

22.04. General Development Standards.

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22.04(1) General Provisions.

A. Purpose. The purpose of this Section is to establish clear and consistent standards for development across zoning districts to achieve the following goals:

1. Promote efficient and streamlined development throughout the City,
2. Ensure consistency in land use and design within districts of similar corridors,
3. Support orderly, sustainable growth in line with the City's planning vision, and
4. Encourage the creation of cohesive, well-integrated neighborhoods.

B. Applicability. The standards of this Section shall apply as summarized in Table 22.04(1)(B).

Table 22.04(1)(B) General Development Standards Applicability Overview						
Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		New development	Major redevelopment	Intermediate redevelopment	Minor redevelopment	Change of use
Standard	Reference					
Fences and Walls	22.04(2)	●	●	○	○	
Screening; Waste, Recycling, and Grease Disposal Receptacles [1]	22.04(3)(C)	●	●	○	○	
Screening; Ground- and Wall-Mounted Mechanical Units [2]	22.04(3)(D)	●	●	○	○	
Screening; Roof-Mounted Mechanical Units [1]	22.04(3)(E)	●	●	○	○	
Vision Triangle [3]	22.04(4)	●	●	○	○	
Outdoor Lighting; Prohibitions	22.04(5)(C)	●	●	●	●	●
Outdoor Lighting; Exemptions	22.04(5)(D)	●	●	●	●	●

Outdoor Lighting; LED Fixtures	22.04(5)(E)	•	•			
Outdoor Lighting; Lighting Standards in Footcandles (Fc) [4]	22.04(5)(F)	•				
Outdoor Lighting; Fixture Classification [4]	22.04(5)(G)	•	•			
Outdoor Lighting; Pole and Fixture Design [4]	22.04(5)(H)	•	•			
Outdoor Lighting; Mounting Height [4]	22.04(5)(I)	•	•			
Notes						
[1] Standards shall apply to multi-unit, mixed-use, and nonresidential development only. [2] Location standards shall apply to all development. All other standards shall apply to multi-unit, mixed-use, and nonresidential development only. [3] Standards shall perpetually apply to landscape and the placement of temporary structures. [4] Standard shall apply whenever new lighting is installed.						

- C. Exceptions.** The Plan Commission may authorize a modification, waiver, or reduction of the requirements of this Section (with the exception of performance standards) if it finds that the nature of a proposed use, development, or redevelopment, or the size or shape of a property makes strict compliance impractical, unjust, or unreasonable. Such exceptions shall be limited to the least extent necessary to address the underlying condition. Approval of exceptions shall be consistent with all applicable Review Criteria in Subsection 22.11(4) (Plan Commission SPAR).

22.04(2) Fences and Walls.

- A. Purpose.** The purpose of the fence and wall standards is to regulate the location, design, and maintenance of fences and walls to allow their use for safety, security, privacy, and screening while preserving Waukesha's natural topography, maintaining visual harmony, and enhancing community appearance.
- B. Applicability.** The fence and wall standards established in this Subsection shall apply as detailed in Table 22.04(1)(B).
- C. Location.** Unless otherwise required, all fences and walls allowed in this Subsection shall be located in accordance with the following:
- 1. All Districts.**
 - a.** On or up to the property lines, except where specific setbacks are required,
 - b.** At least one foot from any public right-of-way,
 - c.** In a manner that complies with vision triangle standards (Subsection 22.04(4)),
 - d.** At least 18 inches from underground utility access structures, drainage structures, or pedestals for telephone, electric, cable, or gas, and in no way that interferes with utility maintenance,

- e. In a manner that does not block access to above-ground utility structures or fire hydrants,
- f. In a manner that does not inhibit the function of storm drainage structures.

2. Residential Districts. Walls in residential districts shall be limited to:

- a. Decorative walls up to a maximum height of three feet, set back a minimum of two feet from front and street side property lines, and meeting all materials requirements of Table 22.04(2)(E), and
- b. Structural retaining walls are necessary to address grade changes.

