

Redlined Revisions for Zoning Ordinance

Plan Commission Review March 25, 2024

Common Council Decision April 16, 2024

Section 14-21(8)

(8) Average Setback Reductions

A residential principal building setback regulation may be reduced ~~W~~ when at least 50% of the neighborhood, as defined as all residential principal buildings within 300 feet of the subject parcel, is built up with residential principal buildings. ~~±~~ The front setback, rear setback, and interior side setback regulations ~~requirements~~ for new buildings shall be equal to the average of the existing residential principal buildings, except that any existing residential principal building set back 30% more or less than the average may be discounted from the formula.

Section 14-31 Table 3-2 and Section 14-34 Table 3-4

TABLE 3-2 — X DISTRICT BUILDING TYPES						
Building Type	Districts					Regulations
	MX1	MX2	MX3	GX1	GX2	
● = permitted - = prohibited						
Storefront	●	●	●	-	-	14-33
Commercial Manor	-	●	●	●	●	14-34
Commercial Center	-	-	●	-	-	14-35
General Building	-	-	-	●	●	14-36
Row Building	-	-	-	●	●	14-37
Civic Building	-	●	●	●	●	14-38

TABLE 3-4 — COMMERCIAL MANOR BUILDING REGULATIONS			
	DISTRICTS		REFERENCES
	MX2	GX2 GX	
(a) Building Siting			

Section 14-41 Table 4-2 Footnote [1]

[1] Required when abutting a residential district within the City of De Pere. Also required when a BP or I District is within 150 feet of a residential district within the City of De Pere when a public trail or a public storm water facility is positioned between the subject parcel and the abutting residential district.

Section 14-53(3)(c)

(c) Lot and Building Regulations

1. Transitional Areas Lot and Building Regulations

The size, location, and design of all buildings, structures, activity areas and other site improvements located within 150 feet of the boundary of any abutting R zoning district, are subject to the abutting R district's lot and building regulations governed by the approved conditional use or master plan, except that no minimum lot area or lot width requirements apply in the PI-2 district. If the approved master plan does not identify a required regulation, then the zoning administrator is authorized to establish the regulation on the basis of (1) a similar use determination; (2) data provided by the applicant; (3) other information available to the zoning administrator.

2. Interior Site Areas

Areas of an PI-2-zoned site located more than 150 feet from the boundary of an abutting R zoning district are governed by the regulations approved at the time of conditional use or institutional master plan approval, whichever is applicable. Institutional master plans and conditional use applications must include the applicant's detailed description of the regulations proposed to be used.

Section 14-70 Table 7-1 (Community Garden)

