

CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description CITY PLAN COMMISSION

Date: MONDAY, FEBRUARY 12, 2018 Time: 6:00PM Location: MUNICIPAL BUILDING
300 LA CROSSE STREET, WISCONSIN DELLS,

	Committee Members
Mayor Brian Landers-Chair	Alder. Mike Freel Fire Chief Pat Gavinski Chris Lechnir
	Tifani Jones Dan Anchor Lisa Delmore
AGENDA ITEMS:	
1	CALL MEETING TO ORDER AND ATTENDANCE
2	APPROVAL OF THE MINUTES FROM THE DECEMBER 11, 2017 MEETING
3	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FROM AMERICAN WORLD, INC. IN ORDER TO ALLOW A SEASONAL WORKFORCE HOUSING FACILITY TO CONTINUE AT 2020 WISCONSIN DELLS PKWY, WISCONSIN DELLS, SAUK COUNTY TAX PARCEL 291-0148-00000. THE PROPERTY IS ZONED C-4 COMMERCIAL-LARGE SCALE.
4	DISCUSSION/DECISION ON ITEM #3 (CUP-AMERICAN WORLD)
5	PUBLIC HEARING TO CONSIDER A SITE PLAN PERMIT APPLICATION FROM LOGGING CAMP, INC. IN ORDER TO ALLOW CONSTRUCTION OF A NEW TICKET BOOTH AND GIFT SHOP AT 419 STH 13, WISCONSIN DELLS, SAUK COUNTY TAX PARCEL 291-0118-00000. THE PROPERTY IS ZONED C-4 COMMERCIAL-LARGE SCALE.
6	DISCUSSION/DECISION ON ITEM #5 (SITE PLAN-LOGGING CAMP)
7	PUBLIC HEARING TO CONSIDER A ZONING CODE AMENDMENT TO UPDATE CONDITIONAL USE PERMIT SECTION TO COMPLY WITH WISCONSIN ACT 64
8	DISCUSSION/DECISION ON ITEM #7 (ZONING CODE AMENDMENT-ACT 64 CUP)
9	PUBLIC HEARING TO CONSIDER A ZONING CODE AMENDMENT TO CREATE STANDARDS FOR "OVERNIGHT LODGING" TO PROVIDE CONSISTENCY FOR THE STANDARDS FOR "SEASONAL WORKFORCE HOUSING"
10	DISCUSSION/DECISION ON ITEM #9 (ZONING CODE AMENDMENT-OVERNIGHT LODGING)
11	DISCUSSION/DECISION ON CSM FROM NLS, LLC, WISCONSIN DELLS SAUK COUNTY TAX PARCELS 291-0026-00100, 291-0026-00200, 291-0026-00300, 291-0026-00700, AND 291-0042-10000. THE PROPERTY IS ZONED C-4 COMMERCIAL-LARGE SCALE.
12	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETINGS
13	SET DATE FOR THE NEXT PLAN COMMISSION MEETING (MARCH 12, 2018)
14	ADJOURNMENT
	<p>Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.</p>
	<p>MAYOR BRIAN LANDERS CHAIRPERSON DISTRIBUTED FEBRUARY 9, 2018</p>

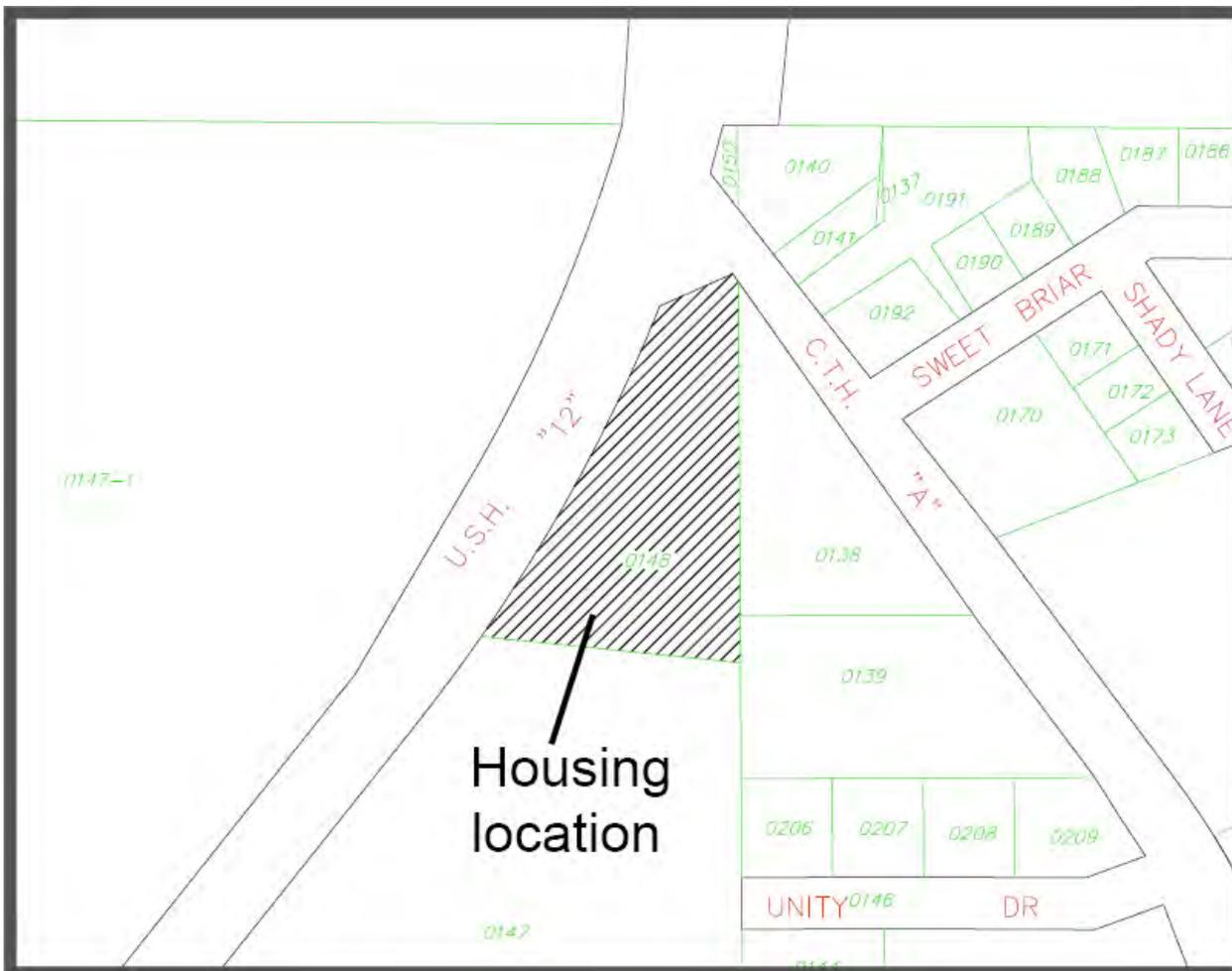
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Wisconsin Dells Plan Commission will hold a Public Hearing on **Monday, February 12, 2018 at 6:00PM** in the Council Chambers of the Municipal Building at 300 La Crosse Street, Wisconsin Dells, Wisconsin 53965, to consider the following:

Conditional Use Permit, per Municipal Code sec. 19.371(8), requested by American World Inc, in order to allow a SEASONAL WORKFORCE HOUSING at 2020 Wisconsin Dells Parkway, Sauk Co, City of Wisconsin Dells Parcel 291-0148. The property is zoned C-4 Commercial-Large scale, which requires a Conditional Use Permit for Seasonal Workforce Housing per Chapter 19 Article 5 Division 3 of the Municipal Code.

This property is the motel located behind the BP station at the intersection of Wisconsin Dells Parkway and CTH A and has been used for Seasonal Workforce housing for the past several years. American World is applying to use this property for employee housing again in 2018.

Copies of the application are available for review at the City of Wis. Dells Public Works office in the Municipal Building at 300 LaCrosse St.



All interested persons will be given an opportunity to be heard at the Public Hearing. With reasonable notice the City will provide appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in the Public Hearing.

Dated this 19th of January 2018

Chris Tollaksen
Plan Commission
City of Wisconsin Dells

Publication Dates:
January 25, 2018
February 1, 2018

Conditional Use Permit – American World Employee Housing (Continental Motel)
2020 Wisconsin Dells Parkway
Staff Report for Plan Commission, 2/12/18

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from American World Inc. for a Group Lodging Facility (Seasonal Workforce Housing) at the old Continental Motel located at American World 2020 Wisconsin Dells Parkway.

Mt. Olympus had obtained a CUP for a lodging permit at this facility in 2011, 2012, 2013, 2014, 2015, and 2016. There have not been significant issues or concerns at this facility in the past. Recently American World has taken over operations of their motels in this area and obtained a permit to operate this facility as employee housing again in 2017.

American World has stated that they do not intend the long term use of this facility to be for employee housing. However, they have indicated that at this time they still feel employee housing is the right use for this facility.

It is agreed by all parties that employee housing on Wis. Dells Parkway is not desirable, and should be the housing of last resort.

The facility contains 22 rooms on 2 identical stories. Each story has 9 rooms with an area of 324 sq ft and 2 rooms with an area of 439 sq ft. Each room has a full bathroom, with tub, toilet and sink. Bunk beds have been installed in the rooms to hold 4 and 6 employees respectively, which provide 81 sq ft and 73 sq ft per person respectively. This creates a total maximum occupancy of 96 persons. The current lodging facility ordinance requires 50 sq ft per person, which this facility meets. The City has encouraged new facilities that are converted hotel to provide more than the minimum square footage.

This facility does not have any common area available for use by the employees, the office area at this facility is currently being used for storage is and full.

The current zoning code requires there to be at least one parking space for each room. This facility has 22 rooms and the zoning code requires 1 space per room. There are 44 parking spaces in front of the facility. The gas station and restaurant adjacent to this facility have additional parking that meets their requirements. There are also approximately 187 additional parking spaces south of Crabby's.

The entire American World property contains another motel and a campground with a RV park. American World will be managing the overnight facilities as well as this employee housing facility and ensuring that the area is properly maintained.

