

**VILLAGE OF WESTON
ORDINANCE 22-013**

**AN ORDINANCE AMENDING SECTION 94.4.02(3) OF THE ZONING CODE
RELATING TO MULTI-FAMILY RESIDENCES.**

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: **AMENDMENT** “Sec 94.4.02 Residential Land Use Types” of the Weston Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 94.4.02 Residential Land Use Types

1. Single-Family Detached Residence.

A dwelling unit designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit, and located on an individual lot. The dwelling unit must be a site-built structure built in compliance with the State of Wisconsin Uniform Dwelling Code (UDC), or by federal law may be a manufactured dwelling (modular home) as permitted by the UDC or a manufactured home that has received a Federal Manufactured Housing Certificate label. Mobile homes that have not received a Federal Manufactured Housing Certificate label are not included within the Single-Family Detached Residence land use type.

Performance Standards: The following performance standards shall apply to each Single-Family Detached Residence constructed or expanded as defined by Section 94.10.02 after March 18, 2015, except that any of the standards 1 through 8 may be waived or modified by conditional use permit, upon a finding that the architectural style of the proposed residence provides compensating design features and that the proposed residence will be compatible and harmonious with other residences in the vicinity. If alterations are made to any of the individual standards listed below, then said standard shall be met.

- a. Shall have minimum gross floor area of 1,000 square feet, not including an attached garage, carport, deck, porch, or unfinished basement.
- b. Shall be served by a garage on the same lot of at least 400 square feet of gross floor area for each dwelling unit and meeting associated requirements in Section 94.4.09(2).
- c. Shall have a roof with a pitch of at least 3 inches in height for each foot of width and an eave which extends at least 6 inches from the wall which supports the roof.
- d. Each residence and attached building shall have a roof surfaced with any of the following: wood shakes; asphalt, composition, or wood shingles; clay, concrete or metal tiles; slate; built-up gravel materials; screw down metal roofing; rubber membrane (for flat roofs or roofs with no greater than a 1:12 pitch); or similar material approved by the Zoning Administrator.
- e. Each residence and attached building shall be covered with siding made of wood,

masonry, concrete, stucco, Masonite, vinyl, metal lap, or similar material approved by the Zoning Administrator. Exterior siding shall extend down to the top of the foundation. If the top of the foundation is below grade, the siding shall extend to the ground.

- f. Shall be placed on a finished, permanent foundation, such as a poured concrete slab or basement meeting UDC requirements. Such foundation shall not extend more than 24 inches above the exterior finished grade of the lot, except that where the grade of the lot slopes, only that portion of the foundation which is on the highest point of the lot must meet this requirement.
- g. The side of any residence facing the front yard shall not be less than 24 feet in width, not including attached garages, carports, and open decks. The ratio of each residence's length to its width shall be no greater than 5 to 2. Therefore, a minimum 24-foot long residence must be at least 9 feet 7 inches wide.
- h. The width of attached garages with front yard facing garage doors shall be limited to a maximum of 60 percent of the overall width of the residence as it faces the front yard.
- i. May not be split into two or more dwelling units, except for "In-Home Suites" meeting the requirements of this Article.
- j. If in a subdivision platted after March 18, 2015, shall meet the single-family and two-family housing variety standards in Section 94.10.02.
- k. No carport may be attached to a Single-Family Detached Residence after March 18, 2015.
- l. Minimum Required Off-Street Parking: 2 outdoor spaces, such as in a driveway, plus garage space(s). All motor vehicles shall be parked on a hard surface as defined in Section 94.17.04, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.

[Amended via Ord. 17-035, 12/20/2017; Ord. 19-015, 9/19/19]

2. Two-Family Residence.

A single structure containing two separate dwelling units, each unit having a private individual exterior access, and with no shared internal access within the building. Two-Family Residences can be constructed as attached side-by-side units each with a ground floor and roof (duplex), or as a two-story structure with one unit above the other (flats). Where side-by-side, both dwelling units may either share the same lot or be on separate lots as a "zero lot line" structure, such as that depicted in the top panel of Figure 4.02. If alterations are made to any of the individual standards listed below, then said standard shall be met.

Performance Standards:

- a. Each Two-Family Residence constructed or expanded as defined by Section 94.10.02 after March 18, 2015 shall meet performance standards 1 through 8 in subsection (1) above, except where otherwise allowed by conditional use permit.
- b. The structure must be in compliance with the Wisconsin Uniform Dwelling Code (UDC).
- c. Where side by side, a building code-required, fire rated wall must separate the two dwelling units from the lowest level to flush against the underside of the roof.
- d. Individual sanitary sewer and public water laterals and utility meters are required for each dwelling unit.
- e. The minimum gross floor area of each dwelling unit shall be 700 square feet, exclusive

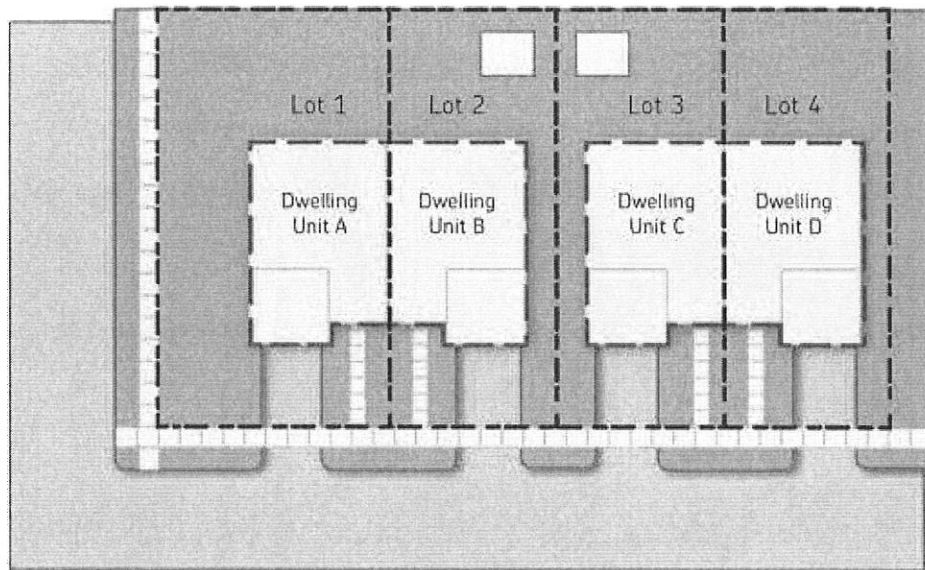
of attached garages, carports, and open decks/porches.