TABLE 7-1 — PRINCIPAL USE TABLE																		
USE CATEGORY	Districts																	Definition & Regulations
Use Subcategory	Residential				Mixed-Use					Commercial & Employment					Special [1]			
Specific Use Type	R1	R2	RM-1	RM-2	MX1	MX2	MX3	GX1	GX2	O	C	BP-1	BP-2	I	AG	PI-1	PI-2	
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	Ⓒ	-	-	-	14-73(14)
Sports & Recreation, Participant																		
Indoor	-	-	-	-	●	●	●	-	-	-	●	Ⓒ	Ⓒ	Ⓒ	-	-	-	14-73(15)
Outdoor	-	-	-	-	-	-	●	-	-	-	●	Ⓒ	Ⓒ	Ⓒ	-	-	-	14-73(15)
Vehicle Sales and Service																		
Fueling Station	-	-	-	-	-	-	●	-	-	-	●	●	●	-	-	-	-	14-73(16)
Vehicle Sales	-	-	-	-	●	●	-	-	-	-	●	-	-	-	-	-	-	14-73(16)
Vehicle Rental	-	-	-	-	●	-	-	-	-	-	●	-	-	-	-	-	-	14-73(16)
Vehicle Maintenance & Repair, Minor	-	-	-	-	-	●	●	-	-	-	●	●	●	●	-	-	-	14-73(16)
Vehicle Maintenance & Repair, Major	-	-	-	-	-	-	-	-	-	-	●	-	●	●	-	-	-	14-73(16)
INDUSTRIAL																		
Fabrication and Production																		
Artisan	-	-	-	-	●	●	●	-	-	-	●	●	●	●	●	-	-	14-74(1)
Low-Impact	-	-	-	-	-	-	●	-	-	-	●	●	●	●	-	-	-	14-74(1)
Moderate-Impact	-	-	-	-	-	-	-	-	-	-	-	Ⓒ	●	●	-	-	-	14-74(1)
High-Impact	-	-	-	-	-	-	-	-	-	-	-	-	Ⓒ	●	-	-	-	14-74(1)
Industrial Service	-	-	-	-	-	-	-	-	-	-	-	-	●	●	-	-	-	14-74(2)
Storage, Distribution and Wholesaling																		
Trucking & Transportation Terminal	-	-	-	-	-	-	-	-	-	-	-	-	●	●	-	-	-	14-74(3)
Warehouse	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	14-74(3)
Warehouse, Mini (Self-Storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Wholesale Sales and Distribution	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	14-74(3)
Junk or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14-74(4)
RECYCLING																		
Composting, Yard Waste	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	
Construction/Demolition Debris	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	-	-	14-75(2)
Consumer Material Drop-off	-	-	-	-	-	-	-	-	-	-	-	-	●	●	-	-	-	14-75(3)
Consumer Material Processing	-	-	-	-	-	-	-	-	-	-	-	-	●	●	-	-	-	14-75(4)
AGRICULTURAL																		
Community Garden	●	●	●	●	●	●	●	●	●	-	-	-	-	-	●	●	●	14-76(1)
Animal Agriculture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	-	14-76(2)
Crop Agriculture	-	-	-	-	-	-	-	-	-	●	●	●	●	●	●	-	-	14-76(3)
ACCESSORY																		
Backyard Cottage	●	●	●	●	-	-	-	-	-	-	-	-	-	-	-	-	-	14-27

KEY: ●=permitted by right | ○=permitted only above ground-floor | Ⓢ=conditional use | --=prohibited

[1] Uses allowed in CON (Conservancy) district are listed in [14-52](#)

Section 14-73(4)(d)

(d) Other Service

Uses that provide janitorial, carpet cleaning, extermination, plumbing, electrical, window cleaning, ~~contractor warehouses~~, and similar maintenance services.

1. When new multi-units are constructed, or when a use changes to Other Service, each unit must have its own fully constructed restroom and office prior to the issuance of new occupancy permits. A stubbed-out restroom is not considered fully constructed.

Section 14-73(9)(d)

(e) Short-Term Rental

A residential dwelling that is offered for rent for a fee for fewer than 29 consecutive days. Short-term rentals in R1 and R2 districts may not ~~offer more than one rental stay in 7 consecutive days~~ or ~~fewer than 7 consecutive days~~. In all other districts, the minimum rental period is one day.

Section 14-75(4)

(4) Consumer Material Processing

Establishments that receive and process consumer recyclable commodities for subsequent use in the secondary market. ~~The processing of commodities occurs inside a building only, not outside.~~

Section 14-81 Table 8-1 (Landscaping Materials and Supplies)

TABLE 8-1 — PARKING RATIOS	
USE CATEGORY	Minimum Number of Motor Vehicle Parking Spaces Required (see 14-84 for more information on bicycle parking)
Use Subcategory	
Specific Use Type	
Bed & Breakfast	2 + 1 per guest room
Short-term Rental	As required for type of residential dwelling unit
Hotel/Motel	1 per guest room + plus spaces required for any restaurant or conference space
Medical Service	1 per employee + 1 per 400 sf
Office	1 per 400 sf
Parking, Non-accessory	No minimum
Retail Sales	
Convenience Goods	1 per 400 sf
Consumer Shopping Goods	1 per 400 sf
Building Materials & Supplies	1 per 800 sf
Sexually Oriented Business	1 per employee + 1 per 200 sf
Sports & Recreation, Participant	1 per 2 employees + 1 per 400 sf
Vehicle Sales and Service	
Fueling Station	1 per 2 employees + 1 per 400 sf
Vehicle Sales	1 per employee + 1 per 600 sf of indoor sales, rental/customer service area
Vehicle Rental	
Vehicle Maintenance & Repair, Minor	1 per 2 employees + 2 per service bay (see also 14-88)
Vehicle Maintenance & Repair, Major	
INDUSTRIAL	
Fabrication and Production	1 per 1.5 employees
Industrial Service	1 per 1.5 employees
Storage, Distribution and Wholesaling	1 per 1.5 employees
Junk or Salvage Yard	1 per 1.5 employees
RECYCLING	
Composting, Yard	No minimum
Construction/Demolition Debris	1 per 1.5 employees
Consumer Material Drop-off	1 per 1.5 employees
Consumer Material Processing	1 per 1.5 employees
Landscape Materials and Supplies	Per 14-82(6)
AGRICULTURAL	
Crop Agriculture	No minimum
Animal Agriculture	No minimum
Community Garden	No minimum
OTHER	
Drive-in/Drive-through Service	As required for principal use + stacking spaces per 14-88
*DU = dwelling unit sf = square feet	