General concerns arise when an overnight lodging facility is converted to longer term occupancy as a Seasonal Workforce Housing facility. Some of these concerns come from the location of such facilities in prominent commercial areas. Generally, Seasonal Workforce housing facilities are not the best view of the community for visitors to see. Other concerns with the conversion of these facilities have to do with fire and safety issues. This particular facility is a concrete building, so that it is not as susceptible to a catastrophic fire.

As for the location of this facility, American World has indicated that it would rather use this facility or this location for a more commercial use, but is not able to do this at this time. One option would be to approve this permit for one year to allow American World to get through this season and address this facility again next year.

It has been past practice that any approval of the Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will terminate the permit, and any subsequent owner will be required to obtain a separate CUP for this facility.

Another past practice is to make it clear to the applicant that approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the surrounding properties, the permit may be revoked. This property is located in a commercial area that is next to a convenience store, but far from any other amenities such as a full grocery store, library, or other public services.

This facility is on the main commercial strip in this area of the City, which would not ordinarily be considered a good location for employee housing. This use would not be consistent with the City's future plan to utilize these lands for commercial purposes.

This use should not have a significant impact on the traffic circulation in this area.

As this use will take place in an existing facility, the effects on the natural environment will be minimal.

This use could have a negative effect on surrounding commercial properties, as employee housing become a nuisance property if not properly managed.

Approval of this permit may contain the following contingencies.

1. The permit is issued to American World Inc. and is not transferrable
2. The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
3. Possibly: The permit is issued for one year to prevent the perpetual use of this location for employee housing.

OR: This permit will be reviewed in one year to evaluate the status of this location for more appropriate uses than employee housing.

Chris Tollaksen
City of Wis. Dells Public Works

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	12641
Application number	Cop 1-2018

1. Applicant information

Applicant name AMERICAN WORLD, INC.
 Street address 400 COUNTY RD. A.
 City WISCONSIN DELLS
 State and zip code WI 53965
 Daytime telephone number 608-253-4451
 Fax number, if any 608-254-9009
 E-mail, if any ADAM@AMERICANWORLD.COM

2. Subject property information

Street address	<u>2020 WISCONSIN DELLS PARKWAY</u>	
Parcel number	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.	
Current zoning classification(s)	<u>COMMERCIAL 1</u>	
Describe the current use	<u>EMPLOYEE HOUSING</u>	

3. Proposed use. Describe the proposed use.

EMPLOYEE HOUSING

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

24 HOUR OCCUPANCY MAY 1 - SEPTEMBER 30TH.

CONDITIONAL USE APPLICATION
Wisconsin Dells, Wisconsin
Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

NONE

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

EMPLOYEES ARE INSTRUCTED IN PROPER
PEDESTRIAN CROSSING USE.

c. The suitability of the subject property for the proposed use

WELL SUITED

d. Effects of the proposed use on the natural environment

NO EFFECT.

e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

NO EFFECT.

f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

NO EFFECT.

g. Effects of the proposed use on the city's financial ability to provide public services

NO EFFECT.

CONDITIONAL USE APPLICATION
Wisconsin Dells, Wisconsin
Version: May 21, 2007

7. **Project map.** Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

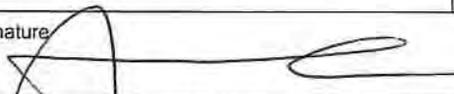
8. Applicant certification

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

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Applicant Signature

Date

 12-12-17

Governing Regulations The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

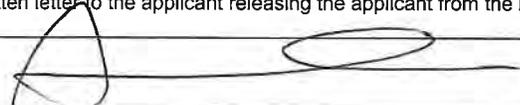
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

	12-12-17
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Applicant Signature

Date

CONDITIONAL USE APPLICATION

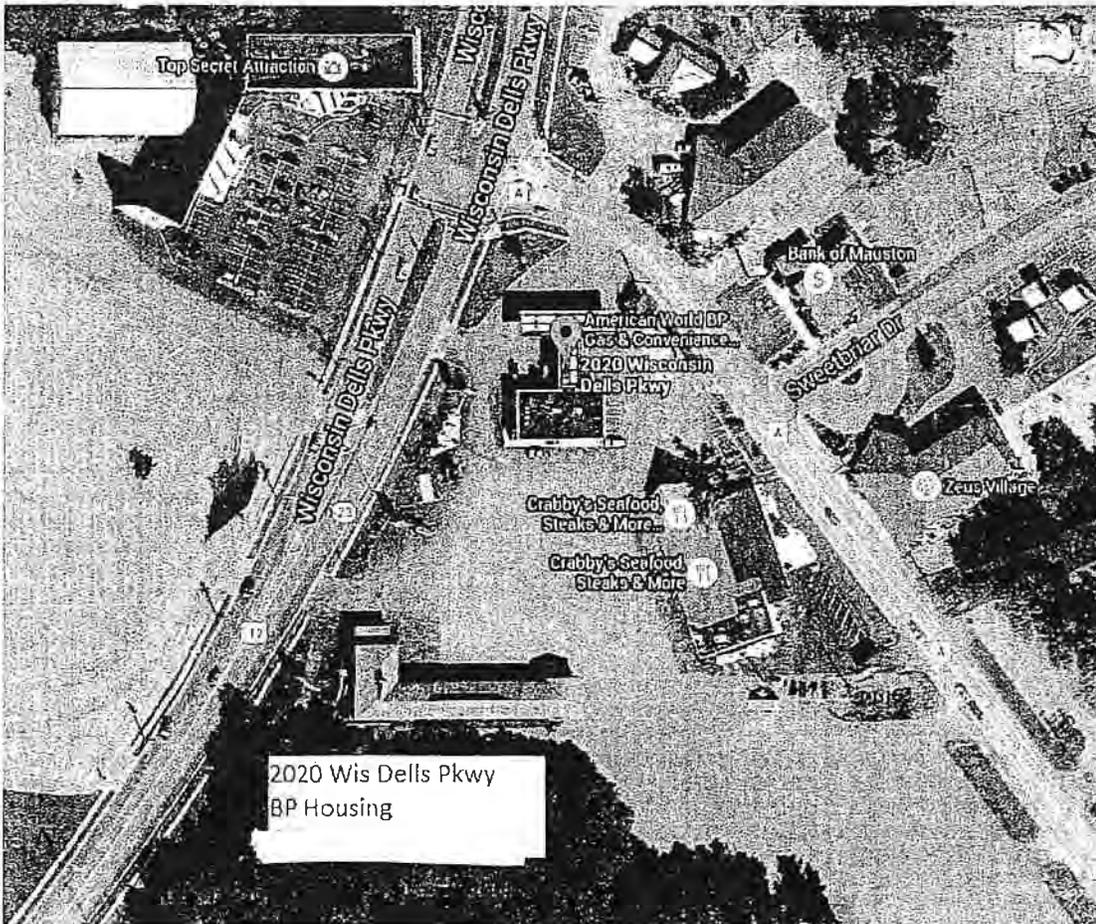
Wisconsin Dells, Wisconsin

Version: May 21, 2007

Project Map Checklist

Project Information	Included ?
Project name (e.g., business name, subdivision name)	<input checked="" type="checkbox"/>
Applicant name	<input checked="" type="checkbox"/>
Preparation date	<input checked="" type="checkbox"/>
Survey Information	
North arrow and graphic scale	<input type="checkbox"/>
Address of subject parcel or legal description	<input checked="" type="checkbox"/>
Property boundaries	<input checked="" type="checkbox"/>
Acreage of subject parcel	<input type="checkbox"/>
Project Development Information	
Easements/rights-of-ways (location, width, purpose, ownership)	<input type="checkbox"/>
Common areas/conservancy areas (location, purpose, ownership)	<input type="checkbox"/>
Setting	
Property boundaries within 50' of the subject parcel	<input type="checkbox"/>
Land uses within 50' of the subject parcel	<input type="checkbox"/>
Zoning district boundaries within 50' of the subject parcel	<input type="checkbox"/>
Municipal boundaries within 50' of the subject parcel	<input type="checkbox"/>

Site Features (Existing and Proposed)	Included ?
Wetlands	<input type="checkbox"/>
Woodlands	<input type="checkbox"/>
Wildlife habitat, including critical wildlife habitat	<input type="checkbox"/>
Environmentally sensitive features	<input type="checkbox"/>
Water resources (rivers, ponds, etc.)	<input type="checkbox"/>
Floodplain boundaries	<input type="checkbox"/>
Environmental and man-made hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, high-pressure natural gas lines, and others as appropriate	<input type="checkbox"/>
Fences, buffers, and berms	<input type="checkbox"/>
Existing trees and other prominent vegetation	<input type="checkbox"/>
Transportation Facilities (Existing and Proposed)	
Streets	<input type="checkbox"/>
Driveways and road access onto public and private roads	<input type="checkbox"/>
Sidewalks / trails	<input type="checkbox"/>
Buildings / Structures (footprint, use, etc.)	
Existing and proposed within subject parcel	<input type="checkbox"/>
Existing within 50' of subject parcel	<input type="checkbox"/>



Chris Tollaksen

From: Brian Landers
Sent: Monday, February 12, 2018 10:48 AM
To: Monica Dorow Leis
Cc: Chris Tollaksen
Subject: Fwd: Public Hearing

Please print out in PC packets for tonight.

Mayor Brian Landers
City of Wisconsin Dells
300 LaCrosse Street
WI Dells, WI 53965
608-254-2012 ext. 408
brianlanders@dellscitygov.com

All e mail communications from this account are subject to open records.

Begin forwarded message:

From: Randy and Jody <2snowcats@cheqnet.net>
Subject: Public Hearing
Date: February 2, 2018 at 8:56:47 PM CST
To: <brianlanders@dellscitygov.com>

Hi Brian, We appreciate getting the notice of a public hearing on 2/12 ref the Conditional Use Permit for American World. We are not able to come to the meeting but for the record we are not in favor of the granting that permit. We've asked Fred and Bobbie to vacate our house on Unity Drive so we can get it ready to sell AGAIN. The realtors we've used in the past have each told us that having the property around us used for employee housing is not attractive for would be home owners on Unity Drive. The high taxes are another reason they think the property doesn't sell. As the owners of the only home on Unity Drive, we feel our concerns and wishes are ignored by the City Counsel members in favor of the large business owner. I just wanted you to know this. Anyway, we'll be traveling south in April to get our house cleaned up and ready to list. Perhaps we'll run into you. Warmest regards to you and Karen. Jody S.