- f. If in a subdivision platted after March 18, 2015, shall meet the single-family and two-family housing variety standards in Section 94.10.02.
- g. Each unit within each new Two-Family Residence shall be served by a separate driveway, or minimum driveway width for any shared driveway shall be not less than 30 feet at the front lot line.
- h. No carport may be attached to a Two-Family Residence after July 26, 2017.
- i. Minimum Required Off-Street Parking: 2 outdoor spaces per dwelling unit, such as in a driveway, plus spaces in garage(s). All motor vehicles shall be parked on a hard surface, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.
- j. Zero Lot Line Structures (see Figure 4.02(1)). For buildings containing two separate dwelling units constructed side-by-side, with each unit located on a separate lot, having a private individual exterior access, and no shared internal access within the building, the following additional standards shall apply:
 - i. The duplex shall meet the front, side, and rear setbacks required for the applicable zoning district, except that the shared wall shall have no minimum setback requirement.
 - ii. The builder shall provide, with the zoning permit or building permit application, an agreement or covenant specifying maintenance standards for the common wall, maintenance and replacement standards for exterior surfaces of the building to maintain a neat and harmonious appearance over time, maintenance standards for any common sewer lateral and any other common features, and restrictions against construction of detached single family residences on any of the affected lots in the event either or all sides of the zero lot line construction dwelling are destroyed. Such agreement or covenant shall also provide that it may not be terminated, amended or otherwise altered without the approval of the Village Board. Such agreement shall be subject to Zoning Administrator approval, and then recorded by the builder against all affected properties prior to occupancy of the dwelling as a zero-lot line structure.

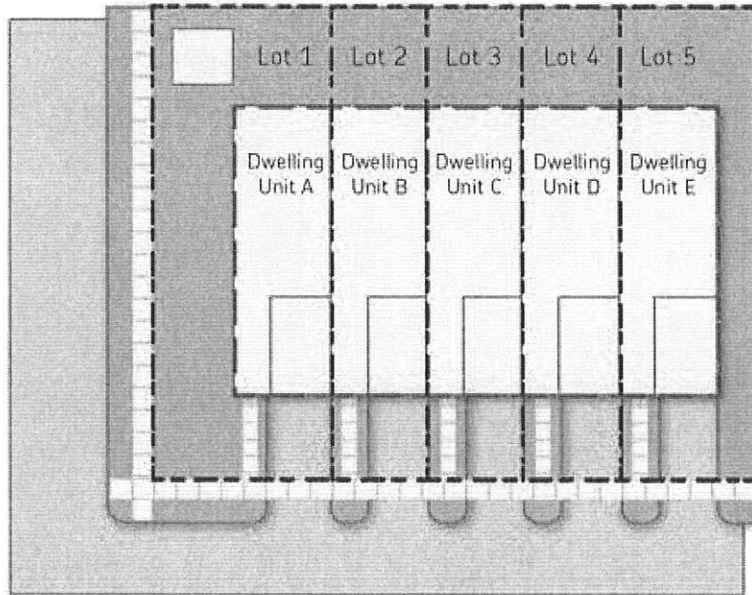
[Amended via Ord. 17-016, 7/26/2017; Ord. 17-035, 12/20/2017; Ord. 19-001, 1/23/19]

Figure 4.02(1): Examples of Zero Lot Line Structures

Duplex Example



Townhouse / Row House Example



[Amended via Ord. 19-001, 1/23/19]

3. Multi-Family Residence.

A single structure with three or more individual attached dwelling units, including “rental apartments,” condominium buildings with 3 units each, townhouses, and row houses. Each dwelling unit may take access from a shared entrance or hallway or from a private, individual exterior doorway. “Institutional Residential Uses,” as defined in this Chapter, are regulated

separately.

Performance Standards: The performance standards in Figure 4.02(2) apply to each new development containing a Multi-family Residence established after January 1, 2019 and to any approved expansion or conversion to such a development after such date to the extent determined practical by the site plan approval authority. The site plan approval application shall, in addition to providing all materials required under Section 94.16.09(4), shall be accompanied by all materials necessary to assure compliance with the performance standards.

[Amended via Ord. 19-001, 1/23/19]

Figure 4.02(2): Performance Standards for Multi-Family Residences and Associated Developments

R = Required
 Blank Cell = Allowed
 NA = Not Allowed

Performance Standard (to right, R = Required)	Number of Dwelling Units in Development (regardless of number of units per building or number of buildings in development)		
	3-8 units	9-32 units	31 units
1. Dwellings meet design standards for Multi-Family Residences in Section 94.10.03.	R	R	R
2. Detached Accessory Structures meet standards in Section 94.4.09(2).	R	R	R
3. Public sewer and water service.	R	R	R
4. Zero-lot line structures meet applicable standards in	R	R	R

Section 94.4.02(2).			
5. Minimum of 1 unit for every 33 units designed for handicapped accessibility.			R
6. Minimum of 500 square feet of Gross Floor Area per efficiency and 1-bedroom unit and 700 square feet per 2 bedroom unit, not including garages or open decks, porches, patios, etc.	R	R	R
7. Within the 2F zoning district, each Multi-Family Residence of within a townhouse or row house building has an attached garage. (Townhouse/row house defined in Section 94.17.04.)	R	R	R
8. Off-street motor vehicle parking: • Minimum 1 parking space per			

