

Article 5. General Development Standards

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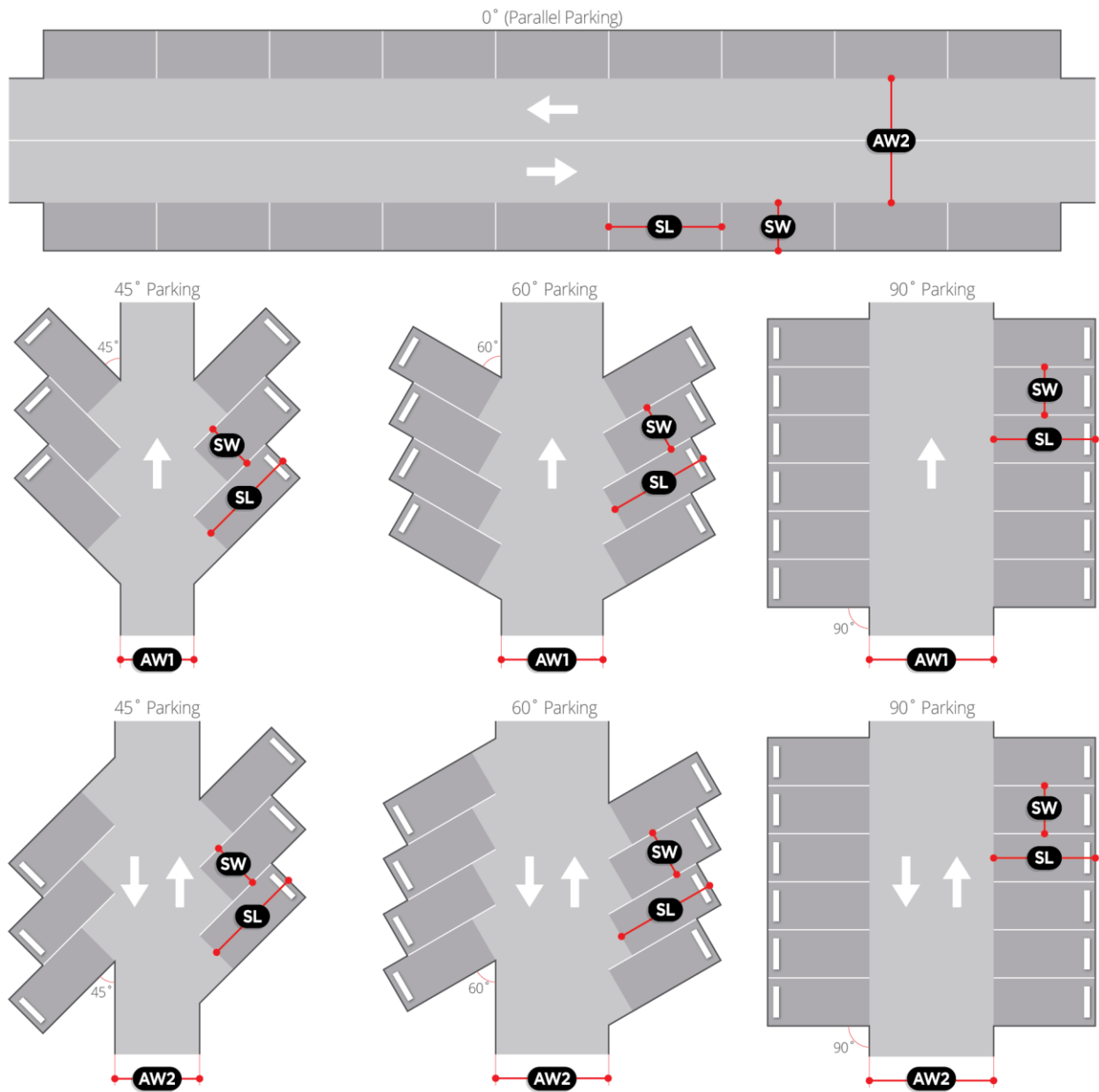
Sec. 17.0501. Off-Street Parking

- (a) **Applicability.** In all districts and in connection with every use, there shall be provided at the time any use is erected, enlarged, extended, or increased, off-street parking spaces and lots for all vehicles in accordance with the provisions of this Section.
- (b) **Parking Spaces for Use by Physically Disabled Persons.** All open off-street parking areas provided for more than twenty-five (25) parking spaces, except for parking areas restricted to use by employees only, shall provide parking spaces for use by motor vehicles which transport physically disabled persons in accordance with the requirements of **Section 346.503** of the Wisconsin Statutes.

- (c) **Location of Parking.** Parking spaces shall be located on the same lot as the principal use except as provided for in this Chapter.
- (1) Uninterrupted parking lots along the full street frontage of commercial or manufacturing developments abutting a public right-of-way are prohibited, except where the physical orientation of the lot makes it necessary, as determined by the Plan Commission.
 - (2) Parking should be directed to the side or rear of the lot, where it is less visually intrusive. No more than fifty (50) percent of the off-street parking for commercial developments with a gross floor area in excess of twenty-five thousand (25,000) square feet and that directly abut a public right-of-way shall be located between the front of the building and the primary abutting street unless the overall development design includes smaller buildings on pads or outlots closer to the street. .
 - (3) All parking shall be set back from street rights-of-way and adjacent lot lines in accordance with the parking lot perimeter area and transition area requirements in Section 17.0505.
- (d) **Parking Stall and Aisle Dimensional Standards.** The minimum length of parking stalls shall be modified in parking lots based on the aisle width and the angle of parking. Parking stalls shall conform to the following minimum dimensions:

Table 17.0501(d): Parking Stall and Aisle Dimensional Standards				
Parking Angle (degrees)	Minimum (feet)			
	Stall Width (SW)	Stall Length (SL)	One-Way Aisle Width (AW1)	Two-Way Aisle Width (AW2)
0	8	20	11	12
45	9	19	16	20
60	9	20	16	20
90	9	18	20	24

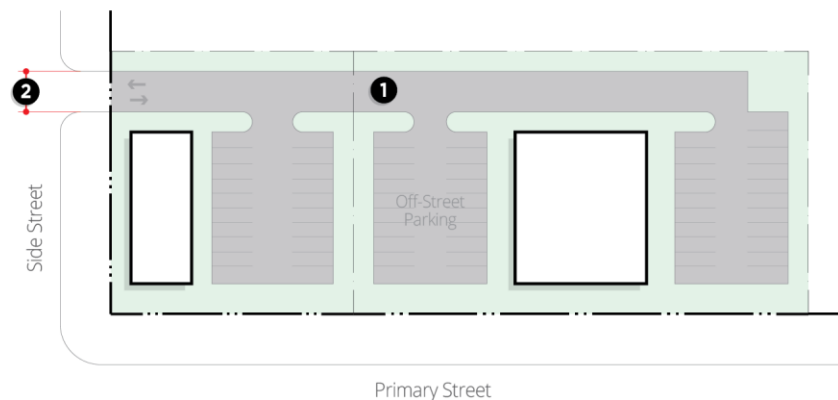
Figure 5.1: Parking Stall and Aisle Dimensional Standards



(e) Access.

- (1) Except for detached single-family dwellings, attached single-family dwellings, off-street parking areas with three (3) or more spaces shall be configured so that a vehicle may enter and leave a parking space without moving another vehicle.
- (2) **Vehicular Cross-Access.** To facilitate vehicular access between adjoining developments, encourage shared vehicle parking, and minimize access points along streets, new multifamily, nonresidential, and mixed-use development or redevelopment shall comply with the following standards:
 1. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining multifamily, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily, nonresidential, or mixed-use development.
 2. Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major thoroughfare right-of-way), a single two-way maneuvering lane, or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
 3. The Community Development Director or their designee may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property.
 4. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be submitted for recording with the Register of Deeds for the county in which the properties are located before issuance of a Building Permit for the development.

Figure 5.2: Vehicular Cross Access Standards



- (f) **Surfacing.** All off-street parking lots shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent material as approved by the City Engineer. Surfaces such as pervious asphalt, pervious concrete or turf blocks are permitted; subject to the requirements of this Chapter and other City policies pertaining to stormwater management. Drive approaches from an alley or street shall be concrete. The required off-street parking spaces (parking lots) shall be completely paved prior to the issuance of the occupancy permit for all new buildings and prior to the final inspection of all building additions. However, if the new building or building addition is completed during the November to March period, the pavement shall be completed by July 1 of that year.
- (g) **Grading.** All off-street parking lots shall be graded and drained as to dispose of all surface water in accordance with the requirements of Section 16.08 of the Municipal Code of the City of Oak Creek.
- (h) **Parking Requirements.**
- (1) **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements of Table 17.0501(h)(4). Parking spaces with electric vehicle charging stations shall count toward the minimum requirement.
 - (2) **Maximum Requirements.** To minimize excessive areas of pavement no parking lot shall exceed the required number of parking spaces by more than twenty (20) percent, except as approved by Community Development Director or their designee. In granting additional spaces, the Community Development Director or their designee shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
 - (3) **Calculations.** The following rules shall apply when calculating the minimum required number of parking spaces.
 1. **Multiple Uses.** In developments involving the establishment or addition of two (2) or more uses on one (1) lot or parcel, the cumulative number of spaces required for each use shall determine the total number of spaces required.
 2. **Fractions.** When measurements of the number of required spaces result in a fractional number, any fraction of less than 0.5 is rounded down to the next lower whole number, and any fraction of 0.5 or more is rounded up to the next higher whole number.
 3. **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).
 4. **Occupancy or Capacity-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable as determined by the Community Development Director or their designee and the Fire Department.
 5. **Unlisted Uses.** In the case of uses not specified in Table 17.0501(h)(4), the number of spaces specified as the general City of Oak Creek 17-89 standard for the use class or the number of spaces specified for similar use shall apply.

(4) Minimum Parking Requirements by Use.

