

# CHAPTER 10 ZONING

## 10.6.7 PUD Residential Planned Unit Development Overlay District

- A. Purpose.
  - 1. The PUD Planned Unit Development Overlay District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic/ to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Planned Unit Development Overlay District will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, while at the same time maintaining insofar as possible the land use density and other standards or use requirements as set forth in the Underlying basic zoning district.
  - 2. The unified and planned development of a site in a single, partnership, or corporate ownership or control or in common ownership under the Condominium Ownership Act set forth in Chapter 703 of the Wisconsin Statutes may be permitted by the Town upon specific petition under this § 7 and after public hearing, with such development encompassing one (1) or more principal uses or structures and related accessory uses or structures when all regulations and standards as set forth in the §( of the Zoning Ordinance have been met.
- B. Permitted Uses. Any use itemized as a permitted or principal use in any section of the Zoning Ordinance that defines a basic use district or other overlay district.
- C. Permitted Accessory Uses. Any accessory use, itemized as an accessory use in any section of the Zoning Ordinance that defines a basic use district or other overlay district.
- D. Conditional Uses. Any conditional use, itemized as a conditional use in any section of the Zoning Ordinance that defines a basic use district or other overlay district.
- E. Minimum Area Requirements. Areas designated as PUD Planned Unit Development Overlay Districts shall be under single or corporate ownership or control and shall contain a minimum development area of:

Principal Uses	Minimum area of PUD
Residential PUD	2 acres
Commercial PUD	2 acres
Industrial PUD	10 acres

- F. Density Requirements. The density of dwelling units shall not exceed the average density in the underlying basic residential district and the density of buildings shall not exceed the average density in the underlying basic commercial or industrial district, which would have been permitted if the PUD Planned Unit Development Overlay District regulations had not been utilized.
- G. Dimensions. The total of lot dimensions required by the underlying basic use district may be modified in order to make use of special topographic features of the site or to provide common open space area.
- H. Building Height. Buildings in a PUD Planned Unit Development Overlay District shall not exceed the height permitted in the underlying basic use district.
- I. Setback and Yards.
  - 1. Structures in a PUD Planned Unit Development District shall be a minimum of twenty-five (25) feet from any public or private street right-of-way, from any lot or parcel boundary and from any non-navigable pond or lake.
  - 2. No principal structures shall be located closer than twenty (20) feet to another structure. In the case of row houses, no dimension shall be more than one hundred sixty (160) feet in any direction.
- J. Private Driveways and Roads.
  - 1. A 66 foot wide right-of-way for each private driveway or road in a PUD Planned Unit Development Overlay District shall be reserved in perpetuity for laying out by the Town for public highway purposes pursuant to Chapter 80 of the Wisconsin Statutes (2001), as amended, without award for damages.
  - 2. Each private driveway or road in a PUD Planned Unit Development Overlay District that provides access to two or more residential, commercial or industrial structures shall be constructed with a cleared road surface of not less than 20 feet in width and an overhead clearance of not less than 14 feet.