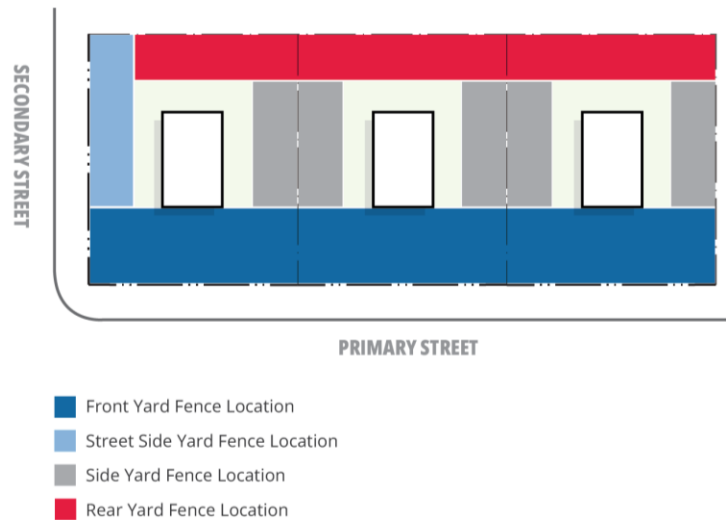


Figure 1 Lot Fence and Wall Configuration - Location

D. Height.

- 1. **Maximum Height.** The maximum height of fences or walls shall be as detailed per district and yard/lot line in Table 22.04.02(D). If a fence or wall is required by this Chapter for screening or buffering purposes, it shall be exempt from height restrictions.

Table 22.04.02(D) Maximum Fence and Wall Height		
Yard / Lot Line	RN-1, RN-2, RN-3, RN-4, MU, DC	All Other Districts
Front	4 feet	6 feet
Street Side	4 feet [1]	8 feet
Interior Side	6 feet	8 feet
Rear	6 feet	8 feet
Notes		
[1] Maximum height of six feet allowed if fence/wall is set back a minimum of two feet from the street side lot line.		

[2] Fence and wall height standards shall not apply within the A, P, and T districts.

2. **Exceptions.** Fences surrounding outdoor athletic courts, meeting the opacity standards of Subsection 22.04(2)(F), may have a maximum height of 15 feet.

- E. **Materials.** Allowed fence or wall materials shall be as detailed per district in Table 22.04(2)(E).

Table 22.04(2)(E) Fence and Wall Materials							
Key: "A" = Allowed fence and wall materials "P" = Prohibited fence and wall materials							
Material	T	RN-1, RN-2	RN-3, RN-4	MU, DC	GC, CC, I	LM, GM, MM, OM	P
Masonry	P	A	A	A	A	A	A
Stone	P	A	A	A	A	A	A
Decorative Metal	P	A	A	A	A	A	A
Architectural Block	P	A	A	A	A	A	A
Stained, Painted, or Treated Wood	P	A	A	A	A	A	A
Smooth Face Block	P	P	P	P	P	P	P
Wood Composite	P	A	A	A	A	A	A
Vinyl/PVC	P	A	A	A	A	A	A
Uncoated chain link without slats/inserts	P	A [1]	A [1]	P	P	A	A
Coated Chain Link with Slats/Inserts	P	P	P	P	P	A [2]	P
Barbed/Concertina Wire	A	P [3]	P [3]	P [3]	P [3]	A [4]	P
Electric Fence	A	P	P	P	P	P	P
Curved/Spear Tip	P	A	A	A	A [5]	A [5]	A
Above-Ground Electrified	P	P	P	P	P	P	P
Deer and Other Temporary Fence Material	P	A [6]	A [6]	P	P	P	A [6]
Waste Materials	P	P	P	P	P	P	P
Notes							
[1] Material is allowed in interior side and rear yards and along interior side and rear lot lines or surrounding outdoor athletic courts only.							
[2] Material is allowed in interior side and rear yards and along interior side and rear lot lines abutting another property in the same district only.							
[3] Material is allowed in RN, MU, DC, GC, CC, and I districts only for the protection of any utility facilities and is otherwise prohibited.							
[4] Permitted only if installed at a height of at least eight feet above grade.							
[5] Material is allowed if located a minimum of six feet above ground.							
[6] Material is allowed in interior side and rear yards only if set back a minimum of five feet from lot lines.							

