

ORDINANCE NO. 2022.08-56

AN ORDINANCE TO CREATE SECTIONS 490-9.11 AND 490-11.9 OF THE SALEM LAKES MUNICIPAL CODE REGARDING LANDSCAPE, PARKING AND ACCESS REQUIREMENTS AND TO AMEND SECTION 490-12.7 D. REGARDING FREESTANDING SIGNS.

WHEREAS, the Village Board desires to promote the full and efficient development of lands in existing business, manufacturing and institutional districts recognizing that existing parcel sizes and configurations in those districts may make it impractical to make full use of those lands while strictly implementing all provisions of the code relating to landscaping and parking set back requirements; and

WHEREAS, the Village Board has determined that minor deviations from the strict implementation of existing code provisions relating to landscaping, access and parking set back requirements will permit the full and efficient use of existing parcels in business, manufacturing and institutional districts without detriment to the owners of adjoining properties;

The Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, does hereby ordain as follows:

SECTION 1. Purpose. The purpose of this ordinance is to create section 490-9.11 of the Salem Lakes Municipal Code authorizing exceptions to certain landscape requirements in business, manufacturing and institutional districts; to create section 490-11.9 of the Salem Lakes Municipal Code authorizing exceptions to certain access and parking setback requirements; and to amend section 490.12.7 D. 3 regarding height of freestanding signs.

SECTION 2. Section 490-9.11 Created. Section 490-9.11 of the Salem Lakes Municipal Code regarding landscaping requirements is created to provide as follows:

9.11 Notwithstanding any provision of this article 9 to the contrary, the Zoning Administrator and Director of Public Works, acting jointly, may authorize exceptions to the landscaping requirements of this article 9 in business, manufacturing and institutional districts if they determine that the strict implementation of the landscaping requirements is impractical due to the size, configuration or other characteristics of the lot. When considering a proposed exception to the requirements of this article, the Zoning Administrator and Director of Public Works shall consider the use and proximity of neighboring structures; the value of landscaping features as a noise and light buffer; and the size and configuration of the lot. Under no circumstances shall the Zoning Administrator and Director of Public Works authorize exceptions which reduce the overall landscaping requirements below fifty percent (50%) of the requirements of this article.

SECTION 3. Section 490-11.9 Created. Section 490-11.9 of the Salem Lakes Municipal Code regarding parking and access requirements is created to provide as follows:

11.9 Notwithstanding any provision of this article 11 to the contrary, the Zoning Administrator and Director of Public Works, acting jointly, may authorize exceptions to the access and parking setback requirements of this article 11 in business, manufacturing and institutional districts if they determine that the strict implementation of the access or parking setback requirements is impractical due to the size, configuration or other characteristics of the lot. When considering a proposed exception to the requirements of this article, the Zoning Administrator and Director of Public Works shall consider the use and proximity of neighboring structures; the use of fencing or landscaping features as a noise and light buffer; preservation of sight lines to promote safe and efficient traffic flow; the nature of traffic which will require access; and the size and configuration of the lot. Under no circumstances shall the Zoning Administrator and Director of Public Works authorize exceptions which reduce any parking setback below twenty-five percent (25%) of the requirements of this article.

SECTION 4. Section 490-12.7 D. 3 Amended. Section 490-12.7 D. 3 of the Salem Lakes Municipal Code regarding free standing signs is amended to provide as follows:

(3) Height: 20 feet.

SECTION 5. Section 490-12.7 D. 2 Amended. Section 490-12.7 D. 3 of the Salem Lakes Municipal Code regarding free standing signs is amended to provide as follows:

(2) Area: 150 square feet per side of sign, 300 square feet maximum for all sides.

SECTION 6. Severability. Each section, subsection, paragraph, sentence, clause, phrase and provision of the foregoing ordinance is and the same is hereby declared to be severable and if any portion or provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion or provision thereof.

SECTION 7. Effective Date. This ordinance shall take effect and be enforced from and after publication and posting as required by law.

Adopted by the Village Board of the Village of Salem Lakes, Kenosha County, Wisconsin, this 15th day of August, 2022.



Diann Tesar, President

Attest:



Shannon Hahn, Clerk