3. Each private driveway or road that in a PUD Planned Unit Development Overlay District provides access to one residential; commercial or industrial structure shall be constructed with a cleared road surface of not less than 12 feet in width and an overhead clearance of not less than 14 feet.
- K. Authority. The provisions of §.17 of this Zoning Ordinance shall apply, except that in the event provisions of said section are inconsistent with this § 7, then the provisions of this § 7 shall apply.
- L. Fees.
1. Administrative Petition Fee. A petition shall include payment of an administrative petition fee as set forth in the fee schedule. The petition shall not be considered complete until this fee is paid. The Town shall refund the fee if the petitioner withdraws its petition in writing, delivered to the Town Clerk on or before ten (10) calendar days of date of filing, less all expenses incurred by the Town of Lyndon. That portion of the review fee not used shall be returned to the petitioner within twenty (20) calendar days following receipt by the Town of written notice of withdrawal.
  2. Professional Review Fee. A petitioner shall pay all reasonable and customary professional fees, including without limitation, engineer and attorney fees, estimated by the Town as necessary to review the petition and advise the Plan Commission and Town Board. The review fee shall be paid in full prior to the start of construction. That portion of the review fee not used shall be returned to the petitioner within twenty (20) days of the Town Board's decision.
- M. Procedure.
1. Repetition Conference. Prior to official submittal of the petition for approval of the designation of a PUD Planned Unit Development Overlay District, the owner or his agent making such petition shall meet with the Town Plan Commission to discuss the scope and proposed nature of the contemplated development. The Plan Commission may waive this requirement, in its sole discretion, at the request of the owner or his agent.
  2. The Petition. Following the repetition conference, the owner or his agent may file a petition with the Town Clerk for an amendment to the Town's zoning district map designating and adding a PUD Planned Unit Development Overlay District to the underlying basic use or other overlay zoning district(s) thereby permitting the application of the provisions of the § 7 to the designated area. The Town Clerk shall promptly transmit the petition to the Plan Commission. Such petition shall be accompanied by a fee as required under §.27 of this Zoning Ordinance, as well as the following information:
    - a. A statement which sets forth the relationship of the proposed PUD Planned Unit Development Overlay District to the Town's adopted comprehensive plan or any adopted component thereof, and the general character of and the uses to be included in the proposed PUD Planned Unit Development Overlay District, including the following information:
      1. Total area to be included in the PUD Planned Unit Development Overlay District, area of open space, residential density computations, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
      2. All submissions required for land division pursuant to §§ 71.22 through 71.25, inclusive, of Chapter 17 of the Sheboygan County Ordinances, titled "Subdivision Ordinance." As amended,
      3. A general summary of the construction costs of structures and site improvement costs, including landscaping and special features.
      4. Copies of the articles of incorporation and by laws of the owners' or members' association, any other covenants or restrictions proposed or recorded against the property, and, in the case of a condominium, the proposed condominium plat and declaration.
      5. Any proposed departures from the standards of development as set forth in this Zoning Ordinance or the Sheboygan county Subdivision Ordinance.
      6. The expected date of commencement of physical development as set forth in the proposal and also an outline of any planned development staging or expansion.
    - b. A general development plan which shall include the following:
      1. A description of the relationship between uses of the lands included in the proposed PUD Planned Unit Development Overlay District and all contiguous properties, including without limitation, current uses of the contiguous lands, the proposed discharge and receipt of storm water and proposed easements for ingress, egress and utilities.
      2. A description of proposed public and private roads, driveways, and parking facilities.
      3. Architectural plans, elevations, and perspective drawings and sketches illustrating the design and character of proposed structures.
      4. Maps of existing topography on the site with contours at no greater than two (2) foot intervals National Geodetic Vertical Elevation, depicting all navigable waters of and

wetlands regulated by the laws of the United States and the State of Wisconsin, and all shorelands and floodplains regulated by the Shoreland Zoning Ordinance of Sheboygan County.

