

LEGISLATIVE/LICENSING COMMITTEE MEETING

**Monday, December 13, 2021 at 8:30 a.m.
Caledonia Village Hall – 5043 Chester Lane**

1. Call to Order
2. Approval of Minutes
3. Weed Commissioner Discussion
4. **Ordinance 2021-XX** – An Ordinance To Create Section 16-1-1(A)(10) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Residential And Commercial Parking Restrictions Under The Zoning Code
5. **Ordinance 2021-XX** – An Ordinance To Create Section 16-1-1(A)(11) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Accessory Structures Under The Zoning Code
6. Adjournment

Dated December 10, 2021

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

**LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
Monday, November 8, 2021**

1. Call to Order

Trustee Wanggaard called the meeting to order at 8:02 a.m. In attendance were:

Committee Members: Trustee Wanggaard and Trustee Stillman.

Absent: None.

Staff/Others Present: Village Clerk Joslyn Hoeffert, HR Manager Michelle Tucker, Village Administrator Kathy Kasper, Village Attorney Elaine Ekes, and Finance Director Bane Thomey.

2. Approval of minutes

Trustee Stillman motioned to approve the minutes as printed from September 15, 2021. Seconded by Trustee Wanggaard. Motion carried unanimously.

3. Discuss And Authorize Revisions To Code To Finish Any Town To Village Changes Throughout Code

When Caledonia transitioned from a Town to a Village, there was discussion to overhaul the code to reflect this change. The cost was too high, and the Village opted to make the revisions as different Ordinances were being addressed. The change has not come as quickly as anticipated, and there is a need to finish any town to Village changes throughout the code.

The Committee directed the Clerk's office to work on these revisions first and then work with the Attorney as needed.

4. Ordinance 2021-XX – An Ordinance To Amend Title 2, Chapter 1 Regarding General Provisions And Elections And To Repeal Title 2, Chapter 2 Of The Code Of Ordinance For The Village Of Caledonia Relating To Village [Previously Town] Meetings

Ekes worked on this with Clerk Hoeffert to clean up Title 2, Chapter 1. Title 2, Chapter 2 no longer applies to the Village so that it will be repealed.

Motion by Trustee Stillman to forward to the Board. Seconded by Trustee Wanggaard. Motion carried unanimously.

5. Ordinance 2021-XX – An Ordinance To Amend Section 2-4-19 Entitled Public Services Director And To Create Section 2-4-20 Entitled Village Engineer And To Renumber The Remaining Sections In Title 2 Chapter 4 Of The Village's Code Of Ordinances

**LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
Monday, November 8, 2021**

This Ordinance creates and defines the Director of Public Services as well as the Village Engineer position.

Motion by Trustee Stillman to forward to the Board. Seconded by Trustee Wanggaard. Motion carried unanimously.

6. Virtual Meeting Policy

Staff supported the idea of having a Virtual Meeting Policy. The policy could include language that a virtual meeting would only be used as a last resort. Trustee Wanggaard was concerned that the approach would be abused and give people an excuse not to show up at the Village Hall for a meeting. A policy will be drafted and brought back to the next Legislative and Licensing Committee Meeting for review.

7. Discussion Whether To Adopt An Ordinance Allowing Backyard Chickens

Trustee Stillman states that he did some research regarding chickens, and he explained his findings to the Committee. Discussion occurred about determining how many chickens people should be allowed to have, how to maintain them, and how to license/permit them. Staff will work on putting an Ordinance together and bring it back to the Committee.

8. Ordinance 2021-XX – An Ordinance To Create 2-4-4(E) Establishing The Compensation For Members Of The Village Board

Clerk Hoeffert explained that this was brought up at a Village Board Meeting regarding the wages of the Trustees. In comparison, Mt. Pleasant did a wage study in 2019, and the wages were not out of line with the Village's current wage for Trustees. Trustee Stillman didn't think this was worth changing as the wages are not far off compared to the current amount.

Motion by Trustee Stillman to forward to the Board with the recommendation to deny Ordinance 2021-xx – an Ordinance to create 2-4-4(e) establishing the compensation for members of the Village Board. Seconded by Trustee Wanggaard. Motion carried unanimously.

