

CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description CITY PLAN COMMISSION

Date: MONDAY, DECEMBER 9, 2019 Time: 5:00PM

Location: MUNICIPAL BUILDING 300 LA CROSSE STREET, WISCONSIN DELLS, WI

Committee Members	
Mayor Ed Wojnicz-Chair	Alder. Mike Freel
Fire Chief Pat Gavinski	Chris Lechnir
Lisa Delmore	Phil Helley
Ted Theiler	
AGENDA ITEMS:	
1	CALL MEETING TO ORDER AND ATTENDANCE
2	APPROVAL OF THE MINUTES FROM THE NOVEMBER 13, 2019 MEETING
3	PUBLIC HEARING FOR A SITE PLAN APPLICATION FROM HORN PLASTICS INC. FOR THE CONSRUCTION OF AN ADDITIONAL WAREHOUSE AND OFFICE BUILDING AT THEIR EXISTING LOCATION AT 825 BUSINESS PARK RD, CITY OF WISCONSIN DELLS PARCEL 11291-1497.12. THE PROPERTY IS ZONED I-1 INDUSTRIAL
4	DISCUSSION/DECISION ON ITEM 3 (HORN PLASTIC)
5	<p>PUBLIC HEARING FOR CONSIDERATION OF PROPOSED CHANGES TO THE ZONING ORDINANCE:</p> <ul style="list-style-type: none"> (a) ALLOW VEHICLE FUELING STATIONS EAST C-2 COMMERCIAL – DOWNTOWN ZONING DISTRICT, LIMITED TO EAST OF CHURCH ST. (b) PROHIBIT HAWKING (c) CREATE CAMPING UNIT REGULATIONS / RV PARKING REGULATIONS (d) LIMIT SEASONAL WORKFORCE HOUSING ON ARTERIAL OR COLLECTOR STREET (e) ALLOW “HOME OCCUPATION” AND “BED AND BREAKFAST” IN R-3 RESIDENTIAL – MIXED USE ZONE AS CONDITIONAL USES. CLARIFY “BED AND BREAKFAST” STANDARD FOR SINGLE FAMILY <u>DETACHED DWELLING UNIT</u> (f) PROHIBIT SOFT-SIDED YARD SHEDS (g) MISC. CODE CLEAN-UP ITEMS <ul style="list-style-type: none"> a. REMOVE DEFINITION OF “INDUSTRIAL RETAIL” FROM <i>PRIMARY USE</i> SECTION. (THIS DEFINITION ALREADY EXISTS I NTHE <i>ACCESSORY USE</i> SECTION WHERE IT BELONGS b. CORRECT NUMBERING ERROR IN RESIDENTIAL USES DEFINITIONS
6	DISCUSSION/DECISION ON ITEM 5 (ZONING ORDINANCE UPDATES)
7	<p>PUBLIC HEARING FOR CONSIDERATION OF PROPOSED CHANGES TO THE ZONING MAP TO CORRECT ERROR REGARDING LAND ADJACENT TO THE TOWER VIEW MOBILE HOME PARK. SOME PROPERTIES NOT PART OF THE MOBILE HOME PARK ARE DRAWN IN THE R-9 RESIDENTIAL-MOBILE HOME PARK ZONE.</p> <p>PROPOSE CHANGING THE ZONING OF THE FOLLOWING:</p> <ul style="list-style-type: none"> 1. PARCELS TO BE CHANGED TO R-3 RESIDENTIAL-MIXED USE: 11291-740, 11291-852.1, 11291-852.B, AND A PORTION OF 11291-710 2. PARCELS TO BE CHANGED TO C-1 COMMERCIAL-NEIGHBORHOOD: 11291-907.3, 11291-908.1, 11291-893.01, AND A PORTION OF 11291-1008.3

8	DISCUSSION/DECISION ON ITEM 7 (ZONING MAP UPDATES)
9	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETINGS
10	SET DATE FOR THE NEXT PLAN COMMISSION MEETING (JANUARY 13, 2019)
11	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 ED WOJNICZ CHAIRPERSON DISTRIBUTED DECEMBER 6, 2019</p>

Site Plan Application – Horn Plastics Inc
825 Business Park Rd
Staff Report for Plan Commission, 12/09/2019

The City of Wis. Dells has received a Site Plan Application from Horn Plastic Inc to construct a new building for their existing “Industrial, light” use in the Business Park located at 825 Business Park Rd, which is located on City of Wis. Dells parcel 11291-1497.12. This area is zoned I-1 Industrial, which allows “Industrial, light” as a use Permitted by Right. All new commercial buildings require Site Plan approval.

The existing use operates out of a large building and requires there bulk product to be store outdoors. They would like to add an additional building to allow more project to be stored inside and include a loading dock accessed by a new drive. The operating hours at this facility would remain the same, Monday – Friday 8am-5pm. This expansion does not involve any increase in employees, so additional parking is not required.

The warehouse building would be approximately 50ft x 120ft. It appears the total construction site will be approximately 0.5 acre, which is less than the 1 acre threshold to require a DNR storm water permit. This is an approximately 4 acre site, so the storm water should run across a far amount of grass to the street storm water system. A swale should be graded into the site to ensure the storm water will not run off onto any neighboring properties.

There appears to be close to a 10 ft drop in grade from the building site down to Business Park Rd. The applicant will pave 50 ft in from Business Park Rd., but is trying to determine if they can include some gravel in the driveway after that. Being in the Business Park, maintaining some gravel is not prohibited, but given the grade drop down the drive, the applicant must ensure gravel isn't washed off the site and/or onto the street. The 50 ft paved area should help, but the gravel should be graded to prevent channeling and get the water off to the side onto the grass. If graded property, with grass swales and potentially some retention, the storm water make not be an issue. The applicant has been made aware that if a storm water issue does arise, they will be responsible to address it. The applicant would consider paving the whole drive, which should eliminate the washout concern. However, the increase impervious area and increase peak flows, and there is still the possibility of storm water issues. The applicant has stated they understand they will need to address any storm water issues that may arise. This could include paving the entire driveway and ensuring there are not flooding issues downstream.

Any approval of the Site plan should carry the following condition.

1. The applicant will cooperate with any corrections required to address storm water issues created by this new construction.

Chris Tollaksen
City of Wis. Dells
12/06/2019

Final Submittal



Initial Submittal



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	71074
Application number	SP 6-2019

1. Applicant information

Applicant name Horn Plastics Inc
 Street address 825 Business Park Rd
 City Wisconsin Dells
 State and zip code WI 53965
 Daytime telephone number 701-552-7527 / 608-253-6848
 Fax number, if any _____
 E-mail, if any jhaarstick@superslide.com

2. Subject property information

Street address	<u>825 Business Park Rd</u>	
Parcel number	<u>1497.12</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)	<u>I-1 industrial</u>	
Describe the current use	<u>Wholesale distribution of high wear, non-stick engineered plastic.</u>	

3. Proposed use. Describe the proposed use.

Expand warehouse facilities and additional indoor storage.

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

No change to hours of operations, Monday-Friday 8AM-5PM.
 More product will be stored indoors.

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.

Additional driveway to street added.
 Loading dock attached to new building for faster and safer loading and unloading of trailers.

SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin
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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

- c. Effects of the project on the natural environment

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

- e. The overall appearance of the project

- 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.