Table 17.0501(h)(4): Minimum Parking Requirements by Use	
Use	Minimum Parking Requirement
<i>Agricultural Uses</i>	
Agritourism Related Uses	1 / 250 sqft retail / assembly space
Aquaculture	1 / 1,500 sqft
Garden Plots for Rent	n/a
General Farm Structures	
General Farming	
Keeping and Raising of Domestic Stock, Commercial	
Plant Nursery / Greenhouse	As determined by parking demand study
Solar Energy Collection System, Farm	2
<i>Residential Uses</i>	
Community Living, 1-15 Persons	1 / 6 residents and 1 / employee
Community Living, 16+ Persons	
Dwelling, Multifamily Above Ground Floor	1 / bedroom, including dens ¹ 1 enclosed space / dwelling unit
Dwelling, Multifamily Building 9+ units	
Dwelling, Multifamily Building 2-8 units	
Dwelling, Multifamily Complex	
Dwelling, Single-Family Attached	2 / dwelling unit
Dwelling, Single-Family Detached	
Mobile Home Park	2 / mobile home space
Senior Housing, Assisted Living	1.5 / dwelling unit
Senior Housing, Nursing Care	0.5 / dwelling unit
Senior Housing, Total Life Care	1 / dwelling unit
<i>Recreational Uses</i>	
Art Gallery / Museum	1 / 3 people at maximum capacity
Boat Mooring and Rental / Marina	
Campground	
Clubhouse	1 / 250 sqft community room space
Community Garden	n/a
Golf Course	1 / 3 people at maximum capacity
Golf Course, Miniature	
Health, Athletic, or Recreation Facility, Indoor	
Health, Athletic, or Recreation Facility, Outdoor	
Parks and Playgrounds, Private	As determined by parking demand study
Parks and Playgrounds, Public	
Shooting / Archery Range, Indoor	1 / 3 people at maximum capacity
Shooting / Archery Range, Outdoor	

Table 17.0501(h)(4): Minimum Parking Requirements by Use	
Use	Minimum Parking Requirement
<i>Retail Uses</i>	
Adult Entertainment	1 / 250 sqft
General Retail, less than 50,000 sqft	
General Retail, 50,000 sqft - 100,000 sqft	
General Retail, more than 100,000 sqft	
Grocery Store	
Multitenant Shopping Center	
Neighborhood Retail	
Outlot Retail Building	
Wholesale	1 / 500 sqft
<i>Service Uses</i>	
Bank / Financial Institution	1 / 250 sqft
Day Care Center	
General Service	
Kennel / Boarding Facility	
Neighborhood Service	
Self Service Laundry / Dry Cleaner	
Tattoo, Body Piercing, and Body Art Studios	
Veterinary Clinic / Animal Hospital	
<i>Lodging Uses</i>	
Bed and Breakfast	1 / occupiable room
Hotel	
Motel	
Short Term Rental	
<i>Eating and Drinking Uses</i>	
Café	2 / 250 sqft
Microbrewery	3 / 250 sqft
Restaurant, Delivery / Carry Out Only	1 / 250 sqft
Restaurant, Fast Casual	3 / 250 sqft
Restaurant, Sit Down	
Tasting Room, Brewery, Winery, Distillery	
<i>Vehicle Related Uses</i>	
Autobody Repair	1 / 300 sqft and 1 / service bay
Car Wash	1 / car wash stall
Fuel Sales	1 / fuel pump
Fueling Plaza	
Service Station	1 / 300 sqft and 1 / service bay
Vehicle Sales and Rental	1 / 600 sqft

Table 17.0501(h)(4): Minimum Parking Requirements by Use	
Use	Minimum Parking Requirement
<i>Office Uses</i>	
Office, General	1 / 300 sqft
Office, Above Ground Floor	
Office, Medical / Dental	
<i>Industrial Uses</i>	
Brewery / Winery / Distillery	1 / 1,500 sqft
Laboratory	
Manufacturing, Artisan	
Manufacturing, Heavy	
Manufacturing, Light	
Motor Freight Terminal	
Self Storage	
Warehouse, Distribution	
Warehouse, Storage	
<i>Medical Uses</i>	
Hospital	As determined by parking demand study
Acute Care Center	
<i>Public / Institutional Uses</i>	
College / University	1 / 2 students and 1 / employee
Essential Service	As determined by parking demand study
Governmental Use, Indoor	
Governmental Use, Outdoor	
Place of Assembly	1 / 2 persons at maximum occupancy
Religious Institution	
School, Private	As determined by parking demand study
School, Public	
Vocational / Employment Training	1 / 2 students and 1 / employee
1 - A minimum of one (1) of the required parking spaces per residential unit shall be enclosed.	

(i) **Adjustments to Required Parking.** The purpose of this Section is to allow adjustments to the minimum number of parking spaces required to avoid constructing unneeded and excessive off-street parking facilities. Reducing the amount of excess off street parking facilities is intended to provide for more cost-efficient site development, to eliminate constructing more impervious surface than necessary, to minimize storm water runoff, to avoid construction of unnecessarily large storm water management facilities, and to provide more landscape areas and open space on commercial and industrial sites. To achieve these purposes, the Plan Commission may reduce the minimum number of required off-street parking spaces in specific cases as described in this section.

(1) **Adjustments.** In all districts, the minimum number of required parking spaces may be adjusted by the Plan Commission on a case-by-case basis. The petitioner for such an adjustment shall show to the satisfaction of the Plan Commission that adequate parking will be provided for customers, clients, visitors, and employees. The following provisions and factors shall be used as a basis to adjust parking requirements:

1. **Evidence That Actual Parking Demands Will Be Less Than Ordinance Requirements.** The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the Chapter requires.
2. **Availability of Shared Parking.** The petitioner shall submit written documentation to the satisfaction of the Plan Commission that off-site shared parking spaces are available within four-hundred (400) feet of the lot line and within the same block to satisfy the parking demand. When a reduction of parking spaces attributable to shared parking is requested, the petitioner shall submit written verification that such parking is available and shall include copies of any contracts, joint lease agreements, purchase agreements, and other such documentation to show that such shared parking can be accomplished. Any and all such agreements shall be recorded with the Milwaukee County Register of Deeds, at the applicant's expense, and a copy of the recorded agreement shall be filed with the Community Development Director or their designee. The off-site shared parking spaces shall be clearly posted for the joint use of employees, and/or tenants, or customers of each respective use sharing those spaces.
3. **Use of Optional Modes of Transportation.** Upon demonstration to the Plan Commission that effective alternative transportation to the automobile will occur within twelve (12) months following the issuance of the certificate of occupancy, the Plan Commission may reduce parking requirements. Optional modes of transportation may include, but is not limited to, bus transit, van pool operations, carpool/ride sharing, and bicycles. Parking management plans/operations may also be used as a basis to reduce required parking. Parking management plans may include, but are not limited to, flexible working hours or shifts, preferential parking for carpools/van pools, transit/van pool fare subsidy, imposition of a charge for parking, and establishment of a transportation coordinator to implement car pool, van pool, and transit programs. Proposals for adjustments of parking requirements under this section shall show how the alternative transportation modes will be implemented, the permanency of such modes, extent of the program, the number of vehicles the mode will replace, and other pertinent information.

4. **Oversize Vehicles.** All businesses that cater to customers who drive vehicles larger than what can be accommodated in a 10' X 20' parking space, shall provide the appropriate number of parking spaces and access aisles to accommodate these vehicles.
- (2) **Space to be Set Aside for Reduced Parking.** The site plan for the commercial or industrial use shall be designed to provide sufficient open space on the subject site to accommodate the additional parking spaces otherwise required by this Chapter. Such open space shall be in addition to required yards, setbacks, driveways, private streets, loading and service areas. Sufficient open space shall be provided which, if converted to parking spaces, would provide off street parking to meet the full requirements of this Chapter at the time of application.
 - (3) **Changes in Occupancy or Use.** When the use of a building, structure, or land is changed to another use or occupancy that requires more parking spaces than required for the use existing immediately prior to such change, additional parking spaces shall be constructed for the new use or occupancy in the amount necessary to conform to this Chapter prior to the issuance of a Certificate of Occupancy for the new use.
 - (4) **Changes in Intensity of Use.** When the intensity of use of a building, structure or land is increased by an addition of employees, gross floor area, seating capacity, or other unit of measurement, additional parking spaces shall be constructed for such additions in the amount necessary to conform to this Chapter.
 - (5) **Plan Commission Review and Verification.** The Plan Commission shall review the adequacy of parking where an adjustment to parking requirements has been granted within one year following such parking modification grant--and periodically thereafter--to determine that the conditions justifying the parking requirement still exist. If the parking is found to be inadequate, the Plan Commission shall order the use of the property to comply with the parking requirements set forth in this Chapter.
- (j) **Off-Street Bicycle Parking Design Standards.**
- (1) **Location.**
 1. Required bicycle parking shall be provided on the same lot as the use for which it is intended to serve.
 2. Bicycle racks shall be adequately lit and located such that they are highly visible from the street and/or building entrance(s) from where bicyclists approach.
 3. The location of bicycle parking shall not conflict with pedestrian and/or vehicle circulation.
 4. Bicycle parking shall be sited within fifty (50) feet of a building's main entrance. If provided indoors, bicycle parking shall be located within a common area designated for secure bicycle storage.
 5. Bicycle parking adjacent to a pedestrian walkway shall be sited to ensure that a minimum five (5) foot walkway clearance is maintained.

(2) **Design Criteria.** All bicycle parking facilities shall be designed in accordance with standards established by the National Association of City Transportation Officials.

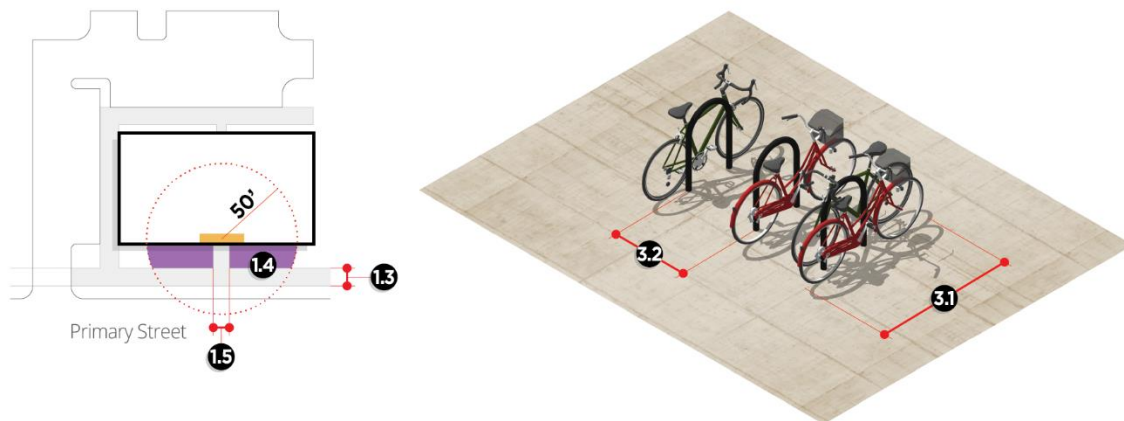
(3) **Dimensional Standards.**

1. Each bicycle parking space shall be a minimum of six (6) feet in length.
2. Bicycle racks shall be located at least three (3) feet in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or landscaping.
3. A minimum vertical clearance of seven (7) feet shall be maintained above all bicycle parking facilities.

(4) **Off-Street Bicycle Parking Requirements.**

1. **Exemption.** The bicycle parking requirements of this Section shall apply to all uses other than the following:
 - a. All vehicle related uses;
 - b. Single-family detached and attached uses;
2. The number of required bicycle parking spaces shall be left to the discretion of the developer upon approval of the Plan Commission.