9. Adjournment

There being no further business, Motion by Trustee Stillman to adjourn the meeting at 8:28 a.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted, Megan O'Brien
Deputy Village Clerk



PLAN COMMISSION REPORT

Proposal:	Text Amendment
Description:	Review a proposed text amendment repealing creating Section 16-1-1(a)(10) relating to regulations for off-street parking in residential zoned districts.
Applicant(s):	Village of Caledonia
Address(es):	n/a
Suggested Motion:	That the Plan Commission recommends to the Village Board that Section 16-1-1(a)(10) of the Municipal Code be created regulating residential parking restrictions.

Background: At the last Plan Commission meeting, residents and Commissioners expressed concerns regarding the proposed amendment regulating off-street parking in residential districts. Concerns raised pertained to large residential lots who may need multi trailers or vehicles of a commercial nature as part of their hobby or horse farm. An early version of the code limited commercial vehicles to one vehicle per residential property. That limit has been removed. Language was added allowing for something larger if approved through a conditional use process. Section c) of the code had been modified to allow different length trailers to be parked in residential land based on the size of the residential lot. The threshold for length is based on a lot being greater than or less than five acres. If less than five acres a trailer cannot exceed 32 feet in length. If greater than five acres, then a trailer cannot exceed 37-feet in length. To give a perspective of length, a typical semi-tractor trailer is 53 feet long. A horse trailer that can accommodate nine horses at once is 36'7". Staff research found that average size RV is 32'-33' in length and that national parks limit RV size to this same range. The average maximum length for an RV is 32 feet. For residential lots less than five acres, homes are often located closer to the street. Minimum setbacks for smaller residential lots are 25'-35'. By limiting the length of trailers and RVs to 32 feet, it would allow property owners to park a trailer in the front yard without encroaching on the public right-of-way. In addition to these modifications, staff is proposing a special allowance for a semi-tractor (no trailer) or a dump truck to be parked on a residential parcel if it has direct access to a Class A highway. This would include roadways such as Douglas Avenue and STH 31. Most Village roads are Class B roadways and therefore would not allow for the parking/storage of these vehicle types.

An issue identified by residents and elected officials was the location of vehicles and trailers on a residential property. Currently, there is no regulation limiting where a vehicle or trailer can be parked on residential property. The front lawn is a permissible location. The proposed text amendment will require that vehicles and trailers not stored inside a garage be located on an approved surface such as cement, asphalt, or compacted gravel. To ensure a resident doesn't pave their entire front yard, there is language limiting the paving of the street yard to no more than 50%. Staff understands that there will be instances when a property owner may need to park vehicles or trailers on the front lawn such as family event, driveway replacement, or car washing as examples. To allow for that kind of event to occur and not violate code, staff included language that would allow for a "gathering" not to exceed 24 hours to park vehicles on grass or a front yard temporarily.

At an early meeting, there was a concern regarding agricultural equipment parked on large residential lots. An earlier version called out the permitted use of agricultural equipment in agricultural districts. The current version has been modified to allow for agricultural equipment to be allowed in residential district if

used for a farm operation on the property. The storing of agricultural equipment is already permitted in agricultural districts.

If the Plan Commission is comfortable with the proposed version of the text amendment, staff drafted a suggested motion.

July 26, 2021 ~~~~~

At the last Plan Commission meeting, the Commission tabled the proposed text amendment and directed staff to modify the proposed ordinance in response to comments given at the public hearing and Commissioners’ concerns. Included in this report is a revised ordinance that has removed any limit on number and size of trailers or commercial vehicles on a residential parcel. The ordinance has been further revised to eliminate the language that trucks parked in agricultural districts must be owned and used by the farmer. The resulting changes will result in the regulation of off-street parking residential districts to parking on an improved surface and limiting utility trailer size for parcels less than one acre.

If the Plan Commission is comfortable with these modifications, the next step would be to make a motion approving the modifications and send it to the Legislation & Licensing Committee for review with final approval going to the Village Board.

