

**TOWN OF GROVER
MARINETTE COUNTY, WISCONSIN**

**USH 41 OVERLAY ZONING DISTRICT
ORDINANCE CHANGE**

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10.0314 HCO USH 41 - HIGHWAY CORRIDOR OVERLAY DISTRICT

This overlay district is intended to preserve the lands within the USH 41 highway corridor; to provide the public with protection from the impacts of the four-lane highway facility on existing and future land use development; to protect the aesthetic and visual character of land in the Town of Grover adjacent to major and existing highway corridors; to protect property owners whose proposed uses of land may be disrupted by the major arterial highway; and, to ensure adequate, safe, and efficient access to the highway as well as to the county and local roads that intersect with the highway.

Overlay districts provide for the possibility of superimposing certain additional requirements upon a basic zoning district without disturbing the requirements of the basic district. The uses of the underlying standard zoning district shall remain in force.

A. Purpose

The USH 41 Highway Corridor Overlay District is hereby established as a district which overlaps and overlays existing base zoning districts, the extent and boundaries of which are as indicated on the official zoning map for the Town of Grover. Overlay district provide for the possibility of superimposing certain additional requirements upon a basic zoning district without disturbing the requirements of the basic district. The uses of the underlying standard zoning district shall remain in force.

B. Overlay Area Defined

The USH 41 Highway Corridor Overlay District encompasses all lands within 1,000-feet of either side of the USH 41 right-of-way. Persons with property divided by the defined limits of the USH 41 Highway Corridor Overlay District are required to comply with the District's standards only for that segment of the property within the USH 41 Highway Corridor Overlay District.

C. USH 41 Highway Corridor Use Requirement

1. Principal Uses

- (a) The overlay district provisions apply to any base district set forth in this Ordinance that exists within the defined overlay district. In the instance of conflicting requirements, the more restrictive of the conflicting requirements shall apply.
- (b) There shall be no alteration of the existing condition of lands, uses, or structures within the USH 41 Highway Corridor Overlay District from the date of enactment of this Ordinance henceforth, except as provided for by this Section or by other sections of this Ordinance.
- (c) These regulations are supplementary to the permitted uses and requirements for the appropriate underlying zoning district as

contained in this Ordinance.

- (d) Uses prohibited in the underlying zoning district are also prohibited in the USH 41 Highway Corridor Overlay District.
- (e) All uses proposed in the USH 41 Highway Corridor Overlay District shall be subject to site plan review procedures in the appropriate section of this Ordinance. The Site Plan Review function shall be undertaken by the Plan Commission.

D. Exceptions to Highway Corridor Overlay District Standards

The following regulations apply to all development in all districts except for the A-1 Agricultural/Rural Residential District, the R-1 Single-Family Residential District, the R-2 Single-Family and Two-Family Residential District and the R-3 Multi-Family Residential District.

E. Base Zoning District Standards

Unless otherwise noted in this Section, the standards of the underlying base zoning district, all other requirements of the Town of Grover Zoning Ordinance and Section 10.1000 of this Ordinance (Site Plan Review and Architectural Control) shall apply.

F. Issuance of a Zoning/Building Permit

The Town of Grover Plan Commission prior to the issuance of a Zoning/Building Permit must approve all building locations and architecture/design.

1. Building Architecture/Design:

- (a) Structures within the corridor shall be designed with an "architectural character" that blends with the overall visual character of the rural context of its setting.
- (b) Buildings shall have a minimum 2:1 roof slope when the building's ground coverage is less than 10,000 sq. ft.
- (c) Buildings greater than 10,000 sq. ft. shall have architecturally detailed elements strategically integrated into the building's facades to add detail and break the visual impact of large wall areas.
- (d) Building materials shall be compatible with the visual context and use customary in the Town of Grover, Marinette County.
- (e) Building colors which sharply contrast with the natural colors of the landscape context shall be prohibited. Commentary: Suggested building colors are natural "earth tones", white, or subdued hues of blue, green or yellow.
- (f) One dominant material should be selected with its own natural integrity. Materials shall convey permanence, substance, timelessness, and restraint, with low maintenance.

- (g) Any exterior building wall (front, side or rear) facing USH 41 or any intersecting county highway or town road shall be constructed of one of the following materials:
 - (1) Clay or masonry brick
 - (2) Customized concrete masonry with striated, scored or broken faced brick type units (sealed) with color consistent with design theme.
 - (3) Poured in place, tilt-up or pre-cast concrete. Poured in place and tilt-up walls shall have a finish of stone, a texture or a coating.
 - (4) Steel frame structures with architectural flat metal panels or glass curtain walls.
 - (5) Natural stone
 - (6) Alternative materials approved by the Plan Commission

2. Landscaping Plan and Landscape Development

- (a) All proposed development within the USH 41 Highway Corridor Overlay District shall require a landscape development plan that is approved by the Plan Commission as a condition of any permits under this Ordinance. The recommended landscape guidelines may include:
 - (1) The landscaping should be consistent and blend with the adjoining landscape (i.e. meadow, prairie, windbreak, upland woods (woodlot), hedgerow, lowland woods, wetland, etc.).
 - (2) Building sites should maintain a minimum of 25% of the lot area in open space that will be landscaped subject to the provisions of this Ordinance. Landscape development should reflect the native or agricultural character of the adjoining countryside.
 - (3) A minimum 25 foot wide area adjacent to the public road right-of-way along the entire lot width should be used for screening and landscaping.
 - (4) Complete vegetative clearing should be allowed only in the areas required for access driveways. For driveways serving as both entrance and exit, a strip a maximum of 40 feet may be cleared. When separate entrance and exit driveways are used, a maximum of 20 feet may be cleared for each driveway.
 - (5) Existing shrubs and trees with a caliper of 2 ½ inches or

greater shall be retained.