Figure 5.3: Bicycle Parking Standards



(k) **Internal Pedestrian Walkway Standards.**

- (1) A continuous internal pedestrian walkway must be provided from the perimeter public sidewalk to the principal customer entrance and shall be along direct routes that do not require significant out-of-direction travel.
- (2) The internal pedestrian walkways must be distinguished from driving surfaces through the use of contrasting materials to enhance pedestrian safety. Examples of acceptable materials include, but are not limited to special pavers, bricks, or scored concrete, unless otherwise approved by the Plan Commission.
- (3) The internal pedestrian walkways shall provide at least one (1) connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The Community Development Director or their designee may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.

Sec. 17.0502. Off-Street Loading

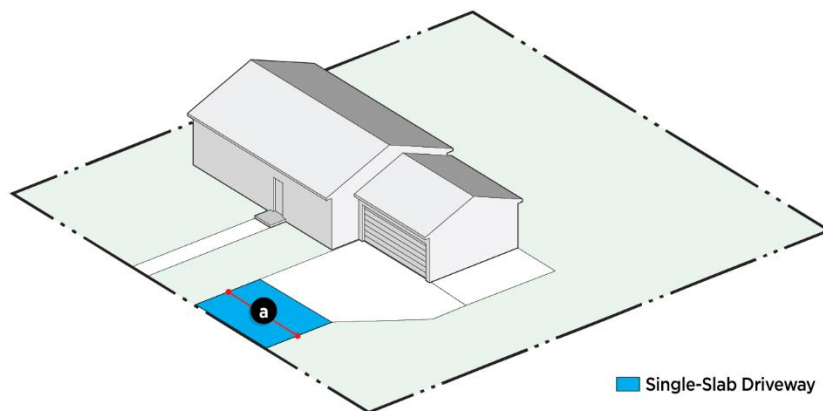
- (a) **Purpose.** The purpose of this Section is to prevent congestion of public rights-of-way and private lots to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities on various sites.
- (b) **Applicability.** Any building which has a gross floor area of six thousand (6,000) square feet or more, and which requires deliveries or makes shipments, shall provide off-street loading facilities in accordance with the regulations of this Section. The Plan Commission may waive the requirement for the provision of off-street loading facilities based on site specific conditions.
- (c) **Location.** All loading docks shall be located twenty-five (25) feet or more from the intersection of two (2) street right-of-way lines. All loading areas shall be located on the private lot and shall not be located within, or so as to interfere with, any public right-of-way, off-street parking area, or pedestrian circulation area. No loading dock or overhead doors shall face upon a street right-of-way in commercial or office and professional business zoning districts. Loading docks or overhead doors may face upon a street right-of-way in manufacturing districts only in cases where no practical alternative exists, as determined by the Plan Commission.
- (d) **Size of Loading Area.** Adequate space for standing, turning, loading, and unloading services shall be provided in a manner that does not interfere with required off-street parking areas, pedestrian circulation areas, and with the public use of streets or alleys.
- (e) **Access to Loading Area.** Each loading berth shall be located so as to facilitate access to a public street or alley and shall not interfere with other vehicular or pedestrian traffic and shall not interfere with the function of parking areas. In no instance shall loading areas rely on backing movements into public rights-of-way.

- (f) **Surfacing and Marking.** All required loading areas shall be paved and maintained in a dust-free condition at all times. Said surface shall be marked in a manner that clearly indicates required loading areas.
- (g) **Use of Required Loading Areas.** The use of all required loading areas shall be limited to the loading and unloading of vehicles. Said area shall not be used to provide minimum required parking spaces, as detailed in Section 17.0501.
- (h) **Required Loading Spaces.** The number of required loading spaces shall be determined by the developer and shall provide for adequate space for standing, turning, loading, and unloading services shall be provided in a manner that does not interfere with required off-street parking areas, pedestrian circulation areas, and with the public use of streets or alleys.

Sec. 17.0503. Driveways

- (a) **Single-Family Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria. A single slab or ribbon driveway and parking pad taper shall be the only permitted paved area in a front yard.
 - (1) **Limit of One.** No more than one (1) single slab or ribbon driveway and one (1) curb cut shall be permitted for each single-family residential lot. New residential parcels taking access from collector or arterial streets shall share driveways in order to protect public safety by limiting curb cuts.
 - (2) **Single-Slab Driveway Design Standards.**
 - a. Single-slab driveways shall not exceed twenty-four (24) feet in width at the property line.
 - b. Single-slab driveways shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, asphalt, concrete pavers, paving blocks, or similar materials approved by the City Engineer.

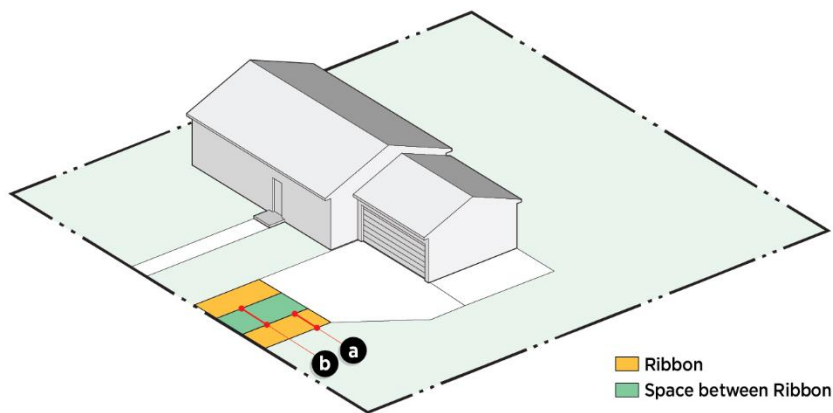
Figure 5.4: Single-Slab Driveway Design Standards



(3) Ribbon Driveway Design Standards.

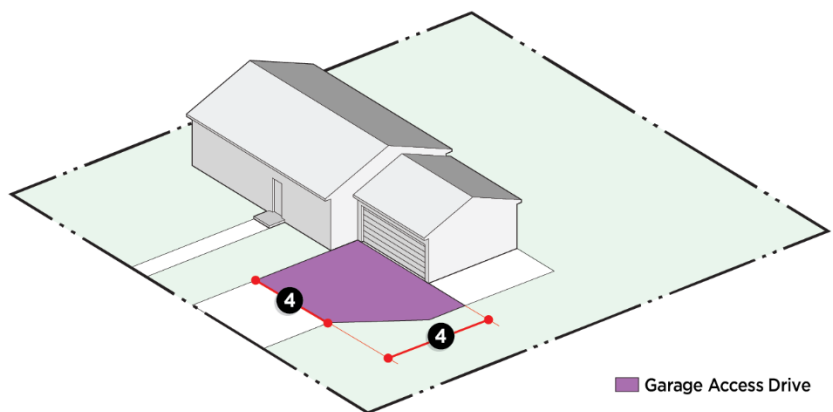
- a. Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
- b. Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or other ground cover used in the front yard.
- c. Ribbons shall be concrete including decorative concrete, patterned concrete, and exposed aggregate concrete, asphalt, concrete pavers, paving blocks, or similar materials approved by the City Engineer.

Figure 5.5: Ribbon Driveway Design Standards



- (4) **Garage Access Drive.** A garage access drive the width of the garage, as measured from the garage door(s) plus an additional three (3) feet on either side of the garage door(s), is permitted to extend for a distance of twenty (20) feet from the garage doors before tapering, within ten (10) feet, back to the maximum driveway width.

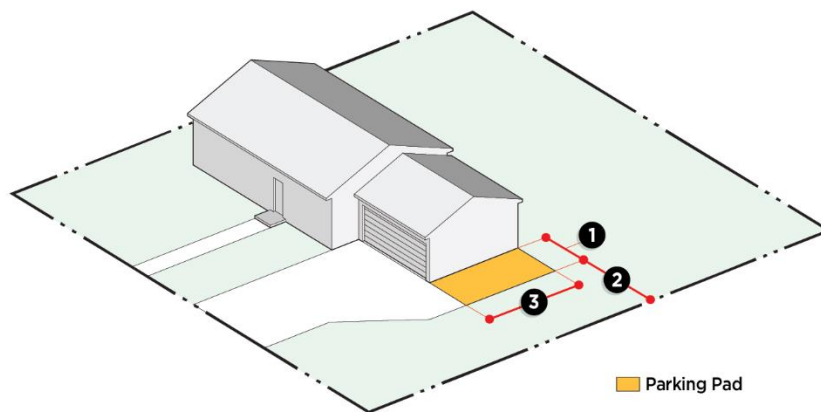
Figure 5.6: Garage Access Drive Standards



(5) **Parking Pad.**

- a. **Limit of One.** A single-family driveway may be extended to include one (1) parking pad.
- b. **Configuration.**
 1. A parking pad shall be a maximum of ten (10) feet in width.
 2. The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty-five (25) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty-five (25) foot maximum.
 3. The portion of the parking pad adjacent to the garage shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage.
- c. **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line.

Figure 5.7: Parking Pad Standards



- (6) **Driveway Approaches.** Driveway approaches shall meet all requirements of Chapter 6 of the Oak Creek Municipal Code.

(b) **Multifamily and Nonresidential Driveway Standards.**

(1) **Location.**

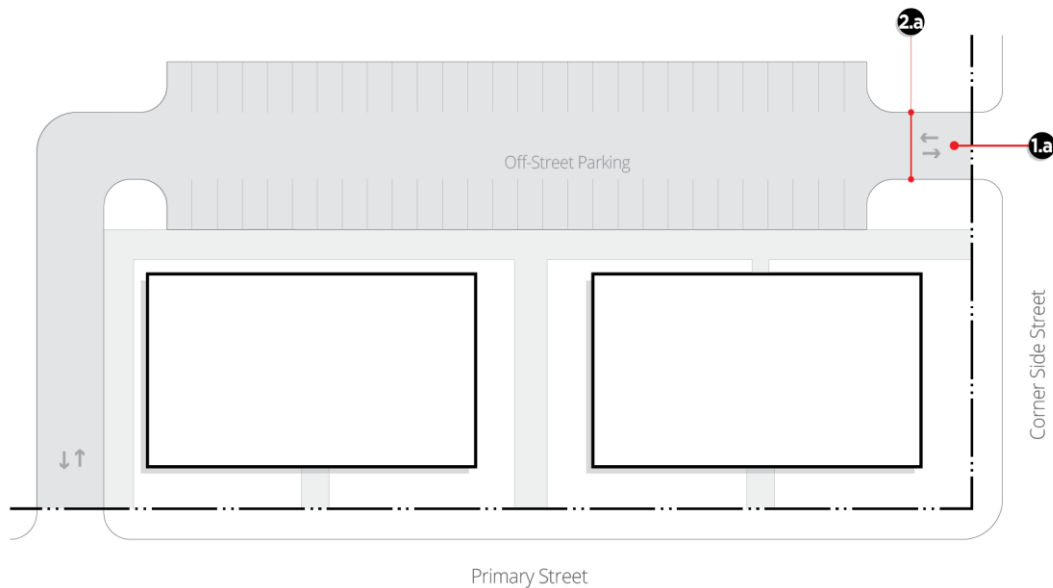
- a. Where a parking area of a corner lot abuts an alley or a corner side street, access to the parking area shall be obtained from a driveway off of the alley or corner side street. The Community Development Director or their designee may waive this requirement, if due to the particular situation of the parcel, this requirement cannot be satisfied.
- b. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum of three hundred (300) foot separation between such curb cuts along a street. The Community Development Director or their designee may waive this requirement, if due to the particular situation of the parcel, this requirement cannot be satisfied.