Staff Report for Plan Commission, 02/12/18
Site Plan Application – Ticket booth and gift shop
419 STH 13 (Parcel 291-0118-00000)

The Planning & Zoning office has received a Site Plan application from Logging Camp Inc. to construct a new ticket booth and gift shop at their Logging show property, 419 STH 13, Sauk County, City of Wisconsin Dells tax parcel 291-0118-00000. Site plan approval is required for all new commercial buildings.

They are currently selling tickets from an existing ticket booth that was part of the old mini-golf course that used to be on the site. They would like to remove the existing building and construct a new larger building that will include a small gift store. Both the existing ticket booth and the new ticket booth will sell tickets through a walk-up service window to patrons outside the building. The new ticket booth will incorporate an indoor retail space as a gift shop for the lumberjack show. The lumberjack show is already serviced by several restrooms that were incorporated into the new concession stand that was constructed when the lumberjack show went in. The existing restrooms are about 200 ft from the new buildings, which is the furthest anyone would be on the site. The standard is for restrooms to be within 500 ft, so no new restrooms are required. Still, an additional uni-sex restroom is being installed in the new building for convenience.

As this building is replacing an existing building, and intended to improved service to customers of the existing business, there should be no direct changes to the other site requirements, such as parking, traffic, and effects on neighboring properties or future development in the area.

The building will be constructed in a timber fashion consistent with the theme of the lumberjack show.

Prepared by: Chris Tollaksen

WATER
AREA

EXISTING RESTAURAN

RUNOFF SILT FENCE ALL AROUND
CONSTRUCTION AREA

LUMBERJACK SHOW ACTIVITY AREA

NEW SEATING AREA "AMPHITHEATER"
FOR LUMBERJACK SHOW

MEN/WOMEN RESTROOMS

LOCATE MIN 60'-0" FROM
PROPERTY LINE

old



1 SITE PLAN

S0.2 SCALE: NTS

AREA

EXISTING RESTAURAN

RUNOFF SILT FENCE ALL AROUND CONSTRUCTION AREA

LUMBERJACK SHOW ACTIVITY AREA

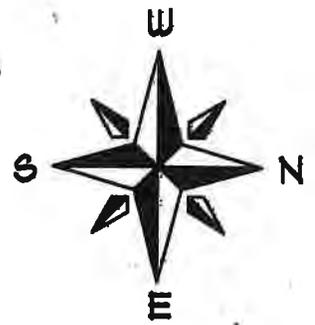


NEW SEATING AREA "AMPHITHEATER" FOR LUMBERJACK SHOW

MEN/WOMEN RESTROOMS

LOCATE MIN 60'-0" FROM PROPERTY LINE

New



1 SITE PLAN
S0.2 SCALE: NTS

SITE PLAN APPLICATION

Wisconsin Dells, Wisconsin

Version: February 27, 2008

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this form from the zoning administrator.

- Office Use Only -

Initial application fee	\$ 300
Receipt number	62739
Application number	

1. Applicant information

Applicant name Logging Camp Inc
 Street address 411 Hwy 13
 City Wisconsin Dells
 State and zip code WI 53965
 Daytime telephone number 608 254 8717
 Fax number, if any 608 254 4452
 E-mail, if any dells@dells-paulburys.com

2. Subject property information

Street address	<u>419 Hwy 13</u>	
Parcel number	<u>291 0118-00000</u>	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)		
Describe the current use	<u>ticket booth + office</u>	

3. Proposed use. Describe the proposed use.

ticket booth, office + gift shop.

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

8AM to 9pm daily during operating season.

5. Potential nuisances. Describe any potential nuisances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

N/A

SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin
Version: February 27, 2008

6. **Review criteria.** In making its decision, the Plan Commission must consider five factors as listed below. Provide a response to each. (See Section 19.393 of the Municipal Code.)

a. Consistency of the project with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

b. Effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

Should not change flow of traffic on or off site.

c. Effects of the project on the natural environment

the footprint of building is going to increase from 600 sq ft to 1344 sq ft.

d. Effects of the project on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

No change.

e. The overall appearance of the project

The new building will be a very nice improvement on the property. It's going to be a timber framed building, with wood coverings. Very rustic.

f. If the project is a multi-family real estate development (more than 3 dwelling units), does the project meet the following standards:

1. All setback areas fronting on or visible from an adjacent public street, and all recreation, leisure and open space areas shall be landscaped in accordance with the project plan. Decorative design elements, such as fountains, pools, benches, sculpture, planters, exterior recreational facilities and similar elements may be permitted, providing such elements are incorporated as part of the landscaping plan; and, permanent and automatic irrigation facilities are provided in all planted landscaped area.

N/A

2. Minimum open space is thirty (30%) percent of the net area being developed. The net area shall exclude dedicated or proposed-dedicated public rights-of-way.

SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin

Version: February 27, 2008

3. Common open space areas are designed and located within the project to afford use by all residents of the project. These common areas may include, but are not limited to: game courts or rooms, swimming pools, garden roofs, sauna baths, putting greens, or play lots.

N/A

4. Active recreation and leisure areas, except those located completely within a structure, used to meet the open space requirement, shall not be located within fifteen (15) feet of any door or window of a dwelling unit.

5. Private waterways, including pools, streams and fountains, may be used to satisfy not more than fifty (50%) percent of the required open space.

6. Trash collection areas shall be provided within two hundred and fifty (250') feet of the units they are designed to serve. Such areas shall be enclosed within a building or screened with masonry walls having a minimum height of five feet. Access gates or doors to any trash area, not enclosed within a building, are to be of opaque material.

7. **Project map.** Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

8. Applicant certification

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

Tom Hickey

1-10-18

Applicant Signature

Date

SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin
Version: February 27, 2008

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

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B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

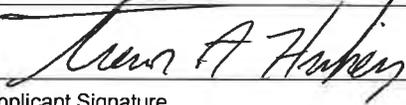
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If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

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	1-10-18
Applicant Signature	Date

Chapter 19 – Wisconsin Dells Zoning Code

C

CFR An acronym for Code of Federal Regulations.

City attorney The position of city attorney for the city of Wisconsin Dells.

City clerk The position of city clerk for the city of Wisconsin Dells.

City engineer The position of city engineer for the city of Wisconsin Dells.

Common council The governing body of the city of Wisconsin Dells.

Commercial zoning district A zoning district established by this code that has a “C” followed by a number as its abbreviation (e.g., C-1).

Comprehensive plan The document the common council has adopted consistent with sec. 66.1001, Wis. Stats.

Conditional use See land use, conditional

Conditional Use Permit A permit authorizing establishment of a conditional use consistent with the provisions of this code.

~~Conditional Use Permit 2 A permit authorizing establishment of a Conditional Use Permit consistent with the provision of this code. This permit is for uses deemed to have a low impact potential and therefore do not require public notice.~~

Condominium A form of ownership with unrestricted right of disposal of one or more units in a multiple unit project with the land and all other parts of the project held in common ownership or use with owners of the other units.

Cone of depression The area around a well, in which the water level has been lowered at least one-tenth of a foot by pumping of the well.

Conservancy zoning district A zoning district established by this code that has a “D” followed by a number as its abbreviation (e.g., D-1).

Covenant A legally binding agreement contained in a deed, declaration, or other legal document or on the face of a plat that restricts or regulates the use of specified real property.

Curb The barrier used to separate roads and other vehicle use areas from the surrounding environs.

D

Date of completeness The date an application is deemed complete by the city.

Deck An above-ground, unroofed platform extending from a building and intended for outdoor living.

Development standards Regulations that govern the initial development of a parcel of land, including the construction of structures and infrastructure.

District See zoning district.

Dwelling unit A single building or portion thereof providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

E

Establish To construct, place, insert, or excavate.

**Division 2
NOTICE REQUIREMENTS**

Sections:

19.320	When required	19.324	Town notice
19.321	Content of required notice	19.325	Property owner notice
19.322	Cost of notice	19.326	Agency notice
19.323	Public notice	19.327	Distribution list notice

19.320 When required

Notice shall be provided for as shown in exhibit 4-1.

Exhibit 4-1. Public notice

Division	Type of Action	Public Notice		Town Notice	Property Owner Agency Notice		Distribution List Notice
		Class I	Class II		Owner Notice	Agency Notice	
4	Zoning permit	-	-	-	-	-	-
5	Occupancy permit	-	-	-	-	-	-
6	Conditional use permit	X	X	-	X	X	-
	Conditional use permit-2					X	
7	Site plan review	-	-	-	-	-	-
8	Change in nonconforming use	X	-	-	X	X	-
9	Planned development district (PDD)	-	X	X	X	X	-
10	Code amendment – map amendment – landowner initiated	-	X (1)	X	X	X	X
	Code amendment – map amendment – city initiated	-	X (1)	X	-	X	X
	Code amendment – text amendment	-	X (1)	-	-	X	X
11	Extension of approval period	-	-	-	-	-	-
12	Variance	X	-	-	X	X	-
13	Administrative appeal	-	-	-	-	-	-
14	Code interpretation	-	-	-	-	-	-
15	Enforcement	-	-	-	-	-	-

X indicates that that type of notice is required

- indicates that that type of notice is not required

1. If the proposed amendment would have the effect of changing the allowable use of any property, the notice shall include either a map showing the property affected by the amendment or a description of the property affected by the amendment and a statement that a map may be obtained from the city clerk.

Division 6B
CONDITIONAL USE PERMIT—2

Sections:

19.370 — Generally	19.376 — Staff report content
19.371 — Application and review procedure	19.377 — Content of decision
19.372 — Extension of review period	19.378 — Effect of approval
19.373 — Basis of decision	19.379 — Expiration of approval
19.374 — Imposition of conditions	19.380 — Subsequent modifications and additions
19.375 — Application form and content	19.381 — Appeal

19.370 — Generally

The City of Wisconsin Dells has determined that there are land uses that would be prudent for the city to review, but the potential impact of these uses is minimal, and the review process should be streamlined. These are referred to as Conditional Use 2 and are listed in Division 3 of Article 5.