- F. **Opacity.**

1. **Maximum Opacity.** The maximum opacity of fences or walls shall be as detailed per district and yard / lot line in Table 22.04(2)(F). If a fence or wall is required by this Chapter for screening or buffering purposes, it shall be exempt from opacity restrictions. Opacity standards do not apply to districts that are not identified in Table 22.04(2)(F).

Table 22.04.02(F) Maximum Fence and Wall Opacity				
Yard / Lot Line	RN-1, RN-2, RN-3, RN-4	MU, DC	GC, CC, I, LM, GM, MM, OM	P
Front	50%	n/a	n/a	50%
Street Side	20% [1]		n/a [2]	50%
Interior Side	100%		100%	100%
Rear	100%		100%	100%
Notes				
[1] Maximum opacity of 100 percent allowed if fence/wall is set back a minimum of two feet from the street side lot line.				
[2] Fences in street side yards may be 100 percent opaque in LM, GM, MM, and OM districts only.				

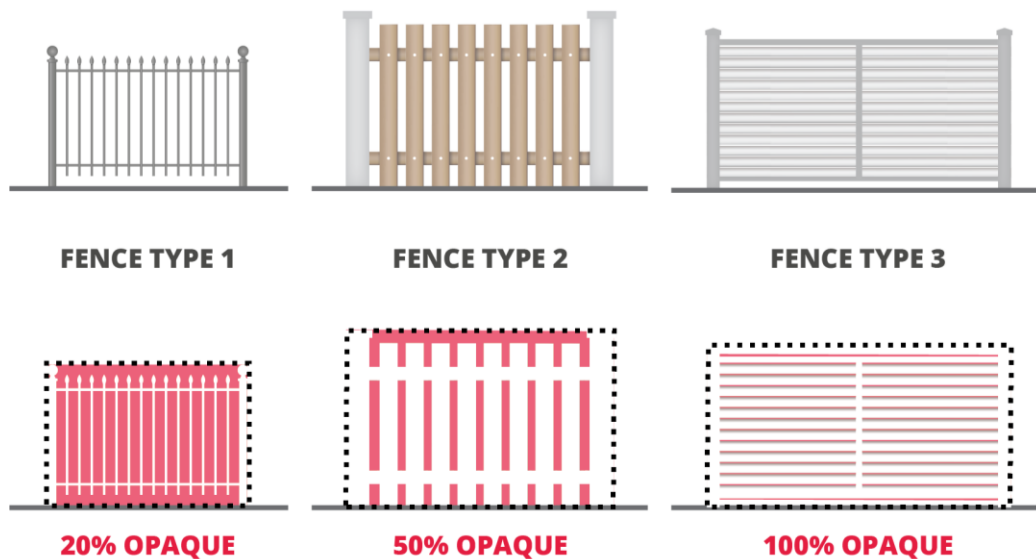


Figure 1 Fence Types - Opacity

2. **Exceptions.**
 - a. Fences surrounding outdoor athletic courts, meeting the maximum height allowance of Subsection 22.04(2)(D), shall have a maximum opacity of 20 percent.
 - b. On double-frontage lots, fences or walls may be fully opaque (100 percent) along the rear lot line where it abuts a public right-of-way.
3. **Installation and Maintenance.**

- a. The standards of this Subsection shall apply at all times, regardless of whether new development, redevelopment, or other site improvements are proposed.
- b. The finished side of a fence shall face the exterior of the property.
- c. Fences and walls shall be maintained in good repair, clean of visible mold and mildew, and in a safe condition.
- d. Maintenance of fences and walls includes the replacement of missing, decayed, or broken elements and the repair of deteriorated or damaged materials, including sagging sections and posts that lean more than ten degrees from vertical.

22.04(3) Screening.

A. Purpose. The purpose of the screening regulations is to minimize views of waste receptacles, mechanical equipment, loading docks, and truck parking areas in order to improve the compatibility between uses and to enhance the appearance of the community. These standards apply to all commercial and industrial districts.