(2) **Driveway Design Standards.**

- a. Driveways for multifamily uses shall not exceed thirty-two (32) feet in width at the property line.
- b. Driveways for commercial uses shall have a minimum width of twenty-four (24) feet and a maximum width of thirty-six (36) feet at the property line.
- c. Driveways for industrial uses shall have a minimum width of thirty (30) feet and a maximum width of forty-eight (48) feet at the property line.

(3) **Driveway Approaches.** Driveway approaches shall meet all requirements of Chapter 6 of the Oak Creek Municipal Code.

Figure 5.8: Multifamily and Nonresidential Driveway Standards



Sec. 17.0504. Sidewalks

- (a) Sidewalks shall be provided along all sides of the lot that abut a public street, where the existing right-of-way permits.
- (b) Existing development shall provide sidewalks along all sides of the lot that abut a public street, where the existing right-of-way permits when substantial rehabilitation, as detailed in Article 9 of this Zoning Ordinance, is done to the existing building(s) or site.
- (c) Sidewalks shall be constructed to have a minimum width equal to the width of existing or proposed abutting sidewalk or of five (5) feet, whichever is greater.
- (d) Sidewalks shall be designed and built in accordance with Americans with Disabilities Act standards.
- (e) Sidewalk layout and design specifications are subject to approval by the City Engineer.

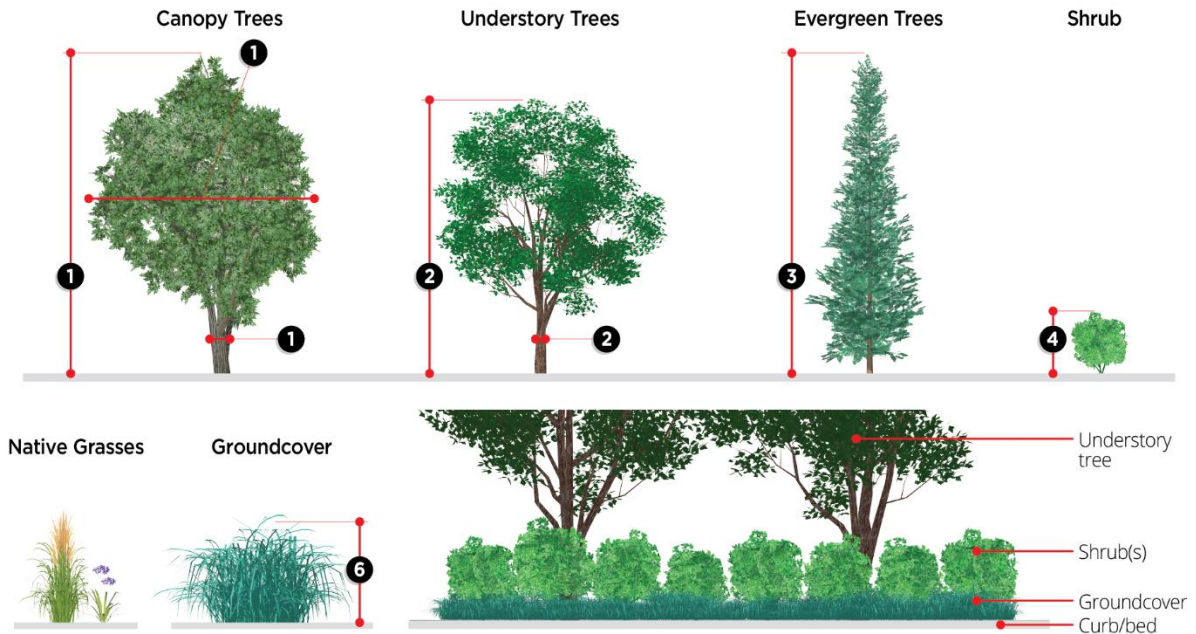
Sec. 17.0505. Landscape

Landscape improvements required by this Section shall apply to all non-single-family development and consist of living plants in a combination of trees, shrubs, and/or groundcover. Landscape improvements required by this Section shall not be exclusive of any easements that would otherwise restrict or prohibit such landscaping nor be utilized for snow storage. Unless otherwise stated in this Section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six (6) inches above the soil level. Any plant materials used to meet the requirements of this section shall not include any plant material identified as a Regulated Invasive Plant by the Wisconsin Department of Natural Resources pursuant to Wisconsin Administrative Code NR 40.

(a) **Planting Types.**

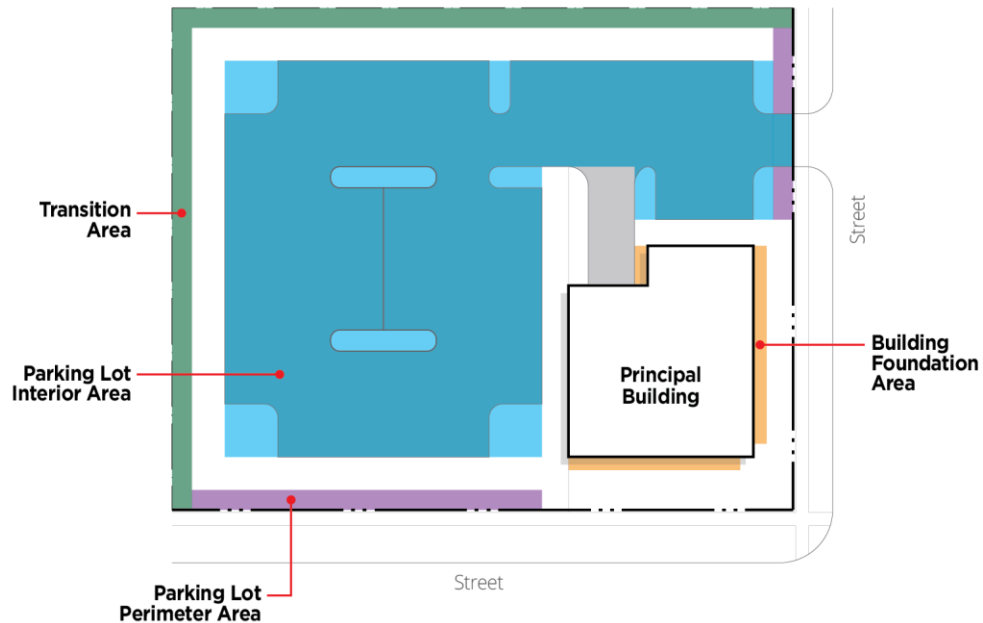
- (1) **Canopy Trees:** A woody plant having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
- (2) **Understory Trees:** A woody plant having not less than a one and one-half (1.5) inch caliper, or six feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
- (3) **Evergreen Trees:** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
- (4) **Shrub:** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet.
- (5) **Native Grasses:** Grasses and flowering broad leaf plants that are native to, or adapted to, the State of Wisconsin, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.
- (6) **Groundcover:** Herbaceous plants, other than turf grass, or prostrate shrubs normally reaching an average maximum height of eighteen (18) inches at maturity.

Figure 5.9: Planting Types



(b) **Required Landscape Areas.** The following graphic illustrates the location of the landscape requirements detailed in this section.

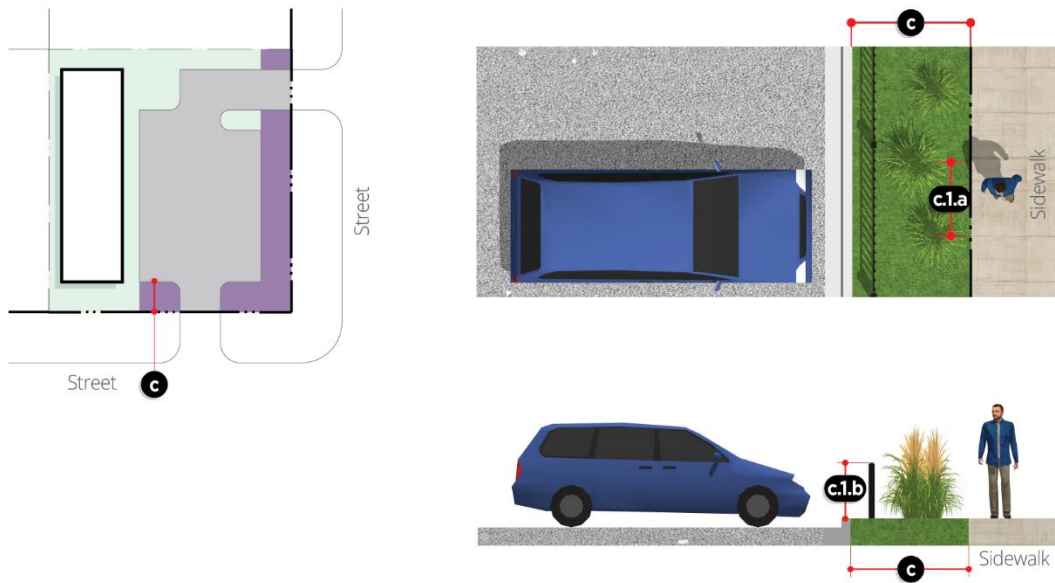
Figure 5.10: Required Landscape Areas



- (1) **Parking Lot Perimeter Area.** Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this ordinance. It is the objective of this section to provide screening between parking areas and right-of-way, and to provide for the integration of stormwater management with required landscaping.
 - a. **Location.** All surface parking lots shall include landscape and trees located on the perimeter of parking areas along any adjacent public or private right-of-way, as required by this section. Where a parking lot does not abut a public or private right-of-way, a landscaped area equivalent in size shall be provided within the parking area and shall comply with all regulations set forth for Parking Lot Interior Area landscape in Section 6-1(b)(2).
 - b. **Applicability.** The parking lot perimeter landscape regulations of this section apply to the following:
 1. The construction or installation of any new surface parking lot or vehicular use area; and
 2. The expansion of any existing surface parking lot or vehicular use area, in which case the requirements of this section apply only to the expanded area.