<p>efficiency/1-bedroom unit; 1 parking space per bedroom for each 2 bedroom unit, and one visitor parking space for every 4 units. • On a hard surface as defined in Section 94.17.04. • No attached carport. • Minimum of 1 enclosed (e.g., underbuilding, garage) parking space per dwelling unit.</p>	<p>R</p>	<p>R</p>	<p>R</p>
<p>9. Safe and convenient pedestrian facilities, such as hard-surfaced walkways, linking residential building entrances with parking and recreational facilities and with existing and planned bike and pedestrian facilities along adjacent</p>		<p>R</p>	<p>R</p>

roadways and parcels.			
10. Designated off-street bicycle parking space in bike rack or similar, near building entrance.		R	R
11. Serviced by manager with an office or residence <30 miles away.	R	R	R
12. Manager or maintenance person residing on-site.			R
13. Bufferyard per Section 94.11.02(3)(d) along all property lines abutting single family residentially zoned property.	R	R	R
14. Storage and removal of waste and recyclable materials per Sections 66.112, 66.114, 66.115, and 94.12.06(2) as applicable.	R	R	R
15. All building entrances secured, either by key or keyless entry	R	R	R

provided to residents.			
16. Security cameras in parking lots (including underbuilding) and at common entryways.		R	R
17. Secured indoor storage areas to at least 50% of dwelling units.		R	R
18. Clothes washing machines and dryers in at least 50% of dwelling units.		R	R
19. Heating and air conditioning within all units and indoor common areas, except for enclosed parking areas, allowing for occupant control and not allowing window units.	R	R	R
20. Sound mitigation in all shared walls and floors between separate units to reduce sound transmission			

<p>between units, with a minimum standard Sound Transmission Class (STC) meeting the requirements of Section 1207 of the International Building Code.</p>	<p>R</p>	<p>R</p>	<p>R</p>
<p>21. Dedicated, on-site location for centralized mail delivery (e.g., cluster mailbox), coordinating type and location with Village and U.S. Postal Service.</p>		<p>R</p>	<p>R</p>
<p>22. Deliberately designed and improved common recreational facility for use of tenants and their guests only, such as a community room, exercise room, clubhouse, pool, playground, play courts, gazebo, fire pit, fenced pet exercise area,</p>			<p>R</p>

<p>or common garden with water, shed, fencing, and equipment. Selected facility should be geared to the expected demographics and interests of tenants.</p>			
<p>23. Usable outdoor open space in the quantity provided in Figure 4.02(3). Usable outdoor open space is common outdoor area available, designed, and sufficiently square or round for the intended outdoor recreational activities (including those in line 22) and located outside of the floodplain, wetlands, surface waters, stormwater basins and conveyance routes, slopes of 12% or greater, and other areas</p>	<p>R</p>	<p>R</p>	<p>R</p>

with severe limitations for recreational use in the determination of the site plan approval authority.			
--	--	--	--

[Amended via Ord. 19-001, 1/23/19]

Figure 4.02(3): Usable Outdoor Open Space Worksheet for Developments Containing Multi-Family Dwellings

A Directions	B # dwelling units		C Sq. Ft./unit		D Total sq. Ft.
1	Calculate usable outdoor open space required ¹	x	300 required	=	
2	Calculate outdoor private open space provided for individual dwelling units, such patios, porches, balcony, and decks, counting only those areas of 48 sq. ft. or greater not including steps	x		=	
3	Subtract Column D of Line 2 from Line 1	Remaining usable outdoor open space required			
4	Calculate square footage of deliberately designed and improved common recreational facilities for tenants and their guests, such as community room, exercise room, clubhouse, pool; playground, play courts, gazebo, fire pit; fenced pet exercise area; common garden with water, shed, fencing, and equipment.	Amenity (list and describe)	Sq. ft.		
		Total common			

5	Add square footages from Line 5, Column C	recreational facility square footage provided			
6	Multiply Line 5, Column C by 2	Common recreational facility “bonus” counting towards requirement	x2	=	
7	Subtract Line 6 from Line 3, Column D	Remaining usable outdoor open space required for development ¹		=	

Note: ¹ See Figure 4.02(3), line 23, for definition of “usable outdoor open space”.

[Amended via Ord. 17-014, 7/26/2017; Ord. 19-001, 1/23/19]

4. **Manufactured Home Community.**

This land use is a form of residential development that is exclusively reserved for individually sold or rented pads or sites containing mobile homes and/or manufactured homes. The placement or replacement of mobile homes, as defined in Article 17, is not permitted anywhere within the jurisdiction of this Chapter.

Performance Standards: The following performance standards apply to each new Manufactured Home Community established after March 18, 2015, any approved expansion or conversion to a Manufactured Home Community after such date, and each existing Manufactured Home Community to the extent determined practical by the Zoning Administrator.

- a. No mobile or manufactured home may be split into two or more residences.
- b. A concrete slab shall be provided for each mobile home space.
- c. Prior to occupancy, the owner shall remove the axle, install a fire and weather resistant pre finished material surrounding the entire perimeter of the home and completely enclosing a space between the exterior wall of such home and the ground. Such foundation siding shall be properly vented, harmonious, and compatible with the home.
- d. Attachments to a mobile home unit, such as a sun porch or windbreak, shall not be wider than eight feet or longer than 24 feet.
- e. Each mobile home shall be used primarily as a residence for one family. No mobile home shall be used primarily as a storage unit. Storage under mobile homes is prohibited.