Section 14-85(2)(b)

(b) **Location.** Off-site parking areas must be located within 500 feet of the use served by such parking, measured between the nearest ~~public entrance door~~ **parcel** of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot. Off-site parking lots are allowed only in zoning districts that permit non-accessory parking or that allow the principal use to be served by the off-site parking spaces.

Section 14-14-91(2)(a)

(a) Simplicity of Surface Materials

At least 60% of each building, not including window and door areas, must be faced of a single major material. See Figure 9-1. **However, recessed front facing building facades that are setback more than 200 feet from the front facing building facade are not required to use major materials.**

NEW Section 14-14-91(6)

(6) Metal Façade Materials

(a) **Concealed and Exposed Fasteners.** All metal facade materials, major and minor, must use concealed fasteners. However, metal minor facade materials and accessory buildings may use exposed fasteners if the following conditions are met:

1. In the BP District and the I district on the rear façade.
2. In the I District on side facades with 35% ground level brick, masonry, or stone.
3. On any facade of an accessory building that is defined in 14-91(5).

(b) **Smooth metal panels.** Smooth metal panels may be used as an architectural element or feature. Metal panels on full walls must be textured to have the appearance of masonry.

Section 14-91 Table 9-1 (Metal)

TABLE 9-1 — ALLOWED MAJOR FACADE MATERIALS

MAJOR FACADE MATERIAL (alphabetical)	DISTRICTS				
	X, P	RM	O	C	BP, I
A Brick full dimensional, unit, face brick	●	●	●	●	●
Brick economy size; or thin, veneer	-	-	●	●	●
B Concrete Masonry Units architectural, minimum 3" depth, "artisan stone" C look, varied sizes, (Eschelon Masonry or approved equal), "stone" face, "hewn stone", rock cut	●	●	●	●	●
Concrete Masonry Units minimum 3" depth, split-faced, burnished/ground face, glazed, or honed, painted/tinted/textured tilt-up concrete	-	-	●	●	●
D Fiber Cement Board finished lap siding or shingles	● Commercial Manor & Row Building only	●	-	-	-
E Glass curtain wall system	● except Commercial Manor & Row Building	●	●	●	●
metal architectural Metal architectural panel system with 35% ground level brick, approved concrete masonry units, or stone	●	-	-	-	●
Stone natural veneer	●	●	●	●	●
F Wood painted, stained, or treated lap siding, shingles	● Commercial Manor & Row Building only	●	-	-	-

KEY: ● = allowed

Section 14-91 Table 9-1 (Metal, Metal Siding, Metal Corten)

TABLE 9-2 — MINOR FACADE MATERIALS

All allowed major facade materials may be used for minor facade materials, unless otherwise listed as prohibited in Table 9-4.