- c. **Requirements.** Perimeter landscape shall be established along the edge of the parking lot with a minimum depth of fifteen (15) feet as measured from the parking lot back of curb, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - 1. The landscape treatment shall run the full length of the parking lot and shall be located between the property line and the edge of the parking lot. Landscaped areas outside of shrub and tree masses or stormwater management areas shall be planted in live groundcover. The landscaped area shall be improved as follows:
 - (a) One (1) shrub or native grasses the height of which shall not be less than three (3) feet nor greater than five (5) feet, shall be planted for every three (3) feet of landscape area length, spaced to adequately screen vehicle bumpers.
 - (b) A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed in Section ## above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

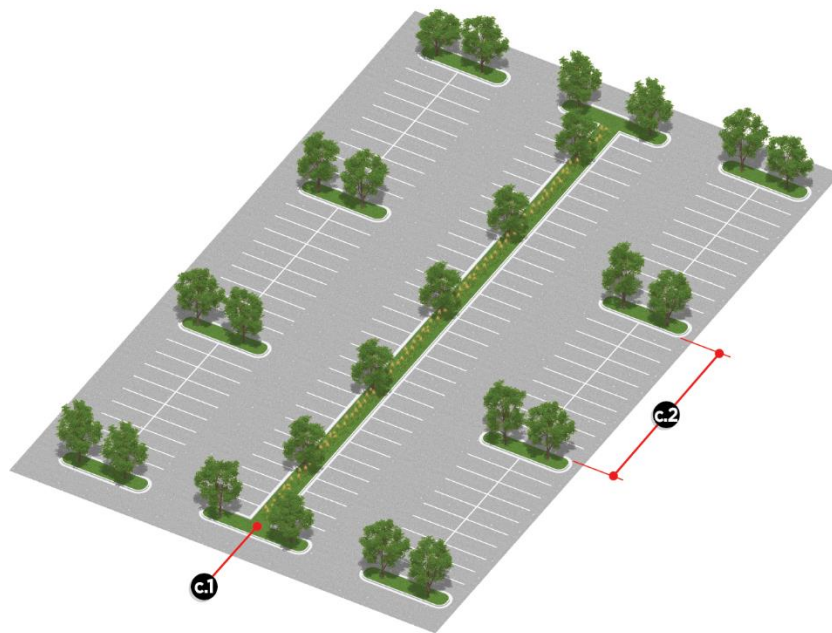
Figure 5.11: Parking Lot Perimeter Area Landscape Standards



- (2) **Parking Lot Interior Area.** All parking lots shall include landscape and trees located within the parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this ordinance. It is the objective of this section to provide shade within parking areas, break up large expanses of parking lot pavement, support stormwater management where appropriate, and provide a safe pedestrian environment.
- a. **Applicability.** The parking lot interior landscape regulations of this section apply to the following:
1. The construction or installation of any new surface parking lot containing ten (10) or more parking stalls; and
 2. The expansion of any existing surface parking lot if the expansion would result in ten (10) or more new parking stalls, in which case the requirements of this section apply only to the expanded area.
 3. A parking lot bay is defined as those spaces accessed from a single drive aisle.
- b. **Requirements.** For parking lots consisting of ten (10) or more spaces, interior parking lot landscape shall be required. For parking lots consisting of fewer than ten (10) spaces, all rows of parking shall be terminated by a parking lot island.

- c. **Amount.** Required parking lot interior landscape area shall be provided in the form of islands and medians.
 - 1. **Parking Lot Median Amount Requirement.** Parking lot medians shall be placed between every third bay of parking.
 - 2. **Parking Lot Island Amount Requirement.** Parking lot islands shall be located on parking bays which are not required to have parking lot medians. Parking lot islands shall be spaced not more than ninety (90) feet or more than ten (10) continuous spaces apart, and at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian way.

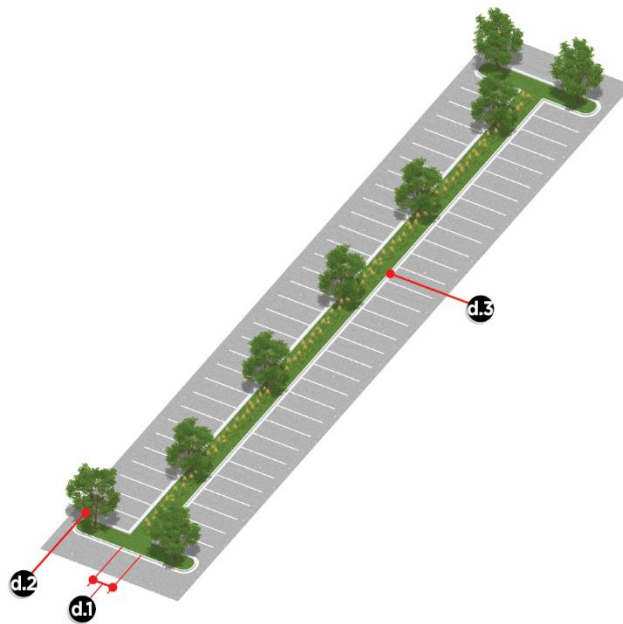
Figure 5.12: Parking Lot Interior Area Landscape Amount Standards



d. **Parking Lot Median Standards.**

1. **Size.** Parking lot medians shall have a minimum width of nine (9) feet and minimum soil depth of thirty-six (36) inches.
2. **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking lot median.
3. **Design.** Parking lot medians shall be protected with concrete curbing, wheel stops, or other suitable barriers. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

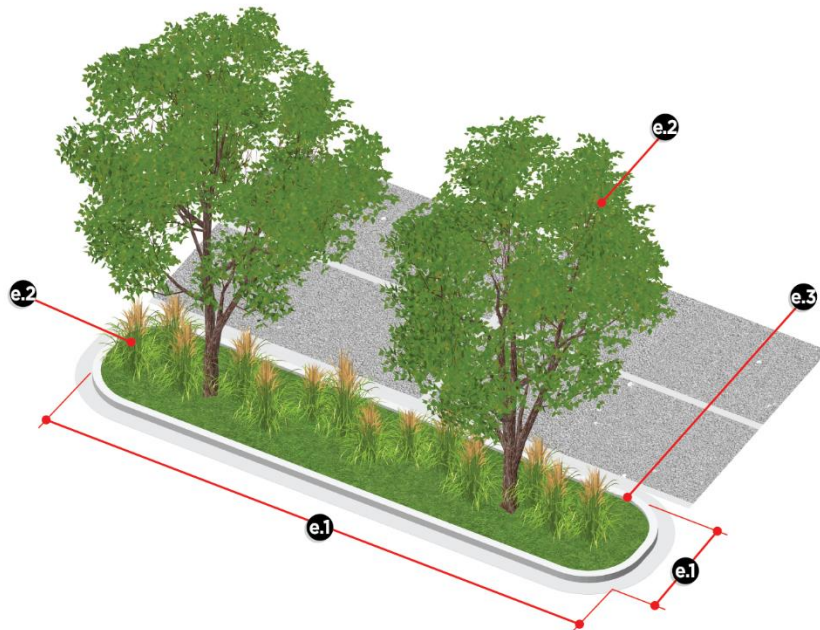
Figure 5.13: Parking Lot Median Standards



e. **Parking Lot Island Standards.**

1. **Size.** Parking lot islands shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking lot islands opposite one another to form continuous single islands with a minimum width of nine (9) feet and a minimum length of thirty-six (36) feet.
2. **Planting.** A minimum of one (1) canopy tree shall be provided for every parking lot island. If the island extends the width of a double bay, then two (2) canopy trees shall be provided.
3. **Design.** Parking lot islands shall be protected with concrete curbing or other suitable barriers. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.

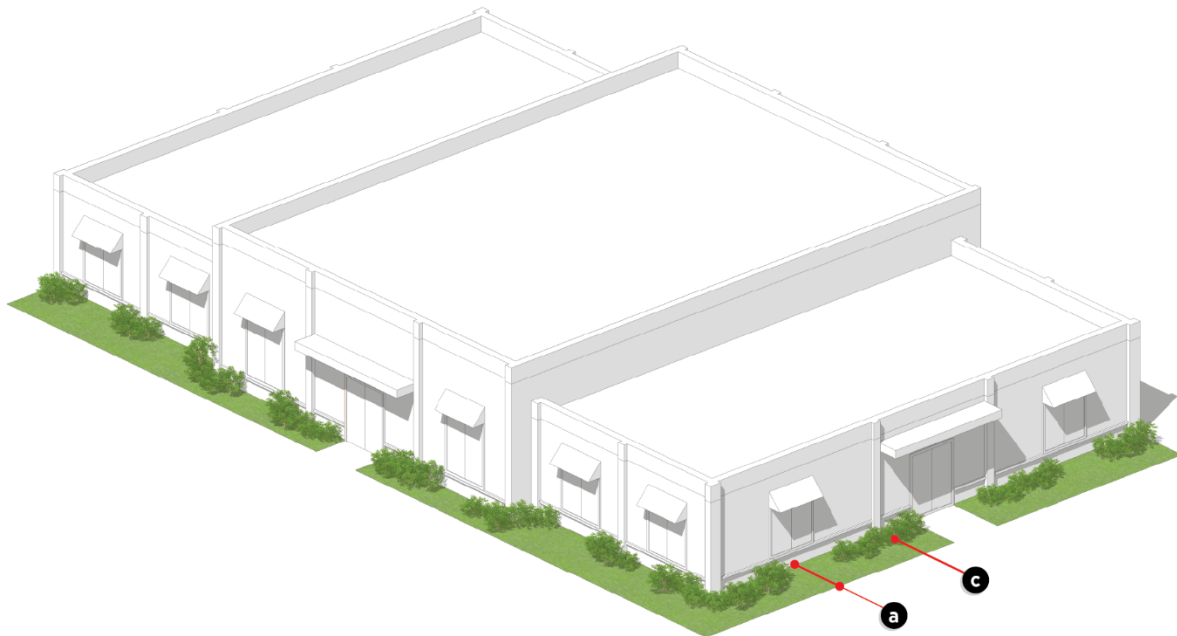
Figure 5.14: Parking Lot Island Standards



- f. **Internal Pedestrian Walkways.** Internal pedestrian walkways, as required by Section 17.0501(k), shall be located along parking lot medians. The Community Development Director or their designee may waive or modify this requirement on determining that locating internal pedestrian walkways along parking lot medians is impractical due to site conditions or undesirable because it would create unsafe conditions.
- g. **Type of Landscape Material.** Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking lot islands and medians. Understory trees, evergreen trees, shrubs, native grasses, groundcover, and other plant materials may be used to supplement the canopy tree plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the Community Development Director or their designee and City Engineer.
- h. **Groundcover.** A minimum of seventy-five (75) percent of the surface area of every parking lot island and median shall be planted with living groundcover.

- (3) **Building Foundation Area.** All non-single family development, with the exception of food processing facilities regulated by the Food and Drug Administration, shall include landscape located at the building foundation as required by this section. Non-single family development in the DTS District built with a zero (0) foot front yard setback shall integrate required building foundation landscape into parking lot perimeter and / or interior landscape areas. Landscape required by this section shall be in addition to landscape required under other sections of this ordinance. It is the objective of this section to provide a softening effect at the base of buildings.
- a. A non-single family development is required to maintain a building foundation area at front and exterior side yards of seven (7) feet at a minimum.
 - b. Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
 - c. Foundation plantings shall be installed across eighty (80) percent of the length of the façade of the building, except where walkways and driveways are located.
 - d. Foundation plantings may include trees, shrubs, native grasses, and groundcover.
 - e. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building facade. Minimum structural soil volume shall be six-hundred (600) cubic feet.
 - f. Above-ground stormwater planter boxes along building facades may be substituted for foundation plantings.