- c. Site plan data, which shall include the following:
  1. Site plans drawn to a recognized engineering or architectural scale with the name of the project noted.
  2. One (1) colored rendering of the site and landscaping plans.
  3. Owner's and/or developer's name and address noted.
  4. Architect's and or/ engineer's name and address noted.
  5. Date of plan submittal.
  6. Scale of drawing, site size (area in square feet or acres), and building area and coverage noted on plan.
  7. Existing and proposed topography shown at a contour interval of not less than two (2) feet at National Geodetic Vertical Datum, indication proposed rough and finish grades on a grading plan and location of improvements.
  8. A soils map.
  9. The size, arrangement, and location of all building sites. In lieu of exact building lines, the site plans may denote building envelopes describing the outer limits of building sites.
  10. Architectural plan, pursuant to § N.
  11. All building and yard setback lines and distances between buildings or building envelopes indicated.
  12. Where applicable, both the one hundred (100) year recurrence interval floodplain and floodway indicated.
  13. All drives, curb cuts, and both ingress and egress locations indicated.
  14. The proposed location of all signage to be placed on the site.
  15. The location and type of all outdoor lighting proposed to illuminate the site.
  16. Total number of exterior and interior parking spaces noted.
  17. Existing and proposed public and private road names indicated.
  18. Existing and proposed public and private road rights-of-way and/or reservations and widths.
  19. All existing and proposed easements on the subject property.
  20. North arrow.
  21. Existing and general location of proposed sanitary sewers, storm sewers, water mains and fire hydrants (existing and proposed) and proposed electrical service easements. In addition, all locations for the proposed connections to such utilities should be indicated on the site plan.
  22. Any proposed storm water management facilities, including drainage ways, pipes and detention/retention areas.
  23. Locate existing trees.
  24. Location, extent, and type of proposed landscaping and landscape plantings as well as any proposed buffer areas for adjoining properties.
  25. Location of pedestrian sidewalks and walkways.
  26. Location of institutional, recreational, and open space areas and areas reserved or dedicated for public or resident uses, including schools, parks, and drainage ways.
  27. A graphic outline of any development staging or expansion that is planned. If the development abuts an existing or planned arterial or collector street or highway, as identified on the Town's comprehensive plan or component thereof, all driveway locations of all adjoining property within two hundred (200) feet of the subject property shall be indicated on the site plan.
  28. Written project summary including operational information, building schedule, and estimate of project value including all site improvement costs.
  29. Other data, which may be required by either the Town Plan Commission or the Town Board to review the site plan.
- d. Architectural data, which shall include the following:
  1. Architectural plans, elevations, sketches and color perspective renderings illustrating the design and character of all proposed structures. Said elevations and perspective renderings shall indicate the location and placement of all auxiliary building equipment such as heating, ventilating, and/or air conditioning equipment. The drawings are to be drawn to a recognized architectural scale with the name of the project noted.
  2. Owner's and/or developer's name and address noted.
  3. Architect's, designer's, and or engineer's name and address noted.

4. Date of submittal of plans.  
5. Scale of drawings, noted on each drawing.  
6. The type, size, and location of all structures with all building dimensions shown.

7. Height of all structures.
8. Site plan, pursuant to § M 2.b
9. Samples of exterior materials and their colors.

10. Additional information and data which may be required by the Plan Commission may include the following upon request.

- a. Photographs from the site of adjacent neighboring structures.
- b. Detailed drawings of decorative elements of the building(s) or structure(s).
- c. Sectional building or site drawings.

e. Deferral of Architectural Data Submission. The Tow Board may, by resolution and upon the request of the owner or his agent, defer submission of architectural data pursuant to § N. In the event of such deferral, the owner or his agent shall submit said architectural data pursuant to § W.

N. Notice of Complete Petition.

1. Upon receipt of a petition, the Plan Commission shall provide the petitioner with a dated receipt. Within ten (10) working days of receipt of a petition, the Plan Commission shall review the petition and determine if the petition meets the submission requirements. The Town Board; at its next regular meeting, shall review any requests for a waiver from the submission requirements and shall act on these requests prior to determining the completeness of the petition.

2. If the Plan commission determines the petition is complete, the Plan Commission shall notify the petitioner in writing of this determination and require the petitioner to provide a sufficient number of copies of the petition to the Plan Commission.

3. If the Plan Commission determines the petition is incomplete, the Plan Commission shall notify the petitioner in writing, specifying the additional materials or information required to complete the petition.

4. If the Plan Commission determines the petition is complete, the Plan Commission shall notify all abutters to the site as shown on, the Assessor's records, by first-class mail, on or before seven (7) days before the first Plan Commission meeting under § O that a petition has been accepted. This notice shall contain a brief description of the proposed activity and the name of the petitioner, give the location of a copy of the petition available for inspection, and provide the date, time, and place of the Plan Commission meeting at which the petition will be considered. Failure on any part of any abutter to receive such notice shall not be grounds for delay of any consideration of the petition nor denial of the project.