B. Applicability. The screening standards established in this Subsection shall apply as detailed in Table 22.04(1)(B).

C. Waste Receptacles.

1. General Requirement.

- a. Waste, recycling, and/or grease disposal receptacles, including trash and recycling dumpsters, shall be screened on all four sides with solid, opaque materials.
- b. This requirement shall not apply to publicly accessible trash and recycling bins found in streetscapes, parks, trails, or other areas intended for customer or visitor use.

2. Location.

- a. Waste, recycling, and/or grease disposal receptacle enclosures shall not occupy areas designated for parking spaces or loading areas.
- b. Waste, recycling, and/or grease disposal receptacle enclosures shall not be located between the primary building and the street right-of-way.

3. Dimensions.

- a. Waste, recycling, and/or grease disposal receptacle enclosure walls shall be of sufficient height to completely screen receptacles from view from the public right-of-way, abutting property, on-site walkways, or other areas intended for customer or visitor use.
- b. Waste, recycling, and/or grease disposal receptacle enclosures shall be of an adequate size to accommodate all on-site waste receptacles.

4. Design.

- a. The exterior of each enclosure shall use materials that match at least one of the primary building's exterior materials and colors, in accordance with Section 22.05.
- b. For minor redevelopments in the MU, GC, and DC districts, wood may be used as an alternative.
- c. The waste, recycling, and/or grease disposal receptacle enclosure gate shall be constructed of metal, stained or painted wood, or composite wood and shall incorporate colors that are visually consistent with those of the screening walls.
- d. Waste, recycling, and/or grease disposal receptacle enclosure gates shall be provided with wheels, drop pins or rods, or other support mechanisms such as industrial strength hinges, for securing when open and closed.
- e. Waste, recycling, and/or grease disposal receptacle enclosures shall be designed to protect the walls from damage by containers. Such protection may be provided on the interior of the enclosure by the use of barrier curbing, reinforced masonry walls, bollards, bumpers, or other similar means.

5. Operations and Maintenance.

- a. Waste, recycling, and/or grease disposal receptacle enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
- b. The property owner, lessee, or occupant shall be responsible for ensuring that:
 - i. Waste, recycling, and/or grease disposal receptacles are placed in the enclosure at all times other than when they are being accessed, and
 - ii. Service truck access to the enclosure is maintained year-round.
- c. Waste shall be stored in closed containers and regularly emptied.

- d. Waste, recycling, and/or grease disposal receptacle enclosures shall be maintained in a clean condition to avoid vermin and foul odors from impacting surrounding areas.