Figure 5.15: Building Foundation Area Landscape Standards



(4) **Transition Area.** Transition area landscape shall be required along interior property lines of all multiunit residential, non-residential, or mixed-use development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this ordinance.

a. **Applicability.** Transition area landscaping is required as follows;

1. The construction or installation of any new primary building or primary use; and
2. The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition area requirements, transition area landscaping is required only in proportion to the degree of expansion. The Community Development Director or their designee is authorized to allow the transition area to be established adjacent to the area of expansion or to disperse transition area landscaping along the entire site transition area.
3. Primary buildings or uses in the DTS District shall not be required to install transition area landscape along interior side yards.

b. **Transition Area Types.** Four (4) transition area types are established in recognition of the different contexts that may exist, as shown in Table 17.0505(b)(4)(b). Transition areas may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

Table 17.0505(b)(4)(b): Transition Area Types					
	Specification	Type A	Type B	Type C	Type D
1	Min. Yard Width (1)	5 ft.	10 ft.	15 ft.	20 ft.
2	Min. Fence/Wall Height	optional	optional	6 ft.	6 ft.
Min. Number of Landscape Elements (per 100 lineal feet)					
3	Understory	optional	3	4	5
4	Canopy / Evergreen	4	3	4	5
5	Shrubs / Native Grasses	optional	15	25	35
(1) Required yard setbacks may be utilized for transition area landscape.					

- c. **Application of Transition Area Types.** Transition areas shall be provided based on Table 17.0505(b)(4)(c), except where adjacent uses are of a similar nature, scale, and intensity. As per Table 17.0505(b)(4)(c), the type of required transition yard is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

Table 17.0505(b)(4)(c): Application of Transition Area Types													
Subject Lot Land Use	Adjacent Lot Land Use												
	Agricultural	Single-Family Residential	Multifamily Residential	Recreational	Retail	Service	Lodging	Eating and Drinking	Vehicle Related	Office	Industrial	Medical	Public / Institutional
Agricultural													
Single-Family Residential													
Multifamily Residential		B		A	A	A	A	A	B	A	D	C	B
Recreational		B	A		A	A	A	A	B	A	D	C	B
Retail		C	B	B		A	A	A	B	A	C	B	A
Service		C	B	B	A		A	A	B	A	C	B	A
Lodging		C	B	B	A	A		A	B	A	C	B	A
Eating and Drinking		C	B	B	A	A	A		B	A	C	B	A
Vehicle Related		D	C	C	B	B	B	B		B	B	B	B
Office		C	B	B	A	A	A	A	B		C	B	A
Industrial		D	D	C	C	C	C	C	B	C		B	B
Medical		D	D	C	C	C	C	C	B	C	C		B
Public / Institutional		D	D	C	C	C	C	C	B	C	C	B	

Figure 5.16: Transition Area A Standards

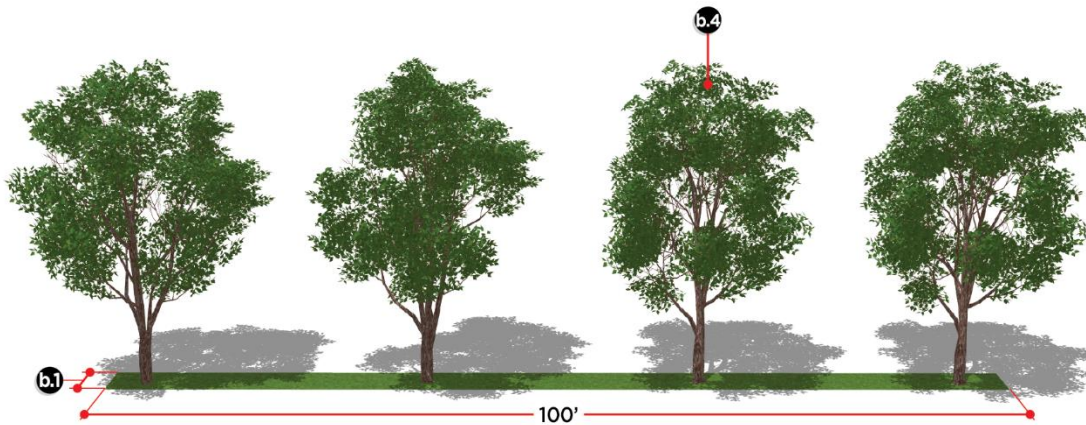


Figure 5.16: Transition Area B Standards

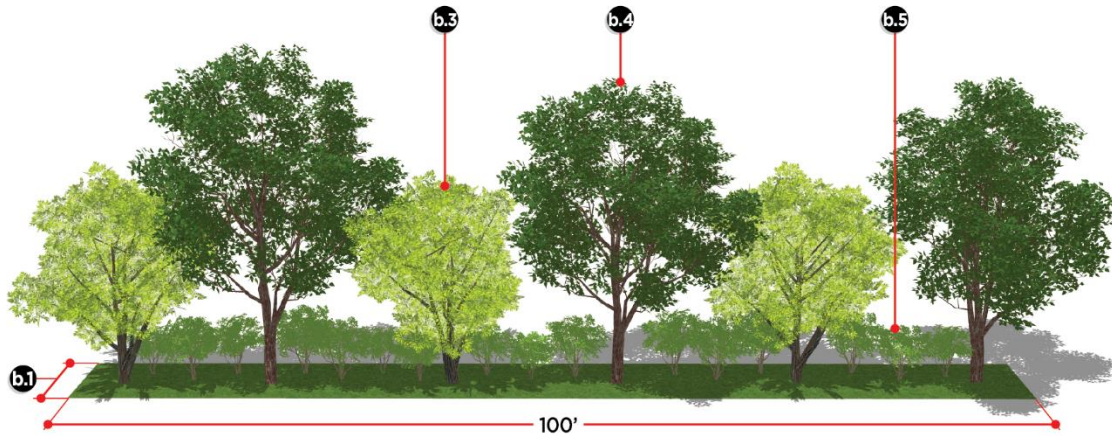


Figure 5.18: Transition Area C Standards

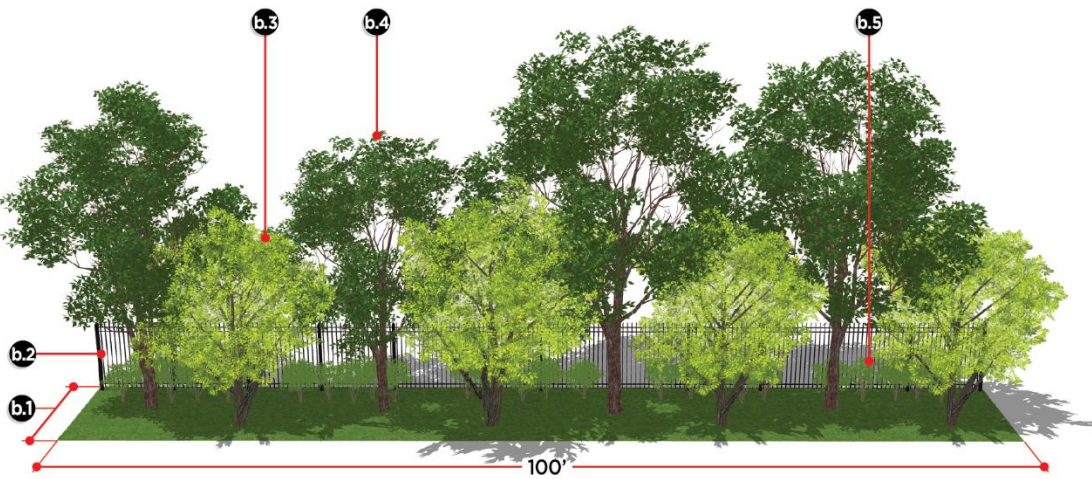


Figure 5.17: Transition Area D Standards



(c) Species Diversity Requirements.

- (1) A minimum of fifty (50) percent of the landscape elements utilized on a parcel that is less than one-half (0.5) acre shall be drought and salt tolerant native species.
- (2) A minimum of sixty (60) percent of the landscape elements utilized on a parcel that is between one-half (0.5) and five (5) acres shall be drought and salt tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus.
- (3) A minimum of seventy-five (75) percent of the landscape elements utilized on a parcel that is greater than five (5) acres shall be drought and salt tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus.
- (4) The percentage limits above may be varied in conjunction with approval of vegetated stormwater management areas.

(d) Tree Preservation.

- (1) Existing viable trees of twelve (12) inches or greater DBH shall not be removed from lots within the City without a tree preservation and removal plan prepared by a certified landscape architect and approved by the Community Development Director or their designee. DBH is diameter at breast height measured at four and a half (4.5) feet off the ground or grade level.
- (2) The tree preservation and removal plan shall include an inventory of all trees of twelve (12) inches or greater DBH on a lot.
- (3) Every reasonable effort shall be made to incorporate trees identified in the inventory into the landscape required for the proposed development. The Community Development Director or their

designee must determine that one of the following criteria apply prior to granting approval to remove a mature, high quality tree:

- a. The tree is dead, dying, diseased, or a threat to public health or safety;
- b. The tree interferes with the provision of public services or is a hazard to traffic;
- c. The location of the tree prevents development or redevelopment that cannot be designed to protect the tree.
- d. The tree is an identified invasive species.

(4) Viable trees of twelve (12) inches or greater DBH to be removed shall be replaced in accordance with the following standards.

- a. The tree to be removed shall be replaced within one (1) year of the date of approval and guaranteed as detailed in Section 17.0504(e).
- b. Any tree designated for removal on an approved tree preservation and removal plan shall be replaced at the rate specified in Table 17.0504(d)(4). Replacement trees shall not be considered as satisfying the landscape requirements of this Section.
- c. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree shall be replaced at three (3) times the applicable rate specified in Table 17.0504(d)(4).
- d. The value of a tree shall be determined by the Community Development Director or their designee in accordance with the methods developed by the Council of Tree and Landscape Appraisers in the most recent Guide for Plant Appraisal.

Table 17.0505(d)(4): Tree Replacement Rate	
Caliper of Tree to be Removed	Number of Replacement Trees Required
<i>12-29 Inches</i>	3
<i>30 Inches or Greater</i>	4

(e) **Landscape Plan.**

- (1) A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, rights-of-way and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
 - a. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 - b. The Tree Preservation and Removal Plan as detailed in Section 17.0505(d).
 - c. The location and percent of slope of all proposed berms using one (1) foot contours.
 - d. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
 - e. Methods used in staking, mulching, wrapping or any other early tree care used.
- (2) The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and viable trees on the approved plan.
- (3) **Modification of Standards.** The Plan Commission may modify any of the above standards by a $\frac{3}{4}$ majority vote of those Commissioners present at a meeting, but only if supplemental design elements or improvements are incorporated into the project which compensate for the modification of the particular standard.