 - 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.

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.



Applicant Signature

11/14/19

Date

Zoning Discussion

Item 5(a)

12/9/2019 Plan Commission Meeting

Potential Gas Station Development

The City has received an initial Zoning review request from a Gas Station for the Indian Trail property located at 1013 Broadway. The Zoning review identified two a Zoning conflict on this property. The first 120 feet from Broadway is in the C-2 Commercial-downtown Zoning District. The remainder of the property is in the C-1 Commercial-neighborhood Zoning District.

Vehicle fuel sales are prohibited in the C-2 downtown district and are Conditionally Permitted in the C-1 neighborhood district.

The proposed Gas Station could try to site their fueling operations outside of the C-2 Zones, or the City could considered amending this prohibitions, considering the following.

C-2 Zoning District prohibition on Gas Station

The proposed site for consideration of a new Gas station development is in two (2) City Zoning Districts. The first 120 feet from Broadway are in the C-2 Commercial-downtown Zoning district, and the remaining property is in the C-1 Commercial-neighborhood Zoning district.

Gas stations are prohibited in the C-2 Commercial-downtown Zoning district

Gas Stations are Conditional Permitted in the C-1 Commercial-neighborhood Zoning district.

Under the current standards, a Gas station could be considered only in the portion of the property that is in the C-1 Commercial-neighborhood Zoning district. It is possible that on-site parking for a Gas station could be allowed in the C-2 Downtown portion of the property, with the fueling island and building located in the C-1 Neighborhood portion of the property.

It should be noted that the property adjacent to Broadway and in the C-2 Commercial-downtown Zoning district is subject to the Design Standards, which prohibit parking in front of buildings. This Standard may be waived by the Design Review Committee during the design review process. The Design Standards would also require a 5-foot planted landscape buffer between parking lot and Broadway.

Consider allowing the Gas Station building in C-2 Downtown district. This use may be limited to areas in this zone East of Church St. only.

Make the determination that the fuel sales are delineated by fueling island and the building is primarily for Convenience sales.

Vehicle services are Conditionally Permitted in C-1 and C-2.

5-1. Principal uses by district - continued

8.0	General Services	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	Special Standards
8.1	Administrative services	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-
8.2	Body-piercing establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	P	19.712
8.3	Commercial kennel	-	-	-	-	-	-	-	-	-	-	C	-	-	C	19.713
8.4	Financial services	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-
8.5	Funeral home	-	-	-	-	-	-	-	-	C	-	P	-	C	-	-
8.6	General services	-	-	-	-	-	-	-	-	C	P	P	C	P	-	-
8.7	Professional services	-	-	-	-	-	-	-	-	C	P	P	-	P	-	-
8.8	Sexually-oriented business	-	-	-	-	-	-	-	-	-	-	-	-	-	P	19.714
8.9	Tattoo establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	P	19.715
8.10	Veterinary clinic, large animal	C	C	-	-	-	-	-	-	-	-	P	-	-	P	19.716
8.10	Veterinary clinic, small animal	C	C	-	-	-	-	-	-	C	-	P	-	C	P	19.717
8.11	Skilled trade services	-	-	-	-	-	-	-	-	C	-	C	-	C	P	-
9.0 Rental and General Repair																
9.1	General repair	-	-	-	-	-	-	-	-	C	-	P	-	-	P	-
9.2	Large equipment rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
9.3	Small equipment rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
10.0 Vehicle Trade and Service																
10.1	Specialty vehicle sales and rental	-	-	-	-	-	-	-	-	-	-	P	-	-	P	-
10.2	Vehicle fuel sales	-	-	-	-	-	-	-	-	C	C6	P	C	C	-	-
10.3	Vehicle repair	-	-	-	-	-	-	-	-	-	C	P	C	C	-	19.718
10.4	Vehicle sales and rental	-	-	-	-	-	-	-	-	-	-	P	C	-	C	19.719
10.5	Vehicle services	-	-	-	-	-	-	-	-	C	C	P	-	C	-	-
11.0 General Storage																
11.1	Agricultural commodity storage facility	P	P	-	-	-	-	-	-	-	-	-	-	-	P	-
11.2	Fuel tank farm	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
11.3	Mini-storage facility	-	-	-	-	-	-	-	-	-	-	C	-	-	P	19.720
11.4	Truck terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
11.5	Warehouse	-	-	-	-	-	-	-	-	-	-	-	C	-	P	-
12.0 Recreation / Sports / Entertainment																
12.1	Amusement ride	-	-	-	-	-	-	-	-	-	-	-	P	-	-	19.721
12.2	Animal menagerie	-	-	-	-	-	-	-	-	-	-	C	C	-	-	19.722
12.3	Casino	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-
12.4	Indoor entertainment	-	-	-	-	-	-	-	-	-	P	P	P	C	C	-
12.5	Indoor recreation	-	-	-	-	-	-	-	-	C	P	P	P	C	-	-
12.6	Golf course / driving range	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
12.7	Miniature golf	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
12.8	Outdoor entertainment	-	-	-	-	-	-	-	-	-	-	C	C	-	C	-
12.9	Park	P	P	P	C	C	C	C	C	C	C	C	C	C	C	-
12.10	Recreational trail	P	P	P	C	C	C	C	C	C	C	C	C	C	C	-
12.11	Sports/fitness	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-
13.0 Community Services / Uses																
13.1	Administrative governmental center	-	-	-	C	C	C	C	-	C	P	-	-	C	-	-
13.2	Animal shelter	C	C	-	-	-	-	-	-	-	-	-	C	-	C	19.723
13.3	Cemetery	P	P	-	P	P	P	P	-	-	-	P	C	-	-	19.724
13.4	Civic use facility	-	-	-	-	-	-	-	-	-	P	P	P	C	-	-
13.5	Community center	-	-	-	C	C	C	C	-	C	P	P	-	P	-	-
13.6	Community cultural facility	-	-	-	C	C	C	C	-	C	P	P	-	P	-	-
13.7	Community garden	P	P	-	C	C	C	C	C	-	-	C	-	P	-	-
13.8	Public safety facility	-	-	-	-	-	-	-	-	C	P	P	P	C	-	-
13.9	Worship facility	-	-	-	C	C	C	C	-	C	P	P	P	C	-	-

