconstruction, extension, enlargement, conversion, or structural alteration of exterior signage in the area subject to said Master Plan.
- Q. Design Standards for Retail and Commercial Service Buildings Over 20,000 Gross Square Feet in Area. All commercial service buildings over twenty thousand (20,000) gross square feet in area shall meet the additional design requirements set forth in Section 19.04.11.

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- A. Applicability. These standards apply to all industrial structures constructed after the effective date of this Section.
- B. Building Scale and Mass. The size and mass of buildings and structures in relation to open spaces, windows and door openings, porches, balconies, etc. shall be visually compatible with the buildings, public ways, and places to which they are visually related. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be

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maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

- C. **Building Facade and Appurtenance Continuity.** Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.
- D. **Building Height, Rooflines, and Roof Shapes.** The height of the proposed buildings and structures shall be visually compatible with adjacent buildings and do not exceed the zoning district height requirements for both principal and accessory structures. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.
- E. **Building Design Proportions.** The following shall be used as guidelines for evaluating building design proportions:
1. **Proportion of Front Facade.** The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
 2. **Proportion of Openings.** The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.
 3. **Rhythm of Solids to Voids in Front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.
 4. **Rhythm of Spacing and Buildings on Streets.** The relationship of building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.
 5. **Rhythm of Entrance, Porch, and Other Projections.** The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.
- F. **Directional Expression and Emphasis of Building Elevations.** A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.
- G. **Materials.**
1. Industrial buildings shall be clad in Class I, II or III materials. Certain Class IV materials are permitted as described below.
 2. Concrete panels (tilt-up/precast) may be used if they are part of a palette of permitted materials or if they incorporate horizontal and vertical articulation including, but not limited to, changes in color or texture.
 3. Non-decorative metal panels may be used if enhanced on all elevations with Class I or II materials in combination with decorative fascia, overhangs, trim,

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- lintels, sills, headers, belt courses, reveals, pilasters, windows, chimney, or other architectural features as deemed appropriate by the Community Development Director or designee. In such cases, Class I or II materials amount to more than 15 percent of each façade.
4. Materials of comparable quality may be substituted for any class of material or be used as a decorative element if the material can be removed or replaced with a permitted exterior material, as determined by the Architectural Review Board, or designee.
- H. Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing area or neighborhood buildings.
- I. Wall or Roof-Mounted Lighting.
1. Full cutoff light fixtures are required. No portion of the light element may be visible on or off the site.
 2. Colored accent lighting shall only be permitted in the SMU South Commercial Mixed Use District.
 3. The design, color, height, location, and light quality of all on-building light fixtures shall be consistent throughout the entire site, unless the building is divided into individual components; in such case, all on-building light fixtures shall be consistent within each individual component.
 4. All entrances shall be lit after sunset. The minimum illumination at each entrance shall be 1.0 foot-candles.
- J. Design Repetition. A building design may not be repeated within four lots of an existing building. This shall apply to all buildings, whether or not they are constructed by the same builder except where such buildings are part of a unified development and similar building designs are approved by a unanimous vote of the Architectural Review Board.
- K. Story Distinctions. The first story of the building should be distinguished from the second story by means of a horizontal lintel, second floor overhang or setback, or similar detail.
- L. Elevations of Buildings Facing the Public Streets on a Corner Lot. Buildings on corner lots shall continue the major front elevation design elements around the corner elevation.
- M. Building Elevations Clad with a Singular Exterior Surface Material. Building elevations clad with a singular exterior surface material shall provide some additional architectural design element(s) to break up the plane of the wall. This may be done by the addition of window(s), gable end wall treatments, siding design and accent panels, or other architectural design treatments consistent with the principal building design.
- N. Foundations Below Overhanging Bays. Buildings shall be designed with foundations below all bays that overhang the building foundation. The Architectural Review Board will allow the construction of bay windows, projections of floors above the first floor, if they are a minimum of twelve (12) inches above grade.

Section 19.06.05: Industrial Uses

- O. Mechanical and Exterior Building Systems.
1. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.
 2. Building-mounted Equipment.
 - a. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised or screened in one of the following ways:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - ii. Incorporated as part of the building wall and/ or flush-mounted so as not to project beyond the main plane of the façade.
 - iii. Consistent with the color of the structure to which the equipment is attached.
 3. Roof-mounted Equipment. Roof-mounted equipment visible from an adjacent public right-of-way or residential district shall be screened, preferably by parapet walls. Other acceptable screen types shall be:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - ii. Consistent with the color of the structure to which the equipment is attached.
 - iii. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.
- P. Garages and Loading Docks. Garages and loading docks shall be designed as integral elements to the building and site, and shall not be the dominant visual element from public rights-of-way. All loading docks shall be completely screened from view from public rights-of-way.
- Q. Design Standards in Comprehensive Plan. The Architectural Review Board shall refer to the Village's Comprehensive Plan or components thereof for building design recommendations for specific neighborhoods, districts, or building types. No building or remodeling of a building which is located in the area subject to the Grafton Downtown Master Plan, as adopted by the Village of Grafton Plan Commission on February 23, 1999, shall be permitted unless said building or proposed remodeling complies with the design guidelines included within that master plan. This provision shall also apply to the location, installation, relocation, reconstruction, extension, enlargement, conversion, or structural alteration of exterior signage in the area subject to said Master Plan.
- R. Design Standards for Retail and Commercial Service Buildings Over 20,000 Gross Square Feet in Area. All commercial service buildings over twenty thousand (20,000)