(f) **Installation and Maintenance of Landscape Areas.**

- (1) All installed landscape shall conform to the most recently approved American Standard for Nursery Stock (ANSI Z60.1), published by the American National Standards Institute.
- (2) The Community Development Director or their designee may approve, on a case-by-case basis, an exception to the requirement for installation of landscaping prior to approval of an Occupancy Permit for Occupancy Permit applications submitted between November 1 and April 30. Exceptions shall only be approved in accordance with the procedures and requirements below.
 - a. The applicant or their designee shall provide a written request to the Community Development Department for an exception prior to or concurrent with the submission of an Occupancy Permit application. The written request shall include an estimate for the anticipated installation (commencement and completion), and contact information.
 - b. The written request shall be submitted with all of the following:
 1. Quote from the landscape architect or landscaping professional for all landscape elements included in City-approved landscape plans AND installation/labor cost s. Where

landscaping has been partially completed, the quote shall include only the remaining elements and installation/labor costs.

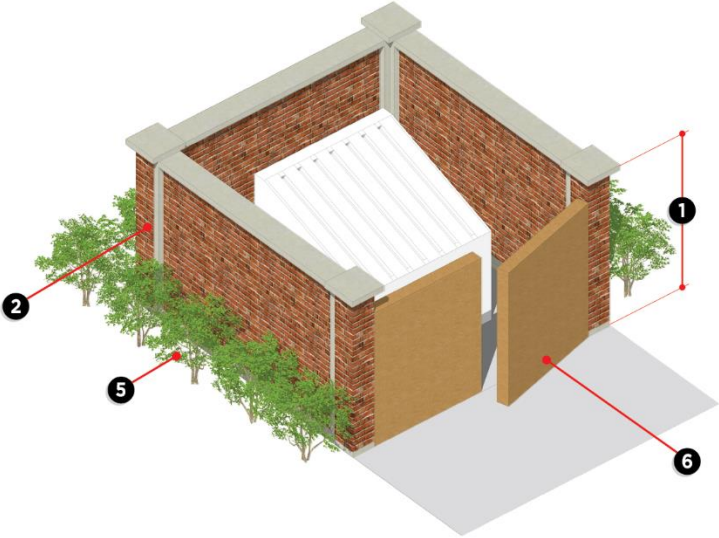
2. A copy of the approved landscape plan upon which the quote is based. Where landscaping has been partially completed, the remaining elements must be clearly identified on the plans.
 3. Fee in the amount of one and one half (1.5) times the total quote. Payment to the City of Oak Creek must be made with certified funds (e.g., check). Bonds and letters of credit may not be accepted in fulfillment of this requirement per City policies.
- c. Payment shall be processed in accordance with all City procedures and policies.
 - d. Upon completion of the required landscape installation, the applicant or their designee shall contact the Community Development Department to schedule an inspection of the property as stated in the General Requirements section above.
 - e. Within five (5) business days following the inspection, the Community Development Director or their designee shall contact the applicant or their designee for any remaining deficiencies in the landscaping discovered during the inspection or initiate the refund process in accordance with City procedures and policies. Deficiencies shall be corrected to the satisfaction of the Community Development Director or their designee prior to the release of funds.
 - f. In the event landscaping has not been installed within one (1) year of the issuance of an Occupancy Permit, the City may draw upon the funds provided as part of an approved exception to complete the required landscaping per City-approved plans. The applicant or their designee will not be entitled to refund of any remaining funds.
- (3) Dead plant materials shall be replaced within sixty (60) days taking into consideration the season of the year and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
 - (4) All landscape shall be maintained in a healthy, neat, trimmed, clean, and weed-free condition. With the exception of surface areas in vegetated stormwater management areas where mulch is not specified, the ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover located beneath and surrounding trees and shrubs.
 - (5) For stormwater management areas where irrigation is not specified, all installed plantings shall be guaranteed for a period of eighteen (18) months following municipal approval of installation. During this guarantee period landowner shall supply water as necessary to promote successful establishment and growth.
 - (6) All plantings required under this ordinance, including landscaping installed pursuant to an approved landscape plan, shall be maintained perpetually and replaced if they die or are substantially weakened or damaged. If plantings succumb due to disease or environmental conditions, they shall

be replaced with more suitable or appropriate species of the same type (e.g. tree, shrub, groundcover).

Sec. 17.0506. Screening

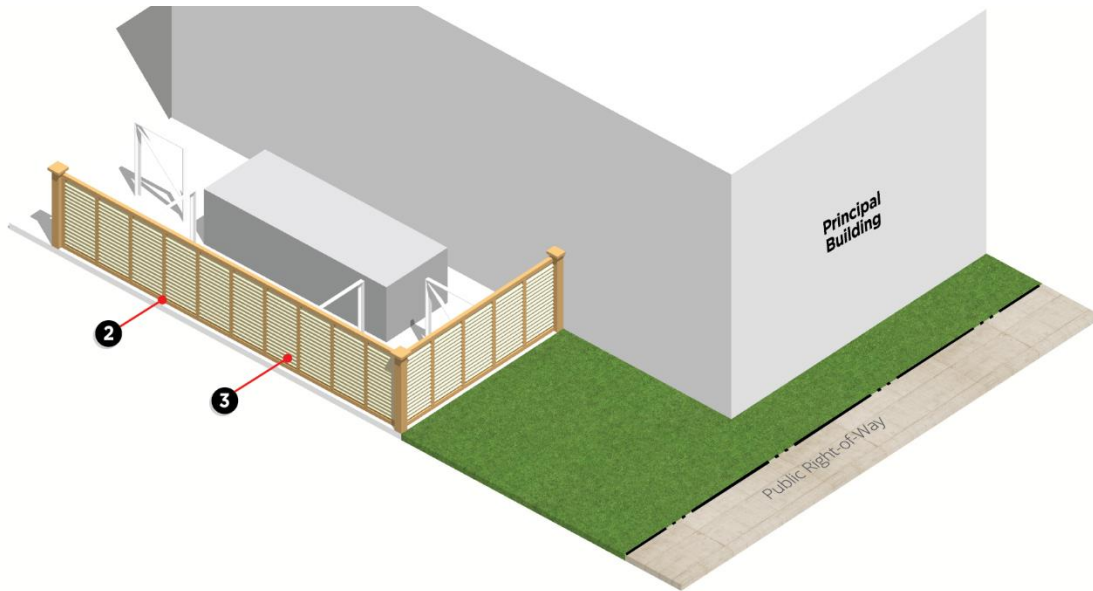
- (a) **Trash and Recycling Receptacles.** The following regulations shall apply to all multifamily and nonresidential development.
- (1) Trash and recycling receptacles shall be screened on three (3) sides with a opaque masonry wall or fence with a minimum height of six (6) feet and a maximum height of eight (8) feet. The use of materials that are not solid, such as slats in chain-link, shall only be used to meet this requirement in the I district.
 - (2) Materials used for screening shall complement the architecture of the primary structure.
 - (3) Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary structure.
 - (4) If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
 - (5) Shrubs shall be installed every three (3) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
 - (6) Enclosure openings shall be gated with an opaque material and shall not be directly visible from a public right-of-way and/or adjoining residential areas.
 - (7) Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed by a service truck.
 - (8) Property owners shall be responsible for ensuring that trash and recycling receptacles be placed in the enclosure at all times other than when it is being emptied by a service truck.
 - (9) Access drives shall be constructed of material and thickness to accommodate truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
 - (10) Enclosures shall be of an adequate size to accommodate expected containers. It is recommended that the enclosure be designed to be expandable to accommodate future additional containers.
 - (11) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
 - (12) Trash and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

Figure 5.18: Trash and Recycling Receptacle Screening Standards



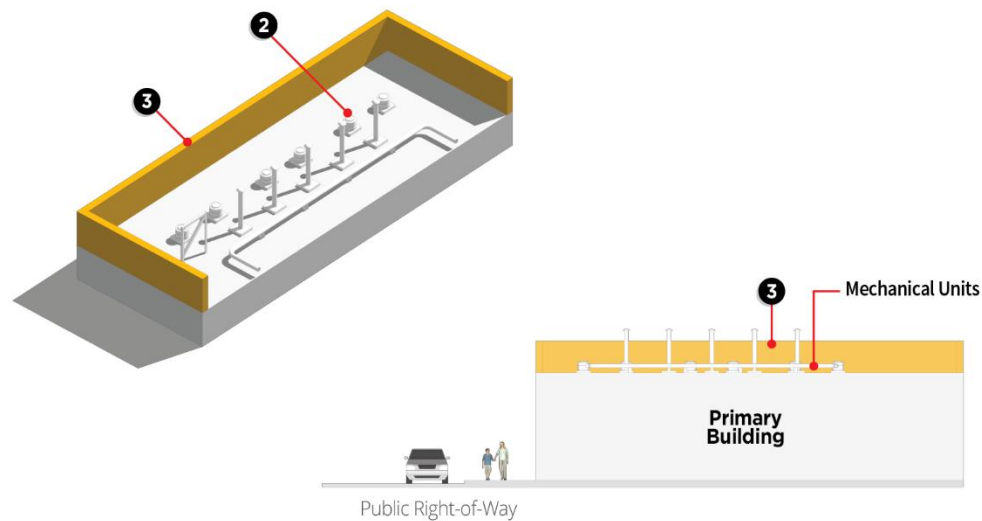
- (b) **Ground Mounted Mechanical Units.** The following regulations shall apply to all ground-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment.
- (1) Locating mechanical units within the principal structure is strongly encouraged in order to minimize exterior visual impacts. Ground mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
 - (2) Ground mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
 - (3) Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen.
 - (4) Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

Figure 5.19: Ground Mounted Mechanical Unit Screening Standards



- (c) **Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multiunit residential, non-residential, or mixed use developments.
- (1) Locating mechanical units within the principal structure is strongly encouraged in order to minimize exterior visual impacts.
 - (2) Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.
 - (3) Materials used for screening shall be architecturally integrated with the building in the form of a parapet wall and shall be continuous, permanent, sound attenuating, and noncombustible unless otherwise approved by the Plan Commission.
 - (4) Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
 - (5) Additional screening may be required due to topographic differences in the adjoining properties.