5-1. Principal uses by district - continued

14.0	Health Care	D-1											Special Standards			
		A-1	A-2	[1]	R-1	R-2	R-3	R-5	R-9	C-1	C-2	C-3		C-4	M-1	I-1
14.1	Health care office	-	-	-	-	-	-	-	-	C	P	P	-	P	-	
14.2	Health care center	-	-	-	-	-	-	-	-	-	-	P	-	C	-	
15.0 Education																
15.1	Commercial education facility	-	-	-	-	-	-	-	-	C	P	-	C	-		
15.2	Educational facility (K-12)	-	-	-	C	C	C	-	C	-	P	-	C	-		
15.3	Educational facility (higher education)	-	-	-	-	-	-	-	-	-	P	-	C	-		
15.4	Instructional facility	-	-	-	-	-	-	-	C	P	P	C	C	-		
16.0 Solid Waste Management																
16.1	Composting facility	P	P	-	-	-	-	-	-	-	-	-	-	-	C	19.725
16.2	Recycling center	-	-	-	-	-	-	-	-	-	-	-	-	-	P	19.726
16.3	Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	-	P	19.727
17.0 Telecommunications and Utilities																
17.1	Concealed telecommunications antennae	P	P	-	-	-	-	-	P	P	P	P	P	P	P	19.728
17.2	Unconcealed telecommunications antennae	C	C	-	-	-	-	-	-	-	-	-	-	-	C	19.728
17.3	Utility installation	C	C	C	C	C	C	C	C	C	C	C	C	C	P	
18.0 Transportation																
18.1	Bus/rail transit terminal	-	-	-	-	-	-	-	-	P	P	P	C	-		
18.2	Marina	C	C	-	-	-	-	-	C	C	C	C	C	C		
18.3	Parking lot, off-site	-	-	-	-	-	-	-	C	C	C	C	C	C		
18.4	Parking structure	-	-	-	-	-	-	-	-	C	C	C	C	C		
18.5	Railroad line	C	C	C	C	C	C	C	C	C	C	C	C	C		
18.6	Street	P	P	-	P	P	P	P	P	P	P	P	P	P		
18.7	Taxi cab dispatch terminal	-	-	-	-	-	-	-	-	C	C	C	C	-		
19.0 Industrial																
19.1	Artisan shop	-	-	-	-	-	-	-	P	P	P	P	C	P		
19.2	Contractor yard	-	-	-	-	-	-	-	-	-	-	-	-	P	19.729	
19.3	Industrial, heavy	-	-	-	-	-	-	-	-	-	-	-	-	C		
19.4	Industrial, light	-	-	-	-	-	-	-	-	-	-	-	-	P		

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

Notes:

1. Non-residential buildings and structures may be allowed in this district through the conditional use process when used in conjunction with a permitted use.
2. In this district, one two-family residence is permitted, subject to site plan approval, on those lots denoted for such use on the face of final subdivision plat or certified survey map as approved by the common council after May 21, 2007.
3. Refer to Section 19.636 for special provisions that may apply
4. Refer to Section 19.637 for special provisions that may apply
5. This use is limited to lands East of Church Street.

Zoning Discussion **Items 5(b) - 5(g)**
12/9/2019 Plan Commission Meeting
Zoning Code Maintenance Updates

5(b)

Items related to Hawking – Add Hawking prohibition to Zoning Code as a regulation on Private Property. Prohibition on Hawking from Public Property is already covered in other Ordinances.

The existing prohibitions on Hawking are unclear and do not exist in the Zoning Code. As a restriction on a use of Private property, the prohibition on Hawking is being added to the Zoning Code for clarify and ease of enforcement.

Article 2 – INTERPRETATIONS, CONSTRUCTION, AND DEFINITIONS

Section 19.110 General Definitions

Add definition for Hawking – Derived from City Nuisance Ordinance Chapter 17.02.

Article 5 Division 5 – GENERAL STANDARDS

Section 19.678 Hawking Prohibited

Section added to add prohibition on Hawking from Private Property to Zoning Code -
Derived from City Nuisance Ordinance Chapter 17.02.

5(c)

Items related to removal of the Campground Ordinance

Some time ago the City stopped requiring a local Campground license, as Campgrounds are regulated and licensed by the State. Recently the City removed the Campground requirements from City Licensing Ordinance Chapter 16. It was discovered that there were some RV parking requirements in Chapter 16 that should be retained.

Proposed changes to the Zoning Code to re-capture these requirements are:

Article 2 – INTERPRETATIONS, CONSTRUCTION, AND DEFINITIONS

Section 19.110 General Definitions

Add definition for Camping Unit (Derived from State Admin Code ATCP 73.03(6))

Amend definition for Recreational Vehicle to include items in City Ord Chapter 16

Article 5 Division 5 – GENERAL STANDARDS

Section 19.674 Special provisions for residential premises

Amend to include Camping Unit to restriction on occupancy for residential premises.

Section 19.677 Camping Units restricted outside of Licensed Campground.

Section added to capture prohibition on use of Camping Units outside of a license Campground

Article 6 Division 2 – VEHICLE PARKING

Section 19.1100 General requirements

Amend to add prohibition on parking RV outside of a licensed Campground

5(d)

Items related to Seasonal Workforce Housing on Arterial or Collector Street

There had often been discussion that existing lodging facilities on major streets should not be converted to Seasonal Workforce Housing.

Article 5 Division 6 – SPECIAL STANDARDS FOR PRIMARY USES

Section 19.710

Amend section to add language restricting Seasonal Workforce housing on Arterial and Collector streets. Allow an exemption for south Vine Street, which was previously identified as appropriate for Seasonal Workforce housing.

5(e)

Items related to Accessory Uses in the R-3 Residential-mixed use Zone

There are only two (2) uses in the Zoning Code that are allowed in the R-1 and R-2 Districts, but prohibited in the R-3 District.

Article 5 Division 3 – ALLOWABLE USES

Exhibit 5-2 Accessory uses by district

“Home Occupation” and “Bed and Breakfast” is currently conditionally permitted in Zones R-1 Residential – single family and R-2 Residential- two family.

“Home Occupation” and “Bed and Breakfast” are Prohibited in Zone R-3 Residential – mixed use. This Zone is meant to allow a mix of Single family, two family, and multi-family dwellings.

Amend to allow “Home Occupation” and “Bed and Breakfast” as a Conditional Use in the R-3 Zone.

Article 5 Division 7 – SPECIAL STANDARDS FOR ACCESSORY USES

Section 19.803 Bed and Breakfast

Limit Bed and Breakfast to Single family detached dwelling units.

5(f)

Items related to Soft Sided Accessory Structures

The Zoning Code currently prohibits Soft Sided “Garages”. The Zoning Code defines a Yard Shed as a separate structure than a “Garage”. It seems consistent to apply the prohibition on Soft Sided structure to “Yard Sheds” as well as “Garage”

Article 5 Division 7 – SPECIAL STANDARDS FOR ACCESSORY USES

Section 19.823 Yard Shed

Amend section to clarify delineation between a Yard Shed and a Garage.

Amend section to add prohibition on Soft Sided Structures as Yard Sheds to match existing prohibition that applies to accessory structures defined as Garages.

5(g)

Items related to miscellaneous code clean up.

Minor code clerical errors or type-o are sometimes discovered. Generally these items are considered non-substantive, and can be corrected. When possible these corrections are documented during a code update process.

Article 2 – INTERPRETATIONS, CONSTRUCTION, AND DEFINITIONS

There were a couple of small items in the zoning code that are considered to be errors or type-o.

Section 19.110 General Definitions

Remove Definition of Industrial Retail from Primary Use section

This definition already exists in the Accessory Use section where it belongs.

Correct numbering error in Residential Uses definitions

F

Family An individual living alone in a dwelling unit, or 2 or more individuals related by blood, marriage, adoption, or other legal means, or a group of not more than 4 individuals who are not so related who live together as a single housekeeping unit in a dwelling unit.

Finding A written conclusion or determination considered in reaching a decision.

Five-year time of travel The recharge area upgradient of the cone of depression, the outer boundary from which it is determined or estimated that groundwater will take five years to reach a pumping municipal well.

Floor area The total horizontal area contained within the outside perimeter of a building.

