

**City of Stoughton Downtown Design Overlay Zoning District Procedures per  
Section 78-517**

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Phone and Email: \_\_\_\_\_

Property Owner Name (if different than applicant): \_\_\_\_\_

Property Owner Phone and Email: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

Prior to submitting the final application with the Zoning Administrator, the Applicant shall submit an initial draft application for staff review at least 3 weeks prior to a Planning Commission meeting, followed by one revised draft final application packet if necessary based upon staff review or staff comments. Final application materials are required to be submitted at least 2 weeks prior to a Plan Commission meeting.

Initial Packet

(1 electronic 11 x 17 copy of plans to Zoning Administrator) Date: \_\_\_\_\_

Final Packet (if necessary)

(1 electronic 11 x 17 copy of plans to Zoning Administrator) Date: \_\_\_\_\_

This form is designed to be used by the Applicant as a guide to submitting a complete application for a downtown design overlay zoning review *and* by the City to process said application. Follow specific requirements depending on the type of proposal as follows:

**Maintenance:** Maintenance shall be subject to approval by the Zoning Administrator. Maintenance includes preserving or repairing the existing exterior with the same colors, finishes or materials and may require a building/zoning permit and fee.

**Renovations:** Renovations are subject to Plan Commission approval as set forth in zoning code section 78-517. Renovations include a change in appearance of a structure such as component or signage substitution; painting, roofing, siding with different colors, finishes or materials. Applications for renovation review shall be accompanied by all of the following:

1. A building/zoning permit application (if required).
2. A clear depiction of the existing appearance of the property including color photographs including scaled or fully dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components and detailed building elevations proposed for alteration or replacement.

3. A clear depiction of the proposed appearance of the property including color renderings, paint charts, scaled or fully dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components and detailed building elevations of the proposed improvement.
4. A clear written description of the proposed modification including a complete listing of proposed components, materials and colors.
5. A clear written explanation regarding how the proposed alteration will conform to section 78-517(7) (attached) with direct reference to each applicable design standard.

**Structural Projects:** Structural projects are subject to Plan Commission approval as set forth in zoning code section 78-517. Structural projects include work involving modification to the physical configuration of an existing structure (such as remodeling) or the construction of a new structure (such as erection of a new structure, the addition or removal of bulk to an existing structure, and includes the removal or destruction of any building façade). Structural projects shall require a public hearing prior to action by the Plan Commission. Applications for structural projects shall be accompanied by all of the following:

1. A building/zoning permit application.
2. A clear depiction of the existing appearance of the property including color photographs including scaled or fully dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components and detailed building elevations proposed for alteration or replacement.
3. A clear depiction of the proposed appearance of the property including color renderings, paint charts, scaled or fully dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components and detailed building elevations of the proposed improvement.
4. For all projects involving a new building, or an addition to an existing building, a detailed site plan which provides the following information:
  - a. A title block indicating name and address of the current property owner, developer and project consultants;
  - b. The date(s) of original and revisions to the plan;
  - c. A north arrow and graphic scale. Said scale shall be no less than one inch equals 100 feet;
  - d. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled (a survey is likely necessary);
  - e. All existing and proposed easements lines and dimensions including explanation of ownership and purpose;
  - f. All existing and proposed buildings and paved areas including walks, drives, decks, patios, fences, utility poles, drainage facilities and walls;

- g. All required building setback lines;
  - h. A legal description of the subject property;
  - i. The location type and size of all signage onsite;
  - j. The location, type and orientation of all exterior lighting of the subject property (a photometric plan may be necessary);
  - k. The location of all access points, parking, loading areas on the subject property including a summary of the number of parking stalls provided with all dimensions of such areas;
  - l. The location of all outdoor storage areas;
  - m. The location and type of any permanently protected green space areas (not common).
5. A detailed landscaping plan that meets the requirements of Table 78-604 and takes into account both the walking and driving experience.
  6. A clear written description of the proposed modification including a complete listing of proposed components, materials and colors.
  7. A clear written explanation regarding how the proposed alteration will conform to section 78-517(7) (attached) with direct reference to each applicable design standard.