Figure 5.20: Roof Mounted Mechanical Unit Screening Standards



Sec. 17.0507. Fences

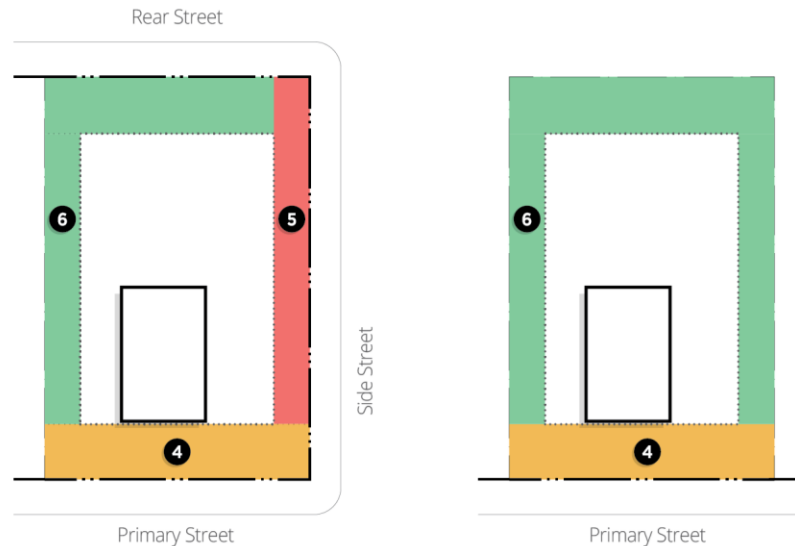
Fences are permitted in any district and may be erected provided that fences comply with the following requirements:

(a) **Single-Family Fence Standards.**

- (1) **Approved Materials.** Approved materials for fences in single-family districts include wood, wood composites, stone, brick, wrought iron, aluminum, vinyl, PVC, or hedge row. Coated chain link may be utilized in rear yards only.
- (2) **Materials.** Fences shall be of non-sight barrier construction and have a minimum opacity of fifty (50) percent. No fence in a single-family district shall be constructed of wire mesh, woven wire, dangerous materials, materials that would constitute a nuisance, razor wire, or any material that conducts electricity. Permitted fence materials in front yards and/or exterior side yards shall be only materials which are designed and intended for use in fence installations and shall be limited to:
 - a. Vegetation;
 - b. Wood, chemically treated or naturally resistant to decay;
 - c. Wood Composites;
 - d. Aluminum;
 - e. Vinyl/PVC;
 - f. Wrought Iron; and
 - g. As approved by the Plan Commission.
- (3) **Fence Direction.** The face of the sign containing posts, poles, rails, hardware, and similar features shall be directed inward toward the property on which the fence is located.
- (4) **Front Yard Fences.** Fences are prohibited in front yards.
- (5) **Street Facing Side Yard Fences.** Fences are permitted in the street facing side yards of corner lots in single-family districts, but shall not exceed a height of four (4) feet and shall not extend into the vision clearance triangle if located on the property line. Fences in the street facing side yards of corner lots shall not exceed a height of six (6) feet if located a minimum of ten (10) feet from the property line and improved with a landscape area between the fence and right-of-way including plant materials as required for building foundation landscape areas as detailed in Section 17.0505

- (6) **Side and Rear Yard Fences.** Fences are permitted, upon the issuance of a building permit, in the side and rear yards of lots in single-family districts, but shall not exceed a height of six (6) feet, and shall not extend into the front yard or street facing side yard. No fence shall be located closer than two (2) feet to any alley right-of-way line nor be located in within any easements.

Figure 5.21: Single Family Fence Standards



(b) **Agricultural and Equestrian Fence Standards.**

- (1) Electric Fences are permitted, upon the issuance of a building permit, in the A-1 Limited Agricultural District and the ER Equestrian Residential District only. Electric fences are permitted adjacent to the lot line and shall not exceed four (4) feet in height in the street yard or six (6) feet in height in the side and rear yard.

(c) **Nonresidential Fence Standards.**

- (1) Security Fences are permitted, upon the issuance of a building permit, adjacent to the side and rear property lines in all commercial districts but shall not exceed eight (8) feet in height. Security Fences are permitted, upon the issuance of a building permit, adjacent to the side and rear property lines in all industrial districts but shall not exceed ten (10) feet in height. The Plan Commission shall determine, before the issuance of a building permit, on a case-by-case basis the opacity of security fences, based upon consideration of the need to screen materials and upon safety considerations. Security fences shall comply with the traffic visibility requirements set forth in [Section 17.0401](#) of this Chapter.

Sec. 17.0508. Open Space

- (a) All new buildings, additions and uses, with the exception of one- and two-family buildings, additions, and uses shall set aside a minimum of thirty (30) percent of the site as open space.
- (b) This required open space shall be designed as an integral part of the site, and may not include those areas required for parking, loading, or other impervious surfaces.

- (c) This requirement does not apply to the redevelopment of sites, including, but not limited to, the construction of a new building, additional building, building addition or expanded parking lot, which do not meet this minimum requirement at the time of the adoption of this ordinance. In those cases, the minimum amount of open space may not be reduced beyond that which exists on the property at the time of the adoption of this ordinance.

Sec. 17.0509. Outdoor Lighting

- (a) **Purpose and Intent.** This section regulates all outdoor lighting installed on publicly and privately owned sites within the City of Oak Creek, with the exception of outdoor lighting on public streets, public bikeways, and public walkways. The purpose of this section is to create standards for outdoor lighting that do not interfere with the reasonable use of publicly and privately owned sites, that prevent light trespass and conserve energy yet maintain nighttime safety. If outdoor lighting is installed, it shall be in conformance with the provisions of this Section of the Municipal Code, the building code and all other codes and regulations as applicable and under appropriate permit and inspection.

(b) **General Requirements.**

- (1) All outdoor lighting fixtures installed and thereafter maintained upon private or public property shall comply with the following:
- a. The maximum allowable light trespass shall be one-half (0.5) horizontal footcandles four (4) feet above ground. The point of measurement of this offending light shall be at the property line. The measurement shall not include any ambient natural light.
 - b. All light fixtures shall have a color temperature less than or equal to five thousand (5,000) Kelvins.
 - c. All light sources, with the exception of wall mounted accent lighting, shall be full cutoff fixtures with the light source fully shielded and directed downward. Light sources adjacent to residential areas with a color temperature greater than 3,500 Kelvin shall be shielded on the side of the fixture adjacent to the residential area.
 - d. Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
 - e. Any outdoor lighting fixture installed on a parking lot or parking structure shall use either high-pressure sodium, metal halide lamps, or LED fixtures, however new lighting technology may be used as a substitute for high-pressure sodium, metal halide lamps, or LED fixtures, upon approval by the Inspection Department.
 - f. Any outdoor lighting fixture installed on a canopy shall not exceed twenty-five (25) foot candles and shall be fully non-surface mounted or recessed. If the City Engineer deems a canopy, legally existing at the time of the adoption of the ordinance, as being structurally unfit to accommodate non-surface mounted or recessed lighting fixtures, then fixtures shall be shielded

on all sides and shall have a color temperature less than or equal to 3,500 Kelvin. The City Engineer may approve an increase from the maximum color temperature up to fifteen (15) percent.

- g. The lighting system shall be extinguished or reduced to fifty (50) percent no later than thirty minutes after the close of business for the day. The fifty (50) percent reduction shall be applied to the entire lot or structure.
- h. All lamp types utilized for search lighting and/or spot lighting for advertising purposes shall not be operated past 11:00 PM. Outdoor lighting fixtures used to illuminate sports fields and tennis courts shall not be operated past 10:00 PM.
- i. Flashing, flickering, and other distracting lighting, which may distract motorists is prohibited.
- j. Light fixtures shall not be permitted within required buffer yards.

(2) All outdoor lighting fixtures shall be maintained according to approval by the inspection division plans.

(3) Trees and shrubbery shall not be located where they significantly reduce or block parking lot or roadway lighting.

(4) Outdoor lighting fixtures may be used to illuminate buildings and structures; recreational areas, sports fields and tennis courts, parking lots, parking structures, garages or ramps, landscape areas, product display areas, building overheads and open canopies. Outdoor lighting fixtures may be installed to provide building and parking lot security provided they comply with all requirements of this Section.

(c) Specific Design Requirements.

(1) A lighting system for parking facilities and outdoor merchandising areas throughout the City of Oak Creek shall be designed to provide the lighting intensities and uniformities described as follows:

- a. Open Parking Facilities. The illumination requirements of an open parking facility depends on the amount of usage the facility receives. Three (3) levels of activity shall be established as High, Medium, and Low, reflecting both traffic and pedestrian activity. The following examples are nonexclusive and include:
 - 1. High Activity Facilities: for athletic events or major cultural or civic events.
 - 2. Medium Activity: shopping centers, retail parking areas, hospital and clinic parking, transportation parking (commuter lots, etc.) cultural civic or recreational events and fast food facilities.
 - 3. Low Activity: employee parking, educational facility, office parks and place of assembly parking.

- (2) An outdoor lighting system for illuminating buildings and structures shall have a maximum connected lighting load of five (5) watts per lineal foot. Watts shall mean lamp wattage and ballast consumption.
- (3) Outdoor light fixtures shall be designed and installed to minimize light trespass. The uniformity ratio between the average illumination and minimum illumination shall be no greater than 4:1.
- (4) For an outdoor merchandising area, the maximum level shall not exceed twenty (20) foot-candles.
- (5) The maximum illumination level under an outdoor canopy, including canopies of refueling islands, shall not exceed twenty-five (25) foot-candles at any point.

Sec. 17.0510. Performance Standards

- (a) **Compliance.** This Chapter permits specific uses in specific districts; and these performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. All structures, land, air, and waters shall, hereafter, in addition to their use and site regulations, comply with the following performance standards.
- (b) **Air Pollution.** No person or activity shall emit any fly ash, dust, particulate matter, fumes, vapors, mists, or gases in such quantities that would constitute a nuisance to surrounding property owners. Dust and other types of pollution borne by the wind from such sources as storage areas, yards, and roads within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, fencing, or other acceptable means.
- (c) **Fire and Explosive Hazards.** All activities involving the manufacturing, utilization, processing, or storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry and approved by the City of Oak Creek Fire Chief. All materials that range from active to intense burning shall be manufactured, utilized, processed, or stored only within completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing systems. Storage of flammable and explosive material shall be in accordance with the requirement of Chapter IHLR 10 of the Wisconsin Administrative Code and the requirements of Chapter NFPA 30 of the National Fire Protection Act.
- (d) **Glare and Heat.** 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. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.
- (e) **Water Quality Protection.** No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life. In addition, no activity shall withdraw

water or discharge any liquid or solid materials so as to exceed, or contribute toward the exceeding of, the minimum standards set forth in Chapter NR 102 of the Wisconsin Administrative Code.

- (f) **Radioactivity and Electrical Disturbances.** No activity shall emit radioactivity or electrical disturbances outside its premises that affect the use of neighboring premises.
- (g) **Vibration.** No activity in any district shall emit vibrations, which are discernible by the Building Commissioner or a designee without instruments outside its premises.
- (h) **Noise.** At no point on the boundary of a Residence or Business district shall the sound intensity level of any individual operation (other than the operation of motor vehicles or other mobile equipment) exceed 58 and 62 dBA, respectively, during normal operations.