Fugitive dust The solid airborne particulate matter resulting from any activity conducted on a parcel zoned, or used, for industrial purposes.

H

5(b)

Hawking The act of calling out or otherwise attempting to attract attention to a business enterprise. To make or cause to be made for the purpose of advertising or announcing his vocation or presence, or in connection with the buying or selling of any goods, wares, merchandise, services or any thing whatsoever, or with the carrying on of any trade, occupation, vocation or profit making activity, an immediate or excessive use of the voice, or of any bell, gong, horn, instrument, article or device.

Hazard Any condition, whether man-made or natural, that presents a tangible danger to the public health, safety, and general welfare.

Hazardous substance Any material regulated by the Emergency Planning and Community Right-to-Know Act of 1986 42 USC 1101-11050, as may be amended.

Hazardous waste A waste or combination of wastes that because of its quantity, concentration, or physical, chemical, or infectious characteristics, may (1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

Height A line of measurement between two given points contained in a plane that is perpendicular to ground level.

I

Impervious surface The portion of a lot that substantially reduces or prevents the infiltration of stormwater into the ground. It includes areas of compacted soil and surfaces such as buildings, sidewalks, parking lots, driveways, and similar features.

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

L

Land development Any activity that must comply with the provisions of this code.

Land use As the context indicates (1) the development that has occurred on the land; (2) development that is proposed for the land; or (3) the use permitted for the land under this code.

C

5(c)

Camping Unit A structure, including a tent, camping cabin, yurt, recreational vehicle, mobile home, or manufactured home, bus, van, or pickup truck. [from State Admin ATCP 79.03(6) – Tent previously defined in Campground Ordinance as part of RV definition]

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.

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.

Permit A written governmental authorization allowing the holder to take action not otherwise allowed.

Permitted use See land use, permitted by right.

Person Any individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

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

Plan commission The plan commission created by the common council pursuant to state law.

Playhouse A small, freestanding accessory building, either at ground level or elevated, used exclusively by children for play.

Pollution or pollutants The presence in the outdoor atmosphere, ground, or water of any substance, contaminant, noise, or any other manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air, soils, or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

Porch A part of a building with a roof of its own that covers an entrance.

Principal building The primary building or structure on a lot housing a principal use.

Principal land use See land use, principal

Public notice The way in which a government uses or is required to use to formally notify people of a proposed governmental hearing or action.

R	5(c)
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Recharge area The area which encompasses all areas or features that, by surface infiltration of water that reaches the zone of saturation of an aquifer (i.e., supplies groundwater to a well).

Recreational vehicle A vehicular type unit primarily designed as a temporary living quarters for recreational, camping, or travel use that either has its own motor power or is mounted on or drawn by another vehicle. This can include a Private RV, Travel Trailers, Pop-up Trailers, Pickup Coaches, Motor Homes, and/or Camping Trailers.

Recreational vehicle park A tract of land available to and principally used by the public for camping, where people can park recreational vehicles for camping and sleeping purposes.

Recreational vehicle space A designated portion of a recreational vehicle park designed for the placement of a single recreational vehicle for the exclusive use of the occupants.

Regulated substances A chemical or chemical mixture that is a health hazard. Health hazards for chemicals and chemical mixtures are typically identified on Material Safety Data Sheets (MSDS) available from the substance manufacturer or supplier. Substances packaged for consumption for humans or animals are not considered regulated substances. Regulated substances include (1) chemicals for which there is scientific evidence that acute or chronic health effects may result from exposure including carcinogens, toxic and highly toxic agents, irritants, corrosives, sensitizers, hepatotoxins, agents that act on the hematopoietic system, reproductive toxins, and agents which damage the lungs, skin, eyes, or mucous membranes as defined in 29 CFR 1910.1200, Appendix A, Health Hazard Definitions (Mandatory); (2) mixtures of chemicals which have been tested as a whole and have been determined to be a health hazard; (3) mixtures of chemicals which have not been tested as a whole but which contain any chemical which has been determined to be a health hazard and comprises 1.0 percent or greater of the composition on a weight per unit weight basis; (4) mixtures of chemicals which include a carcinogen if the concentration of the carcinogen in the mixture is 0.1 percent or greater of the composition on a weight per unit weight basis; (5) ingredients of mixtures prepared within the groundwater protection overlay district in cases where

**Division 5
GENERAL STANDARDS**

Sections:

19.670	Licensing with the city	19.673	Outdoor speakers
19.671	Licensing with state agencies	19.674	Special provisions for residential premises
19.672	Cart returns	19.675	Permanent structure with washroom

19.670 Licensing with the city

In addition to meeting the requirements contained in this article, specified land uses and activities shall also meet the regulations for licensing with the city which may now exist or may be adopted. (See chapter 16 of the municipal code.)

19.671 Licensing with state agencies

If a land use or any related activity requires a license from the state, or its agent, such license shall be obtained prior to the establishment of such use or activity and shall be maintained for the life of the use or activity, so long as required by the state or its agent.

19.672 Cart returns

- (1) **Applicability.** Each retail project that provides on-site parking in excess of 100 vehicle parking spaces shall provide shopping cart returns as provided in this section.
- (2) **Number.** A least one cart return shall be provided for each 100 parking spaces.
- (3) **Specifications.** The cart return shall be at least 170 square feet in area and be constructed of durable materials that are compatible with the building and outdoor lighting standards.
- (4) **Placement.** No cart return shall be located within 25 feet of the building entrance, unless there is no other practicable location.

19.673 Outdoor speakers

Sound emanating from an outdoor speaker associated with any non-residential establishment shall not be audible from a lot in a residential zoning district.

5(c)

19.674 Special provisions for residential premises

- (1) **Occupancy of a dwelling unit.** A dwelling unit shall be occupied by no more than one family.
- (2) **Short-term rental.** Except as provide din this codeA -a dwelling unit shall not be leased, rented, or otherwise occupied for a period of time shorter than 4 months, except for managed condominium projects.
- (3) **Use of recreational vehicle or camping unitfor occupancy.** A recreational vehicle shall not be used for occupancy while on a residential premises, except for guests not exceeding 5 days in a calendar month. No camping unit that is a temporary structure, such as a tent, may remain when not occupied as allowed under this section.
- (4) **Firewood storage.** No more than two cords of firewood shall be stored out of doors on the parcel.

19.675 Permanent structure with washroom

All commercial activities shall be conducted within or on a premises having a permanent building equipped with a washroom having hot and cold running water, wash basins, towels or equivalent, and a toilet. The common council may waive this requirement pursuant to the procedures for acting on a conditional use permit application.

19.676 Design Review Approval

All projects that involve construction, maintenance, and/or any item addressed in the adopted Design Standards in the C-2 Commercial Downtown Zoning District Standards shall obtain a Certificate of Appropriateness per the adopted Design Standards. In addition, all signage throughout the city is subject to review and approval by the Design Review Committee.

5(c)

19.677 Camping Units restricted outside of Licensed Campground. It shall be unlawful, except as provided in this code or by special permission from the City, for any person to park any recreational vehicle, or establish any camping unit, outside of an approved campground or campground resort. The parking of only one unoccupied recreational vehicle in an accessory private garage building or in a rear yard (in compliance with motor vehicle set-backs) is permitted, providing no living quarters shall be maintained or any business practiced in said recreational vehicle while such is so parked or stored.