- f. No mobile or manufactured home site shall be rented for a period of less than 30 days.
- g. Wrecked, damaged, dilapidated, or abandoned mobile or manufactured homes shall not be kept or stored upon any premise. The Building Inspector shall determine if a mobile home is abandoned, wrecked, damaged, or dilapidated to a point that makes it unfit for human occupancy without an investment in the mobile or manufactured home that is greater than 50 percent of its assessed value. Whenever the Building Inspector so determines and declared a public nuisance under Chapter 50 of the Code, he or she shall notify the licensee or landowner and owner of the mobile home in writing, giving the findings upon which, his determination is based and shall order such home removed or repaired to a safe and sanitary condition of occupancy.
- h. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided and continuously maintained along all property borders abutting single family residentially zoned property.
- i. No mobile/manufactured home units, attachments thereto, or associated parking areas shall be located closer than 40 feet to an abutting public right-of-way external to the Manufactured Home Community. Landscape plantings providing screening shall be provided between any external public right-of-way and a mobile/manufactured home or parking area.
- j. No mobile/manufactured home unit or attachment thereto (including but not limited to decks and carports) shall be located closer than 20 feet from any other mobile/manufactured home unit or attachment thereto.
- k. Vehicular entrances to a Manufactured Home Community shall only be provided on external collector streets or arterial streets.
- l. Vehicular entrances to each mobile home shall be from a shared private street or dedicated public street internal to the Manufactured Home Community.
- m. A minimum of 25 percent of the total lots or spaces approved within a Manufactured Home Community shall be completed and ready for occupancy before first occupancy is permitted. This standard shall not apply to an expansion of an existing Manufactured Home Community, provided such expansion is in full compliance with all applicable requirements of this Chapter.
- n. No less than 10 percent of the total area of any Manufactured Home Community shall be devoted to common recreational areas and facilities, including but not limited to playgrounds, community swimming pools, community buildings, and off-street recreation trails. Areas included in the calculation of common recreational facilities shall not include streets or parking areas.
- o. Access for pedestrians and cyclists entering or leaving the community shall be by safe and convenient routes. Pedestrian and bicycle crossings shall be safely located, marked, and controlled.
- p. There shall be safe, efficient, convenient, and harmonious groupings of structures, uses, and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features. Streets shall be arranged so as to discourage outside traffic from traversing the community.
- q. Pedestrian walkways shall form a logical, safe, and convenient system for pedestrian access to all dwellings, project facilities, and principal off street pedestrian destinations. Maximum walking distance in the open between dwelling units and related parking spaces, delivery areas and trash and garbage storage areas intended for use of occupants shall not exceed 100 feet.

- r. The Zoning Administrator, Fire Chief, or their lawful agents or employees are authorized and directed to inspect each Manufactured Home Community not less than once in every 12-month period to determine the health, safety, and welfare of the occupants of the park and inhabitants as affected thereby and the compliance of structures and activities therein with this Chapter and all other applicable laws.
- s. Before any mobile or manufactured home may be located within a Manufactured Home Community, its placement shall be approved per Chapters 14 and 46 of the Code.
- t. Except for those mobile homes in place as of March 18, 2015, there shall be no mobile homes placed, replaced, installed, stored, or otherwise kept in any Manufactured Home Community, as the term "mobile home" is defined in Article 17.
- u. Except for those manufactured homes in place as of March 18, 2015, there shall be no manufactured homes placed, replaced, installed, stored, or otherwise kept in any Manufactured Home Community, as the term "manufactured home" is defined in Article 17, except for those manufactured homes that meet the criteria in Section 94.4.02(1).
- v. Each vacant mobile home space or site shall be properly secured, maintained in a neat condition free from debris and properly mowed, and have all ground openings safely and securely covered or sealed.
- w. No mobile or manufactured home or other building shall be installed, stored, or kept within any power, pipeline, or utility easement. Any preexisting mobile home so located shall be immediately removed from the Manufactured Home Community; any preexisting manufactured home may be removed or relocated to a non-easement location.
- x. Each new and expanded Manufactured Home Community shall be subject to site plan approval under Section 94.16.09, and as part of the site plan submittal shall include a plan that includes clearly delineated lots that are at least 5,000 square feet and 50 feet in width each.
- y. Each new and expanded Manufactured Home Community, with expansion meaning the addition of one or more improved mobile home sites, shall make available or install one or more storm shelters for use by residents during severe weather, meeting all applicable FEMA design standards.
- z. Minimum Required Off-Street Parking: 2 spaces per mobile home plus parking necessary for other on-site uses, including but not limited to rental offices, community centers, or recreation facilities. All motor vehicles shall be parked on a hard surface, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.

5. Mixed Use Dwelling Unit.

A Mixed Use Dwelling Unit is a residential dwelling unit located within the same building as another land use type, generally above the ground floor of a building used for an office, business, or institutional land use, except where otherwise allowed per the following performance standards.

Performance Standards:

- a. With each building permit application, the applicant must provide evidence of

- covenants specifying the obligations for each dwelling unit with respect to any common structures, such as the shared wall, roof, and other inseparable improvements.
- b. A Mixed Use Dwelling Unit located on the ground floor of a building used for an office, business, or institutional land use may not be located within the first 24 feet of the ground floor as measured from the front of the building.
 - c. Additional entrances shall not be added to the front elevation of an existing building, but may be added to interior side, rear, or street side elevations.
 - d. Mixed Use Dwelling Unit entryways located off of a rear or interior side yard shall be connected to a street frontage by a hard-surfaced walkway or driveway.
 - e. Such uses shall, to the extent determined practical by the Village approval authority, meet the performance standards for “Multi-Family Residences” established in Figure 4.02(2).
 - f. Minimum Required Parking: Per Figure 4.02(2). Each non-residential use in the same building as a Mixed Use Dwelling Unit shall meet associated parking requirements in Section 94.4.05.

[Amended via Ord. 19-001, 1/23/19]

AFTER AMENDMENT

Sec 94.4.02 Residential Land Use Types

1. **Single-Family Detached Residence.**

A dwelling unit designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit, and located on an individual lot. The dwelling unit must be a site-built structure built in compliance with the State of Wisconsin Uniform Dwelling Code (UDC), or by federal law may be a manufactured dwelling (modular home) as permitted by the UDC or a manufactured home that has received a Federal Manufactured Housing Certificate label. Mobile homes that have not received a Federal Manufactured Housing Certificate label are not included within the Single-Family Detached Residence land use type.