19.371 — Application and review procedure

- (1) ~~**Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent may meet with the zoning administrator to:~~
 - ~~(a) review applicable regulations and procedures;~~
 - ~~(b) review applicable goals and objectives of the city's comprehensive plan and the applicable neighborhood plan(s), if any; and~~
 - ~~(c) review the proposal.~~

The pre-submittal meeting may, at the discretion of the administrator and concurrence of the applicant or the applicant's agent, be held via telephone conference. Prior to the telephone conference, any preliminary drawings and maps shall be submitted to the administrator. A representative from the Public Works Department, Fire Department, and other city departments as appropriate should participate in this preliminary discussion.
- (2) ~~**Submittal of application.** The applicant shall submit an application to the administrator along with the application fee as may be established by the common council.~~
- (3) ~~**Determination of completeness.** Within 10 days, but not sooner than 4 days, of submittal, the administrator shall determine whether the proposed application is complete or incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 6 months to resubmit the application or forfeit the application fee. The administrator shall take no further steps to process the application until the deficiencies are remedied.~~
- (4) ~~**Ground water technical review committee recommendation.** If the use is subject to the conditional use provisions of the wellhead protection overlay district, the ground water technical review committee shall meet to review the application and make a recommendation to the plan commission to (1) approve the conditional use permit; (2) approve the conditional use permit with conditions; or (3) deny the conditional use permit.~~
- (5) ~~**Schedule date of review.** The administrator shall schedule a public hearing with the plan commission.~~
- (6) ~~**Staff report.** The administrator shall prepare a written staff report as described in this division and mail it to each member of the plan commission, the applicant, and the applicant's agent, if any, no later than 3 days prior to the public hearing. The administrator shall also provide a copy to interested people upon request.~~
- (7) ~~**Public hearing.** The plan commission shall conduct a public hearing consistent with division 2.~~
- (8) ~~**Plan commission recommendation.** Within 10 days of the public hearing (unless the applicant consents to an extension of the review period), the plan commission after considering the comments and recommendations of the staff report and the recommendation of the ground water technical review committee, if appropriate, shall make a recommendation to the common council based on the decision criteria contained in this division to (1) approve the conditional use permit; (2) approve the conditional use permit with conditions; or (3) deny the conditional use permit.~~
- (9) ~~**Common council decision.** Allowing for proper public notice, the common council shall consider the application. After considering the public comments received at the public hearing, the recommendation of the plan commission, the staff report, the recommendation of the ground water technical review committee, if appropriate, and other information as appropriate, the common council shall make a decision based on the decision criteria contained in this division to (1) approve the conditional use permit; (2) approve the conditional use permit with conditions; or (3) deny the conditional use permit. In the event of an adverse recommendation by the plan commission, a ¾ vote of all of the members of the common council shall be needed to approve said conditional use. The decision shall be prepared consistent with the requirements contained in this division.~~

19.372 – Extension of review period

- (4) ~~Generally.~~ Prior to the final decision of the common council, an applicant may request an extension to the review period if the applicant wishes to amend the application with new or different information.
- (5) ~~Procedure.~~ If the common council approves the extension, the plan commission will rehear the amended application with appropriate notice.
- (6) ~~Extension requirements.~~ Unless otherwise stated in writing, an extension request automatically extends the review period to 30 days beyond the date when the plan commission hears the amended application.

19.373 – Basis of decision

The plan commission in making its recommendation and the common council in making its decision shall consider the following factors:

- ~~(h) consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any~~
- ~~(i) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site~~
- ~~(j) the suitability of the subject property for the proposed use~~
- ~~(k) effects of the proposed use on the natural environment~~
- ~~(l) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances~~
- ~~(m) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district~~
- ~~(n) effects of the proposed use on the city's financial ability to provide public services~~

19.374 – Imposition of conditions

- (4) ~~Generally.~~ The plan commission may recommend and the common council may impose such conditions and restrictions as may be necessary to grant approval. Such conditions and restrictions may relate to the establishment, location, construction, maintenance, operation of the use, off-site impacts, and any other aspect of the use that impacts the public health, safety, or general welfare. Conditions as imposed shall be achievable.
- (5) ~~Special conditions for conditional uses subject to wellhead protection overlay district requirements.~~ As a condition of approval, the owner/operator of a use subject to the conditional use provisions of the wellhead protection overlay district shall, at a minimum, be required to:
 - ~~(a) obtain and maintain approval from appropriate federal and state agencies to handle the regulated substance;~~
 - ~~(b) employ best management practices related to the regulated substance;~~
 - ~~(c) submit to the city results from environmental monitoring related to the regulated substance as may be required by a state or federal agency;~~
 - ~~(d) convert existing technologies that handle the regulated substance to best available technologies when required by the city to provide adequate protection of the public water supply;~~
 - ~~(e) replace worn out or defective equipment that is used to handle the regulated substance;~~
 - ~~(f) construct facilities to contain the regulated substance when required by the city to provide adequate protection of the public water supply;~~
 - ~~(g) undertake environmental and safety monitoring when required by the city to provide adequate protection of the public water supply; and~~
 - ~~(h) develop and maintain an operational safety plan and a contingency plan that addresses the regulated substance.~~
- (6) ~~Limitations on imposing conditions.~~ The plan commission shall not recommend and the common council shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a 3rd party under which the 3rd party is engaging in a lawful use of the property. ~~(See sec. 62.23(7)(gm), Wis. Stats.)~~

19.375 – Application form and content

The application submittal shall include the following:

- ~~(j) an application form as may be used by the city;~~
- ~~(k) a project map prepared at an appropriate scale and containing the information listed in appendix A; and~~
- ~~(l) a list of variances, requested or granted, that are relevant to the application.~~
- ~~(m) If the use is subject to the provisions of the wellhead protection overlay district, the application submittal shall also include the following:~~
 - ~~(n) schematics for all proposed containment facilities;~~
 - ~~(o) a floor plan that shows doorways, loading docks, building service areas, and storage areas for regulated substances for each building in which the regulated substance is handled;~~

- (p) a proposed operational safety plan that describes the operational procedures for material processes and containment;
- (q) a proposed contingency plan that addresses in detail the actions to be taken should a regulated substance be released into the environment; and
- (r) an environmental risk assessment, prepared by a qualified professional, that details the risk of ground water contamination associated with the regulated substance.

19.376 – Staff report content

At a minimum, the staff report shall contain the following information:

- (e) a summary of the comments received from the interdepartmental/agency review;
- (f) findings for each of the decision criteria listed in this division;
- (g) a preliminary list of conditions if approval is recommended; and
- (h) a recommendation to approve the application, approve it with conditions, or deny the application.

19.377 – Content of decision

If the application is denied, the decision shall include the following:

- (g) A statement that the application is denied.
- (h) A description of the project, including acreage and proposed use characteristics.
- (i) Findings for each of the decision criteria.
- (j) A statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration.
- (k) A statement that the decision may be appealed to a court of competent jurisdiction.
- (l) Date of the decision.

19.378 – Effect of approval

When the conditional use permit authorizes the construction of a new building or structure eligible for assessment for real property tax purposes, the permit shall run with the land and be binding on all subsequent property owners. In all other cases, the permit shall be personal to the applicant and shall automatically lapse when the applicant ceases to operate the conditional use.

19.379 – Expiration of approval

- (3) **Non-establishment.** The conditional use permit shall expire one year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion.
- (4) **Non-use.** If a conditional use is established, but ceases to operate for more than 7 months, the conditional use permit shall automatically expire.

19.380 – Subsequent modifications and additions

If during or after establishment of the project as authorized by the conditional use approval, the owner proposes to expand or modify the use, buildings, and/or structures, the zoning administrator shall determine if such proposed change would likely alter the finding for one or more review criteria. If the proposed change would likely alter a finding, the proposal shall be submitted to the plan commission for review as an amendment to the conditional use approval. If the proposed change would likely not alter a finding, the zoning administrator shall authorize the amendment in writing and notify the plan commission of his/her decision.

19.381 – Appeal

The applicant and/or an aggrieved person may appeal a final decision made pursuant to this division by filing an appeal with a court of competent jurisdiction within 30 days of the final decision.

19.382 to 19.389 – reserved

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Exhibit 5-2. Accessory uses by district

