

Ordinance No. 2019-6

An Ordinance Adopting Revised Village of Bristol Berming Regulations

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION I. REPEAL AND ADOPTION OF PROVISIONS.

Section 13-1-324(d) "Berming" of the Village of Bristol Code of Ordinances is repealed in its entirety and is recreated to read as follows:

SECTION II. SEVERABILITY

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

Sec. 13-1-324(d) Berming.

(d) **Berming.** The following standards shall be applied to all berms constructed in the village:

(1) **Applicability:** Berms shall be required in bufferyards as determined by Appendix A, Table D.

(2) **Dimensions:** Berms shall be designed to transition to existing surrounding grades, not to exceed a slope ratio of four to one (4:1). Berms shall be safely designed to accommodate mowing when needed. A three to one (3:1) slope ratio may be permitted by the Plan Commission only if plant selection and groundcover does not require mowing.

(3) **Character:** Berms shall be designed with an intent to create a natural appearance and avoid uniformity. Berms shall be curvilinear in either plan view or in longitudinal section.

(4) **Plant Materials:** Berms shall be designed using plant materials identified in Appendix A, Tables E-J.

(5) **Berms adjacent to non-industrial uses:** The Plan Commission may enact the following additional berm design standards for properties that are adjacent to non-industrial uses.

(a) **Applicability:** These additional standards may be applied to properties that meet all of the following criteria:

- i. Located within Zoning Districts M-1, M-2, M-3, M-4, B-5, B-6, or BP;
- ii. Immediately adjacent to an existing and/or planned non-industrial use; and
- iii. Includes a structure with a base footprint of 100,000 square feet or greater.

(b) **Height:** Berms shall be a minimum of ten (10) feet in height, as measured from the finished floor elevation of the nearest building or pavement area.

(c) **Plant Materials:** Berms shall be designed using plant materials Type 5B as identified on Appendix A, Table I.

SECTION III. EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 11th day of March, 2019.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: _____

ADOPTED: 3/11/19

PUBLISHED: _____

State of Wisconsin:

County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct, and complete copy of an Ordinance duly and regularly enacted by the Village of Bristol Village Board on the 11th day of March 2019 and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 11th day of March, 2019.



Village Clerk-Treasurer

Appendix A: Plantings; Bufferyards; Accessory Building Sizes

Table A	Minimum Size Standards for Required Plant Materials
Table B	Substitution Schedule for Required Plant Materials
Figure C	Minimum Required Foundation Landscape Planting Area in All Nonresidential Districts
Table D	Minimum Required Intensity Values of Peripheral Bufferyards Between Zoning Districts
Table E	Bufferyard Intensity Factor 1: Alternative Plant Material Standards
Table F	Bufferyard Intensity Factor 2: Alternative Plant Material Standards
Table G	Bufferyard Intensity Factor 3: Alternative Plant Material Standards
Table H	Bufferyard Intensity Factor 4: Alternative Plant Material Standards
Table I	Bufferyard Intensity Factor 5: Alternative Plant Material Standards
Table J	Street Bufferyards: Minimum Required Bufferyard Intensity Level Factors
Table K	Accessory Building and Structure Size Accumulations Which Require a Conditional Use Permit
Table L	Maximum Allowable Cummulative Building Coverage Area of Conditional Use Accessory Buildings and Structures

Table A

MINIMUM SIZE STANDARDS FOR REQUIRED PLANT MATERIALS

Plant Material Type	Plantings in Bufferyards Abutting a Vacant Parcel	Bufferyard Plantings Abutting a Developed Lot	All Other Plantings (including those in off-street parking lots)
Canopy Trees: Single Stem: Multi-stem Clump:	1.5-inch caliper 6 feet tall	3-inch caliper 12 feet tall	2-2.5-inch caliper 8 feet tall
Coniferous Trees	4 feet tall	6 feet tall	4-6 feet tall
Understory Trees	4 feet tall	1.5-inch caliper	1.5-inch caliper
Shrubs	15 inches tall	2 feet tall	2 feet tall