Performance Standards: The following performance standards shall apply to each Single-Family Detached Residence constructed or expanded as defined by Section 94.10.02 after March 18, 2015, except that any of the standards 1 through 8 may be waived or modified by conditional use permit, upon a finding that the architectural style of the proposed residence provides compensating design features and that the proposed residence will be compatible and harmonious with other residences in the vicinity. If alterations are made to any of the individual standards listed below, then said standard shall be met.

- a. Shall have minimum gross floor area of 1,000 square feet, not including an attached garage, carport, deck, porch, or unfinished basement.
- b. Shall be served by a garage on the same lot of at least 400 square feet of gross floor area for each dwelling unit and meeting associated requirements in Section 94.4.09(2).
- c. Shall have a roof with a pitch of at least 3 inches in height for each foot of width and an eave which extends at least 6 inches from the wall which supports the roof.
- d. Each residence and attached building shall have a roof surfaced with any of the following: wood shakes; asphalt, composition, or wood shingles; clay, concrete or

metal tiles; slate; built-up gravel materials; screw down metal roofing; rubber membrane (for flat roofs or roofs with no greater than a 1:12 pitch); or similar material approved by the Zoning Administrator.

- e. Each residence and attached building shall be covered with siding made of wood, masonry, concrete, stucco, Masonite, vinyl, metal lap, or similar material approved by the Zoning Administrator. Exterior siding shall extend down to the top of the foundation. If the top of the foundation is below grade, the siding shall extend to the ground.
- f. Shall be placed on a finished, permanent foundation, such as a poured concrete slab or basement meeting UDC requirements. Such foundation shall not extend more than 24 inches above the exterior finished grade of the lot, except that where the grade of the lot slopes, only that portion of the foundation which is on the highest point of the lot must meet this requirement.
- g. The side of any residence facing the front yard shall not be less than 24 feet in width, not including attached garages, carports, and open decks. The ratio of each residence's length to its width shall be no greater than 5 to 2. Therefore, a minimum 24-foot long residence must be at least 9 feet 7 inches wide.
- h. The width of attached garages with front yard facing garage doors shall be limited to a maximum of 60 percent of the overall width of the residence as it faces the front yard.
- i. May not be split into two or more dwelling units, except for "In-Home Suites" meeting the requirements of this Article.
- j. If in a subdivision platted after March 18, 2015, shall meet the single-family and two-family housing variety standards in Section 94.10.02.
- k. No carport may be attached to a Single-Family Detached Residence after March 18, 2015.
- l. Minimum Required Off-Street Parking: 2 outdoor spaces, such as in a driveway, plus garage space(s). All motor vehicles shall be parked on a hard surface as defined in Section 94.17.04, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.

[Amended via Ord. 17-035, 12/20/2017; Ord. 19-015, 9/19/19]

2. **Two-Family Residence.**

A single structure containing two separate dwelling units, each unit having a private individual exterior access, and with no shared internal access within the building. Two-Family Residences can be constructed as attached side-by-side units each with a ground floor and roof (duplex), or as a two-story structure with one unit above the other (flats). Where side-by-side, both dwelling units may either share the same lot or be on separate lots as a "zero lot line" structure, such as that depicted in the top panel of Figure 4.02. If alterations are made to any of the individual standards listed below, then said standard shall be met.

Performance Standards:

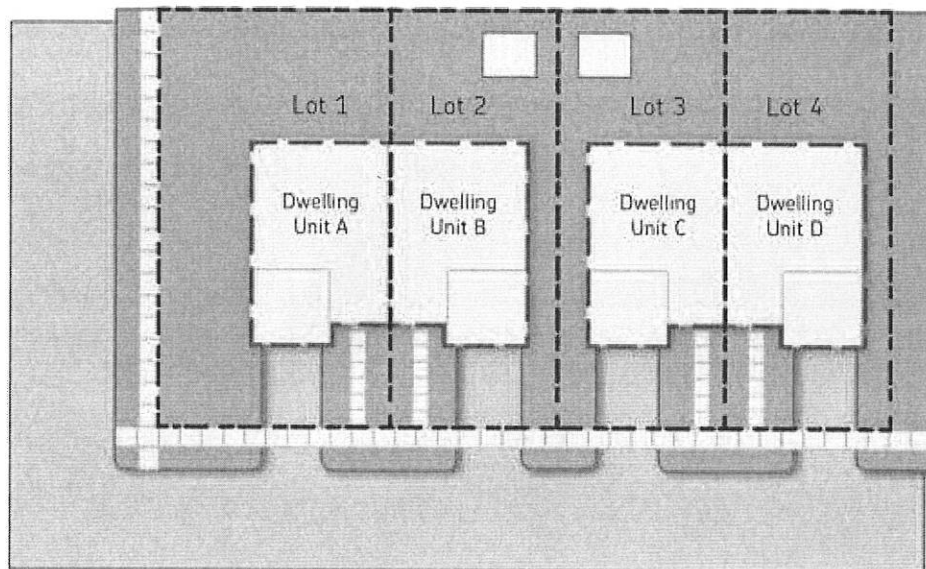
- a. Each Two-Family Residence constructed or expanded as defined by Section 94.10.02 after March 18, 2015 shall meet performance standards 1 through 8 in subsection (1) above, except where otherwise allowed by conditional use permit.
- b. The structure must be in compliance with the Wisconsin Uniform Dwelling Code (UDC).
- c. Where side by side, a building code-required, fire rated wall must separate the two dwelling units from the lowest level to flush against the underside of the roof.