20.0	Accessory Use														Special		
		A-1	A-2	D-1	R-1	R-2	R-3	R-5	R-9	C-1	C-2	C-3	C-4	M-1	I-1	Standards	
20.1	Adult family home	-	-	-	P	P	P	P	P	P	-	-	-	-	P	-	19.800
20.2	Amateur radio station	-	-	-	P	P	P	P	P	-	-	-	-	P	-	19.801	
20.3	ATM, exterior	-	-	-	-	-	-	-	-	C	P	P	P	C	-	19.802	
20.3	ATM, interior	-	-	-	-	-	-	-	-	P	P	P	P	P	-		
20.4	Bed and breakfast	-	-	-	C	C	-	-	-	C	-	-	-	C	-	19.803	
20.5	Boat dock	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
20.6	Drive-up service window	-	-	-	-	-	-	-	-	-	C	C	C	C	C	19.804	
20.7	Family day care home	-	-	-	P	P	P	P	P	P	-	-	-	-	P	19.805	
20.8	Fence	P	P	P	P	P	P	P	P	P	P	P	P	P	P	19.806	
20.9	Foster home and treatment foster home	P	P	-	P	P	P	P	P	P	-	-	-	P	-	19.807	
20.10	Garage, nonresidential	P	P	-	-	-	-	-	-	C	C	C	C	C	C	19.808	
20.11	Garage, residential	-	-	-	P	P	P	P	P	P	-	-	-	-	P	19.809	
20.12	Home occupation	-	-	-	C	C	-	-	-	C	-	-	-	C	-	19.810	
20.13	LRG Scale Private outdoor food & bev. service	-	-	-	-	-	-	-	-	C	C	C	C	C	-	19.811A	
20.135	SM Scale Private outdoor food & bev. service	-	-	-	-	-	-	-	-	C	P	P	P	C	-	19.811B	
20.14	Outdoor display incidental to indoor sales	-	-	-	-	-	-	-	-	-	C2	P2	C2	C2	C	19.812	
20.15	Outdoor furnace	P	P	C	C	C	C	-	-	C	-	C	C	-	C	19.813	
20.16	Parking lot, on-site	P	P	C	-	-	P	P	P	P	P	P	P	P	P		
20.17	Play structure (residential)	P	P	-	P	P	P	P	P	P	-	-	-	-	P	19.814	
20.18	Private kennel	P	P	-	P	P	P	P	P	P	-	-	-	-	P	19.815	
20.19	Private stable	P	P	-	-	-	-	-	-	-	-	-	-	-	-	19.816	
20.20	Roadside produce stand	P	P	-	-	-	-	-	-	-	-	-	-	-	-	19.817	
20.21	Standby electrical power generator	P	P	P	P	P	P	P	P	P	P	P	P	P	P	19.818	
20.22	Storage container	-	-	-	-	-	-	-	-	-	-	C	C	-	P	19.819	
20.23	Swimming pool (residential)	P	P	-	P	P	P	P	P	P	-	-	-	-	P	19.820	
20.24	Upper-floor residential	-	-	-	-	-	-	-	-	-	C	-	-	-	C		
20.25	Walk-up service window	-	-	-	-	-	-	-	-	-	C	C	C	C	-	19.821	
20.26	Wharf	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
20.27	Wind energy system	P	P	C	C	C	C	C	C	C	C	C	C	C	C	19.822	
20.28	Yard shed (residential)	P	P	-	P	P	P	P	P	P	-	-	-	-	P	19.823	
20.29	Industrial District Retail	-	-	-	-	-	-	-	-	-	-	-	-	-	C		

Key to table:

- The use is not permitted in the district
- ~~C2~~ - The use is allowed through the conditional use 2 process.
- C The use is allowed through the conditional use process
- P The use is permitted provided the standards are met, if any

Exhibit 5-3. Temporary uses by district

21.0	Temporary Use														Special	
		A-1	A-2	D-1	R-1	R-2	R-3	R-5	R-9	C-1	C-2	C-3	C-4	M-1	I-1	Standards
21.1	Circus	-	-	-	-	-	-	-	-	-	P	P	P	-	-	19.901
21.2	Farmers' market	C	C	-	-	-	-	-	-	P	C	C	C	C	-	
21.3	Itinerant sales	-	-	-	-	-	-	-	-	C	C	C	C	-	-	19.902
21.4	On-site construction office	-	-	-	-	C	C	-	-	-	C	C	C	C	-	19.903
21.5	On-site real estate sales office	-	-	-	C	C	C	C	-	-	-	-	-	-	C	19.904
21.6	Outdoor vendor	-	-	-	-	-	-	-	-	-	C	C	C	C	-	19.905
21.7	Seasonal product sales	P	P	-	-	-	-	-	-	C	-	P	P	C	P	19.906
21.8	Public Sidewalk café	-	-	-	-	-	-	-	-	C	P	-	-	-	C	19.907
21.9	Snow disposal site	P	P	-	-	-	-	-	-	-	P	-	-	-	P	19.908
21.10	Street performance	-	-	-	-	-	-	-	-	-	C	-	-	-	-	19.909

Key to table:

- The use is not permitted in the district
- C The use is allowed through the conditional use process
- P The use is permitted provided the standards are met, if any

Date of enactment: **November 27, 2017**

2017 Assembly Bill 479 Date of publication*: **November 28, 2017**

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2017 WISCONSIN ACT 67

AN ACT *to renumber and amend* 59.694 (7) (c) and 62.23 (7) (e) 7.; *to amend* 59.69 (10e) (title), 59.69 (10e) (a) 1., 59.69 (10e) (b), 60.61 (5e) (title), 60.61 (5e) (a) 1., 60.61 (5e) (b), 62.23 (7) (hb) (title), 62.23 (7) (hb) 1. a. and 62.23 (7) (hb) 2.; and *to create* 59.69 (5e), 59.694 (7) (c)-1., 59.694 (7) (c) 3., 60.61 (4e), 60.62 (4e), 62.23 (7) (de), 62.23 (7) (e) 7. a., 62.23 (7) (e) 7. d., 66.10015 (1) (e), 66.10015 (2) (e), 66.10015 (4), 227.10 (2p) and 710.17 of the statutes; **relating to:** limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; and the right to display the flag of the United States.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 2. 59.69 (5e) of the statutes is created to read:

59.69 (5e) CONDITIONAL USE PERMITS. (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a county, but does not include a variance.
2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the county of a **class 2 notice under ch. 985**, the county shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the county may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the county zoning board.

(e) If a county denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in s. 59.694 (10).

SECTION 3. 59.69 (10e) (title) of the statutes is amended to read:

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community living arrangements may be adjacent if allowed by the common council and if both facilities comprise essential components of a single program. (See sec. 62.23 (7)(i)(1), Wis. Stats.) A foster home or a foster treatment home that is the primary domicile of a foster parent or foster treatment parent and that is licensed under sec. 48.62, Wis. Stats., are exempt from this provision. (See sec. 62.23 (7)(i)(9), Wis. Stats.)

19.707 Foster home and treatment foster home (operated as a principal use)

- (1) **Proximity to other such facility.** No foster home or treatment foster home that is operated by a corporation, child welfare agency, church, association of public agencies, shall be established within 2,500 feet of another such facility. An agent may apply for an exception to this requirement, and the common council at its discretion may grant the exception. (See sec. 62.23 (7)(i)(2m), Wis. Stats.)
- (2) **State licensing.** Prior to establishment of this use and at periodic intervals that may be required thereafter, the operator shall obtain and maintain a license as provided for in sec. 48.75 Wis. Stats.

19.708 Campground

- (1) **Generally.** In addition to the other applicable design and improvement requirements contained in this chapter, campgrounds shall comply with the provisions of this part and applicable state law.
- (2) **Maintenance responsibility.** The owner of the campground shall maintain the campground in a clean and sanitary manner.
- (3) **Accessory facilities.** Accessory facilities (e.g., laundry, food sales) may be allowed as a service to the occupants but shall be designed, operated, and located to inhibit use by non-occupants.
- (4) **Density.** The density shall not exceed 25 spaces per acre (gross).
- (5) **Recreation area.** At least 8 percent of the gross site area or 2,500 square feet, whichever is greater, shall be dedicated for on-site recreational purposes and shall be easily accessible from all spaces.
- (6) **Access.** Recreational vehicle spaces shall be arranged to permit the safe and practical placement and removal of vehicles from a private street internal to the development.
- (7) **Setbacks from property line.** A campground space shall be no closer than 40 feet to the perimeter property line of the site.
- (8) **Solid waste collection.** An off-street area for the collection of solid waste shall be provided.
- (9) **State licensing requirements.** Prior to establishment of this use and at periodic intervals that may be required thereafter, the operator shall obtain and maintain a license from the Wisconsin Department of Health and Family Services as required by state law. (See chapter HFS 178, Wis. Admin. Code.)
- (10) **Local licensing.** Prior to establishment of this use and every year thereafter, the operator shall obtain a license from the city consistent with chapter 16 of the municipal code.

19.709 Group camp

A group camp shall meet the same standards as a campground.

19.710 Overnight Lodging

- (1) **Extended Stay in Overnight Lodging Facilities.** For the purposes of this Section, Extended stay means guests staying at a Overnight Lodging Facility for more than twenty-one (21) days in a sixty (60) consecutive days.
 - (a) Any owner or operator that allows a person to occupy a hotel or motel for more than twenty-one (21) days in a sixty (60) consecutive day period, shall prepare a completed extended-stay record with the following information:
 1. True name and address of each person
 2. Dates of occupancy
 3. Make and license plate information of vehicle
 - (b) The owner or operator of a Overnight Lodging facility shall retain a copy of the extended stay record on file for one (1) year from the last date of occupancy.
 - (c) Any owner or operator of an Overnight Lodging facility offering extended stays for guests shall post a notice to all guests of the restrictions on stays of more than thirty (30) days in a sixty (60) consecutive day period.
- (2) **Maximum Length of Stay in Overnight Lodging Facilities.** No person shall reside in an Overnight Lodging facility for more than thirty (30) days in a sixty (60) consecutive day period

Exemptions. Length of stay restrictions do not apply to:

 1. The owner/operators of the facility

2. Full time employees of the facility residing as a “family” (as defined in this code) within a “dwelling unit” (as defined in this code).
3. Employees of the facility residing in permitted and licensed Seasonal Workforce housing quarters as regulated by the Seasonal Workforce Housing Ordinance 16.06.
4. Guests who stay in the facility for five (5) days or less in a seven (7) consecutive day period.

19.7110 Seasonal Workforce Housing facility

- (1) **Use restrictions.** No portion of an overnight lodging facility may be used as a Seasonal Workforce Housing facility, except for those individuals that are employed at the overnight lodging facility.
- (2) **Local licensing.** Prior to establishment of this use and every year thereafter, the operator shall obtain a license from the city consistent with chapter 16 of the municipal code.

19.7121 Tavern

- (1) **General standards.** Taverns shall comply with locational standards as may be adopted by the state.
- (2) **Local licensing.** Prior to establishment of this use and every year thereafter, the operator shall obtain a license from the city consistent with chapter 16 of the municipal code.

19.7132 Body-piercing establishment

- (1) **Locational standards.** A body-piercing establishment shall not be located within 600 feet of another body-piercing establishment or a tattoo establishment. For the purpose of this section, such distance shall be measured in a straight line, without regard to intervening structures or streets, from the property line of the parcel with the body-piercing establishment to the property boundary line with the other specified use.
- (2) **Sale of alcohol.** A body-piercing establishment shall not also sell, distribute, or allow consumption of alcoholic beverages on the premises.
- (3) **Building standards.** A patron who is being pierced shall not be visible from the exterior of the building through any window or entrance to the building.
- (4) **State licensing.** Prior to establishment of this use and at periodic intervals which may be required thereafter, the operator shall obtain and maintain a license as required by state law. In addition, each practitioner shall obtain and maintain a license as required by state law.