**Demolition:** The razing of a building or structure shall follow the following requirements:

1. Demolition is subject to approval by the Common Council. The Common Council shall hold a public hearing before acting on the application;
2. Demolition shall not be approved unless the applicant demonstrates any of the following:
  - a. A permit for the construction of a new building or structure on the site has been approved and the owner has entered into a Development Agreement with the City;
  - b. The building or structure, through no fault of the current or prior owner, is detrimental to, or does not contribute to, the architectural or aesthetic character of the district. Where a building or structure has been allowed to deteriorate in a manner that failed to comply with the City property maintenance ordinances, such deterioration is the fault of the owner;
  - c. A denial of the permit will result in a taking of the owner's property without just compensation in violation of the Constitution of the State of Wisconsin or the Constitution of the United States of America.

Sec. 78-517. - Downtown design overlay district.

- (1) *Purpose.* This district is intended to preserve and enhance the aesthetic qualities of the downtown, and retain a consistent and visually pleasing image for the downtown area.
- (2) *Boundaries.* This district has the same boundaries as the Main Street Commercial Historic District as listed on the National Register of Historic Places, as depicted on the overlay districts zoning map.
- (3) *Definitions.* In this section, the following terms have the following meanings:
  - (a) “Maintenance” means work involving conserving, preserving, or repairing the existing exterior appearance of a building or structure (such as repainting, re-roofing, residing or replacing with the same colors, finishes, and materials).
  - (b) “Renovation” means work involving a change in the appearance of a building or structure (such as architectural component or signage substitution or painting, roofing, siding, with different colors, finishes, or materials).
  - (c) “Structural Project” means work involving modification to the physical configuration of an existing building or structure (such as remodeling) or the construction of a new structure (such as the erection of a new building or structure, the addition or removal of bulk to an existing building or structure, and includes the removal or destruction of any façade of a building or structure).
  - (d) “Demolition” means the razing of a building or structure.
  - (e) “Development Agreement” means an agreement that requires an owner to construct a new building or structure that is replacing an existing building or structure in the district, within a reasonable time. For purposes of this section, a reasonable time means a time approved by the Common Council after considering the wishes of the applicant and the time required to secure financing, demolish the existing building or structure, and construct the new building or structure, but in no event more than 36 months following the completion of demolition of the existing building or structure. The Development Agreement shall not include a requirement that the agreement obligations be secured by a surety bond, letter of credit or other security.
  - (f) “Cornice or Lintel” means a molded and projecting horizontal member that crowns an architectural composition, including on top of a storefront and the bottom of the second floor, on top of windows, and on top of the building façade (parapet).

- (g) “Horizontal Bands” means horizontal elements such as cornice lines and the repetition of second floor window sills and hoods.
- (h) “Spandrel” means the low panels of wood, metal or masonry that creates a wall below the shop windows.
- (i) “Transom Windows” means windows that occupy the space above window sash, doors, and shop windows, and below the structural lintel. Transom windows may consist of a single sheet of glass or be subdivided into multiple panes of clear, colored, stained, prism, or other types of specialty and often rare glass.

(4) *Application of Regulations.*

- (a) Except as expressly provided otherwise in this section, the regulations of this section apply to all maintenance, renovation, structural projects and demolition within the district.
- (b) This section does not apply to any building or improvement designated as a *local* landmark or located within a historic district established pursuant to Chapter 38 of this Code.
- (c) This section does not apply to the demolition of a building or structure that has been ordered to be razed by a court of competent jurisdiction pursuant to Wis. Stat. § 66.0413(2).
- (d) This section does apply to the demolition of a building or structure ordered razed by the building inspector pursuant to Wis. Stat. § 66.0413(1), and neither the owner, the city nor any city official may demolish a building pursuant to Wis. Stat. § 66.0413 without first obtaining approval pursuant to this section.

(5) *Procedural Requirements and Standards for Approval.*

- (a) Maintenance. Maintenance shall be subject to approval by the Zoning Administrator. The Zoning Administrator shall approve a maintenance application upon verifying that the proposed work consists only of maintenance.
- (b) Renovation. Renovation shall be subject to approval by the Plan Commission. The Plan Commission shall approve an application for renovation if the proposed renovation will conform to the standards set forth in section 78-517(7).