Exceptions: A Camping Unit on a private residential premises may be occupied by non-paying friends or relatives for no more than five (5) days in a calendar month. No camping unit that is a temporary structure, such as a tent, may remain when not occupied as allowed under this section.

19.678 Hawking Prohibited. 5(b)

No person, firm or corporation shall make or cause to be made for the purpose of advertising or announcing his vocations or presence, or in connection with the buying or selling of any goods, wares, merchandise, services, or anything whatsoever, or with the carrying on of any trade, occupation, vocation, or profit making activity, an immediate or excessive use of the voice, or of any bell, gong, horn, instrument, article, or device.

No person shall call out to persons on public property or neighboring private property for the purpose of attracting attention to their business.

19.677 to 19.699 reserved

**Division 6
SPECIAL STANDARDS FOR PRINCIPAL USES**

Sections:

19.700	Mobile home park	19.717	Veterinary clinic, small animal
19.701	Residence, single-family detached	19.718	Vehicle repair
19.702	Residence, two-family	19.719	Vehicle sales and rental
19.703	Residence, multi-family	19.720	Mini-storage facility
19.704	Residence, townhouse	19.721	Amusement ride
19.705	Adult family home	19.722	Animal menagerie/zoo
19.706	Community living arrangements	19.723	Animal shelter
19.707	Foster home and treatment foster home	19.724	Cemetery
19.708	Campground	19.725	Composting facility
19.709	Group camp	19.726	Recycling center
19.710	Seasonal Workforce Housing	19.727	Solid waste transfer station
19.711	Tavern	19.728	Telecommunication facility
19.712	Body-piercing establishment	19.729	Contractor yard
19.713	Commercial kennel		
19.714	Sexually-oriented business		
19.715	Tattoo establishment		
19.716	Veterinary clinic, large animal		

19.700 Mobil home park

- (1) **Generally.** Mobile home parks shall comply with the provisions of this part and applicable state law.
- (2) **Minimum size.** The minimum size of a mobile home park shall be 5 acres.
- (3) **Uses.** Recreational vehicles may not be used for dwelling purposes. The following are permitted:
 - (a) one mobile home or manufactured home per designated space;
 - (b) one single-family dwelling for the operator or caretaker;

- (3) **Change in use.** When an existing use is changed to a new use, facilities required in this article shall be provided as required for such new use. However, if the building or structure housing the new use was erected prior to the effective date of this chapter, facilities required in this article shall be provided in the amount to account for the difference between the new and old use.
- (4) **Restriping.** When a parking area is restriped, accessible parking spaces as required shall be marked and designated consistent with this article.

19.1003 Calculations

When a calculation results in a fraction, the minimum shall be rounded up to the next whole number.

19.1004 to 19.1099 reserved

**Division 2
VEHICLE PARKING**

Sections:

19.1100	General requirements	19.1105	Shared parking
19.1101	Minimum off-street parking requirements	19.1106	Accessible parking and passenger loading
19.1102	Construction and maintenance requirements	19.1107	Passenger loading zone
19.1103	Design requirements		
19.1104	Payment in lieu of parking		

19.1100 General requirements

- (1) **Location of parking.** All parking spaces provided pursuant to this article shall be on the same lot or an adjoining lot with the building, except that the zoning administrator may permit the parking spaces to be on a lot within 400 feet of the lot served by the parking lot if he determines that it is impractical to provide parking on the same or adjoining lot.
- (2) **Off-site parking agreements.** If required parking is to be provided off-site, the use of such a site for parking shall be secured with a long-term agreement acceptable to the city attorney and recorded with the county clerk. The city shall be named in that agreement as one of the parties with rights of enforcement.
- (3) **Change in use.** Any area once designated as required parking shall not be changed to any other use unless and until equal facilities are provided elsewhere, in accordance with this article.
- (4) **Accessibility.** All parking spaces shall be accessible at all times, from a street, alley, or driveway intended to serve such parking.
- (5) **Use of parking spaces.** The required off-street parking shall be for occupants, employees, visitors, and patrons. The storage of merchandise, supplies, motor vehicles for sale, or the repair of vehicles on such parking area is prohibited. In addition, the use of a parking lot for overnight camping, including recreational vehicle camping, is prohibited.
- (6) **Restrictions on Recreational Vehicles.** It shall be unlawful, except as provided in this Code, for any person to park any recreational vehicle which is situated outside an approved campground or camping resort. The parking of only one unoccupied recreational vehicle in an accessory private garage building or in a rear yard (in compliance with 5 foot set-back from property line) is permitted, provided no living quarters shall be maintained or any business practiced in said recreational vehicle while such is so parked or stored.
- (7) **Exception.** Parking requirements do not apply to the C-2 Downtown Commercial zoning district.

19.1101 Minimum off-street parking requirements

- (1) **Minimum number of spaces.** The number of off-street parking spaces required shall be no less than as set forth in exhibits 6-1, 6-2, and 6-3, except as otherwise provided for in this article.
- (2) **Maximum number of spaces.** The number of parking spaces provided in a ground surface parking lot may not exceed the minimum number by more than 20 percent. However, there shall be no limitation on the number of parking spaces provided when the spaces exceeding the minimum are located in a parking garage or similar structure. Any additional ground parking spaces above 20 percent shall be allowed only as a conditional use and shall be granted upon a finding that additional spaces are needed for that particular use and/or location.
- (3) **Unspecified uses.** For uses not specifically listed in this table, parking requirements shall be based on the most comparable use.

19.710 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.
- (3) **Restrictions on Arterial or Collector Streets.** New Seasonal Workforce Housing facilities fronting on Arterial or Major Collector Streets (as designated by the Zoning map) should not be allowed unless the applicant can demonstrate extenuating circumstances. The conversion of existing “Overnight Lodging” facilities are of particular concern, and should not be allowed on Arterial or Major Collector Streets and are subject to increased scrutiny on Minor Collector Streets. New construction of facilities that are planned, designed, and constructed for Seasonal Workforce Housing (with a sprinkler system), with adequate buffering between the buildings and the street may be considered.
 - (a) **Exemption:** That area of Vine St. designated in the Comprehensive Plan as “Targeting Seasonal Employee Housing” (South of Broadway) is exempted from this restriction on Arterial or Collector Street.

5(d)

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19.711 Overnight Lodging

- (1) **Extended Stay in Overnight Lodging Facilities.** For the purposes of this section, extended stay means guests staying at an Overnight Lodging Facility for more than twenty-one (21) days in any sixty (60) consecutive days.
- (2) Any owner or operator that allows a person to occupy a hotel or motel room for more than twenty-one (21) consecutive days shall prepare a completed extended-stay record with the following information:
 - (a) Name and address of each person.
 - (b) Dates of occupancy.
 - (c) Make and license plate information of vehicle.
 - (d) The owner or operator of an Overnight Lodging Facility shall retain a copy of the extended stay record on file for one (1) year from the last date of occupancy.
 - (e) 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 for more than thirty (30) days in any sixty (60) consecutive days.
- (3) **Maximum Length of Stay in Overnight Lodging Facilities.** No person shall reside in any Overnight Lodging Facility for more than thirty (30) days in any sixty (60) consecutive days.
- (4) **Exemptions.** Length of stay restrictions do not apply to:
 - (a) The owner/operators of the facility
 - (b) Full time employees of the facility residing as a “family” (as defined in this code) within a “dwelling unit” (as defined in this code) within a “dwelling unit” (as defined in this code).
 - (c) Employees of the facility residing in permitted and licensed Seasonal Workforce Housing quarters.
 - (d) Guests who stay in the facility for five (5) days or less in any seven (7) consecutive days.