- d. Individual sanitary sewer and public water laterals and utility meters are required for each dwelling unit.
- e. The minimum gross floor area of each dwelling unit shall be 700 square feet, exclusive of attached garages, carports, and open decks/porches.
- f. If in a subdivision platted after March 18, 2015, shall meet the single-family and two-family housing variety standards in Section 94.10.02.
- g. Each unit within each new Two-Family Residence shall be served by a separate driveway, or minimum driveway width for any shared driveway shall be not less than 30 feet at the front lot line.
- h. No carport may be attached to a Two-Family Residence after July 26, 2017.
- i. Minimum Required Off-Street Parking: 2 outdoor spaces per dwelling unit, such as in a driveway, plus spaces in garage(s). All motor vehicles shall be parked on a hard surface, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.
- j. Zero Lot Line Structures (see Figure 4.02(1)). For buildings containing two separate dwelling units constructed side-by-side, with each unit located on a separate lot, having a private individual exterior access, and no shared internal access within the building, the following additional standards shall apply:
 - i. The duplex shall meet the front, side, and rear setbacks required for the applicable zoning district, except that the shared wall shall have no minimum setback requirement.
 - ii. The builder shall provide, with the zoning permit or building permit application, an agreement or covenant specifying maintenance standards for the common wall, maintenance and replacement standards for exterior surfaces of the building to maintain a neat and harmonious appearance over time, maintenance standards for any common sewer lateral and any other common features, and restrictions against construction of detached single family residences on any of the affected lots in the event either or all sides of the zero lot line construction dwelling are destroyed. Such agreement or covenant shall also provide that it may not be terminated, amended or otherwise altered without the approval of the Village Board. Such agreement shall be subject to Zoning Administrator approval, and then recorded by the builder against all affected properties prior to occupancy of the dwelling as a zero-lot line structure.

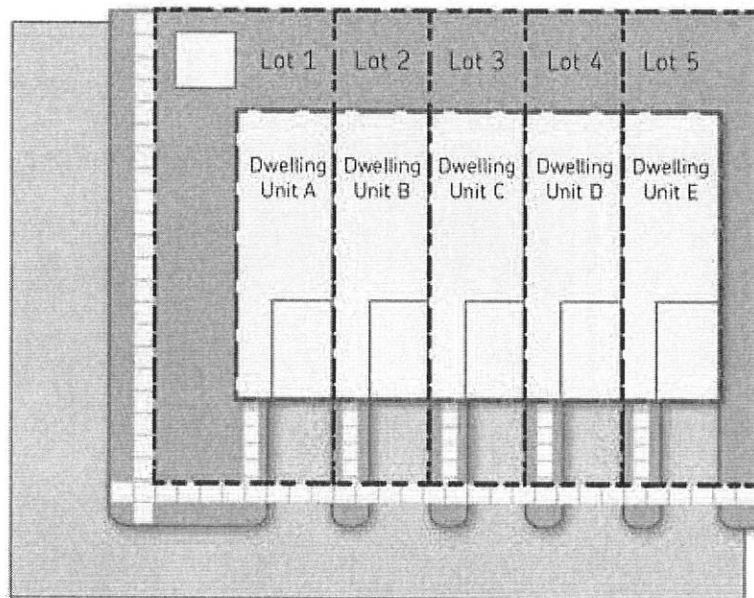
[Amended via Ord. 17-016, 7/26/2017; Ord. 17-035, 12/20/2017; Ord. 19-001, 1/23/19]

Figure 4.02(1): Examples of Zero Lot Line Structures

Duplex Example



Townhouse / Row House Example



[Amended via Ord. 19-001, 1/23/19]

3. Multi-Family Residence.

A single structure with three or more individual attached dwelling units, including “rental apartments,” condominium buildings with 3 units each, townhouses, and row houses. Each dwelling unit may take access from a shared entrance or hallway or from a private, individual exterior doorway. “Institutional Residential Uses,” as defined in this Chapter, are regulated

separately.

Performance Standards: The performance standards in Figure 4.02(2) apply to each new development containing a Multi-family Residence established after January 1, 2019 and to any approved expansion or conversion to such a development after such date to the extent determined practical by the site plan approval authority. The site plan approval application shall, in addition to providing all materials required under Section 94.16.09(4), shall be accompanied by all materials necessary to assure compliance with the performance standards.

[Amended via Ord. 19-001, 1/23/19]

Figure 4.02(2): Performance Standards for Multi-Family Residences and Associated Developments

R = Required
 Blank Cell = Allowed
 NA = Not Allowed

Performance Standard (to right, R = Required)	Number of Dwelling Units in Development (regardless of number of units per building or number of buildings in development)		
	3-8 units	9-32 units	313 units
1. Dwellings meet design standards for Multi-Family Residences in Section 94.10.03.	R	R	R
2. Detached Accessory Structures meet standards in Section 94.4.09(2).	R	R	R
3. Public sewer and water service.	R	R	R
4. Zero-lot line structures meet applicable standards in	R	R	R

Section 94.4.02(2).			
5. Minimum of 1 unit for every 33 units designed for handicapped accessibility.			R
6. Minimum of 500 square feet of Gross Floor Area per efficiency and 1-bedroom unit and 700 square feet per 2 bedroom unit, not including garages or open decks, porches, patios, etc.	R	R	R
7. Within the 2F zoning district, each Multi-Family Residence of within a townhouse or row house building has an attached garage. (Townhouse/row house defined in Section 94.17.04.)	R	R	R
8. Off-street motor vehicle parking: • Minimum 1 parking space			

