



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on Monday, March 9, 2020, at approximately, or shortly after, 6:00 p.m., at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476, to take testimony relative to an amendment to Chapter 94 Zoning, Figure 5.01(1) *Rural, Open Space, and Residential District Lot Dimensions and Intensity Standards* in regards to decreasing the minimum lot area required per dwelling unit in a MF Multi Family Residential Zoning District and Figure 5.01(2) *Rural, Open Space and Residential District Setback and Height Standards* in regards to increasing the maximum building height in a MF Multi Family Residential Zoning District.

The hearing notice and applicable application materials are also available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission and ETZ Committee Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), by noon, on Tuesday, March 3, 2020, to be included in the meeting packet. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 20<sup>th</sup> day of February 2020

Valerie Parker  
Plan Commission and ETZ Secretary

VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN  
5500 SCHOFIELD AVENUE, WESTON, WI 54476  
REQUEST FOR CONSIDERATION

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**Public Mtg/Date:** Plan Commission/ETZ – 3/9/2020

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**Description:** Public Hearing - Discussion and recommendation to the Board of Trustees (BOT) on an amendment to Chapter 94 Zoning, Figure 5.01(1) *Rural, Open Space, and Residential District Lot Dimensions and Intensity Standards* in regards to decreasing the minimum lot area required per dwelling unit in a MF Multiple Family Residential Zoning District and Figure 5.01(2) *Rural, Open Space and Residential District Setback and Height Standards* in regards to increasing the maximum building height in a MF Multiple Family Residential Zoning District.

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**From:** Jennifer Higgins, Director of Planning & Development

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**Question:** Should the Plan Commission recommend to the Board of Trustees to change the density requirements in Multiple Family Zoning Districts to allow for higher density development?

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**Background**

The Village was required by State law to complete a Housing Assessment Report which we did last year with the help of the North Central WI Regional Planning Commission (NCWRPC). One of the recommendations of the Report was to “*Modify zoning to encourage higher density housing*”. The proposed amendment change is an effort to do this. MDRoffers assisted staff in determining what was the norm in other comparable sized communities. We are suggesting a change in the Multiple Family Residential to 1,600 sf/studio dwelling unit + 400 sf per each bedroom. So a 1 bedroom would require 2,000 sf/dwelling unit and 2 bedroom 2,400 sf and so on. Currently the code requires 3,000 sf/dwelling unit regardless of number of bedrooms. Creating more dense MF regulations will lower costs for the Village to maintain infrastructure and better utilize land, especially in infill projects which are close to shopping and other services.

It was also suggested that we change the maximum principal building height and floors allowed in the MF Zoning District from 40 to 50 feet and 3 to 4 stories. Mark Roffers said this is the maximum height that you can do without going to steel beam construction.

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**Attached Docs:** Draft Ordinance Amendment.

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[Housing Assessment Report](#) (2019)

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**Committee Action:** None to date.

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**Fiscal Impact:** TBD.

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**Recommendation:** Director recommend approval.

**Recommended Language for Official Action**

**I move to recommend Approval/Denial of the proposed ordinance amendments.**

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**Additional action:** Ordinance Adoption (Board of Trustees)  
Ordinance Publication (Staff)  
Update Chapter 94 with amendments (Staff)



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 20-XXX

**AN ORDINANCE TO AMEND CHAPTER 94 ZONING, FIGURE 5.01(1) *RURAL, OPEN SPACE, AND RESIDENTIAL DISTRICT LOT DIMENSIONS AND INTENSITY STANDARDS* IN REGARDS TO DECREASING THE MINIMUM LOT AREA REQUIRED PER DWELLING UNIT IN A MF MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT AND FIGURE 5.01(2) *RURAL, OPEN SPACE AND RESIDENTIAL DISTRICT SETBACK AND HEIGHT STANDARDS* IN REGARDS TO INCREASING THE MAXIMUM BUILDING HEIGHT IN A MF MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, a recommendation of the 2019 Housing Affordability Report was to look at the density allowed in the Multiple Family Zoning Districts; and

WHEREAS, the Joint Town and Village of Weston Extraterritorial Zoning Committee and the Village Plan Commission held a joint public hearing on this ordinance, on March 9, 2020, in compliance with Wis. Stat. § 62.23; and

WHEREAS, following such hearing, the Village Plan Commission has recommended enactment of the zoning ordinance amendments contained herein for applicability within the Village limits; and

WHEREAS, following such hearing, the Joint Town and Village of Weston Extraterritorial Zoning Committee has recommended enactment of the zoning ordinance amendments contained herein for applicability within the extraterritorial zoning area; and

WHEREAS, following such hearing the Village Board considered public comments and the recommendations of said Commission and Committee; and

WHEREAS, the Village Board finds the proposed amendments contained herein are reasonable, consistent with the Village Comprehensive Plan, and in the public interest.