19.712 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.

19.713 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.

5(e)

Exhibit 5-2. Accessory uses by district

20.0	Accessory Use	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	Special 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	-	-	-	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
20.625	Exterior Activity Area	P	P	-	C	C	C	C	C	P	P	P	P	C	P	19.8045
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	-	-	-	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	-	-	-	-	-	-	-	-	-	P	P	P	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	19.825
20.30	Short Term Rentals	P	P	P	P	P	P	P	P	P	P	P	P	P	P	19.826

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

Exhibit 5-3. Temporary uses by district

21.0	Temporary Use	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	Special Standards
21.1	Circus	-	-	-	-	-	-	-	-	-	P	P	P	-	-	19.901
21.2	Farmers' market	C	C	-	-	-	-	-	-	P	C	C	C	C	-	19.902
21.3	Itinerant sales	-	-	-	-	-	-	-	-	C	C	C	C	-	-	19.903
21.4	On-site construction office	-	-	-	-	-	C	C	-	-	C	C	C	C	-	19.904
21.5	On-site real estate sales office	-	-	-	C	C	C	C	-	-	-	-	-	C	-	19.905
21.6	Outdoor vendor	-	-	-	-	-	-	-	-	-	C	C	C	C	-	19.906
21.7	Seasonal product sales	P	P	-	-	-	-	-	-	C	-	P	P	C	P	19.907
21.8	Public Sidewalk café	-	-	-	-	-	-	-	-	C	P	-	-	C	-	19.908
21.9	Snow disposal site	P	P	-	-	-	-	-	-	-	P	-	-	-	P	19.909
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

**Division 7
SPECIAL STANDARDS FOR ACCESSORY USES**

Sections:

19.800	Adult family home	19.813	Outdoor furnace
19.801	Amateur radio station	19.814	Play structure
19.802	Automated teller machine, exterior	19.815	Private kennel
19.803	Bed and breakfast	19.816	Private stable
19.804	Drive-up service window	19.817	Roadside produce stand
19.8045	Exterior Activity Area	19.818	Standby electrical power generator
19.805	Family day care home	19.819	Storage container
19.806	Fence	19.820	Swimming pool
19.807	Foster home and treatment foster home (operated as an accessory use)	19.821	Walk-up service window
19.808	Garage, nonresidential	19.822	Wind energy system
19.809	Garage, residential	19.823	Yard shed
19.810	Home occupation		
19.811	Outdoor commercial food and beverage service		
19.812	Outdoor display incidental to indoor sales		

19.800 Adult family home

Prior to establishment of this use, and as often as required thereafter, the operator shall obtain a state license.

19.801 Amateur radio station

Amateur radio stations may be installed, erected, maintained, and/or operated in any residential zoning district or mixed-use zoning district, except historic districts, without benefit of a building permit or other entitlement process, so long as all the following conditions are met:

- (a) The antenna is operated by a federally licensed amateur radio operator as part of the Amateur Radio Service and is less than 80 feet in height.
- (b) The antenna use involved is accessory to the primary use of the property that is not a telecommunications facility.
- (c) The premises contains no more than 3 antenna support structures.
- (d) Sufficient anti climbing measures have been incorporated into the facility, as needed, to reduce potential for trespass and injury.
- (e) The antenna is not located in the front yard.

19.802 Automated teller machine, exterior

- (1) **Security.** An ATM shall be located in a location that is readily visible.
- (2) **Lighting.** Proper lighting levels shall be maintained 24 hours a day for security purposes.
- (3) **Location.** An ATM shall be located at least 5 feet from public property.

5(e)

19.803 Bed and breakfast

- (1) **Type of dwelling.** A bed and breakfast shall only occur within a single-family detached dwelling.
- (2) **Number of allowable guest rooms.** No more than 6 guest rooms shall be offered.
- (3) **Residency requirement.** The operator of the bed and breakfast shall reside within the single family dwelling on a permanent basis.
- (4) **Exterior character of the dwelling unit.** The exterior appearance of the building shall not be altered from its single-family appearance.
- (5) **Food preparation.** No food preparation or cooking shall be allowed in guest rooms.
- (6) **Meals.** Meals shall only be offered to overnight guests.
- (7) **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.

19.818 Standby electrical power generator

A standby electrical power generator shall not generate an average sound level of more than 65 dBA as measured at the property boundary line. Manufacturer test results may be used as a basis for determining the distance a unit would have to be placed from a property boundary line to meet this standard.

19.819 Storage container

- (1) **Location.** A storage container on a commercially-zoned parcel shall:
 - (a) not be located in a parking area required by this chapter;
 - (b) only be located between the back of the building and rear lot line;
 - (c) observe the setback requirements for the district in which located; and
 - (d) not be located in a buffer as may be required by this code.
- (2) **Number.** No more than one storage container shall be located on a commercially-zoned parcel.
- (3) **Character.** A storage container shall be structurally sound and in good repair.
- (4) **Signage.** A storage container may not be used for signage.

19.820 Swimming pool

- (1) **Location.** A swimming pool shall not be located in a front yard.
- (2) **Decking.** Decking is considered an integral part of the swimming pool and shall comply with all setback requirements.
- (3) **Drainage.** Water that is drained out of a swimming pool shall not be allowed to flow onto adjoining property or into a city sewer without the approval of the public works director for the city.
- (4) **Area.** The area occupied by a swimming pool shall not exceed 30 percent of the required yard area.
- (5) **Outdoor lighting.** Outdoor lighting shall not shine onto adjoining property.
- (6) **Design specifications.** A swimming pool shall meet the most current standards published by the National Spa and Pool Institute (NSPI) and the American National Standards Institute (ANSI) including those for plumbing, electrical service, sanitation, fencing, security, and safety.

19.821 Walk-up service window

A walk-up service window shall not be located within 8 feet of a required yard area, except as provided herein. In the Downtown Commercial District (C-2) along Broadway Avenue between the Wisconsin River and Church Street, a walk-up service window may front directly on a public sidewalk.

19.822 Wind energy system

- (1) **Use.** A wind energy system shall be used primarily to produce electricity for on-site use.
- (2) **Minimum lot size.** A wind energy system shall be located on a lot that is 3 acres or larger.
- (3) **Placement.** The base of the unit shall be placed no closer to a property boundary line than two times the height of the unit. For example, a 75-foot high unit needs to be at least 150 from any property boundary line.

19.823 Yard shed 5(f)

- (5) **Location.** A yard shed shall not be located in a front yard.
- (6) **Size.** A shed large enough to house a street legal vehicle would be considered a garage.
- (7) **Type of construction.** Soft-sided structures and canopies are specifically prohibited.