19.7143 Commercial kennel

- (1) **General standards.** The standards applicable to animal shelters apply to commercial kennels.
- (2) **Local licensing.** Prior to establishment of this use and every year thereafter, the operator shall obtain a license from the city consistent with chapter 16 of the municipal code.

19.7154 Sexually-oriented business

- (1) **Purpose.** This section regulates sexually-oriented businesses to promote the health, safety, morals, and the general welfare of city residents and to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually-oriented businesses within the city. These provisions have neither the intent, purpose, or effect of imposing a limitation or restriction on the content of any communicative materials, including sexually-oriented materials. Similarly, it is not the intent, purpose, or effect of these provisions to restrict or deny access by adults to distributors and exhibitors of sexually-oriented entertainment to their intended market. Neither is it the intent, purpose, or effect to condone or legitimize the distribution of obscene material.
- (2) **Legislative findings.** Based upon analyses of sexually-oriented business by Indianapolis, Indiana; Rochester, New York; and Denver, Colorado, which analyses are found applicable and relevant to the city, the common council makes the following findings:
 - (a) The establishment of sexually-oriented businesses in business districts that are immediately adjacent to and which serve residential neighborhoods has a deleterious effect on both the business and residential segments of the neighborhood, causing or contributing to blight and a downgrading of property values.
 - (b) The establishment of more than 2 sexually-oriented businesses within 600 feet of each other has a deleterious effect on surrounding residential and business areas and the fostering of such businesses within a close proximity tends to create a “skid row” atmosphere.

LOCATED IN PART OF W 1/2, THE NE 1/4 AND THE SE 1/4 OF THE FRACTIONAL NW 1/4 OF SECTION 4, AND PART OF THE NE 1/4 OF THE FRACTIONAL NE 1/4 OF SECTION 5, ALL IN T13N, R6E, ALL IN THE CITY OF WISCONSIN DELLS, SAUK COUNTY WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP No. _____

Primary Line Table			Record Line Table		
Line #	Length	Direction	Line #	Length	Direction
L1	27.99'	S89° 39' 00"E	L1	27.96'	N89° 50' 21"W
L2	297.09'	S39° 01' 29"E	L2	297.17'	N39° 05' 48"W
L3	6.96'	N86° 40' 15"W	L3	7.00'	S86° 31' 05"E
L4	152.70'	S00° 12' 39"E	L4	152.65'	N00° 12' 47"W
L5	305.42'	N78° 42' 02"W	L5	305.42' 305.45'	N78° 41' 34"W N79° 22' 25"W
L6	149.76'	S06° 40' 48"W	L6	149.76' 149.76'	S06° 31' 25"W S05° 50' 34"W
L7	6.51'	N89° 31' 29"E	L7	6.50'	N89° 57' 20"E
L8	659.67'	N33° 26' 15"W	L8	-----	-----
L9	241.14'	S89° 37' 03"E	L9	-----	-----

Secondary Line Table			Record Line Table		
Line #	Length	Direction	Line #	Length	Direction
L10	585.98'	N00° 21' 56"E	L10	585.98'	N00° 21' 56"E
L11	590.29'	S00° 21' 56"W	L11	590.28'	S00° 16' 20"W
L12	634.32'	N88° 43' 34"W	L12	-----	-----
L22	108.22'	N33° 26' 15"W	L22	108.22'	N33° 26' 15"W

Line Sub-Distance Table		Record Sub-Distance Table	
Line #	Length	Line #	Length
L23	290.31'	L23	-----
L24	221.19'	L24	-----
L25	321.47'	L25	321.47'
L26	221.21'	L26	-----
L27	413.11'	L27	413.03'
L30	215.70'	L30	-----
L31	443.97'	L31	-----
L32	368.89'	L32	-----

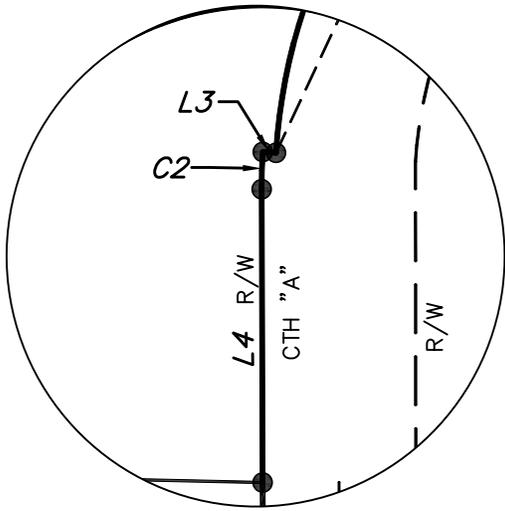
29 Jan 2018 - 4:51p R:\Kalkreuth\Resort\180023 Brew Farm CSM\CADD\180023 - CSM.dwg by: mlon



REVISIONS	SCALE na	SHEET 2 OF 5
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	DRAFTER mlon	
	FILE 180023	
JOB NO. 180023	DATE 1/9/2018	

LOCATED IN PART OF W 1/2, THE NE 1/4 AND THE SE 1/4 OF THE FRACTIONAL NW 1/4 OF SECTION 4, AND PART OF THE NE 1/4 OF THE FRACTIONAL NE 1/4 OF SECTION 5, ALL IN T13N, R6E, ALL IN THE CITY OF WISCONSIN DELLS, SAUK COUNTY WISCONSIN

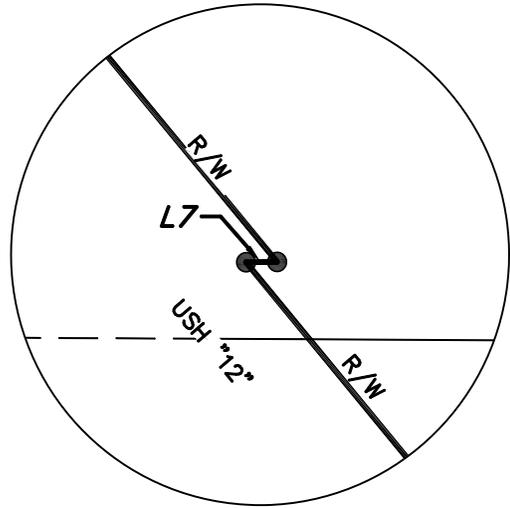
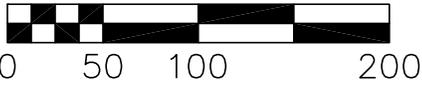
SAUK COUNTY CERTIFIED SURVEY MAP No. _____



DETAIL - 1

1" = 100'

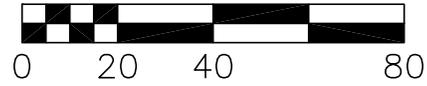
GRAPHIC SCALE FEET



DETAIL - 2

1" = 40'

GRAPHIC SCALE FEET



Primary Curve Table

Curve #	Length	Radius	Delta	Chord Length	Chord Dir.
C1	221.97'	293.50'	43°19'53"	216.72'	S25° 12' 26"W
C2	19.40'	300.50'	3°41'59"	19.40'	S01° 49' 21"W
C3	440.44'	2827.61'	8°55'29"	440.00'	S04° 19' 01"W
C4	704.79'	1977.86'	20°25'01"	701.07'	N49° 51' 35"W

Record Curve Table

Curve #	Length	Radius	Delta	Chord Length	Chord Dir.
C1	221.97'	293.50'	43°19'56"	216.72'	N25° 08' 53"E
C2	19.38'	300.50'	3°41'42"	19.38'	N01° 38' 04"E
C3	440.46'	2825.00'	8°56'00"	440.01'	S04° 15' 13"W
C4	704.82'	1970.24'	20°29'48"	701.07'	N49° 55' 28"W



29 Jun 2018 - 4:52p R:\Kalehdorf Resorts\180023 Brew Farm CSM\CADD\180023 - CSM.dwg by: mlon

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REVISIONS

JOB NO. 180023

SCALE 1" = 100'