Table B

SUBSTITUTION SCHEDULE FOR REQUIRED PLANT MATERIALS

Required Plant Material Type	Acceptable Substitutions
1 Canopy Tree: Single Stem, or Multi-stem Clump:	2 Understory Trees 2 inch caliper or 2 Coniferous Trees 6 feet in height or 1 Understory Tree 2 inch caliper Plus 1 Coniferous Tree 6 feet in height
1 Coniferous Tree	1 Understory Tree 1.5 inch caliper
1 Understory Tree	1 Coniferous Tree 6 feet in height
1 Shrub	1 Understory Tree 1.5 inch caliper or 1 Coniferous Tree 4 feet in height

Figure C

**MINIMUM REQUIRED FOUNDATION LANDSCAPE PLANTING AREA
IN ALL NONRESIDENTIAL DISTRICTS**

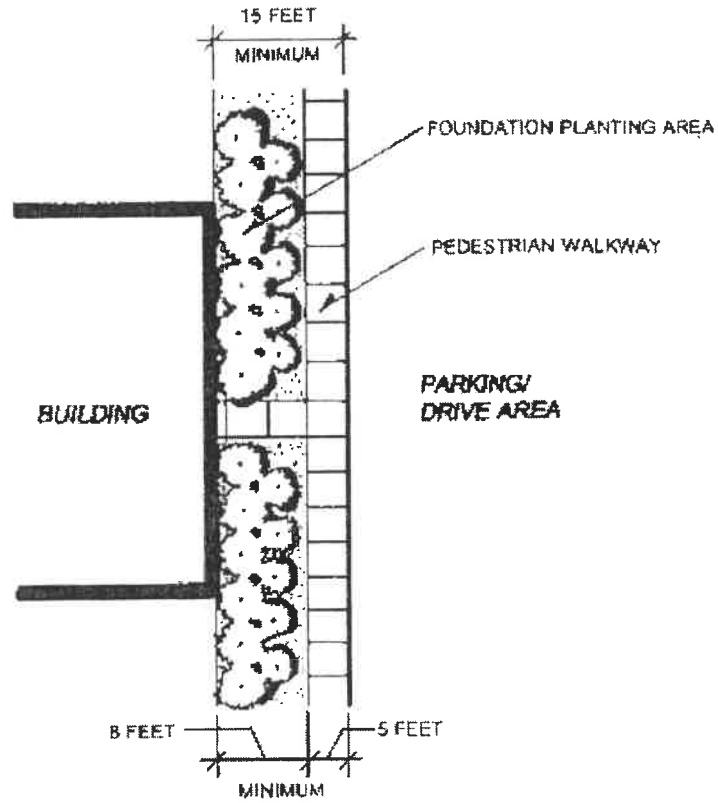


Table D

MINIMUM REQUIRED INTENSITY VALUES OF PERIPHERAL BUFFERYARDS BETWEEN ZONING DISTRICTS

Table Minimum Required Intensity Values of Peripheral Bufferyards Between Zoning Districts

ZONING DISTRICTS:	R-1	R-2	R-3	R-4	R-5	R-6	R-6a	R-7	R-8	R-9	R-10	R-11	R-12	PUD(a)	B-1	B-2	B-3	B-4	B-5	VC	VHB	M-1	M-2	M-3	M-4	BP	I-1	PR-1	PUD(b)	A-1	A-2	A-3	A-4						
R-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
R-2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
R-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R-4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R-5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R-6a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R-7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R-8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R-10	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
R-11	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
R-12	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
PUD(a)	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
B-1	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
B-2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
B-3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
B-4	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
B-5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
VC	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
VHB	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
M-1	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
M-2	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
M-3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
M-4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
BP	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
I-1	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
PR-1	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
PUD(b)	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
A-1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
A-2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
A-3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
A-4	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

KEY AND NOTES:

(a) Residential Uses of a PUD District only.

(b) Nonresidential Uses of a PUD District only.

0 = No bufferyard is required. All applicable zoning district subparts are required.