~~A yard shed shall not be located in a front yard.~~

19.824 Reserved

19.825 Industrial District Retail

The retail sales and activities shall be ancillary and related to the products manufactured on premises and subject to such conditions as imposed by the city, including without limitation, are of retail space, hours of operation, parking and traffic flow. Any use accessory to the Industrial District Retail use, such as outdoor commercial activities, will be required to obtain permits or other approvals consistent with the requirements in the C-4 Commercial-Large Scale Zoning District.

19.826 Short Term Rentals

Short Term Rentals shall be subject to the provisions of City Ordinance Chapter 16.35.

street right of way and the opposing side lot line from the rear lot line to the rear of the building. A minimum rear yard depth may be specified for the district in which the lot is located. (Exhibit 2-1)

Yard, side A yard as described for each of the following types of lots (1) interior lot, the area that extends between the front and rear yards from the side lot line to the side of the building. A minimum side yard depth as may be specified for the district in which the lot is located; and (2) corner lot, the area as described for an interior lot, except when a side yard abuts a street right of way, the side yard extends between the front yard and the rear lot line from the side lot line to the side of the building. A minimum side yard depth may be specified for the district in which the lot is located. (Exhibit 2-1)

Z

Zone of saturation The area of unconsolidated, fractured, or porous material that is saturated with water and constitutes groundwater.

Zoning district A geographic area as delineated on the zoning map that identifies a base zoning district.

Zoning permit A permit issued prior to the issuance of a building permit to ensure that the proposed use is consistent with the allowable uses within the district in which it is to be located.

19.111 Land use definitions

For the purpose of this code, certain land uses are defined below and shall have the meaning ascribed to them.

1.0 AGRICULTURAL USES

- 1.1 Agriculture, horticulture A place and/or building, or portion thereof, used or is intended for growing fruit, vegetables, flowers, agricultural crops, and other plants typically grown on farming operations in the region.
- 1.2 Agriculture, livestock A place and/or building, or portion thereof, used to raise livestock of all types. Examples of livestock include cattle, horses, mules, llamas, pigs, goats, ostriches, and sheep.
- 1.3 Greenhouse A place and/or building, or portion thereof, used or is intended for growing and selling fruit, vegetables, flowers, and other types of plants within an enclosed building, whether using sunlight or artificial lighting.

2.0 RESOURCE-BASED USES

- 2.1 Aggregate extraction operation A place used or is intended to remove any aggregate resource from the ground in any manner, or to stockpile or process any aggregate resource for sale as an industrial or commercial product by either retail, wholesale, contract purchase or other considerations, including uses by a governmental agency. The term does not include on-site leveling, grading, filling, or removing of earth materials in conjunction with a farm use, road construction, or for on-site construction projects.
- 2.2 Forest management The harvesting, thinning, and planting of trees including all associated forest management activities whether for commercial or noncommercial purposes. The term includes temporary skidding yards necessary to store and sort logs harvested on the premises. The term does not include processing, permanent skidding yards, and the like.
- 2.3 Game farm A place and/or building, or portion thereof, used or is intended for purposes of obtaining, rearing in captivity, keeping, and selling game farm animals or parts thereof as authorized by state law.
- 2.4 Hunting and fishing preserve A place used or is intended primarily for hunting and/or fishing and may or may not be open to the public for a fee. The term includes shooting preserves and duck clubs. The term does not include lands that are leased for private individual use. 5(g)

~~2.5 Industrial Retail Retail sales and activities related to the products manufactured on premises.~~

3.0 RESIDENTIAL USES

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Wisconsin Dells Plan Commission will hold a Public Hearing on **Monday, December 9, 2019 at 5:00PM** in the Council Chambers of the Municipal Building at 300 La Crosse Street, Wisconsin Dells, Wisconsin 53965, to consider the following:

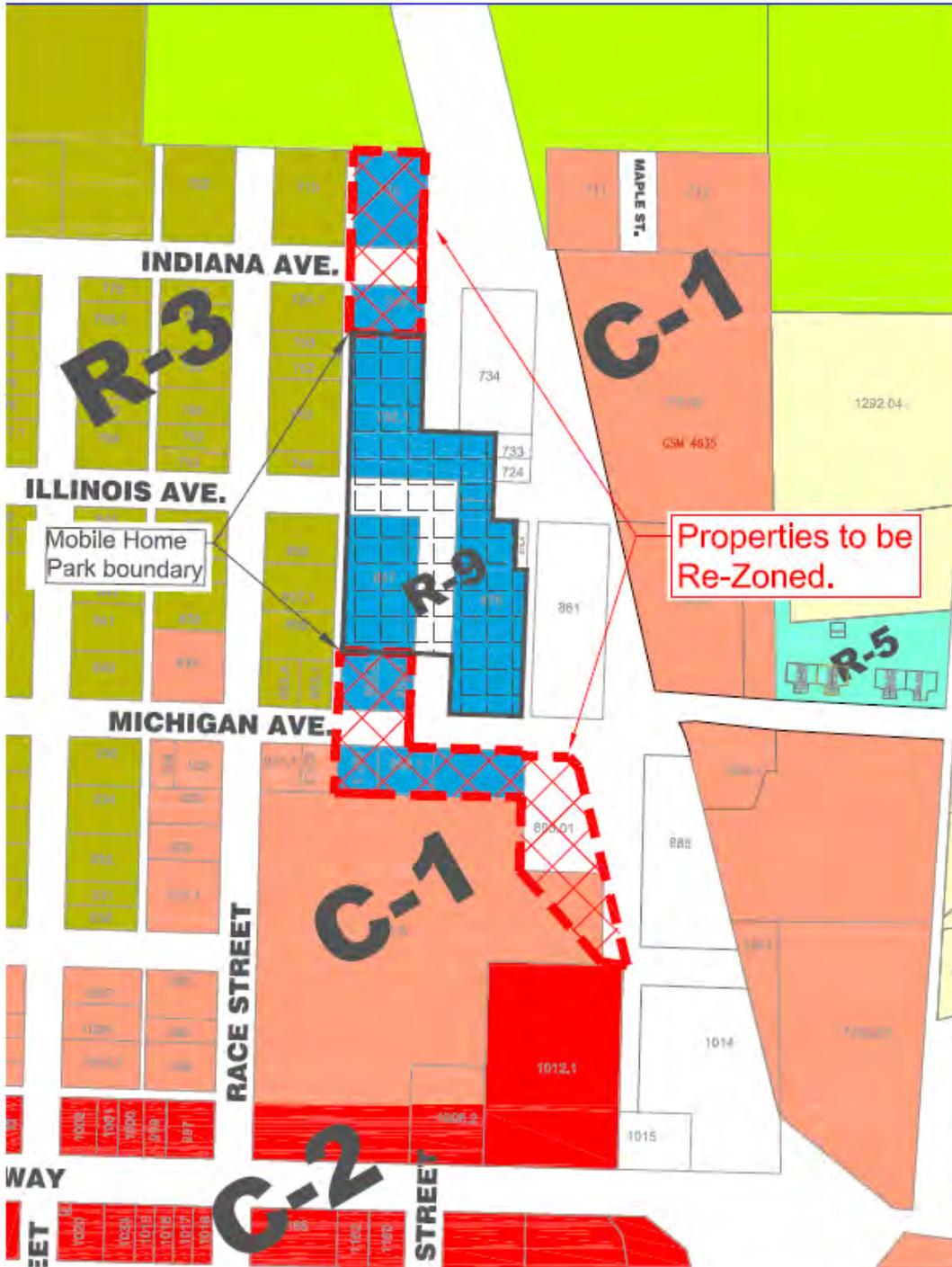
Amending the City Zoning Map, to make the following corrections:

Lands adjacent to the Mobile Home Park on Race St (referred to as Tower View Estates) were erroneously placed in the "**R-9 Residential-mobile home park**" Zoning District. These properties should be zoned consistent with their neighboring properties, not in the mobile home park.

