



GRAFTON
QUALITY LIFE. NATURALLY.

Town of Grafton Ordinance No. 2019-02

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 1 – LAND USE REGULATION,
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN, AND
TITLE 9, CHAPTER 2 – ZONING TO REVISE DEFINITION OF BUILDABLE AREA
AND DEFINITION OF NET ACRE**

WHEREAS, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

WHEREAS, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on March 21st, 2019, and March 28th, 2019; and

WHEREAS, a Public Hearing was held before the Town Board on April 10th, 2019, regarding the proposed Amendments to the Town's Code of Ordinances; and

WHEREAS, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

NOW, THEREFORE, the Town Board of the Town of Grafton does hereby ordain as follows:

Section 1:

Sections 9.1.12.02 and 9.2.11.02 of the Town of Grafton Code of Ordinances are hereby amended as provided below by adding the underlined language and deleting the language struck out:

9.1.12 Definitions.

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9.1.12.02 Specific Words and Phrases

- (A) Accessory Use or Structure
A use or detached structure subordinate to the principal use of a structure, land, or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use or the principal structure.
- (B) Approved Safety Pool Cover
An approved safety pool cover means a power-operated safety pool cover that meets all of the most-recent performance standards of the American Society for Testing and Materials (ASTM).
- (C) Basement
That portion of any structure that is located below lot grade or a room(s) with a ceiling that is less than four (4) feet above lot grade. Basement floor areas shall not be used to compute minimum floor areas as required by this Chapter.

(D) ~~Buildable Area~~
~~All lots shall contain not less than 40,000 square feet of land which is at an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood or, where such data is not available, five (5) feet above the maximum flood of record, except as provided in PUD and RCDO districts.~~

Buildable Area
All lots shall contain not less than 40,000 square feet of land which is at an elevation above the elevation of the 100-year recurrence interval flood. Note, for all lots, all low entry elevations on new structures must be 2.0' above the modeled 100-year recurrence elevation or 2.0' above the Town Engineer approved emergency overflow elevation.

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(RRR) Net Acre
For all lots one (1) acre or less, lot size restrictions shall apply to net acre remaining after excluding any land subject to easement for a public or private roadway; and excluding any land within the high-water mark of a pond, lake, waterway or wetland. For all lots of more than one (1) acre, such lots shall contain not less than 40,000 square feet of land which is at an elevation ~~at least two (2) feet above the elevation of the 100-year recurrence interval flood or, where such data is not available, five (5) feet above the maximum flood record.~~ above the elevation of the 100-year recurrence interval flood. Note, for all lots, all low entry elevations on new

structures must be 2.0' above the modeled 100-year recurrence elevation or 2.0' above the Town Engineer approved emergency overflow elevation.

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9.2.11.02 Specific Words And Phrases

- (A) Alley. A special public way affording only secondary access to abutting properties.
- (B) Arterial Street. A street used, or intended to be used primarily for fast or heavy inter-neighborhood or inter-community, through traffic. Arterial street shall include freeways and expressways as well as standard arterial streets, highways and parkways.
- (C) ~~Buildable Area. All lots shall contain not less than 40,000 square feet of land which is at an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record, except as provided in PUD and RDCO districts.~~

Buildable Area. All lots shall contain not less than 40,000 square feet of land which is at an elevation above the elevation of the 100-year recurrence interval flood. Note, for all lots, all low entry elevations on new structures must be 2.0' above the modeled 100-year recurrence elevation or 2.0' above the Town Engineer approved emergency overflow elevation.

....

- (LL) Net Acre. For all lots one acre or less, lot size restrictions shall apply to net acre remaining after excluding any land subject to an easement for a public or private roadway; and excluding any land within the highwater mark of a pond, lake, waterway or wetland. For all lots of more than (1) acre, such lots shall contain not less than 40,000 square feet of land which is at an elevation ~~at least two (2) feet above the elevation of the 100-year recurrence interval flood, or where such data is not available, five (5) feet above the maximum flood of record,~~above the elevation of the 100-year recurrence interval flood. Note, for all lots, all low entry elevations on new structures must be 2.0' above the modeled 100-year recurrence elevation or 2.0' above the Town Engineer approved emergency overflow elevation.

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Section 2:

Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

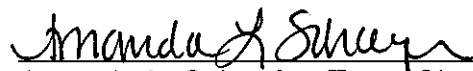
Section 3:

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 10th day of April, 2019.



Lester A. Bartel, Jr., Town Chairman



Amanda L. Schaefer, Town Clerk

Publication Date: April 18th, 2019
~~Posting Date: _____, 2019~~