1 = Bufferyard Intensity Factor 1 (See Table A)

2 = Bufferyard Intensity Factor 2 (See Table B)

3 = Bufferyard Intensity Factor 3 (See Table C)

4 = Bufferyard Intensity Factor 4 (See Table D)

5 = Bufferyard Intensity Factor 5 (See Table E)

Table E

**BUFFERYARD INTENSITY FACTOR 1:
ALTERNATIVE PLANT MATERIAL STANDARDS
(Minimum Requirements per 100 Feet of Bufferyard Length)**

BUFFERYARD ALTERNATIVES	TYPE OF PLANTS REQUIRED (a)	MINIMUM QUANTITY OF EACH PLANT TYPE REQUIRED PER 100 FEET OF BUFFERYARD LENGTH	MINIMUM REQUIRED BUFFERYARD WIDTH (feet)	MINIMUM STRUCTURE TYPE (if required)
TYPE 1A	Canopy/Shade Trees	0.7	5	None
	Understory Trees	1.4		
	Shrubs	5.6		
TYPE 1B	Canopy/Shade Trees	0.6	10	None
	Understory Trees	0.6		
	Evergreen Trees	0.6		
	Shrubs	3.6		
TYPE 1C	Canopy/Shade Trees	0.5	15	None
	Evergreen Trees	0.9		
	Shrubs	2.3		
TYPE 1D	Evergreen Trees	1.1	20	None
	Evergreen Shrubs	4.9		
TYPE 1E	Canopy Trees	0.5	25	None
	Shrubs	2.5		

(a) See Table A for minimum required plant material sizes.

Table F

**BUFFERYARD INTENSITY FACTOR 2:
ALTERNATIVE PLANT MATERIAL STANDARDS
(Minimum Requirements per 100 Feet of Bufferyard Length)**

BUFFERYARD ALTERNATIVES	TYPE OF PLANTS REQUIRED (a)	MINIMUM QUANTITY OF EACH PLANT TYPE REQUIRED PER 100 FEET OF BUFFERYARD LENGTH	MINIMUM REQUIRED BUFFERYARD WIDTH (feet)	MINIMUM STRUCTURE TYPE (if required)
TYPE 2A	Canopy/Shade Trees	1.7	15	2-foot berm
	Understory Trees	3.4		
	Shrubs	13.6		
TYPE 2B	Canopy/Shade Trees	2.3	20	None
	Understory Trees	2.3		
	Evergreen Trees	2.3		
	Shrubs	13.5		
TYPE 2C	Canopy/Shade Trees	2.1	25	None
	Evergreen Trees	4.2		
	Shrubs	10.5		
TYPE 2D	Evergreen Trees	5.9	30	None
	Evergreen Shrubs	27.3		
TYPE 2E	Canopy Trees	2.2	30	3-foot berm
	Shrubs	11.0		

(a) See Table A for minimum required plant material sizes.

Table G

**BUFFERYARD INTENSITY FACTOR 3:
ALTERNATIVE PLANT MATERIAL STANDARDS
(Minimum Requirements per 100 Feet of Bufferyard Length)**

BUFFERYARD ALTERNATIVES	TYPE OF PLANTS REQUIRED (a)	MINIMUM QUANTITY OF EACH PLANT TYPE REQUIRED PER 100 FEET OF BUFFERYARD LENGTH	MINIMUM REQUIRED BUFFERYARD WIDTH (feet)	MINIMUM STRUCTURE TYPE (if required)
TYPE 3A	Canopy/Shade Trees	2.3	20	3-foot berm
	Understory Trees	4.6		
	Shrubs	18.4		
TYPE 3B	Canopy/Shade Trees	3.4	20	None
	Understory Trees	3.4		
	Evergreen Trees	3.4		
	Shrubs	20.4		
TYPE 3C	Canopy/Shade Trees	3.2	25	None
	Evergreen Trees	6.4		
	Shrubs	16.0		
TYPE 3D	Evergreen Trees	9.2	30	None
	Evergreen Shrubs	42.7		
TYPE 3E	Canopy Trees	5.8	35	None
	Shrubs	29.0		

(a) See Table A for minimum required plant material sizes.