	MINOR FACADE MATERIAL (alphabetical)	Allowed on Buildings in these Districts	Allowed Facades	Maximum Amount on each Facade
	Brick, Economy economy size; or thin, veneer	All	Non-street facades only	100%
	Concrete Surfaces textured unfinished	BP, I districts only	All	30%
	Concrete Surfaces finished stained, painted, treated	All	O, C, BP, I districts: all facades All other districts: below first floor only	30%
	Concrete Masonry Units minimum 3" depth, split-faced, burnished/ ground face, glazed, or honed,	All except Commercial Manor	Non-street facades only; In & I dis- tricts, all facades	100%
G	Fiber Cement Board, Composite finished panels	All	All, except a major material is required at grade up to 2 feet and adjacent to entrances	30%
	Glass curtain wall system	All except Commercial Manor	All	30%
	Glass Block	All except Commercial Manor	Non-street facades only	20%
H	Metal architectural panel system	MX1, GX1, BP, I only	All, except a major material is required at grade up to 2 feet and adjacent to entrances	30%
	Metal, Composite aluminum composite materials (ACM) or panels (ACP)	MX1, GX1, O, BP, I, P only	Non-street facades only	30%
	Metal Siding coated siding with concealed fasteners	BP, I only	Rear facades only	100%
I	Metal, Corten panels or panel systems, not ribbed or corrugated	MX1, GX1, O, BP, I, P only	All	30%
J	Stucco cement-based, 2- 3 layer hard coat	All	Only 3rd or higher stories all facades	30%
	Stucco synthetic or with elastomeric finishes	All	Only 3rd or higher stories all facades	30%
	Terra Cotta or Ceramic tiles or panels	All	All	20%
K	Translucent Panel System double-wall, polycarbonate panels	All except Commercial Manor	All	20%
	Vinyl Siding minimum 0.42 inches thick	Allowed only on Row Building	All	30% of street facade, 100% on other facades
L	Wood natural, aged lap siding, shingles, rain- screen system	All	All	30%
M	Wood, Composite rainscreen system	All	All	30%

Section 14-111 Table 11-4 (Canopy, Marquee, Menu Board)

TABLE 11-4 — SIGN REGULATIONS: MIXED-USE DISTRICTS								
Sign Type	Zoning District	Max. Number Per Street Frontage	Maximum Height (ft.)	Maximum Area (sq. ft.)	Minimum Clearance	Minimum Setback (ft.)	Allowed Illumination	
Art	MX1, MX2, GX1	1	8	40	NA	5	External, backlit, internal	
	MX3, GX2		10	70				
Awning	MX1, MX2, GX1	1 per tenant	20, but not higher than bottom of 2nd floor window	1 per linear foot of frontage, not to exceed 30	7	NA	External, backlit	
	MX3, GX2			1 per linear foot of frontage, not to exceed 60				
Business Center	MX1, MX2, GX1	1	6	80	NA	5	External, backlit	
	GX2			160			External, backlit, EMS	
	MX3							
Canopy	MX1, MX2, GX1	1 per tenant	20, but not higher than bottom of 2nd floor window	1 per linear foot of frontage, not to exceed 30	7	7 NA	External, backlit	
	MX3, GX2			1 per linear foot of frontage, not to exceed 60				
Electronic Message	MX3, GX2	Allowed only as part of a Business Center, Marquee, or Monument sign face. Regulations of subject sign type govern number, height, dimensions, setbacks etc..					EMS	
Marquee	MX1, MX2, GX1	1 per tenant	20, but not higher than bottom of 2nd floor window	1 per linear foot of frontage, not to exceed 30	7	7 NA	External, backlit, EMS	
	MX3, GX2			1 per linear foot of frontage, not to exceed 60				
Menu Board (drive through)	MX2, MX3, GX1, GX2	1 per drive through lane + 1 menu preview board per menu board		40 menu board, 15 menu preview board		NA	10	External, backlit, digital/monitor
Monument	MX1, MX2, GX1	1	6	30	NA	5	External, backlit, EMS	
	MX3, GX2	1		50				
Pole	MX3, GX2	1	15	50	10	10	External, backlit	
Projecting	MX1, MX2, MX3, GX1, GX2	1 per first floor tenant with street frontage. Upper floors may share 1 sign per building.	20, but not higher than bottom of 2nd floor window	8	7	NA	External, backlit	
Sandwich Board	MX1, MX2, MX3, GX1, GX2	1	4 (2 foot max. width)	8	NA	0 (see 14-113(10))	None	
Wall	MX1, MX2, GX1	1 per tenant on first floor with street frontage	20; higher by plan commission approval	25 (each sign) or 1 per linear foot of frontage (each sign), not to exceed 50	NA	NA	External, backlit, internal if lettering only	
	MX3, GX2		Below parapet, 20 if no parapet exists	25 (each sign) or 1.5 per linear foot of frontage (each sign), not to exceed 75			External, backlit, internal	
Window	MX1, MX2, MX3, GX1, GX2	1 per street fronting window (2 window signs maximum)	NA	30% of 1st floor street fronting window area	NA	Inside window only	None	
Interior (visible from ROW)	MX1, MX2, MX3, GX1, GX2	1 per street fronting window (2 interior signs maximum)	NA	30% of 1st floor street fronting window area	NA	5 (from interior of window)	NA	