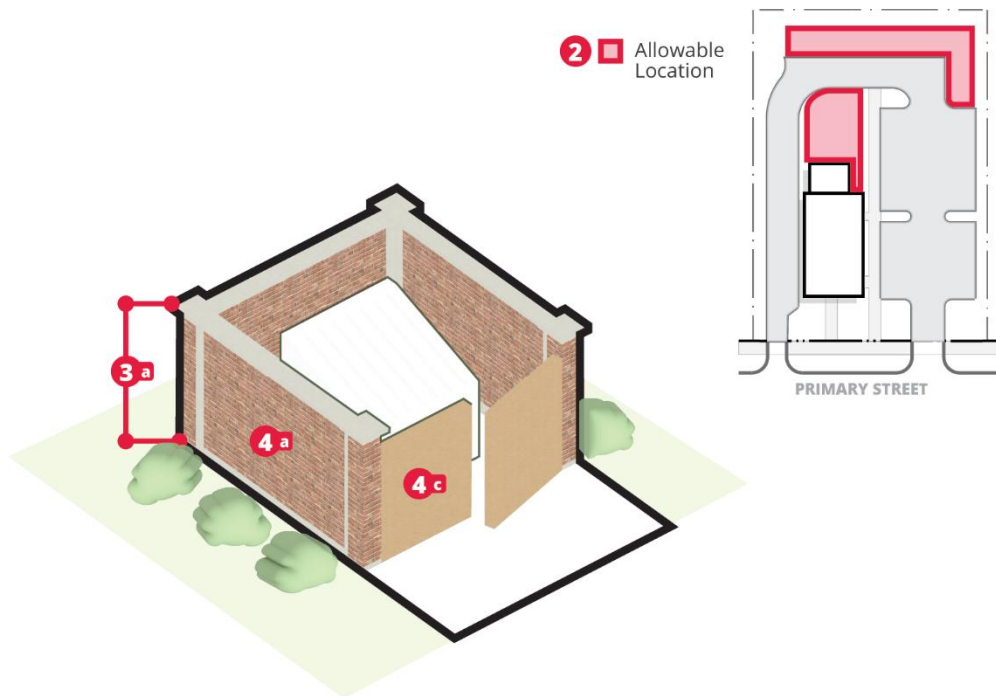


Figure 2 Waste Receptacles

D. Ground- and/or Wall-Mounted Mechanical Equipment.

1. General Requirement.

- a. Ground-mounted building/mechanical equipment is prohibited within the front yard regardless of whether screening is provided.
- b. Placement of wall-mounted building/mechanical equipment is prohibited on the front yard facing façade of a building.
- c. Screening shall be provided for all ground- or wall-mounted building/mechanical equipment, including but not limited to gas meters, electrical meters, generators, air- conditioning condensers, heat pumps, ventilation units, transformers, backflow preventers, and/or above ground water meters, that is visible from any public right-of- way, internal access drive (Subsection 22.06(2)), or adjacent property.
- d. Equipment that is located in an interior side or rear yard and is otherwise screened by landscaping, a fence or wall, a building, or distance so that it is

not visible from the street right-of-way or adjacent property shall not require additional screening.

- e. Ground-mounted solar panels are exempt from the requirements of this Subsection.

2. Design.

- a. **Interior Side and/or Rear Yard.** If ground- and/or wall-mounted mechanical equipment is visible from any on-site pedestrian walkway, public right-of-way, or adjacent property it shall be screened with either:
 - i. A fence or wall meeting the material standards of Subsection 22.04(2)(E) with a minimum opacity of 80 percent, or
 - ii. A Type 4 Buffer per Subsection 22.07(7).

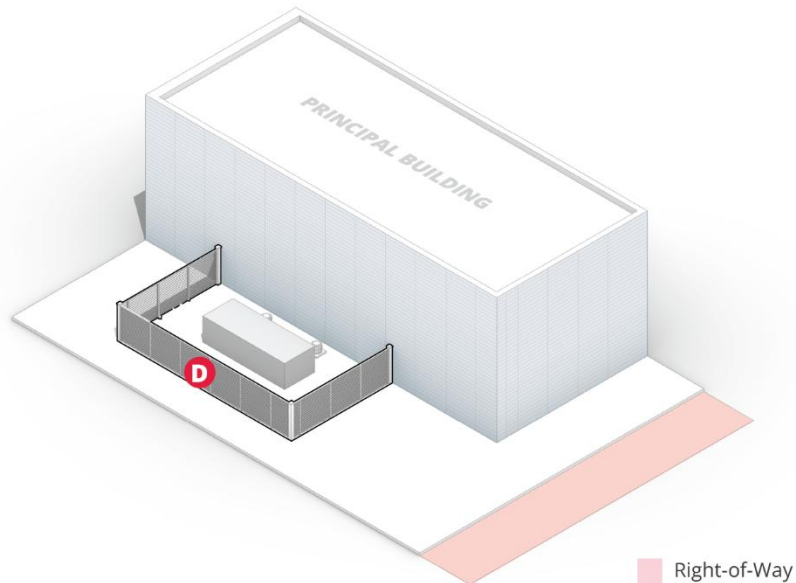


Figure 3 Ground- and/or Wall-Mounted Building Mechanical Equipment

E. Roof-Mounted Mechanical Units.

- 1. **New Development and Major Redevelopment.** A continuous, permanent material that is architecturally integrated with the building on a minimum of three building façades shall be utilized to screen roof-mounted building equipment from adjacent properties and public street rights-of-way.
- 2. **Installation of New Equipment on an Existing Building.**
 - a. A central corral shall be utilized to screen roof-mounted building equipment.