O. Plan Commission Review and Recommendation. The Plan Commission, at its next regular meeting not fewer than seven (7) days after the Town Clerk mails notice to abutters, allowing customary time for public notice of said meeting and distribution of the application to the plan commissioners, shall review all petitions and the site, including without limitation, storm water drainage, soils, vegetation, surface waters, topography, nearby land and water uses that may be affected by the proposed Project: traffic conditions on public highways serving the site, and any other factors consistent with the requirements of this Zoning Ordinance and bearing on the public health, welfare, safety or property values. Based upon said review, the Planning Commission shall make a recommendation to the Town Board. The Plan Commission may add any additional conditions or restrictions that it may deem necessary or appropriate to promote the spirit and intent of this Zoning Ordinance and the purpose of this Ordinance.

P. Public Hearing. On or before thirty (30) days of the review and recommendation by the Plan Commission, a public hearing shall be held before the Town Board pursuant to the provisions of §1 of this Zoning Ordinance.

1. Each person wishing to speak or otherwise present evidence at said hearing shall:

a. Identify himself or herself by name, residence address, any principal he or she represents, and whether he or she will be compensated by or on behalf of the principal,

b. Provide a copy of all documents and things upon which he or she relies to the keeper of the record.

c. A record shall be kept by a court reporter, including a transcript of proceedings and a copy of all documents or things presented. The court reporter shall file a complete original and two complete copies with the Town Clerk on or before fourteen (14) days after said hearing, or at such earlier time as the Town Board may determine.

Q. Town Board Action. At its next regular meeting following said public hearing, the Town Board shall approve, approve with conditions, or deny the application in writing, together with the findings on

which that decision is based. Town Board action shall be consistent with the requirements of the Zoning Ordinance in the interests of the public health, welfare, safety and property values. However, if the Town Board has a waiting list of applications that would prevent the Town Board from making a decision within the required time period, then a decision on the application shall be upon agreement between the applicant and the Town Board.

R. Standards of Review. To obtain approval from the Town Board, an application must comply with the standards in this section.

1. The petition for the proposed PUD Planned Unit Development Overlay District shall state that the petitioner intends to begin the physical development of the designated PUD Planned Unit Development Overlay District within nine (9) months following the approval of the petition for a PUD Planned Unit Development Overlay District and that the development will be carried out on or before December 31 of the second year following approval of the petition, excluding the year of approval.

2. The proposed PUD Planned Unit Development Overlay District shall be consistent in all respects to the purpose of the § 0 and to the spirit and intent of this Zoning Ordinance, is in conformity with the comprehensive plan or component plans thereof for community development, would be consistent with the general welfare and economic prosperity of the Town and the immediate neighborhood, and that the benefits and improved design of the resultant development justifies the establishment of a PUD Planned Unit Development Overlay District.

3. In the case of any proposed PUD Planned Unit Development Overlay District:

a. The proposed site shall be provided with adequate and sufficient drainage facilities for the receipt and discharge of storm water. The Plan Commission and the Town Board may use for guidance the drat NR 151, Wis. Admin. Code (2001) or, following promulgation, the final version thereof, as amended.

b. The proposed site shall be safely accessible from and to public roads that are adequate to carry the traffic reasonably expected to be generated by the proposed development, applying traffic-engineering principles. The Plan Commission or the Town Board may require that a petitioner obtain a traffic engineering report from a designated traffic engineer

c. No undue constraint or burden will be imposed by the proposed development on public services and facilities, including, without limitation, fire and police protection, schools, parks and recreation areas, street maintenance, and maintenance of public areas. The Plan Commission or Town Board may require that a petitioner obtain a written statement from the provider of such public, services, facilities or protection that the proposed site plan meets said standards.

d. The petitioner has obtained all required permits required by the Shoreland Zoning Ordinance of Sheboygan county and for proposed discharges from the site to navigable waters and wetlands regulated by the laws of the United States and the State of Wisconsin. The Plan Commission or the Town Board may require that the petitioner obtain written determination from the appropriate regulatory authority of navigability of any water; delineation of any wetland; and written determination of the applicability of any laws of the United States and the State of Wisconsin to such waters or wetlands.

e. Centralized public water and sewer facilities shall be provided and permitted pursuant to the laws of the State of Wisconsin.

g. The entire tract or parcel of land to be included in a PUD Planned Unit Development Overlay District shall be held under single ownership or if there is more than one (1) owner, the petition for such PUD Planned Unit Development Overlay District shall be considered as one (1) tract, lot, or parcel, and the legal description must define said PUD Planned Unit Development Overlay District as a single parcel, lot or tract and be so recorded with the Register of Deeds for Sheboygan County.

h. The proposed development conforms to the following architectural review principles, criteria, and review guidelines.