The following parcels are proposed to be zoned **R-3 Residential-mixed Use**: 11291-740, 11291-852.1, 11291-852.B, and a portion of 11291-710

The following parcels are proposed be zoned **C-1 Commercial Neighborhood**: 11291-907.3, 11291-908.1, and a portion of 11291-1008.3.

Land previously part of the State Trunk Hwy 13 Right of Way were privately purchased became parcel 11291-893.01. This property should be zoned **C-1 Commercial-neighborhood**, consistent with the adjacent private property.



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.

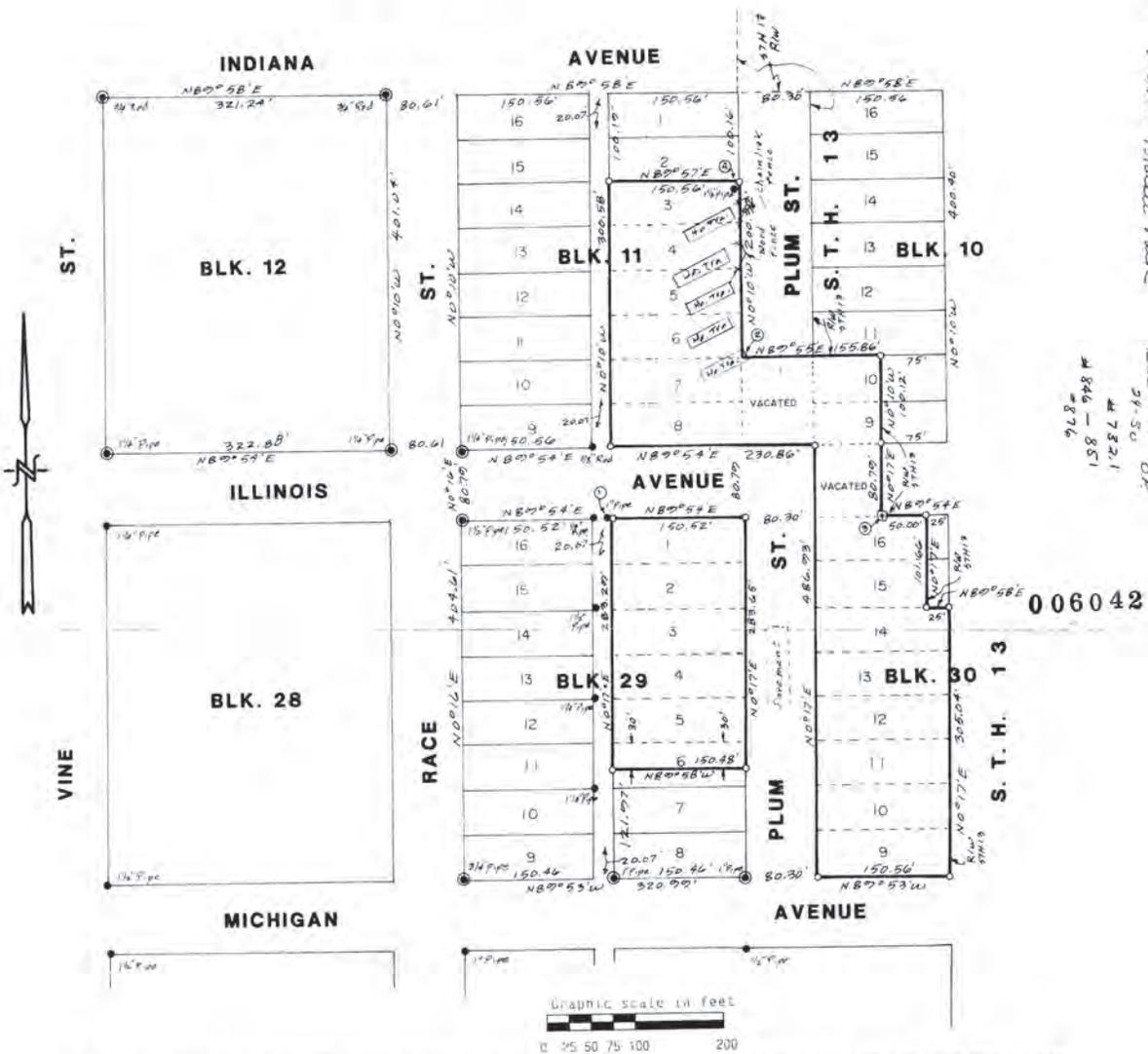
Dated this 15th of November 2019
 Chris Tollaksen
 City of Wisconsin Dells

Publication Date:
 November 21, 2019
 November 28, 2019

City of Wisconsin Dells - Weber Trailer Park

PLAT OF SURVEY
WEBER TRAILER PARK
WISCONSIN DELLS WISCONSIN

Now Tower View



BLK 11-10 OP
59.50
848 - 851
876

● = found pipe or rod as shown. ○ = found pipe or rod as shown and used in this survey. Balance of pipes and rods found were not used because of various dimensional differences with those shown. ○ = Set 3/4"x24" round iron rod weighing 1.5# per lineal foot.

Bearings are referred to the pipes found at the block corners on the east line of Block 12 and assumed to bear N0°10'W. Nearest minute. Distances to east of found and used pipes and rods are made to fit the commonly used multiplier of 1.0037 times the platted distance.

① = found pipe is N19°44'W 1.05' from new rod. ② = Rod not set because house trailer sits over corner. Southeast corner of trailer is 1' 0" south and 5' 3" east of where rod should be. ③ = Chisled cross in concrete in front of trailer #1110. ④ = found pipe is S38°31'W 2.08' from new rod.

Client: Ray Dambroski, 4445 S. 13th St., Milwaukee, WI 53221. Surveyor: Carlson Surveying, 127 10th Ave., Baraboo WI 53913

Legal Description: Lots 3 thru 8, Block 11; Lots 1 thru 5 and the North 30 feet of Lot 6, Block 29; Lots 9 thru 16 EXCEPT the east 25 feet of lots 15 and 16, Block 30; Lots 9 and 10 EXCEPT the east 75 feet, Block 10; and part of vacated Illinois Ave lying between the above part of Lot 9, Block 10 and Lot 16, Block 30; and part of vacated Plum Street lying between the east side of Lots 7 and 8, Block 11 and the west side of Lots 9 and 10, Block 10. All Original plat of the City of Wisconsin Dells, formerly Kilbourn City, Columbia County, Wisconsin.

SURVEYOR'S CERTIFICATE: I, Kenneth G. Carlson, registered land surveyor, hereby certify that I have surveyed, staked and mapped the above described parcels and have complied with the provisions of A-E-7 of the Wisconsin Administrative Code to the best of my knowledge and belief.



Towerview Mobil Home Park