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, does ordain as follows:

SECTION 1: Chapter 94 Zoning Ordinance is hereby amended to provide as follows:

**Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards**

Zoning District	Minimum Lot Area	Minimum Lot Width (ft)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (a)	Minimum Landscape Surface Ratio (LSR)
(1) <b>FP Farmland Preservation</b>	20 acres	300	60	N/A	N/A	N/A
(2) <b>AR Agriculture and Residential</b>	20 acres(f)(g)	300(f)	60	N/A	1,600 <sup>(h)</sup>	N/A
(3) <b>RR-2 Rural Residential 2 Acres</b>	2.0 acres	150	60	20%	1,600	N/A
(4) <b>RR-5 Rural Residential 5 Acres</b>	5.0 acres	200	60	20%	1,600 <sup>(h)</sup>	N/A
(5) <b>PR Parks and Recreation</b>	N/A	N/A	N/A	10%	N/A	75%
(6) <b>SF-L Single Family – Large Lot</b>	20,000 sf	100	50	30%	1,000	50%
(7) <b>SF-S Single Family – Small Lot</b>	10,000 sf	80	40	40%	800	40%
(8) <b>2F Two Family Residential (c)</b>	10,000 sf	80 (b)	40	40%	800	40%
(9) <b>MF Multi Family Residential (d)</b>	<del>3000</del> 1,600 sf/ <u>studio</u> -dwelling unit + 400 sf per <u>each bedroom</u>	100 (b)	40	40%	10% of Lot Area	30%
(10) <b>MH Manufactured Home</b>	5,000 sf/home (e)	50	N/A	40%	350	30%

- (a) Maximum Accessory Structure floor area may be increased by Conditional Use Permit as provided under Section 94.16.06 and per the standards in Section 94.4.09(2).
- (b) For zero lot line structures, each separate lot must be at least 50 feet in width.
- (c) Single-Family Detached Residences within the 2F district shall comply with the SF-S district requirements.
- (d) Single-Family Detached Residences within the MF district shall comply with the SF-S district requirements. Two-family Residences within the MF District shall comply with 2F district requirements.
- (e) Total area of each “Manufactured Home Community” shall be a minimum of 10 acres.
- (f) Instead of a 20-acre minimum lot size, land in the AR district may be developed at a density of one residential lot per 20 acres and a minimum lot size of 2.0 acres and minimum lot width of 150 feet. See Section 94.5.08 for further description and method of calculation for regulating at a one residential lot per 20-acre density in the AR district.
- (g) Parcel size in the AR district to be calculated based on gross acreage, including roads and navigable waters within the deeded parcel. Each such parcel meets the 20-acre minimum, even if net acreage is less than 20 acres following the removal of roads and navigable waters, if such removal does not reduce the gross acreage by greater than 15% for corner parcels or 10% for all other parcels.
- (h) Maximum Accessory Structure Floor Area is increased to 2,500 square feet on parcels that exceed 10 acres.

[Amended via Ord. 15-022, 10/21/2015; Ord. 16-014, 4/20/2016; Ord. 16-035, 8/18/2016; Ord. 17-038, 12/20/2017; Ord. 19-001, 1/23/19]

**Figure 5.01(2): Rural, Open Space and Residential District Setback and Height Standards**

Zoning District	Minimum Setbacks (ft) (b)								Minimum Building Separation (ft)	Maximum Building Height			
	Principal Residential Building including Attached Garage				Detached Accessory Building (a)		Hard or Gravel Surface (d)			Principal Building		Accessory Building	
	Front (a)	Street Side (a)	Interior Side	Rear	Interior Side (c)	Rear	Interior Side or Rear	Front or Street (a)		Feet	Floors	Feet	Floors
<b>FP</b>	50	30	20	40	15	15	15	10	10	NA	NA	NA	NA
<b>AR</b>	50	30	20	40	15	15	15	10	10	35	2.5	35	2.5
<b>RR-2</b>	50	30	20	40	15	15	15	10	10	35	2.5	35	2.5
<b>RR-5</b>	50	30	20	40	15	15	15	10	10	35	2.5	35	2.5
<b>PR</b>	30	30	12	20	12	12	6	10	10	35	2.5	25	2
<b>SF-L</b>	50	30	12	20	6	6	6	10	10	35	2.5	15	1
<b>SF-S</b>	30	20	8	20	6	6	6	10	10	35	2.5	15	1
<b>2F (e)</b>	30	30	8	20	6	6	6	10	10	35	2.5	15	1
<b>MF (f)</b>	30	30	8	20	6	6	6	10	10	<del>40</del> 50	<del>3</del> 4	15	1
<b>MH</b>	20(g)	20(g)	6	10	6	6	6	10	10 <sup>(h)</sup>	20	1	15	1

(a) See Section 94.4.09(2) for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory buildings, and other standards associated with detached accessory structures.

(b) Additional setbacks may be required along zoning district boundaries for bufferyards, if required for the particular land use under Article 4 or Section 94.11.02(3)(d).

(c) Minimum street side yard setbacks are equal to the minimum street side setback for the principal structure.

(d) Includes all gravel and hard surfaces as defined in Section 94.17.04, along with recreational vehicles. This setback excludes intrusions required for driveway entrances and permitted or required for cross access driveways and pedestrian ways; shared driveways; and shared parking lots.

(e) Single-Family Detached Residences shall comply with the requirements for the SF-S district.

(f) Single-Family Detached Residences shall comply with requirements of the SF-S District. Two-Family Residences shall comply with the requirements for the 2F district.

(g) A minimum 100-foot wide buffer must be provided around the perimeter of each “Manufactured Home Community.”

(h) See Section 94.4.09(2) for further requirements regarding setbacks for Detached Accessory Structures (for Residential Use).

[Amended via Ord 17-026, 8/23/2017]

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 16<sup>th</sup> day of March 2020

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Wally Sparks, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauf, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_