1. The relative proportion of a building to its neighboring existing buildings, to pedestrians or observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing building are remodeled or altered.

2. The visual continuity of roofs and their contributing elements (parapet walls, coping, cornices, etc.) shall be maintained in building development or redevelopment.

3. Material selection for architectural design shall be based upon the prevailing material already used on existing buildings in the area. No building shall be permitted where any exposed façade is constructed or faced with a finished material which is aesthetically incompatible with other building facades in the area and which presents an unattractive appearance to the public and surrounding properties.

4. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing neighborhood buildings.

5. No building shall be sited in a manner that would unnecessarily destroy or substantially damage the beauty of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area or which would unnecessarily have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

4. In the case of proposed residential PUD Planned Unit Development Overlay Districts:

a. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to reception space, and coordination with overall plans for the neighborhood.

b. The total net residential density within the PUD Planned Unit Development Overlay District will be the average density permitted in the underlying basic use district.

c. Provision has been made for the installation of adequate public or shared facilities and the continuing maintenance and operation of such facilities.

d. The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding public streets, and the development will not create an adverse effect upon the general traffic pattern of the surrounding neighborhood.

e. Off street parking facilities will be adequate to avoid parking by residents and guests on the public or private streets within the proposed development

f. Provision has been made for adequate, continuing fire and police protection.

g. Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.

5. In the case of proposed commercial PUD Planned Unit Development Districts:

a. The economic practicality of the proposed development can be justified.

b. Off street parking and truck service facilities will adequately serve the proposed development.

c. The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas.

d. The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding public streets, and that the development will not create an adverse effect upon the general traffic pattern of the surrounding neighborhood.

e. The architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with and not adversely affecting the property values of the surrounding neighborhood.

6. In the case of proposed industrial PUD Planned Unit Development Overlay Districts:

a. The operational character, physical plant arrangement, and architectural design of buildings will be compatible with the latest in performance standard and industrial development design and will not result in adverse effect upon the property values of the surrounding neighborhood.

b. The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas.

c. The proposed development will include adequate provision for off street parking and truck service areas and will be adequately served by rail and/or arterial highway facilities.

d. The proposed development is properly related to the total transportation system of the community and will not result in an adverse effect on the safety and efficiency of the public streets.

7. In the case of mixed use PUD Planned Unit Development Overlay Districts;

a. The proposed mixture of uses produces a unified composite that is compatible within the underlying zoning districts and which, as a total development entity, is compatible with the surrounding neighborhood.

b. The various types of uses conform to the general requirements as herein before set forth, applicable to project of such use and character.

S. Disposition of the Petition.

1. General Approval. After the public hearing and due consideration, the Town Board shall either deny the rezoning petition for a PUD Planned Unit Development Overlay District, approve the

petition as submitted or approve the petition as modified by additional conditions and restrictions. The approval of the petition shall be based upon the building, site, and operational plans for the development and shall be conditioned upon the subsequent submittal and approval of more specific and detailed plans as each stage of development progresses. Building permits may only be issued upon obtaining general approval of the petition for rezoning for a PUD Planned Unit Development Overlay District. The Town Board shall not approve any petition unless it finds by a preponderance of the evidence after viewing the site plan and/or architectural plans that the intent and purpose of this Zoning Ordinance have been complied with. The findings of the Town Board shall be indicated in the minutes of its meeting and shall be a public record. Plans shall be stamped approved, conditionally approved, or denied and signed and dated by the Town Chairperson and retained as a permanent record by the Town Clerk. The approved preliminary plan shall designate the pattern of proposed streets and the size and arrangement of individual buildings.