Table H

**BUFFERYARD INTENSITY FACTOR 4:
ALTERNATIVE PLANT MATERIAL STANDARDS
(Minimum Requirements per 100 Feet of Bufferyard Length)**

BUFFERYARD ALTERNATIVES	TYPE OF PLANTS REQUIRED (a)	MINIMUM QUANTITY OF EACH PLANT TYPE REQUIRED PER 100 FEET OF BUFFERYARD LENGTH	MINIMUM REQUIRED BUFFERYARD WIDTH (feet)	MINIMUM STRUCTURE TYPE (if required)
TYPE 4A	Canopy/Shade Trees	3.0	25	4-foot berm
	Understory Trees	6.0		
	Shrubs	24.0		
TYPE 4B	Canopy/Shade Trees	3.7	25	2-foot berm
	Understory Trees	3.7		
	Evergreen Trees	3.7		
	Shrubs	22.2		
TYPE 4C	Canopy/Shade Trees	4.3	30	None
	Evergreen Trees	8.5		
	Shrubs	21.3		
TYPE 4D	Evergreen Trees	12.3	35	None
	Evergreen Shrubs	57.4		
TYPE 4E	Canopy Trees	7.9	40	None
	Shrubs	39.5		

(a) See Table A for minimum required plant material sizes.

Table I

**BUFFERYARD INTENSITY FACTOR 5:
ALTERNATIVE PLANT MATERIAL STANDARDS
(Minimum Requirements per 100 Feet of Bufferyard Length)**

BUFFERYARD ALTERNATIVES	TYPE OF PLANTS REQUIRED (a)	MINIMUM QUANTITY OF EACH PLANT TYPE REQUIRED PER 100 FEET OF BUFFERYARD LENGTH	MINIMUM REQUIRED BUFFERYARD WIDTH (feet)	MINIMUM STRUCTURE TYPE (if required)
TYPE 5A	Canopy/Shade Trees	4.1	25	4-foot berm
	Understory Trees	8.2		
	Shrubs	32.8		
TYPE 5B	Canopy/Shade Trees	4.8	30	2-foot berm
	Understory Trees	4.8		
	Evergreen Trees	4.8		
	Shrubs	28.5		
TYPE 5C	Canopy/Shade Trees	5.3	35	None
	Evergreen Trees	10.6		
	Shrubs	26.5		
TYPE 5D	Evergreen Trees	15.6	40	None
	Evergreen Shrubs	72.8		
TYPE 5E	Canopy Trees	9.0	40	None
	Shrubs	45.0		

(a) See Table A for minimum required plant material sizes.

Table J

**STREET BUFFERYARDS:
MINIMUM REQUIRED BUFFERYARD INTENSITY LEVEL FACTORS**

Zoning District	Village, County, State, Federal Designated Arterial Street or Highway (c)	Collector Street (c)	Residential Minor Street (c)
R-1	2	1	None (b)
R-2	2	1	None (b)
R-3	2	1	None (b)
R-4	2	1	None (b)
R-5	3	2	None (b)
R-6	3	2	None (b)
R-6a	3	2	None (b)
R-7	3	2	None (b)
R-8	3	2	None (b)
R-9	4	3	None (b)
R-10	4	3	None (b)
R-11	4	3	None (b)
R-12	4	3	None (b)
PUD(d)	(a)	(a)	(a)
B-1	3	2	3
B-2	3	2	3
B-3	3	2	3
B-4	3	3	3
B-5	3	2	3
VC	2	1	2
VHB	2	1	1
M-1	3	2	3
M-2	3	2	3
M-3	5	5	5
M-4	5	5	5
BP	4	3	4
I-1	3	2	3
PR-1	3	2	1
PUD (e)	(a)	(a)	(a)
A-1	None	None	2
A-2	None	None	2

Zoning District	Village, County, State, Federal Designated Arterial Street or Highway (c)	Collector Street (c)	Residential Minor Street (c)
A-3	3	2	3
A-4	None	None	None

- (a) As determined by each individual PUD Ordinance and the underlying zoning district requirements..
- (b) However, street trees shall be required at time of platting as required under the Village Land Division and Subdivision Code.
- (c) Street trees required at time of platting as required under the Village Land Division and Subdivision Code shall be in addition to any required arterial and collector street bufferyards.
- (d) Residential PUD.
- (e) Nonresidential or mixed residential/nonresidential PUD.