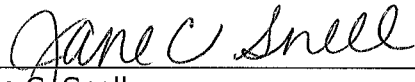


**VILLAGE OF PLEASANT PRAIRIE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that there will be a **PUBLIC HEARING** before the **VILLAGE PLAN COMMISSION** of the **VILLAGE OF PLEASANT PRAIRIE**, Kenosha County, Wisconsin, at the Village Municipal Building, 9915 39th Avenue on the **17th day of October 2022 at 5:00 P.M.** for consideration of the **attached Zoning Text Amendments** to Section 420-127.2 related to the PR-3, Regional Park-Recreational District.

If you wish to comment on the request, comments will be received prior to and at the Public Hearing. If you would like more information, please contact Jean M. Werbie-Harris, Community Development Director or Peggy Herrick, Assistant Planner/Assistant Zoning Administrator or Aaron Kramer, Deputy Planner/Deputy Zoning Administrator at (262) 925-6717.

Dated and Posted this 3rd day of October 2022.



Jane C. Snell
Village Clerk

PR-3 Amendments
CODE2209-001

**ORDINANCE TO AMEND
THE VILLAGE ZONING ORDINANCE (CHAPTER 420)
RELATED TO THE PR-3 REGIONAL PARK-RECREATIONAL DISTRICT
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN**

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT THE FOLLOWING SECTION OF THE VILLAGE ZONING ORDINANCE BE AMENDED AS FOLLOWS:

420-127.2 PR-3 Regional Park-Recreational District.

- A. Purpose and characteristics. The PR-3 Regional Park-Recreational District is intended to provide for park, open space and recreational uses to serve the community and the surrounding region. The PR-3 District shall be at least 200 acres and may incorporate other natural features such as wetlands, woodlands, shorelands, floodplains and other resources that may be zoned C-1, C-2, or FPO. No such district shall be established unless it is in compliance with duly adopted or amended comprehensive, neighborhood and conceptual plans.
- B. Principal uses. The following listed principal uses, and certain unspecified principal uses approved pursuant to Subsection C below, are allowed as permitted uses in the PR-3 District, subject to the requirements of Article IX of this chapter and all other applicable provisions of this chapter and other Village ordinances and codes:
 - (1) Educational uses, including classrooms; child- or adult-care facilities; preschool facilities; day camps; and nature study areas.
 - (2) Indoor recreational facilities and activities, including auditoriums; gymnasiums; ice arenas; dance studios; swimming pools; physical fitness facilities; spa facilities; cabarets; dry cabarets; and play fields/courts and athletic fields/courts.
 - (3) Limited retail uses, including the sale of books; camping supplies; candy; cameras and photographic supplies; cards; gifts; ice cream; novelties; newspapers and magazines; prepared food not intended for consumption on the premises; souvenirs; sporting goods and apparel; and sundries.
 - (4) Limited service uses, including bakeries (not selling wholesale); barbershops; beauty salons; coffeehouses; dry cleaning; financial institutions; mailing services; sporting equipment rentals; and tanning salons.
 - (5) Outdoor recreational facilities and activities, including beaches; bicycling; hiking and nature trails and walks; boat rental and boat access sites; cross-country ski trails; archery facilities; firework displays; fishing; historic monuments or sites; picnic areas; playgrounds and tot lots; play fields/courts and athletic fields/courts; miniature golf; skating rinks; roller-blading; sledding and tobogganing areas; and swimming or other water-related activities.
 - (6) Public administrative offices and public service buildings, including fire and police stations, community centers, public emergency shelters, and welcome centers.
 - (7) Pavilions, gazebos or other shelters and maintenance buildings.
 - (8) Restaurants or snack bars (whether or not alcoholic beverages are served or sold, and with or without outdoor seating, and with or without a drive-in or a drive-through facility, but not including a dedicated bar or a dedicated brewing facility).
 - (9) Stormwater detention or retention facilities; provided, however, that the detention or retention facility is not used for recreational purposes such as, but not limited to, boating, fishing, ice skating or swimming.
 - (10) Summer theaters, amphitheaters and band shells.