Section 14-111 Table 11-5 (Menu Board)

TABLE 11-5 — SIGN REGULATIONS: OFFICE AND COMMERCIAL DISTRICTS							
Sign Type	Zoning District	Max. Number Per Street Frontage	Maximum Height (ft.)	Maximum Area (sq. ft.)	Minimum Clearance	Minimum Setback (ft.)	Allowed Illumination
Art	O, C	1	10	100	NA	5	External, backlit, internal
Awning	O, C	1 per tenant	20, but not higher than bottom of 2nd floor window	2 per linear foot of frontage, not to exceed 200	7	NA	External, backlit, internal
Business Center	O, C	1 total per property	20	200	None or 7	5	External, backlit, EMS
Canopy	O, C	1 per tenant	20, but not higher than bottom of 2nd floor window	2 per linear foot of frontage, not to exceed 200	7	NA	External, backlit, internal
Electronic Message	O, C	Allowed only as part of a Business Center, Marquee, or Monument sign face. Regulations of subject sign type govern number, height, dimensions, setbacks etc.,					EMS
Marquee	O, C	1 per tenant	20, but not higher than bottom of 2nd floor window	2 per linear foot of frontage, not to exceed 200	7	NA	External, backlit, internal, EMS
Menu Board (drive through)	C	1 per drive through lane + 1 menu preview board per menu board	8	40 menu board, 15 menu preview board	NA	10	External, backlit, digital/monitor
Monument	O, C	1	8	75	NA	5	External, backlit, internal, EMS
Pole	C	1 total per property	20	100	10	10	External, backlit, internal
Wall	O, C	1 per tenant on first floor with street frontage	Below parapet, 20 if no parapet exists	2 per linear foot of frontage, not to exceed 150, or 250 if 200 ft. from ROW, or 350 if 500 ft from ROW, or 450 if 750 ft from ROW [1]	NA	NA	External, backlit, internal
Window	O, C	1 per street fronting window (2 window signs maximum)	NA	30% of 1st floor street fronting window area	NA	Inside window only	None
Interior (visible from ROW)	O, C	1 per street fronting window (2 interior signs maximum)	NA	30% of first floor street fronting window area	NA	5 (from interior of window)	NA

[1] Distance measured from wall sign to the nearest street fronted travel lane or highway fronted travel lane.

Section 14-113(2)(k)

(k) Lettering or logos must be painted or otherwise permanently affixed ~~in letters not exceeding 20 inches in height~~ on the front and side portions of an awning or canopy.

Section 14-125(5)

(5) Minor Design Exceptions

During the site plan review process, the zoning administrator is authorized to approve the following as minor design exceptions to the regulations of Article II, Article III, **Article IV, Article V**, Article VIII, or Article IX, based on consideration of the general intent statement of **14-125(2)**:

Section 14-125(5)(j)

- (j) Other Defined Minor Exceptions. Modify Building type regulations and design regulations of Article II, Article III, **Article IV, Article V**, Article VIII, or Article IX that are expressly identified as eligible minor design exceptions within the text of this zoning ordinance.

Section 14-125(6)(a)

- (a) The plan commission is authorized to approve requests for relief from strict compliance with the regulations of Article II, Article III, **Article IV, Article V**, Article VIII, or Article IX that are not expressly authorized for processing as minor design exceptions and to hear and decide appeals of the zoning administrator's decision on any minor design exception.

Section 14-163(19)

Sign, Menu Preview Board. A sign that is located on the site of an allowed drive-through use that is usually smaller than a menu board.

-end-