Applications for approval of renovation shall be made to the Zoning Administrator, and shall be accompanied by all of the following:

1. The building permit application if such an application is required.
2. A clear depiction of the existing appearance of the property including clear color photographs. Scaled or fully dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement are recommended and may be required by the City;
3. A clear depiction of the proposed appearance of the property including paint charts, promotional brochures, and/or clear color photographs of replacement architectural components. Scaled or fully dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement are recommended and may be required by the City;
4. A clear written description of the proposed modification, including a complete listing of proposed components, materials, and colors.
5. A clear written explanation regarding how the proposed alteration will conform to section 78-517 (7) with direct reference to each applicable design standard.

(c) *Structural Projects.* Structural Project applications shall be subject to approval by the Plan Commission. Before acting on an application for a Structural Project, the Plan Commission shall conduct a public hearing on the application, which shall be preceded by publication of a Class 2 Notice. The Plan Commission shall approve an application for a Structural Project if the applicant demonstrates that the proposed Structural Project will conform to the standards set forth in section 78-517(7). Applications for approval of Structural Projects shall be made to the Zoning Administrator, and shall be accompanied by all of the following:

1. A building permit application.
2. A clear depiction of the existing appearance of the property including clear color photographs. Scaled or fully dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for

alteration or replacement are recommended and may be required by the City.

3. A clear depiction of the proposed appearance of the property including paint charts, promotional brochures, and/or clear color photographs of replacement architectural components. Scaled or fully dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement are recommended and may be required by the City.
4. For all projects involving a new building, or an addition to an existing building, a detailed site plan which provides the following information:
  - a. A title block indicating name and address of the current property owner, developer and project consultants;
  - b. The date of the original plan and the latest date of revision to the plan;
  - c. A north arrow and a graphic scale. Said scale shall not be smaller than one inch equals 100 feet;
  - d. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;
  - e. All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;
  - f. All existing and proposed buildings, structures, and paved areas, including walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;
  - g. All required building setback lines;
  - h. A legal description of the subject property;
  - i. The location, type and size of all signage on the site;
  - j. The location, type and orientation of all exterior lighting on the subject property;

- k. The location of all access points, parking and loading areas on the subject property, including a summary of the number of parking stalls and labels indicating the dimension of such areas;
  - l. The location of all outdoor storage areas;
  - m. The location and type of any permanently protected green space areas;
- 5. A detailed landscaping plan of the subject property that meets the requirements of Table 78-604 and takes into account both the walking and driving experience.
  - 6. A clear written description of the proposed project, including a complete listing of proposed components, materials, and colors.
  - 7. A clear written explanation regarding how the proposed alteration will conform to section 78-517 (7) with direct reference to each applicable design standard.