- b. The central corral shall be of a material or color that minimizes visibility and contrasts with other roof materials.

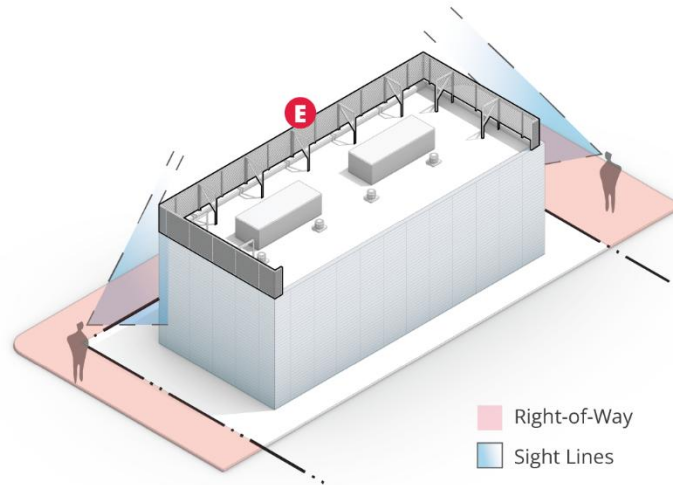


Figure 4 Roof-Mounted Building Equipment

22.04(4) Vision Triangle.

- A. **Purpose.** The purpose of the vision triangle regulations is to protect public safety by limiting development activity at intersections to minimize vision obstructions.
- B. **Applicability.** The vision triangle regulations shall apply to all property in the City of Waukesha as detailed in Table 22.04(1)(B).
- C. **Requirement.** No building, structure, landscaping, or other obstruction that interferes with traffic visibility shall be located within a vision triangle.
- D. **Determination.** If there is a question as to whether a building, structure, landscaping, or other obstruction interferes with traffic visibility, the City Engineer or their designee shall make the final determination.
- E. **Exceptions.** Within the MU and DC districts, structures may be located closer to or within a vision triangle where adequate safety precautions are provided. Such measures shall be subject to approval by the City Engineer or their designee.
- F. **Location.** A vision triangle shall be located at the intersection of any driveway and right-of- way/internal access drive, and at the intersection of two or more rights-of- way/internal access drives.
- G. **Minimum Size.** A vision triangle shall be measured perpendicular to and starting at the back of curb of each intersecting right-of-way/internal access drive or driveway for the minimum depth established in Table 22.04(4)(G).

Table 22.04.04(G) Minimum Vision Triangle Depth	
Intersecting Element	Minimum Required Depth
Driveway	10 feet
Alley	20 feet
Local Streets and Collector Rights-of-Way	20 feet
Arterial Street Right-of-Way	40 feet
State and Federal Highway Rights-of-Way	Per State or Federal standard
Interior Access Drive	10 feet