CHECKED sdis

DRAFTER mlon

FILE 180023

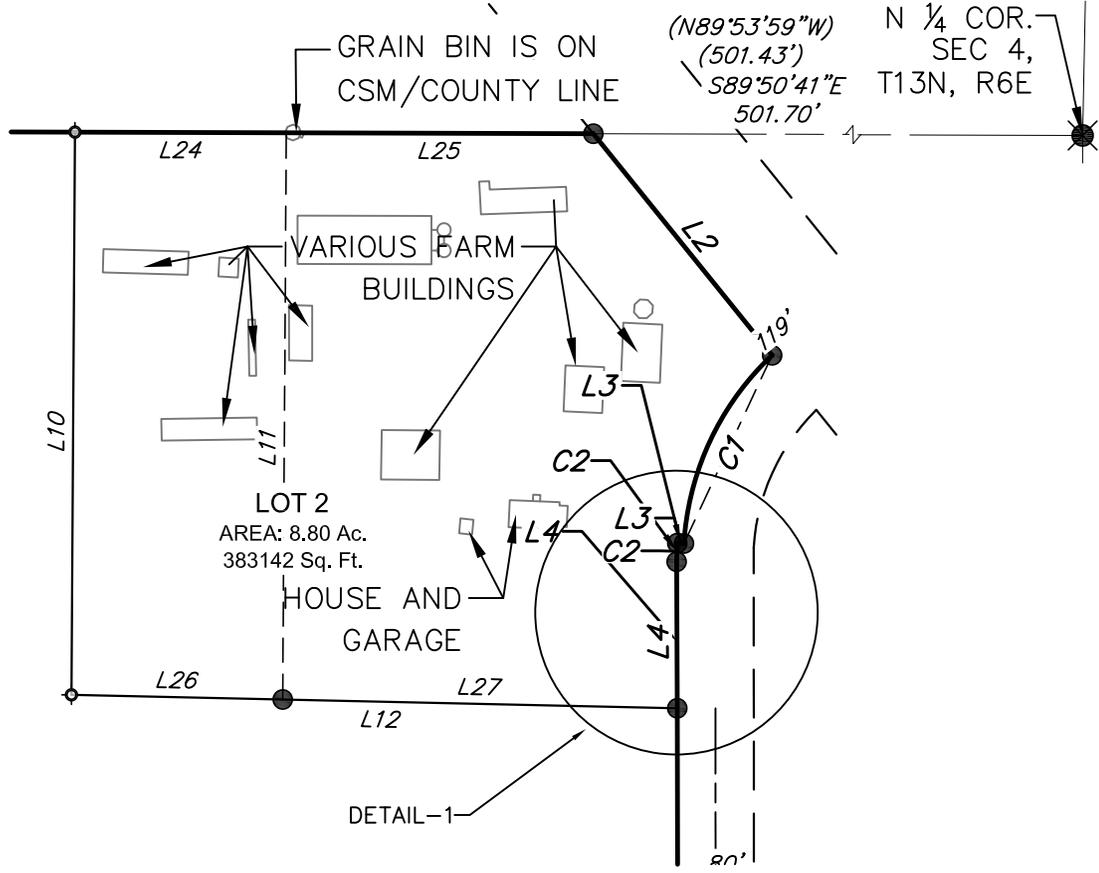
DATE 1/9/2018

SHEET

3 OF 5

LOCATED IN PART OF W 1/2, THE NE 1/4 AND THE SE 1/4 OF THE FRACTIONAL NW 1/4 OF SECTION 4, AND PART OF THE NE 1/4 OF THE FRACTIONAL NE 1/4 OF SECTION 5, ALL IN T13N, R6E, ALL IN THE CITY OF WISCONSIN DELLS, SAUK COUNTY WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP No. _____

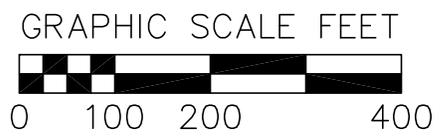


CITY OF WISCONSIN DELLS, APPROVAL CERTIFICATE

Resolved, that this certified Survey Map in the City of Wisconsin Dells, NLS LLC, owner, is hereby approved by the City of Wisconsin Dells Common Council.

Brian L. Landers, Mayor Date

Nancy R. Holzem, City Clerk Date



29 Jan 2018 - 2:38p R:\Kaldherr\Resort\180023 Brew Farm CSM\CADD\180023 - CSM.dwg by: mlon

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REVISIONS	SCALE 1"=200'	SHEET 4 OF 5
	CHECKED sdis	
	DRAFTER mlon	
	FILE 180023	
JOB NO. 180023	DATE 1/9/2018	

LOCATED IN PART OF W 1/2, THE NE 1/4 AND THE SE 1/4 OF THE FRACTIONAL NW 1/4 OF SECTION 4, AND PART OF THE NE 1/4 OF THE FRACTIONAL NE 1/4 OF SECTION 5, ALL IN T13N, R6E, ALL IN THE CITY OF WISCONSIN DELLS, SAUK COUNTY WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP No. _____

SURVEYOR'S CERTIFICATION

I, Marc A. Londo, Wisconsin Professional Land Surveyor #2696, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Wisconsin Dells, and under the direction of Dan Holzem, Agent for NLS LLC, I have surveyed, divided and mapped this Certified Survey; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is located part of the W 1/2, the NE 1/4, and the SE 1/4 of the fractional NW 1/4 of Section 4, and part of the NE 1/4 of the NE 1/4 of fractional Section 5, all in T13N, R6E, City of Wisconsin Dells, Sauk County, Wisconsin, containing 79.13 acres of land and bounded by a line described as follows:

LEGAL DESCRIPTION

Located in Part of the Fractional NE 1/4 of the NE 1/4 of Section 5, the NW 1/4 of the Fractional NW 1/4, the NE 1/4 of the Fractional NW 1/4, the SW 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4 of Section 4, T13N, R6E, City of Wisconsin Dells, Sauk County Wisconsin.

Beginning at the Northwest Corner of said Section 4, Town 13 North, Range 6 East;

Thence S89°39'00"E, along the north line of the NW 1/4 of said Section 4, 27.99 feet (L1), to the southwest corner of Section 33, T14N, R6E;

Thence, N89°50'26"E, along the north line of the NW 1/4 of said Section 4, 2139.31 feet to the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway;

Thence S39°01'29"E, along the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway, 287.25 feet (L2) to the westerly right-of-way line of Sauk County Highway "A" and a non-tangent curve, concave to the southeast;

Thence 221.97 feet, along said non-tangent arc concave to the southeast, having a radius of 293.50 feet, an included angle of 43°19'53", (a chord of 216.72 feet which bears S25°12'26"W) (C1);

Thence N86°40'15"W, continuing along said westerly right-of-way line of Sauk County Highway "A", 6.96 feet to a non-tangent arc, concave to the east;

Thence, continuing along the west right-of-way line of Sauk County Highway "A", 19.40 feet, along said non-tangent arc, concave to the east, having a radius of 300.50 feet, an included angle of 3°41'59", (a chord of 19.40 feet which bears S01°49'21"W) (C2);

Thence, S00°12'39"E, continuing along the westerly right-of-way line of Sauk County Highway "A", 152.70 feet (L4);

Thence, S0°08'20"E, continuing along the westerly right-of-way line of Sauk County Highway "A", 736.74 feet to an arc to the right;

Thence, continuing along the east westerly right-of-way line of Sauk County Highway "A", 440.44 feet, along said arc having a radius of 2827.61 feet, an included angle of 8°55'29", (a chord of 440.00 feet which bears S4°19'01"W) (C3);

Thence, S8°47'09"W, continuing along the said westerly right-of-way line of Sauk County Highway "A", 553.11 feet, to the northeast corner of lands described in Sauk County Register of Deeds Document #1128356;

Thence, N78°42'02"W, along the northerly line of lands described in Sauk County Register of Deeds Document #1128356, 305.42 feet, to the northwesterly corner thereof (L5);

Thence, S6°40'48"W, along the westerly line of lands described in Sauk County Register of Deeds Document #1128356, 149.76 feet, (L6) to the southwesterly corner thereof and the northeasterly right-of-way line of US Highway "12";

Thence, N39°35'14"W, along the said northeasterly right-of-way line of line of US Highway "12", 1411.88 feet;

Thence, N89°31'29" E, along the said northeasterly right-of-way line of US Highway "12", 6.51 feet;

Thence, N39°39'05" W, along the said northeasterly right-of-way line of US Highway "12, 424.36 feet to an arc to the left;

Thence continuing along the said northeasterly right-of-way line of US Highway "12", an arc to the left having a 704.79 feet, along said arc having a radius of 1977.86 feet, an included angle of 20°25'01", (a chord of 701.07 feet which bears N49°51'35"W) (C4), to the easterly line of Rocky Arbor State Park being lands described in Sauk County Register of Deeds Conversion Document recorded as Volume 123, Page 330;

Thence, N33°26'15"W, along the east line of said Rocky Arbor State Park, 659.67 feet (L8), to the north line of the NE 14 of Section 5, T13N, R6E;

Thence S89°37'03"E, along the said north line of Section 5, 241.14 feet to the northeast corner thereof and the point of beginning;

Parcel contains 79.12 Ac., 3,446,546 Sq. Ft. and is subject to all other easements and rights of way of record.

 Marc A. Londo, PLS 2696 Date
 Vierbicher Assoc.

29 Jun 2018 - 5:03p R:\Kaldherr\Resort\180023 Brew Farm CSM\CADD\180023 - CSM.dwg by: mlon

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REVISIONS	SCALE na	SHEET 5 OF 5
	CHECKED sdis	
	DRAFTER mlon	
	FILE 180023	
JOB NO. 180023	DATE 1/9/2018	

Sauk County Parcel One:

A parcel of land located in the Northeast, Northwest, Southeast and Southwest Quarters of the Northwest Quarter of Section 4, and the Northeast Quarter of the Northeast Quarter of Section 5, Township 13 North, Range 6 East, City of Wisconsin Dells, Sauk County, Wisconsin, more fully described as follows:

Beginning at the Northwest Quarter corner of said Section 4; thence south $89^{\circ}50'21''$ East, 27.96 feet to the Southwest corner of Section 33, Township 14 North, Range 6 East, Town of Lyndon, Juneau County, Wisconsin; thence South $89^{\circ}53'59''$ East along the North line of Section 4 also being the Juneau and Sauk County line, 1817.58 feet; thence South $00^{\circ}16'20''$ West, 590.28 feet; thence South $88^{\circ}47'39''$ East, 413.03 feet to the Westerly right-of-way line of County Trunk Highway A; thence South $00^{\circ}12'47''$ East along said right-of-way line, 736.75 feet to a point of curvature; thence 440.46 feet along said right-of-way line and the arc of a curve to the right, through a central angle of $08^{\circ}56'00''$, a radius of 2825.00 feet and a chord bearing South $04^{\circ}15'13''$ West, 440.01 feet; thence South $08^{\circ}43'13''$ West along said right-of-way line 553.11 feet; thence North $78^{\circ}41'34''$ West, 305.42 feet; thence South $06^{\circ}43'13''$ West along said right-of-way line 553.11 feet; thence North $78^{\circ}41'34''$ West, 305.42 feet; thence South $06^{\circ}31'25''$ West, 149.76 feet to the Northeasterly right-of-way line of U.S. Highway 12 & 16; thence North $39^{\circ}40'29''$ West along said right-of-way line, 1411.87 feet; thence South $89^{\circ}57'20''$ East along said right-of-way line 6.50 feet; thence North $39^{\circ}40'29''$ West along said right-of-way line, 424.36 feet to a point of curvature; thence 704.82 feet along said right-of-way line and the arc of curve to the left, through a central angle of $20^{\circ}29'48''$, a radius of 1970.24 feet, and a chord bearing North $49^{\circ}55'28''$ West, 701.07 feet; thence North $33^{\circ}32'27''$ West, 659.84 feet to the North line of said Section 5; thence South $89^{\circ}41'18''$ East along the North line of Section 5, 241.50 feet to the point of beginning.