June 28, 2021 ~~~~~

In response to the Village Community Development Authority concerns pertaining to parking matters in residential and commercial districts, staff was directed to draft a zoning ordinance addressing the parking of vehicles, recreational vehicles, trailers, and semi-tractors and their trailers. The proposed ordinance is a section of the proposed Zoning Code, Chapter 12: Off-Street Parking.

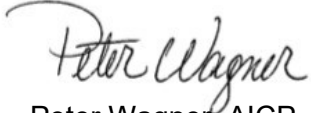
Staff drafted an ordinance addressing this issue by providing regulations pertaining types, size, and setbacks of vehicles and trailers in residential and commercial districts. Key components to this ordinance are:

- One commercial vehicle not over 10,000 lbs and/or not over nine feet tall and 26 feet in length can be parked routinely in a residential district.
- Recreational vehicles in residential districts must be parked 5 feet from side and rear lot lines.
- Recreational vehicles parked in the street yard must be parked on an improved surface such as stone, asphalt, or concrete.
- Trailers and their contents parked on lots less than one acre cannot exceed 32 feet in length and 13 feet in height. For residential lots greater than one acre, the trailer cannot exceed 37 feet in length and 13 feet in height.
- A parcel’s street yard cannot have an improved surface by more than 50% of the street yard.
- Semi tractors, trailers, or dump trucks on commercial property is prohibited unless approved through the conditional use or site plan review process.
- Agricultural equipment in agricultural districts are permitted on site.

The current parking code does not address parking on front lawns of trailers, boats, cars, and other vehicles. The purpose of the text amendment is to clearly define off-street parking regulations in residential and commercial districts.

If adopted, these regulations will provide better authority to address complaints regarding the parking of vehicles in residential districts. This draft ordinance has gone before the Legislative and Licensing Committee for review with the recommendation that a public hearing be held and be further reviewed by the Plan Commission.

Respectfully submitted:

A handwritten signature in black ink that reads "Peter Wagner". The signature is written in a cursive style with a large, looping initial "P".

Peter Wagner, AICP
Development Director

Ordinance No. 2021-XX

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(10) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESIDENTIAL AND COMMERCIAL PARKING RESTRICTIONS UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(10) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(10) **Residential Parking Restrictions.**

- a) Parking of vehicles accessory to a residential use on private property shall be limited to those actually used by the residents or for temporary parking for guests. Vans or pickup trucks used for private and recreational use, or a motor home (recreational vehicle), or a van or pickup truck used in a business or trade and commercial vehicle used for transportation to and from a place of employment or workplace of the occupant may be parked on a residential property subject to the requirements of this Section.
- b) Commercial Vehicles of not over 10,000 lbs may be parked on private property per residential dwelling unit, providing all of the following conditions are met: vehicle is registered and licensed; used by a resident of the premises; gross weight does not exceed ten thousand (10,000) pounds, including any load; height does not exceed nine (9) feet as measured from ground level, excluding antennas, air vents, and roof-mounted air conditioning units, but including any load, bed, or box; and total vehicle length does not exceed twenty-six (26) feet, including attachments thereto (such as plows, trailers, etc.) unless approved through a conditional use permit.
- c) Recreational vehicles parked on private property in residentially zoned districts (all R designations) must maintain a minimum of a five-foot setback from the rear and side lot lines but are not restricted to a minimum setback to the principal structure. If parked in the street yard, the recreational vehicle must be parked on the driveway or on an improved surface such as asphalt, concrete, or compacted gravel. For the purpose of this section, recreational vehicles shall include boats and trailers, snowmobiles and their trailers, minibikes or trailbikes and their trailers, and unoccupied tent campers and travel trailers, all-terrain vehicles and personal watercraft and their trailers.
 - 1) Utility trailers and recreational vehicles parked on residential parcels less than five acres cannot exceed 32 feet in length (not including trailer tongue and hitch) and 13 feet in height. For

residential parcels five acres or greater, trailers and recreational vehicles shall not exceed 37 feet in length (not including tongue and hitch) and 13 feet in height.