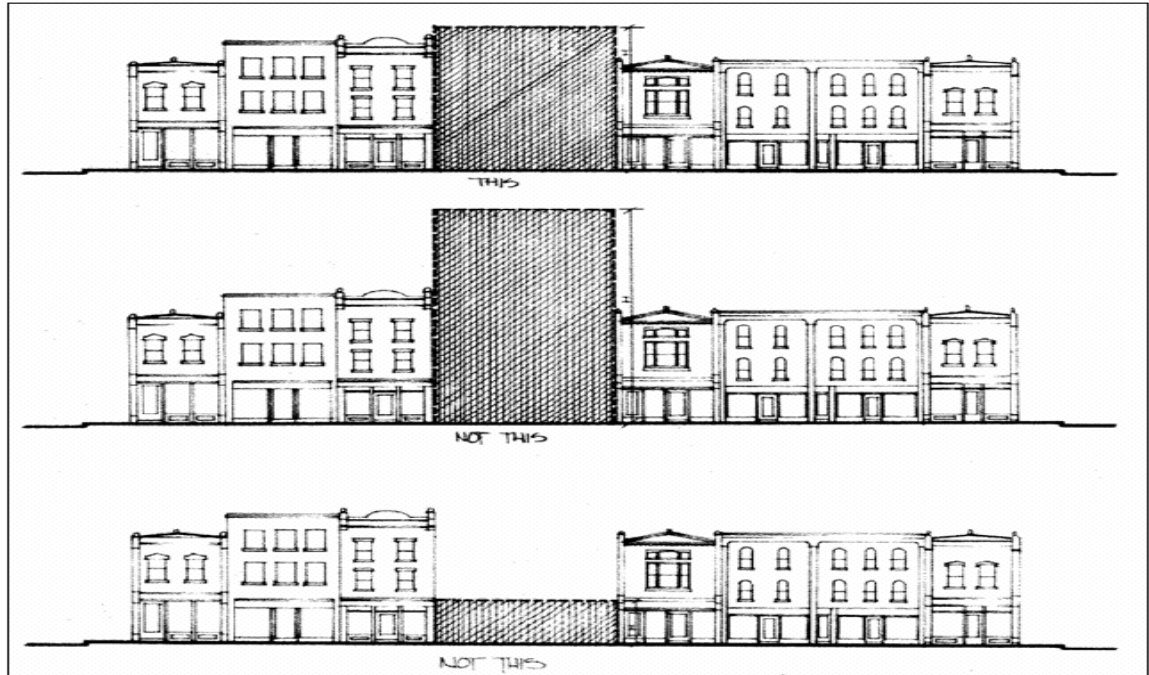
(6) *Demolition.*

- (a) Demolition is subject to approval by the Common Council. The Common Council shall hold a public hearing on a demolition application before acting on the application.
- (b) Demolition shall not be approved unless the applicant demonstrates any of the following:
  - 1. (i) a permit for construction of a new building or structure on the site has been approved and issued, and (ii) the owner has entered into a Development Agreement with the City; or
  - 2. The building or structure, through no fault of the current or prior owner, is detrimental to, or does not contribute to, the architectural or aesthetic character of the district. Where a building or structure has been allowed to deteriorate in a manner that failed to comply with City property maintenance ordinances, such deterioration is the fault of the owner.
  - 3. A denial of the permit will result in a taking of the of the owner's property without just compensation in violation of the Constitution of the State of Wisconsin or the Constitution of the United States of America.



- (7) *Design standards.* Renovation and Structural Projects shall conform to the design standards in this Section that the plan commission determines are applicable to the application.
- (a) *Building Setback.* Where a uniform setback exists, any structural project or renovation shall maintain the alignment of facades along the sidewalk edge to maintain the quality of the streetwall. This also pertains to parking lots and unbuilt areas; the edge of the sidewalk shall be emphasized with some visible barrier such as a decorative wall or plantings so that the setback is recognized. Within a block-face where setbacks are not uniform, the function and design of neighboring buildings shall be taken into account when determining setbacks. Additionally, other restrictions outlined in the zoning ordinance must be given consideration.
- (b) *Building Height.* Study the particular block-face within which structural projects or renovations are contemplated: if buildings are basically the same height, maintain the alignment of building cornices or rooflines to maintain the quality of the streetwall. If height varies occasionally, the height of structural projects shall fall within a range of 10% of the mean building height found within the block-face. In areas where there is more variation in building type and height, the height of structural projects shall be within the range of heights found within the block-face. Corner buildings present special characteristics as they are often larger or more imposing than buildings in the center of a block-face. For structural projects or renovations on corners, building height shall be at least as tall as the next tallest building on the block-face and be similar to that of the tallest building on the adjoining corners. See Figure 1.

**Figure 1**



- (c) *Building Width.* The regular, 20-25 foot interval in the Main Street commercial district creates a strong visual rhythm as one walks or drives down Main Street. It is important that this rhythm be retained in these densely-built areas; structural projects shall respect the width of existing buildings by designing a rhythmic division of the facade to repeat this existing rhythm. Structural projects and renovations must take into consideration context within the block-face and maintain the continuity of the block-face. Structural projects within a block-face that is made up of a continuous wall of building fronts (such as that shown in Figure 1) shall maintain the existing building wall by filling the lot from side lot line to side lot line.
- (d) *Horizontal Bands.* Wherever possible, existing horizontal bands (such as storefront cornice or lintel and transom windows) shall be retained and uncovered; owners shall move or remove large signs that may cover the banding to allow the horizontal elements to be expressed. When horizontal rhythms are found, horizontal elements that also exist in buildings to either side of the subject building shall be retained. Existing transom windows shall not be filled with brick, wood or other materials. If original building design called for transom windows that are now missing, they shall be visually recreated. If the storefront cornice or lintel is missing, a horizontal division shall be achieved by replacing or simulating the cornice and/or incorporating it in the sign board.