2. Detailed Approval. Plans submitted for detailed approval shall be precise and contain all items required by the Plan Commission or Town Board. Detailed approval of the plans for each stage of development shall be required before building permits will be issued for the construction of the structures that are included in the plans for that stage of development.

3. Standard Conditions of Approval. The following standard conditions of approval shall be a part of any approval or conditional approval issued by the Town Board. Where necessary to ensure that an approved project meets the criteria of this ordinance, the Town Board can impose additional conditions of approval. Reference to the conditions of approval shall be clearly noted on the final approved site plan, and shall include:

a. A letter of credit in the amount of all public improvements shall be submitted before such approval is granted.

b. Permittee shall indemnify, hold harmless and defend the Town against any and all demands; claims; suits; alternative dispute resolution proceedings under Wis. Stat. 802.12, as amended from time to time; arbitration awards; or orders or judgments of a court for compensation for injury to person or damage to property of others arising from the negligent or intentional acts of Permittee, its employees, agents, independent contractors or materials suppliers committed during construction or operation of the subject property or the violation of any applicable statute or ordinance.

c. Prior to commencement of construction of the subject property, the permittee shall obtain comprehensive general liability and property damage insurance, as follows, and file certificates thereof with the Town Clerk.

1. Coverage shall protect the permittee and any contractor during the performance of work covered by the permit from claims for damages for personal injury, including accidental death as well as claims for property damages, which may arise from operation under the permit, whether such operations be by the permittee or by any contractor or by anyone directly or indirectly employed by either of them in such manner as to impose liability on Town and the amounts of such insurance shall be subject to the following limits:

Worker's Compensation	Statutory
Employer's Liability	
Accident	\$100,000 Each Accident
Disease	\$100,000 Each Employee
Disease	\$500,000 Policy Limit
Bodily Injury	
	\$500,000 Per Person
	\$500,000 Per Occurrence
	\$500,000 Aggregate
	\$5,000 Medical Per Person
Property Damage	\$250,000 Per Occurrence
	\$250,000 Aggregate
Excess Liability (Umbrella)	
General Aggregate	\$1,000,000
Each Occurrence	\$1,000,000

2. The certificate of insurance shall contain a ten (10) day notice of cancellation shall name the Town as an additional insured.

2. Changes or Additions. Any subsequent change or addition to the plans or uses shall first be submitted for approval to the Town Clerk and if, in the opinion of the Town Clerk, upon consultation with the Town Board, such change or addition constitutes a substantial alteration of the original plan, the provisions of §§ O through S, inclusive, shall pertain, and the Town Clerk shall determine and collect appropriate fees pursuant to § L. If the Town Clerk determines such change or addition does not constitute a substantial alteration of the original plan, then such change or addition shall be either

approved or denied by the Plan Commission, subject to appeal to the Town Board by any person adversely. Written notice of an appeal shall be filed with the Town Clerk within thirty (30) days of the decision: The notice of appeal shall clearly state the reasons for the appeal.

- T. Inspection and Fee. The Town shall have the right, at its sole option, to inspect the subject property as necessary and on prior written notice to the permittee. The Town may employ professional services and charge a review fee as provided in the § L 2; provided, however, the permittee shall pay the fee prior to said inspection, as a condition of continuation of said permit.
- U. Appeals. Any person aggrieved by a decision of the Town Clerk or the Town Board under this ordinance may appeal the decision to the Board of Appeals, as provided by Wis. Stat. § 60.65 (5) and 59.694, as amended and § 30 of the Zoning Ordinance. Written notice of an appeal shall be filed with the Board of Appeals within thirty (30) days of the decision. The notice of appeal shall clearly state the reasons for the appeal.
- V. Penalties: Sections 19 and 20 of the Zoning Ordinance shall apply to any person who owns or controls any building or property that violates this ordinance.
- W. Conflict and Severability.
  - 1. Conflicts with other Ordinances: Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or of any other ordinance, regulation, or statute, the more restrictive provision shall apply.
  - 2. Severability. The invalidity of any part of this ordinance shall not invalidate any other part of this ordinance.