- d) Vehicles, trailers, and recreational vehicles shall be parked either within an enclosed attached garage or detached accessory structure or on an improved surface such as: asphalt; concrete; or compacted gravel. Improved surfaces including driveways that cover more than fifty percent (50%) of a residential street yard is prohibited.
- e) No other vehicular equipment of a commercial or industrial nature, except as stated above, shall be parked or stored for more than two (2) consecutive hours and four (4) accumulated hours during any twenty-four-hour period on any lot in any zoning district except business and industrial districts or as permitted by an approved conditional use or in the A-1 district.
- f) Outdoor parking of semi-tractors/trailers and/or dump trucks on commercial property (B-districts), that is not a principal use (e.g., truck sales), an accessory use (e.g., delivery vehicles), or which has not been approved through the conditional use or site plan review process is prohibited. Outdoor parking of one semi-tractor or dump truck is permitted in Residential Districts if the parcel is greater than one (1) acre and has direct access to a Class A Highway (e.g. STH 31, STH 32). Outdoor parking of semi-tractor trailers in residential districts is prohibited.
- g) Agricultural equipment (such as farm tractors, plows, farm plows, seeders, combines, cultivators, trucks , etc.) used in a farm operation are permitted in residential districts for parcels three (3) acres or more in area."
- h) A gathering, not to exceed 24 hours at any one time, which results in the parking of vehicles or trailers not on an approved surface be exempt from these parking limits for a 24-hour period.

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

Ordinance No. 2021-XX

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(10) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESIDENTIAL AND COMMERCIAL PARKING RESTRICTIONS UNDER THE ZONING CODE

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- b) Vehicles of not over 10,000 lbs may be parked on private property per residential dwelling unit, providing all of the following conditions are met: vehicle is registered and licensed; used by a resident of the premises; gross weight does not exceed ten thousand (10,000) pounds, including any load; height does not exceed nine (9) feet as measured from ground level, excluding antennas, air vents, and roof-mounted air conditioning units, but including any load, bed, or box; and total vehicle length does not exceed twenty-six (26) feet, including attachments thereto (such as plows, trailers, etc.).
- c) Recreational vehicles parked on private property in residential zoned districts must maintain a minimum of a five-foot setback from the rear and side lot lines but are not restricted to a minimum setback to the principal structure. If parked in the street yard, the recreational vehicle must be parked on the driveway or on an improved surface such as asphalt, concrete, or compacted gravel. For the purpose of this section, recreational vehicles shall include boats and trailers, snowmobiles and their trailers, minibikes or trailbikes and their trailers, and unoccupied tent campers and travel trailers, all-terrain vehicles and personal watercraft and their trailers.
 - 1) Utility trailers and recreational vehicles parked on residential parcels less than one acre cannot exceed 32 feet in length and 13 feet in height.
- d) Vehicles, trailers, and recreational vehicles shall be parked either within an enclosed attached garage or detached accessory structure or on an improved

surface such as: asphalt; concrete; or compacted gravel. Improved surfaces beyond driveways to cover more than fifty percent (50%) of a residential street yard is prohibited.

- e) No other vehicular equipment of a commercial or industrial nature, except as stated above, shall be parked or stored for more than two (2) consecutive hours and four (4) accumulated hours during any twenty-four-hour period on any lot in any zoning district except business and industrial districts or as permitted by an approved conditional use or in the A-1 district.
- f) Outdoor parking of semi-tractors/trailers and/or dump trucks on commercial property (B-districts), that is not a principal use (e.g., truck sales), an accessory use (e.g., delivery vehicles), or which has not been approved through the conditional use or site plan review process is prohibited. Outdoor parking of semi-tractors or dump trucks is permitted in Residential Districts if the parcel is greater than one (1) acre and has direct access to a Class A Highway (e.g. STH 31, STH 32). Outdoor parking of semi-tractor trailers in residential districts are prohibited.
- g) Agricultural equipment (such as farm tractors, plows, farm plows, seeders, combines, cultivators, trucks , etc.) used in a farm operation are permitted in all agricultural districts."