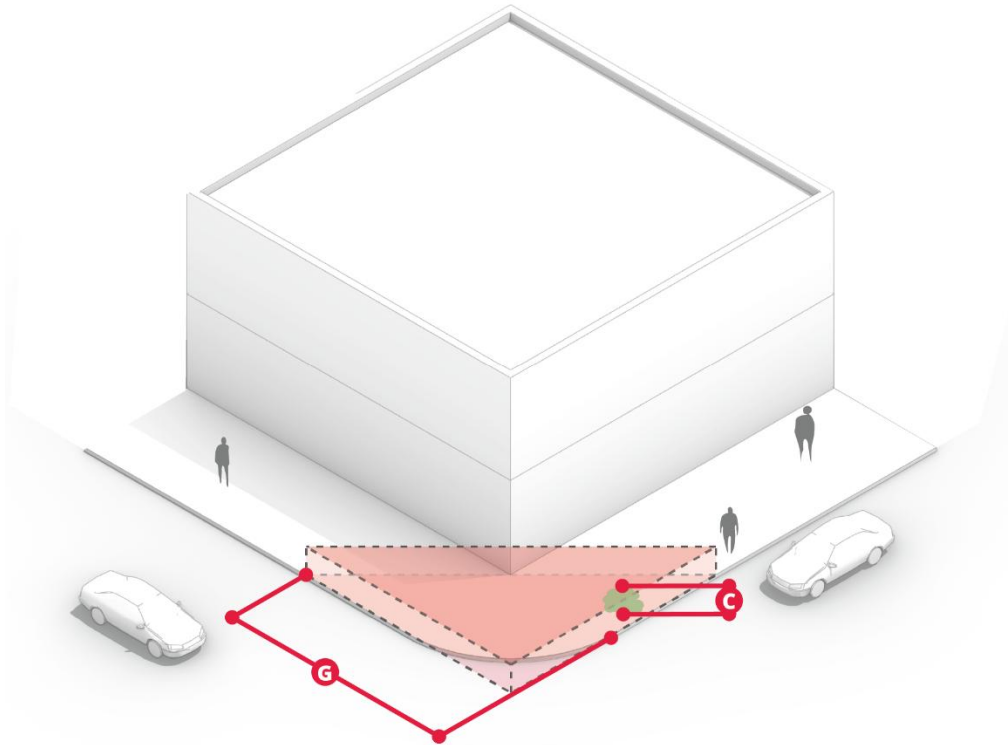


Figure 2 Vision Triangle

22.04(5) Outdoor Lighting.

A. Purpose. The standards of this Subsection are designed to regulate the physical effects of lighting and minimize the negative impact that lighting may have on surrounding properties. It is the intent of this Subsection to:

1. Minimize light pollution, such as glare and light trespass,
2. Conserve energy and resources,
3. Maintain night-time safety and utility, and
4. Improve the night-time visual environment.

- B. Applicability.** The outdoor lighting standards established in this Subsection shall apply as detailed in Table 22.04(1)(B).
- C. Prohibitions.** The following lighting types shall be prohibited within the City:
1. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment,
 2. The operation of searchlights for advertising purposes,
 3. Site lighting that may be confused with warning, emergency, or traffic signals
 4. Lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation, and
 5. Colored light-emitting diode (LED) rope lighting that outlines windows or doors.
- D. Exemptions.** The following exemptions shall be granted from the requirements of this Chapter:
1. Streetlights and other fixtures installed or temporarily used for public roadway illumination meeting all City standards,
 2. All temporary emergency lighting needed by the Police or Fire Departments or other emergency services, as well as all vehicular luminaires,
 3. All hazard warning luminaires required by Federal regulatory agencies, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output or color temperature for the specific task,
 4. Individual residential lighting that is not part of a site plan or subdivision plan for street or other common or public area outdoor lighting,
 5. Lighting associated with holiday, festival, or other temporary uses permitted in Section 22.03,
 6. Lighting of fountains or public art that has been permitted or otherwise approved by the City,
 7. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare, and
 8. Flag illumination is permitted if the flagpole complies with the maximum building height of the district.

E. LED Fixtures. All outdoor lighting utilizing an LED fixture shall meet the following standards:

- 1. Color Rendering.** Outdoor LED fixtures shall be rated at a minimum Color Rendering Index (CRI) value of 70 or higher.
- 2. Color Temperature.**
 - a. Outdoor LED fixtures shall have a correlated color temperature of 4000°K.
 - b. Decorative and pedestrian scale lighting may be less than 4000°K.
 - c. Architectural accent or building façade lighting may exceed 4000°K, provided the lighting is fully shielded and directed only onto the building surface or design feature being illuminated.
 - d. Outdoor recreational lighting is exempt from color temperature requirements.

F. Maximum Footcandles.

1. Lighting levels shall perpetually adhere to the standards in Table 22.04(5)(F).
2. Lighting adjacent to public rights-of-way and lighting within shopping center parking lots are exempt from these standards.

Table 22.04(5)(F) Lighting Standards in Footcandles (Fc)	
Location	Maximum Footcandles
Property Line	0.5 [1]
Parking Lot	6
Under Gas Canopy	15
Notes	
[1] When the property line is adjacent to any residentially-developed parcel or residentially zoned parcel, the maximum shall be 0 Fc.	