G. On-Site Utilities

All on-site utilities, including but not limited to electrical, telephone, and cable, shall be installed as underground facilities. This shall apply to utilities running from the utility easement or road right-of-way to structures and to utilities supplying service between structures.

H. Lighting

All outdoor lighting shall be subject to Section 10.1111 and all other appropriate section of this Ordinance.

I. Drainage

Storm water drainage should be directed into natural drainage channels and detention/retention ponds and rain gardens. Pond edges and drainage channels shall be protected from erosion by natural aquatic vegetation whenever possible. When storm water volumes and/or velocities indicate more substantial measures than planting are required to control erosion, limestone rip-rap may be used.

J. Access

1. No direct driveways access shall be permitted to USH 41 other than WisDOT approved access for county and local road intersections, agricultural operations and field access.
2. Driveway access to lands adjoining county highways intersecting with USH 41 shall maintain a minimum separation distance of 1,000-feet from the nearest USH 41 highway right-of-way line. Driveway access to lands adjoining all other roads intersecting with USH 41 shall maintain a minimum separation distance of 500' from the nearest USH 41 highway right-of-way line.
3. All permitted driveway access to USH 41 and county and town roads intersecting with USH 41 shall be subject to and in accordance with Section 10.0600 and all other appropriate sections and requirements of this Ordinance.

K. Parking

1. Off street parking and loading areas shall be subject to and in accordance with Section 10.0600 and all other appropriate sections and requirements of this Ordinance.
2. Natural drainage systems for parking lots are encouraged. If drainage detention is required it shall be in a naturally configured pond, recreated wetland area or dry detention area.

L. Loading and Unloading

1. Loading and unloading requirements shall be subject to Section 10.0600 and all other appropriate sections and requirements of this Ordinance.

2. Service areas, loading docks, truck parking, outside storage and dumpster areas shall be screened from all viewing highways located within the District and any adjacent residential developments. Screening shall be accomplished with a minimum 8' high opaque screen. This screening may be accomplished by:
 - (a) Freestanding or attached wing walls or fences constructed of materials complimentary or the same as the primary construction materials found in the principal buildings.
 - (b) Earth berms and/or landscaping dense enough to create a year-round opaque screen. Plant material used for screening these service areas may be considered part of the general Site Landscaping & Open Space landscape requirement.

M. Outdoor Display and Storage

No outdoor storage shall be allowed between the business location's principal or accessory building and all viewing highways. This restriction shall not apply to "farmer's markets" and other agricultural uses (i.e. livestock, crops, farm implements currently in use for agricultural production)

N. Signs

1. On-premise business identification signs (building mounted & free standing) shall be subject to Section 10.0700 and all other appropriate sections and requirements of this Ordinance.
2. Signs prohibited within the USH 41 Overlay Zoning District include those identified as prohibited in Section 10.0700 as well as other appropriate sections of this Ordinance. Sub. section 4. provides for an exception for free standing signs located in the B-2 Commercial Zoned areas of the USH 41 Overlay Zoning District provided these free standing signs meet the standards identified in sub. section 5.
3. Standard WisDOT tourist information signs and business logo sign groupings (Specific Information Signs) as currently used along the State highway system shall be allowed within the right of way. Route designation signs such as the Lake Michigan Circle Tour, Rustic Road and Ethnic Trail signs shall also be allowed within the right of way.
4. Free standing signs (billboards) are permitted only on B-2 Commercial Zoned Districts located in the USH 41 Overlay Zoning District.
5. Freestanding signs in the USH 41 Overlay Zoning District must meet the following:
 - (a) Signs are permitted in B2 Zoning Districts located within the USH 41 Corridor Overlay District only.
 - (b) All provisions of Section 10.0700 of this Ordinance regarding lighting and color shall apply to all signs in the USH 41 Corridor

Overlay District.

- (c) All requirements of Section 10.0711 (Construction and Maintenance Standards) shall apply to all signs permitted within the USH 41 Highway Corridor Overlay District.
- (d) No permitted sign shall be closer than 800 feet from any other permitted sign.
- (e) No more than twelve (12) signs in total (on either side of the divided highway) shall be allowed in USH 41 Corridor Overlay District.
- (f) A permit shall be required to locate any sign in the USH 41 Corridor Overlay District
- (g) All signs shall be permitted as an accessory use.
- (h) All signs must advertise legal uses only
- (i) Building setbacks for all signs will be the same as the requirements of the state of Wisconsin

6. Sign Area

No sign shall exceed a maximum face area of 14' x 48' or 672 square feet on one side.

7. Height

No sign shall exceed a height of 50 feet.

O. Lot Requirements

Lot size shall be subject to and in accordance with the underlying zoning district and all appropriate sections and requirements of this Ordinance.

P. Setbacks from Roads

Building setbacks shall be subject to and in accordance with the underlying zoning district and all appropriate sections and requirements of this Ordinance.