- (e) *Building Proportion.* On a block-by-block basis, the proportions of all buildings shall reflect the building proportions characteristic to that block-face.
  
- (f) *Vertical Rhythms.* Wherever possible, the floor heights on main facades shall appear visually in proportion to those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by *patterns* of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices and sign bands shall be compatible in design and elevation with those of existing buildings in the immediate area. Front and secondary doorways/entries, porches and steps present at the time the building was originally constructed shall be retained; except as required to meet accessibility standards. Non-commercial style doors such as solid doors, half-glazed doors, “colonial style” doors, and highly decorative doors are not permitted in commercial applications. Storm doors are prohibited because they make access difficult.

Window features, including lintels, sills, architraves, shutters, cornice/pediments, hoods and hardware, shall be maintained where possible, or replaced with visually matching features and materials. Replicating missing window features (such as hoods) in sheet metal, fiberglass, or wood shall be permitted. If window features cannot be replaced or replicated, at least the shape of the window opening shall be retained and expressed. Frames for new windows shall be divided to match original window divisions or shall be based on divisions typical to that building type. Within block-faces where windows are consistently proportioned, structural projects shall maintain this proportion and spacing of windows.

- (g) *Rhythm/Relationship of Solids and Voids.* The majority of the front wall surface of the first floor shall be window area. Large storefront windows shall be maintained; do not block up the storefront to install smaller windows. Storefront spandrels shall be as low as possible; do not make the spandrel higher than originally designed and as a result infill the window opening. Spandrel design shall relate to the architectural style of the building; a brick spandrel shall match the masonry of the building and a wood spandrel shall include stiles and rails at the top, bottom and sides. Existing columns shall be left intact and included in the overall design of framing for the shopfront.

Maintain the rhythm of solids and voids in upper stories; the surface of the upper floors shall bear a repeated solid-void relationship, with windows spaced evenly in the wall. Do not change the size of windows or cover over the upper facade. Windows, including transom windows, shall not be painted or filled with brick,

wood or other materials. Where old sash will be replaced with new sash, replacement shall be made with sash of the same size and appearance rather than blocking part of the window opening and therefore changing its proportion.

- (h) *Roof Forms.* Cornices and parapets shall be maintained. If cornice and/or parapet is missing or damaged, it shall be recreated or repaired in matching wood, metal or brick, or in alternate visually matching materials like fiberglass. Residential-type gabled roofs are prohibited in favor of a sloped roof hidden from view on the front facade by a parapet. Decoration of the roofline by use of special materials or decorative details shall use examples of other buildings in the district as a guide. Mansards or other exotic roof shapes are prohibited; roof shapes not characteristic of buildings in the district are prohibited.

For renovations, roof shape and character of visible materials shall be retained if in keeping with the building's original design including architectural features which give the roof its essential character such as dormer windows, cupolas, cornices, brackets, chimneys and weathervanes.

- (i) *Exterior Materials.* In any renovation work, preserving the downtown quality and character shall be given the highest priority. Therefore, to protect the distinctive quality and character of an existing building, any new materials used shall match as closely as possible either the existing materials or the materials used at the time the building was originally constructed. When the cost or availability of materials that match original materials make their use prohibitive, and when alternate materials can visually match original materials, the use of alternate materials shall be permitted. The uniform identity created by the repeated use of masonry as the primary building material is very important to retain. As a rule, new buildings shall be constructed with street-facing facades of brick or stone. If the majority of street-facing facades within the block-face are constructed with siding (see below), then siding shall be permitted. On a site-specific basis, the trim materials of existing buildings to either side of the building being designed shall be reflected in the design. In addition:

1. *Masonry.* Stone or brick facing shall be of even coloration and consistent size. Cinder block, concrete block, concrete slab, or concrete panel shall not be permitted on street-facing facades.
2. *Siding.* Wood or thin board textured vinyl or textured metal clapboard siding may be appropriate, particularly if the proposed non-masonry exterior was originally used on the building. In certain instances, clapboard or board and batten may be in keeping with the general design theme. Asphalt shingle siding, rough-sawn shake siding or diagonal wood siding shall not be permitted.