<p>per efficiency/1-bedroom unit; 1 parking space per bedroom for each 2 bedroom unit, and one visitor parking space for every 4 units. • On a hard surface as defined in Section 94.17.04. • No attached carport. • Minimum of 1 enclosed (e.g., underbuilding, garage) parking space per dwelling unit.</p>	<p>R</p>	<p>R</p>	<p>R</p>
<p>9. Safe and convenient pedestrian facilities, such as hard-surfaced walkways, linking residential building entrances with parking and recreational facilities and with existing and planned bike and pedestrian facilities along adjacent</p>		<p>R</p>	<p>R</p>

roadways and parcels.			
10. Designated off-street bicycle parking space in bike rack or similar, near building entrance.		R	R
11. Serviced by manager with an office or residence <30 miles away.	R	R	R
12. Manager or maintenance person residing on-site.			R
13. Bufferyard per Section 94.11.02(3)(d) along all property lines abutting single family residentially zoned property.	R	R	R
14. Storage and removal of waste and recyclable materials per Sections 66.112, 66.114, 66.115, and 94.12.06(2) as applicable.	R	R	R
15. All building entrances secured, either by key or	R	R	R

keyless entry provided to residents.			
16. Security cameras in parking lots (including underbuilding) and at common entryways.		R	R
17. Secured indoor storage areas to at least 50% of dwelling units.		R	R
18. Clothes washing machines and dryers in at least 50% of dwelling units.		R	R
19 18. Heating and air conditioning within all units and indoor common areas, except for enclosed parking areas, allowing for occupant control and not allowing window units.	R	R	R
20 19. Sound mitigation in all shared walls and floors between separate units to reduce sound			

<p>transmission between units, with a minimum standard Sound Transmission Class (STC) meeting the requirements of Section 1207 of the International Building Code.</p>	<p>R</p>	<p>R</p>	<p>R</p>
<p>2120. Dedicated, on-site location for centralized mail delivery (e.g., cluster mailbox), coordinating type and location with Village and U.S. Postal Service.</p>		<p>R</p>	<p>R</p>
<p>2221. Deliberately designed and improved common recreational facility for use of tenants and their guests only, such as a community room, exercise room, clubhouse, pool, playground, play courts, gazebo, fire pit,</p>			<p>R</p>

<p>fenced pet exercise area, or common garden with water, shed, fencing, and equipment. Selected facility should be geared to the expected demographics and interests of tenants.</p>			
<p>2322. Usable outdoor open space in the quantity provided in Figure 4.02(3). Usable outdoor open space is common outdoor area available, designed, and sufficiently square or round for the intended outdoor recreational activities (including those in line 221) and located outside of the floodplain, wetlands, surface waters, stormwater basins and conveyance routes, slopes</p>	<p>R</p>	<p>R</p>	<p>R</p>

of 12% or greater, and other areas with severe limitations for recreational use in the determination of the site plan approval authority.			
---	--	--	--

[Amended via Ord. 19-001, 1/23/19]

Figure 4.02(3): Usable Outdoor Open Space Worksheet for Developments Containing Multi-Family Dwellings

A Directions	B # dwelling units		C Sq. Ft./unit		D Total sq. Ft.
1	Calculate usable outdoor open space required ¹	x	300 required	=	
2	Calculate outdoor private open space provided for individual dwelling units, such patios, porches, balcony, and decks, counting only those areas of 48 sq. ft. or greater not including steps	x		=	
3	Subtract Column D of Line 2 from Line 1	Remaining usable outdoor open space required			
4	Calculate square footage of deliberately designed and improved common recreational facilities for tenants and their guests, such as community room, exercise room, clubhouse, pool; playground, play courts, gazebo, fire pit; fenced pet exercise area; common garden with	Amenity (list and describe)	Sq. ft.		

	water, shed, fencing, and equipment.				
5	Add square footages from Line 5, Column C	Total common recreational facility square footage provided			
6	Multiply Line 5, Column C by 2	Common recreational facility “bonus” counting towards requirement	x2	=	
7	Subtract Line 6 from Line 3, Column D	Remaining usable outdoor open space required for development ¹		=	

Note: ¹ See Figure 4.02(32), line 232, for definition of “usable outdoor open space”.

[Amended via Ord. 17-014, 7/26/2017; Ord. 19-001, 1/23/19]

4. **Manufactured Home Community.**

This land use is a form of residential development that is exclusively reserved for individually sold or rented pads or sites containing mobile homes and/or manufactured homes. The placement or replacement of mobile homes, as defined in Article 17, is not permitted anywhere within the jurisdiction of this Chapter.

Performance Standards: The following performance standards apply to each new Manufactured Home Community established after March 18, 2015, any approved expansion or conversion to a Manufactured Home Community after such date, and each existing Manufactured Home Community to the extent determined practical by the Zoning Administrator.

- a. No mobile or manufactured home may be split into two or more residences.
- b. A concrete slab shall be provided for each mobile home space.
- c. Prior to occupancy, the owner shall remove the axle, install a fire and weather resistant pre finished material surrounding the entire perimeter of the home and completely enclosing a space between the exterior wall of such home and the ground. Such foundation siding shall be properly vented, harmonious, and compatible with the home.
- d. Attachments to a mobile home unit, such as a sun porch or windbreak, shall not be wider than eight feet or longer than 24 feet.
- e. Each mobile home shall be used primarily as a residence for one family. No mobile

home shall be used primarily as a storage unit. Storage under mobile homes is prohibited.