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

Ordinance No. 2021-XX

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(10) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESIDENTIAL AND COMMERCIAL PARKING RESTRICTIONS UNDER THE ZONING CODE

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- b) One (1) commercial vehicle of not over one-ton rated capacity may be parked on private property per residential dwelling unit, providing all of the following conditions are met: vehicle is registered and licensed; used by a resident of the premises; gross weight does not exceed ten thousand (10,000) pounds, including any load; height does not exceed nine (9) feet as measured from ground level, excluding antennas, air vents, and roof-mounted air conditioning units, but including any load, bed, or box; and total vehicle length does not exceed twenty-six (26) feet, including attachments thereto (such as plows, trailers, etc.).
- c) Recreational vehicles parked on private property in residential zoned districts must maintain a minimum of a five-foot setback from the rear and side lot lines but are not restricted to a minimum setback to the principal structure. If parked in the street yard, the recreational vehicle must be parked on the driveway or on an improved surface such as asphalt, concrete, or compacted gravel. For the purpose of this section, recreational vehicles shall include boats and trailers, snowmobiles and their trailers, minibikes or trailbikes and their trailers, and unoccupied tent campers and travel trailers, all-terrain vehicles and personal watercraft and their trailers.
 - 1) Utility trailers and recreational vehicles parked on residential parcels less than one acre cannot exceed 32 feet in length and 13 feet in height. For residential parcels greater than one acre, trailers and recreational vehicles shall not exceed 37 feet in length and 13 feet in height.

- d) Vehicles, trailers, and recreational vehicles shall be parked either within an enclosed attached garage or detached accessory structure or on an improved surface such as: asphalt; concrete; or compacted gravel. Improved surfaces beyond driveways to cover more than fifty percent (50%) of a residential street yard is prohibited.
- e) No other vehicular equipment of a commercial or industrial nature, except as stated above, shall be parked or stored for more than two (2) consecutive hours and four (4) accumulated hours during any twenty-four-hour period on any lot in any zoning district except business and industrial districts or as permitted by an approved conditional use in the A-1 district.
- f) Outdoor parking of semi-tractors/trailers and/or dump trucks on commercial property (B-districts), that is not a principal use (e.g., truck sales), an accessory use (e.g., delivery vehicles), or which has not been approved through the conditional use or site plan review process is prohibited.
- g) Agricultural equipment (such as farm tractors, plows, farm plows, seeders, combines, cultivators, trucks owned and used by the farmer in the operation of the farm, etc.) used in a farm operation are permitted in all agricultural districts."

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

PLAN COMMISSION REPORT

Proposal:	Text Amendment
Description:	Review a proposed text amendment repealing creating Section 16-1-1(a)(11) relating to regulations for accessory structures.
Applicant(s):	Village of Caledonia
Address(es):	n/a
Suggested Motion:	That the Plan Commission recommends to the Village Board that Section 16-1-1(a)(11) of the Municipal Code be created regulating accessory structures.

Background: At the July meeting, the Plan Commission directed staff to work with Trustee Martin and unspecified residents to revise the ordinance for accessory buildings that better address size, height, and number of this buildings as it relates to both suburban and rural residential uses within the Village. Since that time Trustee Martin supplied staff with suggested changes to the accessory building regulations that would allow for larger buildings in rural, large-lot, residential areas. Staff took those suggestions into consideration and continued to research other communities as to regulating accessory buildings in both rural and urban areas. Included in this report is the proposed zoning text amendment from Trustee Martin along with the previous two iterations of the zoning code related to accessory buildings.

The latest version of the accessory building code has separated out regulations based on lot size of greater than or less than five acres. This formula was taken from the Racine County Zoning Code. For lots less than five acres, a detached building cannot exceed 1,500 square feet. To ensure small lots with small houses don't have a mismatch of size related to detached buildings, staff is proposing to limit the total aggregate floor area of detached buildings based on lot size. For example, a ¼-acre or smaller lot would be limited to a maximum total of 1,050 square feet or area which would limit the size of the building to 1,050 square-feet, which is the current maximum for all residential. The larger the lot, the more square footage you are allowed the building to be, but not to exceed 1,500 square feet. When parcels are over five acres, the limit on the size of a building is 3% of the entire lot. This is like what current Agricultural Districts allow. The total sum of buildings would then be regulated by total aggregate area for all buildings. For example, a five-acre lot would be allowed to construct up to a total of 8,712 square feet of accessory buildings, with a limit of one building not to exceed 6,534 square feet.