Parcel No. 291-0026-00100; 291-0026-00300; 291-0026-00700; 291-0042-10000: Containing 85 acres.

Sauk County Parcel Two:

A parcel of land located in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 4, Township 13 North, Range 6 East, City of Wisconsin Dells, Sauk County, Wisconsin, more particularly described as follows:

Commencing at the North $\frac{1}{4}$ corner of said Section 4; thence North $89^{\circ}53'59''$ West along the North line of Section 4, 501.43 feet to the Southwesterly right-of-way line of a railroad and the point of beginning; thence continuing North $89^{\circ}53'59''$ West along said North line of Section 4, 321.79 feet; thence South $00^{\circ}16'20''$ West 590.28 feet; thence South $88^{\circ}47'39''$ East, 413.03 feet

to the Westerly right-of-way line of County Trunk Highway A, thence North $00^{\circ}12'47''$ West along said Westerly right-of-way line of County Trunk Highway A, 152.65 feet to a point of curvature; thence 19.38 feet along said Westerly right-of-way line of County Trunk Highway A and the arc of a curve to the right, through a central angle of $03^{\circ}41'32''$, a radius of 300.50 feet, and a chord bearing North $01^{\circ}38'04''$ East 19.38 feet, thence South $86^{\circ}31'05''$ East along said Westerly right-of-way line of County Trunk Highway A, 7.00 feet to a point of curvature; thence 221.97 feet along said Westerly right-of-way line of County Trunk Highway A and the arc of a curve to the right, through a central angle of $43^{\circ}19'56''$ a radius of 293.50 feet and a chord bearing North $25^{\circ}08'53''$ East, 216.72 feet to the aforesaid Southwesterly right-of-way line of a railroad, thence North $39^{\circ}5'48''$ West along said Southwesterly right-of-way line of a railroad, 297.17 feet to the point of beginning. Parcel No. 291-0026-00200

Electronic Real Estate Transfer Receipt



Wisconsin Department of Revenue Instructions

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities
2. Mail or deliver the following items:

Sauk County Register of Deeds, 505 BROADWAY, RM 122, BARABOO, WI 53913-2183

- This receipt page and a transfer fee of \$0.00
- The deed or instrument of conveyance and a recording fee of \$30.00 (regardless of the number of pages)

To view real estate transfer return details online, visit:

<https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need your receipt number, total value of real estate transferred, and the last name of one grantor or grantee.

Receipt 4ZF5X . Filed February 7, 2018, 4:24 PM - Sauk County . Conveyance date 2017-12-29 .			
Value transferred	\$1,550,343	Transfer fee	\$0.00
Value subject to fee	\$0	Fee exemption number	15s
Grantors	NLS, LLC		
Grantees	Nelson, Todd R; Nelson, Shari L		
Tax bill address	Todd R Nelson, PO Box 590, Wisconsin Dells, Wisconsin 53965		
Property Location	S125A Cty A Wisconsin Dells WI 53965 (City of Wisconsin Dells)		
Parcels	291 0026-00100 (S4/T13N/R6E), 291 0026-00300 (S4/T13N/R6E), 291 0026-00700 (S4/T13N/R6E), 291 0042-10000 (S5/T13N/R6E), 291 0026-00200 (S4/T13N/R6E)		
Legal description	Sauk County Parcel One: A parcel of land located in the Northeast, Northwest, Southeast and Southwest Quarters of the Northwest Quarter of Section 4, and the Northeast Quarter of the Northeast Quarter of Section 5, Township 13 North, Range 6 Eas		
Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.			
Grantee responsibilities: Grantees assert that this property is <u>not</u> a primary residence.			
Preparer	Terry Wex, 608-254-3298, twex@kalahariresorts.com		
Grantor agent	Terry Wex, 608-254-3298, twex@kalahariresorts.com		
Grantee agent			

If you have questions on the Real Estate Transfer Return (RETR), visit the Wisconsin Department of Revenue's Real Estate Transfer Fee web page at: revenue.wi.gov/retr/index.html, or contact your County Register of Deeds. To locate your Register of Deeds, visit: wrdaonline.org.

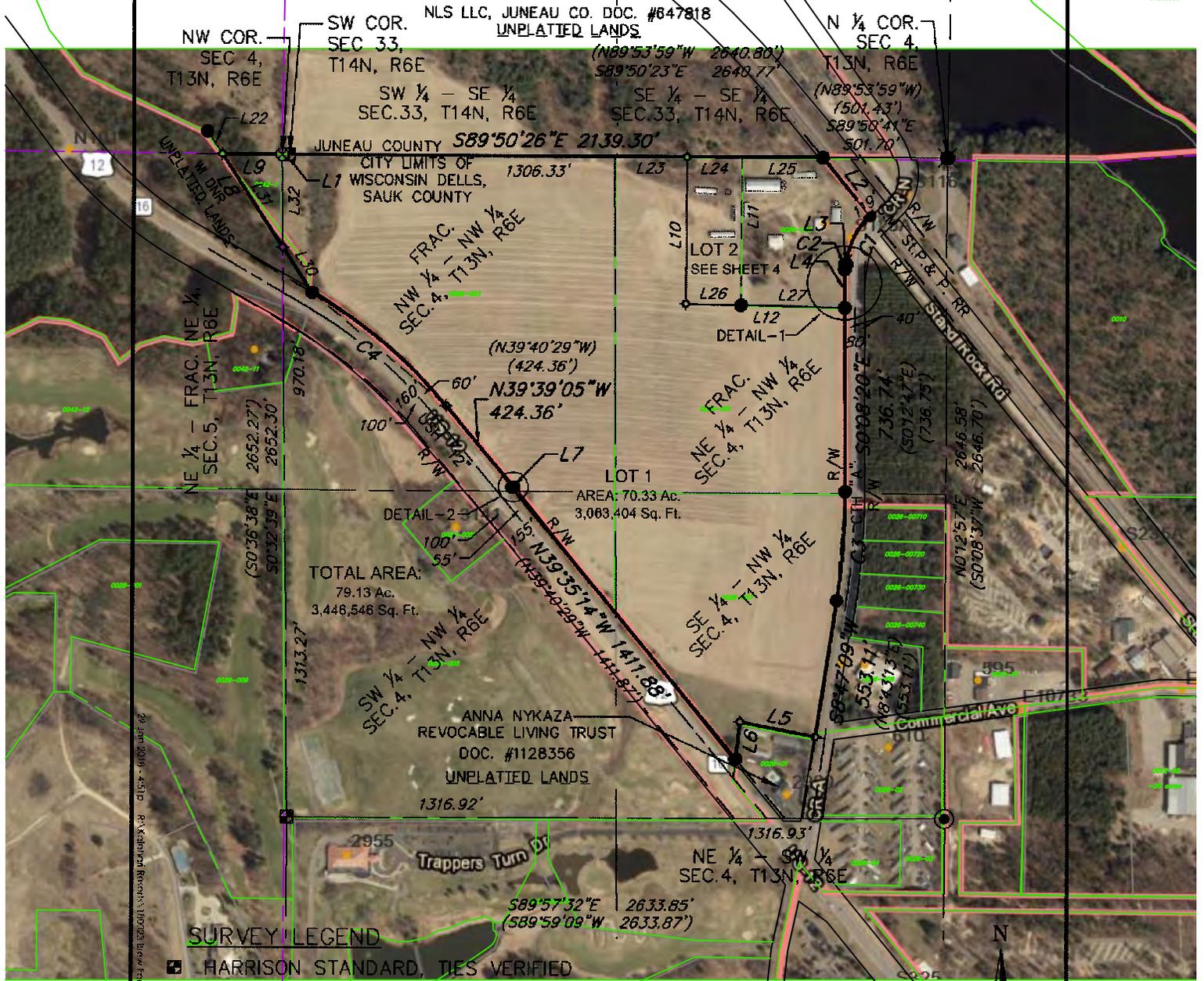
Information on a real estate transfer return is used to administer various Wisconsin laws, including: income tax, real estate transfers, rental unit energy efficiency, lottery tax credit, and general property tax. Whether you are a resident, part-year resident, or non-resident, you must report the transfer of Wisconsin real estate in a taxable transaction on your Wisconsin income tax return. If you are a non-resident, you must file Form 1NPR to report the sale.

Penalties imposed under the following Wisconsin Statutes or Administrative Code:

Using an improper exemption - sec. 77.26(8), Wis. Stats.; falsifying the property value - sec. 77.27, Wis. Stats.; improperly claiming lottery and gaming credit as primary residence - chapter tax 20.12, Wis. Adm. Code.
Weatherization program under sec. 101.122, Wis. Stats., no longer exists.

LOCATED IN PART OF W 1/2, THE NE 1/4 AND THE SE 1/4 OF THE FRACTIONAL NW 1/4 OF SECTION 4, AND PART OF THE NE 1/4 OF THE FRACTIONAL NE 1/4 OF SECTION 5, ALL IN T13N, R6E, ALL IN THE CITY OF WISCONSIN DELLS, SAUK COUNTY WISCONSIN

SAUK COUNTY CERTIFIED SURVEY MAP No. _____



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SURVEY LEGEND

- ☐ HARRISON STANDARD, TIES VERIFIED
- ⊗ HARRISON SLIMLINE, TIES VERIFIED
- ALUMINIUM CAP, TIES VERIFIED
- FOUND 3/4" Ø IRON ROD
- ◆ SET 3/4" Ø IRON ROD x 18", 1.13 LB/FT. MIN.

SURVEY NOTE:

1. Bearings are referenced to the Wisconsin County Coordinate System, Sauk County, (WCCS Sauk NAD 83/2011). The north line of the fractional northwest quarter of Section 4, bears S89°50'26"E.
2. See Page 2 of 6 for Line Tables.
3. See Page 3 of 6 for Detail-1 & Detail-2 and Curve Tables.
4. See Sheet 4 for Lot 2 Detail.



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Phone: (608) 261-3898

REVISIONS	SCALE 1" = 800'	SHEET
	CHECKED sds	1 OF 5
	DRAFTER mlm	
	FILE 180023	
JOB NO. 180023	DATE 1/9/2018	