- f. No mobile or manufactured home site shall be rented for a period of less than 30 days.
- g. Wrecked, damaged, dilapidated, or abandoned mobile or manufactured homes shall not be kept or stored upon any premise. The Building Inspector shall determine if a mobile home is abandoned, wrecked, damaged, or dilapidated to a point that makes it unfit for human occupancy without an investment in the mobile or manufactured home that is greater than 50 percent of its assessed value. Whenever the Building Inspector so determines and declared a public nuisance under Chapter 50 of the Code, he or she shall notify the licensee or landowner and owner of the mobile home in writing, giving the findings upon which, his determination is based and shall order such home removed or repaired to a safe and sanitary condition of occupancy.
- h. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided and continuously maintained along all property borders abutting single family residentially zoned property.
- i. No mobile/manufactured home units, attachments thereto, or associated parking areas shall be located closer than 40 feet to an abutting public right-of-way external to the Manufactured Home Community. Landscape plantings providing screening shall be provided between any external public right-of-way and a mobile/manufactured home or parking area.
- j. No mobile/manufactured home unit or attachment thereto (including but not limited to decks and carports) shall be located closer than 20 feet from any other mobile/manufactured home unit or attachment thereto.
- k. Vehicular entrances to a Manufactured Home Community shall only be provided on external collector streets or arterial streets.
 - l. Vehicular entrances to each mobile home shall be from a shared private street or dedicated public street internal to the Manufactured Home Community.
- m. A minimum of 25 percent of the total lots or spaces approved within a Manufactured Home Community shall be completed and ready for occupancy before first occupancy is permitted. This standard shall not apply to an expansion of an existing Manufactured Home Community, provided such expansion is in full compliance with all applicable requirements of this Chapter.
- n. No less than 10 percent of the total area of any Manufactured Home Community shall be devoted to common recreational areas and facilities, including but not limited to playgrounds, community swimming pools, community buildings, and off-street recreation trails. Areas included in the calculation of common recreational facilities shall not include streets or parking areas.
- o. Access for pedestrians and cyclists entering or leaving the community shall be by safe and convenient routes. Pedestrian and bicycle crossings shall be safely located, marked, and controlled.
- p. There shall be safe, efficient, convenient, and harmonious groupings of structures, uses, and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features. Streets shall be arranged so as to discourage outside traffic from traversing the community.
- q. Pedestrian walkways shall form a logical, safe, and convenient system for pedestrian access to all dwellings, project facilities, and principal off street pedestrian destinations. Maximum walking distance in the open between dwelling units and related parking

spaces, delivery areas and trash and garbage storage areas intended for use of occupants shall not exceed 100 feet.

- r. The Zoning Administrator, Fire Chief, or their lawful agents or employees are authorized and directed to inspect each Manufactured Home Community not less than once in every 12-month period to determine the health, safety, and welfare of the occupants of the park and inhabitants as affected thereby and the compliance of structures and activities therein with this Chapter and all other applicable laws.
- s. Before any mobile or manufactured home may be located within a Manufactured Home Community, its placement shall be approved per Chapters 14 and 46 of the Code.
- t. Except for those mobile homes in place as of March 18, 2015, there shall be no mobile homes placed, replaced, installed, stored, or otherwise kept in any Manufactured Home Community, as the term "mobile home" is defined in Article 17.
- u. Except for those manufactured homes in place as of March 18, 2015, there shall be no manufactured homes placed, replaced, installed, stored, or otherwise kept in any Manufactured Home Community, as the term "manufactured home" is defined in Article 17, except for those manufactured homes that meet the criteria in Section 94.4.02(1).
- v. Each vacant mobile home space or site shall be properly secured, maintained in a neat condition free from debris and properly mowed, and have all ground openings safely and securely covered or sealed.
- w. No mobile or manufactured home or other building shall be installed, stored, or kept within any power, pipeline, or utility easement. Any preexisting mobile home so located shall be immediately removed from the Manufactured Home Community; any preexisting manufactured home may be removed or relocated to a non-easement location.
- x. Each new and expanded Manufactured Home Community shall be subject to site plan approval under Section 94.16.09, and as part of the site plan submittal shall include a plan that includes clearly delineated lots that are at least 5,000 square feet and 50 feet in width each.
- y. Each new and expanded Manufactured Home Community, with expansion meaning the addition of one or more improved mobile home sites, shall make available or install one or more storm shelters for use by residents during severe weather, meeting all applicable FEMA design standards.
- z. Minimum Required Off-Street Parking: 2 spaces per mobile home plus parking necessary for other on-site uses, including but not limited to rental offices, community centers, or recreation facilities. All motor vehicles shall be parked on a hard surface, or on a graveled surface if such surface was permitted before January 1, 2014 and completed within one year of issuance.

5. Mixed Use Dwelling Unit.

A Mixed Use Dwelling Unit is a residential dwelling unit located within the same building as another land use type, generally above the ground floor of a building used for an office, business, or institutional land use, except where otherwise allowed per the following performance standards.

Performance Standards:

- a. With each building permit application, the applicant must provide evidence of covenants specifying the obligations for each dwelling unit with respect to any common structures, such as the shared wall, roof, and other inseparable improvements.
- b. A Mixed Use Dwelling Unit located on the ground floor of a building used for an office, business, or institutional land use may not be located within the first 24 feet of the ground floor as measured from the front of the building.
- c. Additional entrances shall not be added to the front elevation of an existing building, but may be added to interior side, rear, or street side elevations.
- d. Mixed Use Dwelling Unit entryways located off of a rear or interior side yard shall be connected to a street frontage by a hard-surfaced walkway or driveway.
- e. Such uses shall, to the extent determined practical by the Village approval authority, meet the performance standards for “Multi-Family Residences” established in Figure 4.02(2).
- f. Minimum Required Parking: Per Figure 4.02(2). Each non-residential use in the same building as a Mixed Use Dwelling Unit shall meet associated parking requirements in Section 94.4.05.

[Amended via Ord. 19-001, 1/23/19]

SECTION 2: CUSTOM CLAUSE NAME

PASSED AND ADOPTED BY THE VILLAGE OF WESTON BOARD OF TRUSTEES
JUNE 23, 2022.

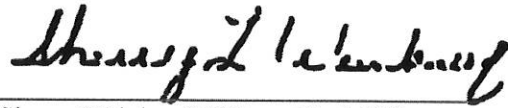
	AYE	NAY	ABSENT	ABSTAIN
Mark Maloney	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Barbara Ermeling	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Nathan Fiene	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Hooshang Zeyghami	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Steve Cronin	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jamie Weiland	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jasper Hartinger	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Mark Maloney, Village President,
Village of Weston



Sherry Weinkauff, Village Clerk Village
of Weston