Staff believes this sliding scale for building size based on lot size makes addresses the concerns regarding size and number limits for buildings on residential parcels. A resident who owns a 9-acre parcel could theoretically build multiple buildings of various sizes to accommodate uses such as a hobby farm, or horse farm.

In addition to building size and number, staff is proposing to codify other structures as it relates to setbacks and locations. Currently, there is no section of zoning code that addresses these items but should be considered as there uses can negatively impact neighbors if not addressed. These include patios, decks, residential air conditioners and power generators, swimming pools, tennis/basketball courts, and solar panel arrays.

If the Plan Commission is comfortable with the proposed text amendment, a suggested motion is provided.

Accessory Buildings

Properties zoned R-1 or R-2 , three (3) or more acres, in areas not within the utility district

1. Accessory structures: The aggregate total floor area of accessory structures shall not exceed three percent (3%) of the total lot area, unless compliance with Caledonia Ordinance 7-1-24 requires a larger aggregate floor area in which case 7-1-24 shall determine the aggregate total floor area, and except that for parcels ten(10) acres or more, the accessory building areas may be greater than the three percent (3%) limit when used solely for the pursuit of agriculture or hobby farming.

2. Height: The height of a structure shall not exceed in height twice their distance from the nearest lot line.

Parking Restrictions

Properties zoned R-1 r R-2 ,three(3) or more acres, in areas not within the utility district.

Agricultural equipment (such as farm tractors, plows, seeders, combines, cultivators, trucks, horse trailers, etc. used in a farm or hobby farm operation are permitted in all R-1 or R-2 districts .

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(11) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO ACCESSORY STRUCTURES UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(11) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(11) **Accessory Structures.**

- a. **Residential Districts; Other Districts as Specified.** Accessory buildings such as detached garages, gazebos, garden or utility sheds shall be subject to the following regulations.

1. **Size.**

- (a) Parcels Less than 5 Acres. The area of an accessory structure shall not exceed 1,500 square feet

- (b) Parcels 5 Acres or greater. The area of an accessory structure shall not exceed 3% of the acreage of the parcel

2. **Aggregate Total Footprint Area for All Accessory Buildings**

The following is the maximum square footage allowed for all accessory buildings for a stated lot size, exclusive of road right-of-way:

< 10,000 square-foot lot = 1,050 square feet

≥ 10,000 square-foot to 20,000 square-foot lot = 1,500 square feet

≥ 20,000 square-foot to < 1 acre lot = 2,000 square feet

1 acre to < 2-acre lot = 4,000 square feet

2 acres to < 3-acre lot = 5,000 square feet

3 acres to < 4-acre lot = 6,000 square feet

4 acres to < 5-acre lot = 7,500 square feet

5 acres to < 10-acre lot = 4% of lot area

≥ 10-acre = 5% of lot area

3. **Height.**

- a) Parcels less than 5 Acres. Buildings shall not exceed seventeen (17) feet in height.

- b) Parcels 5 Acres or Greater. Buildings shall not exceed in height twice their distance from the nearest lot line.

4. **Location.** Detached structures are permitted in the rear and side yards and shall not be closer than ten (10) feet to a principal structure

or five (5) feet to a side or rear lot line. Structures greater than 1,500 square feet shall not be closer than ten (10) to a side or rear lot line. When the street yard setback of a principal structure exceeds the required setback for the particular district in question, a detached accessory structure may be permitted in the street yard provided the street yard setback of the accessory structure is not less than the required setback for the district or the average street yard setback of principal structures on abutting parcels, if any, whichever is greater.