Section 19.06.06: Energy Uses

gross square feet in area shall meet the additional design requirements set forth in Section 19.04.11.

Section 19.06.06: Energy Uses

- A. Small Solar Energy System (Rooftop and Building-Mounted).
1. Purpose. This Section is intended to regulate rooftop and building-mounted solar panels to preserve the character of Grafton's neighborhoods.
 2. Applicability. The regulations of this Section shall apply to all new rooftop and building-mounted solar panels.
 3. Review and Approval. Applicant shall submit drawings, schematics, specifications, electrical permit application, and any other materials requested by the Community Development Director or the Building Inspector. The Community Development Director or the Building Inspector shall review and approve rooftop and building-mounted solar panels that meet the requirements of this section.
 4. Standards.
 - a. Solar panels may be located on the roof and on the building façade including the front elevation. Free standing solar panels will require site plan review by the Plan Commission.
 - b. The color of solar panels, framing, and other necessary equipment shall be similar to the adjacent building materials (i.e., roofing or siding).
 - c. Solar panels shall be installed with same slope as the roof or building they are attached to.
- B. Small Solar Energy System (Freestanding)
1. Purpose. This Section is intended to regulate freestanding solar panels to preserve the character of Grafton's neighborhoods and protect adjacent properties.
 2. Applicability. The regulations of this Section shall apply to all new freestanding solar panels.
 3. Review and Approval. The Plan Commission shall review and approve all new freestanding solar panels and may request additional input from the Architectural Review Board.
- C. Large Wind Energy System and Large Solar Energy System
1. Purpose. This Section is intended to regulate large energy production land uses to preserve community character and protect adjacent properties.
 2. Applicability. The regulations of this Section shall apply to all new large energy production land uses.
 3. Review and Approval. The Plan Commission shall review and approve all new large energy production land uses and may request additional input from the Architectural Review Board.

Sections 19.06.07-19.06.10: Reserved for future use

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EXAMPLE

CHAPTER 5 ETHICS CODE

Sec. 2-5-1 Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office is not to be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is established in this chapter a code of ethics for all City of Cedarburg officials and employees whether elected or appointed, paid or unpaid, including members of council as well as boards, committees and commissions of the city (city agencies). The purpose of this ethics code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City of Cedarburg and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the city.

(Ord. No. 2004-08)

Sec. 2-5-2 Responsibility of public office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern.

(Ord. No. 2004-08)

Sec. 2-5-3 Dedicated service.

- (a) Officials and employees should adhere to the rules of work, professionalism and performance established as the standard for their positions by the appropriate authority.
- (b) Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

(Ord. No. 2004-08)

Sec. 2-5-4 Fair and equal treatment.

- (a) *Use of public property.* No official or employee shall request or permit the unauthorized use of city-owned vehicles, equipment, materials or property for personal convenience or profit.
- (b) *Fundraising.* With the exception of fundraising for purposes of raising money for city departmental programming, equipment, or capital projects, which may occur subject to council approval and all provisions of this Code and the State Statutes, the following shall be prohibited:

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- (1) No official or employee shall request or permit the use of city resources, city time or city equipment for the purpose of fundraising.
 - (2) No official or employee shall use his or her position, authority or influence, whether possessed or anticipated, to represent themselves as a city official or employee for private or public fundraising.
- (b) *Obligations to citizens.* No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(Ord. No. 2004-08; Ord. No. 2015-13)

Sec. 2-5-5 Conflict of interest.

