

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2016-1479

An Ordinance Amending Chapter 58 of the City of Mequon Zoning Code, Regarding Window Area Obstructions in the Town Center and Arrival Corridor Zoning Districts

THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION I:

Chapter 58, Zoning Code, of the Mequon Code of Ordinances are amended in the forms attached to this Ordinance, having been placed on file and open to public inspection in the office of the City Clerk of the City of Mequon at City Hall, 11133 North Cedarburg Road, Mequon, Wisconsin, in accordance with the procedures provided in Sections 66.0103 and 62.11(4)(a), Wis. Stats.

SECTION II:

All ordinances in conflict or inconsistent with this ordinance, in whole or in part, are repealed to the extent necessary to give this ordinance full force and effect.

SECTION III:

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

Approved by: Dan Abendroth, Mayor

Date Approved: November 9, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on November 9, 2016.

Caroline Fochs, City Clerk

Published: November 29, 2016

Town Center

Town Center Zoning District: Section 58-301(1)(2)

Required window areas have the following purpose:

1. Contribute to the overall building composition
2. Enhance curb appeal and neighborhood value
3. Promote natural surveillance
4. Reduce energy consumption through the use of passive solar design
5. Display business products and services

Required window areas shall remain transparent with windows that allow two-way views into first floor occupant spaces, working areas, lobbies or pedestrian entrances, as applicable, except for the following permitted window area obstructions.

a. Window Area Obstructions. The following are permitted window area obstructions:

1. Permitted Window Signage. Window signage is a permitted window area obstruction and shall comply with the following design standards:
 - Window signage shall be limited to 33% of each individual window area in the occupant's space.
 - Window signage shall not obstruct more than 30% of the window area measured between four (4) and (8) feet in height above the adjacent walkway level.
 - The front of the signage shall face the adjacent walkway.
 - Window signage shall be consistent with and relate to the products, services and brand elements of the occupant's use.
2. Window Shelving. Window shelving located within four feet from the surface of the window is a permitted window area obstruction and shall comply with the following design standards:
 - Window shelving units shall be limited to 33% of the use's aggregate window area as defined in section 58-301(1)(2).
 - Window shelving units and product display shall not obstruct more than 30% of the window area measured between four (4) and (8) feet in height above the adjacent walkway level.
 - Window shelving units shall be set back 8" from the surface of the window.
 - The front of the shelving units and products displayed on shelving shall face the adjacent walkway.

3. Enclosed Window Displays. Enclosed window displays have a full background and sides that completely separate the interior of the store from the display window. Enclosed window displays are permitted window area obstructions and shall comply with the following design standards:

- Enclosed window displays shall be limited to 33% of the use's aggregate window area as defined in section 58-301(1)(2).
- Only one (1) window pane per use shall be permitted as an enclosed window display.
- Enclosed window displays shall be internally lit during evening business operating hours. Lighting is subject to the approval of the Department of Community Development.
- Enclosed window displays shall have a minimum depth of three (3) feet.
- Enclosed window displays shall be designed to relate to the scale of the window area and be consistent with and relate to the products, services and the brand elements of the associated occupant's use.
- Displays shall change:
 - At a minimum, seasonally, unless approved by the Department of Community Development.
 - When products or display elements begin to fade or deteriorate in appearance.
- Enclosed window displays shall be maintained in a clean, clutter free manner.
- All mechanical equipment shall be disguised from public view.

b. Prohibited Window Area Obstructions. The following window area obstructions and obstructions similar to the following as determined by the Planning Commission, are prohibited:

- Protective grilles
- Window bars
- Metal or similar material roll down screens or gates Reflective, dark tinted or frosted glass
- Materials not otherwise permitted in this section that block visibility through windows into first floor occupant spaces along streets, walkways, plazas or parking areas.
- Backs of signs or backs of shelving units

c. Exceptions to Window Area Obstructions. The Planning Commission may approve window area obstructions of types and amounts not specified in section 58-301(1)(2)a. for first floor windows for the following uses upon finding that strict compliance is

impractical under the circumstances and the proposal includes amenities that address the adverse effects, if any, of the exception:

- Medical and institutional uses
- Specialty food retailers
- Theatres
- Parking garages
- Others as approved by Planning Commission

Arrival Corridor

Town Center Zoning District: Section 58-302(1)(2)

Required window areas have the following purpose:

1. Contribute to the overall building composition
2. Enhance curb appeal and neighborhood value
3. Promote natural surveillance
4. Reduce energy consumption through the use of passive solar design
5. Display business products and services

Required window areas shall remain transparent with windows that allow two-way views into first floor occupant spaces, working areas, lobbies or pedestrian entrances, as applicable, except for the following permitted window area obstructions.

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 - Window signage shall not obstruct more than 30% of the window area measured between four (4) and (8) feet in height above the adjacent walkway level.
 - The front of the signage shall face the adjacent walkway.
 - Window signage shall be consistent with and relate to the products, services and brand elements of the occupant's use.
2. Window Shelving. Window shelving located within four feet from the surface of the window is a permitted window area obstruction and shall comply with the following design standards:
 - Window shelving units shall be limited to 33% of the use's aggregate window area as defined in section 58-302(1)(2).
 - Window shelving units and product display shall not obstruct more than 30% of the window area measured between four (4) and (8) feet in height above the adjacent walkway level.
 - Window shelving units shall be set back 8" from the surface of the window.
 - The front of the shelving units and products displayed on shelving shall face the adjacent walkway.

3. Enclosed Window Displays. Enclosed window displays have a full background and sides that completely separate the interior of the store from the display window. Enclosed window displays are permitted window area obstructions and shall comply with the following design standards:

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- Only one (1) window pane per use shall be permitted as an enclosed window display.
- Enclosed window displays shall be internally lit during evening business operating hours. Lighting is subject to the approval of the Department of Community Development.
- Enclosed window displays shall have a minimum depth of three (3) feet.
- Enclosed window displays shall be designed to relate to the scale of the window area and be consistent with and relate to the products, services and the brand elements of the associated occupant's use.
- Displays shall change:
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impractical under the circumstances and the proposal includes amenities that address the adverse effects, if any, of the exception:

- Medical and institutional uses
- Specialty food retailers
- Theatres
- Parking garages
- Others as approved by Planning Commission