- (11) Therapeutic recreational and physical therapy facilities.
- (12) Commercial communication structures (as a principal or accessory use per § 420-89).
- (13) Solar energy system for individual users (as an accessory use per § 420-88.2).
- (14) Food trucks (not serving alcoholic beverages) located in approved designated areas.**
- (15) Beer gardens with or without live entertainment, with or without food service including food trucks located in approved designated areas.**

C. Unspecified permitted uses. The Zoning Administrator shall have authority to approve as a permitted use in the PR-3 District a proposed principal use not listed in Subsection B above if the proposed use is similar in character to one or more of the listed permitted uses in the PR-3 District and if the use is free of potential problems requiring special regulation. The Zoning Administrator shall make written findings supporting any such decision. Any use so approved shall be subject to all requirements of Subsection B. Notwithstanding the foregoing authorization, the following uses shall not be construed to be permitted uses in the PR-3 District:

- (1) Any listed permitted uses in the M-1, M-2 or M-3 District that are not listed in Subsection B above.
- (2) Any listed conditional uses in the PR-1, PR-2, PR-3, B-1, B-2, B-3, B-4, B-5, M-1, M-2, M-3 or I-1 District that are not listed in Subsection B above.
- (3) Hunting.
- (4) Motels.
- (5) Indoor/outdoor flea markets.
- (6) Pawnshops.
- (7) Psychic/tarot card/astrology readings.
- (8) Sale or storage of fireworks.
- (9) Nurseries.
- (10) Greenhouses.
- (11) Adult-oriented uses, including, without limitation, an adult bookstore, adult cabaret, adult club, adult dry cabaret, adult movie theater, adult video rental store, adult video store or adult viewing facility.

D. Conditional uses. The following listed uses may be permitted as conditional uses in the PR-3 District (as principal uses or accessory uses, as appropriate) pursuant to and in accordance with Article XVIII of this chapter, subject to the requirements of Article IX and all other applicable provisions of this chapter and other Village ordinances and codes:

- (1) Campgrounds.
- (2) (Reserved)
- (3) Golf courses.
- (4) Golf driving ranges.
- (5) Hotels.
- (6) Restaurants (with a dedicated bar or a dedicated brewing facility).
- (7) Transmission lines (electric power or natural gas).
- (8) Utility substations and utility substation buildings.

(9) Wind energy conservation systems.

(10) Zoological and botanical gardens.

E. Special licensed uses. Some uses require a special license approved by the Village Board and may only be operated pursuant to and in accordance with such license. The granting of a Village license by the Village Board is not assured either by permitted use status or by the granting of a conditional use permit or of any other permit or approval under this chapter.

F. Combination of uses. Except as otherwise specifically provided in this section, two or more principal uses and their related accessory uses may be located and conducted in the same principal building in the PR-3 District, subject to Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes, in accordance with each of the following restrictions to the extent such restrictions are applicable:

(1) Permitted uses allowed in the PR-3 District and their related accessory uses may be located separately or together, and may be conducted separately or together, with other such permitted uses and their related accessory uses.

(2) Conditional uses allowed in the PR-3 District and their related accessory uses may be located separately or together, and may be conducted separately or together, with other such conditional uses and their related accessory uses; provided, however, that the area occupied by a conditional use and any related accessory uses shall be a defined area in which any proposed new use of any kind (or any use of any kind existing as of the time when the conditional use permit for such conditional use or any amendment of such permit is approved) shall be allowed only pursuant to and in accordance with the conditional use permit issued for such conditional use under Article XVIII of this chapter.

(3) Permitted uses allowed in the PR-3 District and their related accessory uses and conditional uses allowed in the PR-3 District and their related accessory uses may be located separately or together, and may be conducted separately or together; provided, however, that the area of a building occupied by a conditional use and any related accessory uses shall be a defined area in which any other use or any proposed new use of any kind (or any use of any kind existing as of the time when the conditional use permit for such conditional use or any amendment of such permit is approved) shall be allowed only pursuant to and in accordance with the conditional use permit issued for such conditional use under Article XVIII of this chapter.

(4) Nonconforming uses existing in the PR-3 District may be continued in the same principal building with other uses; provided, however, that no nonconforming use and no accessory use to a nonconforming use may be extended or expanded into new areas, and no new accessory use related to such nonconforming use (and no prior accessory use to such nonconforming use that has been discontinued as an actively conducted use for a period of 12 or more consecutive months) may be commenced or recommenced, and further provided that the area of a building occupied by a nonconforming use and any related accessory uses shall be a physically separate defined area in which any proposed new use of any kind shall be prohibited.

G. Accessory uses.

(1) Except as otherwise specifically provided in this chapter, accessory uses to principal uses allowed in the PR-3 District are allowed, subject to Article IX and all other applicable provisions of this chapter and other Village ordinances and codes, as follows:

(a) Accessory uses to principal permitted uses in the PR-3 District are allowed.