3. EIFS. Exterior Insulation and Finish Systems (EIFS) such as Dryvit shall not be permitted. Stucco shall not be permitted for structural projects and shall only be permitted for renovations if used at the time the building was originally constructed.
  4. *Glazing (glass)*. Clear, or slightly tinted glass or related glazing material shall be used. Mirrored glass, smoked glass, or heavily tinted glass shall not be permitted.
- (j) *Exterior Surfaces*. Appurtenances (accessories): Exterior surface appurtenances shall be compatible with those of existing buildings in the immediate area. In addition:
1. Traditional storefront design (characterized by strong horizontal and vertical rhythms formed by building openings, storefront columns, storefront cornices, upper cornices, kickplates, signbands, large display windows, and transom windows) shall be employed for all buildings.
  2. Throughout the district, cluttering street-facing facades with unnecessary signs, brackets, wiring, meter boxes, antennae, gutters, downspouts and other appurtenances is prohibited. Where necessary, such features shall be colored so as to blend in, rather than contrast, with the immediately adjacent building exterior. Extraneous ornamentation which is inconsistent with buildings within the immediate area is also prohibited.
- (k) *Awnings*. Awnings shall fit within the storefront space, shall not cover the side piers, or be installed above the lintel of the storefront and shall be made of durable weather-resistant canvas or vinyl fabric. The color of awnings shall complement facade colors; solid colors or stripes shall be permitted. Awnings shall project no more than 7 feet from the front wall. Awnings with a curved profile and backlit awnings are prohibited. Permanent sloped canopies of aluminum, shakes or shingles shall not be permitted. Awnings shall be a minimum of 9 feet from grade.
- (l) *Exterior Colors*. Colors shall relate in a positive way to the existing materials found on the façade (especially the masonry), and to existing elements, such as signs or awnings. Clean the exterior surfaces with the gentlest means possible, such as light washing with light pressure (sandblasting destroys the brick by prematurely weathering and eroding its surface). When the surface to be painted has a quantity of three-dimensional detail, use light or mid-range color values, rather than extremely dark colors, so the details are not hidden. When in doubt on an appropriate palette, use shades of one color with one highlight color. When choosing colors, take into account the position of the building in relation to sunlight. Exterior colors for structures and appurtenances including fixtures

and signs shall be compatible and harmonious with those of existing buildings in the immediate area. Specifically, throughout the district:

1. High gloss paints, lacquers, varnishes or other "shiny" non-glazing surfaces shall not be used.
2. Façade color combination schemes shall be limited to no more than three different colors for each structure on a property. (Varying shades, tints or intensities of a color shall count as a different color for this purpose.)
3. Façade color schemes shall be used consistently throughout the property, including on both the upper and lower portions of buildings, and on all facades of a building or structure.

(m) *Exterior Lighting.* Throughout the district, on-site exterior lighting shall be compatible and harmonious with existing lighting in the immediate area. Specifically:

1. *Pedestrian lighting:* The design, color, height, location and light quality of on-site pedestrian lighting shall be consistent with existing pedestrian lighting fixtures.
2. Additional lighting standards are found in section 78-707.

(n) *Signage.* Signs shall be placed at the top of the storefront; painted on the window itself; hanging over the sidewalk; or on the edge of an awning.

1. Coordinate the placement of signage with adjacent storefronts to avoid visual confusion. Large hanging plastic signs and oversized signs are prohibited.
2. Signage placed over features on the second story facade are prohibited.
3. Select clear, simple lettering styles for easy readability.
4. Consider the color of the building and of neighboring buildings when determining sign color.
5. Select sign colors that provide contrast between letters and background: a dark background with lighter colored letters is most easily perceived by the human eye.
6. Where possible, signs shall reflect an individual business message rather than advertise a nationally-franchised product. There are additional signage requirements in Article VIII.