5. **Patios.** Patios constructed at or below yard grade, may be installed in the rear or side yard adjacent to the principal structure without the issuance of a building permit; and shall not be located closer than five (5) feet to a lot line.
6. **Decks.** Decks located adjacent to or attached to a principal structure can project into the required side and rear setback for a principal structure for the district in which they are located by six (6) feet. Freestanding decks surrounding private swimming pools shall be located at least ten (10) feet from the principal structure and shall be located at least five (5) feet from a side or rear lot line. All decks shall require the issuance of a building permit.
7. **Residential Air Conditioning Condensers / Power Generators.** Units under this subsection may be located adjacent to a residence in the rear yard and side yard, provided that all condensers and generators shall be located at least five (5) feet from a side or rear lot line. Residential air conditioning condensers and power generators shall not be located in the street yard.
8. **Private Swimming Pools.** Pools are permitted as accessory uses in the rear yard in any district; except the C-1 Resource Conservation District; however, the swimming pool shall be located at least eight (8) feet from the principal structure, be located at least three (3) feet from any side or rear lot line, and be installed in accordance with the City building, plumbing, and electrical codes, including the issuance of all required permits.
9. **Private Tennis Courts / Basketball Courts.** These courts are permitted as accessory uses in the rear yard in any district, except the C-1 Resource Conservation District. A building permit is required for all tennis/basketball courts and:
 - a. All tennis courts shall be surrounded by a fence not less than ten (10) feet in height.
 - b. No lighting installed around a tennis court or basketball court shall project onto adjacent properties; and
 - c. No private tennis court or basketball court shall be located closer than five (5) feet to a lot line.

10. Residential Ground Solar Power Arrays. Solar power arrays shall be located in the side or rear yard in all residential districts; located a minimum of ten (10) feet from the principal structure and; five (5) feet from a side or rear lot line. Solar power arrays are prohibited in the street yard.
2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.
3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(11) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO ACCESSORY STRUCTURES UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(11) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(11) **Accessory Structures.**

- a. **Residential Districts; Other Districts as Specified.** Accessory structures such as detached garages, gazebos, garden or utility sheds in Residential ("R" Districts) shall be subject to the following regulations.

1. **Size.**

- (a) Parcels 5 acres or Less. The area of an accessory structure shall not exceed 2,000 square and not exceed 20% of the square footage of the rear yard.

- (b) Parcels Greater than 5 Acres. The area of an accessory structure shall not exceed 4,000 square feet and not exceed three (3) percent of the acreage of the parcel

2. **Height.** Shall not exceed seventeen (17) feet in height.

3. **Location.** Detached structures are permitted in the rear and side yards and shall not be closer than ten (10) feet to a principal structure or five (5) feet to a side or rear lot line. When the street yard setback of a principal structure exceeds the required setback for the particular district in question, a detached accessory structure may be permitted in the street yard provided the street yard setback of the accessory structure is not less than the required setback for the district or the average street yard setback of principal structures on abutting parcels, if any, whichever is greater.

4. **Patios.** Patios constructed at or below yard grade, may be installed in the rear or side yard adjacent to the principal structure without the issuance of a building permit; and shall not be located closer than five (5) feet to a lot line.

5. **Decks.** Decks located adjacent to or attached to a principal structure can project into the required side and rear setback for a principal structure for the district in which they are located by six (6) feet. Freestanding decks surrounding private swimming pools shall be

located at least ten (10) feet from the principal structure and shall be located at least five (5) feet from a side or rear lot line. All decks shall require the issuance of a building permit.

6. **Residential Air Conditioning Condensers / Power Generators.** Units under this subsection may be located adjacent to a residence in the rear yard and side yard, provided that all condensers and generators shall be located at least five (5) feet from a side or rear lot line. Residential air conditioning condensers and power generators shall not be located in the street yard.
7. **Private Swimming Pools. Pools** are permitted as accessory uses in the rear yard in any district; except the C-1 Resource Conservation District; however, the swimming pool shall be located at least eight (8) feet from the principal structure, be located at least three (3) feet from any side or rear lot line, and be installed in accordance with the City building, plumbing, and electrical codes, including the issuance of all required permits.
8. **Private Tennis Courts / Basketball Courts.** These courts are permitted as accessory uses in the rear yard in any district, except the C-1 Resource Conservation District. A building permit is required for all tennis/basketball courts and:
 - a. All tennis courts shall be surrounded by a fence not less than ten (10) feet in height.
 - b. No lighting installed around a tennis court or basketball court shall project onto adjacent properties; and
 - c. No private tennis court or basketball court shall be located closer than five (5) feet to a lot line.