- (b) Accessory uses to principal conditional uses allowed in the PR-3 District are allowed, but only pursuant to and in accordance with a conditional use permit issued under Article XVIII of this chapter.
 - (2) In the event of any issue about whether a particular use is properly an accessory use, the Zoning Administrator shall have authority to decide. The Zoning Administrator shall make written findings to support any such decision.
 - (3) New proposed accessory uses to nonconforming uses (and any prior accessory uses to a nonconforming use that have been discontinued as actively conducted uses for 12 or more consecutive months) are prohibited.
- H. Temporary uses. Temporary uses may be allowed in the PR-3 District pursuant to § 420-140.1 of this chapter.
- I. Prohibited uses. Uses that are not specifically allowed in the PR-3 District by this chapter as specified in the foregoing sections are prohibited in the PR-3 District.
- J. Dimensional standards. Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the PR-3 District shall comply with the following dimensional standards to the extent applicable:
- (1) Lot size: 25 acres minimum.
 - (2) Lot frontage on a public street: 300 feet minimum.
 - (3) Open space: 75% minimum.
 - (4) No building or part of a building shall exceed 100 feet in height.
 - (5) Building area. No maximum or minimum building area shall be required due to the variety of uses within this district and the diverse building demands of each use.
 - (6) Setbacks, unless otherwise specified:
 - (a) Street setback: minimum of 40 feet from arterial streets or highways, and a minimum of 10 feet from the back of curb of a nonarterial streets; provided that the structure is not located within a public right-of-way, or a minimum of 10 feet from the edge of private roads.
 - (b) Side setback: 40 feet minimum, except for tennis courts or sports courts: 20 feet minimum.
 - (c) Rear setback: 40 feet minimum, except for tennis courts or sports courts: 20 feet minimum.
 - (d) Shore setback: 50 feet minimum adjacent to Lake Michigan, provided that the shore remains stabilized and protected; 35 feet minimum adjacent to all other navigable waterways except Lake Andrea, wherein the shore setback may be reduced to not less than 10 feet, provided that the shore remains stabilized and protected.
 - (e) Wetland setback: 25 feet minimum, unless a greater setback is required by the Wisconsin Department of Natural Resources.
 - (f) Setback between structures: 20 feet minimum.
 - (g) Setback for retention or detention facilities: minimum of 10 feet from the normal water elevation of the facility unless greater setbacks are required by the Village to provide adequate access to the facility and to ensure that all required landscape, utility or other required easements are provided above the normal water elevation of the facility.

- K. Design standards. Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the PR-3 District shall comply with the following design standards to the extent applicable:
- (1) Site and operational plan requirements pursuant to Article IX of this chapter, except that the Zoning Administrator may allow other building materials as may be appropriate for the building type and particular use.
 - (2) Parking, access and traffic requirements pursuant to Article VIII of this chapter, except as provided below:
 - (a) The setback of parking lots, driveway maneuvering lanes, and fire lanes: shall be located on the property a minimum of ~~20~~ 30 feet from the back of curb or edge of pavement of any arterial streets or highways and a minimum of five feet from nonarterial streets or private roads.
 - (b) Parking spaces shall be provided throughout the site; the number and location shall be approved by the Plan Commission.
 - (c) Park access roadways are not required to have curb and gutter and may be reduced to 26 feet in width.
 - (3) Sign requirements pursuant to Article X of this chapter.
 - (4) Fence requirements pursuant to Article XI of this chapter.
 - (5) Each use, site, building and structure shall be designed, laid out, constructed and maintained in full compliance with the approved site and operational plan, any required conditional use permit, any required license and all other applicable provisions of this chapter and of all other Village ordinances and codes.
- L. Operational standards. Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the PR-3 District shall comply with the following operational standards to the extent applicable:
- (1) Hours of operation: as approved by the Village.
 - (2) Hours for deliveries: as approved by the Village.
 - (3) No on-site residential uses are allowed, except for sleeping quarters for fire and rescue personnel within a fire station.
 - (4) Each use, site, building and structure shall comply with all applicable performance standards set forth in § 420-38 of this chapter.
 - (5) Each site, building and structure shall be maintained in a neat, presentable, aesthetically pleasing, structurally sound and nonhazardous condition. All litter and debris shall be promptly removed.
 - (6) Each use, site, building and structure shall be operated in full compliance with the approved site and operational plan, any required conditional use permit, any required license and all other applicable provisions of this chapter and of all other Village ordinances and codes.
- M. Municipal services required.
- (1) Authorized sanitary sewer system. See § 420-32 of this chapter.
 - (2) Authorized water supply system. See § 420-33 of this chapter.

Adopted this ____ day of _____ 2022.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane C. Snell
Village Clerk

Posted: _____
____-pr-3 district amendments
CODE2209-001