- (a) *Financial and personal interest prohibited.* No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this chapter or which would tend to impair independence of or action in the performance of official duties.
- (b) *Definitions.*
- (1) *Financial interest.* Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
 - (2) *Personal interest.* Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.
 - (3) *Person.* Any individual or legal entity.
- (c) *Specific conflicts enumerated.*
- (1) *Incompatible employment.* No official or employee shall engage in or accept private employment or render service for private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties, unless otherwise permitted by law.
 - (2) *Disclosure of confidential information.* No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall such information be used to advance the financial or other private interests of the official or employee or others.
 - (3) *Gifts and favors.*
 - a. No public official or employee may use his or her public office to "obtain financial gain" or "anything of value" for the private benefit of himself or herself, for his or her immediate family, or for an organization with which he or she is associated.
 - b. No person may directly or indirectly offer or give "anything of value" to a local public official or employee if it could reasonably be expected to affect that official's vote, official action or judgment, or if it could be construed as a reward for any official action or inaction on the part of the local public official or employee. No local public official or employee may accept "anything of value" tendered under such circumstances. "Anything of value" is defined as "money or property, favor, service, payment, advance, forbearance, loan or promise of future employment". Legal campaign contributions are exempt from the definitions. An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or

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a member of the guest's immediate family, was a City official or employee. This includes any discount on the price of admission, parking, or use of a box at a stadium that is tax exempt from general property taxes. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality from citizens for the purpose of supporting the candidate's campaign.

- c. No local public official or employee may take any official action that affects a matter in which the public official or employee, a member of his or her immediate family, or an organization with which the official or employee is associated has a substantial financial interest.
 - d. No local public official or employee may use his or her office or position in any way that produces or assists in producing a substantial benefit, either directly or indirectly, for the official or employee, any members of his or her immediate family, or an organization with which the official or employee is associated.
- (4) *Representing private interests before city agencies or courts.* No officer or employee shall appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any city agency. However, members of the common council may appear before city agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations.
- (d) *Contracts with the city.* No city officer or employee who, in his capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the city unless it is within the confines of section 946.13.
- (e) *Disclosure of interest in legislation.*
- (1) Any member of the common council who has a financial interest or personal interest in any proposed legislation before the common council shall disclose on the records of the common council or the ethics board created by this chapter the nature and extent of such interest.
 - (2) Any other official or employee who has a financial interest or personal interest in any proposed legislative action of the common council or who serves on a board or committee, shall disclose the nature and extent of such interest.
 - (3) If there is a conflict of interest for any official or employee, he or she must refrain from participating in any way including discussion, deliberations or action on the item.

(Ord. No. 2004-08)

Sec. 2-5-6 Advisory opinion.

Any questions as to the interpretation of any provisions of this code of ethics chapter shall be referred to the personnel committee serving as the ethics board or the city attorney. The fact that a person seeks an advisory opinion and abides by the material facts as stated, is evidence of intent to comply with the ethics code.

(Ord. No. 2004-08)

Sec. 2-5-7 Jurisdiction and application.

- (a) The personnel committee shall have administrative jurisdiction over this code of ethics chapter and shall be deemed the ethics board pursuant to Wis. Stats. § 19.59(3)(d) for that purpose. An individual may request an

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advisory opinion on the propriety of any matter to which he or she is or may become a party. However, the personnel committee has complete discretion as to whether to issue such an opinion. All requests and advisory opinions to the ethics board must be in writing.

- (b) The personnel committee may make recommendations with respect to amendments to this code of ethics chapter.
- (c) Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this chapter, the personnel committee shall conduct an investigation of the facts of the complaint; if the investigation indicates there may be a reasonable basis for the complaint justifying further investigation, the committee shall conduct a public hearing in accordance with the common law requirements of due process, including notice, an opportunity to be heard, an opportunity to cross-examine witnesses and to present testimony and other evidence in support of the accused's position and an opportunity to be represented by counsel or other representatives at the expense of the accused. The committee shall make written findings of fact and issue a written decision concerning the propriety of the conduct of the subject official or employee and shall refer the matter to the common council for final disposition.
- (d) In the event a member of the personnel committee is allegedly involved in an ethics code violation, the mayor, subject to the confirmation of the common council, shall appoint another council member to temporarily replace the member of the committee who is under investigation.

(Ord. No. 2004-08)

Sec. 2-5-8 Sanctions.

A determination that an official's or employee's actions constitute improper conduct under the provisions of this chapter may constitute a cause of suspension, removal from office or employment or other action permitted by law.

(Ord. No. 2004-08)

Sec. 2-5-9 Distribution of ethics code.

- (a) The city clerk shall cause a copy of this code of ethics to be distributed to every public official and employee of the City of Cedarburg within 30 days after enactment of this chapter. Each public official and employee elected, appointed or engaged thereafter shall be furnished a copy before entering upon his duties.
- (b) Each public official, the mayor, the chairman of each board, commission or committee and, through the city administrator, the head of each department shall, between May 1 and May 31 each year, review the provisions of this Code with his fellow council, board, commission, committee members or subordinates as the case may be and certify to the city clerk by June 15 that such annual review had been undertaken. A copy of this ethics code chapter shall be continuously posted on each department bulletin board wherever situated.

(Ord. No. 2004-08)