G. Fixture Classification.

1. All outdoor lighting fixtures shall be LED luminaires.
2. All outdoor lighting fixtures shall either have a fixture cutoff classification of “Full Cutoff” or be fully shielded, unless otherwise expressly permitted in this Chapter.
3. Fully shielded fixtures shall be directional fixtures (such as flood lights) and may be used provided they are aimed away from any residentially developed parcel or residentially zoned parcel.

H. Pole and Fixture Design. The concrete base used to mount a pole light shall not exceed four feet in height, and the total pole height, including the base, shall not exceed 24 feet.

I. Mounting Height.

1. All outdoor lighting fixtures shall have a full cutoff classification with a fixture angle of 90 degrees.
2. The maximum mounting height for all outdoor lighting fixtures shall not exceed 20 feet.

22.04(6) Development Performance Standards.

A. Purpose. The purpose of this Subsection is to ensure that all uses of land, buildings, and structures are conducted in a manner that protects the public health, safety, comfort, and general welfare. It is intended to prevent the creation of dangerous, injurious, noxious, or otherwise objectionable conditions that may adversely affect surrounding areas or adjoining premises.

B. Applicability. The standards of this Subsection apply to all land uses and developments within all zoning districts. All uses and structures shall comply with the Performance Standards; perpetual compliance is required. No land or building in any district shall be used or occupied in any manner so as to create any of the following conditions:

1. Fire, explosive, or other hazard,
2. Noise or vibration,
3. Smoke, dust, odor, or other form of air pollution,
4. Heat, cold, dampness, electrical, or other disturbance,
5. Glare,
6. Liquid or solid refuse or wastes, or
7. Any other substance, condition, or element that adversely affects the surrounding area or adjoining premises.

C. Compliance Requirement. Any use permitted or not expressly prohibited by these regulations may be undertaken and maintained, provided that the use conforms to the regulations of this chapter.

D. Site Impact Standards.

1. **Air Pollution.** No person or activity shall emit any fly ash, dust, fumes, vapors, mists, in such quantities so as to substantially contribute to exceeding state or federal air pollution standards.
2. **Fire and Explosive Hazards.**
 - a. All activities involving the manufacturing and storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate firefighting and fire-suppression equipment and devices that are standard in the industry.
 - b. All materials that range from active to intense burning shall be manufactured, utilized, processed, or stored only within completely enclosed buildings having incombustible exterior walls and an automatic fire extinguishing system.
3. **Glare and Heat.**
 - a. No activity shall emit glare or heat that is visible or measurable outside its premises, except activities which may emit direct or sky-reflected glare which shall not be visible outside their district.
 - b. All operations producing intense glare or heat shall be conducted within a completely enclosed building.
 - c. Exposed sources of light shall be shielded in accordance with the requirements of Subsection 22.04(5)(F) (the outdoor lighting Subsection) above.

E. Operational Impact Standards.

1. **Noise.** No activity in any district shall produce an unreasonably loud noise level in any adjacent residential district.
 - a. **Manufacturing Districts.** No activity in any manufacturing district shall produce a sound level outside the district boundary or at any point within an adjacent residential district that exceeds the following sound levels measured by a sound level meter and associated octave level filter:

Octave Band Frequency Hz	Sound Level dBA
0 to 75	79
75 to 150	74
150 to 300	66
300 to 600	59
600 to 1200	53
1200 to 2400	47

2400 to 4800	41
Above 4800	39

- b. Other Districts.** No noise in any district other than a manufacturing district shall produce a sound level measured at the lot line of the premises producing the activity that exceeds the following:

Octave Band Frequency Hz	Sound Level dBA
0 to 75	79
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	40
2400 to 4800	34
Above 4800	32

- c. Mitigation.** All noise shall be muffled or otherwise controlled so as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character, or shrillness.
- 2. Radioactivity and Electrical Disturbances.** No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises.
- 3. Vibration.** No vibration shall be permitted, which is discernible without instruments outside its premises which is generating the vibrations.