b. **Non-Residential District Accessory Structures**

1. **Height.** The height of a structure shall not exceed in height twice their distance from the nearest lot line.
 - a. Area. The aggregate total floor area of all accessory buildings shall not exceed three (3) percent of the total lot area, except that on agriculturally zoned parcels, ten (10) acres or more in area, the accessory building areas may be greater than the three (3) percent limit when used solely for the pursuit of agriculture; in all non-residential and non-agricultural districts accessory building areas greater than three (3) percent are allowed, when approved by the Planning Commission as part of a Building, Site, and Operation Plan review, and where said buildings are used solely accessory to the principal use on said lot."
2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,
this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(10) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO ACCESSORY STRUCTURES UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(10) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:
 - (10) **Accessory Structures:** Accessory structures such as detached garages, gazebos, garden or utility sheds in Residential (“R” Districts) shall be subject to the following regulations:
 - (1) **Size:**
 - a. Parcels Less than 2 Acres: The area of an accessory structure shall not occupy more than 1,200 square feet or 75% of the square footage of the living area of the principal structure, whichever is smaller.
 - b. Parcels Greater than 2 Acres: The area of an accessory structure shall not occupy more than 1,600 square feet or 75% of the square footage of the living area of the principal structure, whichever is smaller.
 - (2) **Height:** Shall not exceed seventeen (17) feet in height.
 - (3) **Location:** Detached structures are permitted in the rear and side yards and shall not be closer than ten (10) feet to a principal structure or five (5) feet to a side or rear lot line.
 - a. When the street yard setback of a principal structure exceeds the required setback for the particular district in question, a detached accessory structure may be permitted in the street yard provided the street yard setback of the accessory structure is not less than the required setback for the district or the average street yard setback of principal structures on abutting parcels, if any, whichever is greater.
 - (4) **Number:** The maximum number of accessory buildings in a residential district less than one (1) acre in size shall be two (2). If a parcel is greater than one (1) acre, more than two accessory buildings may be allowed and shall require Plan Commission approval.
 - (5) Patios constructed at or below yard grade, may be installed in the rear or side yard adjacent to the principal structure without the issuance of a building permit; and shall not be located closer than five (5) feet to a lot line.
 - (6) Decks located adjacent to or attached to a principal structure can project into the required side and rear setback for a principal structure for the district in which they are located by six (6) feet. Freestanding decks surrounding private swimming pools shall be located at least ten (10) feet from the principal structure

and shall be located at least five (5) feet from a side or rear lot line. All decks shall require the issuance of a building permit.

- (7) Residential Air Conditioning Condensers / Power Generators may be located adjacent to a residence in the rear yard and side yard, provided that all condensers and generators shall be located at least five (5) feet from a side or rear lot line. Residential air conditioning condensers and power generators shall not be located in the street yard.
- (8) Private Swimming Pools are permitted as accessory uses in the rear yard in any district; except the C-1 Resource Conservation District; however, the swimming pool shall be located at least eight (8) feet from the principal structure, be located at least three (3) feet from any side or rear lot line, and be installed in accordance with the City building, plumbing, and electrical codes, including the issuance of all required permits.
- (9) Private Tennis Courts / Basketball Courts are permitted as accessory uses in the rear yard in any district, except the C-1 Resource Conservation District. A building permit is required for all tennis/basketball courts and:
 - a. All tennis courts shall be surrounded by a fence not less than ten (10) feet in height.
 - b. No lighting installed around a tennis court or basketball court shall project onto adjacent properties; and
 - c. No private tennis court or basketball court shall be located closer than five (5) feet to a lot line.

NON-RESIDENTIAL DISTRICT ACCESSORY STRUCTURES:

- (1) Height: Shall not exceed in height twice their distance from the nearest lot line.
- (2) Area: The aggregate total floor area of all accessory buildings shall not exceed three (3) percent of the total lot area, except that on agriculturally zoned parcels, ten (10) acres or more in area, the accessory building areas may be greater than the three (3) percent limit when used solely for the pursuit of agriculture; in all non-residential and non-agricultural districts accessory building areas greater than three (3) percent are allowed, when approved by the Planning Commission as part of a Building, Site, and Operation Plan review, and where said buildings are used solely accessory to the principal use on said lot.

2. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk